

CROCKERY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Agenda
Tuesday, June 21, 2022
7:30 P.M., Board Room
17431 112th Avenue, Nunica, Michigan

1. Call to Order – Roll Call
2. Approval of the Agenda
3. Approval of the Minutes from the **May 17, 2022** meeting
4. Announcements
 - A. Township Board Report – Ryan Kelly
5. Communications
6. Public Comments (3 Minutes per Person)
7. Action Items
 - Public Hearing Zoning Ordinance Amendments:
 - Definitions
 - Outdoor Lighting
 - Outdoor Ponds
 - Parking and Loading
 - Private Streets & Driveways
 - Split Zoning
8. Presentations
9. Discussion Items
10. Adjournment

Next Regular Meeting: **July 19, 2022**

Crockery Township

Regular Planning Commission Meeting

May 17, 2022
Preliminary Minutes

Chairman Bill Sanders called the meeting to order at 7:33 P.M. Roll call was taken with Commissioners Ryan Kelly, Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, Mike Munch, and Roy Holmes present. Planner Julie Lovelace, Fresh Coast Planning, was present on behalf of the Township.

There were six persons seated in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the April 19, 2022, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Mike Munch. A 2nd was offered by Commissioner Roy Holmes. The motion was unanimously approved by the Commission.

Agenda Item 4. Announcements

Commission Ryan Kelly advised the Board is interested in having the Planning Commission work on a zoning ordinance amendment that allows road right-of-way to be included in the calculation of lot size, similar to the calculation allowed presently for agricultural properties.

Commissioner Kelly also stated gravel roadway brining is underway in the Township.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comment

Chairman Sanders asked for public comment. No public comments were offered.

Agenda Item 7. Action Items

A. Rezone Request – Flores, 138th Avenue – Public Hearing.

Documents received by the Commission for this hearing include; (1) a Crockery Township Zoning Application, signed by Tammey Flores, dated April 11, 2022, requesting a rezone for Parcel #70-04-30-200-012, from Ag-2, Rural Agricultural Preservation, to R-1, Low Density Residential, (2) a Planning Review by Ms. Julie Lovelace, dated May 5, 2022, discussing this proposal, including aerial views of the parcel and surrounding properties, and proposed splits.

Ms. Tammey Flores, 11320 Cleveland Street, has submitted an application to rezone Parcel #70-04-30-200-012, located at 15736 138th Avenue, 18.31 acres, from Ag-2 Rural Agricultural Preservation, to R-1, Low Density Residential. Ms. Flores also requests the Planning Commission waive the Township's ordinance restriction regarding lot depth to width ratio if the rezoning is approved.

Ms. Flores was not present for this hearing.

Chairman Bill Sanders opened the public hearing.

Planner Lovelace provided an introduction to this discussion by reviewing her Planning Review information, including a brief history of the subject parcel's past zoning, present zoning, and future land use designation, which include Rural Estates and Ag-1 zoning suggestions. Ms. Lovelace indicated Ms. Flores would like to divide the property into three (3) lots of varying size, one of which would require waiving the lot depth to width ratio by the Planning Commission.

The Commission discussed the proposed zoning change, noting the zoning history of the property, and the presence of adjacent properties currently zoned R-1 Low Density Residential. The Commission also reviewed the physical characteristics of the parcel.

Chairman Sanders asked for public comment.

Mrs. Sally Chittenden, 138th Avenue, and a neighbor to the subject parcel, had questions concerning the process of rezoning, but remained neutral regarding the proposed change by the applicant.

Mr. Paul Rickerd, Pathway Drive, had questions concerning the splits and buildable area of the property.

After all interested parties were heard, Chairman Sanders closed the public comment.

The Commission continued to discuss the rezone request, taking into consideration the current zoning of the immediate area, the suggested future land use found in the Master Plan, and public comment.

After considerable discussion, the Commission felt the rezone request was reasonable.

After all discussion was complete, and all parties heard, Commissioner Dave Meekhof made a **motion** to recommend to the Township Board that Tammey Flores' request to rezone Parcel #70-04-30-200-012 from Ag-2 Rural Agricultural Preservation to R-1 Low Density Residential be approved. A 2nd was offered by Commissioner Roy Holmes. The Commission unanimously approved the motion.

The Planning Commission further discussed Ms. Flores' request to waive the Township's lot depth to width ratio, allowing the lot splits submitted, specifically affecting the northern most flag shaped lot. The Commission felt this aspect of the request was premature given that the Board first needs to approve the rezone. The Commission felt it was appropriate to table this request until the Board takes action on the rezone request.

Commissioner Ryan Arends made a **motion** to table the request by Ms. Flores to waive the Township's zoning ordinance restriction regarding lot depth to width requirements until the Board takes action on the rezone request. A 2nd was offered by Commissioner Mike Munch. The Commission unanimously approved the motion.

Agenda Item 8. Presentations

None.

Agenda Item 9. Discussion Items

A. Outdoor Ponds – Zoning Ordinance Revisions/Compilation.

Ms. Lovelace provided the Commission with a draft of the proposed outdoor ponds zoning amendments. The primary change deletes the description of recreational ponds and addresses ponds as a general matter. The draft also includes minor word maintenance changes to better clarify certain passages.

Planner Lovelace believes the most recent lot of amended Design and Construction Standards to be inducted into the Township's Zoning Ordinance are now ready for a Public Hearing.

Commissioner Ryan Kelly made a **motion** to bring to a public hearing, the amended Design and Construction Standards to be included in the Township's Zoning Ordinance, on Tuesday, June 21, 2022, at the Township Hall, at 7:30 P.M. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

B. Site Plan Review – Building Façade Requirements.

Ms. Lovelace had provided the Commission with several examples of building façade requirements from entities in our area. The Commission enjoyed the organization, clarity, and readability of Allendale Township’s façade standards. The Commission also felt Jamestown Township’s allowance for compatibility with addition to existing structure(s) was an important element to employ in order to avoid a “sore thumb” appearance when considering façade application.

Planner Lovelace will begin to design a draft of façade requirements for further review.

Agenda Item 10. Adjournment

A **motion** to adjourn was made by Commissioner Ryan Arends at 8:45 P.M. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary
Crockery Township Planning Commission

Next Regular Meeting - June 21, 2022
Next Special Meeting - TBD

**TOWNSHIP OF CROCKERY
COUNTY OF OTTAWA**

At a regular meeting of the Crockery Township Board, held in the Township Hall, Nunica, Michigan, on the ____ day of ____ at 7:00 p.m.

PRESENT:

ABSENT:

The following ordinance was offered by Member ____ and seconded by Member ____.

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF
CROCKERY**

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1 – Article 2 of the Crockery Township Zoning Ordinance is amended so as to read in its entirety as follows:

2.02 DEFINITIONS

The following listed terms and words are defined for the purpose of their use in this Ordinance; these definitions shall apply in the interpretation and enforcement of this Ordinance unless otherwise specifically stated.

1. A-D

Acceleration/Deceleration Lane - A speed-changing lane that enables a Vehicle to enter or leave the traffic lane at a speed equal to or slightly less than the speed of traffic in the through lane.

Access - A ways or means of approach to provide vehicular or pedestrian entrance or exit to a property from a public roadway.

Access Easement - A legally binding written agreement between two (2) or more property owners who share joint-Access to the Corridor, Parking lots, Front or Rear Service Drives.

Access Management - The process of providing and managing Access to land development while simultaneously preserving traffic flow on the surrounding Street system. Access Management is intended to maintain a safe and efficient flow of vehicular traffic using Front and Rear Service Drives, Parking lot Connections, and Shared Driveways in conjunction with Driveway Spacing standards, while retaining Reasonable Access to the property.

Access Point –

- A. The connection of a Driveway at the Right-of-Way line to a public Street, Front, or Rear Service Drive.

- B. A Driveway, Parking lot Connection, Shared Driveway, Front, or Rear Service Drive.

Accessory Use, Building, or Structure - A use, building, or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use, building, or structure.

Adjacent Driveway - Driveway(s) located next to each other and on the same side of M-104.

Adult Book Store - Any establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," as defined herein, or an establishment with a segment or section devoted to the sale or display of such material.

- A. **Specified Sexual Activities** - Specified sexual activities are defined as:
 - i. Human genitals in a state of sexual stimulation or arousal.
 - ii. Acts of human masturbation, sexual intercourse, or sodomy.
 - iii. Fondling or other erotic touching of genitals, pubic region, buttock, or female breast.
- B. **Specified Anatomical Areas** - Specified anatomical areas are defined as:
 - i. Less than completely and opaquely covered.
 - ii. Human genitals, pubic region.
 - iii. Female breast below a point immediately above the top of the areola.
 - iv. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Adult Cabaret - A cabaret that features go-go dancers, erotic dancers, strippers, male or female impersonators, or similar entertainers.

Adult Day Care Facility - An establishment having as its principal function the receiving of one (1) or more persons eighteen (18) years of age or older for the provision of supervision, personal care, and protection for periods of less than twenty-four (24) hours a day, four or more days a week for two (2) or more consecutive weeks. Adult day care facilities may be further defined as follows:

- A. **Adult Day Care Center** - A facility other than a private residence, receiving more than six (6) adults for group care periods of less than twenty-four (24) hours a day.
- B. **Adult Family Day Care Home** - A private residence in which one (1), but less than seven (7) adults are given care and supervision for periods of less than twenty-

four (24) hours a day except adults related to the family by blood, marriage, or adoption.

- C. **Adult Family Group Day Care Home** - A private residence in which more than six (6), but not more than twelve (12) adults are given care and supervision for periods of less than twenty-four (24) hours a day except adults related to the family by blood, marriage, or adoption.

Adult day care facilities do not include adult foster care facilities or Child Care organizations as defined in this ordinance.

Adult Foster Care Home - An establishment having as its principal function the receiving of persons eighteen (18) years of age or older for the provision of supervision, personal care and protection in addition to room and board, for twenty-four (24) hours a day, five or more days a week, and for two (2) or more consecutive weeks for compensation, as licensed and regulated by the state under Act No. 218 of the Public Acts of 1979 and the associated rules promulgated by the State Department of Social Services. Such facilities may be further defined as follows:

- A. **“Adult foster Care Camp” or “Adult Camp”** - An adult foster care facility with the approved capacity to receive more than four (4) adults who shall be provided foster care. An adult foster care camp is a facility located in a natural or rural environment.
- B. **“Adult Foster Care Congregate Facility”** - An adult foster care facility with the approved capacity to receive more than twenty (20) adults who shall be provided foster care.
- C. **“Adult Foster Care Family Home”** - A private residence with the approved capacity to receive not more than six (6) adults who shall be provided foster care for five (5) or more days a week and four (4) or more consecutive weeks. The Adult Foster Care Family Home licensee shall be a member of the household and an occupant of the residence.
- D. **“Adult Foster Care Large Group Home”** - An adult foster care facility with the approved capacity to receive at least thirteen (13) but not more than twenty (20) adults who shall be provided foster care.
- E. **“Adult Foster Care Small Group Home”** - An adult foster care facility with the approved capacity of not more than twelve (12) adults who shall be provided foster care.

Adult foster care facility does not include any of the following:

- A. Adult day care facilities as defined in this ordinance.
- B. Nursing homes, homes for the aged or hospitals as defined in this chapter and as licensed under Article 17 of the Public Health code, Act No. 368 of the Public Acts of 1978, as amended, or facilities operated under the Mental Health Code and Social Welfare Acts being Act No. 258 of the Public Acts of 1974 and Act No. 280 of the Public Acts of 1939.

- C. A child care organization as defined in this chapter if the number of residents who become eighteen (18) years of age while residing in the facility does not exceed the following:
- i. Two (2), if the total number of residents is ten (10) or fewer.
 - ii. Three (3), if the total number of residents is not less than eleven (11) and not more than fourteen (14).
 - iii. Four (4), if the total number of residents is not less than fifteen (15) and not more than twenty (20).
 - iv. Five (5), if the total number of residents is twenty-one (21) or more.
 - v. An establishment commonly described as an alcohol or a substance abuse rehabilitation center, a residential facility for persons released from or assigned to adult correctional institutions, a maternity home, or a hotel or rooming house, which does not provide or offer to provide foster care.
 - vi. A veteran's facility created under Act No. 152 of the Michigan Public Acts of 1885, as amended.

Adult Motion Picture Theaters - Any establishment used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical area," as defined herein for observation by patrons therein.

Agricultural Building - A building (including an accessory building) that is designed, constructed and used exclusively to store farm implements, hay, grain and/or other horticultural products, and/or for the storage, care and feeding of poultry and/or livestock. It shall not be a place of human habitation, or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by, or open to, the public. This definition is and shall be construed as being consistent with the definition of "agricultural building," as stated in the Michigan Building Code.

Alternative Means of Access - A Front or Rear Service Drive, Parking lot Connection, or a Shared Driveway.

Alternative Tower Structure - Water Towers, Man-made trees, clock towers, bell steeples, church spires, light poles, elevator bulkheads and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Ambient Sound Level - The amount of background noise at a given location which may include, but not be limited to, traffic, machinery, lawnmowers, human activity, and the interaction of wind with the landscape. The ambient sound level is measured on the dB (A) weighted scale as defined by the American National Standards Institute.

Anemometer - A temporary wind speed indicator constructed for analyzing the potential for utilizing a wind energy turbine at a given site. This includes the tower, base plate, anchors, cables and hardware, wind direction vanes, booms to hold equipment, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind

flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

Antenna - Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless communications signals or other communication signals.

Arcade - A covered passageway with arches along one or both sides.

Arterial - See definition of "Functional Classification."

Basement - A portion of a building located totally below, or partly below and partly above grade, where the average vertical distance from grade to the floor below is greater than the average vertical distance from grade to ceiling.

Bed and Breakfast Establishment - An establishment in which transient guests are provided a sleeping room and board in return for payment, which is located in a single-family dwelling which is used to house the owner of the establishment as his/her principal place of residence.

Berm - A mound of earth used for decorative, screening, or buffering purposes.

Boarding and Riding Stables - Boarding and Riding Stables are for the boarding, hire, and training of horses that are owned by the operator of the stable or by persons other than the operator of the stable including the structures where horses are lodged or fed, and arenas where indoor riding or riding lessons take place.

Building – Any structure that is constructed, placed, or erected, having a roof supported by columns, walls, or other supports, which is used for the purpose of housing or storing of persons, animals, or personal property or carrying on business activities or other similar uses, including hoop buildings; storage pods; shipping containers; tension fabric buildings; steel, canvas, polyethylene or metal storage sheds; portable metal and vinyl garages; clear span poly wall and freestanding buildings; carports; and other similar structures.

Building Envelope – Means the area of a site condominium unit within which the principal building or structure may be constructed, together with any accessory structures, as described in the master deed for the site condominium.

Building Site – Means:

- A. In the case of a site condominium, either:
 - i. A site condominium unit itself (i.e., exclusive of any appurtenant limited common element), including the area under the building envelope and the area around and contiguous to the building envelope; or
 - ii. The area within the site condominium unit taken together with any contiguous and appurtenant limited common element which is limited in use to the owner of the contiguous unit.

- B. In the case of a conventional condominium, an area on a plan submitted for zoning and land use approval for the purpose of demonstrating that buildings or uses could be created which satisfy all requirements for lot area, width, frontage, setbacks and other requirements if the development were a subdivision or a land division.
- C. A building site shall be considered the equivalent of a "lot" for purposes of determining compliance with the applicable requirements of this Ordinance (including, without limitation, height, area, yard and density requirements) and other applicable laws, ordinances or regulations.

Caliper - The diameter of a tree in inches at breast height measured four and one-half (4 1/2) feet above the established grade.

Channelized Driveway - A Driveway having a physical design that prevents left turns into and out of a site.

Child Caring Facility - means a facility as licensed and regulated by the state under Act 116 of 1973 for receiving minor children for care, maintenance, and supervision, usually on a twenty-four (24) hour basis, in homes or in buildings maintained for that purpose, and operates throughout the year. An educational program may be provided, but the educational program shall not be the primary purpose of the facility. Child caring facility facilities may be further defined as follows:

- A. **Children's Camp (four (4) or more children)** - means a residential, day, troop, or travel camp that provides care and supervision and is conducted in a natural environment for more than four (4) children, apart from the children's parents, relatives, or legal guardians, for five (5) or more days in a fourteen (14) day period.
- B. **Child Care Center or "Day Care Center" (one (1) or more children)** - means a facility, other than a private residence, receiving one (1) or more preschool or school-age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. A Child Care center or day care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.
- C. **Foster Family Home (four (4) or fewer children)** - is a private home in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in the household under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, are given care and supervision for twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
- D. **Foster Family Group Home (five (5) or six (6) children)** - means a private home in which more than four (4) but fewer than seven (7) minor children, who are not related to an adult member of the household by blood or marriage, or who are not placed in the household under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, are provided care for

twenty-four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

- E. **Child Caring Institution (six (6) or more children)** - means a facility organized to receive minor children for care and supervision on a twenty-four (24) hour basis operated throughout the year.

Co-location - The placement of antennas of two or more service providers upon a single tower or alternative tower structure.

Commercial Amusement - A business or enterprise for leisure or recreation purposes, including a miniature golf course, bowling alley, arcade, go-cart track, skating rink, golf driving range, baseball batting cage and similar leisure or recreational uses.

Condominium Development - A development that is created under the Condominium Act.

Condominium Project – A plan or project consisting of either (1) not less than two site condominium units established in compliance with the Condominium Act; or (2) a conventional condominium containing two or more single family and/or two-family dwellings, or two or more individual commercial buildings, or a combination thereof.

Condominium Project Plan – The plans, drawings, and information prepared for a condominium project as required by Section 66 of the Condominium Act and as required by this Ordinance for review by the zoning administrator, planning commission, and the Township board. In addition, in the case of a conventional condominium, the condominium project plan shall include a drawing on which the boundary lines are superimposed, demonstrating that the orientation and layout of buildings, drives, and other features is such that each building could be located on a lot or unit complying with lot area, width, frontage, access, setback, and other applicable requirements, as if each building were located on a site condominium unit or individually owned lot in a subdivision.

Contractor's Yard – An area and/or building used to store equipment, motor vehicles, construction supplies, building equipment and raw materials for a contractor engaged in building or other construction businesses, including but not limited to plumbing, electrical, structural, demolition, transportation, masonry, excavating or other construction work. A Contractor's Yard may include building material yards (excluding concrete and asphalt mixing); a storage yard for rental of equipment commonly used by contractors; trucking or motor freight stations or terminals; retail lumber yards, including incidental millwork; the storage and sale of fuel; or trucking, express or hauling establishments, including the storage of vehicles. Normal maintenance of equipment is allowed. A Contractor's Yard may include the indoor or outdoor repair, maintenance or storage of a contractor's vehicles, equipment or materials, and may include the contractor's business office.

Conventional Condominium – A condominium in which each co-owner is granted exclusive rights to a unit consisting only of a dwelling unit and accessory structure, or a commercial space intended for separate ownership and utilization, and the remainder of the condominium

project consists of limited common elements which are not limited to use only by the owner of the contiguous unit, or general common elements, or a combination thereof.

Corner Lot - A corner lot is located at the intersection of two streets or abutting upon a curved street if tangents to the curve at the two points where the lot lines meet the curve forms an interior angle of 135 degrees or less.

Corridor - In all instances where the term, “the corridor” is referenced in this Ordinance, it shall refer to state highway M-104 and/or Cleveland Street.

Decibel - A unit of measure used to express the magnitude of sound pressure and sound intensity. Decibels shall be measured on the dB (A) weighted scale as defined by the American National Standards Institute.

Decommissioning - The process of terminating operation and completely removing all related buildings, structures, foundations, access roads, and equipment.

