Ordinance No. 34
Adopted April 15, 2003
Effective May 1, 2003
As Amended through Ordinance No. 34-18
Amendment Effective June 1, 2016

Dexter Township
Washtenaw County, Michigan
## Summary Table of Amendments

(Through June 3, 2015)

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**Summary**: Zoning amendment for parcels D-04-33-300-023/024/028/029 and the eastern portion of D-04-33-300-030 to Rural Residential (RR) zoning, and the south-western portion of parcel D-04-33-300-033 to Common Use (CU) zoning as shown on the Official Zoning Map.
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**34-5 / 4-15-08 Effective 5-10-08** Zoning amendment for parcels D-04-02-400-007/008 to Rural Residential (RR) zoning as shown on the Official Zoning Map.

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Following adoption of Ordinance 34-9, the Zoning Ordinance was reprinted and the above amendments were incorporated within.

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| 34-11 / 7-16-13 Effective 8-1-13 | Zoning Map | Zoning map amendment of parcel D-04-13-200-005, 7415 Dexter-Pinckney from General Commercial (C-1) to Rural Residential (RR), as shown on the Official Zoning Map. |
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PREAMBLE

An Ordinance enacted by the Township under Public Act 110 of 2006, as amended, to provide for the establishment of zoning districts within which the proper use of land and natural resources may be encouraged or regulated by Ordinance, and within which district provisions are adopted designating the location of, the size of, the uses that may be made of, the minimum open spaces, sanitary, safety, and protective measures that shall be required for, and the maximum number of families that may be housed in dwellings, buildings, and structures, including tents and trailer coaches; to provide for administration and amendments of said Ordinance; to provide for appeals and for the organization and procedures to be followed by the Zoning Board of Appeals; and to provide for penalties for the violation of said Ordinance.

Article 1
TITLE, PURPOSE, and HYPERLINK TERMS

Section 1.01: TITLE
This Ordinance shall be known and cited as the Dexter Township Zoning Ordinance.

Section 1.02: PURPOSE
It is the purpose of this Zoning Ordinance to promote the public health, safety, comfort, convenience, and general welfare of the inhabitants of Dexter Township by encouraging the use of lands and natural resources in accordance with their character, adaptability and suitability for particular purposes; to enhance social and economic stability; to prevent excessive concentration of population; to reduce hazards due to flooding; to conserve and stabilize the value of property; to provide adequate open space for light and air and preserving community character; to prevent fire and facilitate the fighting of fires; to allow for a variety of residential housing types and commercial and industrial land uses; to lessen congestion on the public streets and highways; to facilitate adequate and economical provision of transportation, sewerage and drainage, water supply and distribution, education, recreation and other public services and facilities; to assure adequate provision of the state's citizens for food, fiber, energy and other natural resources; to ensure appropriate locations and relationships for uses of land; and to facilitate the expenditure of funds for adequate public facilities and services by establishing herein standards for physical development in accordance with the goals, objectives and policies contained in the General Development Plan for the Township; and to provide for the administration and enforcement of such standards.

Section 1.03: HYPERLINK TERMS
Some terms in this Ordinance that are hyperlinked, as indicated by an underline, different color, or both, are linked to the definition of that word in Article 2 Definitions. These terms have specific meanings that may differ from their common usage.

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End of Article 1
Article 2
DEFINITIONS

Section 2.01: CONSTRUCTION OF LANGUAGE
For the purpose of this Ordinance, certain rules of construction apply to the text as follows:
A. Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.
B. The word "person" includes a corporation, association, partnership, trust, firm, or similar entity as well as an individual.
C. The word "building" includes the word "structure" and either includes any part thereof.
D. The word "lot" includes the word "plot", "tract", or "parcel".
E. The term "shall" is always mandatory and not discretionary; the word "may" is permissive.
F. The word "used" or "occupied" as applied to any land or building shall be construed to include the words intended, arranged, maintained for or designed to be used or occupied.
G. The words "this Ordinance" means the text of this Ordinance as well as all maps, tables, graphics, and schedules, as included or attached as enacted or subsequently amended.
H. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:
1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
2. "Or" indicates the connected items, conditions, provisions or events may apply singly or in any combination.
3. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.
I. The "Township" is the Township of Dexter in the County of Washtenaw, State of Michigan; the "Township Board", "Board of Appeals" and "Planning Commission" are, respectively, the Township Board of Trustees, Zoning Board of Appeals, and Planning Commission of the Township.
J. Any word or term not interpreted or defined by this Ordinance shall be used with a meaning of common or standard utilization. A dictionary may be consulted.
K. “Days” means calendar days unless otherwise stated.
L. Where a specific agency, department, law, or rule is referred to in this Ordinance, such reference shall include any successor agency, department, law or rule.

Section 2.02: DEFINITIONS
A. Definitions Of Words And Phrases Beginning With The Letters "A" Through "E":
Abutting (lot or parcel): A lot or parcel which shares a common border with the subject lot or parcel.
Accessory Building: A building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.
Accessory Use: A use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.
Adult-Entertainment Business: Any business, club or organization where one or more persons display “specified anatomical areas” or engage in “specified sexual activities” as defined below, either in person or by photograph, motion picture, television or other type of image. This definition includes the following as defined below: “adult bookstore,” “adult theater,” “massage parlor,” “public bath” and “taxi dance hall.”
1. Adult Book Store: An establishment permitting physical access by customers to floor area or shelf space which is devoted to the display of books, magazines or other periodicals, video tapes, photographs or motion picture films which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined by this Section. This definition also includes any establishment which indicates the availability of such material by any sign, advertisement or other device audible or visible from anywhere outside the principal building, regardless of the amount of area devoted to said material.
2. Adult Theater: Any establishment presenting material or activity distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined by this Section, for observation by patrons or customers.
3. Massage Parlor: An establishment in which a substantial or significant portion of the business conducted involves the administration of non-therapeutic massage, erotic touching, or fondling of such body areas as human genitals, pubic region, buttock, or breasts. The term “massage parlor” does not include medical or therapeutic massage services or any state licensed practitioners or medical or related services such as chiropractors or physical therapists.
4. **Public Bath:** An establishment providing common bathing facilities or hot tubs for use for a fee. Shower facilities, swimming pools, saunas and similar facilities intended as accessory uses in a school, health club, motel, or similar facility are not “public baths.”

5. **Specified Anatomical Areas:** Human genitals, public regions, buttock, or any portion of the female breast below a point immediately above the top of the areola when less than completely and opaquely covered, in addition to human genitals in a discernibly turgid state, even if completely and opaquely covered.

6. **Specified Sexual Activities:** Human genitals in a state of stimulation or arousal; acts of human or animal masturbation, sexual intercourse (homosexual or heterosexual), or sodomy; fondling of or erotic touching of human genitals, pubic region, buttock or female breast; bestiality; fellatio or cunnilingus; sadomasochistic abuse; and human excretory functions.

7. **Taxi Dance Hall:** An establishment which provides dance partners for one or more dances as the direct or indirect result of payment of a fee.

**Agricultural Building:** A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products and that is clearly incidental to an agricultural activity, excluding retail trade.

**Alley:** A public or legally established thoroughfare, other than a street, affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

**Alteration:** Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders; or any change which may be referred to herein as altered or reconstructed.

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

**Appeal:** A petition to the Zoning Board of Appeals for a variance, appeal of a decision, or interpretation or any other petition to the Zoning Board of Appeals, as allowed in this Ordinance and state law.

**Appeal of Decision:** An appeal to the Zoning Board of Appeals requesting a reversal, change, or modification of a decision or action by a Township official or body involved in the enforcement and execution of this Ordinance.

**Automobile Service and Repair Stations:** Buildings and premises for the primary purpose of the retail sales of gasoline, oil, grease, batteries, tires and other operational fluids and accessories for automobiles, and the installation of such items, and for other mechanical automobile repair not to include auto refinishing, body work or painting, dismantling of vehicles for the purpose of reuse or resale of parts, or storage of automobiles other than those in for immediate repair.

**Awning:** An architectural projection that provides weather protection, identity, or decoration by the structure to which it is attached and is comprised of a lightweight, rigid skeleton structure over which a covering is attached.

**Bed and Breakfast:** A structure which was constructed for single family residential purposes but which may be used for the purpose of renting bedrooms on a nightly basis to tourists, including the provision of bathing and lavatory facilities and a breakfast meal, provided that certain zoning requirements are met.

**Berm:** A mound of earth graded, shaped and improved with landscaping in such a fashion as to be used for visual and/or audible screening purposes to provide a transition between uses of differing intensity.

**Billboard:** A sign structure advertising a service, commodity or establishment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, also known as “off-premise sign” or “outdoor advertising structure.” Such sign is subject to the requirements of the Highway Advertising Act, PA 106 of 1972 (as amended) as well as to the provisions of this Ordinance.

**Buffer Area:** A strip of land reserved for plant material, berms, walls, or fencing to serve as a visual and/or sound barrier between properties, often between abutting properties and properties in different zoning districts. Landscaping, berms, fencing or open space can also be used to buffer noise, light and related impacts from abutting properties even if not in a separately established buffer zone and may be so required by this Ordinance.

**Building:** Any structure, either temporary or permanent, having a roof supported by columns, walls, or any other supports, which is used for the purpose of housing, sheltering, storing, or enclosing persons, animals, or personal property, or carrying on business activities. This definition includes but is not limited to: mobile homes, tents, sheds, garages, greenhouses, and other principal or accessory structures.

**Building (and Structure) Height:** In the case of a principal or accessory building or structure, the vertical distance measured from the finished grade at the center of the building where the building abuts the front yard to the highest point of the roof surface, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-1 at end of this Section). For structures on a lot which has two (2) or more front yards, the largest height measurement where the center of the building abuts the front yard shall be the structure height.

**Building Inspector:** An individual hired, or under contract to, the Building Authority/Agency responsible for administering the building code in force in the Township.
Building Lines: A line which defines the minimum distance (as determined by the minimum front, side, or rear yard setback) which any building shall be located from a property line, existing street right-of-way line, or ordinary high water mark.

Campground: A parcel or tract of land under the control of a person, business, corporation or public body on which sites are offered for the use by the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters. Temporary living quarters means a tent, recreational vehicle, or any portable structure designed to be carried or towed by a vehicle and placed for temporary living quarters.

Canopy Structure: Any overhead protective structure that is constructed in such a manner as to allow pedestrians or vehicles to pass under.

Car wash facility: Any commercial facility where the washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment or vehicles occurs for remuneration, including self-service facilities, automated facilities, and assembly line facilities.

Carport: A partially open structure, intended to shelter one or more vehicles. Such structures shall comply with all yard requirements applicable to garages.

Cellar: See definition for "Basement".

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

Certificate of Occupancy: A document signed by the Building Inspector as a condition precedent to the commencement of a use of a structure or building which acknowledges that such use, structure or building complies with the provisions of this Ordinance and the building code in force in the Township.

Changeable Message Board: A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution, or similar messages.

Change of Use: A use of a building, structure or parcel of land, or portion thereof which is different from the previous use in the way it is classified in this Ordinance or in the State Building Code, as amended.

Church: A building wherein persons regularly assemble for the primary purpose of religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

Club: An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, agriculture or similar activities, but not operated for profit and open only to members and not the general public.

Commercial Agriculture: The use of land and/or structures for the growing and/or production of farm products for income.

Commercial Vehicle: Any motor vehicle other than a passenger vehicle and any trailer, semi-trailer, or pole trailer drawn by such motor vehicle, which is designed, used, and maintained for the transportation of persons or property for hire, compensation, profit, or in the furtherance of a commercial enterprise.

Communication Tower: A radio, telephone or television relay structure of skeleton framework, attached directly to the ground or to another structure, used for the transmission or reception of radio, television, microwave, or any other form of telecommunications signals.

Conditional Use: See “Special land Use.”

Condominium Project: A plan or project consisting of two (2) or more condominium units established and approved in conformance with the Condominium Act (Act 59, 1978).

Condominium Subdivision: A division of land on the basis of condominium ownership, which is not subject to the provisions of the Subdivision Control Act of 1967, Public Act 288 of 1967, as amended.

Condominium Subdivision Plan: The drawings attached to the master deed for a condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location and size of common elements.

Condominium Unit: That portion of a condominium project or condominium subdivision which is 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. A condominium unit may consist of either vacant land or space which either encloses or is enclosed by a building structure. Any "condominium unit", or portion thereof, consisting of vacant land shall be equivalent to the term "lot" for the purposes of determining compliance of the condominium subdivision with the provisions of this ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.

Day Care Center: A facility, other than a private residence, receiving 1 or more preschool or school age children for care for periods of less than 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 which provides care for not less than 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:
a. A Sunday school, vacation bible school, or religious instructional class that are conducted by a religious organization where children are in attendance for:
   1) not greater than 3 hours per day for an indefinite period; or
   2) not greater than 8 hours per day for a period not to exceed 4 weeks during a 12-month period.

b. A facility operated by a religious organization where children are cared for not greater than 3 hours while persons responsible for the children are attending religious services.

c. A private home (private residence) in which the licensee or registrant permanently resides as a member of the household, which residency shall not be contingent upon caring for children or employment by a licensed or approved child placing agency. Private home includes a full-time foster family home, a full-time foster family group home, a group day care home, or a family day care home.

Day Care Home, Family: A private home in which the operator permanently resides as a member of the household in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than 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. Family day care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.

Day Care Home, Group: A private home in which the operator permanently resides as a member of the household in which more than six (6) 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. Group day care home includes a home that gives care to more than six unrelated minor children for more than 4 weeks during a calendar year.

Deed Restriction: A restriction on the use of a lot or parcel of land that is set forth in the deed and recorded with the County Register of Deeds. It is binding on subsequent owners and is sometimes also known as a restrictive covenant.

Developmental-Standard Variance: Permission to depart from the strict application of a developmental standard of this Ordinance. Also known as a non-use variance.

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 regulations. A "district" is also known as a "zone" or "zoning district".

Drive-in Establishment: An establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

Driveway: A means of access for vehicles from a street or approved alley across a lot or parcel to a parking or loading area, garage, dwelling or other structure or area on the same lot, that is located and constructed in accordance with the requirements of this Ordinance and any requirements of the Washtenaw County Road Commission or State of Michigan.

Dwelling: Any building, or portion thereof, which is designed or used exclusively for residential purposes. In no case shall a motor home, trailer coach, automobile chassis, tent or portable building be considered a dwelling.

Dwelling, Accessory: Also known as a guest apartment, accessory apartment, or in-law apartment, an accessory dwelling is an area attached to a single-family dwelling which provides supplementary housing that is integrated into the principal single-family dwelling and contains provisions for living, sleeping, and cooking. An accessory dwelling shall not be considered a separate dwelling unit.

Dwelling, Multiple Family: A building containing three or more dwelling units designed for residential use for three or more families living independently of each other.

Dwelling, Single Family: A detached building or portion thereof designed and used exclusively as the home, residence or sleeping place of one family. In the case of a mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for purposes of this Ordinance and shall comply with the provisions herein relative to dwellings.

Dwelling, Two Family (Duplex): A building containing not more than two separate dwelling units designed for residential use.

Dwelling Unit: One or more rooms with bathroom and principal kitchen facilities designed as a self contained unit for occupancy by one family for living, cooking and sleeping purposes.

Erected: The word "erected" means built, constructed, reconstructed, moved upon, or any physical activity upon a premises or lot required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erection when done in conjunction with a structure.
Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface or overhead gas, communication, telephone, electrical, steam, fuel or water transmission or distribution systems, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience, or welfare, but not including towers, office buildings, substations, structures which are enclosures or shelters for service equipment, maintenance depots, or the outside storage of pipes, cables, transformers, poles and similar utility equipment or materials.

Excavation: Any breaking of ground, except common household gardening, general farming and ground care. The phrase “general farming” shall not be interpreted to include the removal of soil, minerals, or other material for the purposes of creating a pond or other water body.

Ex-Parte Contact: Any communication between one party and a member of a public body with responsibility for making a decision that occurs outside the formal decision-making process and without the knowledge of other parties or other members of the public body.

Extraction Operation: The removal, extraction, or mining of sand, gravel or similar material on a parcel, for use on another parcel(s) or site(s).

B. Definitions Of Words And Phrases Beginning With The Letters "F" Through "J":

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

Said definition shall not apply in instances of group care centers, or state licensed residential facilities as established under P.A. 395 of 1976, as amended.

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

Farm 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, and includes, but is 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 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 Product: Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan commission of agriculture. The phrase “farm product” shall not be interpreted to include the commercial slaughtering of farm animals.

Fence: An accessory structure artificially constructed to serve as an obscuring screen, physical barrier, and/or decorative landscape element.
Filing Date: The date on which a completed application, all required materials, and fees and deposits are submitted to the Township.

Filling: The depositing or dumping of any matter into or onto the ground.

Floor Area, Gross: The sum of all gross horizontal areas of all floors of a building or buildings, measured from the outside dimensions of the outside face of the outside wall. Unenclosed and uncovered porches, unenclosed and covered porches, court yards, or patios shall not be considered as part of the gross area except where they are utilized for commercial purposes such as the outdoor sale of merchandise.

Floor Area, Usable: For the purposes of computing parking requirements, usable floor area shall be considered as that area to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, stairways, and elevator shafts, or for restrooms and janitorial service rooms, shall be excluded from this computation of usable floor area. Usable floor area shall be measured from the interior faces of the exterior walls, and total usable floor area for a building shall include the sum of the usable floor area for all floors.

Footage: That portion of the foundation of a structure which spreads and transmits loads directly to the soil or the pilings.

Foster Care Facility: An establishment which provides supervision, assistance, protection, or personal care, in addition to room and board, to persons. A foster care facility does not include a home for the aged or nursing home, licensed under PA 139 of 1956, as amended, or a mental hospital for mental patients licensed under PA 151 of 1923.

a. Family Home: A facility which provides foster care to six (6) or fewer persons.

b. Group Home: A facility which provides foster care to seven (7) or more persons.

Frontage: The total continuous length of the line separating a lot from the right-of-way or access easement and frequently identical to the front lot line. In the case of waterfront lots, the term frontage shall also apply to the total continuous length of the ordinary high-water mark, excluding manmade alterations. Lots may have multiple frontages along a right-of-way, access easement, or waterbody. (See “Lot Line, Front”)

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

General Development Plan: The statement of policy by the Township Planning Commission relative to the agreed upon and officially adopted guidelines for a desirable physical pattern for future community development. The plan consists of a series of maps, charts and written material representing in summary form the soundest concept for community growth to occur in an orderly, attractive, economical and efficient manner thereby creating the very best community living conditions.

Golf Course/Country Club: A golf course, public or private, where the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges as a principal use.

Grade, Finished: The elevation of the ground surface upon completion of construction activities.

Grade, Natural: The elevation of the ground surface in its natural state, before man-made alterations.

Home Occupation: Any use customarily conducted entirely within a dwelling and/or its accessory buildings which is clearly incidental and secondary to the residential use of the lot; does not change the character of the dwelling, and meets all applicable provisions of this Ordinance.

Horse: Mule, burro, pony, jack, hinny, and all other quadrupeds of the genus equus.

Hospital: An institution or place where sick or injured in-patients are given medical or surgical care at either public or private expense, and operating under license from the Michigan Department of Public Health.

Impervious Surface: Any surface that cannot be effectively and easily penetrated by water, thereby resulting in runoff. Examples include, but are not limited to, “lot coverage” (as defined in this Ordinance) and any material (asphalt, concrete, stone, gravel, etc.) used in roads, driveways, decks, terraces, patios, porches, or sidewalks that cannot be effectively and easily penetrated by water. The definition of an impervious surface shall exclude roads, driveways, and sidewalks that are composed of materials that will allow infiltration and prevent runoff, such as permeable pavers, permeable pavement, or crushed stone or pea stone without binding. The definition of an impervious surface shall also exclude decks, terraces, patios, or porches that are composed of pervious materials and/or designed to allow for infiltration and underlain with materials that will allow infiltration and prevent runoff. Swimming pools and ponds shall not be classified as impervious surfaces.

Inoperable or Abandoned Motor Vehicle: Any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of thirty (30) days and shall also include, whether so licensed or not, any motor vehicle which is inoperative for any reason for a period of thirty (30) days, except where such vehicle is in a completely enclosed building.

Interpretation: An appeal to the Zoning Board of Appeals requesting a clarification of the text of this Ordinance where the meaning is unclear or there may be multiple meanings or of the Zoning Map where the actual boundary is unclear.

Junk Yard: Any land or building used: 1) for the abandonment, storage, keeping, collecting, or baling of paper, rags, scrap metals, or other scrap or discarded materials; or 2) for the abandonment, demolition, dismantling, storage or salvaging of machinery, automobiles or other vehicles not in normal running conditions, or parts thereof.
C. Definitions of words and phrases beginning with the letters "K" through "O":

**Kennel, Commercial**: A lot or premises on which three (3) or more dogs, cats, or other domestic pets, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

**Kennel, Hobby**: A lot or premises on which no more than two (2) dogs, cats, or other domestic pets, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

**Livestock**: Cattle, sheep, goats, swine, poultry, and other animals or fowl.

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

**Lot**: Land described in a recorded plat or by metes and bounds description, or combination thereof, including a condominium unit in a condominium subdivision, occupied or to be occupied by a building, structure, land use or group of buildings, having sufficient size to comply with the frontage, area, width-to-depth ratio, setbacks, yards, coverage and buildable area requirements of this Ordinance, and having its principal frontage upon a public street or on a private road approved by the Township (see Figure 2-2 at end of this Section). A lot may consist of:

1. A single lot of record;
2. A portion of a lot of record; or
3. Any combination of complete and/or portions of lots of record and/or parcels described by metes and bounds, contiguous to each other, or separated by not more than the width of a public road, or a private road or easement over which the owner of these parcels has ingress and egress, provided that in no case of division or combination shall any lot or parcel created, including residuals, be less than that required by this Ordinance.

**Lot Area**: The area of the horizontal plane within the lot lines of a lot, exclusive of any public street right-of-way or private road easement within the lot. A private road easement shall include shared driveways and other permanent access easements as defined in the Dexter Township Private Road Ordinance.

**Lot, Corner**: Any lot having at least two (2) contiguous sides abutting upon one or more streets or approved private roads, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. (see Figure 2-2 at end of this Section).

**Lot Coverage**: The amount of a lot, stated in terms of percentage, that is covered by all buildings, and/or structures located thereon. This shall be deemed to include all buildings, roofed porches, arbors, breezeways, patio roofs, whether open box types and/or lathe roofs, or fully roofed, but shall not be deemed to include fences, walls, or hedges used as fences, unroofed decks or patios or swimming pools. Lot coverage shall be measured from the drip line of the roof or from the wall or foundation if there is no projecting portion of the roof.

**Lot, Depth Of**: The average distance from the front lot line of the lot to its opposite rear line measured in the general direction of the side lines of the lot. (see Figure 2-3 at end of this Section)

**Lot, Flag**: A lot whose access to the public street is by a narrow, private right-of-way that is either a part of the lot or an easement across another property and does not meet the frontage requirements of the district in which it is located. (see Figures 2-3 and 2-4 at end of this Section)

**Lot Frontage**: The length of the front lot line.

**Lot, Interior**: A lot other than a corner lot which, with the exception of a "through lot", has only one lot line fronting on a street (see Figure 2-2 at end of this Section).

**Lot Lines**: The lines bounding a lot or parcel (see Figure 2-4 at end of this Section).

1. **Lot Line, Front**: The line(s) separating the lot from any street right-of-way, private road or other access easement (see Figure 2-4 at end of this Section) except in the case of a waterfront lot which shall have an additional front lot line consisting of the ordinary high water mark. A corner lot and through lot shall have two front lot lines. A front lot line shall be continuous at least a sufficient length to conform with the minimum lot width requirement of the district.
2. **Lot Line, Rear**: The lot line opposite and most distant from the front lot line, except in the case of a waterfront lot or through lot, which shall not have a rear lot line. In the case of a triangular or otherwise irregularly shaped lot or parcel, an imaginary line at least ten feet in length entirely within the lot or parcel, parallel to and at a maximum distance from the front lot line (see Figure 2-4 at end of this Section).
3. **Lot Line, Side**: Any lot line other than a front or rear lot line (see Figure 2-4 at end of this Section).

**Lot of Record**: A lot which is part of a subdivision and is shown on a map thereof which has been recorded in the Office of the Washtenaw County Register of Deeds, or a lot described by metes and bounds and identified as a separate tax parcel through the issuance of a tax parcel number by the Township Assessor, and provided said lot was lawfully created in accordance with applicable statutes and ordinances.

**Lot, Through**: An interior lot having frontage on two (2) more or less parallel streets (see Figure 2-2 at end of this Section).
Lot Width: The straight line horizontal distance between the side lot lines, measured at the two (2) points where the minimum required front setback line intersects the side lot lines (see Figure 2-4 at end of this Section).

Lot, Waterfront: Any lot that includes or abuts a surface water body.

Manufactured Housing: A dwelling unit which is designed for long term residential use and is wholly or substantially constructed at an off-site location. Manufactured housing includes mobile homes and modular housing units.

Master Deed: The document recorded as part of a condominium subdivision to which are attached as exhibits and incorporated by reference the approved bylaws for the condominium subdivision and the condominium subdivision plan.

Mini Storage Facilities: A building or group of buildings in a controlled access or fenced area that contains individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares which are generally not used on a daily basis. A mini-storage facility includes outdoor storage areas provided such storage is clearly incidental and secondary to indoor storage operations and complies with all applicable provisions of this Ordinance.

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. The term mobile home shall not include pick-up campers, travel trailers, motor homes, modular homes, recreational vehicles, converted buses, tent trailers, or other transportable structures designed for temporary use.

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 therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

Modular (Pre-Manufactured) Housing Unit: A dwelling unit constructed solely within a factory, as a single unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-family dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction.

Motel: A building or group of buildings, whether detached or in connecting units, used as individual sleeping or dwelling units designed primarily for transient automobile travelers and providing for accessory off-street parking facilities. The term "motel" shall include buildings designated as hotels, auto courts, tourist courts, motor courts, motor hotel, and similar appellations which are designed as integrated units of individual rooms under common ownership. A motel shall not be considered or construed to be a multiple family dwelling.

Nonconforming Building (Nonconforming Structure): A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the provisions of this Ordinance relative to height, bulk, area, placement or yards for the zoning district in which it is located.

Nonconforming Lot (Substandard Lot): A lot lawfully existing at the effective date of this Ordinance, or affecting amendment, and which fails to meet the area and/or dimensional requirements of the zoning district in which it is located.

Nonconforming Use: A use of a building or structure or of a parcel or tract of land, lawfully existing at the time of adoption of this Ordinance or subsequent amendment thereto, that does not conform to the regulations of the zoning district in which it is situated.

Nuisance per se / Nuisance: A “nuisance per se” is an act, use, thing, structure, or occupation which when it exists in violation of a provision of this Zoning Ordinance is declared by this Zoning Ordinance and Public Act 110 of 2006, as amended, to be a nuisance at all times and in all conditions, regardless of location, circumstance, or surroundings. A “nuisance per se” is distinguished from a “nuisance” which is an act, use, thing, structure, or occupation which annoys, disturbs, or gives offense because of its condition, time, location, circumstance or surrounding. A “nuisance per se” is subject to abatement by order of a circuit court, in addition to civil infraction and misdemeanor penalties and fines.

Nursing Home: An installation other than a hospital, having as its primary function the rendering of nursing care for extended periods of time to persons afflicted with illness, injury, or an infirmity.

Off-Street Parking Area: See “Parking Area, Off-Street.

Open Space, Common: Open space which is held for the collective use and enjoyment of the owners, tenants, or occupants of a single development.

Open Space, Dedicated: Common open space dedicated through permanent recorded deed restrictions or easement.

Ordinary High Water Mark: The line between upland and bottomland which persists through successive changes in water levels below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation.

Owner: The owner of the premises or lesser estate in the premises, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, leasee, or any other person, sole proprietorship, partnership, association, or corporation directly or indirectly in control of a building, structure, or real property, or his or her duly authorized agent.
D. Definitions Of Words And Phrases Beginning With The Letters "P" Through "T":

**PA 177 Development:** A form of residential development mandated by PA 177 of 2001 that is intended to preserve open space by enabling a landowner to create smaller lots than otherwise required by the applicable District provided at least fifty percent (50%) of the development parcel is set aside as open space and the project complies with all applicable provisions of this Ordinance.

**Parcel:** A lot described by metes and bounds or described in a recorded plat.

**Park:** A parcel of land, building or structure used for recreational purposes including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time activities.

**Parking Area, Off-Street:** A land surface or facility providing vehicular parking spaces off of a street along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of three (3) or more automobiles or trucks.

**Parking Space:** An area of land provided for vehicles off of a street exclusive of drives, aisles, or entrances giving access thereto, which is fully accessible for parking of permitted vehicles.

**Planning Commission:** The Planning Commission of the Township.

**Plat:** A map of a subdivision of land recorded with the Register of Deeds pursuant to the Subdivision Control Act of 1967 or a prior statute.

**Platted Subdivision:** See “Plat.”

**Practical Difficulty:** Special or unique conditions that are peculiar to a lot that cause compliance with the standards of this Ordinance to deprive the property owner of substantial rights similar to those enjoyed by other lots in the same Zoning District. Economic, personal, or financial hardship alone does not constitute a practical difficulty. Additionally, inconvenience, aesthetic considerations, personal preferences, or neighbors’ opinions are not considered a practical difficulty.

**Principal Building:** The main building on a lot in which the principal use exists or is served by.

**Principal Use:** The main use to which the premises are devoted and the main purpose for which the premises exist.

**Private Road:** A private way or means of approach, not dedicated for general public use, and meets the requirements of the Dexter Township Private Road Ordinance. A private road shall include shared driveways and other permanent access easements as defined in the Dexter Township Private Road Ordinance.

**Private Sanitary Sewage Disposal System:** An individual on-site sewage disposal system as defined in the County Health Department Sanitary Code.

**Private Water Supply:** A well or other water supply system approved by the County Health Department pursuant to Part 127 of Act 368 of the Public Acts of 1978, as amended.

**Prohibited Use:** A use of land which is not permitted within a particular zoning district.

**Public Facility:** A structure, building or use that is operated or maintained by a governmental or similar public unit, agency, commission, board, or similar arm or branch of a governmental or public unit, including, but not necessarily limited to, cities, villages, townships, counties, school districts, sewer and water authorities, road commissions, fire departments, and police departments.

**Public Sanitary Sewer:** A system of pipe owned and maintained by a governmental unit used to carry human, organic and industrial waste from the point of origin to a point of discharge.

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

**Recreational Vehicle:** A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. (Act 96, Michigan Public Acts of 1987, as amended).

**Repair:** The reconstruction or renewal of any part of an existing building for the purpose of maintenance.

**Restaurant, Drive-through (and Drive-in):** A restaurant in which all or a substantial portion of the business consists of serving foods and beverages in a ready-to-consume state from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or may not also have indoor seating.

**Restaurant, Standard:** An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics:

a. customers, normally provided with an individual menu, are served their food and beverage by a restaurant employee, at the same table or counter at which food and beverage are consumed;

b. a cafeteria-type operation where food and beverage generally are consumed within the restaurant building.

**Restoration:** The reconstruction or replication of an existing building’s original architectural features.

**Right-of-Way:** A street, alley, or other thoroughfare or easement permanently established for passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

**Road:** See “street.”
**Roadside Stand:** A structure which is used seasonally for display and sale of agricultural products. The seasonal operation of a roadside stand shall not be considered a commercial use.

**School:** An educational facility, whether public or private, that provides education in pre-elementary, elementary, secondary, and/or post secondary curriculums; special arts such as crafts, dance, music, and/or self-defense; occupational trades; and similar areas of education. This definition shall not apply where the facility complies with this Ordinance’s definition for “home occupation” and Section 18.19.

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

**Secondary Containment:** A device and/or measures taken to prevent regulated substances that can be spilled at a loading or unloading facility from entering a public sewer, ground water, surface water, subsurface soils, or the impoundment area for the tanks.

**Setback:** The minimum distance between the lot line and the structure, as required herein (see definition for “lot line” and its application to waterfront lots).

1. **Front:** Minimum distance, extending the full lot width, between the structure and the front lot line.
2. **Rear:** The minimum required distance, extending the full lot width, between the structure and the lot line opposite the front lot line.
3. **Side:** The minimum required distance, extending from the front setback to the rear setback, between the structure and the side lot line.

**Shared Driveway:** A driveway described by a recorded easement providing access to more than one (1) lot, and complies with the provisions of this Ordinance.

**Shooting Range:** Any facility for which a fee is paid, either for use of the facility or for membership to the facility or related club, whether public or private, which is principally designed for the use of firearms and/or bow and arrows which are aimed at targets, skeet or trap, including animals.

**Sign:** Any visual device, identification, description, symbol, illustration, or structure that is intended to visually attract attention from off site or from a public or private right-of-way to identify or direct attention to a person, place, product, service, activity, institution, organization, business, opinion, or statement of any nature. The term shall not include official flags, official signs, street address signs, the minimum signs required for compliance with MCL 324.73102 (PA 451 of 1994), and public notice signs required by this Ordinance. The following words, terms, and phrases related to signs shall have the following meanings:

1. **Awning Sign:** A sign located on or attached to an awning.
2. **Back-to-Back Sign:** A sign consisting of two (2) sign faces oriented in opposite directions.
3. **Business Center:** A grouping of two (2) or more business establishments on one (1) or more lots with a frontage of at least three hundred (300) feet along each frontage that may share parking and access and are linked architecturally or otherwise developed as a unified grouping of businesses. A business center shall be considered one (1) use for the purposes of determination of the maximum number of free-standing signs.
4. **Canopy Sign:** A sign located on or attached to a canopy.
5. **Commercial Message Sign:** A sign that contains a commercial message that proposes or promotes a commercial transaction or pertains primarily to the economic interests or commercial identity of the message sponsor, including, but not limited to, businesses, products, services, or sales.
6. **Confusing Sign:** A sign that has the appearance of an official sign or uses text similar to those used on an official sign that may confuse or distract motorists.
7. **Electronic Message Sign:** A sign that displays changing messages or graphics using light emitting diodes.
8. **Flashing Sign:** A sign that contains flashing, blinking, or strobe lights or a sign that has the appearance of lighting associated with emergency vehicle lighting, traffic signals, or other official warning signs.
9. **Freestanding Sign:** A sign that is not attached to a principal or an accessory structure.
10. **Moving Sign:** A sign that moves, contains moving parts, or simulates movement, including, but not limited to, spinners, streamers, banners, balloons, spotlights, or scrolling text or moving images.
11. **Non-Commercial Sign:** A sign that contains a non-commercial message, including, but not limited to, designation of public telephones, restrooms, restrictions on smoking, trespassing, or hunting, or political or religious philosophies.
12. **Official Flag:** The flag, pennant, or insignia of any nation, state, county, city, or other similar entity.
13. **Official Sign:** A sign covered by the Manual on Uniform Traffic Control Devices or similar sign erected or maintained by a governmental body and signs of a noncommercial nature required by law.
14. **Off-Site Sign:** A sign that identifies goods, services, facilities, events, or attractions that are available or provided at a location other than the site upon which the sign is located.
15. **Permanent Sign:** Any sign that is displayed or intended to be displayed for an extended period of time of more than forty-five (45) days, unless otherwise noted in this Ordinance.
16. **Projecting or Perpendicular Sign**: A sign, other than a wall sign that is attached to and projects from a structure or building face and does not project above the roof line or cornice wall.

17. **Prohibited Sign**: A sign that is not permitted according to the standards of this Ordinance.

18. **Roof Sign**: A sign mounted on the roof of a building or structure, lying either flat against the roof or upright at an angle to the roof pitch.

19. **Sign Area**: The area, expressed in square feet to the nearest tenth of a square foot, measured as follows:
   a. For a sign with a defined background, such as a signage panel board or other materials with a defined edge, the sign area shall be measured as the area of the defined background if it is a rectangle, circle, or oval. For all other shapes of a defined background, the sign area shall be measured as the area of the smallest rectangle, circle, or oval that encloses the defined background. See figures 2.02(D)(1) and 2.02(D)(2) below:

   ![Figure 2.02(D)(1)](image1)
   ![Figure 2.02(D)(2)](image2)

   b. For a sign without a defined background, such as individual letters, decoration, or symbols mounted directly on a structure wall or incorporated as a projecting sign, the sign area shall be measured as the area of the smallest rectangle, circle, or oval that encloses the letters, decoration, or symbols. See figures 2.02(D)(3) and 2.02(D)(4) below:

   ![Figure 2.02(D)(3)](image3)
   ![Figure 2.02(D)(4)](image4)

20. **Sign Height**: The vertical distance from the average grade adjacent to the sign to the highest point of the sign or the vertical distance from the grade at the front lot line directly in front of the sign, whichever is less.

21. **Sign Permit**: A permit issued by Dexter Township for installation of a sign signifying compliance with the provisions of this Ordinance, which may include and set forth any conditions that must be met.

22. **Sign In Right-of-Way**: A sign, other than an official sign, located in, encroaching on, or overhanging a street right-of-way.
23. **Sign Setbacks:** The horizontal distance between any portion of a sign and lot lines, structures, and other features.

24. **Sign That Obstructs Safe Vision:** A sign that obstructs or interferes with an official sign, signal, or device, or obstructs or interferes with a driver’s view of approaching, merging, or intersecting traffic, even when consistent with setback and other location standards.

25. **Snipe Sign:** A sign attached to utility poles, light poles, or trees within the right-of-way or other public space.

26. **Temporary Sign:** Any sign that is displayed or designed to be displayed for a limited period of time of forty-five (45) days or less, unless otherwise noted in this Ordinance.

27. **Unsafe Sign:** A sign that is structurally unsafe or constructed in violation of the Building Code.

28. **Vehicle Sign:** A sign attached to or painted on a motor vehicle, recreational vehicle, trailer, or watercraft, whether motorized or not, that is placed, parked, or maintained at a particular location or driven for the purpose and intent of advertising.

29. **Wall Sign:** A sign that is attached or painted directly to a building façade with the horizontal sign surface generally parallel to the building wall, but excluding window signs.

30. **Window Sign:** A sign that is applied or attached to a window or located in a manner within the building that it is visible from the exterior of the building through a window, but excluding a window display.

**Site Plan:** A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Ordinance. A plot plan depicts a subset of the information required by this Ordinance for a site plan.

**Special Event Facility:** A facility where large-scale public or private events are held on a regular basis, provided that certain zoning requirements are met and that the facility is incidental and accessory to the primary agricultural or residential land use. Special events may include the sale and consumption of food, beverages, and other goods, but shall not include lodging for patrons.

**Special Land Use:** Uses and structures which have been generally accepted as reasonably compatible with the primary uses and structures within a zoning district, but could present unique impacts and/or potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole. All such proposed uses shall be subject to a public hearing. Refer to Articles 7: Procedures for Special Land Uses. “Special land use” denotes the same meaning as the term “conditional use” used in the Township’s zoning regulations prior to the adoption of this Zoning Ordinance.

**Stable, Commercial:** A structure and/or land use where horses are bred, reared and/or trained for remuneration.

**Stable, Private:** An accessory structure and/or land use where horses are kept for private use and are not for hire, remuneration or sale.

**Stop Work Order:** An administrative order which is either posted on the property or mailed to the property owner which directs a person not to continue, or not to allow the continuation of an activity which is in violation of this Ordinance.

**Street:** A state highway, county road, dedicated public thoroughfare or approved private road which affords the principal means of access to abutting property and if newly constructed, or reconstructed, meets construction standards promulgated by this Ordinance.

**Street Line:** The legal line of demarcation between a street right-of-way and abutting land.

**Structural Alterations:** Any change in the supporting members of a building such as the bearing walls, columns, beams or girders, or any change in the dimensions or configuration of the roof, exterior walls or foundation.

**Structure:** Anything constructed or erected, excluding roads, the use of which requires permanent location on the ground or attachment to something having such location on the ground including but not limited to all buildings, porches, independently supported decks, patios, sidewalks, fences, swimming pools, courts, driveways, terraces, satellite dishes and free-standing signs; excepting anything lawfully in a public right-of-way including but not limited to utility poles, sewage pumping stations, utility manholes, fire hydrants, electric transformers, telephone boxes, and related public facilities and utilities defined as essential public services. Though not classified as structures, public and private roads must comply with all applicable provisions of this Ordinance and other Township ordinances, including the issuance of all necessary permits prior to construction activities.

**Surface Water Body:** For the purpose of this Ordinance, a surface water body shall be any area that normally has water flowing or standing above ground to the extent that evidence of an ordinary high water mark is established. Lakes, ponds, whether natural or artificial, rivers, streams, wetlands, and other watercourses and waters characterized by this definition shall be classified as surface water bodies.

**Swimming Pool:** Any structure or container located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing.
Thoroughfare, Major: A public street, the principal use or function of which is to provide an arterial route for through traffic, with its secondary function the provision of access to abutting property and which is classified as a county primary road by the Washtenaw County Road Commission or as a principal or minor arterial by the Michigan Department of Transportation.

Thoroughfare, Minor: A public street identified as a county local road by the Washtenaw County Road Commission, except that no street in a platted or condominium subdivision nor any private road shall be considered a minor thoroughfare under this Ordinance.

Township Board: The Dexter Township Board of Trustees.

Township Clerk: The Dexter Township Clerk, or the Township Clerk’s appointed agent.

Township Engineer: The staff engineer or consulting engineer of the Township.

Travel Trailer: A recreational vehicle designed to be used for temporary residence purposes.

E. Words and phrases beginning with the letters "U" through "Z":

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

Variance: A variance is a modification of the literal standards of the Zoning Ordinance, granted by the Zoning Board of Appeals, where such variance will not be contrary to the public interest or permit a use in a District that is not identified as a permitted principal use in such District. See “Developmental-Standard Variance.”

Veterinarian Clinic: An establishment which is licensed by the State of Michigan to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A veterinary clinic may provide overnight boarding of animals receiving medical treatment only, and such other accessory facilities such as laboratories, testing services, and offices.

Wetland: Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, or marsh.

Wild Animal: Any animal, other than a customary household pet or farm animal, that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals, including dogs which are hybrids of wolves, coyotes, or jackals, and cats which are hybrids of ocelots or margays.

Yard: An open space, on the same lot with a principal building, unoccupied and unobstructed from the ground upward by a building or structure, except as otherwise permitted in this Ordinance and as defined herein (see Figure 2-4 at end of this Section):

a. Front Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the foundation. There shall be maintained a front yard on each street side of a lot, including corner lots and through lots.

b. Rear Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the foundation of the main building. In the case of corner lots, there shall be two rear yards consisting of those yards opposite the front yards. A through lot shall not have a rear yard.

c. Side Yard: An open space between the principal building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the foundation of the main building.

Zoning Administrator: The authorized individual charged with the responsibility of administering this Ordinance and appointed by the Township Board of Trustees.

Zoning Board of Appeals: The Dexter Township Zoning Board of Appeals.

Zoning District or Zone: A portion of the Township within which specific regulations and requirements, or various combinations thereof apply as provided in this Ordinance.

