

Ray Township Zoning Ordinance #36

Approved: October 4, 2011
Effective: November 11, 2011
As Amended Through: January 28, 2013



RAY TOWNSHIP

ZONING ORDINANCE ORDINANCE NO. 36

Originally Adopted: October 4, 2011
(Updated to include all amendments to January 28, 2013)

Ray Township Board

(2013)

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Last revision – January 28, 2013

This Ordinance contains all amendments and adoptions through January 28, 2013
all residents and developers should check with the Ray Township Offices for any newly adopted or amended Ordinances

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SECTION 100 SHORT TITLE.

This Ordinance shall be known and cited as the "Ray Township Zoning Ordinance."

SECTION 101 PURPOSE.

The purpose of this Ordinance is to promote the public health, safety, morals, and general welfare; to encourage the use of lands in accordance with their character and adaptability; and to limit the improper use of land; to avoid the overcrowding of population; to provide adequate light and air; to lessen congestion on the public roads and streets; to reduce hazards to life and property; to facilitate adequate provisions for a system of sewage disposal, safe and adequate water supply, education, recreation and other public requirements; and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties, and with reasonable consideration among other things, to the character of each district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and appropriate trend and character of land, building, and population development, as studied and recommended within a Master Plan by the Ray Township Planning Commission and endorsed, and regulations adopted, therefore, by the Ray Township Board of Trustees.

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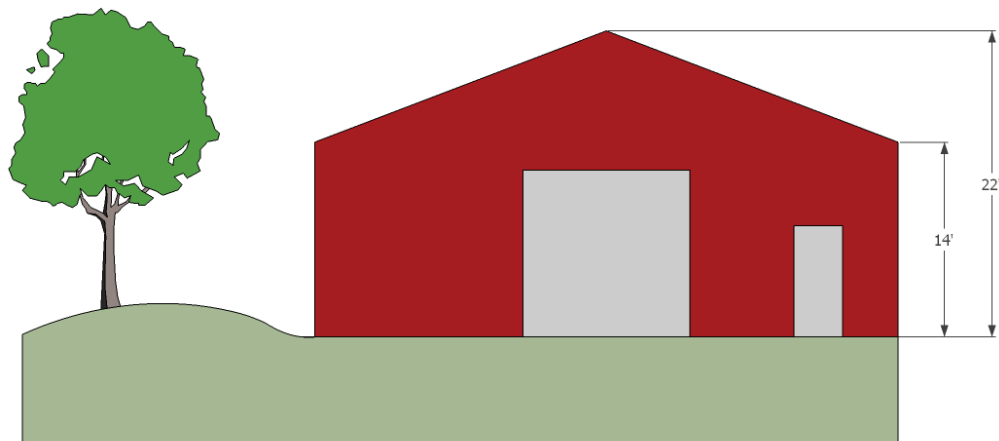
Zoning Map

SECTION 200

ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS.

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations.

- A. Accessory buildings or structures in all residential districts shall be customarily incidental to and subordinate in size and scope to the principal structure or use, and shall be subjected to the following regulations:
1. Where the accessory building is structurally attached to the principal building, it shall conform to all regulations of the principal building.
 2. No accessory building shall be constructed prior to the enclosure of the principal building.
 3. An accessory building shall not be used for any business, profession, trade or occupation, unless approved as a home occupation.
 4. One storage building or shed, which does not exceed two hundred (200) square feet, shall be permitted on each residential lot. A zoning compliance permit shall be required.
 5. An affidavit of Zoning Compliance shall be filed by the owner, prior to the issuance of a building permit, for all accessory buildings or structures. This requirement shall not apply to garages of 720 square feet or less.
 6. Accessory Buildings and/or Structures:
 - a. Shall not be located in the front yard or within the required side yard setback. An accessory building may be located in the non-required side yard or the rear yard, provided that they are not located closer than fifteen (15) feet to any lot line. On corner lots, they shall not be located within the required street yard setback.
 - b. Shall not be located closer than ten (10) feet to any other building.
 - c. Shall not exceed twenty-two (22) feet in total height as measured from ground level to the ridge line, or have a sidewall height greater than fourteen (14) feet.



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- d. Shall have the following maximum size limits (these limitations shall not include the area within garages up to 720 square feet):
 - 1) On parcels of one (1) acre or less, one (1) attached or detached garage, with a footprint not to exceed 1,000 square feet.
 - 2) On parcels with less than five (5) acres, the footprint(s) of all accessory building(s) and/or structures, attached or detached, shall not exceed a combined total of 2,000 square feet.
 - 3) On parcels with five (5) acres or more, the footprints of all accessory buildings and/or structures, attached or detached, shall not exceed a combined total of 3,000 square feet.
- B. Accessory buildings which, in total, have greater than 3,000 square feet in footprint or are greater than the size permitted for the specified lot size or have a height greater than 22 feet, may be permitted as a Special Approval Land Use and a showing that the increase in building size is proportional to the increase in lot size.
- C. Accessory buildings located within the front yard may be permitted as a Special Approval land Use, subject to the following:
 - 1. Only open air accessory structures which are less than four hundred (400) square feet in area shall be permitted within the non required front yard without Planning Commission approval provided an appropriate building permit (as applicable) has been obtained.
 - 2. All other accessory structures regardless of type greater than four hundred (400) square feet within the non required front yard shall required special land use approval.
 - 3. In reviewing the special land use application the Planning Commission shall take into account the size of the proposed accessory structure, the location of the proposed structure, the size of the subject property, the proximity of neighboring homes, existing vegetation, topography, and any other conditions specific to the property which the Commission determines is pertinent to their review.