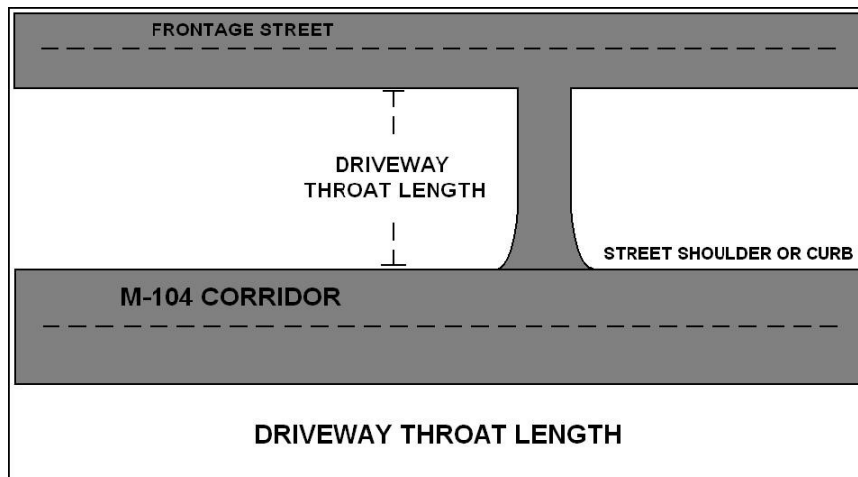
Decommissioning Plan – A document that describes and explains the planned termination of operations of an existing facility and the removal of the facility from the property. Such facilities include, but are not limited to, solar energy facilities, wind energy turbines, wireless communications towers and essential services facilities.

Dock - Any structure, whether permanent or removable, that extends from the shoreline into a lake, river, or stream and to which one or more boats or other watercraft may be docked or moored.

Driveway - Any improved or unimproved entrance or exit to a parcel of land, building, or dwelling providing the primary means of access by vehicles from an abutting roadway.

Driveway Spacing - The distance between Driveways as measured from the centerline of one Driveway to the centerline of the second Driveway.

Driveway Throat Length - The length of a Driveway measured from the edge of the paved shoulder of the Corridor to the first on-site location at which a driver can make a right or left turn (or from the near edge of the Parking lot). On Streets with curb and gutter, the throat length shall be measured from the face of the curb.



Dwelling - Any building used in whole or in part as a home, residence, or sleeping place either permanently or temporarily including manufactured homes, one family, two family, and multi-family buildings and boarding houses, but not including hotels, motels, tents, recreational vehicles, or other unconventional structures.

- A. **Dwelling, Manufactured Home** - A manufactured home is a structure in one or more sections, of vehicular, portable design, built on a chassis and designed to be moved from one site to another, and to be used with or without a permanent foundation. The manufactured home is designed to be used as a dwelling, when connected to the required utilities. Required utilities include plumbing, heating, and electrical systems, all of which are contained in the structure. Manufactured homes are designed, constructed, and maintained to be transported from one location to another and not mounted on a permanent foundation. A mobile unit is titled by the State of Michigan and bears a Housing and Urban Development (HUD) nameplate affixed in a permanent location. Manufactured Homes must meet the construction and safety standard established by the U.S. Department of Housing and Urban Development (HUD). A manufactured home is a type of manufactured dwelling. Recreational vehicles, as defined and regulated herein, shall not be considered "manufactured homes" for the purposes of this Ordinance. Manufactured homes shall be considered as single-family dwellings for the purposes of this Ordinance and are subject to all requirements relating to such contained herein.

- B. **Dwelling, Modular** - A prefabricated transportable dwelling unit designed to be incorporated at a building site into a structure on a permanent foundation to be used for a residential dwelling when connected to the required plumbing, heating and electrical systems. The prefabricated unit is designed and constructed to comply with all of the requirements of the current building code for on site and prefabricated construction. Modular homes are transported to the building site upon a separate vehicle or flatbed trailer and have no axles, wheels, metal undercarriage, or chassis, as distinguished from a manufactured home. The roof of a modular shall be designed and constructed to a forty (40) pound Per Square Foot snow load, with the exterior covered with vinyl siding. Modular homes shall be considered as single-family dwellings for the purposes of this Ordinance and subject to all requirements relating to such contained herein.

- C. **Dwelling, Multiple-Family** - A building used or designed as a residence for three or more families or domestic units living independently of each other.

- D. **Dwelling, Single-Family Detached** - A building surrounded by open space on its building lot, used and designed for one family or domestic unit.

- E. **Dwelling, Two-Family or Duplex** - A detached building containing two dwelling units and designed for use by two families or domestic units living independently.

Dwelling Unit - One or more rooms designed or used as an independent housekeeping establishment for one family or domestic unit and containing kitchen facilities, including a stove or cooking device and a permanently installed sink, bathroom facilities, and sleeping facilities.

2. E-H

Egress - The exit of vehicular traffic from abutting properties to a street.

Essential Services - The erection, construction, alteration or maintenance by public utilities or governmental units, boards or commissions of overhead or underground gas, electrical, steam or water distribution, transmission, collection, communication, or supply systems including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, poles and other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission or for the public health, safety or general welfare is permitted in any zoning district. This definition shall not include antennas that are exterior transmitting or receiving devices mounted on a tower, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunications signals, or other communication signals. An essential service shall further not include towers which are designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes; radio and television transmission, towers; microwave towers; common carrier towers; or cellular telephone towers.

Exotic or Wild Animal - A non-domestic animal not occurring naturally, either presently or historically in this state.

Family or Domestic Unit - An individual or group of two or more persons whose relationship is of a continuing non-transient domestic character, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit 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 other similar determinable period.

Family Child Care Home (6 or fewer children) - A private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.

Farm - The land, plants, animals, buildings, structures, including ponds used for agricultural or aquaculture activities, machinery, equipment, and other appurtenances used in the commercial production of farm products. A farm also includes the operation and management of a condition or activity that occurs at any time as necessary in connection with the commercial production, harvesting, and storage of farm products.

Fence – A continuous barrier extending from the surface of the ground to a uniform height at any given point, constructed of plastic, wood, steel or other metal, or other traditional fence material of a similar nature, but not including non-conventional material such as tree stumps, trees, tires, hubcaps or other material intended for purposes other than conventional fencing.

Floor Area, Gross - The sum of the gross horizontal area of all floors of a building or structure, or an addition to an existing building, including finished attics, finished basements and all covered areas, including porches, sheds, carports and garages measured from the outer edge of the exterior walls, up to and including structural columns with no deduction for hallways, stairs, closets, thickness of interior walls, columns, or other features and is measured from or from the centerline of a wall separating two buildings. This definition does not include the area of parking facilities within the principal building. For all office buildings, and for any other building except dwelling units, where the principal use thereof shall include the basement, the basement floor area shall be included except that part thereof which contains heating and cooling equipment and other basic utilities.

Floor Area, Usable - The floor area of a building exclusive of garages, porches, utility areas, attics, and uninhabitable basements as defined by the Township building codes.

Front Service Drive - A Local Street or Private Road typically located in front of the principal Buildings and parallel to the Corridor utilized for the purposes of providing Access to abutting properties and controlling Access to the Corridor.

Functional Classification - A system used to group public Streets into classes according to their purpose and function. Streets are classified by the following categories:

- A. **Interstate** - Major highways providing no direct property Access and Interstates are designed primarily for through traffic.
- B. **Major Arterial** - Arterials are Streets of regional importance intended to serve moderate to high volumes of traffic traveling relatively long distances. A Major Arterial is intended primarily to serve through traffic where Access is carefully controlled. Most of the Corridor is classified as a Major Arterial.
- C. **Minor Arterial** - A Street similar in function to Major Arterials but operates under lower traffic volumes over shorter distances and provides a higher degree of property Access than Major Arterials provide.
- D. **Major Collector** - A Street that provides for traffic movement between Arterials and Local Streets and carries moderate traffic volumes over moderate distances. Collectors may also provide direct Access to abutting properties. A small portion of the Corridor is classified as a Major Collector.
- E. **Minor Collector** - A Street similar in function to a Major Collector but which carries lower traffic volumes over shorter distances and provides a higher degree of property Access than a Major Collector provides.
- F. **Local Street** - A Street intended to provide Access to abutting properties, which tends to accommodate lower traffic volumes and serves to provide mobility within that neighborhood.

General Common Element - An area designated for use by all owners within a condominium development.

Government Administration and Public Service Building - A building that is owned by a governmental agency or non-profit organization and which is operated for the purpose of

providing governmental services. This definition shall include publicly-owned libraries, museums, schools and community centers.

Gross Usable Acres - The total land area that is suitable for development (i.e., excluding areas of swamps, steep slopes, or other natural or fabricated limitations that preclude or limit development).

Group Child Care Home (seven to twelve (7-12) children) - A private home 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 child care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.

Hazardous Substance - Hazardous substances include hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan Department of Labor; flammable and combustible liquids as defined by the Michigan Department of State Police, Fire Marshal Division; hazardous materials as defined by the U.S. Department of Transportation. Hazardous substances are also critical materials, polluting materials, and hazardous waste as defined by the Michigan Department of Natural Resources. Petroleum products and waste oil are also considered hazardous substances.

Height, Building or Structure - The vertical distance measured from the top of the foundation to the highest point of the roof or the maximum height reached by any part of the structure. When referring to a structure upon which an antenna or wind turbine is mounted, the height is the maximum height reached by any part of the structure or the distance measured from the average finished grade at the base of the structure to the highest point on the antennae or most vertical extension of any blade.

Home Occupation - A gainful occupation traditionally or customarily carried on in the home, as a use incidental to the use of the home as a dwelling place or if approved as a special land use, in an accessory building. Home occupations may include any profession, vocation, or trade, or artists, authors, photographers, or handicraft workers, but shall not include nursery schools caring for more than three children, studios, restaurants, retail sales, or vehicle repairs.

Hunting Club - A property, location or land use established and used for recreational hunting and shooting purposes, by a formal association of members engaging in such activities for sporting purposes, including the hunting of live game birds and live game animals with firearms, bow and arrow or otherwise; the shooting at targets or clays; and other similar activities for recreational hunting or shooting purposes. A hunting club may include improvements such as buildings and other facilities used for permitted purposes.

3. I-L

Ingress - The entrance of vehicular traffic to abutting properties from a street.

Intersection - The location where two (2) or more streets or private streets cross at grade without a bridge.

Junk - Junk is considered a crowded or confused mass or collection of things that clutter a place, or a collection of rejected or useless matter, waste, worthless things or debris in a crumbled or broken condition.

Junk Farm Apparatus - Tractors and other farm machinery or equipment which is not in useable condition or which lack all necessary parts to be operable and serviceable.

Junk Motor Vehicle - A vehicle that is three (3) years or older and does not have legal plates or registration and is extensively damaged, such damages including but not limited to any of the following: a broken window or windshield, missing wheels, tires, motor or transmission, has a fair market value of \$1,500.00 or less, and is not running and not operable (operable meaning able to be started and driven under its own power), and does not comply with all State of Michigan safety laws and equipment provisions for motor vehicles.

Junkyard - A place where junk, waste, or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including wrecked vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are worn, deteriorated or obsolete.

Kennel - Any land, building, or structure where three (3) or more cats, dogs, or other household pets, six (6) months of age or older, are kept temporarily or permanently for any reason other than veterinary medicine such as boarding, breeding, or sale. Kennels shall have a license, issued by the Ottawa County Treasurer's Office.

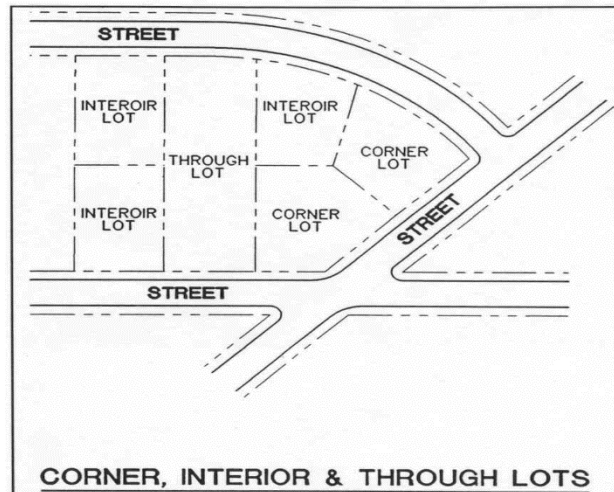
Large Wind Energy Turbine (LWET) - A tower-mounted wind energy system that converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. The LWET has a nameplate above two hundred fifty (250) kilowatts, and the main purpose of the LWET is to supply electricity to off-site customers.

Level of Service - Level of service (LOS) is the operational function of roadways. Level of service is graded on a letter scale from A - F with A being the highest level of service and F being the lowest. At LOS A, traffic flows freely, selecting desired travel speeds with ample passing opportunities. At LOS F, traffic flow is forced, the traffic volume has exceeded the capacity of the roadway to handle it, and there are no passing opportunities. LOS D is generally considered the lowest tolerable level of service for roadways.

Limited Common Element – An area which is appurtenant to a condominium unit and which is reserved in the master deed for the condominium project for the exclusive use of at least one owner, but less than all the owners of the project.

Long Term Care Facilities - In general, long-term care housing options fall into four main categories based upon the level of care and types of services provided: (1) Independent Living Communities/Retirement Communities, (2) Assisted Living Facilities, (3) Continuing Care Retirement Communities and (4) Skilled Care / Nursing Homes. They are typically facilities that provide rehabilitative, restorative, and/or ongoing skilled nursing care to patients or residents in need of assistance with activities of daily living. Long-term care facilities include nursing homes, rehabilitation facilities, and inpatient behavioral health facilities, long-term chronic care hospitals sub-acute care facilities, homes for the aged, hospice facilities, assisted living facilities, independent living, senior housing, and extended care facilities.

Lot - A piece or parcel of land which is separately described on a deed or other instrument recorded in the office of the Register of Deeds, whether by metes and bounds description, as part of a platted subdivision, or condominium unit intended for individual ownership and use or otherwise, and which has a distinct and separate tax parcel identification number.



- A. **Lot, Interior** - A lot other than a corner or through lot.
- B. **Lot, Through** - A lot having frontage on two approximately parallel streets. A through lot shall be treated as an interior lot if the frontage on one street is less than ten percent (10%) of the frontage on the other street, in which case the greater of the two (2) frontages shall be considered the front lot line. If the distance between the streets is greater than six hundred (600) feet the lot line nearest the building shall be considered the front lot line.
- C. **Lot, Waterfront** - A lot abutting any lake, pond, river, stream, creek, or any other type of water body or watercourse including wetlands that are contiguous to a water body or watercourse.

Lot Area - The total horizontal area of a lot within the lot lines or boundaries, excluding areas within a private or public street right-of-way or lying beneath a lake or river, unless the ordinance clearly indicates otherwise.

Lot Depth - The horizontal distance between the front and rear lot lines of interior and corner lots, or the two front lines of a through lot, measured along the median line between the side lot lines. In the case of a waterfront lot, lot depth is measured from the water's edge to the street right-of-way line.

Lot Lines - Any line dividing one lot from another or from an abutting street right-of-way. In cases where the following lot line definitions are not applicable, the Zoning Administrator shall designate the lot lines. The lines bounding a lot are further defined as:

minimum lot width shall be established for each zoning district according to the schedule of district regulations.

4. M-P

Marijuana Manufactured Home - See “Dwelling, Manufactured Homes.”

Manufactured Home Pad - That portion of a manufactured home lot reserved for the placement of a manufactured home, appurtenant structures, or additions.

Manufactured Housing Community - A parcel or tract of land under the control of a person upon which three or more manufactured homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any buildings, structures, enclosures, streets, equipment, or facilities which are accessory to such park, subject to conditions set forth in the Manufactured home Commission Rules and Michigan Public Act 419 of 1976, as amended.

Marijuana Grower Facility - The holder of a Township marijuana grower facility permit and a Class A marijuana grower State Operating License issued under the Michigan Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, that is a commercial entity that cultivates, dries, trims or cures and packages marijuana for sale to a processor or provisioning center, and who may sell marijuana plants or marijuana seeds to another marijuana grower in compliance with Act 281. A marijuana grower facility includes any property at which marijuana is planted, grown, harvested and prepared and packaged for sale to an authorized purchaser.

Marijuana Grower License (Class A) - A marijuana grower State Operating License under the Michigan Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, that authorizes a marijuana grower to grow not more than 500 marijuana plants.

Marijuana Grower Permit - A permit issued by the Township to the holder of a Class A marijuana grower State Operating License under the Michigan Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, whereby the holder of the permit is authorized to grow not more than 500 marijuana plants in compliance with Township Ordinance No. 2017-3, the Township Medical Marijuana Facilities Ordinance.

Marijuana Processor – A licensee that is a commercial entity located in this state that purchases marijuana from a grower and that extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center or another processor.

Marijuana Provisioning Center - The holder of a Township marijuana provisioning center permit and a provisioning center State Operating License under the Michigan Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, that is a commercial entity that purchases marijuana from a grower or processor and sells, supplies or provides marijuana to registered qualifying patients, directly or through the patients’ registered primary caregivers. A marijuana provisioning center includes any commercial property at which marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A non-commercial location used by a primary caregiver to assist a qualifying patient is not a marijuana provisioning center.

Marijuana Provisioning Center License - A marijuana provisioning center State Operating License under the Michigan Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, that authorizes a marijuana provisioning center.

Marijuana Provisioning Center Permit - A permit issued by the Township to the holder of a marijuana provisioning center State Operating License under the Michigan Medical Marijuana Facilities Licensing Act, Public Act 281 of 2016, whereby the holder of the permit may purchase and receive marijuana from an authorized source and may sell or transfer marijuana to an authorized purchaser or transferee in compliance with Township Ordinance No. 2017-3, the Township Medical Marijuana Facilities Ordinance.

Marijuana Safety Compliance Facility – A licensee that is a commercial entity that takes marijuana from a marijuana facility or receives marijuana from a registered primary caregiver, tests the marijuana for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marijuana to the marijuana facility.

Marijuana Secure Transporter – A licensee that is a commercial entity located in this state that stores marijuana and transports marijuana between marijuana facilities for a fee.

Marina - A landing, boat basin or a harbor specially designed to cater to the needs of pleasure boats and their owners that has offering dockage, moorings, supplies, and other and other service facilities for yachts and small craft small boats, where ships are loaded and unloaded or repaired.

Medium Wind Energy Turbine (MWET) - A tower-mounted wind energy system that converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. The MWET has a nameplate capacity that does not exceed two hundred fifty (250) kilowatts. The Total Height does not exceed one hundred and fifty (150) feet.

Mineral Material - The material derived from underlying geological material (generally bedrock or a superficial or drift deposit) in which soil is formed, including both organic and mineral soils.

Motel - A building or group of buildings on the same lot, whether detached or in connected rows, containing sleeping or dwelling units which may or may not be independently accessible from the outside with garage or parking space located on the lot and designed for, or occupied by automobile travelers. The term shall include any building or building groups designated as motor lodges, transient cabins, or by any other title intended to identify them as providing lodging, with or without meals, for compensation on a transient basis.

MRTMA – This term refers to Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marijuana Act, MCL 333.27951, et seq.

Nacelle - The encasement that houses all of the generating components, gearbox, drive tram, and other equipment.

Nature Preserve - An area where exotic or wild animals are kept in a natural setting where the animals are not hunted or trapped.

Net Metering - A special metering and billing agreement between utility companies and their customers, which facilitates the connection of renewable energy generating systems to the power grid.

Nonconforming Structure - A structure or part thereof lawfully constructed and existing at the effective date of this Ordinance or amendments thereto, that does not conform to the area, placement or height regulations, or off-street parking or loading requirements of the district in which it is located.

Nonconforming Use - A structure, lot, or other parcel of land lawfully occupied by a use at the effective date of this Ordinance, or amendments thereto, that does not conform to the use regulations of the district in which it is located.

Nude Artist and Photography Studios - Any building, structure, premises or part thereof used solely or primarily as a place which offers as its principal activity the providing of models to display "specified anatomical areas" as defined herein for artists and photographers for a fee or charge.

Nursing Home - A facility licensed under Michigan Act 368 of 1978, as amended or any similar successor having similar licensing jurisdiction.

Occupied Building - A residence, school, hospital, church, public library, business, or other building used for public gatherings.

Operator - The entity responsible for the day-to-day operation and maintenance of a Wind Energy Turbine (WET).

Opposite Side Driveway - A Driveway located on the opposite side of M-104 from the Driveway in question.

Outdoor Businesses - Any business enterprise having services, display or storage not conducted wholly within an enclosed building.

Outdoor Pond - Any outdoor body of standing water accumulated in a natural or artificially constructed basin or depression in the earth, either above, below, or partly above or partly below grade, capable of holding water to a depth of greater than two feet when filled, and having a water surface area measuring at least 500 square feet.