Zoning Permit: A permit signifying compliance with the provisions of this Ordinance.
Figure 2-1
BUILDING HEIGHT

GAMBEL ROOF

HIP ROOF

FLAT ROOF

MANSARD ROOF

GABLE ROOF
Figure 2-2
LOT TYPES

- **Corner Lot**: less than 150’ radius
- **Interior Lot**: less than 135°
- **Through Lot**: (also referred to as a double frontage lot)
- **Flag Lot**
Figure 2-3
LOT DEPTH

Figure 2-4
LOT LINES AND YARDS

End of Article 2
Article 3
ADMINISTRATION, ENFORCEMENT, and PENALTIES

Section 3.01: ADMINISTRATION
The administration and enforcement of this Ordinance shall be the responsibility of the Township Board, the Township Planning Commission, and such personnel as designated by the Township Board in accordance with the Michigan P.A. 33 of 2008, as amended, “Michigan Planning Enabling Act”; P.A. 110 of 2006, as amended, “Michigan Zoning Enabling Act”; and this Ordinance. The Township Board shall appoint a Zoning Administrator who shall act as an officer in the administration and enforcement of this Ordinance and may appoint additional Zoning Administrators.

Section 3.02: DUTIES of the ZONING ADMINISTRATOR
It shall be the responsibility of the Zoning Administrator to enforce the provisions of this Ordinance and in doing so shall perform the following duties:

A. Issue Permits: All applications for zoning permits, including permits for special uses, temporary uses and temporary dwellings; variances; appeals; requests for Ordinance interpretation; and requests for changes to a nonconforming use shall be submitted to the Zoning Administrator who may issue such permits when all applicable provisions of this Ordinance have been met and, when necessary, approval has been granted by the proper body.

B. File of Applications: The Zoning Administrator shall maintain files of all permit applications, and shall keep a record of all permits issued; these shall be filed in the office of the Township Clerk and shall be open for public inspection.

C. Inspections: The Zoning Administrator shall be empowered to make inspections of buildings or premises in order to carry out the enforcement of this Ordinance. The Zoning Administrator may engage the assistance of the Township Engineer, Fire Inspector, and Building Inspector as deemed necessary in making such inspections. The Zoning Administrator may engage other expert opinion to assist in making such inspections, subject to approval of the Dexter Township Board of Trustees. No person shall molest, hinder, or obstruct the Zoning Administrator in the discharge of his/her duties. The Zoning Administrator shall seek a search warrant through the Township Attorney any time a property owner refuses access to a property in order to make an inspection to determine compliance with this Ordinance.

D. Record of Complaints: The Zoning Administrator shall keep a record of every complaint of a violation of any of the provisions of this Ordinance, and of the action taken consequent to each complaint; such records shall be open for public inspection.

E. Violations: Enforcement actions may be initiated by a complaint, or by the Zoning Administrator independently anytime he or she identifies a violation.

F. Report to the Township Board: The Zoning Administrator shall report to and may also offer recommendations and suggestions from time to time to the Township Board, Planning Commission, and Zoning Board of Appeals.

G. Interpretations: All questions of interpretation of this ordinance shall first be presented to the Zoning Administrator, and such questions shall be presented to the Board of Appeals only on appeal from the decision of the Zoning Administrator. Under no circumstances is the Zoning Administrator permitted to make changes in this Ordinance, nor to vary the terms of this Ordinance while carrying out the duties prescribed herein.

Section 3.03: PERMIT PROCEDURES AND REGULATIONS
It is the intent and purpose of this Section to create a review and permit process for the administration of this Ordinance. The primary process shall require the issuance of one permit which shall be the Zoning Permit. Issuance of such a Permit, pursuant to this Section, shall indicate that the uses and plans for which the Zoning Permit is requested comply with this Ordinance. Upon the issuance of a Zoning Permit, the applicant may erect or alter a building or structure for which the Zoning Permit has been issued only after receiving a Building Permit from the Building Inspector.

A. Zoning Permit Application Required: No clearing or excavation shall be initiated, no building or structure shall be erected, altered, moved or structural alterations (including but not limited to porches, decks, patios, sidewalks, fences, swimming pools, courts, driveways, or terraces) initiated until a Zoning Permit has been issued by the Zoning Administrator and, where required, a Building Permit has been issued by the Building Inspector. No Zoning Permit shall be issued for any building or use of land where the construction, addition, alteration, or use thereof would be in violation of this Ordinance, except upon written order of the Zoning Board of Appeals. An application for a Zoning Permit shall be available from the Zoning Administrator. The application shall be accompanied by the following:

1. Either a Plot Plan or Site Plan, according to the provisions of Sections 6.02 and 6.03 of this Ordinance.
2. Sanitary Sewer or Septic Approval: In the case of a permit for buildings proposed for human occupancy or required by law to have plumbing fixtures, either a report from the Washtenaw County Health Department certifying in writing the approval of a private sanitary sewage disposal system, or when public sanitary sewage service is available and required by local ordinance or state law, a written notice of acceptance or hook-up fee receipt shall be required.
3. **Water Supply Approval:** When a municipal, public or private water supply system is required by law or proposed by the applicant, either a report from the Washtenaw County Health Department, certifying approval of a proposed private water supply system, or when municipal or public water supply is required by local ordinance or state law, a written notice of acceptance or hook-up fee receipt shall be required.

4. **Driveway Approval:** In the case of a lot or parcel which is to gain access onto a public street, a permit for such access from the Washtenaw County Road Commission shall be required.

**B. Application Fees:** Fees for review of development proposals, inspections and the issuance of permits or certificates required under this Ordinance shall be deposited with the Township Clerk in advance of processing any application or issuance of any permit. No application for approval for which a fee is requested will be processed until the fee is deposited with the Township Clerk. The amount of such fees shall be established by the Township Board by resolution and shall cover the cost of inspection and supervision resulting from the enforcement of this Ordinance. Such fees may include but are not limited to all costs associated with conducting a public hearing or inspection, including the newspaper notice, postage, photocopying, staff time, Planning Commission, Board and/or Zoning Board of Appeals time, mileage, and any costs associated with reviews by qualified professionals including professional planners and/or engineers.

1. **When Professional Review Fee is Required:** For any application for approval of a Site Plan, Special Land Use, variance, or other use or activity requiring a permit under this Ordinance the designated approving body may require the payment of a fee. A fee shall be required for any project which may, in the opinion of the designated approving body, create conditions on the subject site hazardous to the general public health, safety, or welfare, including vehicular circulation patterns, or create an identifiable and potentially negative impact on public infrastructure or services or on adjacent properties, and because of which professional input is desired before a decision to approve, deny or approve with conditions is made.

2. **Professional Review and Report:** Any portion of a fee may be used to pay professional review expenses of engineers, community planners, and any other professionals whose expertise the Planning Commission or Township Board values to review the proposed application and/or site plan of an applicant. Professional review shall result in a report to the Township indicating the extent of conformance or nonconformance with this Ordinance and to identify any problems which may create a threat to public health, safety or the general welfare. Mitigation measures or alterations to a proposed design may be identified where they would serve to lessen or eliminate identified impacts. The applicant will receive a copy of any professional review hired by the Township and a copy of the statement of expenses for the professional services rendered.

3. **Fee Balance:** The applicant is entitled to a refund of any unused professional review fee at the time a permit is either issued or denied in response to the applicant's request. If actual professional review costs exceed the amount of the fee, the applicant shall pay the balance due prior to receipt of any Zoning Permit or other permit issued by the Township in response to the applicant's request.

**C. Permit Issuance, Withholding, Expiration, and Revocation.**

1. **Issuance:** After adequate review and whenever the buildings, structures, and uses as set forth in any application are in conformity with the provisions of this Ordinance, or a variance granted by the Zoning Board of Appeals, the Zoning Administrator shall issue the appropriate permit. A performance guarantee may be required by the designated approving body as a condition to the issuance of any Zoning Permit in order to insure conformance with the requirements of this Ordinance (see Section 3.05). In any case where a permit is refused, the reasons shall be stated in writing to the applicant.

2. **Withholding Permit:** The Zoning Administrator may withhold any Zoning Permit pending verification that an applicant has received required county, state or federal permits including but not limited to septic and water well permits; soil erosion and sedimentation control permits; wetlands permits; flood plain and culvert permits; or driveway permits. Likewise, wherever this Ordinance authorizes permit approval by the Planning Commission or Township Board, the Planning Commission or Township Board may condition final approval of the requested development activity upon the receipt of any of the above mentioned county, state or federal approvals and/or direct the Zoning Administrator not to issue a Zoning Permit until said permits from other agencies have been obtained.

3. **Expiration of Permit:** Any permit granted under this Section shall become null and void after one (1) year from the date of granting such permit unless the development proposed or activity authorized shall have passed its first building inspection by the Building Inspector. Before voidance is actually declared, the Zoning Administrator shall notify the applicant of such voiding action by sending a notice to the applicant at the address indicated on the permit application at least ten (10) days before such voidance is effective, provided however, that the Planning Commission may waive or extend the period of time in which the permit is to expire if it is satisfied that the owner or developer is maintaining a good faith intention to proceed with construction. The permit shall be renewable upon reapplication and upon payment of the original fee, subject to the provisions of all ordinances in effect at the time of renewal.  
   a. In the case of a special land use, the Planning Commission shall review every permit and the associated land use prior to the expiration of the permit and shall recommend continuance or discontinuance of said permit based on whether the activities, structures and other site characteristics satisfactorily comply with the conditions stipulated in the Zoning Permit. This determination of the Planning Commission shall be forwarded to the Township Board with a recommended action.
4. Revocation: The Zoning Administrator shall have the power to revoke or cancel any Zoning Permit in case of failure or neglect to comply with any provisions of this Ordinance, or in the case of any false statement, misrepresentation, or omission of all facts made in the application. The owner or his agent shall be notified of such revocation in writing. Upon such revocation, all further construction activities and usage shall cease upon the site, other than for the purpose of correcting the violation. The Zoning Administrator may issue a stop work order to halt all construction activities and usage pending a decision on revocation of said permit. Failure to terminate the use for which the permit was revoked, other than for the purpose of correcting the violation is declared to be a nuisance per se and a violation of this Ordinance. Revocation of a permit issued for a special land use or variance shall not occur prior to a hearing by the body which granted the permit.

D. Relation to Nonconforming Uses: It shall not be necessary for an owner of a legal nonconforming structure or use, existing on the effective date of this Ordinance, to obtain a Zoning Permit in order to maintain its legal, nonconforming status. However, no nonconforming building, structure, or use shall be renewed, changed, or extended pursuant to Article 19 until a Zoning Permit has been issued by the Zoning Administrator and such renewal, change, or extension is in conformance with all other regulatory ordinances of the Township. In such cases the Permit shall state specifically how the nonconforming building, structure, or use differs from the provisions of this Ordinance.

E. Occupancy Permit: No structure or use shall be occupied without first receiving a certificate of occupancy permit from the Building Inspector. No structure shall be occupied without first obtaining a Final Certificate of Zoning Compliance from the Township and a Certificate of Occupancy from the appropriate Building Authority.

Section 3.04: VIOLATIONS, FINES and PENALTIES
A. Declaration of Violations: Violations of the provisions of this Ordinance or failure to comply with any of its requirements, including conditions and safeguards established in connection with special land use permits, variances, appeals, certifications of zoning compliance, and approved site plans are declared to be civil infractions, nuisances per se and misdemeanors. The Zoning Administrator, Ordinance Officer, and the Township Supervisor are authorized to enforce this Ordinance and to prosecute violations in any Court of competent jurisdiction. The Township may pursue any and all remedies and enforcement by one remedy does not preclude or waive enforcement by another remedy. The imposition of any fine, penalty, or jail sentence, or both, shall not exempt the violator from compliance with the provisions of this Ordinance.

B. Misdemeanor: Any person, corporation, partnership, limited liability company, or other entity, who violates this Ordinance or fails to comply with any of its requirements, including conditions and safeguards established in connection with special land use permits, variances, appeals, certifications of zoning compliance, and approved site plans, may be prosecuted for a misdemeanor and shall upon conviction thereof, be subject to a fine not more than $500.00 or imprisonment for not more than 90 days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

C. Civil Infractions: Any person, corporation, partnership, limited liability company, or other entity, who violates this Ordinance or fails to comply with any of its requirements, including conditions and safeguards established in connection with special land use permits, variances, appeals, certifications of zoning compliance, and approved site plans, is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

1. For violation of the provisions of this Ordinance governing the operation of Specifically Permitted Land Uses in all Districts, including the failure to obtain a Special Land Use Permit:
   a. First violation within three (3) year period, determined on the basis of the date of violation(s): $ 500.00.
   b. Second violation within three (3) year period, determined on the basis of the date of violation(s): $1,000.00.
   c. Third violation within three (3) year period, determined on the basis of the date of violation(s): $2,000.00.
   d. Fourth or subsequent violation within three (3) year period, determined on the basis of the date of violation(s): $5,000.00.

2. For violation of any other provision of this Ordinance:
   a. First violation within three (3) year period, determined on the basis of the date of violation(s): $ 50.00.
   b. Second violation within three (3) year period, determined on the basis of the date of violation(s): $100.00.
   c. Third violation within three (3) year period, determined on the basis of the date of violation(s): $200.00.
   d. Fourth or subsequent violation within three (3) year period, determined on the basis of the date of violation(s): $500.00.

3. For violation of all provisions of this Ordinance, the violator shall pay costs, which shall include all direct or indirect expenses to which the Township has been put in connection with the violation. A violator of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

4. Civil Infractions shall be prosecuted in accordance with the provisions of the Dexter Township Infraction Ordinance.

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D. Nuisances Per Se: Any act, use, thing, structure, or occupation which violates a provision of this zoning ordinance is declared pursuant to Public Act 110 of 2006, as amended, to be a nuisance per se and is subject to abatement by ex parte, temporary, and permanent injunction, writ of abatement, and order of a circuit court, in addition to civil infraction and misdemeanor penalties and fines.

E. Presumptions: The owner of record or tenant in possession of any building, structure, premises, or part thereof, and any architect, building contractor, agent, or other persons who commits, participates in, assists, aids, or maintains such violation may each be found guilty or responsible for each separate offense and be subject to the fines and penalties herein provided. It shall be conclusively presumed for purposes of enforcement, notwithstanding the lack of actual knowledge, that the owner of record as disclosed by the Township’s current assessment roll, has authorized all uses of the land and premises owned.

Section 3.05: PERFORMANCE GUARANTEE for COMPLIANCE

A. Purpose: In authorizing any Zoning Permit, site plan, special land use, or variance, the designated approving body may require that a performance guarantee or bond be furnished: (1) to insure compliance with the requirements, specifications and conditions imposed with the grant of such approval, permit or variance; (2) to insure the discontinuance of a temporary use by a stipulated time; and (3) to provide sufficient resources for the Township to complete required improvements or conditions in the event the permit holder does not.

B. Requirements of Guarantee: The performance guarantee shall meet the following requirements:

1. Improvements Covered: Improvements that shall be covered by the performance guarantee include, but are not necessarily limited to: streets and other roadways, utilities, fencing, screening, landscaping, common open space improvements, lighting, drainage and sidewalks

2. Form: The performance guarantee shall be in the form of cash, certified check, irrevocable bank letter of credit, surety bond, or similar instrument acceptable to the Township Clerk, which names the property owner as the obliger and the Township as the obligee. If appropriate, based on the type of performance guarantee submitted, the Township shall deposit the funds in an account in a financial institution with which the Township regularly conducts business.

3. Amount and Time Required: The amount of the performance guarantee or bond should be sufficient to cover the estimated cost of the improvements or conditions, according to a detailed cost estimate submitted by the applicant and approved by the requiring body or official. After approval of the detailed cost estimate by the requiring body or official, the performance guarantee or bond shall be submitted at the time of issuance of the permit authorizing the activity of the project.

C. Return of Performance Guarantee or Bond: The following procedure shall be followed in the return of performance guarantees or bonds:

1. Request for Payment: As required improvements are completed, or when all of the required improvements have been completed, the obligor shall send written notice to the Township Clerk of completion of said improvements. Thereupon, the Zoning Administrator shall inspect all of the improvements and shall transmit recommendation to the Township Board indicating either approval, partial approval, or rejection of the improvements or conditions with a statement of the reasons for any rejections. If partial approval is indicated, the cost of the improvement or condition rejected shall be set forth.

2. Approval of Payment: The Township Board shall either approve, partially approve or reject the improvements or conditions with the recommendation of the Zoning Administrator's written statement and shall notify the obligor in writing of the action of the Township Board within forty-five (45) days after receipt of the notice from the obligor of the completion of the improvements. Where approval or partial approval is granted, the Township Board shall notify the Township Clerk of such approval and the Township Clerk shall release the approved payment to the applicant. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvement or condition.

a. Where partial approval is granted, the obligor shall be released from liability pursuant to relevant portions of the performance guarantee or bond, except for that portion adequately sufficient to secure provision of the improvements not yet approved.

3. Lack of Full Completion: Should installation of improvements begin and fail to meet full completion based on the approved Site Plan, or if the project area is reduced in size and improvements are only partially completed or conditions only partially met, the Township may complete the necessary improvements or conditions itself or by contract to an independent developer, and assess all costs of completing the improvements or conditions against the performance guarantee or bond. Any balance remaining shall be returned to the applicant.
D. **Performance Guarantee for Razing of Building:** The Zoning Administrator may require a bond prior to the razing or demolition of principal structures and accessory structures having more than one hundred forty-four (144) square feet of floor area. The amount of the performance guarantee shall be determined according to a guideline of one thousand dollars ($1,000.00) for each one thousand (1,000) square feet or fraction thereof of floor area of the structure to be razed. A guarantee shall be conditioned on the applicant completing the razing within such reasonable period as shall be prescribed in the permit and complying with such regulations as to health and safety as the Zoning Administrator, Fire Chief or the Township Board may from time to time prescribe, including filling of excavations and proper termination of utility connections.

E. **Record of Performance Guarantees:** A record of authorized performance guarantees shall be maintained by the Zoning Administrator.

**Section 3.06: TIMELY ACTION ON APPLICATIONS**

A. All approvals applied for under this Ordinance shall be acted upon in a timely manner. However, in no case shall the matter of a timely decision undermine the intent of this Ordinance that all requested approvals undergo the necessary and adequate review to assure all standards have been met and the public health, safety and welfare is preserved.

1. If a complete application has not been received by the Zoning Administrator at least sixty (60) days prior to the next regularly scheduled meeting when the designated body would normally begin deliberation on such application, the designated body may delay initiating deliberations until the next regularly scheduled or special meeting called for the purpose of deliberating said application.

2. A recommendation or decision by the designated recommending or approving body on an application shall be made within ninety (90) days of receipt of the complete application by the Zoning Administrator unless, in the opinion of the designated recommending or approving body, an extension of time is necessary to adequately collect and review information pertinent to a decision.

3. Where action on an application requires a recommending body to report to an approving body, as in the case of the Planning Commission recommending action on a rezoning request to the Township Board, the approving body shall take action on the application within ninety (90) days of such recommendation unless, in the opinion of the designated approving body, an extension of time is necessary to adequately collect and review information pertinent to a decision.

4. Where action on an application requires a public hearing, such hearing shall be scheduled within sixty (60) days of receipt of the complete application by the Zoning Administrator except where the meeting agendas prohibit such hearing due to work load and subject to (A)(1) above.

B. Nothing in subsection (A) above shall prohibit the Planning Commission from holding additional public hearings than normally required where the Planning Commission determines that there have been sufficient delays in the deliberation of and/or action on an application, or that sufficient conditions or circumstances have changed or arisen, that justify additional opportunities for public comment. Nothing in subsection (A) shall prohibit the Planning Commission from denying an application if, after written request from the Planning Commission to an applicant following more than six (6) months of lack of apparent progress by the applicant on an application previously submitted to the Planning Commission, the applicant does not provide within thirty (30) days of the Planning Commission’s written request sent by first-class mail a written update on the status of the project and an assessment of past delays and anticipated dates of future submittals, and future written updates as may be requested by the Planning Commission. The Planning Commission shall determine whether the applicant’s written update provides sufficient reason for not immediately denying the project, and if the Planning Commission determines to deny the project, it shall make specific findings in support of that determination.

**Section 3.07: PUBLIC NOTICE**

All applications for development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the other provisions of this Section with regard to public notification.

A. **Person Appointed to Give Notice:** When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Township Clerk shall prepare the content of the notice, having it published in a newspaper of general circulation in Dexter Township and, mailed or delivered as provided in this Section.

B. **Content:** All mail, personal, and newspaper notices for public hearings shall:

1. **Description:** Describe the nature of the request and identify whether the request is for a rezoning, text amendment, special land use, variance, appeal, ordinance interpretation, or other purpose.

2. **Location:** Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, or if street addresses are not required by this ordinance or under the Michigan Zoning Enabling Act, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation not involving a specific property.
3. **When and where the request will be considered:** Indicate the date, time, and place of the public hearing(s).

4. **Written comments:** Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear at the public hearing in person or by counsel.

5. **Handicap Access:** Information concerning how handicap access will be accommodated if the meeting is not handicap accessible.

C. **Personal and Mailed Notice**

1. **General:** When the provisions of this Ordinance or state law require that personal or mailed notice be given, notice shall be given to:
   - a. The owners of the property for which approval is being considered, and the applicant, if different than the owner(s) of the property.
   - b. Except for rezoning requests involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property subject to the request and one occupant of all structures within three hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of Dexter Township. If the name of the occupant is not known, the term “occupant” may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.
   - c. All public utility companies, railroads, neighborhood associations, or persons which have requested to receive notice pursuant to Section 3.07(E), Registration to Receive Notice by Mail.
   - d. Other governmental units or infrastructure agencies within three hundred (300) feet of the property involved in the application.

2. **Notice by mail/affidavit:** Notice shall be considered given when personally delivered or deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service. The Township Clerk shall prepare a list of property owners and registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered.

D. **Timing of Notice:** Unless otherwise provided in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, or this Ordinance where applicable, notice of a public hearing shall be provided as follows:

1. For a public hearing on an application for a rezoning, text amendment, special land use, variance, appeal, ordinance interpretation, or any other public hearing required by this Ordinance: not less than fifteen (15) days before the date the application will be considered for approval.

E. **Registration to Receive Notice by Mail**

1. **General:** Any public utility company, railroad, neighborhood association, or person may register with the Township Clerk to receive written notice of all applications for development approval pursuant to Section 3.07(C)(1)(c), Personal and Mailed Notice, or written notice of all applications for development approval within the zoning district in which they are located. The Township Clerk shall be responsible for providing this notification. Fees may be assessed for the provision of this notice, as established by the Township Board.

2. **Requirements:** The requesting party must provide the Township Clerk information on an official form to ensure notification can be made. All registered persons must re-register bi-annually to continue to receive notice pursuant to this section.

F. **Public Hearing with the Township Board of Trustees:** When required, the Dexter Township Board of Trustees shall grant a hearing on a proposed ordinance provision in accordance with the Michigan Zoning Enabling Act.
SECTION 4.05: INTENT and PURPOSE

The intent and purpose of this Article is to:

(A) Create and outline the membership, organization, and procedures of the Zoning Board of Appeals;

(B) Provide reasonable flexibility from the strict application of the provisions of this Ordinance where a practical difficulty has been determined to exist;

(C) Establish decision criteria and required findings for developmental-standard variances, appeals of decisions, and interpretations; and

(D) Provide a method for interpretation of this Ordinance and review of actions taken in the administration and enforcement of this Ordinance; and

(E) Ensure that the intent and purpose of this Ordinance be observed, public safety secured, and substantial justice done.

Section 4.10: CREATION and MEMBERSHIP

(A) Establishment: A Zoning Board of Appeals, first established by the Zoning Ordinance adopted March 27, 1973, retained by the Zoning Ordinance adopted April 15, 2003, is hereby retained in accordance with MCL 125.3601 et seq., part of Public Act 110 of 2006.

(B) Membership: The Zoning Board of Appeals shall consist of five (5) regular members and two (2) alternate members, as outlined below:

1. One (1) member shall be a member of the Planning Commission.

2. One (1) member may be a member of the Township Board, but this member shall not serve as the chairperson or vice-chairperson.

3. All members shall be appointed by the Township Board and shall be electors residing in the Township’s Zoning Jurisdiction.

4. The Zoning Administrator and other employees or contractors of the Township Board shall not serve on the Zoning Board of Appeals. For the purposes of this Section, members of the Planning Commission, Zoning Board of Appeals, and Township Board shall not be considered employees or contractors.

(C) Alternate Members: Alternate members shall not be a member of the Planning Commission. Alternate members may be called, as needed, to sit as regular members of the Zoning Board of Appeals in the absence of a regular member or if a regular member has disqualified themself for reasons of conflict of interest. An alternate member shall serve on a case until a final decision is made. Alternate members shall have the same voting rights as regular members when seated.
(D) **Terms of Office:** Members shall be appointed for three (3) year terms, except the Planning Commission and Township Board members, whose terms shall expire if that member is no longer seated on the Planning Commission or Township Board. Terms of office shall be staggered. Vacancies for unexpired terms shall be filled for the remainder of the term. Members will remain seated until a replacement has been appointed and qualified, except for Planning Commission or Township Board members no longer seated on those bodies. Members may be reappointed.

(E) **Conflict of Interest:** A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure to do so shall constitute malfeasance in office.

(F) **Voting Twice:** A member who is also a member of the Planning Commission shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission. However, the member may consider and vote on other unrelated matters involving the same property.

(G) **Removal:** A member may be removed by the Township Board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing by the Township Board.

**Section 4.15: ORGANIZATION**

(A) **Rules of Procedure:** The Zoning Board of Appeals shall adopt rules of procedure for the conduct of its meetings and the implementation of its duties.

(B) **Officers:** The Zoning Board of Appeals shall annually elect a chairperson, vice-chairperson, and secretary.

(C) **Meetings and Quorum:** Zoning Board of Appeals meetings shall be held at least annually according to a schedule adopted by the Township Board and at other times as outlined in its Rules of Procedure. At least three (3) members of the Zoning Board of Appeals shall comprise a quorum. The Zoning Board of Appeals shall not conduct official business unless it has a quorum.

(D) **Open Meetings:** All meetings shall be open to the public and conducted pursuant to the requirements of the Open Meetings Act, except for lawfully-called executive sessions.

(E) **Oaths and Witnesses:** The chairperson may administer oaths and compel the attendance of any witness in order to ensure a fair and proper hearing.

(F) **Records:** The minutes of all meetings shall contain the grounds for every determination made by the Zoning Board of Appeals, including all evidence and data considered, all findings of fact and conclusions drawn by the Zoning Board of Appeals for every case, along with the vote of each member, and the final ruling on each case. The Zoning Board of Appeals shall file its minutes with the Township Clerk’s office.

(G) **Legal Counsel:** An attorney for the Township shall act as legal counsel for the Zoning Board of Appeals pursuant to procedures established by the Township Board.
Section 4.20: JURISDICTION

The Zoning Board of Appeals shall act upon questions as they arise in the administration of this Ordinance. The Zoning Board of Appeals shall perform its duties and exercise its powers as provided in this Ordinance and MCL 125.3601 et seq, Public Act 110 of 2006.

(A) Variances: The Zoning Board of Appeals shall have the power to authorize variances from the provisions of this Ordinance when it determines there is a practical difficulty that prevents a property from complying with the strict letter of this Ordinance, with such conditions and safeguards as it may determine are necessary so that the intent and purpose of this Ordinance is observed, public safety secured, and substantial justice done.

(B) Appeals of Decisions: The Zoning Board of Appeals shall have the authority to hear and decide appeals of decisions where it is alleged by a person aggrieved that there is an error in any order, requirement, permit, decision, action, determination, or refusal made by the Zoning Administrator, any other official, or the Planning Commission in administering or enforcing the provisions of this Ordinance, unless noted otherwise.

(C) Interpretations: The Zoning Board of Appeals shall have the authority to hear and decide the following interpretations:

(1) The meaning of the text of this Ordinance where the language is not clear or could have multiple meanings;

(2) The precise location of the boundary lines between zoning districts where there is dissatisfaction with the administrative decision of the boundary location made by the Zoning Administrator; and

(3) The change or substitution of legally non-conforming uses where there is dissatisfaction with the administrative decision made by the Zoning Administrator.

(D) Other Duties: The Zoning Board of Appeals shall have the authority to and shall perform other duties as outlined in state law, this Ordinance, and other Township Ordinances.

(E) Use Variance Not Permitted: The Zoning Board of Appeals shall not have the authority to authorize any use not otherwise permitted within a zoning district.

(F) Zoning Map Amendment Not Permitted: The Zoning Board of Appeals shall not have the authority to alter or change the zoning district classification of any property or to make any change in the terms or intent of this Ordinance.

(G) Appeal of Legislative Decision Not Permitted: The Zoning Board of Appeals shall not have the authority to hear an appeal from a legislative decision of the Township Board.

(H) Appeal of Certain Actions Not Permitted: The Zoning Board of Appeals shall not have the authority to hear an appeal from any decision or order of the Planning Commission with respect to special land uses and planned unit developments.
Section 4.25: PROCEDURES

(A) **Application:** The applicant shall submit a complete and accurate application form provided by the Township for that purpose. The application shall include all relevant materials, as determined by the Director of Planning and Zoning, which may include, but is not limited to, an accurate site plan or plot plan, based on a survey, and building elevations. Submission of an application constitutes a representation that all the information is complete and accurate.

(B) **Fee:** A fee, as established by the Township Board, shall be submitted at the time of application. No fee shall be required if the Township Board, Zoning Administrator, or any official or body of the Township is acting as the applicant on behalf of the Township.

(C) **Scheduling:** Upon receipt of a completed application, the request shall be placed on the next available agenda for the Zoning Board of Appeals. The applicant may request it be placed on a later meeting agenda or may request a special meeting, with payment of a special meeting additional fee, as established by the Township Board.

(D) **Notice of Hearing:** The Township shall give public notice as outlined in Section 3.07 of this Ordinance and MCL 125.3604(5), Public Act 110 of 2006.

(E) **Applicant’s Responsibilities:** The applicant shall post a public notice sign, clearly visible from the front lot line, on the affected property and, in the case of variance applications, mark the extent of the proposed structure and lot corners and lot lines of the affected property within one hundred (100) feet of the proposed structure at least fifteen (15) days before the Zoning Board of Appeals meeting.

(F) **Contact with Zoning Board of Appeals Members (Ex-parte Contact):** No person shall communicate directly with any member of the Zoning Board of Appeals before a hearing with the intent to influence the member’s action or decision. Written comments may be submitted to the Zoning Administrator for distribution to the Zoning Board of Appeals. This shall not prohibit the Zoning Administrator from promulgating staff reports and other related materials to the Zoning Board of Appeals.

(G) **Transmission of Materials:** The Zoning Administrator or appropriate official or body shall transmit all relevant records and other materials to the Zoning Board of Appeals.

(H) **Hearing Appearance:** Any party may appear in person or by duly-authorized agent or attorney at the hearing.

(I) **Hearing Recess:** The Zoning Board of Appeals may recess hearings from time to time with notice conforming to the requirements of the Open Meetings Act.

(J) **Decision:** The Zoning Board of Appeals shall render its decision within forty-five (45) days of the public hearing, unless, in the opinion of the Zoning Board of Appeals, an extension of time is necessary to receive or review information necessary to making the decision. The concurring vote of at least three (3) members of the Zoning Board of Appeals shall be necessary to reverse an order, requirement, decision, or determination of the administrative official or body, or to decide in favor of the applicant on any matter. Decisions of the Zoning Board of Appeals shall become final upon adoption of minutes or adoption of a resolution, whichever comes first, unless the Zoning Board of Appeals finds the immediate effect of the decision is necessary for the preservation of property or personal rights and shall so certify on the record.
(K) **Rehearing:** A rehearing shall be processed in the same manner as the original application, including a new fee unless initiated by the Zoning Board of Appeals or Township Board. A request for rehearing shall be made within thirty (30) days of the decision becoming final. The only grounds upon which a rehearing of an application previously denied by the Zoning Board of Appeals may be granted is if the Zoning Board of Appeals, upon inspection, finds one or more of the following to be true:

1. Newly-discovered evidence is available;
2. Evidence previously relied upon is found to be inaccurate; or
3. Proper procedures were not followed.

(L) **Reapplication:** An application for a variance, appeal of decision, interpretation, or other decision, which has been denied wholly or in part by the Zoning Board of Appeals, shall not be resubmitted for reconsideration for a period of one (1) year from the date the decision became final, unless:

1. The Zoning Board of Appeals, upon inspection, finds proof of changed conditions that contributed to the denial; or
2. Substantial changes have been made that address the reasons for denial.

(M) **Revocation:** A variance, appeal of decision, interpretation, or other decision may be revoked, following a duly-noticed public hearing, as outlined below:

1. A variance may be terminated if the Zoning Board of Appeals determines any of the following to be true:
   a. The execution or use of a zoning permit related to the variance is not consistent with a standard of this Ordinance as it existed at the time of approval;
   b. The execution or use of a zoning permit related to the variance is not consistent with any condition of approval;
   c. The execution or use of a zoning permit related to the variance is not consistent with any written commitment; or
   d. The approval was the result of fraud or misrepresentation of facts.

2. An appeal of decision, interpretation, or other decision may be revoked if the Zoning Board of Appeals determines the following to be true:
   a. The appeal of decision, interpretation, or other decision was the result of fraud or misrepresentation of facts.

3. A variance, appeal of decision, interpretation, or other decision shall not be reviewed for revocation for the same cause more than once in any one (1) year period.
SECTION 4.30: VARIANCES

(A) Limitations: Variances shall only be granted when the applicant demonstrates and the Zoning Board of Appeals determines that a practical difficulty would result from a failure to grant the requested variance.

(B) Stay of Proceedings: Filing of a completed variance application shall stay all proceedings related to the variance unless the Zoning Administrator certifies to the Zoning Board of Appeals, after a variance application has been filed, that, by reason of facts, a stay would cause imminent peril to life or property, in which case, the proceedings shall only be stayed by a restraining order granted by the Zoning Board of Appeals or a court of record.

(C) Decision Criteria: The Zoning Board of Appeals shall have the power to authorize specific variances from the developmental standards of this Ordinance if it finds, at a public hearing, that all of the following are true:

1. The strict application of the terms of this Ordinance would constitute a practical difficulty.
2. The practical difficulty is due to some physical condition peculiar to the property involved.
3. The practical difficulty is not self-created.
4. The variance is a reasonable amount necessary to mitigate the practical difficulty.
5. Approval of the variance will not be injurious to the public health, safety, and welfare.
6. Approval of the variance will not affect the use or value of the adjacent properties or the area in a substantially adverse manner.
7. Approval of the variance is consistent with the intent and purpose of this Ordinance.

(D) Conditions: The Zoning Board of Appeals may place conditions and safeguards on variance approvals, as it determines necessary to observe the intent and purpose of this Ordinance, secure public safety, and do substantial justice. Violations of such conditions and safeguards, that are made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and shall automatically invalidate the variance and any zoning permit issued based on that variance.

(E) Variance Runs with Land: Variances shall run with the land, unless noted otherwise. Future owners shall enjoy the benefits of and be obliged to follow and comply with the approval and any conditions placed on the approval. The Township shall record the approved notice of variance and conditions with the County Register of Deeds.

(F) Amendment: The Zoning Board of Appeals may amend an approved variance or conditions of an approved variance upon request of the applicant and following a public hearing if it determines the amendment would continue to meet the decision criteria for granting the original variance. Granting of an amendment shall not extend the period of approval beyond the original period, unless an extension is granted.

(G) Expiration: A variance shall be good for one (1) year from the date of final decision. A completed application for a zoning permit must be submitted within this period or the variance shall expire, unless an extension is granted.
(H) **Extension:** The Zoning Board of Appeals may grant a single extension for a variance approval of up to one (1) year if it finds all of the following are true:

1. The application for extension has been submitted prior to expiration;
2. The project has been diligently pursued or conditions have prevented such action; and
3. Conditions in the area have not changed, including zoning text and zoning map amendments, that affect the original reasons for approval.

(I) **Right to Enter Property:** Filing of a variance application shall constitute permission for the Township to access the property to complete an onsite investigation for purposes of administering this Section.

(J) **Zoning Permit Necessary:** Zoning permits shall be required, as outlined in Article 3, and shall not be issued until the decision becomes final. If a zoning permit is issued and construction begins before the deadline for filing a judicial appeal of the Zoning Board of Appeals decision has passed, the applicant must sign an acknowledgement that all work must stop if an appeal has been filed with the court of jurisdiction and that any work completed may need to be removed at the applicant’s expense.

(K) **Site Plan Approval Necessary:** Site plan approval by the Planning Commission shall be required, as outlined in Article 6, for those uses requiring site plan approval. Site plan approval may be granted before or after a variances is granted, but the approved site plan must be consistent with the Zoning Board of Appeals decision.

(L) **Decision Final:** The decision of the Zoning Board of Appeals shall be final. However, appeals may be made from the Zoning Board of Appeals decision to an appropriate court of record, as outlined in state law.

**SECTION 4.35: APPEALS of DECISION**

(A) **Standing:** An appeal of decision may be made by any person, firm, or corporation or by any office, department, board, or bureau aggrieved by a decision of or action by the Zoning Administrator, any other official, or the Planning Commission in administering or enforcing the provisions of this Ordinance, unless noted otherwise.

(B) **Filling Deadline:** An appeal of decision application shall be filed within thirty (30) days of the decision or action being appealed.

(C) **Stay of Proceedings:** Filing of a completed appeal of decision application shall stay all proceedings related to the decision or action being appealed unless the Zoning Administrator certifies to the Zoning Board of Appeals, after an appeal of decision application has been filed, that, by reason of facts, a stay would cause imminent peril to life or property, in which case, the proceedings shall only be stayed by a restraining order granted by the Zoning Board of Appeals or a court of record.

(D) **Authority:** The Zoning Board of Appeals may reverse, affirm, or modify, in whole or in part, the order, requirement, decision, determination, or action and may issue or direct the issuance of a zoning permit.
**Decision Criteria:** The Zoning Board of Appeals shall review the record and decision or action being appealed and determine whether the record supports the decision that was made, in light of the standards of this Ordinance. The Zoning Board of Appeals shall uphold the original decision or action unless the record clearly shows that one or more of the following is true:

1. The original decision or action was arbitrary or capricious;
2. The original decision or action was based on an erroneous finding of material fact;
3. The original decision or action constituted an abuse of discretion; or
4. The original decision or action was based on an erroneous interpretation of this Ordinance or zoning law.

**Right to Enter Property:** Filing of an appeal of decision application shall constitute permission for the Township to access the property to complete an onsite investigation for purposes of administering this Section.

**Decision Final:** The decision of the Zoning Board of Appeals shall be final. However, appeals may be made from the Zoning Board of Appeals decision to an appropriate court of record, as outlined in state law.

**Refund:** If the decision or action being appealed is fully reversed, the applicant shall be refunded the application fees.

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**SECTION 4.40: INTERPRETATIONS**

(A) **Zoning District Boundaries:** The Zoning Board of Appeals shall determine the precise location of the boundary lines between zoning districts when there is dissatisfaction with a decision made by the Zoning Administrator. When interpreting zoning district boundaries, the Zoning Board of Appeals shall apply the standards outlined in Section 9.04 of this Ordinance.

(B) **Ordinance Text:** The Zoning Board of Appeals shall interpret the provisions of this Ordinance when it is alleged that certain provisions are not clear or that they could have more than one meaning. In deciding upon such request, the Zoning Board of Appeals shall ensure that its interpretation is consistent with the intent and purpose of this Ordinance, the Article in which the language in question is contained, and all other relevant provisions in this Ordinance.

(C) **Change or Substitution of Legally Non-conforming Use:** The Zoning Board of Appeals shall review changes or substitutions of non-conforming uses when there is dissatisfaction with a decision made by the Zoning Administrator. When reviewing a change or substitution of a non-conforming use, the Zoning Board of Appeals shall apply the standards outlined in Section 19.03 of this Ordinance.

(D) **Decision Final:** The decision of the Zoning Board of Appeals shall be final. However, appeals may be made from the Zoning Board of Appeals decision to an appropriate court of record, as outlined in state law.

(E) **Refund:** If the interpretation is fully reversed, the applicant shall be refunded the application fees.

*End of Article 4*
Article 5
PROCEDURES for AMENDMENTS

Section 5.01: PURPOSE
The purpose of this Ordinance is for establishing and maintaining sound, stable and desirable development within the territorial limits of the Township. It is not intended that this Ordinance be amended except to correct an error in the Ordinance, to address changed or changing conditions in a particular area in the Township, to conform with changes to the General Development Plan and/or other ordinances of the Township, to meet public need for new or additional land uses in areas so contemplated by the General Development Plan, or to further protect the environment, neighborhoods, public infrastructure or other public investment in the Township.

Section 5.02: INITIATION of AMENDMENTS
Only the Township Board may amend this Ordinance. Proposals for amendments or changes may be initiated by the Township Board on its own motion, by the Planning Commission, or by application of one (1) or more owners of property to be affected by the proposed amendment.

Section 5.03: FILING FEE
The Township Board shall establish by resolution, a fee to be paid in full at the time of receipt of any application to amend this Ordinance. Said fee shall be collected by the Township Clerk and no part shall be refundable to the applicant. No fee shall be charged when the applicant is the Township Board or Planning Commission.

Section 5.04: PROCEDURES
A. Application: An applicant shall submit a completed application for ordinance amendment to the Zoning Administrator on a form established for that purpose, which shall include a detailed description of the proposed amendment. When the application involves a change in the Zoning Map, an application shall be submitted for each parcel of land which is not contiguous to any adjacent parcel of land being proposed for the same amendment, and the applicant shall submit the following information:
   1. A legal description of the property.
   2. A scaled map of the property clearly showing the property's location, correlated with the legal description, and sealed by a professional engineer or registered land surveyor. This requirement may be waived for applications made by the Planning Commission or Township Board if comparable documentation is provided.
   3. The name and address of the applicant.
   4. The applicant's interest in the property, and if the applicant is not the owner, the name and address of the owner.
   5. Date of filing with the Township Zoning Administrator.
   6. The desired change and reasons for such change.
   7. Signature(s) of applicant(s) and owner(s) certifying the accuracy of the required information.
B. Action of Zoning Administrator: The Zoning Administrator shall review the application form to ensure it is complete. Any application not properly filed or complete shall be returned to the applicant. Complete applications shall be transmitted to the Planning Commission.
C. Notice of Hearing: After the Zoning Administrator has transmitted the amendment application to the Planning Commission, the Planning Commission shall establish a date for a public hearing on the application which will be conducted by the Planning Commission within ninety (90) days of the date of application receipt. The Township Clerk shall give notice of the public hearing pursuant to Section 3.07, Public Notice.
D. Planning Commission Actions
   1. Planning Commission Review: In reviewing any application for an amendment to this Ordinance, the Planning Commission shall identify and evaluate all factors relevant to the application. Findings of fact shall be gathered and shall be made a part of the public records of the meetings of the Planning Commission. The matters to be considered by the Planning Commission shall include, but shall not necessarily be limited to, the following:
      a. What, if any, identifiable conditions related to the application have changed which justify the proposed amendment?
      b. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the application?
      c. What is the impact of the amendment on the ability of the Township and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?
d. Does the proposed district change adversely affect environmental conditions, or the value of the surrounding property?

e. Does the proposed district change generally comply with the adopted General Development Plan, and the existing and planned future land use of adjoining municipalities?

f. Is the property in question able to be put to a reasonable economic use in the zoning district in which it is presently located.

2. Outside Agency Review: In determining the above mentioned findings of fact, the Planning Commission may solicit information and testimony from officials of, but not necessarily limited to, the County Health Department, County Road Commission, County Drain Commission, any school district affected, and the Washtenaw County Planning Advisory Board.