SECTION 201 ANIMALS, KEEPING OF

The following provisions shall not apply to those properties, which meet the Township's definition of farm or farmland.

- A. In all districts, the minimum required area for the keeping of any hoofed or other non domesticated animals shall be 90,000 square feet and shall be accessory to the primary residence.
- B. All animals kept on residential properties shall be afforded adequate shelter (refer to Section 302 Accessory Buildings) and shall also be fenced.
- C. The refuse and waste resulting from the maintenance of animals shall be controlled upon the premises and shall be cared for or disposed of in a manner keeping with generally accepted agricultural practices so as to minimize hazards of health and offensive effects.
- D. Each animal shall be maintained in a good, healthy condition in a manner not causing injury to the health of any animal or the health and safety of any person.

- E. The maximum number of hoofed animals kept on a single property shall be as follows: two (2) animals for the first 90,000 square feet of property and up to three (3) acres. One (1) additional animal shall be permitted for each whole one (1) acre (43,560 square feet) above and beyond the initial three (3) acres.

Total Number of Animals		
	90,000 square feet up to 2.99 Acres	Animals for each additional whole acre
Hoofed Animals & the Like	2	1

SECTION 202 ARCHITECTURAL PROJECTIONS INTO YARDS.

Architectural features such as chimneys, roof overhangs, bay windows, etc., may extend or project into a required side yard, not more than two (2) inches for each one (1) foot of width of such side yard and may extend or project into a required front yard or rear yard not more than three (3) feet.

SECTION 203 BUILDING GRADES.

- A. A plot plan shall be submitted to the Building Inspector showing building grades. Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. A sloping grade shall be established and maintained from the center of the front lot line to the finished grade at the front of the building, also from the rear lot line to the rear wall of the building. However, this shall not prevent the grading of a yard space to provide a sunken or terraced area, provided proper means are provided and maintained to prevent the runoff of surface water from flowing onto adjacent properties or into the storm sewer or septic system. The yard around any new building or addition shall be graded in such a manner as to meet existing grades and not permit runoff of surface water to flow or be stored on the adjacent properties.

The final grade of a building shall be a minimum of fourteen (14) inches, up to a maximum of thirty (30) inches, above the tile invert of the field as established by the Macomb County Health Department. Any other variances from these grade requirements must be submitted to the Zoning Board of Appeals.

- B. When a new building is being constructed on a vacant lot between two (2) existing buildings or adjacent to an existing building, the existing grade shall have priority over determining the grade around the new building.
- C. Final grading for all building sites shall be reviewed by the Building Inspector to determine that proposed and/or actual site grading is proper and that drainage from land lying upstream is not obstructed and that downstream properties will not be adversely affected by runoff from the property under design consideration. It shall be unlawful for any person to interfere with or obstruct the flow of drainage water across any property except as part of a plan approved by the Township Board.
- D. For those residential uses which are to be located on lots of less than one (1) acre or which in the opinion of the Building Official will cause increased runoff to the neighboring properties due to the proposed grades, size of structure, proximity to property line, etc. the Building Official may require a "Certificate of Grading and Location of Building" be duly completed and certified by a registered engineer or land surveyor. Disputes regarding grades and elevations or the need for a certificate may be decided by the Township Board of Trustees after application and submittal of data.

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- E. Any alteration of existing grades, or previously approved grades, by the fill or redistribution of earthen materials shall first be approved by the Township Building Inspector. In the event the Township Building Inspector determines that the fill or redistribution of earthen materials may impede, obstruct, or accelerate the natural flow of surface waters, a re-approval of the building grade shall be necessary. The Township Building Inspector may consult with the Township Engineer regarding proposed grades and any drainage concerns. If it becomes necessary to consult the Township Engineer or conduct other special reviews as a result of such fill or redistribution, the landowner shall be responsible for any costs incurred to the Township.

SECTION 204 BUILDINGS TO BE MOVED

The moving of buildings, includes any buildings or structures being relocated within the Township, being moved out of Township or being moved into the Township. Board approval is not needed when the building is being moved within the property lines of a lot or when such move does not necessitate movement along a County, State or Township Road.

Moving of buildings into, within and/or out of the Township shall be approved by the Township Board prior to such moving. Approval shall be contingent upon the Board determining that the following conditions have been met:

- A. Any person desiring to move a building in Ray Township shall file an application for a building permit and a moving of building application with the Building Inspector.
- B. Record of adequate insurance is provided assuring any improvements in the public right-of-way are adequately insured.
- C. Adequate police protection has been arranged for with the appropriate agency(s).
- D. Record of all proper permits and approvals having been obtained.
- E. Where a structure is moved into the Township, the structure must comply with all codes and ordinances, as determined by the Township Building Official prior to obtaining a certificate of occupancy.
- F. That the necessary fees, licenses and financial surety have been received by the Township.
- G. A financial surety shall be required by the Township to insure that the ultimate moving, erection or construction of the building and the development of the site shall be in accordance with the approved plans and proposals. Such financial surety shall be in an amount equal to the estimated cost of the construction and the site improvements as determined by the Township Building Official. The financial surety will not be returned until a final occupancy permit has been granted.