Outdoor Wood-Fired Boiler - A boiler, furnace, or stove that is fueled by the burning of a natural clean fuel source and is not located within a building or structure intended for habitation by humans or domestic animals, but that provides heat or hot water for such a building or structure.

Overlay District - An overlay district is an additional zoning requirement placed on a specific geographic area but does not change the underlying zoning.

Owner - The individual or entity, including their respective successors and assigns, which have an equity interest, own, or control the land.

Parcel - See **Lot**.

Parking Area Space or Lot - An off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors or employees. Parking area shall include access drives within the actual parking area.

Parking Bay - A hard surface area adjacent and connected to, but distinct from a street, intended for parking motor vehicles.

Parking Lot Connector - A vehicular connection between two (2) or more contiguous Parking lots.

Peak Hour - A one (1) hour period of time representing the highest hourly volume of traffic flow during the morning (a.m. Peak Hour), during the afternoon or evening (p.m. Peak Hour); or representing the hour of highest volume of traffic entering or exiting a site (Peak Hour of generator).

Portable or Temporary Signs - Signs that are not permanent or affixed to a Building or Structure and by their nature may be or are intended to be moved from one (1) location to another.

Pre-Existing Towers and Pre-Existing Antennas - Any tower or antenna for which a building permit or Special Land Use permit has been properly issued prior to the effective date of this Ordinance, or any tower or antenna for which no building or Special Land Use permit was required, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

Principal or Main Use - The primary or predominant use of a lot as allowed by this ordinance.

Private Communication Antenna - An apparatus installed out-of-doors that is capable of receiving or transmitting communications for radio and/or television, including Satellite Dish reception antennas, amateur radio transmitting and receiving antennas but excluding such antennas as commercial radio and television and microwave communication towers. Excluded are such other facilities as have been preempted from Township regulation by applicable state or federal laws or regulations.

Private Garage - An accessory building for the private use of the owner or occupant of a principal building, situated on the same parcel of land as the principal building, for the storage of motor vehicles, personal goods, equipment and other items owned or used by the owner or occupant. Private garages shall not be used for commercial service or repair of motor vehicles.

Protected Tree - Any tree twelve (12) inches or greater caliper which does not have a life-threatening disease and which has not been damaged to a point which threatens its viability.

5. Q-T

Reasonable Access - The minimum number of Access Points, direct or indirect, necessary to provide safe Access to and from a public Street consistent with the purpose and intent of the Overlay District. Reasonable Access does not necessarily mean direct Access.

Recreational Vehicle - A new or used vehicle that is towed by a motor vehicle or has its own motive power. A recreational vehicle is primarily designed to provide temporary living quarters for recreational, camping, travel, or seasonal use, complies with all applicable federal vehicle regulations and does not require a special highway movement permit to be operated or towed on a street or highway. The term recreational vehicle includes, but is not limited to a motor home, travel trailer, trailer coach, fifth wheel trailer (designed to be towed by a motor vehicle using a towing mechanism that is mounted above or forward of the tow vehicle's rear axle), camping trailer (constructed with collapsible side walls that fold for towing and unfold), park model trailer, or pickup camper.

Retaining Wall – A wall constructed to hold in place a mass of earth or prevent the erosion of an embankment. It may also be battered, with the face inclined toward the load it is bearing. The most basic type of reinforced retaining wall is the massive concrete gravity wall, which is prevented from falling over by the sheer weight and volume of its mass.

Right-of-Way - A general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to transportation purposes.

Road - See Street, Public, or Private.

Roadside Market Stand - A temporary building or structure designed or used for the display and/or sale of agricultural products or value-added agricultural products directly to the consumer from a site on a working farm or an agricultural, horticultural or agribusiness operation.

Roof Overhang - The portion of a roof that extends beyond the vertical wall of any structure.

Rotor Diameter - The cross-sectional dimension of the circle swept by the rotating blades of a WET.

Satellite Dish Antenna - A parabolic or spherical reflective type of antenna used for communications with a satellite-based system located in planetary orbit.

Service Area - The area of a business designed for the receipt and/or shipment of goods or materials that are used in the conducting of the business, and which is not designed for the purpose of entry or exit by the general public.

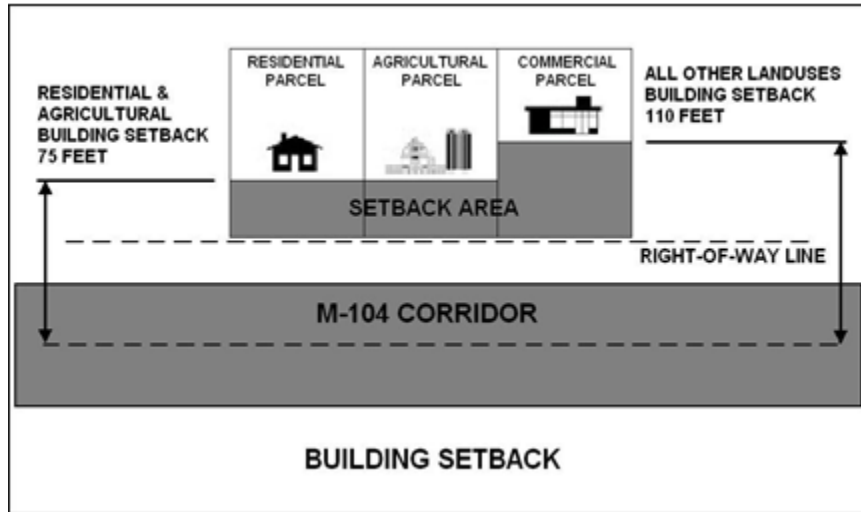
Service Drive - A Local Street or Private Road typically located behind the principal Buildings, which is utilized for the purpose of providing Access to abutting properties, and controlling Access to the Corridor.

Setback - Measurement from property lines to the nearest point of the main wall of a building or structure. In the case of the front setback, the measurement shall be made from the street right-of-way line. Where property is adjacent to M-104, the setback shall be measured perpendicular from the centerline of M-104 to the nearest point at which buildings, structures, or improvements are allowed per the standards contained herein. Porches and similar

structures are considered part of the building or structure and shall not be located within the building setback.

Steps, window wells, landscaping, patios, driveways, sidewalks, and all other structures that do not extend more than twelve (12) inches above the surrounding grade may be located within the building setback. A deck in the rear yard of a waterfront lot may be located within the building setback only if it is no more than thirty (30) inches above the surrounding grade.

Set Back Line - A line parallel to a property line used to measure the distance of any structure to a property line as provided in this ordinance.



Shadow Flicker - The moving shadow, created by the sun shining through the rotating blades of a Wind Energy Turbine (WET). The amount of shadow flicker created by a WET is calculated by a computer model that takes into consideration turbine location, elevation, and tree cover, location of all structures, wind activity, and sunlight.

Shared Driveway - A Driveway serving two (2) or more contiguous properties and providing Access to the public Street system.

Sight Distance - The distance of unobstructed view for the driver of a vehicle, as measured along the normal path of a roadway to a specified height above the roadway.

Sign - Any structure, part or device, attached, painted or represented thereon, or any material or thing, which displays or includes any numeral, letter, word, logo, model, banner, emblem, insignia, device, code, mark, or other representation used as, or in the nature of, an announcement, advertisement, direction, or designation, or any person, firm, organization, place, commodity, service, business, profession, or industry which is located upon any land or in any building, in such manner as to attract attention from outside the premises.

- A. **Address Sign** – A sign that identifies the street address of the property on which it is placed.
- B. **Balloon Sign** – A sign composed of a non-porous bag filled with gas or air.

- C. **Billboard** – Any off-premises sign subject to the Highway Advertising Act of 1972 for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located, including the wall of any building or any structure on which lettered, figured, or pictorial matter is displayed.
- D. **Business or Office Development Sign** – A sign identifying a business park or office park, or other similar development, consisting of two or more buildings.
- E. **Construction Sign** – A sign identifying a project under development, erected for the period of construction, identifying its developers, contractors, engineers, brokers and architects.
- F. **Directional Sign** – A sign which gives directions, instructions or facility information for the purpose of expediting the flow of vehicular and/or pedestrian traffic within the property in which the sign is located. Parking, exit and entrance signs are included, but not signs containing a commercial message.
- G. **Electronic Sign** – A sign that consists of or includes an image, message or sign face that is projected or otherwise produced, in whole or in part by electronic means, which may include the use of light-emitting technologies, liquid crystal displays, computer-generated images or messages or lights or a series of lights produced or operated by electronic means.
- H. **Essential Services Sign** – A sign installed and maintained by a public utility, municipal corporation, cable television company or telecommunications company, for the purpose of identifying systems, installations, equipment and other components necessary for the furnishing of public utility and similar services for the public health, safety or benefit, but not including a ground sign or a wall sign identifying an office building or administrative building.
- I. **Farm Sign** – A sign on a farm which identifies items, products, breeds of animals, or farming methods used, grown, raised or sold on the farm.
- J. **Freestanding Sign** – A sign, the bottom of which is more than 24 inches above the finished grade, and which is supported by a structure, poles, or braces which are less than 50 percent of the width of the sign.
- K. **Garage, Estate or Yard Sale Sign** – A temporary sign erected to advertise the resale of personal property belonging to the resident of the property of where the sale is held, including rummage sales or similar casual sales of personal property.
- L. **Governmental Sign** – A sign erected or required to be erected by a local government, county, or the state or the federal government.
- M. **Ground Sign** – A freestanding sign supported by a base, column, pole, or any of them, including one or more, which rests directly on the ground or on a foundation installed on or in the ground; the bottom of the sign may be no more than 24 inches above the finished grade below the sign.

- N. **Historic Landmark Sign** – Signs identifying buildings or sites designated as historic landmarks or centennial farms by state or federal agencies and other similar memorial signs, tablets, or markers.
- O. **Industrial Development Sign** – A sign identifying an industrial park or similar development consisting of two or more buildings for industrial or industrial-related purposes.
- P. **Multi-Vision Sign** – A sign that has an image or images on a sign-display face that presents or is capable of presenting sequentially two or more separate images, in whole or in part, by means of components or devices such as rotating cylinders or slats that turn to change a sign image.
- Q. **Nameplate** – A non-illuminated, on premises sign giving only the name, address and/or occupation of an occupant or group of occupants.
- R. **Pedestrian Sign** – A portable sign held or worn by a person standing, walking or otherwise located out of doors on either public or private property, for the purpose of displaying the sign to passing motorists, pedestrians or other persons on the property where the person is located or on a nearby public street or sidewalk or other lands, and for the further purpose of directing attention to a business, product, service, event or other item or matter referred to on the pedestrian sign.
- S. **Placard** – A sign not exceeding two square feet which provides notices of a public nature, such as “No Trespassing,” “No Hunting” or “Gas Main” signs.
- T. **Political Sign** – A temporary sign relating to an election of candidates for public office, a vote on a public proposal or other election or vote called by a governmental body.
- U. **Portable Sign** – A sign, sign board, or banner which is not permanently anchored or secured to either a building, structure or the ground, in which by its nature is intended to be moved from one location to another, such as an A-frame sign or a sign on a moveable trailer or other mechanism whereby the sign may readily be moved.
- V. **Real Estate Sign** – A sign that has the sole purpose of advertising the real estate upon which the sign is located as being for sale, rent or lease. Such a sign may be used to display the identity and contact information of the real estate agency, firm, broker or salesperson that is listing the property for sale, rent or lease, but the sign shall not be used to advertise or identify the name of any business that may be located on the same premises as the sign.
- W. **Roof-Mounted Sign** – A sign erected, constructed or maintained on or above the roof of a building or any portion thereof.
- X. **Snipe Sign** – A sign that is attached to a utility pole, tree, fence, or similar object that is located on public or private property.
- Y. **Street Sign** – A sign erected by private developers or county, state, or federal governments for street names or traffic control.

- Z. **Subdivision Sign** – A sign identifying a platted subdivision, site condominium, multi-family development or other residential development.

- AA. **Temporary Sign** – A sign displayed for only a limited period of time, as permitted, including a sign for a community special event or activity, a public or civic event, a public observance or commemoration or similar community or public event or activity.

- BB. **Vehicle Sign** – A sign affixed, painted or drawn on a vehicle or trailer, the primary purpose of which is to advertise or identify an establishment, product, service or activity, rather than merely to identify the vehicle or trailer while it is being used for transport, delivery or similar purpose, but excluding a sign on a licensed vehicle or trailer being parked overnight or otherwise being parked for a time of short duration and associated with the use of the vehicle or trailer for travel, transport, delivery or the like.

- CC. **Wall Sign** – A sign attached directly on or parallel to the exterior wall of a building, and which extends no greater than 12 inches from the exterior face of the wall to which it is attached, or which is painted, and does not project beyond either side of the wall to which it attaches or above the roof line of the building to which it is attached.

Site Condominium Project – A plan or project consisting of not less than two site condominium units established in compliance with the Condominium Act.

Site Condominium Project Plan – The plans, drawings, and information prepared for a site condominium project as required by Section 66 of the Condominium Act and as required by this Ordinance for review of the project by the Zoning Administrator, Planning Commission, and the Township Board.

Site Condominium Unit – A condominium unit established in compliance with the Condominium Act which consists of an area of vacant land and a volume of surface or sub-surface vacant air space, designed and intended for separate ownership and use as described in the site condominium master deed, and within which a building and other improvements may be constructed and used.

Small Structure-Mounted Wind Energy Turbine (SSMWET) - Converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. A SSMWET is attached to a structure's roof, walls, or other elevated surface. The SSMWET has a nameplate capacity that does not exceed ten (10) kilowatts. The Total Height does not exceed fifteen (15) feet as measured from the highest point of the roof, excluding chimneys, antennae, and other similar protuberances.

Small Tower-Mounted Wind Energy Turbine (STMWET) - A tower-mounted wind energy system that converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. The STMWET has a nameplate capacity

that does not exceed thirty (30) kilowatts. The Total Height does not exceed one hundred twenty (120) feet.

Solar Energy Facility – The land, equipment, devices and hardware comprising a ground-mounted system and operation whereby energy from direct sunlight is transformed into electricity for distribution to a regulated public utility for transmission to off-site customers. Such a facility may include solar photovoltaic cells on ground-mounted panels and other equipment, including underground electric distribution lines and, if permitted, above-ground connection to overhead electric utility transmission lines.

Split Zoning - Any parcel of land/lot that is geographically divided into more than one zoning district.

Street - A way for vehicular traffic, whether designated a road, highway, thoroughfare, parkway, throughway, avenue, boulevard, lane, cul-de-sac, place, or otherwise designated, and including the entire area within the Right-of-Way.

- A. **Street, Private** - A path, trail, road, driveway, or street that provides or is intended to provide the primary means of access to one or more buildings, dwellings, or parcels of land. A private street shall be established by recorded easement and shall be considered a right-of-way. A private street is established or conveyed to a person or persons, a legal entity or other party that is authorized to hold title to land, which is not conveyed or dedicated to the county, the county road commission, the Township or other public agency having jurisdiction over roads. Whenever the term “street” is used in this Ordinance, it shall be construed to include both public and private streets.
- B. **Street, Public** - A public street is a dedicated right-of-way or publicly dedicated easement that provides the primary means of access to a parcel or parcels of land. A public street may be conveyed or dedicated to the county, the county road commission, the Township, or other public body having jurisdiction over public streets. A public street may be dedicated by means of a recorded plat or by means of a separate recorded easement or other properly recorded document. Whenever the term “street” is used in this Ordinance, it shall be construed to include both public and private streets.

Street Classification - Streets are classified by the following categories.

- A. **Interstate** - Major highway providing no direct property access designed primarily for through traffic.
- B. **Major Arterial** - Major arterials are streets of regional importance intended to serve moderate to high volumes of traffic traveling relatively long distances. A major arterial is intended primarily to serve through traffic where access is carefully controlled. For example, 112th Avenue shall be considered a major arterial street.
- C. **Minor Arterial** - A Street similar in function to Major Arterials, but operates under lower traffic volumes, over shorter distances, and provides a higher degree of property Access than Major Arterials. A Street intended to provide Access to

abutting properties, which tends to accommodate lower traffic volumes and serves to provide mobility within that neighborhood.

D. Major Collector - A Street that provides for traffic movement between Arterials and Local Streets and carries moderate traffic volumes over moderate distances. Collectors may also provide direct Access to abutting properties. A small portion of the Corridor is classified as a Major Collector.

E. Minor Collector - A Street similar in function to a Major Collector but which carries lower traffic volumes over shorter distances and provides a higher degree of property access.

Structure - Anything except a building, constructed, placed, or erected, the use of which requires permanent location on the ground or lake, river or stream bottom or attachment to something having a permanent location on the ground or lake, river or stream bottom, which is a minimum of twelve (12) inches above ground level.

Taper - A triangular pavement surface that transitions the roadway pavement to accommodate an Acceleration/Deceleration Lane.

Tourist Home - A building, other than a hotel, boarding house, lodging house, or motel, where lodging is provided by a resident family in its home for compensation, mainly for transients.

Tower - Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting (i.e., without guy wires or other external means of support) lattice towers, guyed towers, or monopole towers, used for the transmission or reception of radio, telephone, cellular telephone, television, microwave or any other form of telecommunication signals. The term includes the structure and any support for the structure.

Traffic Impact Assessment - Analysis of the potential traffic impacts generated by a proposed development project that is expected to generate fifty (50) to ninety-nine (99) peak hour directional trips.

Traffic Impact Study - Analysis of the potential traffic impacts generated by a proposed development project that is expected to generate over one hundred (100) peak hour directional trips.

Trailer Body - Any boat trailer, utility trailer, horse or animal trailer, truck trailer, travel trailer or any type of trailer or device used for hauling or moving things which lack all of the necessary component parts to make it then operative and serviceable as a trailer to be pulled as such on the highway.

Trip (i.e., directional Trip) - A single or one-direction Vehicle movement with either the origin or the destination (exiting or entering) inside a study site.

6. U-Z

Unwholesome Substances - Any trash, garbage, metal, plastics, liquids, fabric, inoperable equipment, junk motor vehicle, trailer body, junk farm apparatus, unused stoves or other

appliances, junk, offal, refuse, rubbish, debris, filth, or any other material which constitutes a threat or menace to the health, safety, or general welfare of the public.

Upwind Turbine - And Energy Turbine (WET) positioned in a manner so that the wind hits the turbine blades before it hits the tower in order to avoid the thumping noise which can occur if the wind is disrupted by hitting the tower before the blades.

Waterfront Lot – A lot or parcel of land that has frontage and/or a boundary line touching a lake, river, stream or other body of water.

Wildlife Sanctuary - An area where exotic or wild animals are protected and where the animals are not hunted or trapped.

Wind Energy Turbine (WET) - A structure-mounted, small, medium, or large Wind Energy Conversion system that converts wind energy into electricity using a Wind Generator and includes the nacelle, rotor, tower, and pad transformer, if any.

Winter Storage - Winter storage shall mean the storage of recreational boats, yachts, cruisers, inboards, outboards, and sailboats outside of a building or structure during the period of November through March.

Yard - A required open space other than a court unoccupied and unobstructed by any building or structure; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

- A. **Yard, Front** - A yard extending across the full width of the lot, the depth of which is the distance between the street right-of-way line and the main wall of the building or structure. In the case of waterfront lots, the yard fronting on a lake, river, stream or other body of water shall be considered the front yard; accordingly, in such a case, the yard between the street right-of-way line and the main wall of the principal building or structure shall be the rear yard.
- B. **Yard, Rear** - A yard, unoccupied except for accessory buildings, extending across the full width of the lot, the depth of which is the distance between the rear lot line and the rear wall of the main building.
- C. **Yard, Side** - A yard between a main building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured from the nearest point of the side lot line to the nearest part of the main building.

Section 3 – Publication/Effective date. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES:

NAYS:

ORDINANCE AMENDMENT DECLARED ADOPTED.