3. Planning Commission Recommendation: The Township Planning Commission shall transmit its findings of fact in full, a summary of comments received at the public hearing, and its recommendations for disposition of the application to the Township Board within a period of sixty (60) days following the required public hearing in Section 3.07, Public Notice.

E. Township Board Actions

1. After receiving the findings and recommendations of the Township Planning Commission, the Township Board at any regular meeting or at any special meeting called for that purpose, shall consider said findings of fact and recommendations and vote upon the adoption of the proposed amendment. Such action shall be by Ordinance, requiring a majority vote of the Township Board.

2. The Township Board shall not deviate from the recommendation of the Planning Commission without first referring the application back to the Planning Commission, which shall have thirty (30) days after such referral in which to make further recommendation to the Township Board, after which the Township Board shall take such action as it determines. In the event that the Township Board refers an application back to the Planning Commission, the Township Board shall make specific mention of their objections to results of the Planning Commissions findings and recommendations.

F. Publication Of Notice Of Ordinance Amendments: Following adoption of subsequent amendments to this Ordinance by the Township Board, one (1) notice of adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. The notice shall include the following information:

1. Either a summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment.

2. The effective date of the amended Ordinance, which shall take effect seven (7) days after publication.

3. The place and time where a copy of the amended Ordinance may be purchased or inspected.

G. Notice of Intent to File a Petition: Within seven (7) days after publication of a Zoning Ordinance amendment under Section 5.04(F), a registered elector residing in Dexter Township may file with the Dexter Township Clerk a notice of intent to file a petition in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Section 5.05: RESUBMITTAL

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

Section 5.06: COMPREHENSIVE REVIEW OF ZONING ORDINANCE

The Planning Commission shall, from time to time, or at intervals of not more than five (5) years, examine the provisions of this Ordinance and the location of zoning district boundary lines and shall submit a report to the Township Board recommending changes and amendments, if any, which are deemed to be desirable in the interest of public health, safety and general welfare.

Section 5.07: APPLICANT TO POST PUBLIC NOTICE SIGN

See Section 18.25 regarding the applicant’s responsibility for posting a public notice sign on the applicant’s property to notify the public of the action sought under this Article.

End of Article 5
Article 6
PROCEDURES for SITE PLAN and PLOT PLAN REVIEW

Section 6.01: PURPOSE
It is the purpose of this Article to specify standards, data requirements, and the review process which shall be followed in the preparation of site plans and plot plans as required by this Ordinance.

Section 6.02: APPROVAL OF SITE PLAN OR PLOT PLAN REQUIRED
A. Planning Commission Approval for Site Plans: Site plan approval is required by the Planning Commission, prior to the issuance of a Zoning Permit, for the following land uses:
   1. All special land uses, as specified in each zoning district.
   2. All uses by right within any commercial or industrial zoning district.
   3. All uses for which this Ordinance requires three (3) or more off street parking spaces, except for residences in the Lakes Residential District that require 3 or more off street parking spaces per Section 21.03(A)(1).
   4. All single and two family developments subject to the requirements of P.A. 288 of 1967, the Subdivision Control Act, as amended.
   5. All condominium subdivisions subject to P.A. 59 of 1978, the Condominium Act, as amended.

B. Zoning Administrator Approval for Plot Plans: Plot Plan approval is required by the Zoning Administrator, prior to the issuance of a Zoning Permit, for all other uses not listed in Section 6.02 (A)(1-5) above. Each plot plan shall be reviewed to determine conformance with all applicable provisions of this Ordinance including requirements pertaining to lot area, lot width, and permitted uses, and the applicable provisions of: Article 18, General Provisions; Article 20, Access Control and Private Roads; Article 21, Off-Street Parking and Loading; Article 22, Signs; and Article 24, Environmental Protection.

C. Change in Use: A change in a use of property from that which a plot plan, site plan, or zoning permit had previously approved shall require the approval of a new plot plan or site plan unless the new use is to be initiated without any alterations to the existing property, including alterations of the height, location and size of buildings and structures; number and location of parking spaces and unloading areas; buffer areas, and the location of trash enclosures and other existing site amenities. This provision shall not be interpreted to relieve the property owner from meeting all applicable standards of this Ordinance.

Section 6.03: DATA REQUIRED
A. Plot Plans: The following data shall be submitted with applications for Zoning Permits for uses requiring a plot plan:
   1. An accurate, readable, scale drawing showing the following shall be required except in the case of minor alterations, repair, and demolitions as determined by the Zoning Administrator. The Zoning Administrator may establish and make available in the office of the Township Clerk written guidelines as to the scale and level of detail needed for applications for various types of uses requiring a Zoning Permit, or for information to be submitted to the Zoning Board of Appeals in order to make a decision on an appeal, request for Ordinance interpretation or variance.
      a) Name, address and telephone number of the applicant (and owner if different).
      b) The location, shape, area and dimension of the lot.
      c) The location, dimensions, height and bulk of the existing and/or proposed structures to be erected, altered, or moved on the lot.
      d) A description of proposed use of the building(s), land or structures.
      e) The proposed number of sleeping rooms, dwelling units, restrooms, occupants, employees, customers and other users, where applicable.
      f) The yard, setback, and open space dimensions.
      g) The parking lot dimensions, parking space dimensions, and number of spaces, where applicable.
      h) A vicinity sketch showing the location of the site in relation to the surrounding street system, and adjacent land uses within three hundred (300) feet in every direction including on the opposite side of any public thoroughfare. The Zoning Administrator may waive this requirement if it is not deemed necessary for making a decision on the Zoning Permit.
      i) Location of any septic system or drain field and well, and approval from the Washtenaw County Department of Environmental Health, where applicable. For properties with sanitary sewer service, the drawing must include the sanitary easement, grinder pump (if applicable), and approval of the local sewer authority. For properties with a private community well or private community wastewater system, the drawing or other application materials must include approval of the appropriate state, county, or local agency.
Article 6: Procedures for Site Plan & Plot Plan Review

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j) Configuration of the driveway and parking, and approval of a driveway permit from the Washtenaw County Road Commission, where applicable.

k) Existing public right-of-ways or easements.

l) Wetland areas, county drains, and site drainage patterns, with the assistance of and information provided by the Zoning Administrator.

m) A storm water management system per Section 24.06 of this Ordinance, where applicable.

n) A grading plan, if changes in grade are proposed, the plot plan is based on an approved site plan, or the Zoning Administrator deems a grading plan necessary to determine compliance with this Ordinance. The grading plan shall be reviewed for compliance by the Zoning Administrator or, at the discretion of the Zoning Administrator, the Township Engineer, Washtenaw County Water Resources Commissioner, and/or the Soil Erosion and Sedimentation Control inspector prior to issuance of a Zoning Permit. During and after construction, the grading shall be inspected for compliance by the Zoning Administrator or, at the discretion of the Zoning Administrator, the Township Engineer, Washtenaw County Water Resources Commissioner, and/or the Soil Erosion and Sedimentation Control inspector prior to issuance of a Final Certificate of Zoning Compliance. The property owner shall incur the cost of the Township Engineer’s review(s) and inspection(s) prior to the issuance of the Final Certificate of Zoning Compliance.

o) Any other information deemed necessary by the approving body to determine and provide for the enforcement of this Ordinance.

B. Site Plan: Each site plan shall be provided on a professional quality drawing of scale not less than 1"=100'. All information depicted shall be designed by a professional engineer, land surveyor, or landscape architect licensed in Michigan and shall bear the seal and signature of the licensed individual. The site plan shall include the applicant's full name, address and phone number, and the name and address of the person and firm who prepared the plan and the date on which the plan was prepared. In addition, the following data shall be submitted with the site plan application and with applications for Zoning Permits for uses requiring a site plan. In the case of a preliminary site plan, as required by Section 6.04(B), detailed construction drawings to address specific site improvements are not necessary, but the detail of the submitted information shall adequately portray the feasibility of critical components of the project such as, but not limited to, storm water management, grading, vehicular circulation, lot areas and arrangements, signage, and landscaping.

1. Survey: A survey showing property dimensions and legal description, including angles, lot area and dimensions, and an arrow pointing north.

2. Uses and Structures: Existing and proposed uses, buildings, structures, and lots, including a project description that addresses the total number of structures, units, bedrooms, offices, square feet, total and usable floor area, carports or garages, employees by shift, amount of recreational and open space, type of recreation facilities to be provided, and related information as pertinent or otherwise required by this Ordinance.

3. Natural Features: Natural features such as woodlands, wetlands, streams, flood plains, county drains, lakes or ponds, topography (at two-foot intervals on-site and within one hundred fifty (150) feet of the site) and man-made features such as existing roads and structures, with indication as to which are to be retained and which removed or altered, and the extent of any such alteration.


5. Roads and Access: Proposed streets and alleys, (including cross-sections and profiles), acceleration, deceleration or turn lanes, driveways, parking spaces, sidewalks, with indication of direction of travel, the inside radii of all curves including driveway curb returns. The width of streets, driveways and sidewalks, the total number of parking spaces, and dimensions of a typical individual parking space and associated aisles. Proposed traffic control measures (including signs) and proposed street or road names shall also be indicated.

6. Vicinity Sketch: A vicinity sketch showing the location of the site in relation to the surrounding street system for a minimum distance of one mile in all directions. The vicinity sketch, or other component of the site plan materials, shall also identify the existing zoning classification and use of all properties within three hundred (300) feet in every direction of the proposed use, including land uses on the opposite side of any public or private thoroughfare(s).

7. Utilities: Location of all public and private utilities, water supply and the location and design of waste water systems as well as any easements that exist or are proposed to be established for installation, repair and maintenance of utilities.

8. Accessory Structures: Proposed location of trash receptacles, accessory buildings and uses, and signs, including a complete description and scale drawings of signs, their dimensions, and the sign area in square feet.

9. Landscaping Plan: A landscaping plan indicating the locations of plant materials to be preserved and locations of proposed planting and screening, fencing, and lighting in compliance with the requirements of Article 23, Landscaping and Screening. Also, proposed locations of common open spaces, if applicable.
10. **Storm Water Management Plan:** A storm drainage and storm water management plan for all streets and other impervious surfaces, including buildings. Such plan shall include the location of drainage easements, exterior drains, dry wells, catch basins, retention and/or detention areas, sumps and other facilities designed to collect, store or transport storm water or waste water. The point of discharge for all drains and pipes shall also be specified on the site plan.

11. **Hazardous Material Storage:** Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.

12. **Permits Required:** A statement from the applicant identifying all other federal, state and local permits required, if any.

13. **Grading Plan:** All grading, and storm water management plans, documenting the extent of clearing of vegetation and the extent of other clearing, cuts, fills, or other grading.

14. **Completion Schedule:** Project completion schedule.

15. **Other Information:** Such other information as is necessary to enable the Planning Commission to determine whether the proposed site plan will conform to the provisions of this Ordinance.

**C. Waiver of Site Plan Information:** If the Zoning Administrator, Township Planner, and Township Engineer are all in agreement that certain information required in Section 6.03(B) is unnecessary to determine site plan compliance with the provisions of this Ordinance, such information may be waived. A waiver shall only be granted based on specific circumstances regarding the subject property, land use, and development. A waiver shall not be granted if either the Zoning Administrator, Township Planner, or Township Engineer finds that the waiver will adversely affect the health, safety, and general welfare of the property in question, its surrounding area, or Dexter Township as a whole. The Planning Commission reserves the right to overrule any waiver granted from the standards of Section 6.03(B) at any time during the site plan review process.

**Section 6.04: SITE PLAN REVIEW PROCEDURES**

**A. Preapplication Conference and Conceptual Plan:** Prior to the submission of a preliminary application for approval, the applicant may request and the Planning Commission Chairperson may agree to meet together with such consultants as either the Township or the applicant deem appropriate. The Chairperson of the Planning Commission shall invite officials from other departments of the Township, or agencies serving the Township who might have an interest in the proposed development, or who might assist the Township in the review process. The purpose of the meeting is to inform township officials of the concept of the proposed development and to provide the potential applicant with information regarding land development policies, procedures, standards and requirements of the Township. Statements made in the course of a preapplication conference shall not be legally binding commitments. At the preapplication conference(s), the applicant shall present a general sketch plan of the proposed development which provides an overview of the proposed project.

**B. Preliminary Review Application:** A minimum of fifteen (15) copies of an application for preliminary site plan approval shall be submitted to the Zoning Administrator on a special form for that purpose and shall be accompanied by a minimum of fifteen (15) copies of all preliminary site plan materials. The Zoning Administrator shall review the application and site plan materials for completeness. If the application or materials are not complete, they shall be returned to the applicant with a written notice identifying the application’s deficiencies. Preliminary site plan materials shall accompany the application form and shall comply with the submittal requirements of Section 6.03(B) and the following:

1. The Planning Commission may require a written impact statement relative to the effects of the project on natural resources and the environment, public safety including police and fire protection, schools, utilities, and public infrastructure including road capacity.

2. For uses that are expected to generate 100 or more vehicle trips per day, a traffic impact study addressing, at a minimum, the anticipated vehicle trips to be generated daily by the development; the impact of the development on road infrastructure, congestion levels, and turning patterns along the abutting and other nearby roads; and proposed mitigation measures to minimize any conflict issues.

**C. Planning Commission Review and Action:** The Planning Commission shall review the preliminary site plan and approve, approve with conditions, or deny the plan, based on compliance with the standards of Section 6.05. If denied, the Planning Commission shall cite reasons for denial. If approved, the applicant may submit a final site plan for the development or a phase of the development.

1. Approval of the preliminary site plan is valid for a period of twelve (12) months. If a final site plan for the development, or any phase of the development, has not been submitted during that period, the approval of the preliminary site plan shall be null and void. This time limit may be extended by the Planning Commission upon a finding by the Planning Commission that the applicant made a good faith effort to submit a final site plan in a timely manner, that the delay was not a result of the actions of the applicant, that no substantial changes have occurred on abutting properties during this twelve (12) month period that would raise concern over the impact of the originally approved preliminary plan upon such properties, and that such preliminary plan will be in compliance with all standards and requirements of this Ordinance at the time such extension is granted. Preliminary site plans whose approval has expired shall be required to resubmit and be processed for approval according to this Section.
D. Submittal and Distribution of Final Site Plans: At least twelve (12) copies of the application and final site plan shall be submitted to the Zoning Administrator. The Zoning Administrator shall review the application and site plans for completeness and if such application or plans are not complete according to Section 6.03(B), the plans shall be returned to the applicant with a written notice identifying the inadequacies of the plans. Upon receipt of an adequately completed application and plans, the Zoning Administrator shall record the date of their receipt and transmit seven (7) copies thereof to the Planning Commission; one (1) copy to the Township Engineer, one (1) copy to the Fire Department when necessary, one (1) copy to the Township Clerk, and the remaining shall be retained by the Zoning Administrator.

E. Review of Final Site Plan: The Planning Commission shall review the application and plans and determine their conformity with the applicable provisions of this Ordinance and the provisions of Section 6.05.

F. Action: After conducting a review, the Planning Commission shall reject, approve, or conditionally approve the final site plan, as it pertains to requirements and standards contained in the Zoning Ordinance. Any conditions required by the Planning Commission shall be stated in writing and shown on the site plan, together with the reasons, and delivered to the applicant. Decisions by the Planning Commission shall be made within sixty (60) days of the receipt of the completed application unless, in the opinion of the Planning Commission, an extension of time is necessary to adequately collect and review information pertinent to a decision. A final site plan shall be approved if it contains the information required by, and is in compliance with this Ordinance, the conditions imposed pursuant to the Ordinance, other Township planning documents, other applicable ordinances, and state and federal statutes.

G. Approved Final Site Plans: Three (3) copies of the approved final site plan, with any conditions contained within shall be maintained as part of the Township records for future review and enforcement. Two (2) copies shall be returned to the applicant. Each copy shall be signed and dated with the date of approval by the Chairperson of the Planning Commission for identification of the approved plans. If any variances from the Zoning Ordinance have been obtained from the Zoning Board of Appeals, the minutes concerning the variances, duly signed, shall also be filed with the Township records as a part of the site plan and delivered to the applicant for information and direction.

H. Expiration of Final Site Plan Approval: Approval of the final site plan shall expire and be of no effect one (1) year following the date of approval unless construction has begun on the property and is diligently pursued to completion in conformance with the approved final site plan and its construction schedule. The one (1) year approval period may be extended if applied for by the owner and granted by the Planning Commission in writing, upon a showing by the owner that the project has substantially progressed during the previous year, that the project will continue to be actively pursued toward completion, and that there have been no changes in conditions that would give the Planning Commission cause to deny the extension. An application for an extension of final site plan approval may be accompanied with a fee as set by the Township Board pursuant to Section 3.03(B). The applicant shall reimburse the Township for any expenses the Township incurs in relation to the extension application, and the applicant shall also incur the cost of any studies deemed necessary by the Planning Commission to make a decision on the extension application. The Planning Commission shall not extend its final site plan approval more than two (2) years beyond the original date of approval nor shall it extend any component of the construction schedule on the approved final site plan by more than two (2) years. If an extension is applied for by the owner within the current approval period, the current approval shall remain valid until the Planning Commission has made a decision on the requested extension. However, the owner will have no right to obtain zoning permits until the Planning Commission has made a decision on the requested approval extension.

1. If an approved final site plan contains more than one (1) phase, approval of each phase shall expire and be of no effect one (1) year following the commencement date set forth on the approved final site plan unless construction has begun in the phase and is diligently pursued to completion in conformance with the approved final site plan and its construction schedule. The Planning Commission may extend this one (1) year period in the same manner as Section 6.04(H) above, but shall not extend its final site plan approval of any phase more than two (2) years beyond the phase’s commencement date set forth on the approved final site plan nor shall it extend any component of the construction schedule on the approved final site plan by more than two (2) years. For projects containing more than one (1) phase that have received final site plan approval for only one (1) phase, this subsection does not apply and Section 6.04(H) shall rule.

2. All previously approved final site plans that were approved and remain effective as of the date of this amendment (May 7, 2009) shall adhere to the expiration standards in effect on the date the final site plan was originally approved. For all previously approved preliminary site plans for which an application for final site plan approval has been filed and the filing fees paid as of the date of this amendment (May 7, 2009), the final site plan, if approved, shall adhere to the expiration standards for final site plans in effect on the date the final site plan was submitted.

I. Reinstatement of Expired Site Plans: Approved site plans that have expired according to Section 6.04(H) may be reinstated not more than once by the Planning Commission for the period of time described in Section 6.04(H) if the site plan meets the criteria of this section and complies with the following conditions and procedures.

1. Reinstatement Period: The applicant shall apply for reinstatement of the approved site plan not more than one (1) year after the site plan expires. If one (1) year has passed since the approved site plan has expired and the applicant has not submitted a complete application for reinstatement, the site plan shall not be reinstated and any site plan for the property shall be reviewed as if it were a new application.
2. **Application for Reinstatement:** An application to reinstate an expired site plan shall not be deemed complete unless it is delivered to the Zoning Administrator and accompanied with the following:
   a. 5 copies of the approved site plan, including documentation of all proposed changes, if any.
   b. 5 copies of all current permits and approvals from all applicable agencies.
   c. A fee and deposit, which shall be established by the Township Board.

3. **Professional Review:** The Zoning Administrator shall retain 2 copies of the site plan materials, and forward 1 copy to the Township Planner, 1 copy to the Township Engineer, and 1 copy to the Fire Inspector. The Zoning Administrator, Township Planner, Township Engineer, and Fire Inspector shall issue reports on the following:
   a. Any changes to the site plan since the site plan was originally approved.
   b. Any changes to the surrounding area since the site plan was originally approved.
   c. Any changes to federal, state, county, or local regulations since the site plan was originally approved. The Zoning Administrator may consult the Township Attorney.

4. **Applicant Review of Professional Reports:** Within 30 days of receiving the reports from the Zoning Administrator, Township Planner, Township Engineer, and Fire Inspector, the applicant must decide whether to pursue reinstatement of the expired site plan with the Planning Commission or withdraw the application. If the applicant withdraws the application, the site plan will remain expired and not be eligible for reinstatement again, and the fee and deposit will be refunded to the applicant, less the cost of the professional reviews. If the applicant pursues reinstatement with the Planning Commission, the applicant shall deliver 7 additional copies of the site plan to Dexter Township and the Planning Commission shall review the application in accordance with Section 6.04(1)(5).

5. **Planning Commission Determination of Changes:** Upon receipt and review of the professional review reports, the Zoning Administrator shall forward the reports and all site plan application materials to the Planning Commission. The Planning Commission shall determine whether or not there are any substantial changes reported.
   a. If the Planning Commission finds that there are either no changes, minor changes as defined in Section 6.07(A)(1), or other changes deemed minor by the Planning Commission, then the Planning Commission shall approve the reinstatement of the site plan approval in accordance with Section 6.04(H). The reinstatement of a site plan may only be approved once, and the site plan shall not be eligible for subsequent reinstatements.
   b. If the Planning Commission finds that there are either major changes as defined in Section 6.07(A)(2) or other changed deemed major by the Planning Commission, then the Planning Commission shall deny the application to reinstate the site plan approval and future site plans for the property shall be reviewed and processed as a new site plan application.

**Section 6.05: SITE PLAN APPROVAL STANDARDS**

Each site plan shall conform with the applicable provisions of this Ordinance and the standards listed below:

- **A.** All elements of the Site Plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings.

- **B.** The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree, other vegetative material, and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas. Landscape elements shall minimize negative impacts and, in the case of parking lots, provide directional guidance to drivers. Landscaping, buffering, and screening shall conform with the requirements of Article 23, Landscaping and Screening.

- **C.** Special attention shall be given to proper site drainage so that removal of storm waters will not increase off-site sedimentation or otherwise adversely affect neighboring properties due to flooding.

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

- **E.** All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.

- **F.** Every structure or dwelling unit shall have access to a public street, walkway, or other area dedicated to common use.

- **G.** There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.

- **H.** Exterior lighting shall be designed and arranged so that it is deflected away from adjacent streets and adjoining properties. Flashing or intermittent lights shall not be permitted. Exterior lighting shall conform with the provisions of Section 24.04.

- **I.** The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way according to the standards of the County Road Commission.

- **J.** All streets shall be developed in accordance with County Road Commission specifications, unless specifically provided for otherwise in this Ordinance.
K. All parking areas shall be so designed to facilitate efficient and safe vehicular and pedestrian circulation, minimize congestion at access and egress points to intersecting roads, including the use of service drives as appropriate, and minimize the negative visual impact of such parking areas.

L. Residential and nonresidential development shall employ the use of shared driveways and/or service drives along minor and major thoroughfares where beneficial and reasonably feasible, to minimize conflicting turning patterns, congestion, and traffic hazards, when consistent with all applicable ordinances.

M. The site plan shall provide for the appropriate location of all necessary and proposed utilities. Locational requirements shall include underground facilities to the greatest extent feasible.

N. Site plans shall conform to all applicable requirements of state and federal statutes and approval may be conditioned on the applicant receiving necessary state and federal permits before the final site plan approval is granted.

O. The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment including:

1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers, or wetlands.
2. Secondary containment for above ground areas where hazardous substances are stored or used shall be provided. Secondary containment shall be sufficient to store the substances for the maximum anticipated period of time necessary for the recovery of any released substances.
3. General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan ground water discharge permit.
4. Federal, state, county and local agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.

P. The site plan shall incorporate provisions to ensure the proposed development will not be harmful to the existing and future uses in the immediate area and the vicinity, and that the site plan shall not impede the normal and orderly development or improvement of surrounding property.

Section 6.06: PRE- AND POST-DEVELOPMENT STANDARDS

A. Development Agreement: Upon approval of a site plan, the applicant shall enter into a Development Agreement with Dexter Township, incorporating therein the terms and conditions of final site plan approval, and record the same in the Office of the Register of Deeds for Washtenaw County. The Zoning Administrator shall prepare, and the Township Attorney and Township Engineer shall review, a Development Agreement which sets forth the conditions to be met by an applicant or developer with respect to a project. The Agreement shall be signed by the applicant and/or developer and approved by the Township Board. The Agreement shall include such provisions as the deposit of funds to defray variable costs and expenses and performance guarantees per Section 3.05 to ensure that improvements depicted on a site plan meet the provisions of this Ordinance, adopted standards and regulations, and conditions set by the Planning Commission. The cost to prepare, review, and record this Agreement shall be borne by the applicant/developer.

1. The Township Board may exempt the applicant from the requirement to enter into a Development Agreement with Dexter Township if, in the Township Board’s judgment, a Development Agreement is not necessary. In making this determination, the Township Board shall solicit the opinions of the Township Planner, Zoning Administrator, Township Engineer, and Township Attorney.

B. Pre-Construction Conference: A pre-construction conference shall be held prior to the start of field construction. The pre-construction conference shall include the Township Engineer, a representative from the Township offices, the developer, all pertinent contractor and subcontractor representatives (including the field foreman that will be in charge of supervising the field portion of the project), franchise utility representatives in the area, and any other persons who may be able to contribute information in regard to construction of the project. It shall be the developer’s responsibility to schedule the conference with the Township Engineer and have all related personnel at the conference. As a minimum, the pre-construction conference shall consist of a discussion of start dates and schedule of events, erosion and sedimentation controls, traffic control, superintendence, special conditions or provisions to plans and/or specifications, and final acceptance guidelines. The costs of the pre-construction conference incurred on behalf of Dexter Township shall be borne by the applicant/developer.

C. Development: With the exception of Minor and Major Changes per Section 6.07(A), property which is the subject of site plan approval must be developed in strict compliance with the approved site plan and any amendments thereto which have received the written approval of the Planning Commission. If construction and development does not conform with such approved plans, the approval shall be revoked by the Zoning Administrator pursuant to the procedure in Section 3.03(C)(4). Upon revocation of such approval, all construction activities shall immediately cease upon the site, other than for the purpose of correcting the violation.
D. Record Drawings: The applicant shall provide record drawings of all utilities and all appurtenances that were installed on a site for which a final site plan was approved. The drawings shall be submitted to the Township after installation has been completed and approved by the Township Engineer prior to the release of any performance guarantee or part thereof covering such installation. The record drawings shall show such information as the exact size, type, depth, and location of pipes; location and size of manholes and catch basins; location and size of valves, fire hydrants, tees, and crosses; depth and slopes of retention basins; location and type of other utility installations; and all easements. The drawings shall show plan and profile views of all sanitary and storm sewer lines and plan views of all water lines. The record drawings shall show all work as actually installed and as field verified by a professional engineer or a representative thereof. The drawings shall be identified as “Record Drawings” in the title block of each drawing and shall be signed and dated by the owner of the development or the owner’s legal representative and shall bear the seal of a professional engineer. The applicant shall also include a grading certificate that is acceptable to the Township Engineer.

Section 6.07: CHANGES and APPEALS

A. Amendment to the Site Plan: No changes shall be made to an approved Site Plan prior to or during construction except upon mutual agreement between the applicant and the Planning Commission or site plan review committee. Where action by a site plan review committee is required, such committee shall consist of three (3) members: a) the Zoning Administrator; b) a Planning Commission member appointed by the Planning Commission Chairperson; and c) a Zoning Board of Appeals member appointed by the Zoning Board of Appeals Chairperson. The Zoning Administrator shall review proposed changes to an approved Plot Plan in accordance with the same procedures, requirements, and standards required by this Article for initial action on a Plot Plan. Changes to a Plot Plan which contain elements which require Site Plan approval according to Section 6.02(A) shall require the approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved and subject to the finding of all of the following:

1. Minor Changes: Minor changes to an approved Site Plan involving changes of less than five (5) feet in the location of walkways, vehicular circulation ways and parking areas, or exterior building and structure walls; less than five (5) feet in the adjustment of utilities; and similar minor changes may be approved by the site plan review committee. No change to a site plan that requires the issuance of a variance shall be interpreted as a “minor” change under this Section. Prior to taking action on a minor change, the committee shall make a determination whether such change constitutes a “minor” change as described above. Where a unanimous vote of the committee members is not obtained for either the classification of the proposed change as “minor” or the approval of such change, the committee shall refer the proposed change to the Planning Commission for action.

2. Major Changes: Major changes or amendments to an approved Site Plan involving changes in excess of five (5) feet in the location of walkways, vehicular circulation ways and parking areas, or exterior building and structure walls; the number and location of accesses to public streets and alleys; a reduction in the number of parking spaces; an increase in the gross floor area or heights of buildings; a reduction in the open space; and similar major changes, shall require the approval of the Planning Commission, in the same manner as the original application was submitted, reviewed, and approved and subject to the finding of all of the following:
   a. Such changes will not adversely affect the initial basis for granting approval;
   b. Such changes will not adversely affect the overall project in light of the intent and purpose of such development as set forth in this Article; and
   c. Such changes shall not result in the reduction of open space area as required herein.

B. Amendments to a Plot Plan: The Zoning Administrator shall review proposed changes to an approved Plot Plan in accordance with the same procedures, requirements, and standards required by this Article for initial action on a Plot Plan. Changes to a Plot Plan which contain elements which require Site Plan approval according to Section 6.02(A) shall require that the entire project be processed as a Site Plan according to the procedures of Section 6.04.

C. Appeals: With regard to Site Plan and Plot Plan approval decisions, an appeal may be taken to the Zoning Board of Appeals in the manner as other administration decisions. The concurring vote of a majority of the members of said Board shall be necessary to reverse any decision by the Planning Commission, or to decide in favor of the applicant. The appeal may be taken by any person aggrieved or by any officer, department, board, or bureau of the Township, County, or State. The Zoning Board of Appeals shall state the grounds of each determination.

Section 6.08: APPLICANT to POST PUBLIC NOTICE SIGN

See Section 18.25 regarding the applicant’s responsibility for posting a public notice sign on the applicant’s property to notify the public of the action sought under this Article.

Section 6.09: PRE-EXISTING SITE PLANS and PLOT PLANS UNDER REVIEW

A. Plot Plan/Final Site Plan: Any application for final site plan approval or for plot plan approval filed with the Zoning Administrator, and containing all information required by the Ordinance in effect at the time of submittal and accompanied by all required fees, prior to the effective date of this Ordinance shall be reviewed using the procedures and substantive standards under the ordinance in effect at the time of submission.
B. Preliminary Site Plan: Any application for preliminary site plan approval filed with the Zoning Administrator, and containing all information required by the Ordinance in effect at the time of submittal and accompanied by all required fees, prior to the effective date of this Ordinance, shall be reviewed using the procedures and substantive standards under the ordinance in effect at the time of submission. Approval of such plan shall be effective for a period of one (1) year from the effective date of this Ordinance, during which time an application for final site plan approval shall be submitted and the final site plan shall be considered for approval using the procedures and substantive standards under the ordinance in effect at the time of submission of the preliminary site plan. In the case of a preliminary site plan that has been approved prior to the effective date of this ordinance, but for which an application for final site plan approval has not been submitted, the preliminary site plan approval shall be effective for a period of one (1) year from the effective date of this Ordinance, during which time an application for final site plan approval shall be submitted and such final site plan shall be considered for approval using the procedures and substantive standards under the ordinance in effect at the time of submission of the preliminary site plan. In the event a final site plan is not submitted within the one (1) year periods described above, the preliminary site plan approval shall expire and any subsequent request for site plan approval shall comport with and be reviewed under the procedures and standards of this Ordinance.

End of Article 6
Article 7
PROCEDURES for SPECIAL LAND USES

Section 7.01: PURPOSE
A. Special Land Uses: It is the purpose of this Ordinance to provide a set of procedures and standards for specific uses of land or structures that will allow, on one hand, practical latitude for the investor or developer, but that will, at the same time, promote the intent and purpose of this Zoning Ordinance, and insure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land uses. In order to provide control and reasonable flexibility, this Article permits detailed review of certain specified types of land use activities which, because of their particular and unique characteristics, require special consideration in relation to the welfare of adjacent properties and to the community as a whole. Land uses and structures possessing these characteristics may be authorized within certain zoning districts by the issuance of a Zoning Permit for a Special Land Use. By such a procedure, the Planning Commission shall have the opportunity to impose conditions upon each use which are deemed necessary for the protection of the public welfare. Such conditions shall be based on standards in this Ordinance. Approval standards for special land uses are included in Article 16, Standards for Special Land Uses.

Section 7.02: PROCEDURES for SPECIAL LAND USES
A application for a Zoning Permit for any special land use or structure identified as such in a particular zoning district shall be submitted and processed under the following procedures.
A. Submission of Application: Any person owning or having an ownership interest in the subject property may file an application for one or more Zoning Permits for a special land use as provided for in this Ordinance. An application shall be submitted through the Zoning Administrator on a special form for that purpose. Each application shall be accompanied by the payment of a fee as established by the Township Board to cover costs of processing the application. The Planning Commission shall review the application prior to setting a date for a public hearing. Fifteen (15) sets of the following materials, constituting the special land use application, shall be submitted to the Zoning Administrator at least thirty (30) days prior to the meeting at which the Planning Commission first reviews the special land use application and deliberates on the scheduling of a public hearing:
1. Special application form supplied by the Zoning Administrator.
2. Payment of a fee, the amount of which shall be established by the Township Board from time to time.
3. Site plan meeting the requirements of Section 6.03
4. Written statement of analysis regarding the estimated population holding capacity of any proposed residential land use, the anticipated impact upon community facilities, such as schools and infrastructure, the anticipated new traffic generation including available roadway capacities and impact upon neighboring land uses and streets.
B. Check for Completeness and Accuracy: Within ten (10) working days of the receipt of the submission of an application the Zoning Administrator shall determine whether it is in proper form and appears to have all required information for the Planning Commission to determine the degree of compliance with all applicable provisions of Article 16, Standards for Special Land Uses.
C. Forwarding of Application to Planning Commission: Upon certification by the Zoning Administrator that the site plan and application form appears to be complete, ten (10) copies of the site plan shall be forwarded to the Planning Commission. The Township Zoning Administrator may also submit one (1) copy of the site plan to each of the following agencies considered to be impacted or affected by the application for a Special Land Use:
1. County Road Commission.
2. County Health Department.
3. County Drain Commissioner.
4. Fire Department providing service to that part of the Township.
5. Other agencies as relevant.
D. Planning Commission Action:
1. Application Review and Public Hearing:
   a. The Planning Commission shall review the site plan and special land use application. After adequate study and review, incorporating information provided by reviewing agencies listed above in Section 7.02(C), the Planning Commission shall schedule a public hearing. The Township Clerk shall give notice of the public hearing pursuant to Section 3.07, Public Notice.
2. **Planning Commission Decision and Basis for Decision:** Upon review of the special land use application, all supporting materials, and the hearing, the Planning Commission may deny, approve, or approve with conditions the application for special land use approval. Its decision shall be incorporated in a statement of findings and conclusions relative to the special land use under consideration, and shall specify the basis for the decision and any conditions imposed. In arriving at its decision, the Planning Commission shall refer to and be guided by those standards set forth in Articles 16, Standards for Special Land Uses. A request for approval of a land use or activity which is not in compliance with those standards, other applicable ordinances, and state and federal statutes shall not be approved. The Planning Commission may require that a performance guarantee, in accordance with Section 3.05 of this Ordinance, be deposited with the Township to insure completion of improvements.

**Section 7.03: RESERVED for FUTURE USE**

**Section 7.04: REAPPLICATION**

A. No application for a Zoning Permit for a special land use which has been denied wholly or in part by the Planning Commission shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on the grounds of newly-discovered evidence or proof of changed conditions. A reapplication shall require a new fee and the process will follow all provisions of Section 7.02.

1. For the purposes of this Section, “changed conditions” shall be limited to one or more of the following:
   a. a substantial change in the proposed intensity of the use of the site as reflected in gross floor area, building size(s), impervious surface, and or other site development features, where the Planning Commission finds, in its reasonable discretion, that such changes have significant bearing upon the basis for the Planning Commission’s previous action.
   b. a substantial change in surrounding conditions, such as land use, development patterns, and infrastructure, where the Planning Commission finds, in its reasonable discretion, that such changes have significant bearing upon the basis for the Planning Commission’s previous action.

2. For the purposes of this Section, “newly discovered evidence” shall be evidence not previously submitted which the Planning Commission finds, in its reasonable discretion, has significant bearing upon the basis for the Planning Commission’s previous action.

3. Under no circumstances shall the Planning Commission consider a new application for a special land use which has been denied wholly or in part by the Planning Commission, within one (1) year of such denial, if the denial action by the Planning Commission is before the Zoning Board of Appeals or a court of law and the Zoning Board of Appeals or court of law has not taken final action on such appeal, or the applicant has not terminated the appeal procedure prior to final action by the Zoning Board of Appeals or court of law.

**Section 7.05: AMENDMENTS**

A. **Site Plan:** The Site Plan, as approved, shall become part of the record of approval, and subsequent actions shall be consistent with the approved the site plan. Amendments to the approved Site Plan shall comply with the application and review procedures of Article 6, Procedures for Site Plan and Plot Plan Review.

B. **Use or Activity:** A change in the character of the use or activity from what the originally approved Zoning Permit for special land use authorized shall not occur until such change is applied for and approved according to the application and review procedures of this Article and all other applicable sections of this Ordinance. Changes requiring a new application and review procedure include, but shall not be limited to:

1. any addition of land to the legal description of the original special land use permit;
2. any establishment of another use or uses;
3. any addition of more sales or service area, or the addition of dwelling units; and
4. any expansion or increase in intensity of use.

*End of Article 7*
Article 8

This Article Reserved for Future Use

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End of Article 8
Section 9.01: ESTABLISHMENT of DISTRICTS
For the purpose of this Ordinance, the Township is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names.

PL: Public Lands District
AG: Agriculture District
RC: Recreation Conservation District
RR: Rural Residential District
LR: Lake Residential District
CU: Common Use Residential District
MHPR: Mobile Home Park Residential District
C-1: General Commercial District

Section 9.02: ZONING DISTRICT MAP
The boundaries of the respective districts enumerated in Section 9.01 are defined and established as depicted on the Official Zoning Map entitled OFFICIAL ZONING MAP OF DEXTER TOWNSHIP which is an integral part of this Ordinance. This map, with all notations and explanatory matter thereon, shall be published as part of this Ordinance as if fully described herein.

This Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bearing the following: This is to certify that this is the Official Zoning Map referred to in the Dexter Township Zoning Ordinance adopted on April 15, 2003. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map by the Township Supervisor promptly after the ordinance authorizing such change shall have been adopted and published, with an entry on the Official Zoning Map as follows: On (date) and by official action of the Township Board, the following change(s) were made in the Official Zoning Map.”

The Official Zoning Map shall be located in the office of the Township Supervisor and, in conjunction with approved Township Board minutes of adopted amendments to the Official Zoning Map, shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building, or structure in the Township.

Section 9.03: REPLACEMENT of OFFICIAL ZONING MAP
In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Township Board may, by Ordinance, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk and bear the seal of the Township under the following words: This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Dexter Township, adopted on ________, 20___, and replaces and supersedes the Official Zoning Map which was adopted on __________, 20__, and any amendments made thereon. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

Section 9.04: INTERPRETATION of DISTRICT BOUNDARIES
A. Where, due to the scale, lack of details, or illegibility of the Official Zoning Map, there is an uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application, to the Zoning Board of Appeals. The Board, in arriving at a decision on such matters, shall apply the following standards:
1. Boundaries indicated as approximately following the streets or highway, the center lines of said streets or highways shall be construed to be such boundaries.
2. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following Township boundary lines shall be construed as following such Township boundary lines.
4. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as being parallel thereto and at such distance therefrom as indicated on the official Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the official Zoning Map.
6. Boundaries following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines, and in the event of change in the shorelines shall be construed as moving with the actual shorelines; boundaries indicated as approximately following the thread of streams, canals, or other bodies of water shall be construed to follow such threads.
7. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two (2) districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Zoning Board of Appeals after recommendation from the Planning Commission.

Section 9.05: SCOPE of REGULATION
A. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of, or addition to an existing use, building and structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the Zoning District in which such use, building, or structure shall be located.
B. Any use of land not specifically permitted is prohibited. If the Zoning Administrator finds no comparable uses based on an examination of the characteristics of the proposed use, he/she shall so state. An appeal of the Zoning Administrator’s decision may be made to the Zoning Board of Appeals in accord with the requirements of Section 4.06. The Planning Commission may be petitioned to initiate an amendment to the text of the Ordinance to establish the appropriate district(s), type of use (permitted principal use or special land use), and criteria that will apply for that use. If the Ordinance has been amended to include the new regulations, then an application can be processed to establish that use.
C. No part of a setback area, or other open space, or off-street parking or loading space required about or in connection with any use, building or structure, for the purpose of complying with this Ordinance, shall be included as part of a setback area, open space, or off-street parking or loading space similarly required for any other use, building or structure.
D. No setback area or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein.
E. No portion of one lot, once established and/or improved with a building or structure, shall be used in the creation of another lot unless each lot resulting from each such reduction, division, or sale, shall conform with all of the requirements established herein.
F. Accessory uses are permitted as indicated for the various Zoning Districts provided such uses are clearly incidental to the permitted principal uses.

Section 9.06: ZONING of VACATED AREAS
Whenever any street, alley or other public way within the Township shall have been vacated by official governmental action and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, alley or public way, such lands shall automatically acquire and be subject to the same zoning regulations as are applicable to lands to which same shall attach, and shall be used for those uses as is permitted under this Ordinance for such adjoining lands.

Section 9.07: ZONING of FILLED LANDS: USE of WATER
No fill shall be placed in any wetland, lake or stream without proof of a valid permit therefor from the Michigan Department of Environmental Quality. Whenever any fill is placed in any lake or stream, the land thus created shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable for lands to which the same shall attach or be adjacent, and the same be used for those purposes as are permitted under this Ordinance for such adjoining lands. No use of the surface of any lake or stream shall be permitted for any purpose not permitted on the land from which the use emanates.

Section 9.08: CONFLICTING REGULATIONS
Wherever any provision of the Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.
Section 9.09: CATEGORIES within ZONING DISTRICTS
In order to insure all possible benefits and protection for the zoning districts in this Ordinance, the land uses have been classified into two (2) categories:

A. **Permitted Principal Uses**: The primary uses and structures specified for which the zoning district has been established.

B. **Special Land Uses Permitted By Special Approval**: Uses and structures which have been generally accepted as reasonably compatible with the primary uses and structures within the zoning district, but could present potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole. All such proposed uses shall be subject to a public hearing. Refer to Articles 7: Procedures for Special Land Uses, and Article 16: Standards for Special Land Uses.

Section 9.10: SCHEDULE of REGULATIONS
The requirements in the following table entitled "Schedule of Regulations" apply to all permitted principal land uses within each zoning district, except as otherwise noted in the tables or established in this Ordinance. The specific district regulations and other provisions of this Ordinance should be consulted to identify additional standards and requirements, and clarifications of the schedule. In the event of any conflict between the provisions of the written text of the Ordinance and the content of the Schedule of Regulations, the provisions of the text shall apply. Owners of nonconforming lots of record should refer to Article 19 as well. Variances may be granted by the Zoning Board of Appeals only upon a showing of practical difficulty, related to a unique characteristic of the land and not to self created circumstances of the owner. See Section 4.05(C).