SECTION 205 BUILDING UNDER CONSTRUCTION,

- A. Any building or structure for which a building permit has been issued and the construction of which has been started, prior to the effective date of this Ordinance, may be completed and used in accordance with the plans and application on which said building permit was granted.

SECTION 206 DECKS, PORCHES, PATIOS AND TERRACES.

A deck, unenclosed porch, paved patio or terrace shall have a minimum setback of fifteen (15) feet from any property line.

SECTION 207 DWELLINGS IN OTHER THAN MAIN STRUCTURE.

- A. No accessory building or structure shall be converted to living quarters on a lot where a residential dwelling exists. On a lot where no residential dwelling exists, an accessory building or structure may be converted to a residential dwelling provided all residential codes are met.

SECTION 208 FARM, FISH AND RECREATION PONDS OR AESTHETIC LANDSCAPING PONDS.

- A. A plot plan shall be submitted to and approved by the Building Inspector.
- B. Ponds shall only be of an excavation type.
- C. No commercial activities, including public fishing, shall be allowed.
- D. The pond shall be a minimum distance of fifty (50) feet from the property line of abutting lands.
- E. In the event the owner wishes to sell or otherwise remove the excavated materials from the site, he shall conform to the requirements of the mining and extraction ordinances of the Township.
- F. Any artisan well or other water overflow from a pond that could affect adjacent property shall be provided with adequate drainage.
- G. Ponds shall be a minimum of ten (10) feet deep over twenty-five (25%) percent of the pond's surface area.
- H. Ponds shall be located a minimum of one hundred (100) feet from the septic tank or field.
- I. Contaminated surface water shall be diverted around all ponds.
- J. Ponds shall be constructed in such a manner that runoff, overflow, spillage or seepage shall not encroach upon adjacent properties owned by another person.
- K. Ponds shall have warning signs and lifesaving equipment, as required by the State of Michigan.

SECTION 209 GARAGE AND BASEMENT DWELLINGS.

- A. Basement or garage dwellings which constitute a second separate dwelling are prohibited.

SECTION 210 LOT LIMITATIONS.

- A. Within the Township's single family residential districts one (1) dwelling unit shall be permitted per lot, parcel or unit.

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SECTION 211 MEDICAL MARIJUANA USES.

A. Intent

1. Voters in the State of Michigan approved a referendum authorizing the use of marijuana for certain medical conditions, being the Michigan Medical Marihuana Act, MCL 333.26421, et seq. ("The Act").
2. The specified intent of The Act is to enable certain specified persons who comply with the registration provisions of the law to acquire, possess, cultivate, grow and use marijuana as well as to assist specifically registered individuals identified in the statute without being subject to criminal prosecution under state law in limited, specific circumstances.
3. Despite the specific provisions of The Act and the activities identified in The Act, marihuana remains a controlled substance (Schedule 1 drug) under Michigan law. The activities set forth in the Act have a potential for abuse. Such activities should be closely monitored and, to the extent permissible, regulated by local authorities.
4. If not closely monitored or regulated, the presence of marihuana even for the purposes specified by The Act may present an increase for illegal conduct and/or activity which adversely affects the health, safety and welfare of the residents of Ray Township.
5. Nothing in this Ordinance shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance, or to allow use, possession or control of marijuana for non-medical purposes or allow any other activity relating to cultivation /growing, distribution or consumption of marijuana that is otherwise illegal.

B. Medical Marijuana Dispensary, Compassion Centers or other similar operation for the consumption or distribution of medicinal marijuana. It shall be unlawful for any person or entity to own, manage, conduct, or operate a medical marijuana dispensary, compassion center or other similar operation, or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical marijuana dispensary, compassion center, growth facility, growth cooperative or other similar operation in Ray Township.

C. Registered Primary Caregiver. A registered primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, The Act and the requirements of this section, shall be permitted to grow marijuana as a home occupation subject to the applicable provisions of this Ordinance. Nothing in the section, or in any other regulatory provision, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with The Act and the General Rules. Also, since Federal Law is not affected by The Act or General Rules, nothing in this section, or in any other regulatory provision, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal Law. The Act does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act. The following requirements for a registered primary caregiver shall apply:

1. The medical use of marijuana shall comply at all times and in all circumstances with The Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
2. A registered primary caregiver must be located outside of a one-thousand (1,000) foot radius from any school (as measured from the property lines), including child care or day care facilities operated by a school, to insure community compliance with Federal "Drug-Free School Zone" requirements;

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3. A registered primary caregiver must be located outside of a one thousand (1,000) foot radius from any public or private park property or public library property (as measured from the property lines).
4. Not more than one (1) primary caregiver shall be permitted to service qualifying patients on a single parcel or an approved livable unit;
5. All medical marijuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient;
6. There shall be no signs of the growing, cultivating, or distributing of the medicinal marijuana visible from the exterior of the residence, including plant material, lighting, caregiver/patient interaction, etc.
7. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the production of marijuana are located;
8. That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ray Township Fire Department to insure compliance with the Michigan Fire Protection Code.
9. The disposal of plant material shall be done in a safe and secure manner which does not permit those without the proper permits to access or obtain any disposed plant material.

SECTION 212 NON COMMERCIAL RADIO TOWERS.