**Kathy Buchanan
Crockery Township Clerk**

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Crockery at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

**Kathy Buchanan
Crockery Township Clerk**

TOWNSHIP OF CROCKERY

COUNTY OF OTTAWA

At a regular meeting of the Township Board of the Township of Crockery, held in the Township Hall, Nunica, Michigan, on the ____ day of _____, 2022 at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following ordinance was offered by Member _____ and seconded by Member _____.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF CROCKERY

(Outdoor Lighting)

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1. Outdoor Lighting. Section 3.29 of the Zoning Ordinance of Crockery is hereby amended so as to read in its entirety as follows:

3.29 OUTDOOR LIGHTING

1. Intent and Purpose

The purpose of this Section is to provide reasonable regulations to direct the location, design, illumination level, and use of outdoor lighting to minimize its undesirable effects. The standards set forth in this document shall be the minimum standards for all outdoor lighting occurring in Crockery Township. Specifically, this Section is intended to promote the public health, safety, and general welfare of the Crockery Township by:

- A. Maintaining safe nighttime driver performance on public streets by minimizing both brightly-lit surfaces and lighting glare.
- B. Promoting lighting that provides security but protects the privacy of adjacent properties.
- C. Allowing lighting that is not unduly intrusive or a nuisance to nearby residents, property occupants, and drivers.
- D. Eliminating intrusive artificial light and lighting that unnecessarily contributes to "sky glow" and energy consumption.

The minimum standards for outdoor lighting are as follows:

2. Lighting Plan

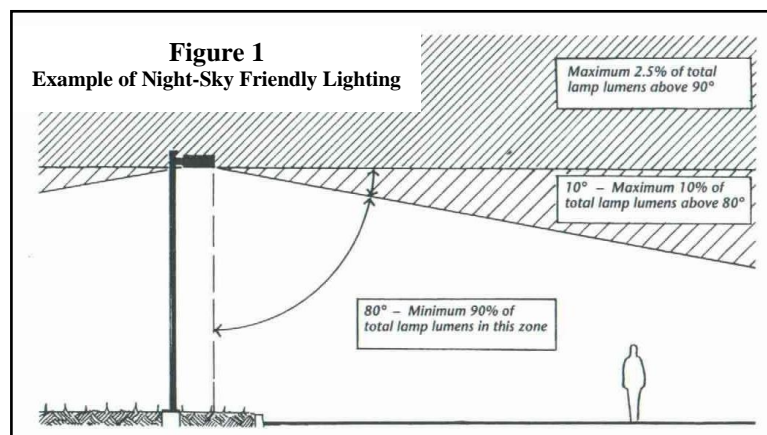
The following information shall be included for all Site Plan Reviews. Where Site Plan Review is not required, one or more of the following items may be required by the Zoning Administrator prior to outdoor lighting installation:

- A. A site plan drawn to a scale of one (1) inch equaling no more than thirty (30) feet showing the buildings, landscaping, parking and service areas, and location and type of all proposed outdoor lighting.
- B. A photometric grid overlaid on the proposed site plan.
- C. Analyses showing that the proposed installation conforms to the lighting level standards in this Section. A photometric plan shall indicate lighting levels at ground level based on no greater than a twenty-five (25) foot on-center grid and shall project twenty-five (25) feet onto adjacent properties or to the setback limit line, whichever is greater. Illumination levels shall also be measured for all surrounding streets at the public right-of-way.
- D. Specifications for all proposed lighting fixtures including mounting heights, photometric data, designation as Illuminations Engineering Society of North America (IESNA) "cut-off" fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures. All lighting shall have the intensities and uniformity ratio consistent with the Lighting Handbook of the IESNA.
- E. All lighting Plans submitted for approval shall be prepared under the supervision of, and be signed and sealed by a Civil or Electrical Engineer, Registered in the State of Michigan.

3. General Requirements

- A. Type - All exterior lighting, including freestanding, canopy, pole, and building mounted, shall be fully shielded, and directed downward to prevent off-site glare and illumination.
- B. Intensity
 - i. Commercial and Industrial - The intensity of light within a site shall not exceed ten (10) foot-candles within any part of the site and one (1) foot-candle at any lot line, except where it abuts a residential Zone District or residential use, where the maximum shall be 0.5 foot-candles.
 - ii. Residential - Exterior lighting in residential zoning districts may not exceed five foot-candles at the source or must have full horizontal cut-offs. The source of light (filament, bulb, etc.) shall not be visible beyond the property line.
- C. Vehicle Fuel or Outdoor Sales Areas – In areas where lighting levels from existing, similar vehicle fuel stations or outdoor vehicle sales areas are located on both sides of the lot and across the street, up to eighty (80) percent of the existing light levels may be used.

- D. Uniformity Ratios - In order to maintain uniformity in light levels across a development and prevent or minimize dark areas, the ratio of maximum to minimum lighting levels on a given lot is measured in foot-candles at ground level, and shall not exceed a ratio of fifteen-to-one (15:1) in residential Zone Districts or ten-to-one (10:1) in nonresidential and mixed-use Zone Districts. Parking lots shall maintain the same uniformity ratios as the main building or principal use served.
- E. Height - Except as otherwise required, the mounting height of fixtures that are located in, or within two hundred (200) feet of, a residential zoning district shall not exceed twenty (20) feet, except as may be approved in conjunction with a Special Land Use permit.
- F. Hours – Except for security of safety, all outdoor lighting fixtures shall be turned off one-half (1/2) hour after the close of business. Security and safety lighting shall be reduced to the minimum level necessary for that purpose.
- G. Fixtures
 - i. All outdoor fixtures, including building mounted fixtures, shall be full cut-off, shielded fixtures as shown in **Figure 2** located at the end of this section.
 - ii. Poles for lighting fixtures shall be of a fixed height. Adjustable poles are prohibited.
 - iii. High Intensity Discharge (HID) fixtures shall be used in an effort to maintain a unified lighting standard and prevent “sky glow.” High-pressure sodium fixtures are prohibited.
 - iv. Lighting shall be required in Parking Areas and shall comply with the applicable regulations of the underlying zoning district. Additionally, lighting in all Parking Areas shall be night-sky friendly (see **Figure 1** below).



- v. Decorative light fixtures may be approved by the Zoning Administrator as an alternative to shielded fixtures when it can be proven that there shall be no off-site glare or illumination and the proposed fixtures will improve the appearance of the site.

- vi. Existing fixture replacements shall comply with the requirements of this Section. Any change to an existing site plan may require existing light fixtures be re-directed in conditions where excessive glare onto adjacent properties and roadways creates a nuisance or safety concern.

4. Security Lighting

- A. The need for security lighting (e.g., the lighting for safety of persons and property) shall be demonstrated. To the extent that an area is illuminated for other purposes, independent security lighting shall not be allowed.
- B. All security fixtures shall be shielded and aimed so that illumination is directed only to designated areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include full cut-off shields that prevent the light source or lens from being visible on adjacent lots and streets. The use of general floodlighting fixtures shall not be allowed.

5. Architectural Lighting

When buildings and structures are to be illuminated, a design for the illumination shall use the following standards:

- A. Direction of Lights - Lighting fixtures shall be carefully located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets, or properties, and light shall not trespass onto surrounding properties.
- B. Façade Lighting - Lighting fixtures mounted on the building and designed to "wash" the facade with light are permitted.
- C. Accent Lighting - Luminous tube (neon), LED or fluorescent lighting shall be allowed as an architectural detail on the exterior of any structure, provided however, that exposed bulbs shall be shielded. Internally illuminated architectural bands or similar shielded accents may be allowed upon determining that such accents would not cause off-site glare or light pollution and such lighting is not used to the extent that it constitutes a sign.
- D. Landscape Lighting - The illumination of landscaping shall not generate excessive light levels, cause glare, or direct light beyond the landscaping.

6. Other Lighting

- A. Indirect illumination of signs, canopies, bollards, and buildings is permitted provided a maximum one hundred twenty five (125) watt (or equivalent) bulb is utilized and there is no glare.
- B. Electrical feeds shall run underground, not overhead.
- C. The use of a laser light source, searchlights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.

- D. Lighting shall not consist of or have the appearance of movement or flashing components.

7. Public Street Lighting

The cost of installing and operating approved street lighting on any public street and the costs of all other lighting systems shall be borne by the developer/property owner.

8. Electrical Supply

- A. All electrical supply shall be provided underground.
- B. All electrical supply shall be installed within the sixty-six foot (66') road right of way or approved easements.

9. Exemptions

The following outdoor light fixtures are exempt from the provisions of this Section:

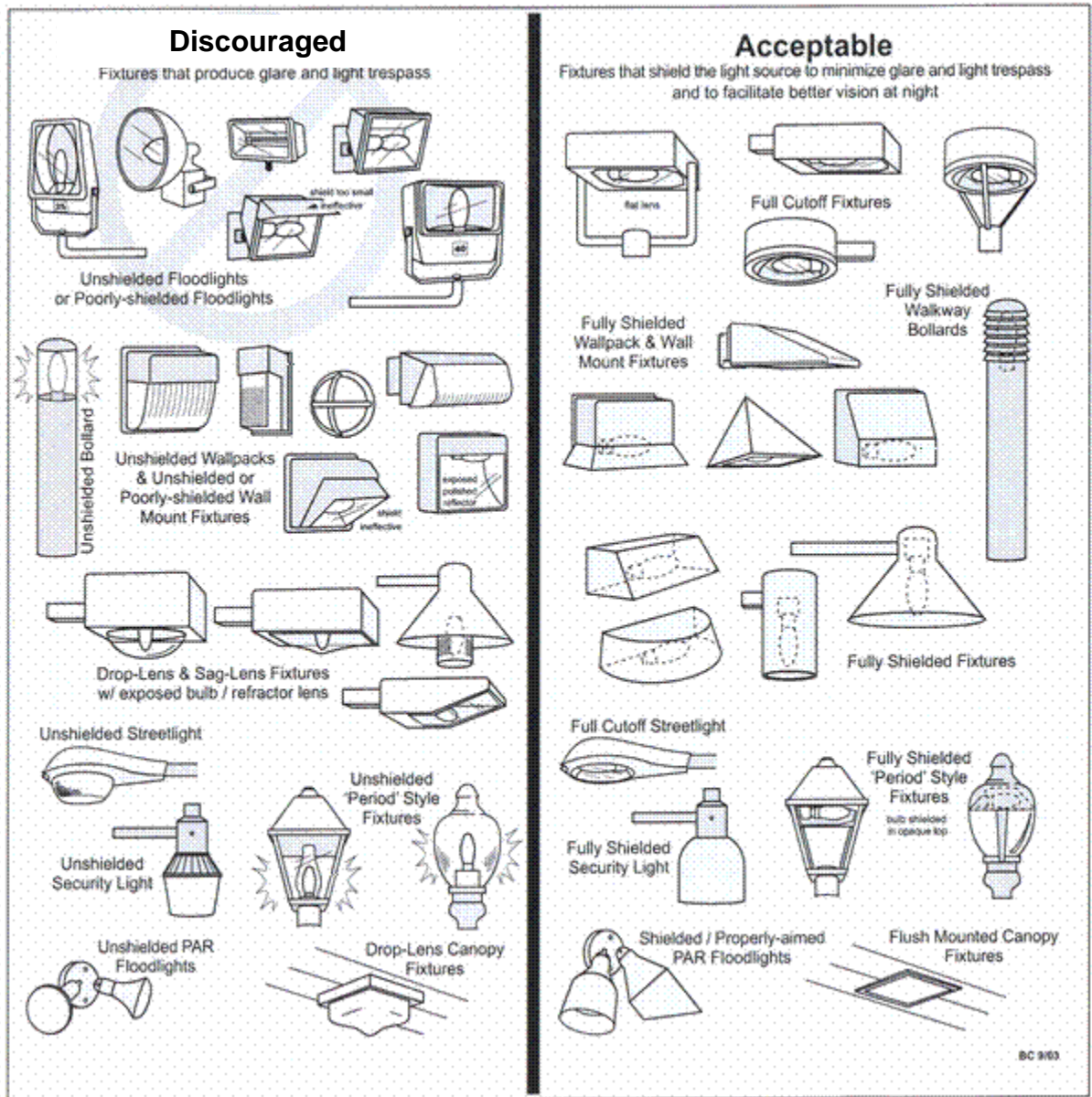
- A. Streetlights located within a public right-of-way.
- B. Outdoor light fixtures which have a lighting output of one hundred fifty (150) lumens or less.
- C. Lighting necessary for street or utility construction or emergencies.
- D. Lighting necessary for baseball, softball, football and soccer fields, or similar uses that cannot reasonably comply with the standards and provide sufficient illumination of the recreational field for safe use, following IESNA standards. The fixtures shall be aimed so that their beams are directed and fall within the primary playing or performance area. Lights shall be extinguished within one-half (1/2) hour of the completion of the event.
- E. Government facilities, parks and open areas, public utility facilities, and other uses where sensitive or dangerous materials are located providing all, of the following apply:
 - i. The lighting is necessary for adequate protection of the public.
 - ii. The condition, location, or use of the land, or history of activity in the area, indicates the land or any materials stored or used on it are in greater danger of theft or damage, or members of the public are at greater risk for harm than on other property.
 - iii. The deviations from this section shall not have a significant adverse effect on neighboring areas.

10. Administrative Departure

The Zoning Administrator or Planning Commission may grant a departure from the requirements this Section if it is determined that in so doing, it shall not contradict the purposes of this Section or negatively affect the health, safety, and welfare of the public.

The following diagram shall be used when determining appropriate lighting fixtures.

Figure 2: Appropriate Light Fixtures



Section 2. Publication/Effective Date. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

Kathy Buchanan
Crockery Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Crockery at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Kathy Buchanan
Crockery Township Clerk

TOWNSHIP OF CROCKERY

COUNTY OF OTTAWA

At a regular meeting of the Township Board of the Township of Crockery, held in the Township Hall, Nunica, Michigan, on the ____ day of ____, 2022 at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following ordinance was offered by Member _____ and seconded by Member _____.

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF CROCKERY

(Outdoor Ponds)

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1. Outdoor Ponds (Recreational and Agricultural). Section 3.30 of the Zoning Ordinance of the Township of Crockery is hereby amended so as to read in its entirety as follows:

3.30 OUTDOOR PONDS (RECREATIONAL AND AGRICULTURAL)

No person shall erect, install, locate, or construct an outdoor pond, unless it has first been approved by the Planning Commission as a Special Land Use, subject to the following exemptions:

1. A depression of less than 500 square feet does not meet the definition of an outdoor pond and is not subject to a Special Land Use permit.
2. Outdoor Ponds with a surface area of 1/2 acre (21,780 square feet) or less than 5,000 cubic yards or less of disturbance shall require a zoning permit, and must comply with Section 19.14.42 – Ponds, Outdoor of the Township Zoning Ordinance, but do not have to be approved as a Special Land Use; provided, however, that all excavated mineral material must remain on site for this exemption to apply. This exemption may be exercised only once, for one outdoor pond per parcel or one outdoor pond per commonly owned tract of parcels, as applicable. Subsequent or expanded outdoor ponds on the same parcel or tract of commonly-owned parcels shall require a Special Land Use Permit, and the creation of any outdoor pond that involves the off-site transportation of excavated mineral material shall require Special Land Use approval, as minor mineral removal or planned mineral removal, as appropriate, based on the quantity of mineral material to be removed.

3. Detention and retention ponds that comply with Section 19.14.42 – Ponds, Outdoor of the Township Zoning Ordinance, and which have been approved by the Ottawa County Water Resource Commission (OCWRC) and/or the State of Michigan Department of Environment, Great Lakes and Energy (EGLE) as part of a required storm water management facility, do not require a Special Land Use.

Section 2. Specific Special Land Uses – Outdoor Ponds. Section 19.13 of the Zoning Ordinance of the Township of Crockery is hereby amended so that subsection 42 thereof is re-titled as “Pond, Outdoor,” and so that subsection 43 therefore, “Pond, Recreational,” is deleted, and designated as being “Reserved for future use.”

Section 3. Ponds, Outdoor. Section 19.14.42 of the Zoning Ordinance of the Township of Crockery is hereby amended so as to read in its entirety as follows:

42. Pond, Outdoor –

- A. No person shall erect, install, locate, expand or construct a pond or lagoon unless it has first been approved by the Planning Commission as a Special Land use except those exempted by Section 3.30. All other ponds must be constructed in accordance with the following:
 - i. Ponds shall be planned, designed, and constructed to comply with all federal, state, and local laws and regulations.
 - ii. The location and construction of the proposed pond shall minimize the impacts to existing fish and wildlife habitat.
 - ii. No pond shall be constructed, installed, or maintained which either causes or contributes to the erosion of any adjacent, abutting, or nearby lands.
 - iv. Ponds shall be located so that there is no runoff from barnyards, septic tanks or other possible pollution sources.
 - v. All of the disturbed areas around the pond should be seeded to minimize erosion. An outlet level control may be necessary to maintain a level of the pond to allow the area to be restored.
 - vi. The discharge pipe from any pond without a direct outlet to an established drain shall not exceed six inches in diameter and shall be constructed with PVC or such other standard and durable material as may be approved by the Township Engineer.
 - vii. No pond shall be emptied wholly or partially in a manner that will cause water to flow upon the land of another, and no pond shall be emptied wholly or partially upon any land if a storm drain is readily accessible to the premises on which the pond is located. Discharge into the public sanitary sewer is prohibited.
 - viii. No public water shall be used in connection with the filling or operation of a pond when limitations on the consumption and use of public water are in effect.

- ix. The slopes of the banks or sides of the pond shall be constructed so that for each one foot of rise there shall be a minimum of three feet of run. This minimum slope angle must be maintained and extended into the pond water to a depth of five feet.
 - x. The creation of any pond resulting in the extraction and removal of material off-site shall require the issuance of a Mineral Removal permit in accordance with this Ordinance; provided, however, that if a Minor Mineral Removal Special Land Use under this Ordinance is required under the terms of that subsection, then the Planning Commission may consider and make a decision on a proposed Pond Special Land Use without the need for the applicant to separately apply for the Pond Special Land Use, if the amount of earth or mineral material to be removed for the pond does not exceed 5,000 cubic yards.
 - xi. Ponds located within five hundred (500) feet of a county drain or surface water must obtain a "Soil Erosion and Sedimentation Permit" from the Ottawa County Water Resources Commissioner (OCWRC) and be approved by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) or its successor agency. **EGLE approval is also required for ponds that are either within a regulated wetland or greater than five (5) acres in size.**
 - xii. At a minimum, a pond shall comply with all the yard requirements for the zoning district in which it is located. The Planning Commission may increase the minimum setbacks for ponds when, in its discretion, such is determined to be necessary to minimize potential public health and safety concerns or nuisance conflicts with adjoining properties.
- B. Application for approval of a Special Land Use permit for a pond or lagoon shall include:
- i. The name of the person who is or will be the owner of the pond.
 - ii. The purpose of the pond.
 - iii. The location of the proposed or existing pond.
 - iv. The size, depth, and water capacity of the pond.
 - v. The depth to ground water at the location where the pond is to be constructed.
 - vi. The method of filtration and treatment of the water, if required.
 - vii. Plans for the duration of activities relative to the offside removal of excess material, such as sand and gravel, if any.
 - viii. Plans for the on-site use of extracted topsoil, sand, and gravel.
 - ix. The safety precautions to be taken to protect those using the pond or who might be endangered by it.
 - x. Any further information necessary for the protection of public health, safety, and environment as may be required by the Planning Commission.

- C. The application must also include a site plan of the land on which the pond is to be located. The site plan shall be drawn to scale of 1 inch = 100 feet or larger and include:
- i. Lot lines
 - ii. Location of pond
 - iii. Location of all existing or proposed buildings on the premises.
 - iv. Location of wall, fence, or enclosure around the pond, if required.
 - v. Location of gates or doors in the fence, wall, or enclosure, if required.
 - vi. A cross section of the pond showing depth and elevations with anticipated wet weather water levels and dry period water levels.
 - vii. The location where excavated material from the pond will be placed on site along with proposed grading showing where excavated material will be placed.
- D. Minimum sizes and depth shall be as follows.
- i. Fish Ponds:
 - a. 0.25 acres or larger
 - b. Minimum depth of 10 feet in 15% of the pond.
 - ii. Wildlife Ponds:
 - a. 3 1/2 feet deep or less, over 25% to 50% of the area.
 - b. Maximum depth of 6 feet. A water depth of six feet is recommended for a permanent supply of water with normal seepage and evaporation losses, but shallower depths may be approved for a wildlife pond.
- E. As part of its authorization of a pond, the Planning Commission may approve the location of a pond in a front yard.
- F. The Township may elect to consult with the Ottawa County Soil and Water Conservation District and the Township Engineer on the proposed pond.
- G. In making its decision whether to grant the Special Land Use permit, the Planning Commission may require the submission of soil borings, runoff quantities, and other relevant data to ensure that the proposed pond is capable of being maintained and supported with adequate water volumes.
- H. If the Planning Commission determines that adherence to one or more of the requirements of this Section is unnecessary or contrary to the public interest, the Planning Commission may waive or modify such requirements(s). If the topsoil, sand, or gravel is to be used on the parcel where the pond is to be constructed, no further permits are required.