### Schedule of Regulations\(^A\) for “Permitted Principal Uses”

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area</th>
<th>Minimum Lot Width &amp; Frontage (in feet)</th>
<th>Maximum Building Height</th>
<th>Minimum Yard Setback (Feet)</th>
<th>Maximum Lot Coverage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PL: Public Lands</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td></td>
<td>30(^B)</td>
<td>10(^N)</td>
</tr>
<tr>
<td>AG: Agriculture</td>
<td>1 – 5 acres(^C)</td>
<td>150(^D)</td>
<td></td>
<td>30(^B)</td>
<td>10(^N)</td>
</tr>
<tr>
<td>RC: Recreation Conservation</td>
<td>5 acres</td>
<td>330</td>
<td></td>
<td>30(^B)</td>
<td>5(^N)</td>
</tr>
<tr>
<td>RR: Rural Residential</td>
<td>2 acres</td>
<td>150(^D)</td>
<td></td>
<td>30(^B)</td>
<td>10(^N)</td>
</tr>
<tr>
<td>LR: Lake Residential</td>
<td>½ acre (21,780 sq. ft.)(^E)</td>
<td>50(^F)</td>
<td></td>
<td>30(^B)</td>
<td>25(^N)</td>
</tr>
<tr>
<td>CU: Common Use Residential</td>
<td>2 acres(^G)</td>
<td>150(^H)</td>
<td></td>
<td>18(^B)</td>
<td>5(^N)</td>
</tr>
<tr>
<td>R-3: Mobile Home Park Residential</td>
<td>10 acres(^K)</td>
<td>330</td>
<td></td>
<td>25(^B)</td>
<td>Conformance to Rules and Regulations of the Michigan Mobile Home Commission</td>
</tr>
<tr>
<td>C-1: General Commercial</td>
<td>1 acre</td>
<td>200</td>
<td></td>
<td>25(^B)</td>
<td>25(^MN)</td>
</tr>
</tbody>
</table>

\(^A\) See following page for footnotes
A. This schedule summarizes basic site development standards. The specific district regulations and other regulations should be consulted to identify additional standards and regulations, and clarifications of the above standards, and all other applicable site development provisions. Where this Schedule contradicts the text of the Ordinance, the Ordinance text shall rule.

B. Maximum height for farm buildings is 40 feet. If the building exceeds 35 feet, it shall be set back from a lot line a distance equal to the building’s height, except in the Rural Residential District, in which case the building shall be set back from a lot line a distance equal to twice the height of the building.

C. The minimum lot area in the AG District shall comply with one of the following:
   1. Five (5) acres.
   2. One (1) acre, provided the number of lots less than five (5) acres in area that may be created for every ten (10) acres of land comprising the lot existing on the effective date of this Ordinance shall be equal to one (1).
   3. One (1) acre, provided all of the following conditions are met:
      a) the number of such lots that may be created, including those that may be created pursuant to 9.01(C)(2) above, shall not exceed a maximum density of one such lot for each five (5) acres comprising the lot existing on the effective date of this Ordinance;
      b) such lots gain direct access from a road other than a minor or major thoroughfare;
      c) a conservation easement or similar legally binding tool prohibiting future development is applied to an area of the lot existing on the effective date of this Ordinance, excluding wetlands and year-round submerged lands, equal to the difference between five (5) acres and the actual lot sizes proposed; and
      d) A site plan shall be submitted, including the proposed conservation easement to be recorded with the County Register of Deeds, for review and approval by the Planning Commission.

No parcel existing on the effective date of this Ordinance (May 1, 2003) shall be developed for residential purposes under any single development option in (C)(1), (2), or (3) above, or under any combination of development options in (C)(1), (2), or (3) above, either in a single phase or incrementally, so as to exceed a density of one (1) dwelling per five (5) acres constituting the parcel existing at the time of adoption of this Ordinance. See Article 17, Open Space Community Overlay District for additional development density options.

D. The minimum lot frontage and lot width in the AG and RR District shall be one hundred fifty (150) feet, subject to Sections 18.07 and 18.15.

E. Minimum lot area of 1 acre (43,560 square feet) for two-family dwellings in LR District.

F. Minimum one hundred (100) feet frontage required for two-family dwelling lots in LR District.

G. The minimum lot area in the CU District shall be 2 acres if lot gains direct access to a public or private road in a platted or condominium subdivision, otherwise 5 acres.

H. The minimum lot frontage and width for lots which abut, and gain direct access to, a major or minor thoroughfare shall be 400 feet. All other lots, including lots which gain access by a private road or public road in a platted or condominium subdivision, shall have a minimum lot frontage and width of 150 feet. A riparian lot in a CU District shall have an additional thirty (30) feet of frontage for each residential lot which is granted use of such CU District lot, including condominium units.

I. Minimum five (5) feet, plus an additional setback of one (1) foot for each two (2) feet that the dwelling exceeds eighteen (18) feet in height, but not to exceed a maximum setback of fifteen (15) feet. Unless not required elsewhere in this Ordinance, the minimum setback distance between the outside walls of 2 or more buildings on neighboring lots shall be 10 feet.

J. Maximum lot coverage of 10% for lots greater than 1 acre in size. Maximum lot coverage of 25% or 4,356 square feet, whichever is smaller, for lots of 1 acre or less in size.

K. Minimum 10 acres required for mobile home park project parcel.

L. The minimum side and rear yard setback in the C-1 District shall be thirty (30) feet, except that a minimum sixty (60) foot setback shall be required along a side lot line where such lot line abuts an Agricultural, Conservation or Residential District.

M. The maximum lot coverage in the C-1 District shall be twenty-five (25) percent. This standard shall apply to the entire parcel as well as any one-acre area within the parcel when such parcel exceeds one acre in size. However, the Planning Commission may approve a maximum lot coverage of no greater than fifty (50) percent for portions of the parcel where it finds during site plan review proceedings that the site layout reflects design features to assure compatibility with surrounding land uses and the preservation of the community’s rural character. Such design features may include, but not necessarily be limited to, screening and buffering, landscaping, setbacks, architectural styles, building orientations, and parking layout. Irrespective of any authorized increase in maximum lot coverage for a portion of the parcel, the maximum lot coverage for the parcel as a whole shall not exceed twenty-five (25) percent.

N. A storm water management plan shall accompany plot plans approved under Section 6.02(B) that either do not comply with Section 24.06(A) or have impervious surface areas that exceed twenty percent (20%) of the lot. The storm water management plan shall be submitted in accordance with Section 24.06(B).

End of Article 9
Section 10.01: PL: PUBLIC LANDS DISTRICT

A. Intent: It is the primary intent of the Public Lands District to both accommodate public facilities providing administrative and public services functions while also protecting special and important natural resources, the enjoyment and protection of which is of great public interest to Dexter Township, the State of Michigan, and other public entities. The majority of lands within this district are comprised of public holdings which, collectively, form the Pinckney State Recreation Area and other public park and/or resource conservation areas. Much of the land within this District is characterized by extensive wetland and woodland environments. Together, these public resources are critical in providing for wildlife habitats, water and air purification, flood control, and recreation opportunities, and support the desired rural character of the Township. It is the intent of this district to carefully review and limit the introduction of land uses which will undermine the intent, quantity, quality and value of the natural resources contained within.

B. Permitted Principal Uses:
1. Public outdoor recreation activities of an open space character, including playgrounds, play fields, golf courses, boating areas, fishing sites, and campgrounds.
2. Public conservation areas, game refuges, and similar uses.
3. Developed public open space such as botanical and zoological gardens and farm experimental areas.
4. Water and sewage treatment plants and reservoirs.

C. Permitted Accessory Uses:
1. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.
2. Signs, pursuant to Article 22.

D. Special Land Uses Permitted By Special Approval:
1. Public facilities not otherwise permitted as principal uses, including but not limited to, police and fire stations, cemeteries, schools, libraries, hospitals, recycling and transfer stations including drop-off bins, substations and structures associated with public utilities, and enclosures or shelters for service equipment and maintenance depots.
2. Communication towers and related broadcasting and receiving facilities.

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the Public Lands District unless otherwise modified by the provisions of Article 16, Standards for Special Land Uses; Article 18; General Provisions; or as varied pursuant to Article 4, Zoning Board of Appeals.
1. Minimum Lot Area: None.
2. Minimum Lot Frontage and Lot Width: None.
3. Minimum Yard and Setback Requirements:
   a. Front Yard: See Section 18.23.
   b. Side Yard: Fifteen (15) feet.
   c. Rear Yard: Thirty (30) feet.
   d. No farm buildings, pens, corrals, buildings housing farm animals, or storage of manure or odor or dust-producing materials or use shall be permitted within fifty (50) feet of a lot line.
5. Maximum Height: Thirty (30) feet, except that the maximum height of farm buildings and structures shall be forty (40) feet. All farm buildings and structures over thirty-five (35) feet shall be set back from a lot line a distance at least equal to the height of the building.
6. Applicable provisions of Article 19: Nonconforming Uses, Lots, and Structures; Article 20: Access Controls; Article 21: Off-Street Parking and Loading; Article 22: Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards; and other provisions of this Ordinance as may be applicable.
End of Article 10
Article 11
AGRICULTURAL and CONSERVATION DISTRICTS

Section 11.01: AG: AGRICULTURE DISTRICT

A. Intent: It is the intent of the Agriculture District to preserve, encourage, and provide opportunities for agriculture and the retention of land areas in Dexter Township which are well suited for production of food and fiber, while also providing opportunities for comparatively low density rural residential lifestyles and development patterns which encourage the preservation of open spaces, including farmland, and other natural resources of the Township and the Township's rural character. The intent of the Agriculture District is to provide opportunities for the conversion of farmland and vacant land to residential use of an overall rural character where farming may no longer be viable or desirable to the landowner. Dexter Township is characterized by extensive natural resources including, but not limited to woodlands, wetlands, water courses, and hillsides. Many of these resources play important environmental benefits including wildlife habitats, recreation, flood control, and water purification, and water retention and groundwater recharge areas, and support the desired rural character of the community. The intent of this District is to provide opportunities for comparatively low density residential development in a manner which encourages the preservation of both the quantity and quality of these resources.

B. Permitted Principal Uses:
1. Commercial agriculture, excluding the slaughtering of farm animals for commercial food production.
2. Public or private conservation areas, game refuges, and similar uses, but excluding campgrounds.
3. Commercial stables.
4. Single family dwellings.
5. Day care, family home.
6. Foster care facility, family home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.

C. Permitted Accessory Uses:
1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use, including home occupations, roadside stands, agricultural buildings and structures, and private stables.
2. Signs, pursuant to Article 22.

D. Special Land Uses Permitted By Special Approval:
1. Private landing strips.
2. Extractive operations.
3. Landscape nursery operations, greenhouses, and sod farms, including sales of plant materials and supplies.
4. Livestock auction yards.
5. Communication towers and other broadcasting and receiving facilities.
6. Veterinarian clinics.
7. Commercial kennels.
8. Day care, group home.
9. Foster care facility, group home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.
11. PA 177 Developments.
12. Special event facility per Section 16.26, provided the facility is incidental and accessory to the primary agricultural or residential land use, and subject to all applicable standards of this Ordinance.

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the Agriculture District unless otherwise modified by the provisions of Article 16: Standards for Special Land Uses; Article 17: Open Space Community Overlay District; Article 18: General Provisions; or as varied pursuant to Article 4: Zoning Board of Appeals.

1. Minimum Lot Area: The minimum lot area shall comply with one of the following:
   a. Five (5) acres.
   b. One (1) acre, provided the number of lots less than five (5) acres in area that may be created for every ten (10) acres of land comprising the lot existing on the effective date of this Ordinance shall be equal to one (1).
   c. One (1) acre, provided all of the following conditions are met:
      1) the number of such lots that may be created, including those that may be created pursuant to (E)(1)(b) above, shall not exceed a maximum density of one such lot for each five (5) acres comprising the lot existing on the effective date of this Ordinance;
      2) such lots gain direct access from a road other than a minor or major thoroughfare;
3) a conservation easement or similar legally binding tool prohibiting future development is applied to an area of the lot existing on the effective date of this Ordinance, excluding wetlands and year-round submerged lands, equal to the difference between five (5) acres and the actual lot sizes proposed; and

4) A site plan shall be submitted, including the proposed conservation easement to be recorded with the County Register of Deeds, for review and approval by the Planning Commission.

d. See Article 17, Open Space Community District for additional development density options.

2. Maximum Density: No parcel existing on the effective date of this Ordinance (May 1, 2003) shall be developed for residential purposes under any single development option in (1)(a), (b), or (c) above, or under any combination of development options in (1)(a), (b), or (c) above, either in a single phase or incrementally, so as to exceed a density of one (1) dwelling per five (5) acres constituting the parcel existing at the time of adoption of this Ordinance.

3. Minimum Lot Frontage and Lot Width: One hundred fifty (150) feet, subject to Sections 18.07 and 18.15.

4. Minimum Yard and Setback Requirements:
   a. Front Yard: See Section 18.23.
   b. Side Yard: Fifteen (15) feet.
   c. Rear Yard: Thirty (30) feet.
   d. No farm buildings, pens, corrals, buildings housing farm animals, or storage of manure or odor or dust-producing materials or use shall be permitted within fifty (50) feet of a lot line.

5. Maximum Lot Coverage: Ten (10) percent.

6. Maximum Height: Thirty (30) feet, except that the maximum height of farm buildings and structures shall be forty (40) feet. All farm buildings and structures over thirty-five (35) feet shall be set back from a lot line a distance of at least twice the height of the building.

7. Applicable provisions of Article 19: Nonconforming Uses, Lots, and Structures; Article 20: Access Controls; Article 21: Off-Street Parking and Loading; Article 22: Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards; and other provisions of this Ordinance as may be applicable.

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Section 11.02: RC: RECREATION CONSERVATION DISTRICT

A. Intent: It is the intent of the Recreation Conservation District to provide opportunities for certain land uses to be situated among abundant natural resources, such as woodlands, wetlands, and water bodies, due to the unique reliance of such land uses on such natural resources, including hunting camps and shooting ranges. This District is intended to permit only those land uses which are comparatively low in intensity and require very limited alteration of the natural landscape. This district permits residential development but only to the extent that it be of a comparatively low density character in light of this District’s intent to preserve natural resources and assure adequate buffering between such residential development and the other permitted uses in the District. It is not the intent of this District or Ordinance that the Recreation Conservation District be expanded to include any additional land not already zoned Recreation Conservation as of the effective date of this Ordinance in light of this Ordinance’s alternative provisions for accommodating such uses in the future.

B. Permitted Principal Uses:
   1. Commercial agriculture, excluding the slaughtering of farm animals for commercial food production.
   2. Public or private conservation areas, game refuges, and similar uses, but excluding campgrounds.
   3. Public or private outdoor recreation, limited to golf courses and country clubs, play fields, playgrounds, and similar recreation facilities of an open space and low intensity character.
   5. Single family dwellings.
   6. Day care, family home.
   7. Foster care facility, family home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.

C. Permitted Accessory Uses:
   1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use, including home occupations, roadside stands, agricultural buildings and structures, and private stables.
   2. Signs, pursuant to Article 22.

D. Special Land Uses Permitted By Special Approval:
   1. Private campgrounds.
   2. Country club house, proshop or the sale of food, beverages and recreation equipment, as part of a permitted principal use.
   3. Marinas, boat launching facilities, and related sales and service, and similar water-related uses and structures.
   4. Sod farming, provided any area stripped of sod shall have a vegetative cover established on the stripped area within one (1) year of such stripping.
   5. Communication towers and related broadcasting and receiving facilities.
   6. Foster care facility, group home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.
   7. Public facilities, limited to campgrounds, shooting ranges, parks, playgrounds, cemeteries, and police and fire stations.
   8. Private shooting ranges.
   9. PA 177 Developments.

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the Recreation Conservation District unless otherwise modified by the provisions of Article 16: Standards for Special Land Uses; Article 18: General Provisions; or as varied pursuant to Article 4: Zoning Board of Appeals.
   2. Minimum Lot Frontage and Lot Width: Three hundred thirty (330) feet.
   3. Minimum Yard and Setback Requirements:
      a. Front yard: See Section 18.23.
      b. Side yards: Fifteen (15) feet.
      c. Rear Yard: Thirty (30) feet.
      d. No farm buildings, pens, corrals, buildings housing farm animals, or storage of manure or odor or dust-producing materials or use shall be permitted within fifty (50) feet of a lot line.
   4. Maximum Height: Thirty (30) feet.
   6. Applicable provisions of Article 19: Nonconforming Uses, Lots, and Structures; Article 20: Access Controls; Article 21: Off-Street Parking and Loading; Article 22: Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards; and other provisions of this Ordinance as may be applicable.
End of Article 11
Article 12
RESIDENTIAL DISTRICTS

Section 12.01: RR: RURAL RESIDENTIAL DISTRICT

A. Intent: It is the primary intent of the Rural Residential District to encourage and provide opportunities for comparatively low density rural residential lifestyles and development patterns which encourage the preservation of open spaces, including farmland, and other natural resources of the Township and the Township's rural character. Dexter Township is characterized by extensive natural resources including, but not limited to woodlands, wetlands, water courses, and hillsides. Many of these resources play important environmental benefits including wildlife habitats, recreation, flood control, and water purification, and support the desired rural character of the community. The intent of this District is to provide opportunities for comparatively low density residential development in a manner which encourages the preservation of both the quantity and quality of these resources.

B. Permitted Principal Uses:
1. Commercial agriculture, excluding the slaughtering of farm animals for commercial food production.
2. Public or private conservation areas, game refuges, and similar uses, but excluding campgrounds.
4. Day care, family home.
5. Foster care facility, family home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.

C. Permitted Accessory Uses:
1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use, including home occupations, roadside stands, agricultural buildings and structures, and private stables.
2. Signs, pursuant to Article 22.

D. Special Land Uses Permitted By Special Approval:
1. Public facilities, excluding schools, conservation areas and game refuges, but including cemeteries, parks, libraries, and similar uses and activities including administrative buildings, substations, or structures associated with public utilities, and enclosures or shelters for service equipment and maintenance depots.
2. Golf courses and country clubs.
3. Landscape nursery operations, greenhouses, and sod farms, including sales of plant materials and supplies. Sod farms are permitted provided any area stripped of sod shall have a vegetative cover established on the stripped area within one (1) year of such stripping.
4. Communication towers and related broadcasting and receiving facilities.
5. Churches and religious institutions, including housing for religious personnel affiliated with the church or religious institution.
6. Commercial kennels.
7. Commercial stables.
8. Veterinarian clinics.
11. Day Care, group home.
12. Foster care facility, group home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.
13. PA 177 Developments.
14. Special event facility per Section 16.26, provided the facility is incidental and accessory to the primary agricultural or residential land use, and subject to all applicable standards of this Ordinance.

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the Rural Residential District unless otherwise modified by the provisions of Article 16: Standards for Special Land Uses; Article 17: Open Space Community Overlay District; Article 18: General Provisions; or as varied pursuant to Article 4: Zoning Board of Appeals.
1. Minimum Lot Area: Two (2) acres.
2. Minimum Lot Frontage and Lot Width: One hundred fifty (150) feet, subject to Sections 18.07 and 18.15.
3. Minimum Yard and Setback Requirements:
   a. Front yard: See Section 18.23.
   b. Side yard: Fifteen (15) feet.
   c. Rear yard: Thirty (30) feet.
d. No farm buildings, buildings housing farm animals, areas where a sustained ground cover cannot be maintained throughout the normal growing season due to the confinement of animals and where such areas exceed twenty thousand (20,000) square feet in size, or storage of manure or odor or dust-producing materials or use shall be permitted within fifty (50) feet of a lot line.

4. **Maximum Lot Coverage:** Ten (10) percent.

5. **Maximum Height:** Thirty (30) feet, except that the maximum height of farm buildings and farm structures shall be forty (40) feet. All farm buildings and farm structures over thirty-five (35) feet shall be set back from a lot line a distance at least equal to twice the height of the building or structure.

6. Applicable provisions of **Article 19:** Nonconforming Uses, Lots, and Structures; **Article 20:** Access Controls; **Article 21:** Off-Street Parking and Loading; **Article 22:** Signs; **Article 23:** Landscaping and Screening; **Article 24:** Environmental Standards; and other provisions of this Ordinance as may be applicable.

Section 12.02: LR: **LAKES RESIDENTIAL DISTRICT**

A. **Intent:** It is the primary intent of the Lakes Residential District to provide opportunities for residential development along the principal lakes of Dexter Township. The surface waters of the Township are valuable assets and resources to the citizens of Dexter Township, Washtenaw County, and the State of Michigan. The purpose of this district is to recognize and permit suburban development patterns in association with some of the Township’s lake areas, while assuring the maintenance of safe and healthful conditions, protecting against water pollution, reducing hazards to persons and damage to property as a result of flood conditions, protecting fish and other aquatic life, and controlling development so as to preserve the economic and natural environmental value of these water resources. This District is established in recognition of existing suburban and urban lake area development patterns and land divisions. This District is not intended to permit development upon lots of lesser size than required by this Section unless such properties were lots of record as of March 27, 1973.

B. **Permitted Principal Uses:**
   1. Single family dwellings.
   2. Two family dwellings.
   3. Day care, family home.
   4. Foster care facility, family home; provided it is not located within one thousand five hundred (1,500) feet of another such facility.

C. **Permitted Accessory Uses:**
   1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use, including home occupations.
   2. Signs, pursuant to Article 22.

D. **Special Land Uses Permitted By Special Approval:**
   1. Public facilities, including cemeteries, parks, libraries, and similar uses and activities including administrative buildings; but excluding schools, substations, or structures associated with public utilities, and enclosures or shelters for service equipment and maintenance depots.
   2. Existing marinas, boat launching facilities, and related sales and service.
   3. Day care, group home.
   4. Foster care facility, group home: provided it is not located within one thousand five hundred (1,500) feet of another such facility.
   5. PA 177 Developments.

E. **Site Development Requirements:** The following minimum and maximum standards shall apply to all uses and structures in the Lakes Residential District unless otherwise modified by the provisions of Article 16, Standards for Special Land Uses; Article 18, General Provisions; or as varied pursuant to Article 4: Zoning Board of Appeals.

   1. **Minimum Lot Area:** One-half (1/2) acre (21,780 square feet) for single-family dwellings; One (1) acre for two-family dwellings.
   2. **Minimum Lot Frontage and Lot Width:** Fifty (50) feet for single-family dwellings; One hundred (100) feet for two-family dwellings.

   3. **Minimum Yard and Setback Requirements:**
      a. Front yard: See Section 18.23.
      b. Side yard: Five (5) feet plus an additional setback of one (1) foot for each two (2) feet that the dwelling exceeds eighteen (18) feet in height, but not to exceed a maximum setback of fifteen (15) feet. Unless not required elsewhere in this Ordinance, the minimum setback distance between the outside walls of 2 or more structures on neighboring lots shall be 10 feet.
      c. Rear yard: Thirty (30) feet.
4. Maximum Lot Coverage: Twenty-five (25) percent, with the exceptions of (a) and (b) below:
   a. Maximum lot coverage shall not exceed ten (10) percent for lots greater than one (1) acre in size.
   b. Maximum lot coverage shall not exceed 25% or 4,356 square feet, whichever is smaller, for lots of one (1) acre or less in size.

5. Maximum Height: Thirty (30) feet.

6. Applicable provisions of Article 19: Nonconforming Uses, Lots, and Structures; Article 20: Access Controls; Article 21: Off-Street Parking and Loading; Article 22: Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards; and other provisions of this Ordinance as may be applicable.

Section 12.03: MHPR: MOBILE HOME PARK RESIDENTIAL DISTRICT

A. Intent: It is the intent of the Mobile Home Park Residential District to provide opportunities for single family residential development of an urban character, in the form of mobile home parks, to meet the varied housing needs of the Township’s present and future residents while similarly limiting excessive public costs and demands placed upon public facilities and services which may be associated with such housing developments. It is the intent of this district that all mobile home parks be adequately served by public facilities and services and provide for a healthy residential environment.

B. Permitted Principal Use:
   1. Mobile home parks.

C. Permitted Accessory Uses:
   1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use.
   2. Signs, pursuant to Article 22.

D. Site Development Requirements and Site Plan Review:
   1. Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Michigan Mobile Home Commission Act, a preliminary plan shall be submitted to the Township for review by the Planning Commission. The preliminary plan shall include the location, layout, general design, and general description of the project. The preliminary plan shall not include detailed construction plans. In preparing the preliminary plan and when reviewing the plan, the developer and Planning Commission shall generally follow the procedures and requirements in Article 6 of this Ordinance, where applicable, except where said procedures and requirements are superseded by the requirements in P.A. 96 of 1987, as amended, or the Mobile Home Commission Rules. Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Planning Commission shall take action of the preliminary plan within sixty (60) days after the Township receives the preliminary plan.
   2. All mobile home parks shall be constructed and maintained in accordance with P.A. 96 of 1987, as amended, and the rules and regulations promulgated by the Mobile Home Commission pursuant to the authority vested in the Mobile Home Commission by such Act. The construction of a mobile home park shall not be initiated, nor shall a mobile home park be inhabited or operated until all necessary permits have been acquired from the Michigan Department of Public Health, Michigan Department of Commerce, and all other agencies pursuant to the Mobile Home Commission Act.
   3. In addition to complying with the provisions of P.A. 96 of 1987, as amended, and the rules and regulations promulgated by the Mobile Home Commission, the following standards and provisions shall apply:
      a. Parcel Size: The minimum parcel size for mobile home parks shall be ten (10) acres.
      b. Minimum Site Size: The mobile home park shall be developed with sites averaging 5,500 square feet per mobile home unit. This 5,500 square foot standard for any one site may be reduced by twenty (20) percent provided that the individual site shall be equal to at least 4,400 square feet. For each square foot of land gained through the reduction of a site below 5,500 square feet, at least an equal amount of land shall be dedicated as open space. This open space shall be in addition to that required under R 125.1946, Rule 946 and R 125.1941, Rules 941 and 944 of the Michigan Administrative Code or other Mobile Home Commission requirements in effect at the time the proposal is submitted.
      c. Landscaping:
         1) All mobile home parks shall be screened from existing residential land uses and residentially zoned property by either a six (6) foot wall or a densely planted landscaped greenbelt. Such walls shall be constructed of masonry material that is constructed of face brick, decorative block, or poured concrete with a simulated brick or stone pattern.
         2) A mobile home park shall provide screening along any park boundary which abuts a public right-of-way.
         3) All plant material screening shall consist of evergreen trees or shrubs of minimum three feet in height which are spaced so they provide a continuous screen at maturity.
Section 12.04: CU: COMMON USE RESIDENTIAL DISTRICT

A. Intent: The intent of the Common Use Residential District is to provide opportunities for the shared use of private riparian land by residents of a development project which such riparian land is intended to serve. This district is intended to manage the use of such riparian land and control the type and intensity of use of the riparian land, protect the environmental quality of such land and abutting water bodies, and protect adjacent land uses from the negative impacts of such common riparian land usage. It is the intent of this Ordinance that, except in the case of open space communities (Article 17), no land will be used for shared or common riparian purposes unless specifically zoned for such use under the classification of this District.

B. Permitted Principal Uses:
   1. Recreation sites dedicated to common use for residents of a platted subdivision or condominium subdivision or other similar entity, or otherwise dedicated to common use under deed restrictions of record, and provided such recreation sites are restricted in use to outdoor open space recreation including, bathing beaches, playgrounds, scenic sites, pedestrian and bicycle trails, access routes other than public or private roads, and similar uses of an open space character.

C. Permitted Accessory Uses:
   1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use of the recreation site.

D. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the Common Use Residential District unless otherwise modified by the provisions of Article 17: Open Space Community Overlay District; Article 18: General Provisions; or as varied pursuant to Article 4: Zoning Board of Appeals.
   1. Minimum Lot Area: The minimum lot area for lots which abut, and gain direct access to, a major or minor thoroughfare shall be five (5) acres. All other lots, including lots which gain access by a private road or public road in a platted or condominium subdivision, shall have a minimum lot area of two (2) acres.
   2. Minimum Lot Frontage and Lot Width: The minimum lot frontage and width for lots which abut, and gain direct access to, a major or minor thoroughfare shall be four hundred (400) feet. All other lots, including lots which gain access by a private road or public road in a platted or condominium subdivision, shall have a minimum lot frontage and width of one hundred fifty (150) feet.
      a. A riparian lot in a CU District shall have an additional thirty (30) feet of frontage for each residential lot which is granted use of such CU District lot, including condominium units.
   3. Minimum Yard and Setback Requirements:
      a. Front yard: See Section 18.23.
      b. Side yard: Fifteen (15) feet.
      c. Rear yard: Thirty (30) feet.
   5. Maximum Height: Eighteen (18) feet.
   6. Watercraft Mooring: No more than one (1) water craft mooring, including but not limited to a motor boat, sail boat or jet ski, shall be provided for each dwelling unit permitted access to such riparian lot in a CU District.
   7. Site Plan Approval: No use of, or construction on any lot in a CU District shall occur prior to the submittal and approval of a site plan pursuant to Article 6 of this Ordinance. In addition to the site plan submittal requirements of Section 6.03(B), the applicant shall submit a copy of the proposed registered deed identifying all lots and dwelling units that have rights to the use of the CU lot and any other proposed deed provisions regarding limitations on the use of or construction upon the CU lot.
   8. One or more lot lines of the CU lot shall be contiguous to and abut the development parcel upon which the residents who share the use of the CU lot reside. An easement or narrow strip of land between the CU lot and the development parcel shall not be interpreted to meet this requirement.
   9. Applicable provisions of Article 19: Nonconforming Uses, Lots, and Structures; Article 22: Signs; Article 24: Environmental Standards; and other provisions of this Ordinance as may be applicable.
   10. An owner of non-riparian land shall not access, use, or otherwise cross over riparian land in this District except in compliance with the requirements of this District and Ordinance.

End of Article 12
Article 13
COMMERCIAL DISTRICTS

Section 13.01: C-1: GENERAL COMMERCIAL DISTRICT

A. Intent: The General Commercial District is intended to provide for retail, service, and office establishments which primarily serve the day-to-day convenience and service needs of Dexter Township residents and visitors. The District is intended to provide opportunities for day-to-day convenience shopping and services compatible with the predominant rural character of the Township. Support for the preservation of the community’s rural character should be embodied in architectural design and building scale, building materials, signage, landscaping, buffering, and lighting.

B. Permitted Principal Uses: The following are principal permitted uses provided no structure, whether it be occupied by a single business or multiple businesses through shared-wall construction, contains more than ten thousand (10,000) square feet of gross floor area.

1. Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building including, but not limited to, foods, drugs, liquor, furniture, clothing, dry goods, notions, books, flowers, jewelry or hardware, but excluding the sale of chemicals which require state or federal licensing.

2. Standard restaurants, clubs, and other establishments which provide food or drink for on-premises consumption, but which do not serve alcohol nor provide dancing or entertainment.

3. Personal service establishments which perform services on the premises within a completely enclosed building including, but not limited to, shoe repair shops, barber and beauty shops, photographic studios, and drop-off/pick-up dry cleaners provided no treatment of clothing or other material occurs on the property.

4. Office establishments which perform services on the premises within a completely enclosed building including, but not limited to; financial institutions, insurance offices, real estate offices, artist offices and galleries, professional offices for accountants, doctors, lawyers, engineers, and architects, and similar office uses.

C. Permitted Accessory Uses:

1. Accessory uses and structures customarily incidental to and subordinate to the permitted principle use.

2. Signs, pursuant to Article 22.

D. Special Land Uses Permitted By Special Use Approval: The following special land uses are permitted by special approval in the General Commercial District provided no structure, whether it be occupied by a single business or multiple businesses through shared-wall construction, contains more than twenty-five thousand (25,000) square feet of gross floor area.

1. Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building including, but not limited to, foods, drugs, liquor, furniture, clothing, dry goods, notions, books, flowers, jewelry or hardware, excluding the sale of chemicals which require state or federal licensing.

2. Standard restaurants, clubs, and other drinking establishments which provide food or drink for on-premises consumption, which exceed ten thousand (10,000) square feet in gross floor area and/or provide dancing, entertainment, or alcoholic beverages.

3. Drive-in, drive-through, take-out, pick-up, and other forms of in-vehicle retail or service establishments including restaurants, financial institutions, and similar facilities.

4. Public facilities, including parking lots, cemeteries, parks, schools, libraries, and similar uses and activities, including administrative buildings associated with public utilities and substations or structures and enclosures or shelters for utility service equipment and maintenance depots associated with public utilities.

5. Automobile service and repair stations.

6. Marinas, boat launching facilities, and related sales and service, excluding marinas which operate as part of a residential development or similar private development where access is generally limited to residents of the development.

7. Indoor commercial recreation such as indoor theaters, bowling alleys, skating rinks, shooting and archery ranges, and similar uses.

8. Communication towers and related broadcasting and receiving facilities.

9. Mini-storage facilities.

10. Nursing homes.

11. Adult entertainment businesses.

12. Sales of new industrial and construction equipment, and the service and repair of such items when done so as an accessory use to the principal use sales operation.

13. Open air businesses, excluding junk yards, but including motor vehicle, trailer, recreation vehicle, farm equipment, and boat sales, and the service and repair of such items when done so as an accessory use to the principal use sales operation.

14. Nursery and landscape supplies sales, excluding the sale of chemicals that require state or federal licensing.
15. Farm, commercial, and equipment sales, and the service and repair of such items when done so as an accessory use to the principal use sales operation.
17. Private clubs and meeting halls.
18. Day care center.
19. Veterinarian clinics.
20. Car wash facility.

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the General Commercial District unless otherwise modified by the provisions of Article 16: Standards for Special Land Uses; Article 18: General Provisions; or as varied pursuant to Article 4: Zoning Board of Appeals.

1. Minimum Lot Area: One (1) acre.
2. Minimum Lot Frontage and Lot Width: Two hundred (200) feet.
3. Minimum Yard and Setback Requirements:
   a. Front yard: See Section 18.23.
   b. Side and Rear Yards: Thirty (30) feet, except as otherwise provided below:
      1) A minimum sixty (60) foot setback shall be required along a side or rear lot line where such lot line abuts an Agricultural, Conservation or Residential District.
5. Maximum Lot Coverage: Twenty-five (25) percent. This standard shall apply to the entire parcel as well to any one-acre area within the parcel when such parcel exceeds one acre is size. However, the Planning Commission may approve a maximum lot coverage of no greater than fifty (50) percent for portions of the parcel where it finds during site plan review proceedings that the site layout reflects design features to assure compatibility with surrounding land uses and the preservation of the community’s rural character. Such design features may include, but not necessarily be limited to, screening and buffering, landscaping, setbacks, architectural styles, building orientations, and parking layout. Irrespective of any authorized increase in maximum lot coverage for a portion of the parcel, the maximum lot coverage for the parcel as a whole shall not exceed twenty-five (25) percent.
6. Distance Between Buildings: Fifty (50) feet.
7. Applicable provisions of Article 19: Nonconforming Uses; Article 20: Access Controls; Article 21: Off-Street Parking and Loading; Article 22: Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards; and other provisions of this Ordinance as may be applicable.

End of Article 13
Article 14

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End of Article 14
Article 15
COMMERCIAL – PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT

Section 15.01: PURPOSE
It is the purpose of this district to establish provisions for the submission, review and approval of applications for specific development proposals, of a predominantly commercial character, that rely on more flexible land use and development standards than would normally be permitted by the typical standards of the C-1 General Commercial District. Such developments shall be authorized as “commercial planned unit developments” pursuant to Section 503 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. It is the purpose of this district that such PUD development be established only where it is determined that approval supports the objectives of this Ordinance and results in a benefit to the community that would not otherwise be able to be realized under traditional C-1 District provisions. Such benefit may address innovation in land use and variety in design, layout, and type of structures constructed; economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities; useful open space; and provide better housing, employment, and shopping opportunities. This district and its provisions is not intended as a device for ignoring this Ordinance or the planning upon which it is based. To this end, the provisions of this Article are intended to result in land use and development substantially consistent with the planned development pattern for the Township, with modifications and departures from generally applicable Ordinance requirements made in accordance with standards provided in this Section to ensure appropriate, fair, and consistent decision making.

Section 15.02: OVERLAY DISTRICT
The C-PUD District is established as an overlay district. The District exists as an overlay on top of all C-1 General Commercial Districts. Land located within a C-1 District may be developed according to the more traditional provisions of the C-1 District, or according to the more flexible overlay provisions of this Article. A rezoning for a commercial planned unit development is not necessary as it is already available within all C-1 Districts by the C-PUD Overlay District.

Section 15.03: PROCEDURES
A. Application for a C-PUD shall not be considered an application for rezoning or a special land use. However, the process for application, review, and action on a C-PUD application shall follow the same procedures and requirements for special land uses under Section 7.02 except as provided below:

1. Preparation of Report: The Planning Commission shall approve, approve with conditions, or deny a C-PUD application. The Planning Commission shall prepare a report stating its findings and conclusions regarding the request, the basis for its decision and any conditions relating to an affirmative decision.

2. Recording of Approval Action: The applicant shall record an affidavit with the County Register of Deeds containing the full legal description of the project site, specifying the date of final Township approval, and declaring that all improvements will be carried out in accordance with the approved C-PUD plan unless a change is approved by the Planning Commission. In addition, all deed restrictions and easements shall be duly filed with the Register of Deeds of the County. Copies of recorded documents shall be presented to the Township Clerk.

3. Permit Issuance: Upon receipt of the recorded documents, the Township Clerk shall direct the Zoning Administrator to issue a Zoning Permit for the C-PUD.

4. Preapplication Conference and Conceptual Plan: Prior to the submission of a preliminary application for C-PUD approval, the applicant may request and the Planning Commission Chairperson may agree to meet together with such consultants as either the Township or the applicant deem appropriate. The Chairperson of the Planning Commission shall invite officials from other departments of the Township, or agencies serving the Township in the review process. The purpose of the meeting is to inform township officials of the concept of the proposed development and to provide the potential applicant with information regarding land development policies, procedures, standards and requirements of the Township. Statements made in the course of a preapplication conference shall not be legally binding commitments. At the preapplication conference (or conferences), the applicant shall present a general sketch plan of the proposed C-PUD development which provides an overview of the proposed project.

Section 15.04: MINIMUM ELIGIBILITY CRITERIA
A. The following minimum eligibility criteria shall be met in order for C-PUD approval:

1. Recognizable and Substantial Benefit: The PUD shall result in a recognizable benefit to the ultimate users of the project and to the community. Such benefit must otherwise be unfeasible or unlikely under the traditional regulations of the C-1 District.
2. **Availability and Capacity of Public Services:** The proposed type and intensity of use shall not result in an unreasonable burden on public services, facilities, and utilities.

3. **Compatibility with the General Development Plan:** The proposed development shall be in accordance with the goals and policies of the Dexter Township General Development Plan.

4. **Compatibility with the C-PUD Intent:** The proposed development shall be consistent with the intent and spirit of these regulations, as stated in Section 15.01 of this Article.

5. **Economic Impact:** The proposed development shall not impede the continued use or development of surrounding properties for uses permitted on such properties.

6. **Unified Control of Property:** The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance and the specifications of the C-PUD approval. This provision shall not prohibit a transfer of ownership or control, upon due notice to the Zoning Administrator.

**Section 15.05: PERMITTED USES**

In addition to residential dwellings of any type, including apartments and townhouses, any land use authorized in this Ordinance is permitted in a C-PUD as a principal or accessory use provided that a C-PUD shall be predominantly commercial in character, public health, safety, and welfare are not impaired, and the essential character of the proposed C-PUD meets the intent of Section 15.01 and the General Development Plan. In the case where commercial development is proposed in association with other uses, the Planning Commission shall determine predominance of use after taking into account the following criteria: the amount of traffic generated by the non-commercial use; operational hours of the non-commercial use; proportional land area allocated to the non-commercial use; and building area allocated to the non-commercial use. Such flexibility in uses may be permitted only if the proposed C-PUD shall result in an advantageous or preferred development than would be possible without the modifications. The flexibility in uses authorized by the C-PUD Overlay District shall not be interpreted to support a C-PUD plan whose dominant character is contrary to the primary purpose of the C-1 District of providing for retail, service, and office establishments that primarily serve the day-to-day convenience and service needs of Dexter Township residents and visitors.

**Section 15.06: DESIGN STANDARDS**

Departures from the traditional design standards of the C-1 District may be permitted, subject to review and approval by the Planning Commission. For example, such departures may include but are not limited to modifications of standards pertaining to setbacks, building height, lot coverage, number of parking spaces, and parking space dimensions. All proposed modifications shall be specified in the C-PUD application materials. The waiving of development standards may be authorized only upon a finding by the Planning Commission that there are adequate features or planning mechanisms designed into the project to achieve the objectives intended to be accomplished with respect to each of the standards from which a departure is sought. Except where a departure is granted, mixed uses shall comply with the regulations applicable for each individual use, including those standards contained in Article 16, Standards for Special Land Uses. Modifications to design standards may be permitted only if the proposed C-PUD shall result in an advantageous or preferred development than would be possible without the modifications. The flexibility in design authorized by the C-PUD Overlay District shall not be interpreted to support a C-PUD plan whose dominant character is contrary to the primary purpose of the C-1 District of accommodating development in a manner that supports the community’s rural character through such features as architectural design and building scale, building materials, signage, landscaping, buffering, and lighting.

**Section 15.07: SCHEDULED PHASING**

A. **Scheduled Phasing:** When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the development and properties in the surrounding area.

B. **Timing of Phases:** Each phase of the project shall be commenced in accordance with the standards of Section 6.04(H).

C. **Mixed Uses:** In developments that include mixed components, the Planning commission may require that a specified portion of the proposed commercial component be constructed prior to the initiation of construction of the non-commercial components, to ensure the intent and spirit of the C-PUD Overlay District. For example, that consists of both residential and commercial components, the Planning Commission may require that a certain portion of the commercial component be constructed prior to the initiation of construction of the residential component.

**Section 15.08: APPEALS**

An appeal on a C-PUD application decision may be taken to the Zoning Board of Appeals.

*End of Article 15*
Article 16
STANDARDS for SPECIAL LAND USES

The following standards apply to the special land uses permitted by special approval in Articles 10 through 15 of this Ordinance. The regulations and standards contained in this Article shall be applied in addition to any other applicable standard or regulation contained elsewhere in this Ordinance unless specifically noted otherwise. Section 16.01 includes general standards applicable to all special land uses. The remaining sections of this Article include standards which are applicable to specific special land uses as designated.

Section 16.01: GENERAL STANDARDS APPLICABLE TO ALL SPECIAL LAND USES
A. Each application for a special land use shall be reviewed for the purpose of determining that the land use or activity which may be authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use, considering all factors, including, but not limited to, traffic, noise, smoke, fumes, glare, odors or waste. The land use or activity shall be consistent with the public health, safety, and welfare of the Township and shall comply with all of the following standards:
   1. Be harmonious with and in accordance with the general principles and objectives of the General Development Plan of the Township.
   2. Be harmonious with and in accordance with the general objectives, intent and purposes of this Ordinance.
   3. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the general area in which it is proposed. In determining whether this requirement has been met, consideration shall be given to:
      a. The bulk, placement, and materials of construction of proposed structures.
      b. Pedestrian and vehicular circulation.
      c. The location of vehicular use or parking areas.
   4. Not be hazardous to any person or property, or detrimental or disturbing to the public welfare or to existing or reasonably anticipated future uses in the same general vicinity.
   5. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools, and minimize the impact of traffic generated by the proposed development on adjacent properties.
   6. Meet the site plan review requirements of Article 6.
   7. Conform with all applicable county, state and federal requirements for that use.

Section 16.02: NURSING HOMES
A. The following site and developmental requirements shall apply:
   1. All ingress and egress for the site shall be from a paved minor or major thoroughfare.
   2. No building shall be closer than fifty (50) feet to any lot line.
B. Special Performance standards:
   1. Parking areas shall not be located within fifty (50) feet of a residential district or use.
   2. All facilities shall be licensed by the Michigan Department of Public Health and shall conform to applicable state and federal laws.