Ham radio or CB towers for non-commercial uses shall be considered as uses permitted after special approval. The setbacks for such towers shall be such that the tower or smokestack cannot fall onto abutting streets or adjacent property.

SECTION 213 NONRESIDENTIAL BUILDING STANDARDS

- A. The facades of all non single family residential buildings shall be constructed of face brick or other decorative materials with similar durability, as approved by the Planning Commission.
- B. The approved exterior treatment shall be uniform on all sides of the building that are visible from a public right-of-way or abut a residential district.
- C. Some form of covered pedestrian entrance ways and/or walkways should be provided which is compatible with the overall architecture of the building.
- D. Any ancillary buildings or outlots shall be architecturally compatible with the principle building.
- E. All buildings that front on a public street shall be orientated in such a manner that the main facade and architectural features are parallel to the street. The actual building entrance is not required to front the street.

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- F. Roof-mounted equipment, including, but not limited to, air conditioners, heating apparatus, dust collectors, filters, transformers, noise control devices and any other such appliance or apparatus, shall be concealed from view by obscuring screening so as not to be visible from the ground. The design of the screening shall be compatible with the architectural design of the building upon which it is located, and shall be designed to mitigate noise generated by any roof mounted appliances.
- G. These materials and design guidelines are established to maintain, enhance and be compatible with the general character and architectural style that is desired within the community. No buildings shall be reconstructed, remodeled or altered as to conflict with the original intent of the Planning Commission. All architectural designs shall also be reviewed for safety and code compliance by the Fire Department and the Building Department.

SECTION 214 SINGLE DWELLING STANDARDS.

- A. A building permit shall be required before any dwelling unit is constructed, relocated, or moved into the Township. All new dwelling units and additions shall meet or exceed all applicable construction standards of the State of Michigan as well as Ray Township.
- B. All new dwelling units and additions shall meet the minimum setbacks, coverage requirements, parking, and all other minimum site requirements applicable to residential dwellings within the zoning district in which the dwelling will be located.
- C. All dwelling units shall meet the minimum living area standards for single-family residential dwellings of the zoning district in which the dwelling will be located.
- D. All dwelling units shall have a minimum width across any front, side, or rear elevation of twenty-two (22) feet and shall have a minimum roof pitch of 4:12.
- E. All dwelling units shall be firmly attached to a permanent foundation constructed on the site in accordance with all applicable codes.
- F. Each dwelling unit shall be connected to a public sewer and water supply or to private facilities approved by the Macomb County Health Department or other applicable agency.
- G. For all driveways, road culvert permits shall be obtained from the Macomb County Department of Roads (as applicable).

SECTION 215 SOLAR PANELS AND SHINGLES (OR THE LIKE).

- A. The use of solar panels and shingles (or the like) for private use shall be subject to special land use approval and the following requirements:
 - 1. Freestanding
 - (a) Freestanding solar panels shall not be located in the front or side yard;
 - (b) All freestanding solar panels shall be regulated as an accessory structure and shall meet all applicable accessory building requirements of the ordinance;
 - (c) Solar panels shall be counted as part of the maximum permitted impervious surface/lot coverage ratio requirements of the zoning district in which it is located;
 - (d) No freestanding solar panel shall be permitted to exceed a height of fifteen (15) feet at any point;

2. Roof or Structural Mounted

- (a) Shall not project more than one (1) foot above the roof line, flat mount panels or solar shingles are preferred;
- (b) May be constructed on any façade or roof surface of an existing structure.
- (c) Shall not be located within three (3) feet of any peak, eave or valley to maintain adequate accessibility.

(3) Requirements for All Panels (Freestanding or Roof Mounted/Integrated)

- (a) In addition to building and electrical reviews, the solar panels, solar shingles and arrays of panels shall also be reviewed by the Fire Department.
- (b) The panel array shall be fitted with an automatic shut off or breaker switch as approved by the Fire Department to isolate the panels in case of fire.
- (c) The Fire Department shall keep on file the type of system that the solar panel array is a part of, either photovoltaic, thermal or other.
- (d) All panels shall have tempered, non-reflective surfaces.
- (e) It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
- (f) The installation of the panels shall not require or be reliant on the clear cutting of trees or other vegetation.
- (g) All solar panels shall be subject to Planning Commission review and special land use approval.

SECTION 216 STORAGE IN ANY RESIDENTIAL DISTRICT.

A. All Storage

- 1. Storage in a residential district shall be permitted only when it is accessory to the principle use of the parcel, or the adjacent parcel when owned by the same person.
- 2. Commercial highway trailers and commercial vehicles in excess of 24,000 pounds Gross Vehicle Weight (GVW) shall not be parked or stored on any residential zoned property unless approved as a special land use described below.

B. Open or Outside Storage

- 1. No open or outside storage of vehicles is permitted in any zoning district within the minimum front yard setbacks, in the required side yards, nor closer than ten (10) feet to any dwelling unit except as part of an approved driveway serving a residence, or as part of an approved site plan in a commercial or industrial zoning district.
- 2. No junk or waste material, building materials, parts of motor vehicles, or parts of machines not generally suited for use on the premises shall be kept or stored outside a building or structure, except as specifically permitted in the subject zoning district and properly screened.
- 3. Open storage of recreation vehicles which are currently licensed, such as motor homes, travel trailers, boats and similar vehicles, and utility trailers, shall be permitted as an accessory use only in the rear or side yard of a lot in any residential district. Such vehicles shall be owned and registered to the owner of said lot. Recreational vehicles which are parked or stored shall not be used for living purposes, nor used for storage of materials or equipment other than those items considered to be a part of the vehicle.