- I. Standards for storm retention and detention ponds shall conform to the requirements of the OCWRC's office standard specifications. New developments requiring site plan review shall include review and approval by the OCWRC's office. All applications and fees required shall be the responsibility of the property owner.
- J. Enclosures
 - i. If the Planning Commission determines in the course of its approval of a pond that the protection of the public requires that the pond be enclosed, the Planning Commission shall require that the pond be enclosed by a wall, fence, or other type of enclosure. Where any portion of a pond has slopes greater than one (1) foot of rise to three (3) feet of run or is located in a residential zoning district on a parcel that is less than two acres in size, the pond must be enclosed by a fence. The wall, fence, or other enclosure shall:
 - a. Be not less than four feet above the grade line.
 - b. Be designed so that a child cannot pass through, or under, or climb over the fence, wall, or other enclosure except through a gate or doorway.
 - ii. All gates or doors leading to a pond, except a door in any building forming part of the enclosure, shall be kept closed when the pond is not in actual use or when the proprietor is absent or away. The gates and doors shall be fitted with a positive latching device that automatically latches when the gate or door is closed.
- K. Agricultural Ponds. An agricultural pond may be located in any agriculturally zoned district and may be considered a principal or accessory use.
 - i. The Planning Commission may waive or modify one or more of the standards if the pond is for use as part of a bona fide aquaculture operation carried out in an AG-1 District.
 - ii. Manure Lagoons
 - a. In the case of farm manure lagoons, a special use permit is required. The farm manure lagoon shall meet all requirements of EGLE. Construction design and management guidelines for manure storage and treatment facilities shall be followed as found in the NRCS-FOTG. Design considerations shall include seepage control for earthen basins to protect groundwater from possible contamination. All manure storage structures shall maintain a minimum freeboard of twelve inches (six inches for fabricated structures) plus the additional storage volume necessary to contain the precipitation and runoff from a 25-year, 24-hour storm event. Manure storage structure integrity shall require periodic inspections.
 - b. At a minimum, an agricultural pond used as a farm manure lagoon shall not be located less than three hundred (300) feet from adjacent lot lines or road right-of-way lines. The Planning Commission may increase the minimum setbacks for ponds when in its discretion such is determined to be necessary to minimize potential public health and safety concerns or nuisance conflicts with adjoining properties.

- L. Recreational Ponds. A recreational pond may be located in any zoning district and may be considered a principal or accessory use.
 - i. The Planning Commission may require the applicant to submit a performance bond in an amount sufficient to restore the area of the pond to its original grade. The Planning Commission shall not release the performance bond until the applicant demonstrates to the satisfaction of the Planning Commission that the pond is constructed according to the approved design.

Section 3. Repeal. Section 19.14.43 of the Zoning Ordinance of the Township of Crockery is hereby repealed in its entirety and shall be designated as "Reserved for Future Use."

Section 4. Publication/Effective Date. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES: _____

NAYES: _____

ORDINANCE DECLARED ADOPTED.

Kathy Buchanan
Crockery Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Crockery at a public meeting held on the date first stated above, and I further certify that the public notice of such meeting was given as provided by law.

Kathy Buchanan
Crockery Township Clerk

TOWNSHIP OF CROCKERY

COUNTY OF OTTAWA

At a regular meeting of the Township Board of the Township of Crockery, held in the Township Hall, Nunica, Michigan, on the ____ day of _____, 2022 at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following ordinance was offered by Member _____ and seconded by Member _____.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF CROCKERY

(Parking and Loading)

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1. Parking and Loading. Article 20 of the Zoning Ordinance to the Township of Crockery is hereby amended so as to read in its entirety as follows:

20.01 GENERAL

In all zoning districts, there shall be provided, before any building or structure is occupied, or is enlarged or increased in capacity, off-street parking spaces for motor vehicles as follows:

Minimum Number of Parking Spaces Required

1. For uses not specifically listed in Table 6, the parking requirements shall be those of the most similar use as determined by the Zoning Administrator. When the application of these parking requirements results in a fractional space requirement, the fractional space requirement shall be determined using standard mathematical rounding.
2. Where more than one use occupies a given structure or parcel of land or where a given business occupies a combination of uses, the minimum required number of parking spaces shall be the sum of the requirements for each use times 0.75, or complies with the requirements of this section for joint or shared parking.
3. Where a building may be used for more than one purpose and the applicant does not limit the permitted uses in the building, parking spaces shall be provided based on the possible use(s) that require the most parking spaces.
4. Where a building or use has a frontage on a public street that has legal on-street parking, such parking along the site's frontage may be counted toward meeting the minimum parking required by this chapter.

5. Special Land Uses or those not specifically listed shall provide an adequate number of parking spaces as determined by the Planning Commission or Zoning Administrator.
6. For additions, expansions or changes of use, the minimum number of required parking spaces shall be based solely on the number of additional spaces required and not on any existing deficiencies in available off-street parking.

Table 6 - Minimum Vehicular Parking Requirements	
Use	Minimum Number of Vehicular Spaces Required
Residential	
1. One family	2 spaces/dwelling unit
2. Two-family	2 spaces/dwelling unit
3. Three or more families	1.5 spaces/dwelling unit
4. Multi-family/ Apartments	1 for each sleeping room
Commercial	
1. Auto parts store	1 space/250 square feet of gross floor area
2. Auto Repair/Body shop	1 space/300 square feet of gross floor area
3. Banks/Credit Unions/Mortgage Lenders	1 space/250 square feet of gross floor area
4. Bed or breakfast inn	1 space/guest room plus 2 spaces for the permanent residence
5. Beauty Parlor/Salon/Barbershop/Nail Salon	2 spaces/each chair or 1 space/200 square feet of gross floor area, whichever is greater
6. Billiard hall/Amusement arcade	1 space/200 square feet of gross floor area
7. Bowling alley	3 spaces/each lane plus 1 space for each employee
8. Car wash/Oil change/Tire sales	1 space for each employee plus 2 spaces for each service bay
9. Commercial recreation facilities, enclosed	1 space/400 square feet of gross floor area
10. Commercial recreation facilities, unenclosed	1 space/300 square feet of usable recreational area square footage
11. Dance hall/Instructional studio	1 space/200 square feet of gross floor area
12. Day care centers, preschools, kindergartens	2 spaces/teacher or employee
13. Equipment rental	1 space/1,000 square feet of site area
14. Funeral home/Mortuary	1 space/75 square feet of gross floor area plus 1 space for each employee on the largest shift
15. Furniture or large appliance sales/Home decorating showrooms	1 space/750 square feet of gross floor area
16. Garden nursery/Landscape supplies and other unenclosed retail businesses	1 space/each 400 square feet of open sales/display area
17. Gasoline service station without convenience or food store	1 space/2 pumps
18. Gasoline service station with convenience or food store	1 space/2 pumps plus 1 space/200 square feet of gross floor area
19. Golf Course	4 spaces/hole plus 1 for each employee

20. Health club/Fitness center/Spa	1 space/200 square feet of gross floor area
21. Hotel with convention center	1 space/bedroom plus 1 space per 400 square feet of gross floor area for the convention center
22. Laundromats, self-service dry cleaners	1 space/each 2 washer dryer combination
23. Marijuana provisioning center	1 space/200 square feet of gross floor area
24. Marijuana secure transporter	1 space/200 square feet of gross floor area
25. Marijuana processor facility	1 space/500 square feet of gross floor area
26. Marijuana safety compliance facility	1 space/200 square feet of gross floor area
27. Medical/Dental office	1 space/150 square feet of gross floor area
28. Miniature golf course	2 spaces/hole
29. Motel/Hotel without convention center	1 space/bedroom plus 1 space for each 2 employees on the largest shift
30. New and used automobile, truck, trailer, boat, sales, large machinery/equipment, recreational vehicles, motorcycles, manufactured homes, or other bulky merchandise and auto rental	1 space/1,000 square feet of gross floor area plus 1 space/2,000 square feet of outside display/sales lot area
31. Office (except medical and dental)	1 space/300 square feet of gross floor area
32. Retail sales	1 space/200 square feet of gross floor area
33. Restaurants with drive through	1 space/200 square feet of gross floor area up to 2,000 square feet, plus 1 space/300 square feet over 2,000 square feet, plus 1 space for each employee
34. Restaurants/Taverns/Bars without drive through	1 space/50 square feet of gross floor area
35. Service or repair shops	1 space/600 square foot of gross floor area
36. Shopping centers having a gross leasable area (GLA) of 25,000 to 400,000 square feet	1 space/250 square feet of gross leasable area
37. Shopping centers having a gross leasable area (GLA) of over 400,000 square feet	1 spaces/200 square feet of gross leasable area
38. Skating rink	1 space/300 square feet of gross floor area
39. Supermarket/Convenience/Liquor/Grocery stores, 7,500 square feet or less	1 space/300 square feet of gross floor area
40. Supermarket/ Convenience/Liquor/Grocery stores, more than 7,500 square feet	1 space/200 square feet of gross floor area
41. Tennis, racquetball clubs	1 space/1,000 square feet of gross floor area
42. Theater, cinema	1 space/3 seats
43. Veterinarian, animal hospital	4 spaces/doctor, plus 1 space for each employee
44. Wholesale garden nursery	1 space/1,500 square feet of building and outside display
45. Wholesale merchandise	1 space/each 2,000 square feet of gross floor area

46. Marijuana provisioning center	1 space/200 square feet of gross floor area
Industrial	
1. Building Contractors/Construction	1 space/1,000 square feet of gross floor area plus 2 spaces for each 3 employees, plus 1 space for every vehicle stored on the property
2. Laboratories, research and development facilities	1 spaces/400 square feet of gross floor area
3. Manufacturing, processing, packing, assembly and fabrication establishment	1 space/800 square feet of gross floor area
4. Marijuana grower facility	1 space/1,000 square feet of gross floor area
5. Marijuana secure transporter	1 space/200 square feet of gross floor area
6. Marijuana processor facility	1 space/500 square feet of gross floor area
7. Marijuana safety compliance facility	1 space/200 square feet of gross floor area
8. Self-storage facility	1 space/each 20 stalls plus 1 space for each employee
9. Salvage/ junk yard	15 spaces for sites up to 10 acres and 25 spaces for sites over 10 acres
10. Warehouse, freight movement, distribution, and storage	1 space/2,000 square feet gross floor area
Institutional and Places of Assembly	
1. Art gallery	1 space/500 square feet of gross floor area
2. Assisted living facility, Convalescent facility, nursing home, congregate care facility	1 space for each 5 beds plus 1 space for each 2 employees on largest shift
3. Auditoriums/Arena/Clubs/Lodges/Community centers and other conference centers	1 space/3 seats or 12 feet of bench length
4. Child care facility, kindergarten/pre-schools	1 space/teacher or employee plus 1 space per 12 persons served
5. Churches/temples/synagogues	1 space/4 seats or 12 feet of bench length
6. College	1 space/3 classroom seats
7. Commercial school for adults	1 space/3 classroom seats
8. Correctional/rehab/detention institution or facility	1 space per 6 beds based on maximum capacity plus 1 space/each employee on largest shift
9. Elementary school, Middle school	1 space for each teacher and administrator plus requirements for auditorium
10. Hospitals/Medical centers	1 space for each 2 beds plus 1 space for each employee on largest shift
11. Library/ Museum	1 space/400 square feet of gross floor area plus 1 space for each employee on largest shift
12. Private utility operation	1 space/each employee on largest shift

13. Residential care facility	1 space/7 residents served under the age of 12 1 space/5 residents served ages 12—17 1 space/4 residents served ages 18 years or older
14. Retirement home facilities	1 space/each 3 units
15. Senior High school/College/Technical school	1 space/employee plus 1 space/each 5 students plus requirements for auditorium
16. Stadium/Theater	1 space/3 seats or 8 feet of bench length

20.02 JOINT USE OF PARKING FACILITIES

Provisions of common parking facilities for several uses in the same vicinity are encouraged. Where multiple principal uses utilizing common parking facilities exist on the same property in the same vicinity, the total space requirement is the sum of the minimum individual requirements for each use.

Where a principal use and an accessory use exist on the same property, the total space requirement is the sum of the minimum individual requirements for the principal and accessory uses unless the Planning Commission authorizes as a Special Land Use a smaller number of parking spaces. In granting such authorization, the Planning Commission shall consider the following standards:

1. Whether the proposed number of parking spaces is sufficient to meet the need for parking facilities of both the principal and accessory uses. The number of parking spaces authorized by the Planning Commission shall not be less than the minimum number required for the principal use.
2. The reason for the request that a smaller number of parking spaces than that required by authorized.
3. The effect on adjoining property and the surrounding neighborhood.

20.03 LOCATION OF PARKING FACILITIES

Off-street parking facilities required shall be located contiguous to the principal building or use. Parking spaces shall not be located in a required front yard except for single-family or duplex residential uses.

For all residential buildings and for all non-residential buildings and uses in residential zoning districts, required parking shall be provided on the lot with the building or use it is required to serve.

However, for commercial and all non-residential buildings and uses in commercial zoning districts, as much as twenty-five percent (25%) of the required number of parking spaces may be located within three hundred (300) feet of the principal building or use, provided proof of ownership or lease for exclusive use of such premises is provided. Such distance shall be measured between the nearest point of the parking facility and the nearest point of the principal building or use. If this option of utilizing nearby parking is exercised, then the parking area may not be discontinued or otherwise converted to another use unless the building or use otherwise meets the minimum required number of off-street parking spaces.

20.04 REQUIREMENTS FOR PARKING AREAS

Every parcel of land hereafter established as an off-street public or private parking area for more than five vehicles, including a municipal parking lot, commercial parking lot, automotive sales and/or service lot, and accessory parking areas for multiple dwellings, businesses, public assembly, and institutions; shall be maintained in accordance with the following standards.

20.05 PARKING AREAS, FRONT YARD - REQUIRED LANDSCAPING

Landscaping shall be provided for in areas internal to parking lots to provide visual and climatic relief from broad expanses of pavement. Landscape features installed in fulfillment of this requirement should be designed and situated to protect lighting fixtures and fire hydrants and to define access and circulation ways.

1. **Parking Area Landscaping Requirements** - In order to reduce the visual impacts of parking lots and to enhance their appearance to surrounding land uses, the Township requires parking lots to be internally landscaped. The following schedule shows the amount of land area that must be set aside for landscaping in parking lots containing:
 - A. More than twenty-five (25) but less than fifty (50) parking spaces – fifteen (15) square feet of land area per parking space.
 - B. Between fifty (50) and ninety-nine (99) parking spaces – twelve and one-half (12.5) square feet of land area per parking space.
 - C. One hundred (100) parking spaces or more – ten (10) square feet of land area per parking space.
2. **Minimum Size** - The minimum size of any internal landscaped area shall be sixty (60) square feet, with a minimum width of six (6) feet.
3. **Protection of Landscaping** - Internal landscape areas shall be protected by the installation of curb stops, a raised concrete curb, or anchored landscape timbers around their border. The curb is intended to prevent motor vehicle infringement upon landscaped areas and to ensure that the landscaping materials remain within a defined area.
4. **Required Plantings** - For each one hundred (100) square feet of required landscaped area one canopy tree.
5. **Minimum Plant Size** - All new plants required for landscaped areas internal to parking lots shall meet the minimum size requirements set forth in the landscape and greenbelt provisions of this ordinance.

20.06 OFF-STREET LOADING SPACES

Off-street loading shall be provided for every building or addition to an existing building hereafter erected to be occupied by manufacturing, dairy, warehouse/storage, display of goods, retail store or block of stores, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other similar uses requiring the receipt or distribution in vehicles of materials or merchandise. The following shall be provided and maintained on the same lot with such building or addition:

1. An area or means adequate for maneuvering and ingress and egress for delivery vehicles, and
2. Off-street loading spaces in relation to floor areas as follows:
 - A. Up to twenty thousand (20,000) square feet - one (1) space.
 - B. Twenty thousand (20,000) or more, but less than fifty thousand (50,000) square feet – two (2) spaces.
 - C. One (1) additional space for each additional fifty thousand (50,000) square feet, or a fraction thereof.
3. No such space shall be located closer than 50 feet to any Residential or Agricultural Zoning District. Loading spaces shall not block any street right-of-way or maneuvering areas necessary for reaching any parking space, nor shall any parking space be designated for the dual purpose as a loading space. Loading spaces shall be so located as to be accessible by the type of delivery trucks that customarily deliver supplies to the site.
 - A. Additional Parking Space: Loading space shall be provided as area additional to off-street parking space and shall not be considered as supplying off-street parking space.
 - B. Space Requirements: There shall be provided adequate space for standing, loading, and unloading service not less than twelve (12) feet in width, thirty-five (35) feet in length, and fourteen (14) feet in height, open or enclosed.

20.07 SIZE OF PARKING SPACES

Each off-street parking space shall have an area of not less than 171 square feet (exclusive of access drives or aisles) and shall be a minimum of nine feet in width and 19 feet in length, except for parallel parking spaces which shall be 24 feet in length.

20.08 DESIGN, CONSTRUCTION, AND MAINTENANCE REQUIREMENTS

All off-street parking areas, except for parking spaces provided for single-family dwellings and duplexes, shall be designed, constructed, and maintained in accordance with the following standards and requirements:

1. The parking lot and its driveways shall be effectively screened on each side that adjoins or faces premises situated in any Residential or Agricultural Zoning District by a five-foot high solid fence, wall, compact evergreen hedge, or other screening approved by the Planning Commission.

2. Parking areas shall be so designed and marked as to provide for orderly and safe movement of vehicles.
3. Barrier-free parking spaces shall conform to the requirements of the latest building codes, state and federal laws for number, size, and location.
4. Off-street parking spaces shall not be closer than five (5) feet to any building or property line.
5. All off-street parking areas shall be constructed to prevent erosion and graded to dispose of surface water. No surface water shall be permitted to drain onto adjoining property unless there is a common engineered drainage system shared with the adjoining property.
6. The parking lot and its driveway shall be:
 - A. Designed to provide adequate drainage,
 - B. Surfaced with concrete or asphalt pavement as required by the zoning district, and
 - C. Maintained in good condition and free of dust, trash, and debris.
7. The parking lot and its driveways shall not be used for repair, dismantling, or servicing of any vehicles.
8. The parking lot shall be provided with entrances and exits so located as to minimize traffic congestion.
9. All parking spaces shall be provided with wheel or bumper guards so located that no part of a parked vehicle will extend beyond the parking area; bump any fence, wall, or landscaping; or hang over any sidewalk or pedestrian pathway.
10. Subject to the restrictions of Section 20.03, no part of any public or private parking area, regardless of number of spaces provided, shall be closer than ten feet to the street right-of-way line. Areas between such parking area and the street that are not used for driveways or sidewalks shall be landscaped with grass and other vegetative materials.
11. Access – Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.
 - A. For one-way access drives, not less than twelve (12) or more than sixteen (16) feet in width.
 - B. For two-way access drives, not less than twenty-four (24) or more than thirty (30) feet in width.
 - C. Where a turning radius is necessary, it will be of such an arc as to reasonably allow an unobstructed flow of vehicles, and so located as to secure the most appropriate development of the individual property.