Section 16.03: PRIVATE LANDING STRIPS
A. The following site and developmental requirements shall apply:
   1. Landing strips shall be for the primary use of the owner of the premises for the operation and maintenance of personal aircraft. No economic gain shall result from the operation of a private landing strip.
   2. The landing strip shall be a minimum of one thousand two hundred feet in length and shall be free of obstructions for a distance of fifty (50) to both sides of the landing strip, as measured from the edge of the landing strip, and for a distance at the ends of the landing strip to allow a clear approach slope of 20:1.
   3. Such landing strips shall be situated on a parcel of at least twenty (20) acres in size.
B. Special Performance Standards:
   1. Approval of landing strips shall not be made prior to the submittal by the applicant of the Federal Aviation Authority's review of the proposed landing strip.
Section 16.04: AUTOMOBILE SERVICE AND REPAIR STATIONS
A. The following site and developmental requirements shall apply:
   1. The site shall be no less than two hundred (200) feet from any place of public assembly, including any hospital, sanitarium, school, church or other institution. Measurement shall be the closest distance between exterior lot lines.
   2. All underground storage tanks shall be three hundred (300) feet from any residential well and two thousand (2,000) feet from any public water well.
   3. Ingress and egress to the facility shall be only from a paved major or minor thoroughfare.
   4. No more than two (2) driveways onto a roadway shall be permitted per site. Driveway approach width shall not exceed thirty-five (35) feet.
   5. All gasoline pumps shall be located not less than fifteen (15) feet from any lot line or within thirty (30) feet from the street right-of-way and shall be arranged so that motor vehicles using them will not be parked on or overhanging any public sidewalk or street right-of-way.
   6. The entire area used for vehicle service shall be paved and adequately drained.
B. Special Performance Standards:
   1. Hydraulic hoists, service pits, lubricating, greasing, washing, and repair equipment and operations shall be located within a completely enclosed structure.
   2. Vehicles rendered inoperative for any reason, and vehicles without current license plates and registration, shall not be maintained on the property for more than thirty (30) days. Such vehicles shall not be parked or stored in a front or side yard.

Section 16.05: BED AND BREAKFAST
A. The following site and developmental requirements shall apply:
   1. No bed and breakfast use shall be permitted within a platted subdivision or condominium development, or on any property where there exists more than one (1) other bed and breakfast use within one thousand (1000) feet, measured between the closest lot lines.
   2. One (1) parking space per room to be rented shall be provided on site, in addition to the parking required for a single family dwelling. Parking shall be arranged so as not to pose negative impacts on adjacent properties or necessitate on-street parking.
B. Special Performance Standards:
   1. The bed and breakfast facility must be a single family dwelling which is operated and occupied by the owner of the dwelling. Meals may be served to overnight guests only. Meals shall not be served to the public at large.
   2. The applicant shall provide a scaled floor plan of the premise as part of the special land use application.
   3. The exterior appearance of the structure shall not be altered from its single family character.
   4. Retail sales are not permitted beyond those activities serving overnight patrons.
   5. No receptions, private parties or activities for which a fee is paid shall be permitted.
   6. Exterior solid waste facilities beyond what might normally be expected for a single family dwelling shall be prohibited.
   7. The establishment shall contain at least two (2) exits to the outdoors.
   8. Rooms utilized for sleeping must be part of the primary residential structure and not have been specifically constructed for rental purposes.
   9. No guest room shall be located in a basement or cellar unless that guest room is provided direct access to the outside by way of a door meeting building code requirements for egress.
   10. No transient occupant shall reside on the premises for more than fourteen (14) consecutive days and not more than thirty (30) days in any one (1) year.
   11. Lavatories and bathing facilities shall be available to all persons using the premises.
   12. No separate or additional kitchen facilities shall be provided for the guests.

Section 16.06: ADULT FOSTER CARE FACILITY, Group Home
A. The following site and developmental requirements shall apply:
   1. A state licensed adult foster care group home shall not be located within fifteen hundred (1,500) feet of another similar state licensed facility.
B. Special Performance Standards:
   1. One (1) on-site parking space shall be provided for each employee in addition to the parking required for the dwelling unit. The driveway may be used for this purpose.
   2. Adult foster care property, including landscape and structural elements, shall be maintained in a manner that is consistent with the residential character of the neighborhood.
   3. Adult foster care group homes serving twelve (12) or more individuals shall provide a loading/unloading area of adequate dimensions near a barrier-free entrance to the facility for persons, and provide a loading/unloading area of adequate dimensions for delivery vehicles servicing the facility.
Section 16.07: COMMERCIAL STABLES
A. The following site and developmental requirements shall apply:
   1. A minimum of five (5) acres must be provided for the first horse, and an additional one half (1/2) acre must be provided for each additional horse, provided further that at least ten (10) acres is provided for the first six (6) horses, and an additional ten (10) acres be provided for each subsequent multiple of six (6) horses.
   2. Commercial stables shall provide off-street parking in accordance with the standards of Article 21: Off-Street Parking and Loading.
   3. Stables may not be located in platted subdivisions or condominium subdivisions except where such subdivisions are specifically designed to incorporate the keeping of horses.
   4. Animals confined in an outdoor area shall be prevented from approaching nearer than fifty (50) feet to any dwelling on adjacent premises.
   5. Enclosed stables and piles of manure or feed shall not be located nearer than one hundred (100) feet to any lot line.
   6. A vegetative strip of at least fifty (50) feet wide shall be maintained between any animal holding area, manure pile, or manure application area and any surface water or well head. In areas with slopes of over five percent (5%), the Planning Commission may increase setbacks in order to minimize runoff, prevent erosion, and promote quick nutrient absorption.

B. Special Performance Standards:
   1. All stables shall be operated in conformance with all applicable county, state and federal regulations.
   2. The facility shall be constructed and maintained so that dust and drainage from the stable will not create a nuisance or hazard to adjoining property or uses.
   3. Manure piles shall be stored, removed, and/or applied in accordance with Michigan Department of Agriculture and County Health Department regulations.
   4. Enclosed riding arenas associated with commercial stables shall not exceed fifteen thousand (15,000) square feet in gross floor area.
   5. No living quarters shall be located in any arena building.
   6. Special events for which a fee is paid, such as shows, exhibitions, and contests shall only be permitted after a temporary zoning permit has been secured.

Section 16.08: CHURCHES AND RELIGIOUS INSTITUTIONS
A. The following site and developmental requirements shall apply:
   1. All ingress and egress for the site shall be from a paved major or minor thoroughfare.
   2. The lot shall be at least two (2) acres in size.
   3. No more than twenty-five (25) percent of the site area shall be covered by buildings. No more than sixty percent (60%) of the site shall be covered by impervious surfaces
   4. No building or parking area shall be closer than fifty (50) feet from any lot line or right-of-way.
   5. No building shall be erected to a height greater than that permitted in the district in which it is located unless the building is set back an additional one (1) foot for each one (1) foot of additional height above the district height limitation. A spire is excluded.

B. Special Performance Standards:
   1. Use of the structure shall not result in accrual of distributable profits, realization of private gain resulting from payment or compensation in excess of a reasonable and customary allowance for salary or other compensation for services rendered, or realization of any other form of private gain.
   2. No day care center, school, or other use requiring special approval shall be allowed without an approved zoning permit for each specific special land use.

Section 16.09: VETERINARIAN CLINICS
A. The following site and developmental requirements shall apply:
   1. Buildings where animals are kept, dogruns, paddocks, and/or exercise areas shall not be located nearer than one hundred feet (100) to any adjacent lot line in a residential zoning district, or to any adjacent building used by the general public.

B. Special Performance Standards:
   1. Uses permitted shall be limited to medical treatment, retail sales of products associated with the care or medical treatment of animals, and boarding. Boarding of animals not receiving medical treatment shall be limited to an accessory use and activity of the clinic.
   2. There shall be no storage or boarding of animals outside of a fully enclosed building.
   3. No dogs shall be permitted in open run areas between the hours of 10:00 p.m. and 7:00 a.m.
   4. An adequate, enclosed method of refuse storage and disposal shall be maintained so that no public nuisance shall be created at any time.
Section 16.10: DRIVE-IN ESTABLISHMENTS
A. The following site and developmental requirements shall apply:
   1. All egress and ingress to the site shall be from a paved major or minor thoroughfare.
B. Special Performance Standards:
   1. The outdoor space used for parking and vehicular stacking shall be hard surfaced.
   2. No driveway shall be closer than seventy-five (75) feet to any other driveway and the maximum number of driveways permitted is two (2).

Section 16.11: DAY CARE FACILITY, Group Home
A. The following site and developmental requirements shall apply:
   1. A group day care home shall not be located closer than one thousand five hundred (1,500) feet to any of the following facilities as measured along a street, road, or other public thoroughfare, excluding an alley:
      a. Another licensed group day care home.
      b. A adult foster care large group home licensed by the State of Michigan.
      c. A facility offering substance abuse treatment and rehabilitation services to seven (7) or more people which is licensed by the State of Michigan.
      d. A community correction center, resident home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the Department of Corrections.
B. Special Performance Standards:
   1. All outdoor play areas shall be enclosed with fencing, a minimum of four (4) feet high.
   2. The property, including landscape and structural elements, shall be maintained in a manner that is consistent with the character of the neighborhood. The front yard shall not be the location of play equipment, except on a corner lot.
   3. One identification sign shall be permitted. Such sign face shall not be greater the two (2) square feet, shall be mounted flush to a wall, made of a material that is compatible with the dwelling unit, and shall not be illuminated. Sign text shall be limited to the name of the facility and an address.
   4. At least one (1) off-street parking space shall be provided for each non-family employee of the group day care home in addition to the parking normally required for the residence. A driveway may be used for this purpose. An off-street drop-off area is to be provided with the capability to accommodate at least two (2) automobiles in addition to the parking required for non-family employees of the dwelling and the parking normally required for the residence.
   5. Hours of operation shall not exceed sixteen (16) hours in a twenty-four (24) hour period.

Section 16.12: SCHOOLS
A. The following site and developmental requirements shall apply:
   1. Ingress and egress to the site shall be only from a paved major thoroughfare.
   2. The minimum lot or parcel size shall be five (5) acres.
   3. Service areas and facilities, and outdoor recreation facilities, shall not be located within one hundred (100) feet of a residential district or use.
   4. Parking areas shall not be located within fifty (50) feet of the front lot line or a residential use.
   5. The principal building shall be no closer than seventy-five (75) feet from any lot line or right-of-way.

Section 16.13: COMMERCIAL KENNELS
A. The following site and developmental requirements shall apply:
   1. The lot area shall be at least five (5) acres in size.
   2. Kennels may not be located in a platted subdivision or condominium subdivision.
   3. Buildings where animals are kept, runs, and exercise areas shall not be located nearer than one hundred feet (100) to any adjacent lot line in a residential district or any adjacent building used by the general public. Runs and/or exercise areas, and buildings where the animals are maintained, shall be located in the rear yard only.
B. Special Performance Standards:
   1. Animal odors shall not be detectable beyond the lot lines of the property in which the kennel is located.
   2. All animals must be licensed and maintained in a healthful and careful manner.
   3. The main kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized.
   4. Habitual barking or unusual noise from the kennel which results in a nuisance to neighboring land owners or residents is prohibited.
   5. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 7:00 a.m.
   6. During the hours of 7 a.m. until 10 p.m. animals shall be permitted in outdoor runs or pens. Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.
   7. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.
   8. The outside perimeter of the run and/or exercise area shall be enclosed by chain link or cyclone fencing of six (6) feet in height and enclosed on sides and top with chain link fencing or other materials to prohibit the escape of animals.
   9. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease or offensive odor.
Section 16.14: MINI STORAGE FACILITIES
A. The following site and developmental requirements shall apply:
   1. The facility shall have direct access to a paved minor or major thoroughfare.
   2. The minimum lot or parcel size shall be five (5) acres.
   3. One (1) parking space shall be provided for each twenty (20) rental units within the buildings, and one (1) parking space shall be provided for each employee.
   4. There shall be a minimum of thirty five (35) feet (forty-five (45) feet if the driveway is two-way) between warehouses for driveway, parking, and fire lane purposes. Where no parking is provided within the building separation areas, said building separation need only be twenty five (25) feet. Traffic direction and parking shall be designated by signaling or painting.
   5. The lot area used for parking and access shall be paved and shall be graded and drained so as to dispose of all surface water. This provision shall not apply to outdoor storage areas. See Section 24.03 regarding stormwater management.

B. Special Performance Standards:
   1. No retail, wholesale, fabrication, manufacturing, or service activities may be conducted from the storage units by the lessees.
   2. Not more than three thousand six hundred (3,600) square feet in total area shall be occupied or used by any single tenant.
   3. Storage spaces shall not contain more than 400 square feet each.
   4. Storage of goods shall be limited to personal property with no commercial distribution allowed.
   5. Outdoor storage shall be limited to motor vehicles, including watercraft. All outdoor storage areas shall be within a rear yard, conform to setbacks for principal buildings, and be screened from public roads and adjacent properties.
   6. The exterior of mini-storage buildings shall be of finished quality and maintained so as not to be offensive to adjacent property or abutting streets.
   7. No storage of hazardous, toxic, or explosive materials shall be permitted at the facility. Signs shall be posted at the facility describing such limitations.

Section 16.15: OPEN AIR BUSINESSES
A. The following site and developmental requirements shall apply:
   1. All buildings and areas used for loading and unloading shall be set back a minimum of fifty (50) feet from any lot line.
   2. Ingress and egress to the facility shall be only from a paved minor or major thoroughfare.
   3. Storage yards associated with home and garden centers, lumber yards and nurseries shall be completely obscured from view from public streets.

B. Special Performance standards:
   1. In the case of auto sales:
      a. All repair, assembly, disassembly or maintenance of vehicles shall occur within a closed building except minor maintenance, including tire replacement, adding oil and wiper replacement.
      b. All areas subject to vehicular use shall be paved.
      c. Areas used for the parking or storage of vehicles shall be set back a minimum of fifty (50) feet from all lot lines.
   2. Storage or display of goods and materials shall not occur in the required yards.
   3. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse affect on adjacent properties, water bodies, wetlands and drainage ways.

Section 16.16: PUBLIC FACILITIES
   1. Buildings or outdoor storage areas shall be at least fifty (50) feet from residential districts.
   2. All parking areas shall be surfaced or treated to prevent any dust nuisance.
   3. All sports fields shall be a minimum of one hundred (100) feet from any lot line and two hundred (200) feet from any dwelling.
Section 16.17: JUNKYARDS
A. The following site and developmental requirements shall apply:
   1. The minimum lot or parcel size for junkyards shall be ten (10) acres.
   2. Ingress and egress to the facility shall be only from a paved major thoroughfare. The Planning Commission may approve access to a minor thoroughfare if the Commission finds that such access point will further minimize impacts on other properties.
   3. All activities shall be enclosed by a wall, fence, or berm, including any: storage of materials; stockpiling of materials; disassembly of materials, parts, and vehicles; and the storage or parking of all operative and inoperative vehicles. There shall be no stocking of material above the height of the fence, wall, or berm, except that moveable equipment used on the site may exceed that height. No equipment, material, signs, or lighting shall be used or stored outside the enclosed area.
   4. No portion of the enclosed area shall be located within one hundred (100) feet of a lot line nor within two hundred (200) feet of residentially zoned properties, schools, day care facilities, churches, hospitals, and convalescent or nursing homes.
   5. Adequate parking and unloading facilities shall be provided at the site so that no loaded vehicle at any time stands on a public right-of-way awaiting entrance to the site.
   6. A solid fence, wall or earthen berm at least eight (8) feet in height shall be provided around all sides of the enclosed area and suitably landscaped. Such fence, wall or berm shall be of sound construction, painted or otherwise finished neatly and inconspicuously. Such fence, wall or berm shall be of permanent finish and construction.
B. Special Performance Standards:
   1. No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.
   2. All roads, driveways, parking lots, and loading and unloading areas within any junk yard shall be paved, watered, or chemically treated so as to limit the nuisance caused by wind-borne dust on adjoining lots and public roads.
   3. The operation shall be licensed by the Michigan Secretary of State if it handles vehicles or vehicle parts.
   4. Any materials listed on the Michigan Critical Materials Register (gasoline and solvents) require secondary containment and a Pollution Incident Protection Plan filed with the Michigan Department of Natural Resources.
   5. Hours of operation shall not exceed 7:00 a.m. to 6:00 p.m.

Section 16.18: SHOOTING RANGES
A. The following site and developmental requirements shall apply:
   1. Minimum lot area shall be forty (40) acres for outdoor shooting activities. The Planning Commission may require additional acreage where site characteristics, surrounding land uses, and/or the proposed type(s) of firearms warrant, in order to minimize the potential for a projectile to cross a property line.
   2. Minimum front, side and rear yard setbacks for outdoor shooting ranges shall be two hundred fifty (250) feet.
B. Special Performance Standards:
   1. A minimum eight (8) foot high chain link fence shall be provided around the entire area devoted to or used for the outdoor shooting of firearms to assure that individuals will not unknowingly trespass on the property.
   2. A site plan for the range, whether indoor or outdoor, shall be submitted to the Planning Commission clearly indicating all safety provisions to assure that any missile fired within the confines of a shooting range shall not carry into or over an adjacent district or area.
   3. The Planning Commission may submit a copy of the site plan to law enforcement agencies for review and comment.
   4. All indoor and outdoor activities, including the shooting of projectiles and storage of projectiles, shall comply with the most current published standards and guidelines of the National Rifle Association.
   5. Hours of operation shall be between 8:00 a.m. and dusk, excluding facilities operated by law enforcement agencies.

Section 16.19: CAMPGROUNDS
A. The following site and developmental requirements shall apply:
   1. The lot shall be located on a minor or major thoroughfare.
   2. The lot shall have a minimum width and frontage of three hundred thirty (330) feet and a minimum area of ten (10) acres.
   3. Each campsite shall be set back from any right-of-way or lot line at least one hundred (100) feet.
   4. A common use area shall be provided in the parcel at a rate of five hundred (500) square feet per campsite.
   5. There shall be no permanent storage of tents, campers, travel trailers or mobile home units in the development unless specifically permitted.
   6. At least one public telephone shall be provided in the facility.
   7. No more than one permanent dwelling shall be allowed in a campground which shall only be occupied by the owner, manager or an employee.
   8. Each campsite shall have a picnic table and designated place for fires.
B. Special Performance Standards:
   1. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling.
   2. All sanitary facilities shall be designed and constructed in strict conformance with County and State Health Department regulations.
Section 16.20: GOLF COURSES and COUNTRY CLUBS

A. The following site and developmental requirements shall apply:

1. The site shall be located on a paved minor or major thoroughfare.
2. The lot shall have a minimum width and frontage of six hundred (600) feet and a minimum area of eighty (80) acres for a nine hole golf course and one hundred sixty (160) acres for an eighteen (18) hole course.
3. No parking areas shall be located within seventy-five (75) feet of a property line.
4. There may be a maximum of two (2) identification signs. Each sign may have a maximum area of thirty (30) square feet. Both signs may be lighted but not be internally.
5. A fifty (50) foot minimum buffer zone between turf areas and natural water bodies, watercourses or wetlands must be maintained as part of a golf course. The buffer zone may be selectively pruned or thinned, and weeds and dead plant material may be removed. However, the buffer must consist of natural vegetation and shall not be chemically treated.

B. Special Performance Standards:

1. Accessory uses may include; clubhouse/pro shop, managerial facilities, maintenance shed, toilets, lockers, standard restaurant and drinking establishments, tennis, racket sport, and swimming facilities.
2. The clubhouse design is to be of a residential character and exterior materials are to be primarily wood or brick.
3. Major accessory uses such as a standard restaurant and bar shall be housed in a single building with the club house. Minor accessory uses strictly related to the operation of the golf course itself, such as maintenance garage and pro shop or golf shop may be located in separate structures.
4. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling.
5. All parking areas shall be surfaced or so treated as to prevent any dust nuisance.
6. All principal or accessory buildings and parking areas shall be not less than two hundred (200) feet from any lot line.
7. The total lot area covered with principal and accessory buildings shall not exceed five percent (5%).
8. A golf driving range accessory to the principal use of the golf course is permitted provided the area devoted to this use shall maintain a seventy-five (75) foot front yard and a one hundred (100) foot side and rear yard setback. The area shall be buffered by natural vegetation and fencing to minimize the impact upon adjoining properties. In the consideration of golf driving ranges additional buffering conditions necessary to minimize the impact of possible safety threats from projectiles upon adjacent land uses may be imposed by the Planning Commission.

Section 16.21: DRIVING RANGE and MINIATURE GOLF/PUTT PUTT

A. The following site and developmental requirements shall apply:

1. The site shall be located on a paved minor or major thoroughfare.
2. The lot shall have a minimum width and frontage of three hundred thirty (330) feet and a minimum area of ten (10) acres, except that a lot used for miniature golf without a driving range need only be three (3) acres in area and two hundred (200) feet in width and frontage.
3. No buildings or parking areas shall be located within seventy-five (75) feet of a property line.

B. Special Performance Standards:

1. The area devoted to a driving range shall maintain a seventy-five (75) foot front yard and a one hundred (100) foot side and rear yard setback. The area shall be buffered by vegetation and fencing to minimize the impact upon adjoining properties. In the consideration of golf driving ranges additional buffering conditions necessary to minimize the impact of possible safety threats from projectiles upon adjacent land uses may be imposed by the Planning Commission.
2. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling.
3. All sanitary facilities shall be designed and constructed in strict conformance with County and State Health Department regulations.
4. Operating hours shall be determined by the Planning Commission based on the nature of the use and the nuisance potential to adjoining property owners. The maximum range of hours is Monday through Sunday from 7:00 a.m. to 10:00 p.m. and may be prohibited on legal holidays.
Section 16.22: ADULT RELATED BUSINESSES

A. Purpose: The provisions of this Section were created with the understanding that Dexter Township acknowledges that there are some uses which, because of their very nature, have serious objectionable impacts when concentrated in location and cause deleterious effects upon adjacent residential and commercial use areas. The Township recognizes that regulation of adult related businesses is necessary to insure that adverse effects will not contribute to the blighting or downgrading of surrounding residential neighborhoods and retail areas.

B. Definitions

1. Adult-Related Business: Any business, club or organization where one or more persons display “specified anatomical areas” or engage in “specified sexual activities” as defined in this Section, either in person or by photograph, motion picture, television or other type of image. This definition includes the following as defined by this Section: “adult bookstore,” “adult theater,” “massage parlor,” “public bath” and “taxi dance hall.”

2. Adult Book Store: An establishment having as a substantial or significant portion of its stock and trade, books, magazines, periodicals, video tapes, photographs or motion picture films which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined by this Section, or an establishment with a segment or section devoted to the sale or display of such material.

3. Adult Theater: Any establishment presenting material or activity distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined by this Section, for observation by patrons or customers.

4. Massage Parlor: An establishment in which a substantial or significant portion of the business conducted involves the administration of nontherapeutic massage, erotic touching, or fondling of such body areas as human genitals, pubic region, buttock, or breasts. The term “massage parlor” does not include medical or therapeutic massage services or any state licensed practitioners or medical or related services such as chiropractors or physical therapists.

5. Public Bath: An establishment providing common bathing facilities or hot tubs for use for a fee. Shower facilities, swimming pools, saunas and similar facilities intended as accessory uses in a school, health club, motel, or similar facility are not “public baths.”

6. Specified Anatomical Areas: Human genitals, pubic regions, buttock, or any portion of the female breast below a point immediately above the top of the areola when less than completely and opaquely covered, in addition to human genitals in a discernibly turgid state, even if completely and opaquely covered.

7. Specified Sexual Activities: Human genitals in a state of stimulation or arousal; acts of human or animal masturbation, sexual intercourse (homosexual or heterosexual), or sodomy; fondling of or erotic touching of human genitals, pubic region, buttock or female breast; bestiality; fellatio or cunnilingus; sadomasochistic abuse; and human excretory functions.

8. Taxi Dance Hall: An establishment which provides dance partners for one or more dances as the direct or indirect result of payment of a fee.

C. The following site and developmental requirements shall apply:

1. No adult related business shall be established on any premises where there exists more than one (1) other adult related business within one thousand (1,000) feet, measured between the closest property line.

2. The property on which an adult related business is located shall be situated at least five hundred (500) feet from a residential zoning district, church, or school, as measured between the closest property line.

D. Special Performance Standards

1. Adult related businesses shall not be located within a building in which one (1) or more dwelling units are located.

2. Activities conducted within buildings housing the aforementioned uses shall be shielded in such a manner that no person outside the building can see said activities, provided however that such shielding shall not consist of a curtain alone, shall not obstruct the exit sign or directional or instructional signs regarding emergency egress, nor be constructed in such a way as to block an exit.

Section 16.23: EXTRACTION OPERATIONS

A. The following site and developmental requirements shall apply:

1. Minimum lot area shall be forty (40) acres and the minimum lot width and frontage shall be six hundred sixty (660) feet.

2. Notwithstanding any other minimum setbacks required by this Ordinance, extraction activities shall be set back a minimum of one hundred (100) feet from all lot lines and any watercourse or wetland. All permitted buildings, structures and stationary equipment associated with extraction activities shall be located a minimum of 300 feet from all lot lines.

3. A perimeter landscape buffer zone (which may consist of naturally occurring vegetation) shall be provided, at a minimum, of fifty (50) feet in width.

B. Special Performance Standards:

1. Public streets within 1500 feet of the exit of the extractive use site shall be kept clear of mud, dirt and debris from vehicles exiting the site.

2. No operation shall be conducted in a manner so as to raise or lower the water table on surrounding properties except as may be authorized by a Department of Natural Resources permit.

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3. If, in the opinion of the Planning Commission, any extractive use operation might present a dangerous condition if left unprotected, the area involved in the use shall be enclosed by a chain link or similar fence of a minimum eight (8) feet in height.
4. Topsoil stockpiles shall be seeded or covered to prevent wind and water erosion.
5. All extraction activities shall use measures to substantially reduce the potential for erosion and limit the amount of sediment reaching surface waters.
6. Disturbed areas shall be graded in a fashion which will not cause water to accumulate in stagnant pools.
7. Trees and other vegetation or ground cover shall not be prematurely stripped off the surface of the ground so as to unnecessarily expose areas of ground that are prone to wind or water erosion that will cause ground or dust to be carried by wind or water onto adjoining or surrounding properties, or onto public or private roads, or to create a nuisance.
8. Air pollution, noise and vibrations shall be minimized from any effect upon adjacent properties by adequate soundproofed equipment and buildings designed to accomplish such minimization and by the proper use of berms, walls, and natural planting screens.
9. The hours of operation shall be set by the Planning Commission after consideration of the surrounding land uses and the particular traffic patterns on public haul routes in the area. The maximum range of hours is Monday through Friday from 7:00 a.m. to 6:00 p.m., and from 7:00 a.m. to 12:00 p.m. (noon) on Saturday, and shall be prohibited on legal holidays and Sundays. The zoning administrator may provide temporary exemptions from hours of operation for a public emergency or for an operator who must repair equipment that does not require the operation of a motor for such repairs.
10. Incoming and outgoing truck or heavy vehicle traffic related to extraction operations shall be limited to those thoroughfares as designated as haul routes in the approved site plan. The applicant shall submit to the Planning Commission a letter from the Washtenaw County Road Commission regarding the Road Commission’s comments on the proposed haul routes.
11. Equipment or machinery for the operations on the premises shall not be permitted unless specifically applied for in the application and covered by the permit issued.
12. All reclamation activities shall be initiated at the earliest possible date. Reclamation of the site concurrent with extraction activities shall be undertaken to the extent that the reclamation activities will not interfere with the excavating activity or if the excavating activity will not damage the reclaimed areas. However, no extraction work can extend more than ten (10) acres in area until reclamation of all previously excavated areas is satisfactorily completed or underway. Excavated areas shall be reclaimed pursuant to a phasing plan approved by the Planning Commission and shall comply with the following standards:
   a. Vegetation shall be restored by the appropriate application of topsoil and seeding of grasses, and/or the planting of trees and shrubs, to establish a permanent vegetative cover on the land surface to minimize erosion.
   b. When extraction operations are completed, the excavated area shall be graded so that no gradients in disturbed earth are steeper than a slope of 4:1 (horizontal-vertical).
   d. Extraction which has created or extended lakes, ponds or other bodies of water shall meet standards and specifications (particularly with respect to underwater slopes and drop-offs) promulgated by the U.S. Department of Agriculture, Natural Resource Conservation Service, and shall be approved by that agency.
   e. Where extraction operations result in a body of water, the owner or operator shall place appropriate "Keep Out-Danger" signs around said premises not more than one hundred fifty (150) feet apart.
   f. Backfill and grading materials shall not be noxious, flammable or toxic, and subject to review and approval.
   g. Fill and soils shall not be overly compacted and be of sufficient quality to be well drained, non-swelling. If the reuse plan involves development of dwellings or other buildings, fill and soils shall be of proper bearing capacity to support foundations and septic systems.
   h. All temporary structures shall be removed from the premises upon completion of the extraction activity unless said structures are of sound construction and are compatible with the reclamation goals. Said structures shall be accurately depicted upon the approved reclamation plan.
   i. If the reuse plan involves a recreational or wildlife facility, reclamation plans shall be reviewed by recreation, fisheries and wildlife specialists in the Michigan Department of Natural Resources.
13. The excavator shall be required to post an acceptable performance bond pursuant to Section 3.06 of this Ordinance in the amount up to 100 percent of the estimated reclamation costs for each ten (10) acres of land to be disturbed or excavated or fraction thereof. Extraction activities shall not be initiated on any location of the site until such performance bond has been posted for that area of the site.

C. Additional Application Materials to be Submitted for Special Land Use Review: In addition to the data requirements of Section 6.03, each application shall be accompanied by plans, drawings, and information prepared by appropriate registered professionals depicting, at a minimum:
1. Name and address of surface owner and/or mineral rights owner of land from which extraction activities will take place.
2. Name, address and telephone number of operator (person, firm or corporation who will be conducting the actual extraction).
3. Location, size and legal description of the total site area to be excavated. Include legend showing a north point, scale and date.
4. Location, width and grade of all easements or rights-of-way on or abutting the area subject to extraction.
5. A statement from the applicant identifying all other federal, state and local permits required, if any.
6. Proof of liability insurance from the operator.
7. Notification of any deed restrictions on the property
8. Provisions for buffer zone, landscaping and screening
9. Existing and proposed topography at two-foot contour intervals. Such topography shall extend a minimum of 150 feet beyond the top of the bank of extraction.
10. A hydrogeologic report of the proposed extraction site. Such a report shall, at a minimum, provide:
   a. A detailed description of subsurface conditions.
   b. Depth of water table throughout the planned extraction area.
   c. A map depicting the thickness and depths of material to be excavated.
   d. A discussion of the environmental impacts of the proposed extraction, including but not limited to the impact of the proposed extraction upon existing area wells.
   e. A recommendation of the necessity to install monitoring wells.
11. A discussion of the proposed method of extraction, including:
   a. The area and amount of material to be excavated in cubic yards.
   b. Proposed side slopes and depths for all portions of the excavated area.
   c. Proposed drainage system, settling ponds and retention ponds, as appropriate.
   d. The time, duration, phasing and proposed work schedule of the total project.
   e. The proposed location of any buildings, storage areas, stockpiling areas, and sorting or crushing equipment as appropriate.
   f. Area from which extraction will take place in the first year of operation and likewise for each successive year to completion.
12. The proposed location of access points to the site and proposed haul routes for disposal of excavated material.
13. Proposed plans for fencing, and signs.
14. A detailed reclamation plan, drawn to an acceptable scale, and program to be performed upon completion of each phase of the project. At a minimum, the plan of reclamation shall include:
   a. Physical descriptions of the location of each phase of the extraction activities, the number of acres included in each phase, and the estimated length of time to complete each phase. No phase shall be more than twenty (20) acres in area.
   b. Depiction of finished, stabilized, side slopes, including methods and plant materials proposed for use.
   c. Landscape plan for the portion of the property disturbed by extraction and associated activities, including an inventory of plant/tree species to be used.
   d. A reuse plan for the site once extraction is complete.
15. Site plan and associated background reports shall document the method of compliance with the performance standards of this section.

D. Other conditions: The conditions of any Zoning Permit issued under this section apply not only to the owner but also to the operator who is either an owner or lessee of mineral rights, or any other person engaged in or preparing to engage in extraction.

1. When an operator disposes of his interest in extraction area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Zoning Administrator may release the operator from the duties and obligations imposed upon him by this Ordinance as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the zoning permit may be transferred.
2. Extraction operations authorized by the zoning permit shall be inspected with reasonable frequency to determine compliance with this Ordinance and permits issued pursuant to this Ordinance.
3. The general site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology or to correct an oversight.
4. When activities on or use of the area subjected to extraction, or any portion thereof, have ceased for more than one (1) year, the operation shall be considered abandoned and a new permit necessary before additional extraction activities can occur. Cessation may be determined by any of the following events:
   a. The completion of the extraction according to the current site plan.
   b. The Township has received notification from the owner that operations are complete.
   c. A zoning permit for the extraction has expired.

E. Existing Extraction Areas: All commercial extraction operations existing on the effective date of this Ordinance shall be subject to the regulations above with regard to future operations. For the purposes of this Section, future operations shall be interpreted to mean any extraction activities which are not permitted according to the originally issued permit for the extraction operation, including expansion into areas of the site not covered by a Township issued permit validly in place at the effective date of this Ordinance, and shall require special approval.

F. Two Year Review Required: Upon receipt of a zoning permit for extraction operations, the applicant shall submit to the Planning Commission, at intervals of no greater than two years, plans and/or other materials documenting that the applicant has been in full conformance with the provisions and standards of this Ordinance and the zoning permit issued. Failure to submit such evidence, in the discretion of the Planning Commission, shall be grounds for the voiding of the extraction zoning permit.

Dexter Township Zoning Ordinance
Article 16: Standards for Special Land Uses
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Section 16.24: COMMUNICATION TOWERS

A. The following site and developmental requirements shall apply:
1. A minimum lot area of three (3) acres is required.
2. The communication tower shall be located so that there is sufficient radius of clear land around the tower so that its collapse would be completely contained on the property.
3. The base of the tower shall be fenced with a minimum eight (8) foot chain-link fence, and all structures associated with the communication tower shall be located therein.
4. The related unmanned equipment structures shall not contain more than three hundred and sixty (360) square feet of gross floor area per user or be more than twelve (12) feet in height. No part of these structures may be located more than fifty (50) feet from the associated tower. Multiple users will be strongly encouraged to share an equipment structure with a common wall.

B. Special Performance Standards:
1. All structures shall be located at least two hundred (200) feet from any dwelling.
2. All towers shall be equipped with an anti-climbing device to prevent unauthorized access.
3. Towers shall be located so that they do not interfere with reception in nearby residential areas.
4. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes, including wind load standards.
5. All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.
6. No part of any tower or antenna shall be constructed, located or maintained at any time, permanently or temporarily, in or upon any required setback area for the district in which the antenna or tower is to be located.
7. Towers shall not be artificially lighted unless required by the Federal Aviation Administration or other public agency.
8. Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.
9. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least fifteen (15) feet above the ground at all points, unless buried underground or within the required fence enclosure.
10. Towers shall be located so there is room for vehicles doing maintenance to maneuver on the property.
11. Minimum spacing between tower locations shall be one (1) mile. The Planning Commission may waive this standard where the proposed location of the tower will serve to cluster two or more towers in close proximity to one another and, thereby, minimize the visual impacts upon panoramic views in the Township.
12. Height of the tower shall be less than two hundred (200) feet from grade.
13. There shall not be display advertising or identification of any kind intended to be visible from the ground or other structures.
14. Structures shall be subject to any state and federal regulations concerning nonionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform or the permit will be subject to revocation by the Township Board. Cost for testing and verification of compliance shall be borne by the operator of the antenna.
15. Communication towers shall be of monopole construction only. Towers of lattice construction or which use guy wires are prohibited.
16. Communication towers shall be designed and/or painted to minimize their visual appearance to the greatest extent feasible.
17. Collocation
   a. Statement of Policy: It is the policy of the Township to minimize the overall number of newly established locations for communication towers within the community, and encourage the use of existing structures or towers while promoting the public health, safety, and welfare and minimizing negative impacts of such sites. If a provider fails or refuses to permit collocation on a facility owned or otherwise controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be compelled, contrary to the Township’s policy for collocation. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the Township. All permits for communication towers or collocation thereon shall be conditioned upon, and shall require binding commitment of, the owner to permit collocation upon its facilities pursuant to the standards of this ordinance, in recordable form, as approved by the Zoning Administrator.
   b. Feasibility of Collocation: Collocation shall be deemed to be “feasible” for purposes of this section where all of the following are met:
      1) The communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.
      2) The site on which collocation is being considered, taking into consideration reasonable modification, is able to provide structural support.
      3) The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.
      4) The height of the structure necessary for collocation will not be increased beyond a point deemed to be
18. Removal

a. A condition of every approval of a communication tower shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:

1) When the facility has not been used for 180 days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of non-use.

2) Six months after new technology is available at reasonable cost as determined by the Planning Commission, which permits the operation of the communication system without the requirement of the support structure, or with a support structure which is lower and/or less incompatible with the area.

b. The situations in which removal of a facility is required, as set forth in paragraph (a) above, may be applied and limited to portions of a facility.

c. Upon the occurrence of one or more of the events requiring removal, specified in paragraph (a) above, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Planning Commission.

d. If the required removal of a facility or a portion thereof has not been lawfully completed within the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time application was made for establishing the facility.

e. The person who had used the facility shall immediately notify the Township Clerk in writing if and as soon as use of a facility ceases.
Section 16.25: PA 177 DEVELOPMENTS

A. Purpose/Procedures: It is the purpose of this Section to clarify the review process and standards for PA 177 Developments which are authorized as special land uses as delineated in Articles 11 and 12. Application for a PA 177 Development shall follow the procedures and requirements under Section 7.02 except as provided below:

1. Recording of Approval Action: The applicant shall record an affidavit with the County Register of Deeds containing the full legal description of the project site, specifying the date of final Township approval, and declaring that all improvements will be carried out in accordance with the approved PA 177 Development plan unless a change is approved by the Planning Commission. In addition, all deed restrictions and easements shall be duly filed with the Register of Deeds of the County. Copies of recorded documents shall be presented to the Township Clerk.

2. Permit Issuance: Upon receipt of the recorded documents, the Township Clerk shall direct the Zoning Administrator to issue a Zoning Permit for the PA 177 Development.

3. Conventional Plan: At the time the applicant submits a preliminary site plan for the PA 177 Development, the applicant shall also submit a conventional plan which shall illustrate a practical and reasonable manner for developing the project parcel according to the typical lot area and lot width standards of the District in which it is located. This plan shall identify the total number of lots and dwellings reasonably attainable. The Planning Commission shall review the conventional plan and determine the approximate number of dwellings and lots attainable by conventional design. This information shall be used when determining the number of lots and dwelling units for a PA 177 Development.

B. Unified Control: The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.

C. Design Standards

1. Permitted Uses: Principal uses in a PA 177 Development shall comply with the residential use regulations of the District in which it is located.

2. Number of Lots and Dwelling Units: The number of lots and dwelling units that can be attained under a PA 177 Development shall not exceed that number attainable under a Conventional Plan according to (A)(3) above.

3. District Standards: Dwellings and lots within a PA 177 Development shall comply with all standards of the District in which it is located including building setbacks and heights, but excluding minimum lot area and width as delineated below:

   a. Minimum Lot Area: The minimum lot area shall be the minimum necessary to comply with all applicable standards and permit requirements of the Washtenaw County Environmental Health Department for sewage disposal and potable water.

   b. Minimum Lot Width: The minimum lot width shall be equal to one-quarter (1/4) of the depth of the lot, except that in no case shall a lot be less than sixty-six (66) feet in width nor have less than sixty-six (66) feet of frontage.

4. Open Space:

   a. A minimum of fifty percent (50%) of the PA 177 Development parcel shall remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, acceptable to the Planning Commission and Township Attorney. For the purposes of this Section, the following terms and phrases shall have the following meanings:

      (1) “Conservation easement” means that term as defined in section 2140 of The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

      (2) “Undeveloped state” means a natural state preserving natural resources, natural features, or scenic or wooded conditions; agricultural use; open space; or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.

      (3) “Greenway” means a contiguous or linear open space, including habitats, wildlife corridors, and trails, that link parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

   b. The dedicated open space shall forever remain open space, subject only to uses approved by the Planning Commission on the approved site plan. Further subdivision of open space land or its use for other than preservation in an undeveloped state shall be strictly prohibited except where the Planning Commission approves a revised site plan upon finding that the applicant's proposed changes shall not alter the essential character of the open space or be contrary to the standards of this Section. The applicant shall guarantee to the satisfaction of the Township Attorney that all open space portions of the development will be maintained in perpetuity and in the manner approved. Documents shall be presented that bind all successors and future owners.
in fee title to commitments made as a part of the proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the Township and the land uses continue as approved in the open space development.

c. The open space conveyance shall:
   
   (1) Indicate the proposed allowable use(s) of the dedicated open space.
   (2) Require that the dedicated open space be maintained by parties who have an ownership interest in the open space.
   (3) Provide standards for scheduled maintenance of the open space.
   (4) Provide for maintenance to be undertaken by the Township of Dexter in the event that the dedicated open space is inadequately maintained, or is determined by the Township to be a public nuisance, with the assessment of costs upon the property owners.

d. Dedicated open space may include flood plain areas, but dedicated open space established to meet minimum open space requirements shall not include required yard setback areas, roads and road rights-of-way, public rights-of-way, and wetlands (as defined by the Michigan Department of Environmental Quality) and year round submerged lands where such wetlands and/or submerged lands exceed fifty percent (50%) of the minimum required dedicated open space after calculation of all applicable density bonuses.

5. Utilities:
   
a. The PA 177 Development shall provide for underground installation of all utilities.
   
b. A PA 177 Development permit shall not be issued unless public water and sanitary sewer service is provided to the development if such service is available.
   
c. Provisions shall be made for appropriate storm water management, including the construction of necessary storm water facilities. The storm water system may include the establishment of detention or retention basins, and associated infrastructure.
   
d. Fire protection measures shall be provided in all PA 177 Developments which provide public water, and in PA 177 Developments which are generally characterized by lots of approximately one half (1/2) acre or less in size where such lots are clustered or otherwise generally adjacent to one another. Fire protection measures shall include an adequate on-site source of water for use by the local fire department and associated infrastructure to enable the local fire department to effectively respond to a fire emergency.

6. Access and Circulation:
   
a. Access: The nearest edge of any entrance or exit drive for a PA 177 Development shall be located no closer than two hundred (200) feet from any existing street or road intersection (as measured from the nearest intersection right-of-way line). All dwellings within a PA 177 Development shall gain access from an interior road within the PA 177 Development.
   
b. Pedestrian Circulation: A pedestrian circulation system may be required along one side of, or all of, the internal roads of the PA 177 Development. The exact location and alignment of the pedestrian ways shall be jointly agreed upon by the applicant and the approving body, and shall be coordinated with existing or planned pedestrian ways and roads in the area. Pedestrian circulation network shall assure ease of access from residences to the designated open space areas.
   
c. Vehicular Circulation: Construction of private roads as a means of providing access and circulation and increasing the rural character of the PA 177 Development project is encouraged. Private roads within a PA 177 Development must be constructed according to the private road regulations of the Township of Dexter.