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4. The above regulations shall not apply to farm machinery or farm vehicles with farm license plates which are used for farm operations, provided that such storage takes place on a bona fide farm and that no such storage takes place within the minimum front yard setback..

C. Storage of Commercial Vehicles in Selected Residential Districts

Storage of Commercial vehicles in excess of 24,000 pounds Gross Vehicle Weight (GVW) may be permitted by the Planning Commission subject to Special Approval Land Use and the following requirements:

1. Lot size: Minimum of five (5) acres, and having a sufficient minimum "design" width to complete an uninterrupted turn of said commercial vehicle.
2. The property shall be located within Section 35 or 36 of the Township and shall have direct access to a Class A road as designated by the Township and the Macomb County Department of Roads.
3. The vehicle must be solely owned and operated by the occupant of the property.
4. The minimum front yard setback for commercial vehicle storage shall be the established building setback line of the principle building, but in no case less than the minimum required front yard. The minimum side and rear yard setbacks shall be thirty (30) feet.
5. All vehicles and/or equipment must be stored completely within an approved enclosed structure
6. An approved method of screening shall be provided between the enclosed structure and adjacent residential uses or districts for the length of the storage structure and driveway servicing the structure.
7. The site plan shall indicate that fuel, fuel pumps and waste oil be contained within secondary containers.

SECTION 217 SWIMMING POOLS.

All swimming pools erected in the Township greater than twenty-four (24) inches in depth shall comply with all applicable Building Codes as well as the following requirements:

- A. Pool Location. The pool or its fence must not be built within (as measured from the wall/edge of the pool):
 1. The required front yard or required corner lot side yard.
 2. Ten (10) feet of the side property line,
 3. Ten (10) feet of the rear property line,
 4. Ten (10) feet of any building on the lot.
- B. For the protection of the general public, all swimming pools shall be completely enclosed by a fence or other means of access control as required in the Building Code.

SECTION 218 TEMPORARY STRUCTURE PERMIT.

- A. A temporary structure permit may be issued by the Township Board for a mobile home or other such structure to be occupied for a period up to six (6) months while a single-family dwelling is being constructed. The temporary structure permit may be extended by the Township Board for periods of six (6) months.
- B. The Township Board shall require a financial surety, which shall be returned in its entirety once the temporary structure has been removed from the premises in accordance with the provisions of the temporary use permit.
- C. The temporary structure must be removed within sixty (60) days after expiration of the permit.
- D. Such temporary structure shall meet all required setbacks and other applicable regulations of this Ordinance.
- E. Assurance shall be provided that adequate water and sanitary facilities (as approved by the County Health Department are provided).

SECTION 219 WIND ENERGY CONVERSION SYSTEMS (WINDMILLS):

- A. **Applicable Zones.** WECS may be permitted in any zoning district subject to the following Special Land Use Approval Requirements (Subsections C, D, and E). However, the erection of one (1) WECS structure on a single parcel of land at a height equal to or less than eighty (80) feet shall be considered a permitted use in the R-1 Agricultural Residential Zoning District and shall not require special land use or Planning Commission approval. This shall also apply to WECS units constructed on farm properties regardless of zoning classification. The approval of a WECS under this requirement shall be subject to administrative approval through the Building Department, as well as all other applicable provisions (Subsections D and E) of this Section of the Zoning Ordinance.
- B. **Applicability of Ordinance.** The standards that follow shall apply to systems intended for the provision of the electrical or mechanical power needs of the owner/operator of the system. For systems intended for uses other than the above, including multiple residents connecting to the same system, Planning Commission and special land use approval (Section 1201 of the Township Zoning Ordinance) shall be required. Said approval shall cover the location of the system (shown on a site plan for the property) on the site, the noise generated by the system, assurances as to the safety features of the system, and compliance with all applicable state and federal statutes and regulations. Planning Commission and special land use approval shall specifically be required for arrays of more that one wind energy conversion system and for systems wherein one wind energy conversion system is intended to provide the electric power for more than one main building.
- C. **Standards for and Regulation of WECS.**
 - 1. Construction: Tower construction shall be in accordance with the latest edition of the Michigan Building Code, and any future amendments and/or revisions to it.
 - 2. Electric-Magnetic Interference (EMI): Wind energy conversion system generators and alternators shall be filtered and/or shielded so as to prevent the emission of radio frequency energy which would cause harmful interference with radio and/or television broadcasting or reception, and shall comply with the provisions of Title 47, Chapter 1, Part 15 of the Federal Code of Regulations and subsequent revisions governing said emissions. Proof (from the manufacturer) of the WECS meeting this standard shall be supplied to the Township.

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3. Setbacks: The structural design shall be signed and sealed by a professional engineer, registered in the State of Michigan, certifying that the structural design complies with all of the standards set forth for safety and stability in all applicable codes then in effect in the State of Michigan and all sections referred to herein above. The minimum setbacks for such towers from all abutting streets or adjacent property shall be a distance equal to one and one-half (1½) times the height of the tower. Setbacks shall be measured from the property line to the center of the windmill tower structure.