12. Surface - Parking areas in the C-1 Commercial zoning district shall have a bituminous or concrete surface and provide adequate drainage. In all other zoning districts, asphalt, concrete, crushed concrete, crushed limestone, or other material may be used as may be approved by the Planning Commission.
13. Screening Required – No off-street parking area shall be located closer than fifteen (15) feet to any residentially used or zoned property unless:
 - A. Wholly within a completely enclosed building, or
 - B. Screened by a masonry wall or a uniformly painted solid board fence of uniform appearance.
 - C. Screened by a compact planting not less than four (4) feet in height.
14. Where an off-street parking area abuts or is across the street from residentially used or zoned property, it shall have a landscaped setback of 15 feet on any boundary that is adjacent to or across the street from residentially used or zoned property. All such required landscaped setbacks should be suitably protected, developed, and landscaped. Plantings shall be maintained in good condition and not encroach on adjoining property.
15. Driving Aisles - Each off-street parking area shall be served with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. Aisle widths are dependent upon whether traffic flow is one way or two-way, angle of parking, and whether or not parking is on both sides of the aisle. The following standards shall apply.
16. Aisles for 90, 60, and 45-degree parking shall be 24 feet for two-way traffic. Aisle widths for 60-degree parking with one-way traffic shall be 16 feet wide. Aisle widths for 45-degree parking with one-way traffic shall be 14 feet wide. Parking on one side of the aisle only with two-way traffic shall require a 22-foot-wide aisle for 90-degree parking and 20 feet for 60 and 45-degree parking. Parking on one side with one-way traffic shall require an 18-foot-wide aisle for 90-degree, 14 feet for 60-degree and 12 feet for 45-degree parking.
17. Lighting - Lighting shall meet the requirements of Section 3.29 Outdoor Lighting.

Section 2. Publication/Effective Date. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

Kathy Buchanan
Crockery Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Crockery at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Kathy Buchanan
Crockery Township Clerk

TOWNSHIP OF CROCKERY

COUNTY OF OTTAWA

At a regular meeting of the Township Board of the Township of Crockery, held in the Township Hall, Nunica, Michigan, on the ____ day of ____ at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following ordinance was offered by Member _____ and seconded by Member _____.

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF CROCKERY

[private streets, shared driveways, and driveways]

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1. – Minimum Lot Width. Section 3.26 of the Zoning Ordinance of the Township of Crockery is hereby amended so as to read in its entirety as follows:

3.26 MINIMUM LOT WIDTH

Every principal building and use shall be located on a lot which has the required minimum width for the zoning district in which it is located, provided, however, that:

1. Lots that have an unusual rear lot line configuration may have a width at or near the rear lot line if less than fifty (50) feet if no buildings or structures are located within the portion of the lot located near the rear lot line which has a width of less than fifty (50) feet, and Lots located on a curved street or on the curved portion of a cul-de-sac street may have a width at the front lot line of less than the required minimum if the lot is not less than fifty (50) feet wide at a distance of twenty-five (25) feet from the front lot line and meets the required lot width at the front setback line.

The minimum lot width required by this section shall be maintained throughout the entire length of the parcel and shall be provided with land that is owned by the lot owner. Land over which the lot owner has an easement, license, or other non-ownership interest may not be used to meet the minimum lot width required by this section.

Section 2. – Repeal. Section 3.36 of the Zoning Ordinance of the Township of Crockery is hereby repealed in its entirety and shall be designated as “Reserved for future use.”

Section 3. – Private Streets, Shared Driveways and Driveways. Section 3.35 of the

Zoning Ordinance of the Township of Crockery is hereby amended so as to read in its entirety as follows:

3.35 PRIVATE STREETS, SHARED DRIVEWAYS & DRIVEWAYS

The Township has determined that it is in the best interest of the public health, safety, and welfare to regulate the construction, improvement, extension, relocation, and use of driveways, shared driveways, and private streets. These shall be designed with adequate width, surface, and grade to assure safe passage and maneuverability of private and emergency vehicles.

The standards set forth in this section shall be the minimum standards for driveways, shared driveways, streets, intersections, and associated utilities. It is acceptable to use a higher standard than the minimum specified within each classification.

1. **Definitions.** For purposes of this section, and where applicable, elsewhere in this Ordinance, driveways and private streets shall be defined as follows:
 - A. A “driveway” is an improved or unimproved path or road extending from a public or private street or right-of-way to not more than three buildings, dwellings, or parcels of land, and which is intended to provide the primary means of access to not more than three buildings, dwellings, or parcels of land. Driveways are not subject to the private street requirements of this Section, unless otherwise expressly stated below.
 - B. A “shared driveway” is a driveway serving more than one, but less than four, buildings, dwellings or parcels of land.
 - C. An “existing private street” is a private street which is used to provide access to existing buildings, existing dwellings, or existing parcels of land, prior to February 1, 2010.
 - D. A “private street” is a path, trail, road, or street which provides or is intended to provide the primary means of access to four or more buildings, dwellings, or parcels of land; provided, however, that nothing in this Section shall prohibit the use of a private street to provide access to three or fewer buildings, dwellings or parcels of land, if necessary or desirable to achieve compliance with other provisions of this Ordinance.
2. **Private Street Regulations.** All private streets shall be designed and constructed in accordance with the following minimum design, construction, inspection, approval and maintenance requirements:
 - A. **General Requirements.**
 - i. All private streets shall have direct access to a public street.

- ii. All private streets shall have a recorded permanent right-of-way or easement. The right-of-way or easement shall expressly permit public or private utilities to be installed within the right-of-way.
- iii. The layout of the private street and the intersections of the private street with either a public or private street shall be such that clear vision, safe turning, and travel in all directions at the posted speed limit is reasonably assured.
- iv. All private streets shall be named and identified as required by the Crockery Township Addressing and Street Naming Ordinance.
- v. The street layout shall fit the pattern established by adjacent streets. All existing private streets that terminate at parcel boundaries must be connected with the street system of a proposed adjacent development and/or provide an easement for future extensions of the private street and public and private utilities.
- vi. The bottom of the aggregate base course is to be set no closer than two (2) feet above the historical high water elevation. Soil borings shall be provided indicating historical high water elevations.
- vii. Streets shall intersect at 90 degrees or closely thereto, and never at less than 80 degrees.
- viii. Entrance to public roadway will require permit from the Ottawa County Road Commission.
- ix. In cases where the private street is adjacent to a property line, the vegetation is to be maintained to the maximum extent possible.
- x. There shall be a minimum distance of three hundred sixty (360) feet between intersections of public and/or private streets. This offset may be reduced to 250 feet within the development as approved by the Township and Ottawa County Road Commission.
- xi. Streets must respect local topography and the alignment of the land.
- xii. Private Street Rights-of-Way shall not be located within 50 feet of any existing building.
- xiii. The Crown Point of the road is to be at the centerline with a 2% cross slope.
- xiv. No private street shall extend for a distance of more than 1,000 feet in length from the nearest public street right-of-way as measured along the centerline of the private street, unless direct access is provided thereto from another public street, or unless the Planning Commission determines, in its sole discretion, that any of the following conditions exist:

- a. That there are extraordinary circumstances or unusual hardship pertaining to the use and development of the land, such that a greater length of private street is reasonably necessary
- b. That another direct access to and from another public street cannot reasonably be provided
- c. That unless a greater length of private street is permitted, there will be land that cannot be used or developed and that there is no reasonable likelihood of such use or development unless the greater length of private street is approved

B. Drainage.

Private streets shall be constructed to sufficiently control storm water, protect against, or minimize soil erosion, and to prevent damage to the lakes, streams, wetlands, and other significant natural features of the Township. The applicant shall submit a Storm Water Drainage Plan including hydrologic and hydraulic calculations along with a topographic map. A lot grading plan with proposed lot elevations shall also be submitted. The following additional requirements shall also apply:

- i. The Storm Water Drainage Plan shall show all drainage improvements including but not limited to county drains, ditches, drainage structures, culverts, storm sewer piping, retention basins, detention basins and applicable overflow structures.
- ii. Culverts shall be placed at all natural drainage courses or other waterways.
- iii. The Storm Water Drainage Plan shall meet the requirements of the Ottawa County Water Resources Commissioner and the Township Engineer. The Water Resources Commissioner's office shall review and approve the proposed Storm Water Drainage Plan. Storm run-off calculations for the completed development shall govern drainage designs.
- iv. The applicant shall provide a storm water system to carry a 25-year frequency storm through the development from the tributary area and identify overflow routes and the extent of high water levels for the 100-year flood to ensure no adverse impacts offsite or internal to the site.
- v. Ditch slopes shall be at 1V:4H fore slope and 1V:3H back slope (see Figure 1). A steeper back slope may be approved as specific site conditions warrant.
- vi. Storm water management techniques used by the applicant shall comply with Best Management Practices (BMP).
- vii. Closed storm sewer systems are to be designed to convey the 10-year 24-hour storm event. The minimum pipe size for the closed storm sewer system shall be twelve (12) inches. No surcharging shall be present for the 10-year 24-hour rain event.

- viii. Storm sewer material shall be reinforced concrete pipe C-76 Class IV or smooth lined corrugated plastic (AASHTO M-294 Type S Polyethylene). All materials must be new.
- ix. Maximum catch basin spacing within the street: 350 feet
- x. Minimum cover over storm sewer: 2.5 feet from top of pipe
- xi. Storm sewer shall be located on the centerline of the private street.
- xii. Outlets of storm sewers, ditches, and areas where concentrations of runoff occur shall be protected against erosion by placement of sod, placing riprap, or other means approved by the Township Engineer.
- xiii. Drainage easements shall be a minimum of 20 feet in width.

C. Crossing of Natural Stream or Drainage Course.

- i. The method and construction technique to be used in the crossing of any natural stream, wetland, or drainage course, by a private street, shall satisfy the requirements of the Township Engineer.
- ii. When a private street crosses any natural stream or drainage course, adequate provisions shall be included to maintain the surface water flow. The method used in crossing any natural stream, drainage course, or similar feature shall have a sufficient load capacity to safely support fire department equipment. In constructing the crossing, best management practices to prevent soil from entering the stream or drainage way shall be used. Such measures shall also be used to ensure soil does not enter the stream or drainage way after construction of the crossing is completed. Approval or permits may be required from other agencies including but not limited to the Ottawa County Water Resources Commission, the Michigan Department of Environment, Great Lakes and Energy, and/or the Ottawa County Road Commission.
- iii. Except where the private street crosses a natural stream or drainage course, the private street shall be no closer than twenty-five (25) feet from the stream or drainage course or other body of water.

D. Driveway Culverts.

- i. Plans are to show the location of proposed drive culverts.
- ii. Drive culverts are required only if the ditches are designed to convey water.
- iii. The minimum size of a drive culvert is to be twelve (12) inches.
- iv. Material: Reinforced concrete pipe C-76 Class IV or smooth line corrugated plastic (AASHTO M-294 Type S Polyethylene). All material installed must be new.

- v. Commercial and industrial drive entrances shall be a minimum of 24 feet.

E. Restoration.

- i. All disturbed areas outside of the gravel or Hot Mix Asphalt Pavement (HMA) limits will be restored with a minimum of 4 inches of topsoil, seed, mulch, and fertilizer nutrient to produce a close stand of weed free grass.
- ii. Areas with slopes steeper than 1V:3H shall use mulch blanket in lieu of regular mulch.

F. Construction Materials.

Private streets shall be constructed of suitable materials to ensure minimal maintenance and safe passage of vehicles. The materials shall satisfy the following specific requirements:

- i. Granular Material: MDOT Class II. If existing on-site material meets MDOT Class II or Class IIA requirements, no sand sub-base is required.
- ii. Aggregate Base: MDOT 22A, 22A Modified or 21AA Modified. Crushed concrete, slag or other commonly found non-native aggregates may be substituted for the natural aggregate.
- iii. Aggregate/Gravel Surface: MDOT 23A Modified. Crushed concrete, slag or other commonly found non-native aggregates may be substituted for the natural aggregate.
- iv. HMA (Hot Mix Asphalt Pavement): MDOT Mixture No. 13A, PG 58-28
- v. Where existing sub-grade material is not granular meeting MDOT Class II, a minimum of 12 inches of Class II material shall be placed, and sub-grade drainage is to be addressed with the use of sub-grade under-drain or edge drain and proper outlet. The under-drain shall be 6-inch diameter with parallel systems or 8-inch minimum diameter with a single line. The under-drain shall be directed to the storm sewer or other positive outlet.

G. Other Minimum Design Requirements.

- i. If a multi-phased development adds lots and thereby become subject to more stringent private street standards, all pre-existing private streets within that development must then subsequently meet the required design conditions. Multi-phase projects should always be constructed to the details according to the ultimate project size.
- ii. All intersection(s) shall have no more than four (4) separate legs.
- iii. All conduits being used for future utility crossings are to be installed prior to the base course of asphalt. The developer is to coordinate the locations of the conduits with the appropriate utility companies.

- iv. Corner lots on both the private street and a public road shall not access the public road. All lots on the private street shall have an address on the private street. However, where corner lots are not a part of the private street development, the lot may access either the new private street or the public road. If access is to the private street, the owner of such lot is required to be a party to the maintenance agreement for the private street.
- v. All utilities including but not limited to gas, telephone, electric and cable are to be run underground within the given utility easement.

H. **Private Residential Streets Serving 4 to 29 Lots.** The following minimum requirements shall apply to private residential street serving 4 to 29 lots (see Figures 1 and 2):

- i. The street shall be within a 66-foot easement that also provide for the installation of utilities.
- ii. A 100-foot easement for a cul-de-sac or 66-foot easement extending 10 foot in all directions from edge alternate turnaround is required.
- iii. A 96 foot cul-de-sac/60-foot Y/120-foot hammerhead is required (see Figure 3).
- iv. Private residential streets serving 16 to 29 lots shall be paved.
- v. Minimum Cross-Sectional Requirements:
 - a. Width
 - (I) HMA surface: 24 feet (16 to 29 lots)
 - (II) Aggregate Base: 26 feet
 - (III) Sand Subbase: 26 feet
 - (IV) Gravel shoulder is to be 2 feet wide (16 to 29 lots)
 - b. Slope
 - (I) HMA, aggregate base, and sand subbase 2% cross slope
 - (II) Gravel shoulder 4% cross slope for paved streets
 - c. Depth
 - (I) HMA: 330 lbs./SY (16 to 29 lots)
 - (II) Aggregate Base: 6 inches
 - (III) Sand Subbase: 12 inches
- vi. Vertical alignment shall have a design speed of 35 mph or greater.
- vii. The area in which the private street is to be located shall have a minimum cleared width of 40 feet; said cleared width shall be maintained by the lot owners having a legal right to access the private street. The center of cleared area is to be generally centered on the road and right-of-way centerline.

Clearing limits may be modified on a case-by-case basis to ensure an overall pleasing appearance to the final development, while maintaining a safe and functional street.

- viii. Overhead branches shall be trimmed to a height of 14 feet above the ground. Said trimmed height shall be maintained by the lot owners having a legal right to access the private street.
- ix. Minimum street grade shall be 0.6% and maximum street grade shall be 6%, except that the Township may allow up to 8% maximum street grade if the applicant submits adequate justification that such grade will not adversely affect public safety. Township may allow grades less than 0.6% if adequate justification that such grade will not cause adverse drainage impacts on adjacent properties and street.
- x. There shall be a maximum grade of 1% for a distance of 50 feet back from edge of a public road. There shall be a maximum of 6% slope for a minimum distance of fifty (50) feet back from an intersection of a private street.
- xi. Minimum intersection radius: 25 feet
- I. **Private Street Serving 30 lots or more Prohibited.** A private street or private streets in combination, shall not serve 30 or more separate lots or parcels.
- J. **Private Commercial and Industrial Street.** The following minimum requirements shall apply to all private commercial and industrial streets (see Figure 4):
 - i. The minimum easement width for the private street shall be 66 feet, and the easement shall provide for the installation of utilities within the easement.
 - ii. There shall be a minimum 100-foot easement for cul-de-sac or 66-foot easement extending 10 foot in all directions from edge of an alternate type of turnaround.
 - iii. There shall be a minimum 96-foot cul-de-sac/60-foot Y/120-foot hammerhead (see Figure 3).
 - iv. Minimum Cross-Sectional Requirements:
 - a. Width
 - (I) HMA Surface: 32 feet
 - (II) Aggregate Base: 36 feet
 - (III) Sand Subbase: 36 feet
 - b. Slope: HMA, aggregate base, and sand subbase 2% cross slope
 - c. Depth
 - (I) HMA: 360 lbs./SY
 - (II) Aggregate Base: 7 inches

(III) Sand Subbase: 18 inches

- v. Vertical alignment shall have a design speed of 35 mph or greater.
- vi. The area in which the private street is to be located shall have a minimum cleared width of 40 feet; said cleared width shall be maintained by the lot owners having a legal right to access the private street. The center of cleared area is to be generally centered on the road and right-of-way centerline. Clearing limits may be modified on a case-by-case basis to ensure an overall pleasing appearance to the final development, while maintaining a safe and functional street.
- vii. Overhead branches shall be trimmed to a height of 14 feet above the ground. Said trimmed height shall be maintained by the lot owners having a legal right to access the private street.
- viii. Minimum street grade shall be 0.6% and maximum street grade shall be 6%, except that the Township may allow up to 8% maximum street grade if the applicant submits adequate justification that such grade will not adversely affect public safety. Township may allow grades less than 0.6% if adequate justification that such grade will not cause adverse drainage impacts on adjacent properties and street.
- ix. There shall be a maximum grade of 1% for a distance of 50 feet back from edge of a public road. There shall be a maximum of 6% slope for a minimum distance of fifty (50) feet back from an intersection of a private street.
- x. Minimum intersection radius: 25 feet
- xi. Speed limits shall be posted. All signs shall be in accordance with the current Michigan Manual of Uniform Traffic Control Devices and MDOT Construction Specifications.
- xii. Valley gutters or concrete curb and gutter are required on commercial and industrial streets.
- xiii. Concrete Curb and Gutter:
 - a. Concrete curb and gutter is to be used on all radii and cul-de-sacs when adjacent section consists of an HMA Valley Gutter and at the intersection radii to county primary, section line and ¼ section line roads.
 - b. 5½-sack air entrained concrete is to be used on all curbs.
 - c. White membrane curing compound is to be placed on all concrete curbing once the free moisture has left the surface. Upon stripping the forms, the remainder of the surface shall be sprayed with the curing compound.

K. Construction Requirements.

- i. Testing Requirements:
 - a. Compaction (Based on the Michigan One Point Cone Test). Test results shall be submitted to the Township Engineer.
 - (I) Aggregate Base: 98%
 - (II) Aggregate Surface: 98%
 - (III) Gravel Shoulder: 95%
 - (IV) Sand subbase: 95%
 - (V) Hot Mix Asphalt Pavement (HMA): 92%-96% of the Theoretical Maximum Density
 - b. Tolerances
 - (I) Grade on Subgrade: +/-3/4 inch
 - (II) Grade on Aggregate Base and Subbase: +/-1/2 inch
 - (III) Aggregate depth: +/-1/2 inch
 - (IV) Pavement depth:
 - (A) In no instance shall the finished bituminous thickness be more than 1/2 inch thinner than plan thickness.
 - (B) The average pavement thickness is to be no more than 1/4 inch thinner than plan thickness.
 - (C) In no case shall any area in a single course of HMA be less than 75% of plan thickness. Areas thinner than this will be removed and replaced at the sole expense of the applicant or developer.
- ii. Load tickets shall be provided to the Zoning Administrator, showing date of delivery, quantity of product, type of material, location of source and drivers name for all aggregates, granular material, and HMA product brought to the site. Material shall be provided by a state certified pit or owner may pay an independent laboratory to sample onsite material and provide independent testing proving that the requirements are meant.
- iii. All castings located within the HMA surface shall be raised to grade between the leveling and the top course of asphalt and shall be adjusted to 1/4 inch below the finished paved surface.
- iv. Bond coat is to be applied between successive courses of asphalt and to all surfaces that the pavement will be in contact with including existing pavement edges, edges of concrete curb, etc.
- v. A minimum of two rollers are to be used for compacting and finishing HMA surface. There shall be no visible roller marks on the finished surface of all courses of HMA.

- vi. Pavement cores may be taken for density determination if it appears that there is not enough compactive effort being made during paving operations. Cost for testing and repair will be the responsibility of the owner if the tests indicate the pavement surface falls below the specifications listed in this section.
- vii. Total yield will be calculated based on the area of pavement and the HMA delivery tickets. If the yield calculations warrant, pavement will be cored to determine thickness. Owner is responsible to correct any work that is outside the specified tolerances. A proposed repair/replacement plan or any other alternative is to be submitted to the Township for review within two weeks of notification that the work is not within the required tolerances. No repair work shall proceed prior to authorization by the Township.
- viii. Contractor is to submit HMA mix design prior to paving.
- ix. HMA Temperature: Minimum – 250 degrees Fahrenheit
- x. Subgrade is to be proof rolled prior to placing subbase material. Any areas indicating signs of yielding are to be undercut and filled and compacted with material meeting MDOT Class II requirements.