7. Natural Features: The development shall be designed to promote the preservation of natural features such as mature woodlands, steep slopes, wetlands, floodplains, stream corridors, and special plant and animal habitats.

D. Scheduled Phasing:

1. Scheduled Phasing: When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the open space development and the residents of the surrounding area.

2. Timing of Phases: Each phase of the project shall be commenced in accordance with the standards of Section 6.04(H).

E. Appeals: An appeal on an PA 177 Development application decision may be taken to the Zoning Board of Appeals.
Section 16.26: SPECIAL EVENT FACILITIES

A. The following site and developmental requirements shall apply:
   1. The lot area shall be at least twenty (20) acres and the frontage shall be at least six hundred (600) feet.
   2. All ingress and egress to the site shall be from a paved major or minor thoroughfare.
   3. The site must include a farm operation.
   4. Any outdoor dining and entertainment areas shall be at least one hundred (100) feet from any lot line unless the special event facility and adjacent lot are in single ownership.
   5. Parking areas for special event patrons must be on a surface that is flat and durable enough to withstand the event traffic. Any requirements of Article 21 may be waived or modified through site plan review and approval, provided the approving body first makes a written finding that specifically identifies characteristics of the site or site vicinity would make the required standards unnecessary, inappropriate, or ineffective.

B. Special Performance Standards:
   1. A temporary zoning permit, in accordance with Section 18.20, shall be required for each special event where the expected number of participants is as follows:
      a. More than 250 people for sites less than twenty-two (22) acres,
      b. More than 300 people for sites twenty-two (22) acres or larger and smaller than twenty-five (25) acres, or
      c. More than 350 people for sites twenty-five (25) acres or larger.
   2. Accessory uses to the special event facility may include managerial facilities, maintenance facilities, educational facilities, and a standard restaurant that may serve alcohol.
   3. Lodging of patrons is not permitted.
   4. The design of structures is to be of an agricultural or residential character complementary to the historic rural character of the surrounding district.
   5. No temporary sanitary facility shall be on the property more than twenty-four (24) hours before or after the special event.
   6. No temporary sanitary facility or trash receptacle shall be located within one hundred (100) feet of a lot line unless the Special Event Facility and adjacent lot are in single ownership.
   7. All parking areas shall be surfaced or so treated as to prevent any dust nuisance.
   8. The hours of operation for outdoor special events shall be subject to Planning Commission approval with consideration of the impact on the safety, health, and welfare of the district and the community.

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End of Article 16.
Article 17
OPEN SPACE COMMUNITIES (OSC) OVERLAY DISTRICT

Section 17.01: PURPOSE
It is the purpose of this Article to provide opportunities for residential development which, because of the more flexible standards available to “Open Space Communities” (OSC) under this Article, more effectively encourage the preservation of the Township’s natural resources, sensitive environmental areas, and rural character. The regulations of this Article propose to accomplish these purposes, in part, by providing for the grouping or clustering of new homes on smaller lots than typically required by the zoning district within which the OSC is proposed to be located, so that the remainder of the site can be preserved as open space or for agricultural use. This more flexible residential development option is available through the use of planned unit development legislation, as authorized by Section 503 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, for the purposes of, but not limited to, encouraging the use of Township land in accordance with its character and adaptability; assuring the permanent preservation of open space, woodlands, and other natural resources; and allowing innovation and greater flexibility in the design of residential developments.

Section 17.02: OVERLAY DISTRICT
The OSC District is established as an overlay district. The District exists as an overlay on top of all other Agricultural and Residential Districts. Land located within an Agricultural or Residential District may be developed according to the more traditional provisions of the base zoning district, such as the RR (Rural Residential) District, or according to the more flexible open space community overlay provisions of this Article. A rezoning for an open space community is not necessary as it is already available within all Agricultural and Residential Districts by the OSC Overlay District.

Section 17.03: PROCEDURES for OPEN SPACE COMMUNITIES
A. Application for an OSC shall not be considered an application for rezoning or a special land use. However, the process for application, review, and action on an OSC request shall follow the same procedures and requirements for special land uses under Section 7.02 except as provided below:

1. Preparation of Report: The Planning Commission shall approve, approve with conditions, or deny the OSC application. The Planning Commission shall prepare a report stating its findings and conclusions regarding the request, the basis for its decision and any conditions relating to an affirmative decision.

2. Recording of Approval Action: The applicant shall record an affidavit with the County Register of Deeds containing the full legal description of the project site, specifying the date of final Township approval, and declaring that all improvements will be carried out in accordance with the approved OSC plan unless a change is approved by the Planning Commission. In addition, all deed restrictions and easements shall be duly filed with the Register of Deeds of the County. Copies of recorded documents shall be presented to the Township Clerk.

3. Permit Issuance: Upon receipt of the recorded documents, the Township Clerk shall direct the Zoning Administrator to issue a Zoning Permit for the OSC.

4. Public Hearing: A public hearing is not required for a proposed OSC, whether the proposed OSC is to be a subdivision plat, condominium subdivision, or other form of development, if all of the following conditions can be met:
   a. No dwellings other than single-family detached dwellings are proposed.
   b. The resulting number of lots would not require compliance with the platting requirements of the Land Division Act, Public Act 591 of 1997, as amended, but rather would be in compliance with the Act’s allocation of divisions for the project parcel. For the purposes of this provision, each proposed single-family dwelling site shall be considered a lot whether the project is developed as a platted or condominium subdivision, or other form of development.

5. Conventional Plan: At the time the applicant submits a preliminary site plan for the OSC, the applicant shall also submit a conventional plan which shall illustrate a practical and reasonable manner for developing the project parcel according to the underlying zoning district provisions. This plan shall identify the total number of lots and dwellings reasonably attainable. The Planning Commission shall review the conventional plan and determine the approximate number of dwellings and lots attainable by conventional design. This information shall be used when comparing development densities between the conventional and OSC plans, and determining appropriate bonus densities for an OSC proposal.

6. Preapplication Conference and Conceptual Plan: Prior to the submission of a preliminary application for OSC approval, the applicant may request and the Planning Commission Chairperson may agree to meet together with such consultants as either the Township or the applicant deem appropriate. The Chairperson of the Planning Commission shall invite officials from other departments of the Township, or agencies serving the Township who might have an interest in the proposed development, or who might assist the Township in the review process. The purpose of the meeting is to inform township officials of the concept of the proposed development and to provide the potential applicant with information regarding land development policies, procedures, standards and requirements of the Township. Statements made in the course of a preapplication conference shall not be legally binding commitments. At the preapplication conference (or conferences), the applicant shall present a general sketch plan of the proposed OSC development which provides an overview of the proposed project.
Section 17.04: APPROVAL STANDARDS:
A. Minimum Eligibility: To be considered as an OSC project, the proposed development project must be consistent with Section 7.01(A)(1) and 17.01, and comply with the following provisions.

1. Permitted Uses: The following uses shall be permitted within an OSC:
   a. Platted subdivisions, consisting of Single family dwellings or two family dwellings.
   b. Condominium subdivisions, consisting of single family dwellings or two family dwellings.
   c. Multiple family dwellings, provided no single building contains more than four (4) dwelling units nor is closer than fifty (50) feet to a lot line and one hundred (100) feet to a public right-of-way, and the total number of dwelling units within multiple family dwellings does not exceed twenty-five percent (25%) of the total number of dwelling units in the OSC.

2. Unified Control: The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.

3. Dedicated Open Space: The OSC shall include permanently dedicated open space comprising at least fifteen percent (15%) of the total project parcel.

B. Design and Compatibility Standards: An application for an OSC shall comply with the following:
   1. Section 6.05, Site Plan Approval Standards
   2. Section 16.01, General Standards
   3. Section 17.05, OSC Design Standards

Section 17.05: OSC DESIGN STANDARDS:
A proposed OSC shall comply with the following design standards:
A. Regulatory Flexibility: To encourage flexibility and creativity consistent with the OSC concept, departures from the regulations of the base zoning district may be permitted, subject to review and approval by the Planning Commission. For example, such departures may include but are not limited to modifications to lot dimensional standards, setback requirements, and building height standards. Such modifications may be permitted only if the proposed OSC shall result in a higher quality of development than would be possible without the modifications, and that the proposed OSC shall be a recognizable and substantial benefit to the ultimate users of the project and to the community. Such benefit must otherwise be unfeasible or unlikely under the regulations of the underlying district alone. Density standards may not be modified more than the maximum permitted under the bonus provisions of Section 17.05(B) below. All proposed modifications shall be specified in the OSC application materials.

B. Residential Density Bonus: Recognizing that individual sites lend themselves to different design solutions with different space utilization requirements and that the OSC process provides that the Planning Commission may exercise discretionary powers, densities in excess of those attainable as illustrated by the conventional plan may be permitted, provided that all other requirements of this Article are met. No residential density bonus increases shall be permitted unless a determination is made by the Planning Commission that the desired density will not adversely affect public services including, but not limited to, water and sewer services, storm water drainage, road conditions and capacity, traffic, parks and recreation, fire and police services, schools, and any planned public and private improvements in the area. Evaluation criteria for the approval of a density bonus shall be as follows:

1. Density Bonus for Dedicated Open Space: A density bonus shall be granted where more than fifteen percent (15%) of the project parcel is reserved as permanently dedicated open space (See Section 17.05(C)). Density bonuses for dedicated open space shall conform to the following:
   a. Non-AG Districts: Within all Districts upon which the Open Space Community District applies, except for the AG District, a two and one-half percent (2 1/2%) increase in the number of dwellings attainable by the Conventional Plan shall be permitted for each additional one percent (1%) of dedicated open space in excess of the minimum required fifteen percent (15%). However, such density bonus shall not exceed a fifty percent (50%) increase. For example purposes only, a 40 acre RR parcel developed with 16 dwellings under a Conventional Plan could be alternatively developed with 24 dwellings (the maximum allowed 50% increase over 16 dwellings) provided 35.0% of the parcel is set aside in dedicated open space (an additional 20.0% of open space over the minimum required 15%).
   b. AG District: Within the AG District, a four percent (4%) increase in the number of dwellings attainable by the Conventional Plan shall be permitted for each additional one percent (1%) of dedicated open space in excess of the minimum required fifteen percent (15%), but in no case shall more than fifty percent (50%) of the parcel be required to be placed in dedicated open space nor shall such density bonus exceed a one-hundred fifty percent (150%) increase in permitted dwellings. For example purposes only, a 40 acre AG parcel developed with 7 dwellings under a Conventional Plan could be alternatively developed with 17 dwellings (150% increase over 7 dwellings) provided 50.0% (an additional 37.5% of open space over the minimum required 15%), with a maximum of 50% of the parcel is set aside in dedicated open space.

2. Superior Design: The Planning Commission may grant an additional density bonus increase above and beyond that available under Section 17.05(B)(1) for proposals that exhibit superior design character. A ten percent (10%) density increase in all Districts upon which the OSC District applies shall be authorized for each of the following attributes that the Planning Commission finds is

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C. Guarantee of Open Space: The OSC shall include permanently dedicated open space. The dedicated open space shall forever remain open space, subject only to uses approved by the Planning Commission on the approved site plan. Further subdivision of open space land or its use for other than recreation, conservation, or agricultural uses or preservation in an undeveloped state shall be strictly prohibited. The applicant shall guarantee to the satisfaction of the Planning Commission that all open space portions of the development will be maintained in perpetuity and in the manner approved. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the Township and the land uses continue as approved in the open space development.

1. Any structure(s) or building(s) accessory to a recreation, conservation, or agricultural use or area preserved in an undeveloped state, may be erected within the dedicated open space, subject to the approved site plan. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one percent (1%) of the total dedicated open space area.

2. Additional dedicated open space shall be set aside above and beyond the fifteen percent (15%) required by Section 17.04(A)(3) in the case where the proposed OSC site plan provides for a density increase over the conventional site plan. The additional open space shall be provided according to Section 17.05(B)(1).

3. No portion of an OSC parcel shall be attributed toward meeting this Article's minimum open space requirements unless the Planning Commission finds such proposed open space meets the intent and spirit of this Article. For clarification purposes, and by example only, the following shall not be attributed toward meeting this Article’s minimum open space area requirements.

   a. Land area contained within residential lots including required yard setback areas.

   b. Wetlands (as defined by the Michigan Department of Environmental Quality) and year round submerged lands where such wetlands and/or submerged lands exceed fifty percent (50%) of the minimum required dedicated open space after calculation of all applicable density bonuses.

   c. Any right-of-ways and easements, whether public or private and including rights-of-ways and easements associated with roads and access drives and the delivery of underground, surface or overhead gas, communication, telephone, electrical, water, sewer, and similar utility services and accessories in connection therewith, except as may be authorized by subsection (1) below:

      1) The Planning Commission may approve the use of such right-of-way or easement acreage in meeting all or a portion of the minimum open space requirement upon its finding that the right-of-way or easement acreage is under the sole jurisdiction and authority of the OSC development and that such acreage is to be effectively used and maintained in the spirit intended by this Article as prescribed in Section 17.01, including the preservation of the Township’s natural resources, sensitive environmental areas, and rural character. Such an example may be an easement for an underground community sewer treatment system characterized by prairie grasses or other non-lawn area. Easements which require continued and regular clearing or cutting of easement vegetation shall not be considered appropriate for use in meeting minimum open space requirements except upon a finding by the Planning Commission that such easements serve as important wildlife corridors or otherwise provide unique and beneficial habitats.

   4. All land within a development that is not devoted to a building, dwelling unit, required yard, an accessory use, vehicle access, vehicle parking, a roadway, or an approved land improvement, shall be set aside as common land for recreation, conservation, agricultural uses, or preserved in an undeveloped state. This provision shall not prohibit the inclusion of
non-residential buildings, required yards, accessory uses, vehicle access, vehicle parking, a roadway, or other approved land improvement in the designated common land provided the designated common land on which such uses are located complies with subsection (3) above where such common land is used to meet minimum open space requirements.

5. The dedicated open space shall be set aside by the owner through an irrevocable conveyance that is found acceptable to the Planning Commission, such as recorded deed restrictions, covenants that run perpetually with the land, transfer to a non-profit land trust, or a conservation easement established per the State of Michigan Conservation and Historic Preservation Act, Public Act 197 of 1980, as amended. Such conveyance shall assure that the open space will be protected from all forms of development, except as specifically delineated on an approved site plan. All subsequent use and improvements to the dedicated open space shall comply with the approved site plan. Changes to the authorized uses or improvements to the open space are prohibited except where the Planning Commission approves a revised site plan upon finding that the applicant’s proposed changes shall not alter the essential character of the open space or undermine the purpose and spirit of the OSC concept as presented in this Article. Such conveyance shall:
   a. Indicate the proposed allowable use(s) of the dedicated open space.
   b. Require that the dedicated open space be maintained by parties who have an ownership interest in the open space.
   c. Provide standards for scheduled maintenance of the open space.
   d. Provide for maintenance to be undertaken by the Township of Dexter in the event that the dedicated open space is inadequately maintained, or is determined by the Township to be a public nuisance, with the assessment of costs upon the property owners.

D. Utilities:
   1. The OSC shall provide for underground installation of all utilities.
   2. An OSC permit shall not be issued unless public water and sanitary sewer service is provided to the development if such service is available.
   3. Provisions shall be made for appropriate storm water management, including the construction of necessary storm water facilities. The storm water system may include the establishment of detention or retention basins, and associated infrastructure.
   4. Fire protection measures shall be provided in all OSCs which provide public water, and in OSCs which are generally characterized by lots of approximately one half (1/2) acre or less in size where such lots are clustered or otherwise generally adjacent to one another. Fire protection measures shall include an adequate on-site source of water for use by the local fire department and associated infrastructure to enable the local fire department to effectively respond to a fire emergency.

E. Access and Circulation:
   1. Access: The nearest edge of any entrance or exit drive for a OSC shall be located no closer than two hundred (200) feet from any existing street or road intersection (as measured from the nearest intersection right-of-way line). All dwellings within an OSC shall gain access from an interior road within the OSC.
   2. Pedestrian Circulation: A pedestrian circulation system may be required along one side of, or all of, the internal roads of the OSC. The exact location and alignment of the pedestrian ways shall be jointly agreed upon by the applicant and the approving body, and shall be coordinated with existing or planned pedestrian ways and roads in the area. Pedestrian circulation network shall assure ease of access from residences to the designated open space areas.
   3. Vehicular Circulation: Construction of private roads as a means of providing access and circulation and increasing the rural character of the OSC project is encouraged. Private roads within an OSC must be constructed according to the private road regulations of the Township of Dexter.

F. Natural Features: The development shall be designed to promote the preservation of natural features such as mature woodlands, steep slopes, wetlands, floodplains, stream corridors, and special plant and animal habitats.

G. Scheduled Phasing:
   1. Scheduled Phasing: When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the open space development and the residents of the surrounding area.
   2. Timing of Phases: Each phase of the project shall be commenced in accordance with the standards of Section 6.04(H).

Section 17.06: WAIVER OF STANDARDS
A. The Planning Commission may waive any of the standards for an OSC contained in this Article, except Section 17.04(A) and (B)(1) and (2), and Section 17.05(B) and (C), where the following findings are documented along with the rationale for the decision:
   1. No good public purpose will be achieved by requiring conformance with the standards sought by the applicant to be waived.
   2. The spirit and intent of the open space development provisions will still be achieved.
   3. No nuisance will be created.

Section 17.07: APPEALS
An appeal on an OSC application decision may be taken to the Zoning Board of Appeals.

End of Article 17
Article 18
GENERAL PROVISIONS

Section 18.01: PURPOSE
The intent of this Article is to recognize that there are certain conditions concerning land uses that warrant specific exceptions, regulations or standards in addition to the requirements of the zoning district which they are permitted to be located. The following general provisions establish regulations which are applicable to all zoning districts unless otherwise indicated.

Section 18.02: ESSENTIAL SERVICES
Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township, it being the intention hereof to exempt such essential services from the application of this Ordinance.

Section 18.03: SWIMMING POOLS
A. Classification: A swimming pool shall be considered as an accessory structure, regulated by Section 18.18, but shall not be classified as lot coverage.
B. Application: The application for a zoning permit to erect a swimming pool shall include the name of the owner, a plot plan and location of adjacent buildings, fencing, gates, and other detailed information affecting construction and safety measures deemed necessary by the Zoning Administrator.
C. Fencing: Yard areas with pools are to be fenced to discourage unsupervised access. Such fencing is to be a minimum of five (5) feet high, and equipped with a self-closing and child proof self-latching gate. Latching devices are to be located at a minimum height of four (4) feet above the ground. Such fencing may be omitted where building walls abut the pool area, provided that the entire remaining perimeter of the pool area is fenced.
D. Sanitation: Sanitation standards as now or any time adopted by the State Department of Health or the County Health Department to protect the public health shall be conformed to.
E. Placement: No swimming pool shall be located in an easement or required yard setback area or under any overhead wiring. Service drop conductors and any other overhead wiring shall not be installed above a swimming pool.

Section 18.04: ENCROACHMENTS INTO EASEMENTS and RIGHT-OF-WAYS
No building or structure shall be located within a public or private right-of-way or easement, except upon approval of a site plan or plot plan by the Planning Commission, based upon a finding by the Planning Commission that there is no other reasonable alternative for the location of such building or structure and provided the location of such building or structure does not violate any provisions of such easement. This provision shall apply to, but not be limited to, public road right-of-ways, private road easements, public sewer easements, and water easements.

Section 18.05: HEIGHT REQUIREMENT EXCEPTIONS
Purely ornamental structures such as church spires, belfries, cupolas, domes, ornamental towers, flagpoles and monuments are exempted from height limit requirements provided the total height of the building or structure does not exceed seventy-five (75) feet and no portion of the exempted structure may be used for human occupancy. These exemptions from the height limit requirements shall not apply to a residential zoning district or residential use.

Section 18.06: ONE SINGLE-FAMILY DWELLING TO A LOT
No more than one (1) single family dwelling may be permanently established on a lot or parcel, unless specifically provided for elsewhere in this Ordinance.

Section 18.07: ALLOCATION of LOT AREA and SHAPE of LOTS
A. No portion of a lot can be used more than once in complying with the provisions for lot area and yard dimensions for construction or alteration of buildings.
B. The shapes of lots may be subject to the Land Division Act (Public Act 288 of 1967) MCL 560.109(1)(b).

Section 18.08: CONDITIONAL APPROVALS
A. Conditions on Discretionary Decisions: The Planning Commission, Zoning Board of Appeals, and Township Board may attach conditions to the approval of a site plan, special land use, variance or other discretionary approval. Such conditions shall be based upon standards in this Ordinance and may be imposed to:
1. Insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
2. Protect the natural environment and conserve natural resources and energy.
3. Insure compatibility with adjacent uses of land.
4. Promote the use of land in a socially and economically desirable manner.

B. Requirements for Valid Conditions: Conditions imposed shall meet all of the following requirements:
   1. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
   2. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
   3. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

C. Record of Conditions and Changes: Any conditions imposed shall be recorded in the record of the approval action. These conditions shall not be changed except upon the mutual consent of the approving authority and the property owner.

D. Performance Guarantees: Performance guarantees may be required to insure compliance with conditions on discretionary decisions pursuant to the requirements of Section 3.05.

Section 18.09: OUTDOOR STORAGE, SALES and MERCHANDISE DISPLAY
A. Outdoor display and sales of merchandise is permitted within Commercial Districts. The permitted outdoor display area shall not exceed twenty-five percent (25%) of the use's indoor retail sales floor area, except a minimum of two hundred (200) square feet of outdoor display area shall be permitted in all cases but shall never exceed an area of eight hundred (800) square feet. These regulations shall not apply to the display and sales of motor vehicles; boats; items intended for tow; wholesale building supplies; agricultural, lawn and garden equipment; or live retail and wholesale landscape materials.

B. Excepting the display and sales of motor vehicles; boats; items intended for tow; wholesale building supplies; agricultural, lawn and garden equipment; or live retail and wholesale landscape materials, and unless specifically noted otherwise elsewhere in this Ordinance, all storage of materials or products in Commercial Districts shall be conducted within a completely enclosed building. No outdoor display area shall be located within eighty (80) feet of the centerline of a road and such display areas shall conform to all side and rear yard setback requirements for principal buildings.

C. In a Commercial District, all machinery, equipment, vehicles, lumber piles, crates, boxes, building blocks, or other materials which are either discarded, showing evidence of a need for repairs, or which encourages vermin, shall be completely screened by an opaque fence or wall of not less than six (6) feet in height and located in a rear yard only.

Section 18.10: ROADSIDE STANDS
A. All roadside stands shall be considered temporary uses, subject to Section 18.20, and shall be limited to the sale of farm produce, specialty crops such as tree fruits, nuts, berries, and the like, or foodstuff made from such produce. Roadside stands may only be established on commercially zoned property or on the property where the produce is grown or produced. All roadside stands shall conform to the following standards:
   1. Only one roadside stand per lot is permitted, and no roadside stand shall be operated for more than twenty (20) weeks in any calendar year.
   2. Only one driveway may be established and shall have a width at least twenty-four (24) but not more than thirty-six (36) feet, or another means of ingress and egress may be established satisfactory to the Zoning Administrator which allows cars to turn around on the lot before exiting.
   3. No structure larger than twenty (20) feet long or twenty (20) feet wide shall be used or erected for use as a roadside stand. No such structure shall exceed eight (8) feet in height. All temporary structures that are erected for the purpose of the roadside stand shall be of portable construction and shall be removed upon termination of the seasonal use.
   4. No roadside stand shall be located closer than thirty-five (35) feet from a right-of-way nor closer than one-hundred (100) feet to a lot with a dwelling unit on the lot.
   5. Unless located on a lot in a commercial zoning district, no roadside stand shall be located on a lot without a dwelling unit, nor run by anyone other than an occupant of the dwelling.
   6. At least four off-street parking spaces shall be provided on the property and such spaces shall not encroach into the road right-of-way.
   7. Hours of operation shall be between the hours of 7:00 a.m. and 7:00 p.m.
   8. One sign shall be permitted and shall not exceed nine (9) square feet in sign area or exceed a maximum height of five (5) feet, and shall be displayed only during the seasonal occupancy of the roadside stand.

Section 18.11: MOVING BUILDINGS
A. No existing building or other structure within or outside of the Township shall be relocated upon any parcel or lot within the Township unless:
   1. A Zoning Permit is issued for such building or structure.
   2. The building and all materials therein are approved by the Building Inspector; and
   3. The building or structure can be located upon the parcel and conform to all other requirements of the respective zoning district.
Section 18.12: EARTH SHELTERED STRUCTURES
The bottom edge of an earth berm surrounding or abutting a wall or roof of a structure shall meet the height and setback requirements for the District in which it is located.

Section 18.13: MAINTENANCE OF JUNK PROHIBITED
It shall be unlawful to have, possess, or maintain junk except pursuant to the issuance of a zoning permit by special approval for a junkyard. All land use activities shall comply with the Dexter Township Anti-Blight Ordinance.

Section 18.14: SATELLITE ANTENNA DISHES
Satellite dishes shall meet all setback and height requirements for the district in which a satellite dish antenna is to be located, except that no satellite antenna dish with a diameter of three (3) feet or more shall be placed in a front yard.

Section 18.15: EXCEPTION to FRONTAGE REQUIREMENTS
The lot frontage of a lot may be reduced below the minimum lot frontage requirement of the District in which it is located where the front lot line of such lot abuts a curvilinear segment of a road, including a cul-de-sac, where without such reduction, such lots would be unnecessarily excessive in lot width or lot area. However, such frontage reduction shall result in a lot with a minimum of sixty-six (66) feet of frontage and such lot shall comply with the minimum lot width requirement of the District over a minimum of sixty percent (60%) of the lot area.

Section 18.16: COMMON USE WATERFRONT
When more than two (2) families share frontage on navigable water without residing on said frontage, such common use and/or ownership of the waterfront shall be permitted only within the Common Use District and according to the provisions and standards of such District.

Section 18.17: KEEPING of ANIMALS
A. Wild Animals: No wild animal shall be kept permanently or temporarily in any district in the Township.
B. Livestock: The raising and keeping of livestock or other animals generally not regarded as household pets, and which do not meet this Ordinance’s definition for "wild animal," may be conducted as accessory to the principal residential use in the AG, RR, and RC Districts except in platted subdivisions or condominium subdivisions. All such raising and keeping or killing and dressing of poultry and animals processed upon the premises shall be for the use or consumption by the occupants of the premises in the District and the following additional conditions shall be met:
1. Manure piles shall be stored, removed, and/or applied to the soil in accordance with the generally accepted agricultural and management practices of the Michigan Agriculture Commission for manure management and utilization, and with Michigan Department of Agriculture and County Health Department regulations.
2. The following shall not be permitted within fifty (50) feet of a lot line.
   a. Buildings housing animals.
   b. Storage of manure or odor or dust-producing materials or use.
   c. Soil areas unable to support or hold a vegetative cover due to an outdoor animal confinement area.
3. Minimum lot area and maximum animal density shall be as follows:
   a. A minimum lot area of two and one half (2 1/2) acres is necessary for the keeping of small livestock, including rabbits and fowl but excluding swine, and the maximum animal density shall not exceed one (1) animal per one quarter (1/4) acre.
   b. A minimum lot area of ten (10) acres is necessary for the keeping of swine, and the maximum animal density shall not exceed one (1) animal per one and one quarter (1 1/4) acre.
   c. A minimum lot area of two and one half (2 1/2) acres is necessary for the keeping of large livestock, including horses, sheep, goats, and cows, and the maximum animal density shall not exceed one (1) animal per one and one quarter (1 1/4) acre.
C. Household pets: The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as household pets is permitted as an accessory use in any residential zoning district, provided such activities do not constitute a commercial kennel.

Section 18.18: ACCESSORY USES, BUILDINGS, STRUCTURES and FENCES
A zoning permit must be issued prior to the erection of an accessory building or structure. Applications for accessory buildings and structures shall be administered and reviewed as part of the original or proposed revised plot plan or site plan, depending upon the nature of the principal use of the lot and pursuant to Article 6. Accessory uses, buildings and structures shall be subject to the following regulations except as otherwise permitted in this Ordinance.
A. Attached: An accessory building, including carports which are attached to the principal building, shall comply in all respects with the requirements of this Ordinance applicable to the principal building. Breezeways, as an attachment between the garage or carport and the main building, shall be considered a part of the main building, but shall not be considered habitable floor area. Unless an accessory building is attached directly to the principal building or connected to it via habitable floor area or shared wall construction, the accessory building shall be classified as a detached structure.
B. Separation Distance: An accessory building or structure unless attached and made structurally a part of the principal building, shall not be closer than ten (10) feet to any other structure on the lot.

C. Placement: Except as provided below or elsewhere in this ordinance, detached accessory buildings and structures shall not be located in any front yard, are subject to all side yard setback requirements of the District in which it is located, and shall be set back a minimum of ten (10) feet from any rear lot line except that such minimum distance shall be increased by one (1) foot for each one (1) foot of building or structure height in excess of ten (10) feet.

1. Uncovered Decks, Terraces, Patios, and Porches: Uncovered decks, terraces, patios, and porches, regardless of whether they are attached or detached, may extend to within thirty-five (35) feet of a surface water body, subject to (a), (b), and (c) below:
   a. The finished floor elevation of the deck, terrace, patio, or porch shall not be higher than eighteen (18) inches above the surrounding grade level at its lowest point.
   b. The deck, terrace, patio, or porch shall not have a rail in excess of 3 feet in height as measured from the finished floor of the deck, terrace, patio, or porch.
   c. The deck, terrace, patio, or porch shall comply with the storm water management standards Section 24.06. However, the deck, terrace, patio, or porch may be exempt from the requirements of Section 24.06 if it is composed of pervious materials and/or designed to allow for infiltration and underlain with materials that will allow infiltration and prevent runoff, such as pea stone.

2. Front Yard Placement: Except as provided in Section (C)(1) above or Sections 18.18(C)(3) and (4) below, detached accessory structures may be located in the front yard area of a lot, subject to (a), (b), and (c) below:
   a. The minimum front yard setbacks of a detached accessory structure shall be as follows:
      i. Fifty (50) feet from a surface water body.
      ii. Two hundred (200) feet or seventy-five percent (75%) of the distance between the all other front lot lines and the principal structure, whichever is greater.
   b. The detached accessory structure shall meet all of the side and rear yard setback requirements of the District in which it is located.
   c. The detached accessory structure shall not exceed the lot coverage limits set forth in Section 18.18(D), nor shall it cause the total lot coverage of the lot to exceed the maximum allowable lot coverage of its respective zoning district.

3. Front Yard Placement (Waterfront Lots in the Lakes Residential District): Waterfront lots in the Lakes Residential District may have not more than one (1) detached accessory building in the front yard area between the house and the front lot line abutting the street right-of-way, private road, or other access easement, subject to (a) through (e) below:
   a. The detached accessory building shall meet all of the yard setback requirements of the District in which it is located.
   b. The detached accessory building shall not exceed a wall height of six (6) feet or a peak height of eight (8) feet.
   c. The detached accessory building shall not exceed a lot coverage of one hundred (100) square feet and shall not exceed the lot coverage limits set forth in Section 12.02(E)(4) and Section 18.18(D).
   d. The elevation width of the walls of the detached accessory building shall not exceed ten (10) feet.
   e. The detached accessory building is not subject to the separation distance requirement of Section 18.18(B).

4. Walkways and Sidewalks (Waterfront Lots in the Lakes Residential District): Waterfront lots in the Lakes Residential District may have a constructed walkway or sidewalk of not more than three (3) feet in width located within a required surface water body setback or side yard setback, subject to (a) through (c) below:
   a. The finished grade of the walkway or sidewalk shall not be higher than the surrounding grade level at its lowest point.
   b. The walkway or sidewalk shall be at least five (5) feet from a side lot line.
   c. The walkway or sidewalk may extend to a surface water body as long as the walkway or sidewalk is substantially perpendicular with the front lot line or surface water body.

D. Lot Coverage: Except as provided below, detached accessory buildings and structures shall not occupy more than a total of thirty (30) percent of the area of any rear yard, except that detached accessory buildings and structures may occupy up to a total of fifty (50) percent of the area of any rear yard if it is a nonconforming lot, and side and rear yard setbacks are still met. Provided that the total lot coverage of the parcel adheres to the requirements of the respective zoning district, the maximum allowable lot coverage of all combined detached accessory buildings and structures shall be as follows:
   1. For parcels with a lot area of less than two and one-half (2½) acres, one thousand (1,000) square feet.
   2. For parcels with a lot area of at least two and one-half (2½) acres, one percent (1%) of the lot area, not to exceed three thousand seven hundred and fifty (3,750) square feet.

3. Section (D) shall not apply to agricultural buildings located on a farm larger than 10 acres.

E. Height: No detached residential accessory building or structure shall exceed twenty-five (25) feet in height. Where a building is located on sloping terrain, the height shall be measured from the average ground level of the grade at the building wall. Detached accessory buildings for other uses may be constructed to equal the permitted maximum height of structures in said districts, subject to Zoning Board of Appeals approval if the building exceeds seventeen (17) feet in height. This restriction shall not apply to accessory structures on parcels greater than ten (10) acres in size, or accessory structures allowed by special land use approval.
F. Walls and Fences:
1. The finished side of a wall or fence shall face the adjacent lot.
2. Except as provided in (3) below, walls and fences on residential lots in Agricultural and Conservation Districts and Residential Districts shall not exceed a height of six (6) feet, except that a wall or fence placed in a front yard shall not exceed a height of five (5) feet, nor exceed a height of three (3) feet if placed in a required front yard setback. Any fence or wall in excess of three (3) feet in height, when located in a front yard, shall have at least fifty (50) percent of its surface area open when viewed from the perpendicular. This subsection (1) shall not apply to fencing designed to confine livestock provided such fencing does not exceed a height of six (6) feet and shall have at least fifty (50) percent of its surface area open when viewed from the perpendicular.
3. In the case of a waterfront lot in a Lakes Residential District, no fence or wall shall exceed a height of three (3) feet and no fence or wall or portion of a fence or wall located in the front yard adjacent to the lake shall extend toward the lake a distance of more than twenty percent (20%) of the average distance between the dwelling facade line nearest the lake and the ordinary high water mark of the lake. However, in no case shall such fence or wall extend more than twenty (20) feet from the dwelling facade line nearest the lake to the ordinary high water mark of the lake.

G. Not Permitted Prior to a Principal Structure: Accessory buildings and structures shall not be erected on a lot or parcel in any district prior to the establishment of a principal structure, except for agricultural buildings. Where two or more abutting lots are held under one ownership in a residentially zoned district, the owner may erect an accessory building on a lot separate from that one which the principal building is located, provided both lots are used as one with a single tax description.

H. Habitation of Accessory Structures: No garage, barn, or accessory building, or basement, whether fixed or portable, shall be used or occupied as a dwelling.

Section 18.19: HOME OCCUPATION
The regulation of home occupations as provided herein is intended to secure flexibility in the application of the requirements of this Ordinance; but such flexibility is not intended to allow the essential residential character of residential districts, in terms of use and appearance, to be changed by the occurrence of non-residential activities. Home occupations, as defined in Article 2 of this Ordinance, shall satisfy the following conditions:
A. The nonresidential use shall only be incidental to the primary residential use and shall not occupy more than twenty percent (20%) of the gross floor area of said dwelling unit if located within the dwelling unit.
B. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
C. The home occupation shall not employ any persons to work in the home or on the premises who are not residing in the home.
D. The majority of all activities shall be carried on indoors. No visible outdoor activity, storage or display shall be permitted.
E. There shall be no change in the exterior appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than a permitted sign (see Article 22). Unless located in an accessory building, the entrance to the space devoted to the home occupation shall be from within the dwelling.
F. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off.
the street and other than in a required front yard, although motor vehicles may be parked in an existing driveway if it is of sufficient size. No additional off-street parking demand shall be created.

G. Limited retail sales may be permitted on the premises, as an incidental, rather than principal part of a home occupation. No advertising of the sale of merchandise produced or sold on the premises is permitted in newspaper, radio, television or other media.

H. The home occupation shall not entail the use or storage of explosive, flammable, toxic or otherwise hazardous materials.

I. Visits by customers shall be limited to the hours of 8:00 a.m. to 8:00 p.m.

J. A home occupation application and Zoning Permit is required. Prior to issuance of the Zoning Permit, the owner (and applicant, if different than the owner) shall sign and file a notarized affidavit with the Dexter Township stating the address and legal description of the subject property, the name of the home occupation, a description of the home occupation use, and the zoning restrictions of Section 18.19. This affidavit shall be prepared by Dexter Township. The Zoning Permit shall be issued by the Zoning Administrator upon receipt of the signed and notarized affidavit, a completed home occupation application in conformity with the above standards, and the required Zoning Permit fee.

K. If the property owner (and applicant, if different than the owner) proposes to change the terms of the affidavit and home occupation permit, the owner (and applicant, if different than the owner) must apply for the change in the same manner as the original home occupation application and Zoning Permit. If the owner (and applicant, if different than the owner) sells the property and/or changes the home occupation use, the home occupation approval and Zoning Permit will become null and void unless the owner (and applicant, if different than the owner) applies for the change in the same manner as the original home occupation application and Zoning Permit.

Section 18.20: TEMPORARY USES and NONRESIDENTIAL BUILDINGS and STRUCTURES
Temporary uses and nonresidential buildings and structures may be placed on a lot or parcel only under the following conditions as authorized by a temporary zoning permit issued by the Zoning Administrator. For the purposes of this Section, the following definitions shall apply:

Temporary Use: A use of land that is temporary in nature and prohibited within the District except according to the provisions of this Section.

Temporary Structure: In association with a temporary use, anything constructed or erected which does not require or is not proposed to have a permanent location on the ground or attachment to something having such location on the ground.

A. Application, Permit, and Conditions

1. Application: A temporary zoning permit may be approved, modified, conditioned, or denied by the Zoning Administrator. The Zoning Administrator may defer action to the Planning Commission.

2. Conditions of Approval:
   a. The nature and intensity of the temporary use and the size and placement of any temporary structure shall be planned so that the temporary use or structure will be compatible with existing development.
   b. The use shall not be typically located within a permanent building or structure.
   c. The parcel shall be of sufficient size to adequately accommodate the temporary use or structure.
   d. The location of the temporary use or structure shall be such that adverse effects on surrounding properties will be minimal, particular regarding the traffic generated by the temporary use or structure.
   e. Off-street parking areas are of adequate size for the particular temporary use or structure and properly located and the entrance and exit drives are laid out so as to prevent traffic hazards and nuisances.
   f. Any lighting shall be directed and controlled so as to not create a nuisance to neighboring property owners.
   g. The Zoning Administrator may impose conditions with the issuance of the permit which are designed to insure compliance with the requirements of this Ordinance. The Zoning Administrator may revoke a permit at any time for nonconformance with the requirements of this section and a permit issued thereunder.
   h. Permits which are renewable shall have an application filed for renewal at least fifteen (15) days prior to the expiration date of the current permit, except that applications for renewal or extension of a permit for less than fifteen (15) days may be applied for no later than three (3) days prior to the expiration date of the current permit.

3. Permits: A written temporary zoning permit will be issued for all approved temporary uses and shall contain the following information:
   a. The applicant's name.
   b. The location and effective dates of the temporary use.
   c. Conditions specified by which the permit was issued, such as:
      1) use and placement of signs.
      2) provision for security and safety measures.
      3) control of nuisance factors.
      4) submission of performance guarantee.
   d. Signature of the Zoning Administrator on the permit.

4. Performance Guarantee: A performance guarantee shall be submitted prior to the issuance of a temporary zoning permit, in an amount as established by the Township Board. The applicant shall similarly sign an affidavit holding the Township
B. Permitted Temporary Buildings, Structures, and Uses

1. Construction Buildings and Structures:
   a. Damage: Temporary buildings and structures are permitted incidental to construction work during renovation of a permanent building damaged by fire, flood, windstorm, or other such natural disasters or vandalism. The temporary building or structure must be removed when repair of fire damage is complete, but in no case shall it be located on the lot or parcel for more than six (6) months, nor more than fifteen (15) days after the issuance of a Certificate of Occupancy.
   b. New Construction: Temporary buildings and structures are permitted incidental to construction work, except for the construction of single-family dwellings, and shall be removed within fifteen (15) days after the issuance of a Certificate of Occupancy. In no case shall the building or structure be allowed more than twelve (12) months unless expressly authorized after petition to the Zoning Board of Appeals.

2. Churches & Schools: Temporary buildings incidental to a church or school are permitted provided that all wiring, plumbing, fire protection and exits are approved by the Fire Chief and Building Inspector, and by relevant state agencies.

3. Garage Sales: Garage sales, rummage sales, yard sales, moving sales, and similar activities shall be considered temporary accessory uses within any residential zoning district. Such sales shall not require a temporary zoning permit provided the following conditions are met:
   a. Any single garage sale, rummage sale or similar activity shall be allowed for a period not to exceed three (3) days.
   b. In no instance shall more than two (2) garage sales, rummage sales or similar activity be held in any one location within any twelve (12) month period.
   c. All such sales shall be conducted a minimum of thirty (30) feet from the front lot line and fifteen (15) feet from a side lot line.
   d. No garage sale or similar activity shall be conducted before 8:00 a.m. or continue later than 9:00 p.m.
   e. Items purchased specifically for the sale are prohibited.
   f. All signs advertising a garage sale shall be removed within twenty-four (24) hours of the conclusion of said garage sale or similar activity.

4. Temporary Real Estate Offices: Temporary real estate offices are permitted within approved development projects. No cooking or sleeping accommodations shall be maintained. The permit shall be valid for not more than one (1) year, but is renewable. The office shall be removed upon completion of the development of the project. A model home may be used as a temporary sales office.

5. Auctions: The public sale of property to the highest bidder shall be permitted on a parcel or lot for not more than five (5) days and no sales activity shall occur within thirty (30) feet of any street or road right-of-way.

6. Firewood Sales: Firewood sales shall be limited to firewood cut from that parcel or lot only, except in a Commercial District. Storage of firewood for sale and use by persons off the premises shall be restricted to side and rear yards.

7. Other Temporary Uses: Other temporary uses may be permitted pursuant to subsection (A) above, except that the Zoning Administrator may defer action to the Planning Commission.

Section 18.21: TEMPORARY DWELLINGS

A. The Zoning Administrator may issue a temporary zoning permit for a mobile home, subject to (1) below. A performance guarantee in the amount to be established by the Township Board shall be required from the property owner prior to placing a mobile home for temporary use, to ensure removal of the mobile home at termination of the permit.

1. Emergency Housing: When a dwelling is destroyed by fire, collapse, explosion, Acts of God, or acts of a public enemy to the extent that it is no longer safe for human occupancy, as determined by the Township Building Inspector, a temporary zoning permit may be issued to allow a mobile home to be placed on the property upon the request of the owner. Said permit shall be in effect for no more than one (1) year, any extension must be approved by the Zoning Board of Appeals who may grant the same for a period of not more than one (1) year during which time a permanent dwelling shall be erected on the property. The mobile home shall be removed within fifteen (15) days of occupancy of the permanent dwelling or the permitted time limit for the temporary dwelling has expired, which ever comes first.