The WECS shall be located a sufficient distance from any overhead utility lines, excluding service drops, such that a structural failure of any portion of the WECS or its supporting structure will not cause any portion of it to fall within five (5') feet of utility lines.

4. Location: WECS shall be located within the side or rear yards. Any WECS located within the front yard shall require special land use approval. Such WECS may have an accessory building to house (only the necessary equipment associated with such WECS) within the front yard.
5. Maximum Height: The maximum height permitted as a special land use shall be one hundred and fifty (150') feet, unless otherwise prohibited by any state or federal statutes or regulations.
6. Minimum Blade Height: The minimum distance between the ground and any protruding blades utilized on a WECS shall be twenty (20') feet, as measured at the lowest point of the arc of the blades. Special exceptions may be allowed for vertical axis turbines.
7. Labeling Requirements: A minimum of one sign shall be clearly posted near ground level on the tower structure warning of high voltage. In addition, the following information shall be posted on a label or labels on the generator or alternator of the WECS.
 - (a) The maximum power output of the system and the wind speed at which it is achieved.
 - (b) Nominal voltage and maximum current.
 - (c) Manufacturer's name and address, serial number and model number.
 - (d) Maximum survival wind speed and the emergency and normal shut down procedures.
8. Utility Company Notification: The appropriate utility company shall be notified in writing of any proposed interface with that company's grid prior to installing such interface and shall conform with any legislated requirements governing installations of WECS so as to comply with the Utility Tariff specifications. Verification of this shall also be supplied and filed with the Township.
9. Safety: The WECS' manufacturers shall document that the WECS model has been tested and certified by Underwriter's Laboratory, or other such applicable independent accrediting agency, and that when installed in accordance with recommended specifications shall have a maximum survival wind speed of not less than eighty (80) miles per hour.
10. Noise: The maximum level of noise to be generated by a WECS shall be fifty (50) decibels, as measured on the dBA scale, measured at each property line at any time. Proof (from the manufacturer) of the WECS meeting this standard shall be supplied to the Township.

E. Miscellaneous.

1. All electric line/utility wires shall be buried under ground unless otherwise approved by the Township.
2. Any mechanical equipment associated with and necessary for operation, including a building for batteries and storage cells shall be enclosed with a six (6') foot view obscuring fence. The supporting tower shall also be enclosed with a six (6') foot view obscuring fence unless the base of the tower is not climbable for a distance of twelve (12') feet. All areas which are secured with a fence shall provide emergency access as required by the Township. If the equipment is located within a lockable building, the view obscuring fence shall not be required.
3. When a building is necessary for storage of cells or related mechanical equipment, the building may not exceed one hundred forty (140) square feet in area nor eight (8') feet in height, and must be located at least the number of feet equal to the height of the tower from any property line. Such building shall not be considered an accessory building in terms of the total number or total size of accessory buildings permitted onsite.
4. The tower and generating unit shall be kept in good repair and sound condition. Upon abandonment of use, the tower and related structure shall be dismantled and removed from the property within sixty (60) days. Appropriate legal documentation, in the form of a deed restriction, shall be filed with the County and the Township guaranteeing such removal prior to any permits being granted for construction.
5. Every WECS shall be insured with minimum liability insurance of five hundred thousand dollars (\$500,000) for each occurrence. Proof of insurance shall be furnished to the township.

SECTION 220 AMPLIFIED EXTERIOR SOUND DEVICES

- A. The use of outdoor amplified music, sound systems and public address systems (this provision shall not apply to those uses of a temporary nature or a special event as authorized by the Township or Township Board) shall be reviewed by the Planning Commission as a special land use.

SECTION 221 CLEAR VISION.

To ensure that natural landscape materials or built structures do not constitute a driving hazard, clear vision site triangles shall be established at all road intersections and at the intersection of site driveways and adjoining roads.

- A. No fence, wall, shrubbery, sign, berm or other obstruction to vision above a height of thirty (30) inches from the established grades shall be permitted within the triangular area formed at the intersection of any road right-of-way lines by a straight line drawn between said right-of-way lines at a distance of thirty (30) feet from their point of intersection.
- B. Internal parking lot landscaping and other improvements should be located to avoid blocking the vision of drivers within the parking lot.



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SECTION 300

DISTRICTS.

The Township of Ray is hereby divided into the zoning districts known as follows:

R-1	Agricultural-Residential District
RT	Residential Transitional District
R30	Single Family Residential Low District
R20	Single Family Residential Medium District
R15	Single Family Residential High District
RM	Residential Multiple Family District
MHC	Manufactured Housing Community
RMU	Residential Mixed Use District
B-1	Local Business District
B-2	General Business District
DMU	Davis Mixed Use District
IR	Industrial Residential District
I-1	Industrial District.

SECTION 301

DISTRICT BOUNDARIES.

- A. Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:
1. Unless shown otherwise, the boundaries of the districts are lot lines; the centerlines of streets, alleys, roads or such lines extended; railroad right-of-way lines; and the limits of Ray Township. Dimensions shown are to the center of the adjacent road or street.
 2. Where, due to the scale, lack of detail or illegibility of the Zoning Map for this Ordinance, there is any uncertainty or contradiction as to the location of any district boundaries shown thereon, interpretation concerning the exact upon its own motion, by the Zoning Board of Appeals. The Zoning Board of Appeals, in arriving at a decision on these matters, shall apply the following standards:
 - a. The district boundaries, as set forth in this Section, shall first be considered with reference to the standards cited in subsection 1. above.
 - b. Where a district boundary divides a site, the location of any such boundary, unless the same is indicated by dimensions shown on said map, shall be determined by the use of the map scale shown thereon.
 - c. If, after the application of the foregoing standards, uncertainty, contradiction or dispute remains as to the exact location of a district boundary, the Zoning Board of Appeals shall determine and fix the location of said boundary line as all of the facts and circumstances shall require.