L. Utilities.

- i. Except as provided in subsection L.iv below, all utilities available at the public street intersection with the private street shall also be provided to the private street; provided, however, that water main is not required to be provided for private streets that are less than seven hundred fifty (750) feet in length, from the public street intersection, and serving a single parcel, upon the condition that the property owner(s) shall prepare and record a restrictive covenant, with form and content satisfactory to the Township, and specifying that the parcel to be served by the private street shall not be further divided. The proposed restrictive covenant shall be subject to approval by the Township attorney, prior to recording. The covenant shall be prepared so as to run with the land, and thereby bind all subsequent owners of the property. After recording of the approved covenant, a recorded copy thereof shall be promptly submitted to the zoning administrator.
- ii. All utilities shall be provided underground.
- iii. All utility locations shall be installed per the Ottawa County Road Commission Typical Utility location within sixty-six (66) foot road right of way included in their standards and specifications for plat, condominium, and public road development.
- iv. Exceptions for private streets serving only one parcel:
 - a. For private streets serving one parcel, the extension of utilities from the intersection with the public street is not required.

- b. If the property owner nonetheless decides to extend utilities from the intersection with the public street, the utilities may be installed underground or aboveground, as applicable.

M. Signage.

- i. Street Name Signs. All streets shall be named, identified, and marked by a sign that that contains the approved name of the street, in accordance with the Crockery Township Addressing and Street Naming Ordinance. Street name signage must be provided at the entry point of private streets to public streets and at all intersections within the development. All signage shall be installed at the owner's expense and will be in accordance with the current Michigan Manual of Uniform Traffic Control Devices and the following standards:
 - a. Signs for private streets leading from a public road shall contain the name or number of the public road and the name or number of the private street.
 - b. Private Street signs shall be green with white lettering.
 - c. Street name signs shall be installed to the same height and location requirements as stop signs except on the opposing side of the street.
- ii. Stop Signs
 - a. When traffic is required to stop a STOP sign shall be used.
 - b. The STOP sign shall be an octagon with a white legend and border on a red background.
 - c. Sign Placement
 - (I) The STOP sign shall be installed on the right side of the approach to which it applies.
 - (II) The STOP sign shall be located as close as practical to the intersection it regulates, while optimizing its visibility to the road user it is intended to regulate.
 - (III) The minimum lateral offset should be nine (9) feet from the edge of the traveled way and no less than two (2) feet from the edge of the shoulder if one exists.
 - d. Stop signs shall be installed to a height of five (5) feet measured from the bottom of the sign to the ground at the near edge of the pavement.

- (I) Where pedestrian movements are likely, the clearance to the bottom of the sign may be increased to not more than seven (7) feet.
- (II) The mounting height may be adjusted when supports are located near the edge of the right-of-way on a steep back slope.
- e. Stop signs should be vertically mounted at right angles to the direction of, and facing, the traffic that they are intended to serve.
- f. Signposts, foundations, and mountings shall be so constructed as to hold signs in a proper and permanent position, and to resist swaying in the wind or displacement by vandalism. Stop sign supports shall be breakaway, yielding, or shielded.

N. **Private Street Application Process.** An application to establish, extend, modify, or relocate a private street shall be filed with the Township Zoning Administrator and shall include the following information:

- i. The name(s), addresses and telephone numbers of the owners and any other parties having any legal interest in the private street and the property across which it is to be constructed along with the permanent parcel number(s) of all lots and parcels to be accessed by the private street.
- ii. A Private Street Plan (“Plan”) that satisfies the following requirements:
 - a. The Plan shall be prepared under the supervision of and be signed and sealed by a Civil Engineer, Registered in the State of Michigan. The name and address of the firm responsible for the preparation of the plans is to be clearly indicated on the plans.
 - b. The name, address and telephone number of the property owner and applicant (if different from the owner) is to be clearly indicated on the Plan.
 - c. Plan drawings must be to a scale of 1 inch = 50 feet scale or larger. (i.e., a drawing with a scale of 1 inch = 40 feet will be accepted but a drawing with a scale of 1 inch = 60 feet is not acceptable).
 - d. A north arrow shall be shown on all drawings along with an overall site location map indicating adjacent roads etc. The location map is to show the surrounding roads with the project area highlighted.
 - e. The Plan shall show a minimum of one benchmark per plan sheet.
 - f. The Plan shall indicate the latest revision date.
 - g. Property lines, dimensions, and access points of parcels are to be indicated on the Plan for the lots being serviced.

- h. Clearly label and dimension the proposed property lines, utility easements, ingress and egress easements, and street right-of-way on the Plan.
 - i. The Plan shall provide notes on the construction plans, as needed, to ensure the proposed project will meet the required Township Standards.
 - j. The location of the existing and proposed pavement and the right-of-way of all streets impacted by the construction shall be clearly indicated on the construction drawings. Dimension of the right-of-way, pavement widths, deceleration and/or acceleration lanes, and radii are to be clearly labeled.
 - k. Existing contours shall be shown on the drawings with minimum contour intervals of one (1) foot. Significant natural features and other natural characteristic, including but not limited to open space, stands of trees, water bodies, floodplains, rock outcrops, utilities and other topographic features shall be indicated on the construction plan sheet.
 - l. The Plan shall show street centerline profile indicating proposed and existing centerline elevations.
 - m. The Plan shall show street cross sections, indicating details such as widths, depths, slopes, etc.
 - n. Electronic record “as-built” plans for private streets from the applicant are required in a geographically referenced format compatible with Ottawa County GIS data.
 - o. Soil Borings are to be submitted with the Plan during the review and approval process. The locations of the soil borings are to be clearly indicated on the drawing submitted. Maximum spacing of the soil borings is every 1000 or closer as field and design conditions dictate. Sub-base correction in addition to that shown on the typical cross sections shall be provided where directed by the Township Engineer.
- iii. A Storm Water Drainage Plan, as described in subsection B
 - iv. A copy of the recordable legal instrument(s) describing and granting the private street easement(s)
 - v. Except as provided in subsection N.vii below, a copy of a recordable private road maintenance or restrictive covenant agreement between the owner(s) of the private street right-of-way and any other parties having any interest therein. It shall contain the following:

- a. Provisions that shall provide for and assure that the private street will be regularly maintained, repaired, and snowplowed so as to assure that the private street is safe for travel at all times
 - b. Provisions that ensure that the costs of maintenance of the private street and its easement are paid for in an equitable manner
 - c. A legal description of the private street easement and a legal description of the individual properties to be accessed by the private street as of the date of recording
 - d. It shall indicate that the owners of all properties benefited by the private street shall be jointly and severally liable and responsible for maintaining the entire length of the private street so that it is, at all times, in compliance with this Ordinance and all applicable Township standards and requirements.
 - e. It shall provide that it is enforceable by the Township Board, at its option.
 - f. It shall provide that, if the private street is not maintained to the requirements of this Ordinance, all of the owners of parcels utilizing or benefited by the private street shall be deemed to have consented to a special assessment district being created by the Township Board to maintain or upgrade the private street.
 - g. It shall provide that, if the private street is not maintained to the requirements of this Ordinance, the Township Board may, at its option, improve and maintain the street so that it meets the requirements of this Ordinance, and that the Township Board can then charge the owners of all parcels that utilize or are benefited by the private street for the reasonable costs thereof, with such costs secured by either placing a lien on the benefited properties or by placing the costs on the tax roll.
- vi. The applicant(s) shall agree in writing that, by filing an application for and receiving a permit under this section, they will assure that any building(s) or parcels thereafter created or constructed on the private street shall also be subject to the road maintenance or restrictive covenant agreement and that said agreement shall be recorded and shall run with the land. A copy of said agreement shall be furnished to and approved by the Township Attorney prior to issuance of a construction permit under subsection P, and prior to the recording of the maintenance agreement.
- vii. Maintenance Agreement Exception – A private street maintenance agreement is not required for a private street serving only one parcel, but the driving surface of the private street shall nonetheless be adequately maintained year-round, by the property owner or by those persons having a legal right to use the private street, to ensure that safe passage is provided for private and emergency vehicles.

- viii. A Soil Erosion and Sedimentation Control Permit as issued by the Road Commission or the Soil Erosion and Sedimentation Control Agency having jurisdiction, if applicable
- ix. A driveway permit issued by the Road Commission, and approval from the Road Commission of the proposed private street name
- x. Permit and escrow fees in the amounts as periodically established by resolution of the Township Board
- xi. The name of the applicant's private street construction contractor and a statement of the contractor's experience in road construction

O. Procedures for Review of a Private Street Application.

- i. An application for a private street shall be submitted to the Zoning Administrator for an evaluation of whether the application contains all the information required by this Section. If the application is complete, the Zoning Administrator shall forward the application to the Planning Commission for review. If the application is not complete, the Zoning Administrator shall return the application to the applicant with a written explanation of the deficiencies or omissions to be corrected.
- ii. Public hearing required – After receipt of a complete application from the Zoning Administrator, the Planning Commission shall consider such application at a public hearing. Notice of the hearing shall be provided in accordance with Section 15.08 of this Ordinance. If the private street is included in a proposed planned unit development, Special Land Use, site condominium, or other land development requiring Planning Commission consideration, then the Commission may consider approval of the private street as a part of the proceedings for that development, without need for a separate public hearing on the proposed private street.
- iii. The Planning Commission shall review the application for the private street, and shall approve the application if, in its discretion, the Planning Commission determines that the following standards have been satisfied:
 - a. That the private street complies with all requirements of this Section and all other applicable requirements of this Ordinance
 - b. That the private street would not create conditions that may be detrimental to the health, safety, or welfare of persons or property, through their creation of hazardous or potentially hazardous situations
 - c. That the private street would comply with the recommendation of the Township Fire Chief, Attorney, Engineer, Zoning Administrator and/or building official, as deemed appropriate

- iv. In approving an application for a Private Street, the Planning Commission may require that the applicant comply with reasonable terms and conditions relating to the placement, design, construction, and use of the private street, consistent with the terms of this section and other applicable Township Ordinances.
- v. As a condition of approval of a private street, the Township may require that the applicant provide a performance bond, letter of credit, or other acceptable surety, conditioned upon the timely and faithful performance by the applicant under the terms of this section and under the terms of any approvals given for the private street by the Planning Commission.

P. Authorization to Construct.

- i. Authorization to begin construction of the proposed private street shall be granted by the Zoning Administrator. No private street shall be constructed until written permission has been issued. In determining whether to issue a construction permit, the Zoning Administrator or his or her designee, shall consider the approval of the private street by the Planning Commission, whether the private street can be constructed safely and without serious adverse effects upon adjacent or nearby lands or property interests and whether the private street meets the design standards of this section.
- ii. The private street must be under construction within twelve (12) months and completed within twenty-four (24) months. Failure to complete construction within twenty-four (24) months shall constitute forfeiture of escrow.

Q. Periodic Inspection - From time to time the Township Engineer or his/her designee may inspect the private street construction associated with the approved site plan for the development. If during any inspection, the Township Engineer, or his/her designee determines that work is not acceptable and according to the approved site plan, the applicant will be advised in writing of specific defects to be remedied.

R. Final Inspection and Compliance.

- i. Upon completion of construction of a private street, the Township Engineer, or his or her designee, shall inspect the completed construction to determine whether it complies with the approved plans and specifications for the street, the approval given therefore by the Planning Commission, and the terms of this section and other applicable provisions of this Ordinance.
- ii. The applicant shall provide the Township with a set of "as-built" drawings, bearing a certificate and statement from a registered engineer certifying that the private street has been completed in accordance with the requirements of this section and other provisions of this Ordinance and with the terms of approvals given by the Planning Commission.

- iii. After receiving the certified as-built drawings, on-site inspection of the completed construction, and written approval of the private street by the Township Engineer, the Zoning Administrator shall issue and submit to the applicant a certificate of compliance. The certificate shall state that based upon the inspection of the construction the private street complies with this section, other applicable provisions of this Ordinance and the Planning Commission approvals.
 - iv. If the completed private street does not satisfy the requirements of this section, other applicable provisions of this Ordinance or approvals given by the Planning Commission, the applicant shall be notified in writing of such noncompliance and shall be given a reasonable period of time in which to correct the stated deficiencies.
 - v. No zoning permits or other permits shall be issued for any dwelling, or other building, structure or use, the primary access to which is to be provided by a private street, until the private street has been approved in accordance with this section.

- S. **Surety.** If a private street has not yet been completed and approved in accordance with this section and other applicable provisions of this Ordinance, but the applicant has submitted to the Township a performance bond, with acceptable surety, or a letter of credit, conditioned upon the timely and full completion of the private street in accordance with this section, then one building permit may be issued for a dwelling or for other principal building, structure or use, the primary access to which is to be provided by the private street; provided, however, that no such permit shall be issued unless the Township Engineer also determines that persons and vehicles may traverse the incomplete private street in sufficient safety. In such a case, the further construction of the private street shall be pursued diligently to completion.

- T. **Certificate of Occupancy.** A Certificate of Occupancy for a dwelling or other building, the primary access to which is to be provided by a private street, shall not be issued until the private street has been laid out and constructed with sufficient width, surface, and grade to assure the safe passage and maneuverability of fire, police, ambulance, and other emergency service vehicles.

- U. **Private Streets in Special Land Uses and PUDs.** If the private street is proposed as part of a Planned Unit Development or a Special Land Use, the provisions of this section may be modified by the Planning Commission and Township Board (where Township Board approval is otherwise required) upon a determination that the requirements of the Planned Unit Development or Special Land Use and the requirements of this section would nevertheless be sufficiently accommodated.

- V. **Existing Private Streets and Easements** - The provisions of this Section shall apply to existing private streets to the extent stated in this subsection.
 - i. Notwithstanding the provisions of this Ordinance, a building or structure may be erected upon a lot or parcel abutting a private street or easement created or constructed adjacent to that property prior to February 1, 2010, if the following are satisfied:

- a. The lot or parcel was platted or otherwise of legal record as an individual lot or parcel prior to February 1, 2010.
 - b. The private street has a cleared area of at least sixteen (16) feet, is graded to be passable by emergency vehicles, and has sufficient gravel or other surface to be passable by vehicles on a year-round basis.
- ii. Notwithstanding the other provisions of this Ordinance, if a building or structure is proposed to be erected upon a lot that was not platted or otherwise of legal record as an individual lot or parcel prior to February 1, 2010, and if the private street abutting the lot or parcel was constructed prior to February 1, 2010, then the building or structure may be erected if that part of the private street which from its intersection with the public right-of-way, and extending across or adjacent to the lot or parcel on which the building or structure is to be constructed, is brought into compliance with the requirements of this Ordinance.
 - iii. No private street, which does not meet the requirements of this Ordinance, shall be extended in length, unless the entire length of the private street, both the existing portion, and the new, extended portion, is brought into compliance with the provisions of this Ordinance. Upon such extension, a turn-around shall be provided at the terminal end of the private street in accordance with the requirements of this Section.

3. **Driveway Regulations.**

A. **Application to Zoning Administrator or Planning Commission.**

- i. An applicant for a building permit shall provide documentation, as required by the Zoning Administrator, showing that the driveway which is proposed to serve the proposed building, structure or use complies with the minimum standards of this section.
- ii. With regard to a building or structure that does not require a building permit, but for which site plan approval is required, the applicant for site plan approval shall provide documentation, as required by the Planning Commission, showing that the driveway which is proposed to serve the proposed building, structure or use complies with the minimum standards of this section.
- iii. An application for a building permit or for site plan approval shall include a driveway permit issued by the Road Commission.
- iv. On the site plan submitted with the application, existing contours shall be shown with two (2) foot maximum contour intervals.

- B. **Minimum Standards for Driveways and Shared Driveways.** No building permit shall be issued, and no site plan approval shall be granted, for a newly constructed building, dwelling or structure which is to be served by a driveway or shared driveway, unless the proposed driveway complies with the following standards:

- i. Standards Applicable to Driveways and Shared Driveways:
- a. Overhead branches shall be trimmed to a height of 14 feet above the ground. Said trimmed height shall be maintained by the property owner or, if a shared driveway, by the persons having a legal right to use the driveway.
 - b. There shall be a maximum grade of 1% for a minimum distance of 50 feet back from the edge of a public road. There shall be a maximum grade of 6% for a minimum distance of 30 feet back from an intersection of a private street.
 - c. The minimum intersection radius shall be 25 feet.
 - d. The driving surface shall be crowned to facilitate drainage.
 - e. The longitudinal slope of a driveway shall not exceed six (6) percent unless a steeper driveway is specifically approved by the Township Fire Chief.
 - f. When a private street crosses any natural stream or drainage course, adequate provisions shall be included to maintain the surface water flow. The method used in crossing any natural stream, drainage course, or similar feature shall have a sufficient load capacity to safely support fire department equipment. In constructing the crossing, best management practices to prevent soil from entering the stream or drainage way shall be used. Such measures shall also be used to ensure soil does not enter the stream or drainage way after construction of the crossing is completed. Approval or permits may be required from other agencies including but not limited to the Ottawa County Water Resources Commission, the Michigan Department of Environment, Great Lakes and Energy, and/or the Ottawa County Road Commission.
 - g. Except where the driveway crosses a natural stream or drainage course, the driveway shall be no closer than 25 feet from the stream or drainage course or other body of water.
 - h. The inside radius of any driveway curve shall be a minimum of 50 feet.
 - i. The street address shall be posted in a conspicuous place on the property, so it is visible from a public or private road.
 - j. The driving surface shall be adequately maintained year-round by the property owner, or by those persons with a legal right to use the driveway to ensure the safe passage of private and emergency vehicles.

ii. Standards Applicable to Driveways:

- a. The area in which a driveway is to be located shall have a minimum cleared width of 16 feet; said cleared width shall be maintained by the property owner. Clearing limits may be modified on a case-by-case basis to ensure an overall pleasing appearance to the site, while maintaining a safe and functional driveway.
- b. A driveway having a length equal to or greater than 150 feet, as measured from the edge of the improved portion of the abutting street to the closest portion of the principal building or structure located on the lot or parcel served by the driveway, shall be approved by the Fire Chief. It shall terminate in a 96-foot cul-de-sac, 60-foot Y, or 120-foot hammerhead (see Figure 3).
- c. Drives with no public street frontage shall be located within an easement not less than 66 feet wide. The driving surface of a driveway shall be at least 15 feet wide.
- d. Minimum Cross-Sectional Requirements:
 - (I) Width:
 - (A) Aggregate Surface: 15 feet
 - (B) Sand Subbase: 15 feet
 - (II) Slope: Aggregate surface and sand subbase 2% cross slope
 - (III) Depth:
 - (A) Aggregate Surface: 6 inches
 - (B) Sand Subbase: 12 inches

iii. Standards Applicable to Shared Driveways:

- a. A shared driveway shall be located within an easement not less than 66 feet wide.
- b. A 100-foot easement for a cul-de-sac or 66-foot easement extending 10 foot in all directions from edge of alternate turnaround is required.
- c. A 96-foot cul-de-sac/60-foot Y/120-foot hammerhead is required (see Figure 3).
- d. The area in which a shared driveway is to be located shall have a minimum cleared width of 30 feet; said cleared width shall be maintained by those persons having a legal right to use the driveway. Clearing limits may be modified on a case-by-case basis to ensure an overall pleasing appearance to the development site, while maintaining a safe and functional driveway.