B. A temporary zoning permit for a temporary dwelling shall not be granted, for any reason, unless the Zoning Administrator finds:
   1. Evidence that the proposed location of the temporary dwelling will not be detrimental to property within three-hundred (300) feet of the parcel intended to be the location of the temporary dwelling.
   2. Proposed water supply and sanitary facilities have been approved by the County Health Department where necessary.
   3. All applicable setback requirements within said district are met.
   4. All wiring, plumbing, fire protection and exits are approved by the Fire Chief and Building Inspector, and by relevant state agencies.
Section 18.22: SINGLE FAMILY DWELLING STANDARDS
All single family dwellings shall comply with the following standards.

A. Area and Elevation: A single family dwelling shall have a minimum gross floor area of eight hundred (800) square feet, excluding basement and garage areas, and an additional one hundred (100) square feet of floor area shall be provided for each bedroom in excess of one (1). A single family dwelling shall have a minimal front, side, and rear elevation width of twenty (20) feet. Single family dwellings shall comply in all respects with applicable building codes, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with a federal or state standards or regulations for construction (as in the case of mobile homes) and where such standards or regulations for construction are different than those imposed by the Building Codes, then and in that event such federal or state standard or regulation shall apply.

B. Foundation and Walls: All dwellings shall be firmly attached to a permanent foundation wall constructed on the site in accordance with the Building Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable Building Code for such dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device, and shall be set on a concrete footing with a masonry wall extending from perimeter to ground.

C. Mobile Home Installation: In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage or chassis.

D. Potable Water Supply and Waste Water Disposal: All dwellings shall be connected to a public sewer and water supply or to such private facilities approved by the Washtenaw County Health Department.

E. Storage: All dwellings shall contain storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure similar to or of better quality than the principal dwelling, which storage area shall be a minimum of ten (10) percent of the gross floor area of the dwelling.

F. Building Permit Required: All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Building Code provisions and requirements.

G. Mobile Homes in a Licensed Mobile Home Park: The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by State and Federal law or otherwise specifically required in this ordinance pertaining to mobile home parks.

Section 18.23: FRONT YARD and WATER BODY SETBACKS

A. Front-Yard Setback: The required front-yard setback for all lots and parcels shall be twenty-five (25) feet in the Lakes Residential (LR) District and thirty-five (35) feet in all other zoning districts unless otherwise provided for below:

1. The required front yard setback shall be a minimum of eighty (80) feet for any yard abutting the following roads:
   a. Brand Road  b. Colby Road  c. Dancer Road
   d. Dexter Townhall Road  e. Donner Road  f. Dexter Pinckney Road
   g. Fleming Road  h. Hankerd Road  i. Huron River Drive
   j. Island Lake Road  k. Lima Center Road  l. Madden Road
   m. McGregor Road  n. McKinley Road  o. North Territorial Road
   p. Quigley Road  q. Riker Road  r. Stofer Road
   s. Stinchfield Woods Road  t. Toma Road  u. Waterloo Road
   v. Wylie Road

2. The required front yard setback shall be a minimum of fifty (50) feet for any yard abutting the following roads:
   a. Bell Road  b. McGuinness Road  c. Noah Road  d. North Lake Road  e. Silver Hill Road

B. Surface Water Body Setbacks: Unless permitted elsewhere in this Ordinance, all lots and parcels shall maintain a minimum fifty (50) foot setback between water bodies, structures, and parking areas and the ordinary high water mark of a surface water body. This requirement shall not apply to boat docks, and boat launching ramps where so permitted within the zoning district.

Section 18.24: CONDOMINIUM SUBDIVISIONS

A. Purpose: The purpose of this Section is to insure that subdivision plans for developments within Dexter Township proposed under the provisions of the Condominium Act, Act 59 of the Public Acts of 1978, shall be reviewed with the objective and intent of achieving the same characteristics and land use result as if the development and improvements therein were being proposed pursuant to the Subdivision Control Act, Act 288, of the Public Acts of 1967 as amended, including, without limitation, conformance with all site development requirements of the zoning district within which the development is proposed. Nothing in this Ordinance shall be construed as requiring a Condominium Subdivision to obtain plat approval under the Dexter Township Subdivision Regulation Ordinance.
B. Procedures For Review And Approval: A condominium subdivision shall be reviewed and approved according to the procedures and requirements of Article 6 for site plan review, except as provided for in this Section. No construction for a condominium subdivision shall be initiated until a final site plan has been approved for the condominium project, and no construction for dwellings or other buildings shall be initiated until a plot plan or site plan has been approved for the particular dwelling or building.

1. Preliminary Plan: The applicant shall submit a preliminary site plan of the condominium subdivision project which shall be reviewed and acted upon according to the provisions of Section 6.04(A) and (B). The Zoning Administrator shall forward a copy of the preliminary site plan to the Washtenaw County Site Condominium Advisory Committee and the Planning Commission, engineering plans have been approved by the Township Engineer, and any required deposits and fees have been received by the Township.

a. A statement of intended specific uses and locations thereof in the proposed condominium subdivision, including single family residences, two-family residences, multiple family dwellings, and common elements.

b. A map of the entire area scheduled for development if the proposed condominium subdivision is a portion of a larger parcel intended for subsequent development and staging of development of the entire subdivision as well as the relation of each stage to the entire condominium subdivision shall be clearly shown.

c. A location map showing the relationship of the proposed project to the surrounding area and showing connections with adjoining platted streets and layout of condominium units adjacent to the exterior lot lines of the condominium subdivision project.

d. Streets, street names, alleys, sidewalks, right of way and roadway widths as well as surfacing of all streets. The locations, widths, names of any existing streets within or adjacent to the proposed condominium subdivision, as well as county drains, water courses, railroads, section lines, existing structures, and similar physical elements shall also be identified.

e. Identification of all proposed condominium unit boundaries and the total number of units, shown by numerical order commencing with Number 1 and with no omissions or duplications. All setback requirements for each condominium unit shall also be shown as well as any lands reserved for common use and any conditions related to such common use.

f. Statement describing the sewage system and method to be approved by the County Health Department. If private septic systems are to be utilized, such systems shall be contained within the lot area, and shall be limited to the exclusive use of the owner of the condominium unit.

g. The location and size of all existing and proposed sanitary sewer, storm sewer and water supply facilities, points of connection to existing lines, elevations and grades of such lines, direction of flow, location of valves and hydrants as well as location of gas, electric, telephone, and any other utility lines.

h. Right of way easements, showing locations widths, and purpose.

i. Street lighting standards, street trees, curbs, water mains, sanitary sewer and storm drains, man-holes, catch basins and underground conduits.

j. In the case where the applicant wishes to develop a given area, but wishes to begin with only a portion of the total area, the preliminary plan shall include the proposed general layout for the entire area. The part which is proposed to be developed first shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development which the applicant intends to follow. Each subsequent development shall follow the same procedure until the entire area controlled by the applicant is subdivided. Each phase of the development shall not exceed, on a cumulative basis, the average density allowed for the entire development.

2. Final Site Plan:

a. The proposed final site plan shall be submitted and reviewed according to Section 6.04(C) through (F) and shall include all information required by Section 6.03(B) and Section 18.24(B)(1) above, and the following additional information:

1) Final engineering plans which shall include plans and information in sufficient detail for the Township and appropriate consultants to determine compliance with all applicable laws, codes, ordinances, rules, and regulations, enforceable by the Township and any conditions applied as part of the Township's review under this Ordinance.

2) A subdivision plan meeting the requirements of Section 66 of the Condominium Act, Act 59 of 1978, as amended.

3) The proposed Master Deed as required by State law and any additional documentation to be recorded with the Register of Deeds and filed with the Clerk.

b. All provisions of the approved final site plan must be incorporated, as approved, in the Master Deed for the condominium project. A copy of the Master Deed as filed with the Washtenaw County Register of Deeds for recording must be provided to the Township Clerk within ten (10) days after such filing with the County.

c. Approval of the final site plan shall be effective for a fixed period of time, as defined in Section 6.04(H).

C. Construction:

1. No installation or construction of any improvements shall be made before the final site plan has received approval of the Planning Commission, engineering plans have been approved by the Township Engineer, and any required deposits and fees have been received by the Township.

2. Approval of the final site plan shall confer upon the developer for a fixed period of time, as defined in Section 6.04(H), a right that all existing zoning regulations shall remain unchanged as they apply to the property included in the final condominium subdivision site plan.
3. A permit for construction of buildings shall be issuable at such time as all improvements for the project have been constructed and plot plan or site plan approval has been granted for the specific building or buildings to be constructed, provided, however, the Planning Commission may determine that certain improvements need not be constructed prior to issuance of a building permit on the condition that all improvements will be completed prior to issuance of certificate of occupancy and the developer posts a performance guarantee per Section 3.05 of this Ordinance in the form and amount determined appropriate by the Planning Commission following advice of Township consultants, for the timely completion of such improvements. No permits shall be issued unless there is compliance with all applicable laws, ordinances, and regulations of governmental bodies having jurisdiction. Prior to the issuance of building permits, the developer shall demonstrate approval by County and State entities having jurisdiction with regard to any aspect of the development, including, without limitation, water supply and sewage disposal.

D. Conformity to Dexter Township Subdivision Regulation Ordinance: All site condominiums shall conform to the design, layout, and improvement standards, and financial guarantee requirements, of the Dexter Township Subdivision Regulations Ordinance, as amended, which is incorporated herein by reference. All references to the term “lot” in the Dexter Township Subdivision Regulations Ordinance shall be interpreted to mean “condominium unit” as it applies to this requirement.

E. Road Construction: All streets within a condominium subdivision should be dedicated to the Washtenaw County Road Commission and designed and constructed in conformance with all standards and requirements of the Road Commission. Private roads may be an alternative to public dedicated roads where such roads are designed to assure public health, safety and welfare, and adequate provisions are made for the continuous maintenance of such roads.

F. Revisions: Revisions to the approved master deed and by-laws shall occur only after approval of such proposed changes by the Planning Commission. Revisions to the approved site plan shall occur only after approval of such proposed changes by the Planning Commission according to Section 6.07. Any proposed changes to the approved condominium subdivision plan shall be subject to review and approval by the Planning Commission as a major amendment to the permit.

G. Monuments: The condominium subdivision shall be monumented in the same locations as required by Section 125 of the Michigan Subdivision Control Act for platted subdivisions. The Township may grant a delay in the setting of required monuments or irons for a reasonable period not to exceed one (1) year provided a performance guarantee is accepted by the Township according to Section 3.05 of this Ordinance.

H. Easements and Rights of Way: The condominium subdivision site plan shall describe road rights of way separately from the individual condominium lots and such descriptions shall be accurately delineated by bearings and distances on the condominium subdivision plan and final site plan. The rights of way shall be for roadway purposes and for the purposes of locating, installing, maintaining, and replacing of public facilities. The developer shall dedicate easements to the appropriate public authority for all public water and sanitary sewer lines and appurtenances.

I. Phased Development: For developments where construction is to occur in phases, that portion which is constructed shall conform with all laws, ordinances and regulations of all governmental bodies having jurisdiction, and be capable of functioning independently without further improvements, including, without limitation, the necessity of constructing any additional roads, drainage or utilities.

J. Conformance to Site Development Standards: All condominium units in a condominium subdivision shall conform to all provisions of this Ordinance regarding site development standards for “lots,” for the zoning district in which it is located, including minimum lot area and width, and any subsequent division or joining of condominium units shall similarly conform to such standards. See definition of “condominium unit” in Article 2.

Section 18.25: PUBLIC NOTICE SIGNS

A. The applicant for a rezoning, special use, variance or other matter requiring a public hearing shall provide public notice of the public hearing by placement and continuous maintenance on the subject property, in a conspicuous location viewable from the adjoining street(s), a weatherproof sign(s) meeting the following requirements:
   1. The sign shall be at least two (2) feet by three (3) feet in front surface area, except in the case where the action sought involves an application for a rezoning or special land use, in which case the sign shall be at least four (4) feet by eight (8) feet.
   2. The sign shall be mounted at least four (4) feet above ground level, and within five (5) feet of the adjacent road right-of-way.
   3. The sign shall comply with Section 22.03(E).
   4. The sign shall contain, at a minimum, the following information:
      a. The date, time and place where the public hearing will be held.
      b. The nature of the action being considered (rezoning, special land use, variance, etc.).
      c. The address and phone number of the Township Hall with a statement indicating the Hall as the source for additional information.

B. Said notice shall be posted not less than fifteen (15) days prior to the public hearing and shall remain posted until the conclusion of the public hearing. Failure to comply, or the malicious destruction of the sign, shall not render the public hearing invalid.

C. Signs posted pursuant to this Section are exempt from the sign permit requirements of Section 22.09.

Section 18.26: SALE OF VEHICLES, RECREATION VEHICLES, AND BOATS

Motor vehicles, boats, and recreational vehicles may be sold only on a lot of a dealer licensed in the State of Michigan for such sales, or on a lot owned by the registered owner of the motor vehicle, boat, or recreational vehicle to be sold, provided such sale shall be made by the registered owner.
Article 19
NONCONFORMING USES, LOTS, and STRUCTURES

Section 19.01: PURPOSE
It is the intent of this Article to permit nonconforming lots, structures and uses lawfully existing at the time of adoption of this Ordinance or subsequent amendment thereto to continue until they are removed or discontinued, and to provide for their maintenance and repair but not their expansion, enlargement, extension or other alteration which in any way increases its nonconformity, except as otherwise provided by this Article.

Section 19.02: NONCONFORMING LOTS
A. In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single family dwelling and customary accessory structures may be erected on any single lot of record in existence at or before the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area, width, and/or frontage, that are generally applicable in the district; provided that yard dimensions, setbacks and other requirements not involving area, width, and/or frontage, shall conform to the regulations for the district in which such lot is located, unless a yard requirement variance is obtained through approval of the Zoning Board of Appeals.

1. If two or more lots or combinations of lots and portions of lots (see definition of “lot”) with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements established for area, width, and/or frontage, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance and no portion of said parcel shall be used or divided in a manner which diminishes compliance with lot width, frontage, and area requirements established by this Ordinance. This provision shall not apply to lots of record lawfully created prior to the effective date of this Ordinance where such lots meet the following conditions:
   a. Meet the minimum lot area requirements of the zoning district or is at least one (1) acre, whichever is smaller.
   b. Have a minimum of sixty-six (66) feet of frontage on a public or approved private road, or a permanent access easement of record, meeting the requirements of the Dexter Township Private Road Ordinance.
   c. The minimum distance between side lot lines meets the minimum lot width requirements across a minimum of sixty percent (60%) of the lot area.

Section 19.03: NONCONFORMING USES OF LAND
Where, at the effective date of adoption or amendment of this Ordinance, a lawful use of land exists that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:
A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
B. No such nonconforming use shall be moved or extended in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance.
C. If such nonconforming use of a parcel or lot ceases for any reason for a period of more than one hundred eighty (180) consecutive days, such nonconforming use shall not be renewed and the subsequent use of such parcel or lot shall conform to the regulations of the district in which such parcel or lot is located.
D. See also Section 3.03(D).

Section 19.04: NONCONFORMING STRUCTURES
Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yard setbacks, or other characteristics of the structure or location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:
A. No such structure may be enlarged or altered in a way which increases its nonconformity, but the use of a structure and/or the structure itself may be changed or altered to a use permitted in the district in which it is located, provided that all such changes are also in conformance with the requirements of the district in which it is located. Furthermore, any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use, and which existed at the time for adoption or amendment of this Article, but no such use shall be extended to occupy any land outside such building.
B. Should such structure be destroyed, repaired, renovated, or otherwise altered, by any means, and to any extent including the razing of such structure, it may be reconstructed, repaired, renovated or altered provided that it is not enlarged or otherwise altered in any way which increases its nonconformity as it existed prior to being destroyed, repaired, renovated, or otherwise altered. Such reconstruction, repair, renovation or alteration shall commence within two (2) years of the date of damage and shall be diligently pursued to completion. Reconstruction, repair, renovation or alteration of existing structures that were damaged prior to the effective date of this amendment [May 5, 2011] shall be commence within (2) years of the effective date of this amendment [May 5, 2011]. Failure to complete replacement shall result in the loss of legal nonconforming status.
1. Where such construction does not result in a change in the structure’s foundation footprint, elevation profile, or square footage, as it existed prior to being destroyed, repaired, renovated, or otherwise altered, no construction shall be initiated until the applicant has submitted and received plot plan approval from the Zoning Administrator pursuant to Article 6.

2. Where such construction would result in a change in the structure’s foundation footprint or elevation profile as it existed prior to being destroyed, repaired, renovated, or otherwise altered, no construction shall be initiated until the applicant has received approval from the Zoning Administrator that such construction shall not in any way increase the structure’s nonconformity as it existed prior to being destroyed, repaired, renovated, or otherwise altered, and has received plot plan approval and a zoning permit from the Zoning Administrator pursuant to Article 6.

3. In the case where the Zoning Administrator finds a proposed increase in the nonconformity, the applicant may seek a variance pursuant to Article 4. No construction shall be initiated unless the applicant has obtained such variance, and plot plan approval and a zoning permit from the Zoning Administrator pursuant to Article 6.

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

D. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.

E. Where nonconforming status applies to a structure and use in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land, and all subsequent uses and structures on the land shall conform to the applicable district regulations. This subsection shall not apply to nonconforming residential structures and uses.

Section 19.05: CHANGE in NONCONFORMING USES
Irrespective of other requirements of this Article, if no structural alterations are made, any nonconforming use of a structure and premises may be changed to another nonconforming use of similar or less nonconformance, provided that the Zoning Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this Article. Where a nonconforming use, structure, or use and structure in combination is hereafter changed to a less nonconforming character, it shall not thereafter be changed to a greater nonconforming character.

Section 19.06: REPAIRS and MAINTENANCE
On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding twenty-five (25) percent of the building’s replacement cost prior to the initiation of repairs, exclusive of foundations, provided that the cubic content of the building as it existed at the time of passage or amendment of this Article shall not be increased. Nothing in this Article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 19.07: CHANGE of TENANCY or OWNERSHIP
A change of tenancy or ownership of a nonconforming use is allowed provided there is no increase in the degree of nonconformance of the nonconforming use.

Section 19.08: DISTRICT CHANGES
Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of another classification, the provisions of this Article shall also apply to any existing uses that become nonconforming as a result of the boundary changes.

Section 19.09: HARDSHIP CASES
Nonconforming buildings or structures may be structurally changed, altered or enlarged with the approval of the Zoning Board of Appeals when the Zoning Board of Appeals finds that the request is a case of exceptional practical difficulty in which failure to grant the relief requested would unreasonably restrict continued use of the property or would restrict valuable benefits that the public currently derives from the property as used in its nonconforming status, except that any approval for structural changes, alteration or enlargement may be granted only with a finding by the Zoning Board of Appeals that approval will not have an adverse affect on surrounding property and that it will be the minimum necessary to relieve the practical difficulty.

Section 19.10: ILLEGAL NONCONFORMING USES
Nonconforming uses of structures or land existing at the effective date of this Ordinance that were established without approval of zoning compliance or without a valid building permit, or those nonconforming uses which cannot be proved conclusively as existing prior to the effective date of this Ordinance, shall be declared illegal nonconforming uses and are not entitled to the status and rights accorded legally established nonconforming uses.

Section 19.11: PERMITS
Permits for construction on, expansion of, or substitution of nonconforming lots, uses or structures require a Zoning Permit pursuant to Section 3.03(D). Other permits and approvals may also be required.

End of Article 19

Dexter Township Zoning Ordinance
Article 19: Nonconforming Uses, Lots, and Structures
19-2
Article 20
ACCESS CONTROLS

Section 20.01: PURPOSE
The purpose of this Article is to provide standards which will facilitate safe and efficient traffic movement and vehicular access in the Township. The standards contained herein are intended to protect the public health, safety, and welfare, including minimizing congestion and the potential for crash or collision or other vehicular or pedestrian accidents, and better assuring accessibility to property under emergency conditions. The regulations and standards of this Article apply to all properties in the Township.

Section 20.02: CURB CUTS and DRIVEWAYS
Curb cuts and driveways accessing public roads shall be located only upon the approval of the County Road Commission and appropriate state authorities as required by law; provided, however, such approval shall not be given where such curb cuts and driveways shall cause an unreasonable increase in traffic hazards, including but not limited to allowing adequate sight distance for ingress and egress.

A. All plans for structures to be erected, altered, moved or reconstructed, and use of premises within the Township shall contain a plan for the proposed driveway access to the premises which shall be part of the plot plan or site plan pursuant to Section 6.03. Said plan shall be approved by the Zoning Administrator, or the Planning Commission in the case of a site plan, prior to the issuance of a building permit. No such plan shall be approved unless such driveway access is onto a dedicated public street or an approved private road. Driveways shall, at a minimum, meet the following standards:
1. Culverts shall be installed in line with and on the same grade as the road ditch where such road ditch exists.
2. Drives shall enter perpendicular to the existing public street or private road.
3. No portion of the driveway entrance within the right-of-way shall have a grade of greater than ten (10) percent (1 foot vertical rise in 10 feet of horizontal distance).
4. Residential driveways shall be a minimum of fifty (50) feet from the nearest right-of-way line of an intersecting road or street and, except in the case of a shared driveway approved pursuant to Section 20.05, shall be a minimum of five (5) feet from a side lot line (see Figure 20-1).
5. Vehicle ingress and egress points shall not be closer than one hundred (100) feet to the intersection of any two (2) public streets (See Figure 20-1), or closer than eighty (80) feet to an adjacent driveway within a Commercial or Industrial district.
6. All driveways leading to dwellings or garages shall have a compacted gravel or paved surface, and shall be designed to minimize erosion. Driveways shall not discharge runoff onto adjacent properties, or upon adjacent roads where the point of discharge could accelerate on-site or off-site erosion, ponding, and/or vehicular or pedestrian hazards. The applicant or applicant’s contractor shall certify in writing that the completed driveway complies with this subsection.
7. Residential driveways shall be a minimum of ten (10) feet wide.
B. No final Certificate of Zoning Compliance shall be issued for a lot which does not comply with the curb cut and driveway provisions of Section 20.02.
C. All parking and drive areas associated with a commercial land use in a commercial district shall be paved.
D. The location of new driveways shall conform with road improvement plans or corridor plans that have been adopted by the Planning Commission and/or Township Board.
E. No driveway shall serve more than one (1) single family dwelling or more than one (1) dwelling unit in a two family dwelling, except where expressly authorized otherwise by this Ordinance.
F. No driveways providing access to nonresidential uses and structures shall cross residually-zoned property.

Section 20.03: LOTS to HAVE ACCESS
All parcels or lots hereinafter created in the Township shall have frontage on a public street, a shared driveway approved by the Zoning Administrator or Planning Commission, as applicable, or a private road approved by the Township Board pursuant to the Dexter Township Private Road Ordinance, and take their lot access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking. In a platted subdivision or condominium subdivision, corner lots shall take their access from an approved private road or approved public street. Wherever a corner lot exists at the intersection of two (2) major thoroughfares, then access shall be taken from the thoroughfare presenting the least hazard.
Section 20.04: CLEAR VISION ZONE:
No fence, wall, hedge, screen, sign, structure, or vegetation shall be higher than three (3) feet above road grade on any corner lot or parcel within the triangular area formed by the intersecting road right-of-way lines and a straight line joining the two intersecting right-of-way lines at points which are thirty (30) feet from their point of intersection measured along the right-of-way lines (See Figure 20-2). No fence, wall, hedge, screen, sign, structure, or vegetation shall be higher than three (3) feet above road grade on any lot or parcel within the triangular area formed by the intersecting lines of a driveway edge and road right-of-way line and a straight line joining the two intersecting lines at points which are twenty (20) feet from their point of intersection, measured along the right-of-way line and driveway edge (See Figure 20-3).

Section 20.05: SHARED DRIVEWAYS
A. Application and Review:
1. Application: Shared driveways require approval, subject to an application. An application for a shared driveway shall include the following:
   a. A plot plan drawn to a scale of not less than one inch equals 100 feet (1” = 100’) delineating the proposed alignment of the driveway and the lots it is to serve. The Township Engineer may require additional data to be submitted, such as existing topography, proposed grades, and soil conditions, where the driveway is to serve more than two (2) lots and such data is needed to determine the adequacy of the proposed driveway.
   b. Maintenance agreement signed by applicant/owner(s) and approved by the Township Attorney, to be recorded with the Township Clerk and County Register of Deeds providing for:
      1) A method of initiating and financing such shared driveway in order to keep the shared driveway up to the specifications of this Section.
      2) A workable method of apportioning the costs of maintenance and improvements to current and future lots along such shared driveway.
   c. Easement agreement signed by the applicant/owner(s) and approved by the Township Attorney, to be recorded with the Township Clerk and County Register of Deeds providing for:
      1) Easements to the public for purposes of emergency and other public vehicles for whatever public services are necessary.
      2) A provision that the owners of any and all of the property using the shared driveway shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress, egress, public utilities, and use by any of the other owners. Normal ingress and egress and use shall include use by family, guests, invitee, vendors, tradesman, delivery persons, emergency vehicles, and others bound to or returning from any of the properties having a need to use the driveway.
   d. Restrictive covenants or other legally binding tool, found acceptable by the Township Attorney and to be recorded with the Township Clerk and County Register of Deeds, prohibiting any division of lots served by the shared driveway from being further divided in excess of the maximum permitted number of lots served by such shared driveway, according to subsection (B)(3) below.
2. Review: The approving body for an application for a shared driveways shall be the Planning Commission except that the approving body for an application for a shared driveways serving only two (2) lots shall be the Zoning Administrator. The respective approving body shall forward all relevant application materials for review and comment to the Fire Chief, Township Attorney, and Township Engineer. Upon a finding that the application materials conform to the requirements and standards of this Section and Ordinance, the approving body shall approve, or approve with conditions, the application. Decisions by the approving body shall be made within sixty (60) days of the receipt of the completed application unless, in the opinion of the approving body, an extension of time is necessary to adequately collect and review information pertinent to a decision.
B. Standards: Shared driveways shall comply with the following standards in addition to all other applicable standards of this Ordinance:
1. The driveway surface shall be a uniform minimum twelve (12) feet wide, measured edge to edge, with eighteen (18) feet wide passing flares provided at least every three hundred (300) feet. Passing flares shall be at least sixty (60) feet in length (See Figure 20-4).
2. The shared driveway shall not exceed one thousand feet (1,000’) in length.
3. The shared driveway shall not serve more than four (4) dwelling units.
4. All addresses served by the shared driveway shall be clearly marked at its point of intersection with a road, and such addresses shall also be clearly marked at any location a private driveway splits from the shared driveway.
5. No shared driveway shall be posted with a name.
6. Shared driveways shall comply with the requirements and standards of Section 20.02(A), (B), (D) and (F).
7. Shared driveways more than one hundred fifty (150) feet in length shall include an area dedicated to emergency vehicle turnaround that meets the standards of the International Fire Code, which may be amended from time to time.
Figure 20-1
DRIVEWAY SETBACK FROM PUBLIC ROAD

Figure 20-2
CLEAR VISION AREA ALONG PUBLIC ROAD
Figure 20-3
CLEAR VISION AREA FOR DRIVEWAYS

Figure 20-4
SHARED DRIVEWAYS

End of Article 20
ARTICLE 21
OFF-STREET PARKING AND LOADING

Section 21.01: PURPOSE
It is the purpose of this Ordinance that parking spaces shall be provided and adequately maintained by each property owner in every zoning district for the off-street storage of motor vehicles for the use of occupants, employees and patrons of each building and premise constructed, altered or enlarged under the provisions of this Ordinance. In order to prevent undue interference with public use of streets and alleys, every facility customarily receiving or distributing goods by motor vehicle shall provide space for such receiving or distributing.

Section 21.02: GENERAL REQUIREMENTS
A. Fractional Space: When units of measurement determining the number of required parking spaces result in a fractional space, any fraction to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) parking space.
B. Requirements for a Use Not Mentioned: In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is mentioned and which is most similar to the use not listed shall apply. The Planning Commission shall make this determination and a record of the rationale applied documented in a file established for that purpose. An appeal may be taken to the Zoning Board of Appeals.
C. Use of Parking Areas: No commercial repair work, servicing or selling of any kind shall be conducted in any parking area or parking garage. Parking space shall be used only for the parking of vehicles used to service the establishment to which it is accessory and by its patrons.
  1. No sign shall be erected in parking areas other than not more than one directional sign at each point of ingress or egress, such sign may also bear the name of the enterprise the lot is intended to serve. Such signs shall not exceed three (3) feet in height and six (6) square feet in area and shall not project beyond the property line of the premises.
D. Building Additions or Other Increases in Floor Area: Whenever a use requiring off-street parking is increased in floor area, or when interior building modifications result in an increase in capacity for any premise use, additional parking shall be provided and maintained in the proper ratio to the increased floor area or capacity.
E. Location and Joint Use of Parking Areas: All off-street parking areas shall be located on the same lot, or on the adjacent premises in the same district as the use they are intended to serve. The joint use of parking facilities by two or more uses may be granted by the Planning Commission whenever such use is practical and satisfactory to each of the uses intended to be served, and when all site development requirements of Section 21.04 are met.
  1. Computing Capacities: In computing capacities of any joint use, the total space requirement is the sum of the individual requirements that will occur at the same time. If space requirements for individual uses occur at distinctly different times, the total of such off-street parking facilities required for joint or collective use may be reduced below the sum total of the individual space requirements.
  2. Record of Agreement: A copy of an agreement between joint users shall be filed with the application for a zoning permit and a copy shall be recorded with the Register of Deeds of the County upon approval of the application. The agreement shall include a guarantee for continued use of the parking facility by each party.
F. Queued Vehicles: There must be a minimum of fifty (50) linear feet of on-site storage to accommodate queued vehicles waiting to park or exit the site without using any portion of the public street right-of-way or in any other way interfering with street traffic. The Planning Commission may increase this length to no more than one hundred fifty (150) feet where the Planning Commission feels the minimum required fifty (50) foot distance will not adequately address public safety issues due to anticipated traffic patterns and/or types of vehicles.
G. Decrease in Parking Areas: No off-street parking area or parking space which exists at the time this Ordinance becomes effective or which subsequent thereto is provided for the purpose of complying with this Ordinance shall thereafter be relinquished or reduced in any manner below the requirements established by this Ordinance unless additional parking area or space is provided sufficient to meet the requirements of this Article and Section 6.07.
H. Permitted Vehicles in Residential Areas:

1. No more than one (1) commercial vehicle may be parked or stored outdoors on a lot in a Agricultural or Residential district and such commercial vehicle shall not have a gross vehicle weight rating in excess of ten thousand (10,000) pounds unless the lot or parcel is currently under construction and such construction requires the use of such vehicles. Under no conditions are semi-tractors or trailers, or such earth moving equipment as sand and gravel hauling trucks, bulldozers, backhoes, and graders permitted to be parked or stored outdoors in an Agricultural or Residential District unless upon a lot or parcel currently under construction and such construction requires the use of such vehicles. The provisions of this subsection shall not prohibit the parking or storing of agricultural or commercial vehicles and machinery on a lot or parcel devoted to commercial agriculture for which the agricultural or commercial vehicles and/or machinery is used, nor shall these provisions prohibit the storing of buses for school or church use on parcels on which such facility is located provided such storage does not occur within any required yard setback area or in a front yard.

2. No more than two vehicles prohibited under subsection (H)(1) above may be parked or stored on a lot or parcel in an Agricultural or Residential District provided such parking or storage is within a completely enclosed building located on the parcel or lot of the registered owner of such vehicles(s), and such vehicle(s) is not for sale or hire. The provisions of this subsection shall not prohibit the parking or storing of agricultural or commercial vehicles and machinery on a lot or parcel devoted to commercial agriculture for which the agricultural or commercial vehicles and/or machinery is used, nor shall these provisions prohibit the storing of buses for school or church use on parcels on which such facility is located provided such storage does not occur within any required yard setback area or in a front yard.

3. The outdoor storage of motor homes, travel trailers, pick-up campers, or recreational vehicles for more than thirty (30) days in a period of twelve months is prohibited except in the Agricultural District and Rural Residential Districts, provided the lot or parcel is a minimum of one (1) acre in size, such storage does not occur within any required yard setback area or in a front yard, and the vehicle is registered to a person residing on the lot or parcel.

4. The outdoor storage of motor homes, travel trailers, pick-up campers, or recreational vehicles is permitted in the Lakes Residential District provided such storage does not exceed thirty (30) days in a period of twelve months and such storage does not occur within any required yard setback area or in a front yard, and the vehicle is registered to a person residing on the lot or parcel.

Section 21.03: PARKING SPACE REQUIREMENTS
The following identifies the number of required off-street parking spaces in all districts, by land use type. Such parking spaces shall be located on the lot or parcel upon which the land use is located unless joint use of parking areas is permitted according to Section 21.02(E). In addition to the parking spaces required below, an additional one (1) parking space shall be provided for each employee of the largest work shift.

A. Residential Uses:

1. One and Two Family Dwellings: Two (2) spaces for each single family dwelling unit, except that dwellings in the Lakes Residential District shall have one (1) space for each bedroom.

2. Multiple Dwellings: Two (2) spaces for each multiple family dwelling unit plus one space per five (5) units for guest parking.

3. Mobile Home Park: Two (2) spaces for each mobile home site plus one (1) space per three (3) units for guest parking.

4. Group Homes (adult foster care): One (1) space for every three (3) residents of the home.

B. Commercial Uses:

1. Automobile Service and Repair Stations: Two (2) spaces for each repair and service stall (a service stall is not considered a parking space).

2. Barber Shops and Beauty Parlors: Two (2) spaces for each beauty and/or barber chair.

3. Bowling Alleys: Two (2) spaces for each alley.

4. Clinics: Two (2) spaces for each examination or treatment room.

5. Clothing, Furniture, Appliance, Hardware, Automobile, Machinery Sales, Shoe Repair, Personal Services (other than beauty and barber shops): One (1) space per four hundred (400) feet of gross floor area.

6. Commercial and Institutional Recreational Facilities: One (1) space per two (2) patrons based on the maximum capacity of the facility as determined by the Building Inspector. If the number of parking spaces cannot accommodate the maximum capacity of the facility as determined by the Building Inspector, the Planning Commission or Zoning Administrator shall lower the allowable capacity accordingly.

7. Convalescent Homes, Convents or Similar Uses: One (1) space for each six (6) beds.

8. Dance Halls, Pool and Billiard Rooms: Dance Halls, Pool and Billiard Rooms: One (1) space for every two (2) persons allowed based on the maximum capacity of the facility as determined by the Building Inspector. If the number of parking spaces cannot accommodate the maximum capacity of the facility as determined by the Building Inspector, the Planning Commission or Zoning Administrator shall lower the allowable capacity accordingly.

9. Drive-In Banks, Cleaners, Car Laundries, and Similar Businesses: Stacking space for five (5) cars between the drive-through stand or window and any abutting public right-of-way or sidewalk.
10. Drive-in Restaurants or Fast-Food Restaurants: One (1) space for every four (4) seats, plus sufficient area for eight (8) stacking spaces for drive-in windows.

11. Funeral Homes and Mortuaries: One (1) space for every twenty-five (25) square feet of floor area of chapels and assembly rooms.

12. Kennels: One (1) space for each five (5) animals of the facility's capacity.

13. Laundromat: One (1) space for every three (3) washing or drying machines.

14. Miniature or Par 3 Golf Courses: Three (3) spaces for each hole.

15. Motels, Auto Courts, Tourist Homes: One (1) space for each sleeping unit.

16. Private Recreational Facilities: Private Recreational Facilities: One (1) space for every six (6) potential members based on the capacity of the facility as determined by the Building Inspector. If the number of parking spaces cannot accommodate the maximum capacity of the facility as determined by the Building Inspector, the Planning Commission or Zoning Administrator shall lower the allowable capacity accordingly.

17. Retail Stores, (except as otherwise specified herein): One (1) space for every three hundred (300) square feet of gross floor area.

18. Standard Restaurants, Cafeterias, Taverns, Bars: Standard Restaurants, Cafeterias, Taverns, Bars: One (1) space for every two (2) seats up to the capacity of the facility as determined by the Building Inspector. If the number of parking spaces cannot accommodate the maximum capacity of the facility as determined by the Building Inspector, the Planning Commission or Zoning Administrator shall lower the allowable capacity accordingly.

19. Shooting Ranges: One (1) space for each unit station.

20. Stables (commercial): One (1) space for each five (5) animals of the facility's capacity.

21. Supermarket, Self-Service Food Store: One (1) space for every one-hundred (100) square feet of gross floor area.

C. Office Uses:
1. General Offices: One (1) space for every two hundred (200) square feet of gross floor area.
2. Professional Offices and Banks: One (1) space for every three hundred (300) square feet of gross floor area.

D. Institutional Uses:
1. Auditoriums (incidental to schools), Churches, Stadiums, Gyms, Theaters, and Buildings of Similar Use with Fixed Seats: One (1) space for each four (4) seats.
2. Boarding and Lodging Houses, Fraternities: One (1) space for each bedroom or each two (2) occupants of the structure, whichever is greater, plus one (1) additional space for the owner or operator.
3. Day care facilities (day care center and group day care home, but not a family home day care): One (1) space for each employee, plus a paved, unobstructed stacking space for pick-up and drop-off, plus one (1) space per four (4) persons of licensed capacity.
4. Elementary and Middle Schools: One (1) space for every four (4) seats where the school contains an auditorium and/or stadium or gym.
5. Public Golf Courses: Four (4) spaces for each green, plus fifty (50) percent of the spaces otherwise required for any accessory uses (e.g., restaurant, proshop, etc.).
6. High Schools and Colleges: One (1) space for each five (5) students (based on the capacity of the facility as determined by the Fire Marshall), plus one (1) space for every four (4) seats where the school contains an auditorium and/or stadium or gym.
7. Hospitals, Sanitariums: One (1) space for each three (3) patient beds, plus one (1) space for each visiting doctor.
8. Libraries, Museums, Post Offices: One (1) space for every eight hundred (800) square feet of floor area.

Section 21.04: SITE DEVELOPMENT REQUIREMENTS
All off-street parking areas, except for single family and two family dwellings, shall be designed, constructed and maintained in accordance with the following standards and requirements.

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

B. Driveways: Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.
1. Except for parking space provided for single-family and two-family residential lots, drives for ingress and egress to the parking area shall be not less than twenty-four (24) feet wide and not more than thirty-six (36) feet wide as determined by the Planning Commission and so located as to secure the most appropriate development of the individual property. Based on the recommendation of the Township Engineer, the Planning Commission may grant exceptions to the width requirements under the following circumstances:
   a. The Planning Commission may require or allow a larger driveway width if, due to the turning radius and/or anticipated traffic volume, a larger width is necessary for the safe movement of vehicles.
   b. The Planning Commission may allow a narrower driveway width of not less than twenty-two (22) feet if, due to the turning radius and/or anticipated traffic volume, a narrower width will not impede the safe movement of vehicles.
2. Each entrance to and exit from an off-street parking area shall be at least twenty-five (25) feet from any adjacent lot within a residential district.
C. **Site Maneuverability:** Each parking space, within an off-street parking area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. The minimum width of required maneuvering lanes may vary depending upon the proposed parking pattern, as follows:

1. For ninety (90) degree right angle parking patterns, the maneuvering lane width shall be a minimum of twenty four (24) feet.
2. For sixty (60) degree parking patterns, the maneuvering lane width shall be a minimum of eighteen (18) feet.
3. For forty-five (45) degree parking patterns, the maneuvering lane width shall be a minimum of eighteen (18) feet.
4. For parallel parking patterns, the maneuvering lane width shall be a minimum of eighteen (18) feet.
5. All maneuvering lane widths shall permit one-way traffic movement only, except for ninety (90) degree and parallel parking patterns which may provide for two-way traffic movement.
6. All parking spaces shall be at least nine (9) feet wide, measured perpendicular to the parking lines, at least eighteen (18) feet in length.

D. **Surface:** Parking areas with a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable smooth and dustless surface and shall be graded and provided with adequate drainage. No parking area shall alter the off-site drainage patterns existing before construction of the parking lot was initiated.

E. **Setback:** Unless otherwise permitted within this Ordinance, no off-street parking area shall be located closer to a front, side or rear yard lot line than the setback standard required by the respective district for principal buildings, as specified in the Section 9.10 Schedule of Regulations, except for a driveway which may cross such setback area in a generally perpendicular manner.

F. **Shared Parking Setback:** The Planning Commission may approve reduced setbacks or yard standards for shared parking from shared lot lines through site plan review after making a written finding that specifically identifies the following:

1. Characteristics of the site or site vicinity would make the required setbacks or yard standards unnecessary; and
2. The reduced setbacks or yard standards are more consistent with the intent of shared parking.

G. **Lighting:** All parking lot lighting shall comply with all applicable provisions of Article 24.

**Section 21.05: Loading and Unloading Space Requirements**

A. **Additional Parking Space:** Loading space required under this Section shall be provided as area additional to off-street parking space as required under Section 21.03 and shall not be considered as supplying off-street parking space.

B. **Space Requirements:** There shall be provided an adequate space for standing, loading, and unloading service adjacent to the building opening for loading and unloading of not less than twelve (12) feet in width, seventy-five (75) feet in length, and fifteen (15) feet in height, open or enclosed, and shall be provided according to the following table:

<table>
<thead>
<tr>
<th>Usable Floor Area (square feet)</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial uses, such as retail stores, personal services, amusement, automotive service.</td>
<td>First 2,000 sq. ft.; none. Next 20,000 sq. ft. or fraction thereof; one (1) space. Each additional 20,000 sq. ft. or fraction thereof; one (1) space.</td>
</tr>
<tr>
<td>Hotels, Offices, Clinics</td>
<td>First 2,000 sq. ft.; none. Next 50,000 sq. ft. or fraction thereof; one (1) space. Each additional 100,000 sq. ft. or fraction thereof; one (1) space.</td>
</tr>
<tr>
<td>Wholesale and storage, contractor's yards.</td>
<td>First 20,000 sq. ft., including building; one (1) space,. Each additional 20,000 sq. ft. or fraction thereof; one space.</td>
</tr>
<tr>
<td>Manufacturing uses</td>
<td>First 20,000 sq. ft. or fraction thereof; one (1) space. Each additional 20,000 sq. ft. or fraction thereof; one (1) space.</td>
</tr>
<tr>
<td>Funeral Homes and Mortuaries</td>
<td>First 5,000 sq. ft. or fraction thereof; one space. Each additional 10,000 sq. ft. or fraction thereof; one (1) space.</td>
</tr>
<tr>
<td>Hospitals</td>
<td>First 20,000 sq. ft.; one (1) space. Next 100,000 sq. ft. or fraction thereof; one (1) space. Each additional 200,000 sq. ft. or fraction thereof; one (1) space.</td>
</tr>
<tr>
<td>Schools, Churches, Clubs, Public Assembly Buildings, Auditoriums, Boarding Houses, Convalescent Homes.</td>
<td>For each building, one (1) space.</td>
</tr>
</tbody>
</table>

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

D. **Screening:** All loading and unloading areas and outside storage areas, including areas for the storage of trash which abut another District or residential property or which face or are visible from residential properties or public thoroughfares, shall be screened according to Section 23.04.

E. **Location:** A loading-unloading area shall not be located within any front yard nor within any required side or rear yard setback.

**End of Article 21**
SECTION 22.05 - INTENT and PURPOSE

The intent and purpose of this Article is to:

(A) Ensure that signs are located, designed, constructed, installed, and maintained in a manner that protects life, health, property, and the public welfare;

(B) Reduce visual distractions and obstructions to motorists travelling along, entering, or leaving streets, thereby maintaining or improving public safety;

(C) Preserve the existing and desired residential and rural character of the Township, as identified in the Township’s adopted Master Plan;

(D) Prevent visual blight and protect the desired aesthetic qualities of the Township by preventing visual clutter, protecting views, and preventing intrusion of commercial messages into non-commercial areas;

(E) Limit the amount of light emitted by signs to protect the Township’s natural, existing, and desired dark skies; and

(F) Keep signs within a reasonable scale with respect to the buildings they identify.