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SECTION 302 DISTRICT REGULATIONS.

- A. No structure or land shall be used, occupied, erected, constructed, moved or altered, except in conformity with the regulations specified for that zoning district. Unless a use is permitted in a particular zoning district, it shall be prohibited in that zoning district.
- B. Except as otherwise provided, regulations governing land and building use, minimum lot size, lot area per dwelling unit, building height, building placement, required yards and other pertinent factors are hereby established as stated in the detailed provisions for each of the zoning districts. In each zoning district, a "Permitted Use" shall be a use of land or buildings subject to the minimum requirements specified for such use in the zoning district in which such use is located, plus applicable requirements found elsewhere in this Ordinance. A Special Land Use shall be a use of land or buildings which may be permitted in that district only after following special procedures designed to ensure site and use compatibility with existing or proposed surrounding land uses. In evaluating and deciding each application for such permission, the Planning Commission shall apply the standards contained in Article 22 of this Ordinance and any special conditions imposed for that use.

SECTION 303 ZONING OF VACATED AREAS.

- A. Whenever any street, alley or other public way within Ray Township is vacated by official government action, and when the lands within the boundaries thereof attach to and become a part of the land adjoining such street, alley or other public way, such lands formerly within such vacated street, alley or public way shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable to the lands to which same shall attach.

SECTION 304 MAP.

The boundaries of these districts are shown upon the map attached hereto and made part of this Ordinance, which map is designated as the Zoning Map of the Township of Ray. The Zoning Map attached hereto and on file in the Township Hall of the Township of Ray and all notations, references, amendments and other information shown thereon are a part of this Ordinance and have the same force and effect as if said Zoning Map and all such notations, references and other information shown thereon were fully set forth or described herein.

Except where reference on the Map is made to a street or other designated line by the dimensions shown on the Map, the district boundary line follows lot lines or the centerlines of the streets or alleys or such lines extended and the corporate limits of the Township of Ray.

Questions concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals, after recommendation from the Township Planning Commission.

Use	District												
	R-1	RT	R30	R20	R15	RM	MHC	B-1	B-2	I-1	IR	RMU	DMU
Accessory Commercial Uses	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP
Adult Foster Care	SLU	SLU	SLU	SLU	SLU	SLU	SLU	NP	NP	NP	SLU	SLU	SLU
Adult Orientated Business	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	NP	NP	NP
Agribusiness	SLU	SLU	SLU	SLU	SLU	NP	NP	P	P	NP	NP	SLU	SLU
Airports, Airfields, Runways, Hangars	SLU	SLU	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP
Assembly Halls	SLU	SLU	SLU	SLU	SLU	SLU	SLU	P	P	SLU	SLU	SLU	P
Assembly (Manufacturing)	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Assisted Living	SLU	SLU	SLU	SLU	SLU	P	NP	SLU	SLU	NP	NP	SLU	SLU
Auto Repair Shop	NP	NP	NP	NP	NP	NP	NP	NP	SLU	P	SLU	NP	NP
Banquet Facilities	SLU	SLU	SLU	SLU	SLU	SLU	SLU	P	P	SLU	SLU	SLU	P
Banks	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Barber Shop	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Bed and Breakfast	SLU	SLU	SLU	SLU	SLU	SLU	NP	SLU	SLU	NP	NP	SLU	SLU
Broadband Towers	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	SLU	NP	NP
Business Schools	NP	NP	SLU	SLU	SLU	SLU	SLU	P	P	P	NP	SLU	SLU
Car Wash	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP	NP
Cellular Towers	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	SLU	NP	NP
Cemeteries	SLU	SLU	SLU	SLU	SLU	SLU	NP	SLU	SLU	SLU	SLU	SLU	SLU
Churches and Other Places of Worship	SLU	SLU	SLU	SLU	SLU	SLU	SLU	P	P	SLU	SLU	SLU	SLU
Coffee Shops	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Colleges and Universities	SLU	SLU	SLU	SLU	SLU	SLU	NP	P	P	SLU	SLU	SLU	P
Commercial Vehicle Storage (Outdoor)	SLU	SLU	NP	NP	NP	NP	NP	SLU	SLU	SLU	SLU	NP	NP
Concert Halls	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP	SLU
Concrete, Asphalt, or other Bituminous plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	NP	NP	NP
Contractor Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	SLU	NP	NP
Convalescent, Rest Home, Nursing Home	SLU	SLU	SLU	SLU	SLU	SLU	NP	SLU	SLU	NP	NP	SLU	SLU
Convenience Store	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Crematorium	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	NP	NP	NP
Drive In / Thru Establishments	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	SLU	SLU