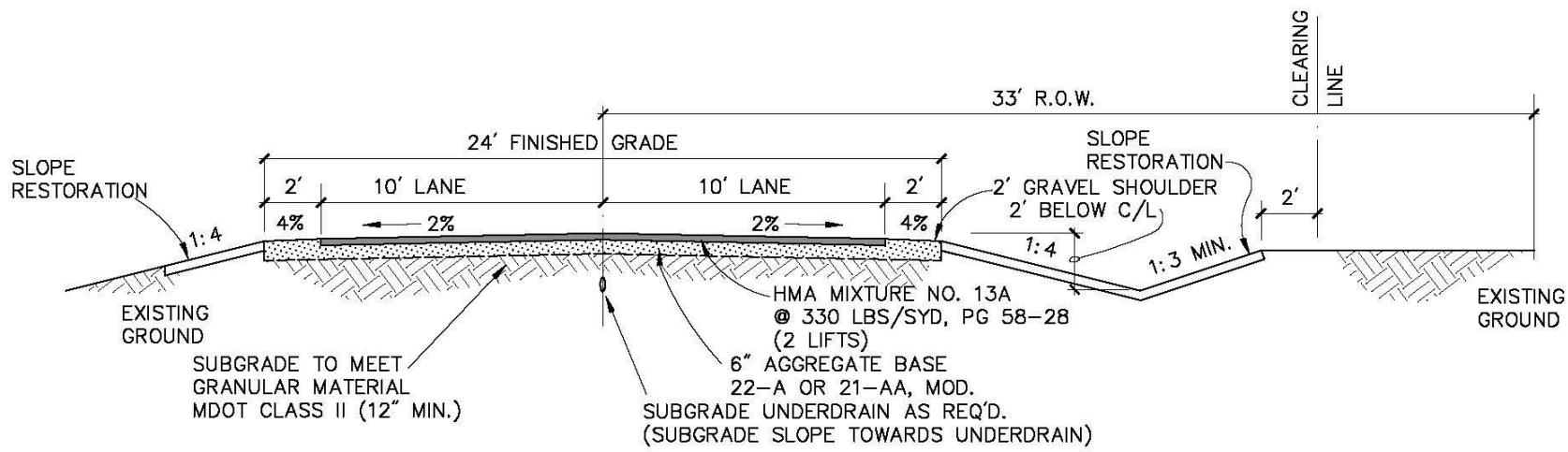
- e. The driving surface shall be at least 20 feet wide.
- f. Construction materials shall meet private street requirements of Section 2.F.
- g. Minimum Cross-Sectional Requirements:
 - (I) Width:
 - (A) Aggregate Surface: 20 feet
 - (B) Sand Subbase: 20 feet
 - (II) Slope: Aggregate surface and sand subbase 2% cross slope
 - (III) Depth:
 - (A) Aggregate Surface: 6 inches
 - (B) Sand Subbase: 12 inches
- h. A shared driveway which intersects a public road shall be a minimum of 125 feet from another shared driveway, or a private or public road which is on the same side of the road. This distance shall be measured between center lines. Where compliance with such separation distance cannot be achieved because of existing lot widths, location of other shared driveways or private or public roads, or topographical factors, the separation distance may be reduced to the minimum extent possible.
- i. A maintenance agreement is required and shall be recorded with all lots served by the shared driveway.

C. **Exemption.** The regulations of subsection B, immediately above, shall not apply to driveways or shared driveways which are 150 feet or less in length, as measured from the edge of the improved portion of the abutting street to the closest portion of the principal building or structure located on the lot or parcel served by the driveway. Such driveways shall nonetheless be subject to the requirements of subsection E, below.

D. **Existing Lots and Driveways.**

- i. An easement for a shared driveway which provides the sole means of access to a lot that is of record prior to February 1, 2010 shall comply with the provisions of Section 3.35.3.B, only to the extent that the existing limitations of the easement permit compliance with these provisions.
- ii. For a shared driveway existing prior to February 1, 2010, which thereafter becomes a private street by extension or lot division, the existing portion of the shared driveway shall be treated as an existing private street under Section 3.35.2.V.

- E. **Minimum Standards for Exempt Driveways.** A driveway or shared driveway that is not subject to some or all of the requirements of subsection B shall nonetheless be constructed and maintained year round so as to assure safe passage and maneuverability of private and emergency vehicles, and shall otherwise meet or exceed the requirements for Fire Department Access Roads, as stated in the Uniform Fire Code.



NOTES :

- 1) MINIMUM CLEARED WIDTH OF 40 FEET.
- 2) MINIMUM CUL-DE-SAC RIGHT OF WAY RADIUS TO BE 60'.
- 3) WHERE A FIRE HYDRANT IS LOCATED ON A FIRE APPARATUS ACCESS ROAD, THE MINIMUM ROAD WIDTH SHALL BE 26'.
- 4) PAVING IS NOT REQUIRED FOR A PRIVATE STREET SERVING LESS THAN 16 LOTS.

SLOPE RESTORATION

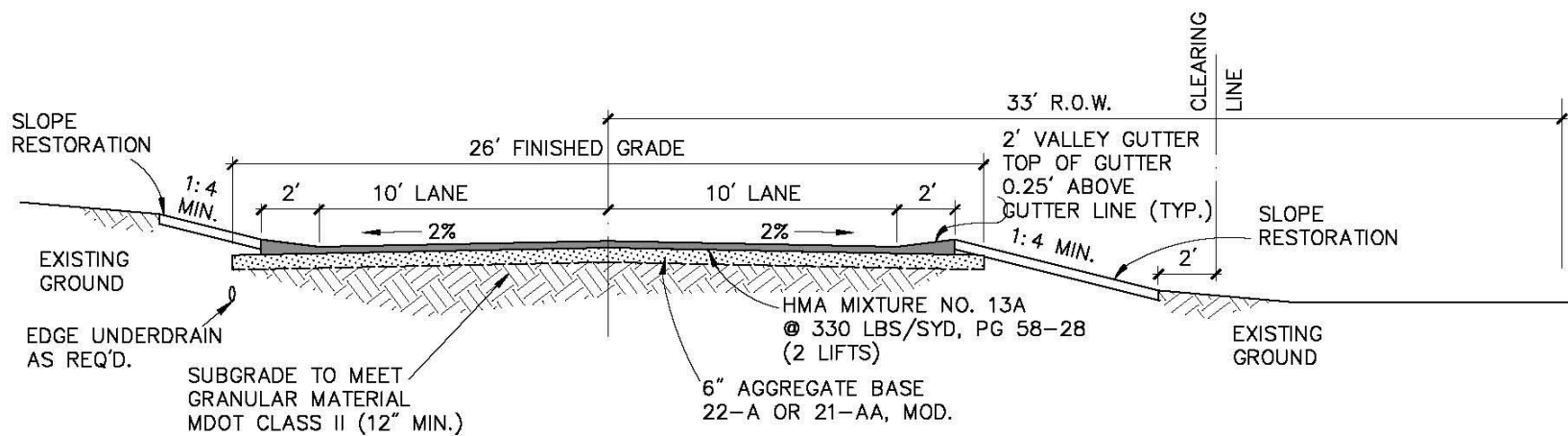
PLACE 4" TOPSOIL, SEED, FERTILIZER AND MULCH.

DENSITY REQUIREMENTS

(PER MDOT GUIDELINES)
 SUBGRADE -- 95%
 AGGREGATE BASE -- 98%
 BITUMINOUS PAVEMENT -- 98%

**CROCKERY TOWNSHIP
 CONSTRUCTION STANDARDS**

**FIGURE NO. 1
 TYPICAL DITCH SECTION
 PRIVATE RESIDENTIAL STREET STANDARD**



NOTES :

- 1) MINIMUM CLEARED WIDTH OF 40 FEET.
- 2) MINIMUM CUL-DE-SAC RIGHT OF WAY RADIUS TO BE 60'.
- 3) WHERE A FIRE HYDRANT IS LOCATED ON A FIRE APPARATUS ACCESS ROAD, THE MINIMUM ROAD WIDTH SHALL BE 26'.
- 4) PAVING IS NOT REQUIRED FOR A PRIVATE STREET SERVING LESS THAN 16 LOTS.

SLOPE RESTORATION

PLACE 4" TOPSOIL, SEED, FERTILIZER AND MULCH.

DENSITY REQUIREMENTS

(PER MDOT GUIDELINES)
 SUBGRADE -- 95%
 AGGREGATE BASE -- 98%
 BITUMINOUS PAVEMENT -- 92% - 96% OF THE
 THEORETICAL MAX. DENSITY

**CROCKERY TOWNSHIP
 CONSTRUCTION STANDARDS**

**FIGURE NO. 2
 TYPICAL HMA VALLEY GUTTER SECTION
 PRIVATE RESIDENTIAL STREET STANDARD**

Figure 3

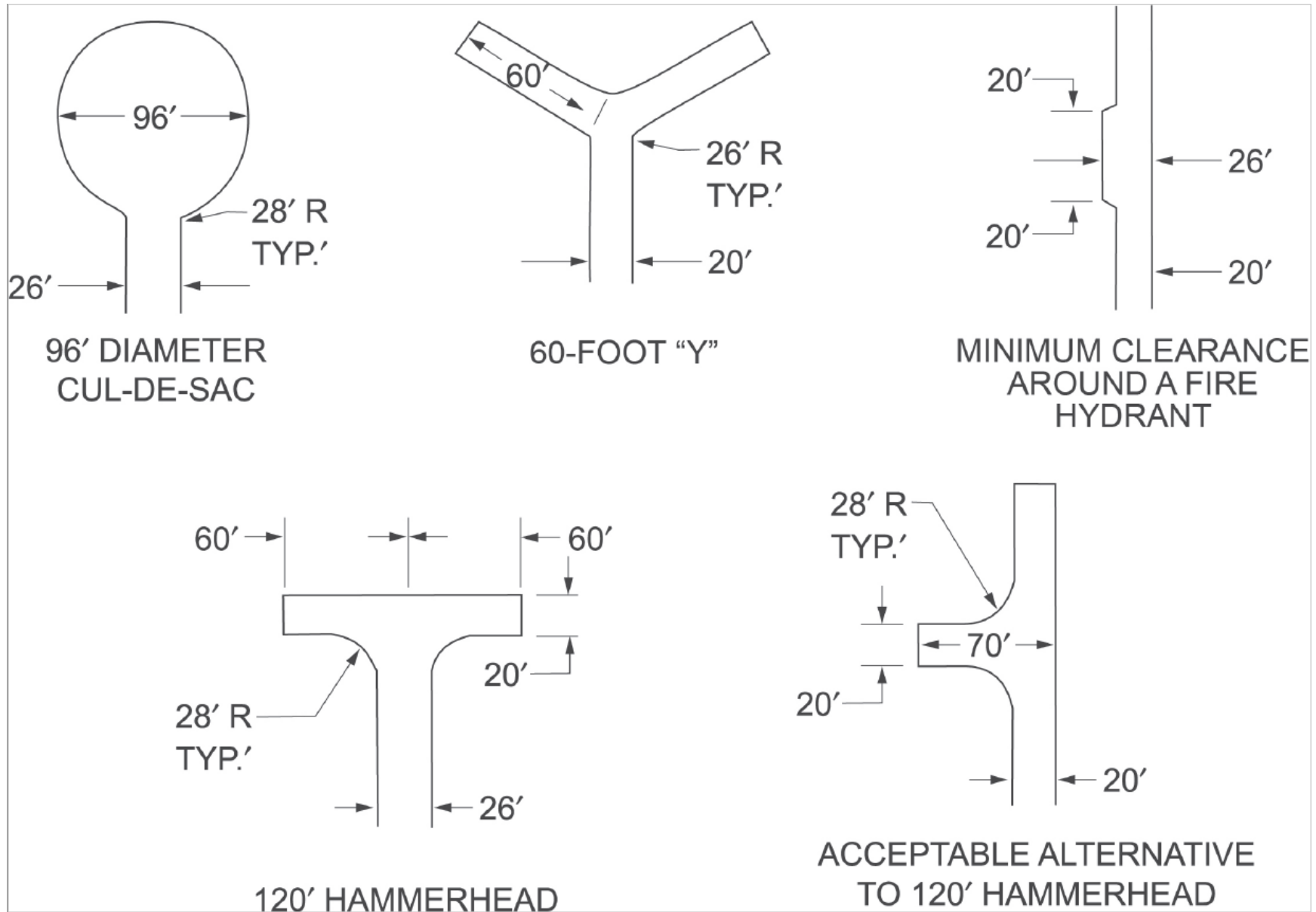
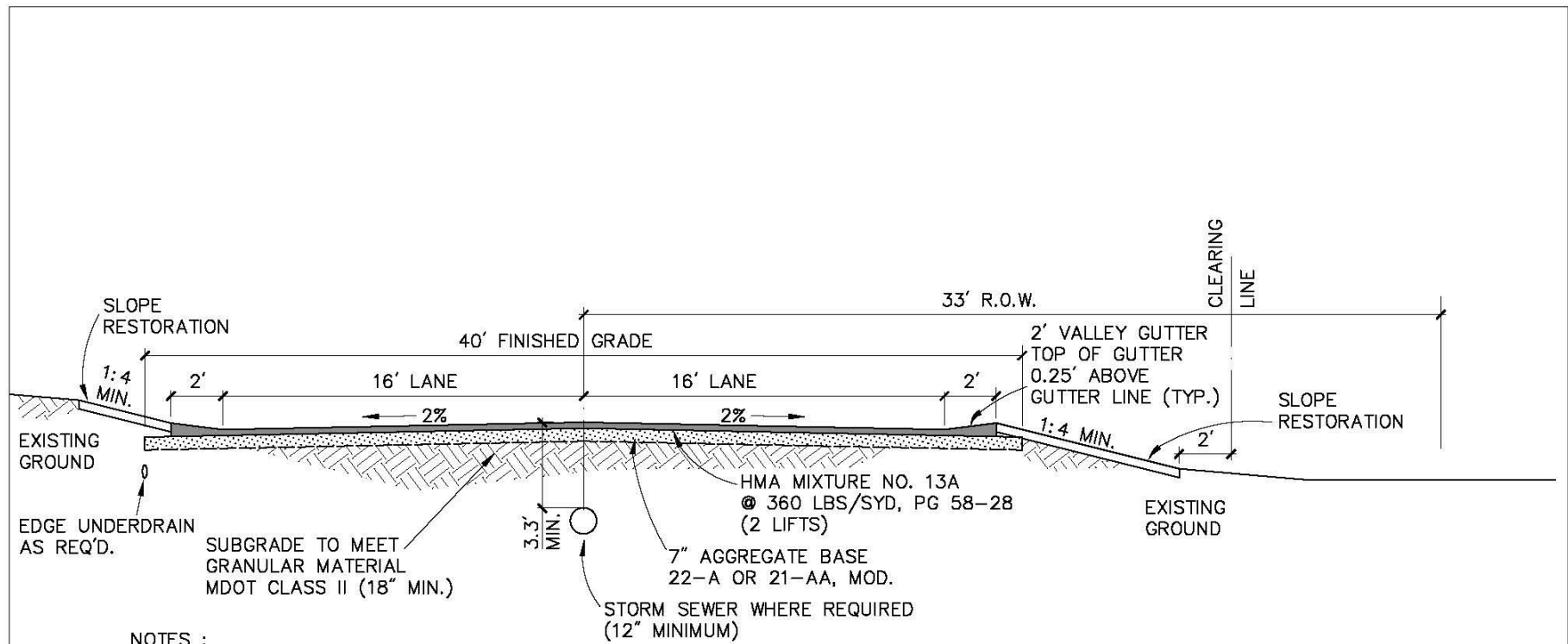


Figure D103.1, Dead-end Fire Apparatus Access Road Turnaround. Excerpted from the 2021 *International Fire Code*. Copyright 2020. Washington, D.C.: International Code Council. Reproduced with permission. www.iccsafe.org



NOTES :

- 1) MINIMUM CLEARED WIDTH OF 40 FEET.
- 2) MINIMUM CUL-DE-SAC RIGHT OF WAY RADIUS TO BE 70'.
- 3) MDOT F4 - CURB AND GUTTER IS REQUIRED FOR INTERSECTION RADII TO COUNTY PRIMARY, SECTION LINE AND 1/4 SECTION LINE ROADS PER O.C.R.C. REQUIREMENTS.

SLOPE RESTORATION
 PLACE 4" TOPSOIL, SEED, FERTILIZER AND MULCH.

DENSITY REQUIREMENTS
 (PER MDOT GUIDELINES)
 SUBGRADE -- 95%
 AGGREGATE BASE -- 98%
 BITUMINOUS PAVEMENT -- 92% - 96% OF THE THEORETICAL MAX. DENSITY

**CROCKERY TOWNSHIP
 CONSTRUCTION STANDARDS**

**FIGURE NO. 4
 TYPICAL HMA VALLEY GUTTER SECTION
 PRIVATE COMMERCIAL AND INDUSTRIAL
 STREET STANDARD**

Section 4. – Publication/Effective Date. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

Kathy Buchanan
Crockery Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Crockery at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Kathy Buchanan
Crockery Township Clerk

**TOWNSHIP OF CROCKERY
COUNTY OF OTTAWA**

At a regular meeting of the Township Board of the Township of Crockery, held in the Township Hall, Nunica, Michigan, on the _____ day of _____ at 7:00 p.m.

PRESENT:

ABSENT:

The following ordinance was offered by Member _____ and seconded by Member _____.

**ORDINANCE NO. _____
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF
CROCKERY**

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1 – Definitions. Article 2 of the Zoning Ordinance of the Township of Crockery is hereby amended to add a definition of “Split Zoning” as follows:

Split Zoning. Any parcel of land/lot that is geographically divided into more than one zoning district.

Section 2 – General Provisions Article 3 of the Crockery Township Zoning Ordinance is amended so as to read in its entirety as follows:

3.39 SPLIT ZONING

- 1. SPLIT ZONING BETWEEN DIFFERENT RESIDENTIAL DISTRICTS OR BETWEEN RESIDENTIAL AND AGRICULTURAL DISTRICTS.** If a lot is divided by two different residential zoning districts or between residential and agricultural zoning district boundaries, the lot owner may choose which zoning district regulations to apply, provided the lot meets all minimum area requirements for the chosen district. If the lot does not comply with either zoning district minimum area requirements, the more restrictive zoning district regulations shall apply. Regardless, the following stipulations apply:
 - A. No more than one principal building or use shall be placed on a Lot, as provided by this Ordinance.
 - B. In cases where the split zoning districts are Residential and Agricultural, and Agricultural is applied, Section 3.02.3 – Accessory Buildings in Residential Zone Districts shall apply for lots under 10 acres. Lots 10 acres or larger may apply Section 3.02.5 – Residential Accessory Buildings in Agricultural Zoning districts.
 - C. In the event the lot owner chooses the less restrictive district, only that portion of property that is less restrictive may be used in acreage calculation as applied in Section 3.22.4.A-D Keeping of Animals.

2. **SPLIT ZONING INVOLVING NON-RESIDENTIAL DISTRICTS.** If a Lot is divided by a zoning district boundary involving one or more nonresidential districts, or between residential and non-residential, the entire Lot may be used for any use permitted by right or with special land use approval (if obtained) in the more restrictive zoning district applicable to the Lot, subject to the following:
 - A. No more than one principal building or use shall be placed on a Lot, as provided by this Ordinance.
 - B. Buildings, structures, and accessory uses shall comply with yard setback regulations as applicable within the district in which each portion of the Lot is located.
 - C. All parking, greenbelts, buffers, landscaping, access and other applicable requirements of the more restrictive district shall apply.
3. **ORDER OF DISTRICTS.** For purposes of determining which district is more restrictive:
 - A. The residential districts are considered more restrictive than non-residential districts;
 - B. The commercial districts are considered more restrictive than the industrial districts;
 - C. The residential and agricultural districts are considered more restrictive to least restrictive in the following order: R-5, R-3, R-2, R-2A, R-1, R-1A, Ag-2, A-1.
 - D. If a portion of the Lot lies within a PUD District, the PUD District shall be considered the more restrictive.
4. **LAND DIVISIONS.** If a property owner wishes to divide their split zoned property, they must first rezone the entire parcel into one of the two zoning districts to be determined by the Planning Commission.
5. **ZBA REVIEW.** If circumstances should arise with respect to a particular parcel that is subject to split zoning, which circumstances are not specifically addressed by the provisions of this Section, then the Zoning Administrator may refer the matter to the Zoning Board of Appeals, which shall have the authority to determine the zoning regulations that shall apply to the parcel, as a matter for decision under Section 603 of the Michigan Zoning Enabling Act.

Section 3 – Publication/Effective date. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES:

NAYS:

ORDINANCE AMENDMENT DECLARED ADOPTED.

**Kathy Buchanan
Crockery Township Clerk**

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Crockery at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

**Kathy Buchanan
Crockery Township Clerk**