SECTION 22.10 - SCOPE of ARTICLE

A sign, as defined by this Ordinance, shall not be installed, constructed, reconstructed, altered, or maintained without receiving a Sign Permit, except as outlined in this Article.

SECTION 22.15 - PROHIBITED SIGNS

The following signs and sign illumination shall be prohibited in all zoning districts:

(A) Off-site commercial message signs;

(B) Flashing signs;

(C) Confusing signs;

(D) Moving signs;

(E) Roof signs;

(F) Vehicle signs;

(G) Snipe signs;

(H) Signs that obstruct safe vision;
(I) Signs in rights-of-way, excluding official signs;

(J) Unsafe signs;

(K) Signs with the following types of illumination:

   (1) Temporary Signs:

   (2) Traffic Hazards: Illumination that could distract motorists or otherwise create a traffic hazard;

   (3) Glare and Non-Shielded Illumination: Use of glaring, undiffused luminaires and visible bare bulbs; and

   (4) Waterbody Signs: Signs with illumination intended to be viewed from a waterbody.

(L) Signs within a clear-vision zone, unless otherwise noted; and

(M) Any other sign not expressly allowed in this Ordinance.

SECTION 22.20 - SIGN PERMIT PROCESS

Sign Permits are required for all new permanent signs and modifications of existing permanent signs, excluding changes to the sign face. Signs may also require a building permit from the Building Authority.

(A) Application: Sign Permit applications shall be reviewed and approved by the Zoning Administrator.

   (1) Sign Permit Application: The application shall include a completed Sign Permit application signed by the applicant and the property owner, if different.

   (2) Site or Plot Plan: The application shall include a site plan or plot plan showing the location of the proposed sign, including setbacks.

   (3) Sign Details: The application shall include sign details, including, but not limited to: height, dimensions, sign area, and illumination information.

   (4) Other Information: The application shall include any other information necessary to determine compliance with this Ordinance.

(B) Inspection: Signs shall be inspected by the Zoning Administrator or designee.

   (1) New Signs: An inspection shall be conducted in a timely manner before and following installation of all new signs requiring a Sign Permit.

   (2) Existing Signs: Signs requiring Sign Permits may be inspected periodically to ensure continued compliance with this Ordinance.

(C) Amendment: Sign Permit applications may be amended prior to installation of the sign. Amendments shall be reviewed and approved by the Zoning Administrator.

(D) Revocation: A Sign Permit may be revoked if the sign is installed in a manner inconsistent with the approval and shall be revoked if the sign is installed in a manner inconsistent with this Ordinance.

(E) Expiration: A Sign Permit shall expire if the sign has not received a final certificate of zoning compliance within one hundred eighty (180) days of the approval date. A single, thirty (30) day extension shall be granted upon request of the applicant with a demonstration that the sign will be installed during the extension period.
SECTION 22.25 - GENERAL SIGN PROVISIONS

(A) Determination of Sign Area: Signs shall not exceed the maximum sign area allowed for that type of sign and/or zoning district. The sign area shall be computed as follows:

(1) Single-Faced Signs: Sign area for single-faced signs shall be the square footage of the sign face as measured by enclosing the most protruding points or edges of the sign face within a parallelogram, rectangle, circle, or triangle, excluding any frame.

(2) Double-Faced Signs: Sign area for signs with multiple faces shall be the area of the largest of the sign faces, as described above, if all the faces are part of the same structure and are no more than eighteen (18) inches apart; otherwise, the sign area shall be the sum of all the areas of all the faces.

(B) Sign Maintenance: Signs, including frames and supports, shall be well maintained.

(C) Location: Signs shall only be placed as outlined below:

(1) Freestanding Signs: Freestanding signs shall be placed in a front or waterbody yard and shall not be located within any clear-vision zone.

(2) Freestanding Sign Orientation: Freestanding signs located in front yards are encouraged to be placed perpendicular to the front lot line.

(3) Wall-Mounted Signs: Wall-mounted signs shall be facing a front or waterbody yard or shall be facing an on-site or shared parking lot serving the site.

(4) Window Signs: Window signs shall be located on the interior of the window.

(5) Awning Signs: Awning signs shall be located on an awning attached to a building façade that faces a front or waterbody yard or an onsite or shared parking lot serving the site.

(6) Canopy Signs: Canopy signs shall be facing a front or waterbody yard or an onsite or shared parking lot serving the site.

(D) Window Sign Area: Window signs shall have a maximum sign area of twenty-five (25) percent of the glass area of that façade.

(E) Substitution: Any commercial message sign may also be used for a non-commercial message.

SECTION 22.30 - SIGNS NOT REQUIRING A SIGN PERMIT

(A) Signs Not Requiring a Sign Permit: The following signs shall not require a Sign Permit:

(1) Murals not containing a commercial message;

(2) Window signs; and

(3) Temporary signs.
(B) **Maintenance:** Maintenance of existing signs, including replacement of sign faces and regular maintenance, but excluding enlargement or relocation of the sign, shall not require a Sign Permit.

(C) **Standards Still Apply:** The standards of this Ordinance shall still apply to signs not requiring a Sign Permit.

### SECTION 22.35 - TEMPORARY SIGNS

(A) **Temporary Signs:** Temporary signs shall meet the standards outlined in the table below.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Number of Temporary Signs&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Maximum Sign Area</th>
<th>Maximum Sign Height</th>
<th>Minimum Sign Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG, RC, PL</td>
<td>1 sign on each frontage</td>
<td>10 square feet&lt;sup&gt;(2)&lt;/sup&gt;</td>
<td>6 feet&lt;sup&gt;(3)&lt;/sup&gt;</td>
<td>Side-yard: 5 feet</td>
</tr>
<tr>
<td>RR, LR, CU, MH</td>
<td>1 sign on each frontage</td>
<td>6 square feet&lt;sup&gt;(2)&lt;/sup&gt;</td>
<td>5 feet&lt;sup&gt;(3)&lt;/sup&gt;</td>
<td>Side-yard: 5 feet</td>
</tr>
<tr>
<td>C-1</td>
<td>1 sign on each frontage, plus 1 additional sign per unit, maximum of 4 signs</td>
<td>16 square feet</td>
<td>8 feet</td>
<td>Side-yard: 15 feet Waterbody-yard: 20 feet</td>
</tr>
</tbody>
</table>

(1) **Number of Signs:** Additional temporary signs, beyond the number allowed in the table above, shall be allowed as follows:

a. One (1) additional temporary sign shall be allowed when the lot or a unit on the lot are offered for sale or lease.

b. Any number of additional temporary signs with a political message shall be allowed per lot for the period six (6) weeks prior to an election through three (3) days following an election. These additional signs shall have a maximum sign area of twenty-four (24) square feet each.

c. One (1) additional temporary sign shall be allowed when a commercial service is being provided to the lot for a period one (1) week prior to and one (1) week following the conclusion of the commercial service.

(2) **Sign Area in Waterbody Yards:** Temporary signs located in a waterbody yard in any non-commercial zoning district shall have a maximum sign area of four (4) square feet.

(3) **Sign Height in Waterbody Yards:** Temporary signs located in a waterbody yard in any non-commercial zoning district shall have a maximum sign height of four (4) feet.

(B) **Sign Locations:** Temporary signs shall be located outside of right-of-ways and within lots, as outlined in this Article.

(C) **Duration:** Temporary signs shall be displayed for a maximum of forty-five (45) days. This does not apply to an additional temporary sign allowed when a lot or unit on the lot are offered for sale or lease.
SECTION 22.40 - PERMANENT SIGNS

(A) Freestanding Signs: Permanent freestanding signs shall only be allowed accessory to a permitted or special land use and shall meet the standards outlined below.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Number of Signs</th>
<th>Maximum Sign Area</th>
<th>Maximum Sign Height</th>
<th>Minimum Sign Setbacks</th>
<th>Lighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG, PL</td>
<td>1 on each frontage</td>
<td>28 square feet</td>
<td>6 feet</td>
<td>Front-yard: front lot line or 20 feet from the edge of the travelled road, whichever is greater Side-yard: 20 feet</td>
<td></td>
</tr>
<tr>
<td>RR, LR, CU, MH</td>
<td></td>
<td>16 square feet ²</td>
<td>5 feet</td>
<td>Front-yard: front lot line or 20 feet from the edge of the travelled road, whichever is greater Side-yard: 20 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>C-1, RC</td>
<td></td>
<td>32 square feet ³</td>
<td>8 feet</td>
<td>Front-yard: front lot line or 20 feet from the edge of the travelled road, whichever is greater Side-yard: 20 feet Waterbody-yard: 20 feet</td>
<td></td>
</tr>
</tbody>
</table>

(1) Framing Height: Framing or decorative elements may extend eighteen (18) inches above the maximum sign height.

(2) Lighting: Illuminated signs shall meet the standards of this Article and the Environmental Standards Article.

(3) Sign Area in Residential Districts: Signs for special land uses in residential districts that are located on lots with at least three hundred (300) feet of frontage shall have a maximum sign area of twenty-four (24) square feet.

(4) Signs in Waterbody Yards: Permanent signs in waterbody yards are only allowed in Commercial (C-1) and Recreation Conservation (RC) Districts. Permanent signs located in a waterbody yard shall have a maximum sign area of sixteen (16) square feet.

(5) Sign Height in Commercial and Recreation Conservation Districts: If year-round decorative landscaping is installed and maintained to screen the base of the sign from view from the frontage, the sign height may be increased equal to the height of the landscaping up to a maximum sign height of twelve (12) feet.

(6) Multiple-Dwelling Developments: Residential developments with more than ten (10) lots shall have a maximum sign area of thirty (30) square feet and may have one (1) sign at each entrance. Signs may be located within an island at the entrance but shall not be located within other clear-vision zones.

(7) Business Center Sign: A sign located at a business center shall have an additional four (4) square feet of sign area for each unit, up to a maximum sign area of forty-four (44) square feet, and an additional sign height of one (1) foot for each unit, with a maximum sign height increase of two (2) feet.

(8) Additional Signs Near Entrances: One (1) or more additional non-commercial sign per driveway may be approved during site plan review for commercial, institutional, or public uses if the approving authority finds all of the criteria below are true. These additional signs shall have a maximum sign area of three (3) square feet.

a. The additional sign or signs shall be necessary to safely direct traffic;

b. The additional sign or signs may be located within a clear-vision zone but shall not block any views of drivers; and

c. The additional sign or signs shall be the minimum number and have the minimum sign area and sign height necessary to safely direct traffic.

(9) Ground Clearance: Signs shall be designed so as not to create a hazard to pedestrians or cyclists.
(B) **Structure-Mounted Signs:** Permanent [wall, perpendicular, awning, and canopy signs](#) shall only be allowed accessory to a permitted or special land use as outlined below:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Number</th>
<th>Maximum Sign Area(1)</th>
<th>Lighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG</td>
<td>1 on each frontage</td>
<td>8 square feet</td>
<td>No</td>
</tr>
<tr>
<td>PL</td>
<td>12 square feet</td>
<td>Yes(2)</td>
<td></td>
</tr>
<tr>
<td>RR, LR, CU, MH</td>
<td>6 square feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C-1, RC</td>
<td>12 square feet or 10 percent of the façade area, whichever is greater</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) **Sign Area:** This area excludes [window signs](#).

(2) **Lighting:** Illuminated [signs](#) shall meet the standards of this Article and the Lighting Article.

(3) **Number:** One (1) additional [canopy sign](#) shall be allowed along each frontage. This additional [sign](#) shall have a maximum [sign area](#) of four (4) square feet.

(4) **Depth:** [Wall signs](#) shall not extend more than one (1) foot from the structure façade. [Awning signs](#) shall not extend more than one half (0.5) inch from the awning surface. [Canopy signs](#) shall not extend more than six (6) inches from the canopy façade.

(5) **Ground Clearance:** [Awning](#) and [canopy signs](#) shall have a ground clearance of at least eight (8) feet. [Perpendicular signs](#) shall have a ground clearance sufficient to not create a hazard to pedestrians, cyclists, or motorists.

(C) **Sign Materials:** [Permanent signs](#) shall be designed to be complementary with the character of the principal building and the landscaping to promote an overall unified and consistent aesthetic effect.

(D) **Sign Construction Standards:** The following standards shall apply to all [permanent signs](#):

(1) **Fastenings:** All [signs](#) shall be erected in such a manner and with such materials to remain safe and secure during the period of use, and all bolts, cables, and other metallic parts of signs shall be kept free from corrosion.

(2) **Sign Safety:** All [signs](#) and support structures shall have a clearance of at least eight (8) feet from any electrical transmission lines. All [signs](#) shall comply with the minimum wind pressure and other standards of the Building Code.

(E) **Illumination:** [Signs](#) shall only be illuminated using approved electrical devices directed solely at the sign or internal to it, according to the following standards:

(1) **Timer Controls:** Illuminated [signs](#) shall be equipped with a functional timer control. [Signs](#) shall not be illuminated after 10:00 pm or one half (1/2) hour after the use of the site ends for the day, whichever is later, nor before 6:00 am or one half (1/2) hour before the beginning of the use of the site for the day, whichever is earlier.

(2) **Non-glare, Shielded Lighting:** Lights shall be steady, stationary, and shaded and/or shielded downward with light directed away from adjacent properties and streets.

(3) **Backlighting:** [Signs](#) with internal illumination shall have the lettering and graphics in a lighter color than the background to the maximum extent practical.

(4) **Wiring:** Electrical service to illuminated signs not attached to a building shall be located underground.
(F) Electronic Message Signs: Electronic message signs shall meet the following additional standards:

1. **Message Changes**: Messages or images shall be static. There shall be no movement or simulated movement. Messages or images shall be displayed for at least one (1) hour.

2. **Light Intensity**: Electronic message signs shall not display light of such intensity as to cause glare, impair the vision of an ordinary driver, or constitute a nuisance. Maximum luminance shall not exceed three-tenths (0.3) footcandles above ambient light levels at a distance, measured perpendicularly from the sign face, based on the size of the electronic message sign area as outlined in the table below. Maximum luminance shall not exceed one-tenths (0.1) footcandles above ambient light levels at adjacent lot lines of residentially-zoned or residentially-used lots.

<table>
<thead>
<tr>
<th>Sign Area</th>
<th>Distance Measurement is Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 square feet</td>
<td>32 feet</td>
</tr>
<tr>
<td>15 square feet</td>
<td>39 feet</td>
</tr>
<tr>
<td>20 square feet</td>
<td>45 feet</td>
</tr>
<tr>
<td>25 square feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>30 square feet</td>
<td>55 feet</td>
</tr>
<tr>
<td>35 square feet</td>
<td>59 feet</td>
</tr>
<tr>
<td>40 square feet</td>
<td>63 feet</td>
</tr>
</tbody>
</table>

3. **Dimming**: Electronic message signs shall have a 16-stage or better automatic dimmer without a manual override that adjusts the intensity of light based on the ambient light levels at the sign.

4. **Certification**: The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory-programmed not to exceed the above light intensity.

SECTION 22.45 - LEGALLY NONCONFORMING SIGNS

The continued use of legally nonconforming signs shall be permitted, as outlined in this Section. Such signs shall not be enlarged, expanded, or extended, with the intent that legally nonconforming signs shall eventually be eliminated or replaced upon their natural deterioration or destruction. The continuance of legally nonconforming signs shall be subject to the standards of this Section.

(A) **Structural Changes**: The faces, supports, or other parts of legally nonconforming signs shall not be structurally changed or enlarged unless the resulting changed, altered, substituted, or enlarged sign conforms to the standards of this Ordinance.

(B) **Destruction**: Legally nonconforming signs that have been destroyed or damaged by more than fifty (50) percent of the replacement cost shall not be reconstructed except in conformity with the standards of this Ordinance.
SECTION 22.50 - REMOVAL OF SIGNS

(A) Permanent and Temporary Signs: Permanent and temporary signs erected or maintained in violation of this Ordinance shall be removed.

(1) Notice: The Zoning Administrator shall order the removal by delivery of a written notice to the property owner. The notice shall order removal of the sign or outline what action would bring the sign into compliance with this Ordinance and shall outline a reasonable length of time, at least fourteen (14) days, for removal or compliance.

(2) Removal: Upon failure to remove the sign or bring the sign into compliance, the Township may remove the sign immediately and without further notice, at its discretion. Any cost incurred for removal may be assessed to the property owner.

(B) Dangerous Signs: Signs that pose an immediate threat to safety shall be removed immediately.

(1) Notice: The Zoning Administrator shall order the removal by delivery of a written notice to the property owner, except as outlined in this Section. The notice shall order removal of the sign or outline what action would bring the sign into compliance with this Ordinance and shall outline a reasonable length of time for removal or compliance.

(2) Removal: Upon failure to remove the sign or bring the sign into compliance, the Township may remove the sign immediately and without further notice, at its discretion. Any cost incurred for removal may be assessed to the property owner.

(3) Emergency Removal: The Township may remove a sign that poses an immediate threat to safety without delivery of a written notice to the property owner if the Zoning Administrator certifies the nature of the immediate threat and that a delay resulting from noticing the property owner is likely to cause harm to individuals or property. Any cost incurred for removal may be assessed to the property owner.

(C) Signs in Right-of-Way: Signs erected within a right-of-way in violation of this Ordinance may be removed by the Township without notice. Any cost incurred for removal may be assessed to the sign owner.

SECTION 22.55 - VIOLATIONS

The installation, construction, reconstruction, alteration, or maintenance of a sign requiring a Sign Permit without receiving a Sign Permit or the installation, construction, reconstruction, alteration, or maintenance of a sign in any manner inconsistent with this Ordinance is a violation of this Ordinance.

(A) Party to Violation: Any person, agent, or property owner who causes a sign to be in violation of this Ordinance shall be a party to the violation.

(B) Separate Violation: Each sign in violation of this Ordinance shall be considered a separate violation. Each day a sign is in violation of this Ordinance shall be considered a separate violation.

(C) Nuisance Per Se: Any sign installed, constructed, reconstructed, altered, or maintained in violation of this Ordinance shall be a nuisance per se, as outlined in Section 3.04 of this Ordinance.

(D) Municipal Civil Infraction: Violation of the provisions of this Article shall be a municipal civil infraction.

End of Article 22
Article 23
LANDSCAPING and SCREENING

Section 23.01: PURPOSE
The intent of this Section is to promote the public's health, safety, and general welfare by: minimizing noise, air, and visual pollution; improving the appearance of off-street parking and other vehicular use areas; requiring buffering between incompatible land uses; regulating the appearance of property abutting public rights-of-way; protecting and preserving the appearance, character, and value of the community and its residential neighborhood areas; preventing soil erosion and soil depletion; and promoting soil water retention.

Section 23.02: APPLICATION
These requirements shall apply to all uses for which site plan review is required under Article 6, Procedures for Site Plan & Plot Plan Review, and any other use so specified in this Ordinance. No site plan shall be approved unless said site plan shall show landscaping, buffer areas, and screening consistent with the requirements set forth herein.

Section 23.03: LANDSCAPE PLAN REQUIRED
A separate detailed landscape plan shall be required to be submitted as part of a site plan review (see Article 6). The landscape plan shall identify all buffer areas (see Section 23.04), site landscaping (see Section 23.06), and parking lot landscaping (see Section 23.05), and shall include, but not necessarily be limited to, the following items:
A. Location, spacing, size, and root type [bare root (BR) or balled and burlapped (BB)] and descriptions for each plant type proposed for use within the required landscape area.
B. Minimum scale: 1" = 100'.
C. Existing and proposed contours on-site and 150 feet beyond the site at intervals not to exceed two (2) feet.
D. Typical straight cross-section including slope, height, and width of berms and type of ground cover, or height and type of construction of wall or fence, including footings.
E. Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.
F. Planting and staking details in either text or drawing form to ensure proper installation and establishment of proposed plant materials.
G. Identification of existing trees and vegetative cover to be preserved and those trees six (6) inches or larger in diameter, measured five (5) feet from ground surface, to be removed.
H. Identification of grass and other ground cover and method of planting.
I. Identification of landscape maintenance program including a statement that all diseased, damaged, or dead materials shall be replaced in accordance with standards of this Ordinance.

Section 23.04: BUFFER AREAS
A. Side and Rear Yard Buffer Areas: All commercial and industrial land uses for which a site plan is required shall be screened by a buffer area at least five (5) feet in height along all adjoining side and rear yard boundaries with residentially zoned property or with other commercial or industrially zoned property located in a different district. The required screening shall be provided by the applicant according to one of the following:
   1. A buffer consisting of a solid wall, earthen berms, or living materials, or a combination thereof, so as to maintain a minimum opacity of at least eighty (80) percent. Opacity shall be measured by observation of any two (2) square yard area of the landscape buffer between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen. The plantings must meet this standard based upon reasonably anticipated growth over a period of three (3) years. The applicant shall install solid fencing after the expiration of three (3) years if the landscaping has not provided the minimum opacity required.
   2. Where there is a need to provide a greater noise or dust barrier or to screen more intense development not adequately screened by the application of Section 23.04(A)(1), a solid wall shall be required by the Planning Commission. Such wall shall be five (5) feet or more in height as measured on the side of the proposed wall having the higher grade.
B. Front Yard Buffer Areas: A strip of land with a minimum width equal to the front yard setback of its zoning classification shall be located abutting the right-of-way of a minor or major thoroughfare, and shall be landscaped with a minimum of one (1) tree not less than twelve (12) feet in height or a minimum caliber of 2 ½ inches (whichever is greater at the time of planting) for each thirty (30) lineal feet, or major portion thereof, of frontage abutting said right-of-way. The remainder of the front yard buffer area shall be landscaped in grass, ground cover, shrubs, and/or other natural, living, landscape material. Access ways from public rights-of-way through required buffer areas shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of required trees.
Section 23.05: PARKING LOT and LOADING AREA LANDSCAPING:
A. Separate landscaped areas shall be required either within or at the perimeter of parking lots and shall not be considered as part of a front, side, or rear yard buffer area. There shall be provided a minimum of one (1) tree for every eight (8) parking spaces. A minimum distance of three (3) feet shall be established between proposed tree or shrub plantings and the edge of curbing and pavement.
B. Where a parking area containing more than four (4) parking spaces is within one hundred (100) feet of a Residential district, a vegetative screen or fence shall be installed to fully screen views to the parking area from the neighboring Residential district pursuant to Section 23.04(A)(1). This provision shall not apply to roadside stands or uses granted a temporary zoning permit.
C. All loading and unloading areas and outside storage areas, including areas for the storage of trash which abut another District or residential property or which face or are visible from residential properties or public thoroughfares, shall be screened according to Section 23.04(A)(1) or (2).

Section 23.06: SITE LANDSCAPING
A. In addition to any buffer area or parking lot landscaping required by this Article, at least ten (10) percent of the site area, excluding existing thoroughfare right-of-way, shall be landscaped with grasses and other live groundcovers, planting beds, and trees, or combinations thereof, except that a minimum of one tree per ten thousand (10,000) square feet of disturbed lot area, or fraction thereof, shall be provided. Existing undisturbed vegetation may be used to meet the requirements of this Section at the discretion of the approving body. “Disturbed lot area,” as applied to this section, shall be interpreted to mean any area of a lot which is to be paved, built upon, or otherwise altered by grading or other construction activities.

Section 23.07: MINIMUM STANDARDS of LANDSCAPE ELEMENTS
A. Quality: Plant material and grasses shall be of generally acceptable varieties and species, free of insects and diseases, hardy to the climate, conform to the current minimum standard of the American Association of Nurserymen, and shall have proof of any required governmental regulations and/or inspections. Plant species which are generally considered undesirable due to limited disease tolerance, low wood strength, and/or high tendencies toward splitting of wood, such as boxelder, mulberry, and willows, are not permitted unless specifically authorized otherwise by the Planning Commission.
B. Composition: A mixture of plant material, such as evergreen, deciduous trees and shrubs, is recommended as a protective measure against insect and disease infestation. A limited mixture of native hardy species is recommended rather than a large quantity of different species, to produce a more aesthetic, cohesive design and avoid a disorderly appearing arrangement.
C. Berms: Berms shall be constructed with slopes not to exceed a 1:3 gradient with side slopes designed and planted to prevent erosion, and with a rounded top surface a minimum of three (3) feet in width at the highest point of the berm, extending the length of the berm.
D. Existing Trees:
   1. If existing plant material is labeled "To Remain" on site plans by the applicant or required by the Planning Commission, protective techniques, such as, but not limited to, fencing or barriers placed at the dripline around the perimeter of the plant material, shall be installed during construction. No vehicle or other construction equipment shall be parked or stored within the dripline of any plant material intended to be saved. Other protective techniques may be used provided such techniques are approved by the Planning Commission.
   2. In the event that existing healthy trees which are used to meet the minimum requirements of this Ordinance, or those labeled to remain are cut down, destroyed, damaged, or excavated at the dripline, as determined by the Planning Commission, the applicant shall replace them with trees which meet Ordinance requirements.

Section 23.08: INSTALLATION, MAINTENANCE and COMPLETION
A. All landscaping required by this Ordinance shall be planted prior to obtaining a Certificate of Occupancy or, where the applicant can demonstrate to the Planning Commission that seasonal conditions prohibit the installation of the plant material prior to desired occupancy, the plant material will be installed within six months of receipt of such Certificate.
B. All landscaping and landscape elements shall be planted, and earth moving or grading performed, in a sound workmanlike manner and according to accepted good planting and grading procedures.
C. The owner of property required to be landscaped by this Ordinance shall maintain such landscaping in a reasonably healthy condition, free from refuse and debris. All unhealthy and dead material shall be replaced within one (1) year of damage or death or the next appropriate planting period, whichever comes first. All landscaped areas shall be provided with a readily available and acceptable water supply.
Section 23.09: FENCING and WALLS

A. Construction
   1. **Materials**: All required fencing and walls shall be constructed and maintained in a sound manner to assure long-term structural integrity and visual character. Site plans shall include all necessary construction details to illustrate compliance with this requirement. The finished side of fencing shall face abutting properties.
   2. **Height**: Required fencing and walls shall be of such height to adequately mitigate the impacts for which the screening is deemed desirable. Site plans shall include all necessary construction details to illustrate compliance with this requirement.

B. Application: Fences and Walls shall be provided according to the provisions of Section 23.04 and 23.05 in addition to the following:
   1. **Mechanical Equipment**:(this subsection does not apply to single-family or two family residential uses, or to any use in an Industrial district except if it abuts a Residential district): When located outside of a building, support equipment including air conditioning and heating devices and water and gas meters, but not including plumbing or exhaust vents or chimneys, are to be screened from the view of the street or surrounding properties by landscaping, a solid wall, or fencing, to the height of the particular piece of equipment.
   2. **Outdoor Storage in Commercial and Industrial districts**: To be screened on all sides by a solid wall or fencing of not less than six (6) feet in height.
   3. **Public Utility Substations In Any District**: To be screened on all sides by a solid wall or fencing of not less than six (6) feet in height, and live landscape materials.
   4. **Swimming Pools**: See Section 18.03.

C. Exceptions to Fencing and Wall Requirements:
   1. **Location Adjustment**: Where property line screening is required, the location may be adjusted so the fence or wall may be constructed at or within the setback line, provided the areas between the fence and the lot lines are landscaped, or retained in their natural vegetative state at the discretion of the Planning Commission.
   2. **Existing Screening**: Any fence, screen, wall or hedge which does not conform to the provisions of this Section and which is legally existing at the effective date of this Ordinance may be continued and maintained, provided there is no physical change other than necessary maintenance and repair in such fence, screen, wall, or hedge except as permitted in other sections of this Ordinance.
   3. **Barrier Fences**: Barrier fences containing barbed wire, electric charges or sharp materials at the top of a fence or wall are prohibited unless specifically approved by the Planning Commission.
   4. **Fire Hazard**: No fence shall be approved which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, nor which will interfere with access in case of fire to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.

Section 23.10: WAIVERS and MODIFICATIONS

A. Any of the requirements of this Article may be waived or modified through site plan review and approval, provided the approving body first makes a written finding that specifically identifies characteristics of the site or site vicinity would make required buffer areas, fencing, or screening unnecessary, inappropriate, or ineffective, or where it would impair vision at a driveway or street intersection.

B. The Zoning Board of Appeals may require or waive any fencing, screening, landscaping or buffering as may be provided for in this Section as a condition of a variance or other authorization in whatever manner necessary to achieve an identified public purpose. The Zoning Board of Appeals shall record the reason for the condition and clearly specify what is required in any approval granted.
End of Article 23
Article 24
ENVIRONMENTAL STANDARDS

Section 24.01: PURPOSE
The purpose of this Article is to promote a healthy environment in Dexter Township as it relates to the Township's natural resources, sensitive ecosystems, the integrity of the Township's land, water, and air, and the quality of the Township's visual environment, including the management of outdoor lighting and its impact upon traffic safety, adjacent land uses and the night sky. All provisions of this Article apply to all structures and uses unless otherwise noted.

Section 24.02: NATURAL RESOURCES
A. Compliance with Local, County, State, and Federal Regulations: All land uses and construction activities shall conform with the provisions of this Ordinance and all county, state and federal regulations including, but not limited to, the following:
   1. Published surface water drainage standards of the Washtenaw County Road Commission and Washtenaw County Drain Commissioner, except where not required by law and not determined to be applicable to the specific project during site plan review proceedings.
   3. Soil erosion and sedimentation requirements of the Washtenaw County Drain Commissioner.
   4. Requirements of the Michigan Department of Public Health and the Washtenaw County Health Department.
   5. Michigan Department of Environmental Quality requirements for air or water quality protection, wetlands, stream crossings, fills in or near water bodies or in flood plains, and for waste disposal.
   6. All local, county, state and federal regulations related to loading/unloading, transport, storage, use and/or disposal of hazardous substances.
   7. Applicable rules and regulations of the Federal Communications Commission.
B. Discharges
   1. No dust, fumes, or noxious, odorous matter shall be discernible at or beyond the property line except in the case of agricultural operations complying with the Michigan Commission on Agriculture’s Generally Accepted Agricultural Management Practices. Any atmospheric discharge requiring a permit from the Michigan Department of Natural Resources or federal government shall have said permit(s) as a condition of approval for any use in this district. The escape of or emission of any gas which is injurious or destructive or explosive is prohibited.
   2. It shall be unlawful to discharge at any point any materials in such a way or of such nature or temperature as can contaminate any surface waters, land or aquifers, or otherwise cause the emission of dangerous or objectionable elements, except in accord with standards approved by the Michigan Department of Natural Resources.
   3. Radioactive emissions shall not exceed quantities or levels established as safe by state or federal regulations.
C. Sensitive Lands
   1. Where a portion of a parcel is characterized by wetlands, hydric soils, flood plains, or steep slopes, new development on the parcel shall only occur on those portions of the parcel void of such sensitive resources where reasonably feasible.
   2. The Township shall not approve any land use which requires a county, state, or federal permit, until such permit has been obtained and satisfactory evidence has been submitted verifying the acquisition of the necessary permits, or satisfactory evidence has been submitted to the approving body verifying the acquisition of such permit is not necessary.
   3. The Township may require mitigation measures be taken to replace those resources disturbed or destroyed by a land use, or to otherwise lessen the impact of a new land use upon natural resources and sensitive areas.
D. Clearing, Grading, and Filling:
   In order to protect soil resources, adjacent properties, public roads, public watercourses, and to provide for adequate drainage of surface water, the following rules shall apply to all construction activities requiring permits pursuant to this Ordinance.
   1. Clearing of a Site: Stripping and removal of topsoil from the site is prohibited prior to the completion of all approved site improvements and the seeding, sodding, and landscaping of all disturbed areas. “Disturbed areas,” as applied to this section, shall be interpreted to mean any area of a lot which is altered by grading or other construction activities and which area is not proposed to be paved or otherwise built upon.
   2. Flow Restrictions: The final grade surface of ground areas surrounding a building or structure shall be designed and landscaped such that surface water flow away from the building or structure and is managed in a manner which avoids increased flow onto adjacent properties or public roads, the erosion or filling of a roadside ditch, the blockage of a public watercourse or the creation of standing water over a private sewage disposal drainage field.
   3. Elevation Restrictions: Filling a parcel of land to an elevation above the established grade of adjacent developed land is prohibited without the expressed written approval of the County Drain Commissioner, and approval by the Planning Commission.
Section 24.03: POTABLE WATER and SEWAGE DISPOSAL
Any structure for human occupancy and used for dwelling, businesses, industrial, recreational, institutional, mercantile or storage purposes shall not be erected, altered, used or moved upon any premises after the effective date of this Ordinance unless said structure shall be provided with a potable water supply and waste water disposal system that ensures a safe and effective means of collection, treatment, and disposal of human, commercial, and industrial wastes. All on-site sewage disposal and potable water facilities shall be constructed and maintained in accordance with the requirements and standards of the Washtenaw County Environmental Health Department as well as those of other applicable local, county, state, or federal agencies.

Section 24.04: LIGHTING
A. For the purposes of this Section, the following terms and phrases shall be defined as follows:
   1. Cut Off Angle: An angle measured upward from nadir at the lowest point of the light source, beyond which no light, or only a limited amount of light, is permitted to penetrate. For example purposes, a cut off angle of ninety (90) degrees would create a horizontal plane at a height equal to the bottom of the light source, while a cut off angle of forty-five (45) degrees would extend from the ground directly below the light source, at nadir, to an angle midway between nadir and a cut off angle of ninety (90) degrees.
   2. Light Source: The primary source of a lighting fixture from which light is emanated, such as a light bulb or similar source.
   3. Lighting Fixture: All electrical, structural, and accessory parts of a device intended to cast light upon an outdoor area.
   4. Nadir: An imaginary vertical line extending from ground level to the bottom of the light source.
B. No lighting shall in any way impair the safe movement of traffic on any street or highway.
C. Screening shall be erected to prevent headlight glare from commercial or industrial land uses from shining onto adjacent residential property. No screening shall in any way impair safe vertical or horizontal sight distance for any moving vehicles, or be closer than thirty (30) feet to any street right of way line.
D. In addition to 24.04(A) and (B) above, outdoor lighting or lighting designed to be seen from the exterior shall comply with the following standards except as provided for in Section 24.04(E) below:
   1. Lighting shall be designed and constructed to insure that direct and reflected light, unless part of a street lighting or access road lighting program, is confined to the lot or parcel upon which the light source is located.
   2. Lighting shall be so installed that the surface of the source of light shall be hooded or louvered so that the light source shall not be visible and shall be so arranged as far as practical to reflect light away from any residential use, and in no case shall more than one foot candle power of light cross a lot line five (5) feet above the ground in a residential district.
   3. Lighting fixtures shall have a one hundred (100) percent cut off angle above the horizontal plane at the lowest part of the light source so that light rays shall not be emitted by the fixture at any angle above this horizontal plane, as may be certified by photometric tests. The intensity of light at any angle above a cut off angle of seventy-five (75) degrees shall be less than ten (10) percent of the peak candle power for the light fixture.
   4. No light source shall exceed the height of the tallest structure on the lot or parcel, and in no case shall a light source exceed a height of twenty-five (25) feet, measured from the ground or pavement closest to the light source.
   5. All illuminated signage or any lighting associated with a sign shall be turned off between the hours of 10 p.m. and 5 a.m. If a non-residential use is open to patrons or members any time between the hours of 10 p.m. and 5 a.m., illuminated signage or any lighting associated with a sign may be kept on so long as such illumination meets the standards of the Township Ordinances and so long as such illumination is turned off during the hours the use is closed to patrons and members.
E. Outdoor lighting which need not comply with the standards of Section 24.04(D) above shall be limited to:
   1. Residential lawn, dock, and decorative lighting provided the light source is less than six (6) feet in height from the closest ground or pavement.
   2. Seasonal lighting associated with holidays, such as Christmas and Halloween.
   3. Outdoor recreation and amusement areas, provided the light sources are mounted at a sufficient height, designed with baffling and glare guards to assure that no more than one foot candle power of light shall cross a lot line five (5) feet above the ground in a residential district, and turned off during hours the facility is closed to the public.
   4. Neon lighting for non-residential uses, provided it is turned off between the hours of 10 p.m. and 5 a.m. If a non-residential use is open to patrons or members any time between the hours of 10 p.m. and 5 a.m., neon lighting may be kept on so long as such illumination meets the standards of the Township Ordinances and so long as such illumination is turned off during the hours the use is closed to patrons and members.

Section 24.05: COMMERCIAL and INDUSTRIAL USES
All land uses and structures within commercial or industrial zoning districts shall conform to the following standards:
A. No major repairs or refinishing shall be done outside of the principal structure.
B. The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of uses:

<table>
<thead>
<tr>
<th>Decibels (dba)</th>
<th>Adjacent Use</th>
<th>Where Measured</th>
</tr>
</thead>
<tbody>
<tr>
<td>55</td>
<td>Residential Dwellings</td>
<td>Common Lot Line</td>
</tr>
<tr>
<td>65</td>
<td>Commercial</td>
<td>Common Lot Line</td>
</tr>
<tr>
<td>70</td>
<td>Industrial and Other</td>
<td>Common Lot Line</td>
</tr>
</tbody>
</table>

Objectionable noises due to intermittence, beat frequency, or shrillness, shall be muffled so as not to become a nuisance to adjacent uses.
C. All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 of one inch measured by any lot line of its source.

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

Section 24.06: STORM WATER MANAGEMENT

A. On-Site Detention: All lots shall retain storm water runoff on-site, or detain it so as to allow discharge without any impact on adjacent lands or surface water bodies. No land uses shall be permitted which will increase the rate of runoff discharge from a lot or parcel or otherwise cause erosion or direct sedimentation upon abutting properties including an abutting street or surface water body. No land uses shall be permitted which will reduce the level of service currently being provided by existing storm water management infrastructure or existing drainage patterns. Direct discharging of untreated storm water to a water body is prohibited.

B. Storm Water Standards for Plot Plans: A storm water management plan shall be required for all plot plans that either do not comply with Section 24.06(A) or have impervious surface areas that exceed twenty percent (20%) of the lot.

1. Capacity: All required storm water management systems shall be designed, installed, and maintained to capture and treat the first one (1) inch of storm water runoff from all existing and proposed impervious surfaces. For example purposes only, if a subject parcel has a lot coverage of 1,000 square feet and an impervious ratio of 200 square feet, the site must have a storm water management system that can retain on-site or detain at least 100 cubic feet of storm water and allow the storm water to naturally percolate into the soil. The approving authority may require a more voluminous storm water management system if the proposed land use, slope, or underlying soil types are expected to increase the rate of runoff discharge from the parcel.

2. Storm Water Management Plan: In addition to the data required for Plot Plans in Section 6.03(A), all required storm water management plans shall include the following data on the Plot Plan:
   a) Current and proposed impervious surface area calculations.
   b) Current and proposed storm water calculations. The amount of storm water created during a one (1) inch rain event shall be calculated. This volume is calculated by dividing impervious surface area by twelve (12).
   c) Current and proposed locations of gutters, downspouts, and points of discharge.
   d) Current storm water runoff patterns and flows, and any existing storm water management system(s) on the site. If the Township Engineer deems the existing storm water management system to be functional, the owner may deduct the amount of storm water that the existing system captures and treats in a one-inch rain event from the total required capacity.
   e) Storm water volume calculations pursuant to Section 24.06(B)(1). The volume calculations shall use proposed void ratios of selected backfill material, if applicable.
   f) Design, installation, and maintenance guidelines of proposed storm water management system. This system shall include one (1) or more of the Best Management Practices (BMPs) described in the “Low Impact Development Manual for Michigan: A Design Guide for Implementers and Reviewers,” published by the Southeast Michigan Council of Governments (http://www.semcog.org), or similar publication.
   g) A maintenance schedule.

3. Performance Guarantee: Prior to Dexter Township’s review of the storm water management plan, the applicant shall submit a performance guarantee (cash, certified check, irrevocable bank letter of credit, surety bond, or similar instrument acceptable to the Township Clerk) to Dexter Township per Section 3.05 of this ordinance. The amount of this performance guarantee shall be established by the Township Board of Trustees and shall be sufficient for Dexter Township to cover the plan review fees and subsequent field inspection fees of the Township Engineer in the event that the applicant fails to reimburse Dexter Township for them.

4. Review: The storm water management plan shall be reviewed for compliance by the Zoning Administrator and the Township Engineer prior to issuance of a Zoning Permit. The property owner shall reimburse Dexter Township for the cost of the Township Engineer’s review(s).

5. Construction and Inspection: All required storm water management systems shall be constructed in accordance with the approved plans. After all work has been completed, the storm water management system shall be inspected for compliance by the Zoning Administrator and the Township Engineer prior to final approval of the Zoning Permit. The property owner shall reimburse Dexter Township for the cost of the Township Engineer’s inspection(s).

6. Maintenance: All storm water management systems required under this section shall be properly maintained so as to comply with the requirements herein. Prior to final approval of the Zoning Permit, the property owner shall sign and record with the Washtenaw County Register of Deeds a Storm Water Management Practices Maintenance Agreement on a form provided by Dexter Township. This Agreement shall also be binding on future property owners. Any proposed changes by the property owner to the storm water management system or the Agreement shall be reviewed and decided by Dexter Township in the same manner as a new application under the storm water management standards at the time the change is proposed.

Dexter Township Zoning Ordinance
Article 24: Environmental Standards
24-3
End of Article 24
Article 25

This Article Reserved For Future Use

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End of Article 25
Article 26
INTERPRETATION, SEVERABILITY, VESTED RIGHT, REPEAL, and EFFECTIVE DATE

Section 26.01: INTERPRETATION
In interpreting and applying the provisions of this Ordinance, they shall be held to the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, prosperity and general welfare. Unless specifically provided for, it is not intended by this Ordinance to repeal, abrogate, annul or in any way to impair or interfere with the existing and unrepealed provision of law or ordinance or any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of building or land, provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or structures or land or upon the courtyards or other open spaces than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits, the provisions of this Ordinance shall control.

Section 26.02: SEVERANCE CLAUSE
Sections of this Ordinance shall be deemed to be severable and should any section, paragraph, or provision thereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Ordinance as a whole or any other part thereof, other than the part so declared to be unconstitutional or invalid.

Further, if any court shall declare invalid the application of any provision of this Ordinance to a particular parcel, lot use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot use building or structure not specifically included in said ruling.

Section 26.03: VESTED RIGHT
Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety, and welfare.

Section 26.04: REPEAL
All prior ordinances and amendments hereto enacted, inconsistent with the provisions of this amending Ordinance are hereby repealed. The repeal of existing ordinances or parts of ordinances and their amendments does not affect or impair any act done, offense committed or right accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time it was enforced, prosecuted or inflicted.

Section 26.05: EFFECTIVE DATE
This Ordinance shall take effect seven (7) days following adoption and publication of a notice of adoption in accordance with the provisions and procedures of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Made and passed by the Township Board of the Township of Dexter, Washtenaw County, Michigan on the 15th day of May, 2003.
1. Date of Public Hearing: October 1, 2002; March 26, 2003
2. Date of Adoption by Township Board: April 15, 2003
3. Date of Notice of Adoption Published in Newspaper: April 24, 2003
4. Date Ordinance Shall Take Effect: May 1, 2003
End of Article 26