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	District												
Use	R-1	RT	R30	R20	R15	RM	MHC	B-1	B-2	I-1	IR	RMU	DMU
Drug Store	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Dry Cleaning	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Eating and Drinking Establishment	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	SLU	P
Emergency Clinics	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP	SLU	SLU
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P
Family Child Care	P	P	P	P	P	P	P	NP	NP	NP	P	P	P
Farms / Farm Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P
Fast Food Restaurants	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP	SLU
Feedlots	SLU	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Fraternal Organizations / Lodge Clubs	SLU	SLU	SLU	SLU	SLU	NP	NP	P	P	NP	NP	SLU	P
Funeral Homes / Mortuaries	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	P
Gas Station	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP	NP
Grocery Store	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Group Child Care	SLU	SLU	SLU	SLU	SLU	SLU	SLU	NP	NP	NP	SLU	SLU	SLU
Hair Salons	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Hardware Store	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Home Occupations (Type I)	P	P	P	P	P	P	P	NP	NP	NP	P	P	P
Home Occupations (Type II)	SLU	SLU	SLU	SLU	SLU	SLU	SLU	NP	NP	NP	NP	NP	NP
Hookah Lounge	NP	NP	NP	NP	NP	NP	NP	SLU	P	SLU	NP	SLU	P
Hospitals	NP	NP	NP	NP	NP	SLU	NP	SLU	SLU	SLU	SLU	SLU	SLU
Hotels / Motels	NP	NP	NP	NP	PNPP	NP	NP	NP	P	SLU	NP	NP	SLU
Incineration or Compaction of Garbage	NP	NP	NP	NP	PNP	NP	NP	NP	NP	SLU	NP	NP	NP
Indoor Commercial Recreation	NP	NP	NP	NP	NP	NP	NP	NP	P	SLU	SLU	NP	SLU
Junkyards	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	NP	NP	NP
Kennels and Animal Rescues	SLU	SLU	NP	NP	NP	NP	NP	SLU	P	P	SLU	SLU	NP
Laboratories	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	SLU	NP	NP
Landfill	SLU	SLU	NP	NP	NP	NP	NP	NP	NP	SLU	NP	NP	NP
Landscape Yards	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP	NP
Large Scale Recreation	SLU	SLU	SLU	SLU	SLU	NP	NP	SLU	SLU	SLU	SLU	SLU	SLU

Use	District												
	R-1	RT	R30	R20	R15	RM	MHC	B-1	B-2	I-1	IR	RMU	DMU
Laudries <i>(Self Service)</i>	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Manufactured Home Developments	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP
Medical /Dental Office	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	SLU	P
Mini Storage	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP	NP
Mining and Extraction	SLU	SLU	SLU	SLU	SLU	NP	NP	NP	NP	SLU	SLU	SLU	NP
Multiple Family Dwellings	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	SLU
Municipal Buildings <i>(Township)</i>	P	P	P	P	P	P	P	P	P	P	P	P	P
Nursery Schools and Care Centers	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU
Offices	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	SLU	P
Open Air Business	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	SLU	SLU	SLU
Open Space Developments	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP
Outdoor Seating and Entertainment	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP	SLU	SLU
Outdoor Storage <i>(Primary Use)</i>	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP	NP
Packaging Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Paint Shops <i>(Commercial)</i>	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP
Pawn Shops	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP	NP
Pharmacies	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	SLU	P	P
Private Clubs	NP	NP	NP	NP	NP	SLU	NP	P	P	SLU	SLU	P	P
Private Roads	SLU	SLU	SLU	SLU	SLU	NP	NP	SLU	SLU	SLU	SLU	SLU	SLU
Processing Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Public Buildings <i>(Other than Ray Township Buildings)</i>	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU
Public Utilities and the Like <i>(Public and Private)</i>	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU
Recycling Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP
Research Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP
Restaurants	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P

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Use	District												
	R-1	RT	R30	R20	R15	RM	MHC	B-1	B-2	I-1	IR	RMU	DMU
Retail Business for the Sale of Merchandise	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	P	P
Retail Business with Industrial Character	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP
Roadside Stands	P	P	P	P	P	P	P	P	P	P	P	P	P
Schools, Private or Parochial	SLU	SLU	SLU	SLU	SLU	SLU	SLU	NP	NP	NP	NP	SLU	NP
Second Hand / Consignment Stores	NP	NP	NP	NP	NP	NP	NP	P	P	SLU	NP	SLU	P
Senior Housing	SLU	SLU	SLU	SLU	SLU	P	NP	SLU	SLU	NP	NP	SLU	SLU
Single Family Dwellings	P	P	P	P	P	SLU	NP	NP	NP	NP	P	P	P
Condominium / Site Condominium	P	P	P	P	P	P	P	P	P	P	P	P	P
Sod Farms	P	P	P	P	P	P	P	P	P	P	P	P	P
Solar Farms	SLU	SLU	SLU	SLU	SLU	NP	NP	SLU	SLU	SLU	SLU	SLU	SLU
State Licensed Residential Facilities <i>(Under 6 Persons)</i>	P	P	P	P	P	P	P	NP	NP	NP	P	P	P
Storage of Commercial Vehicles	SLU	SLU	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP
Tailors and Seamstresses	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	P	P
Temporary Housing	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	P
Theaters	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	SLU
Tree / Shrub Nurseries	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	SLU	NP	SLU
Trucking Operations	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	SLU	NP	NP
Vehicle Sales (Outdoor)	NP	NP	NP	NP	NP	NP	NP	NP	SLU	SLU	NP	NP	NP
Veterinarian and Animal Clinics	SLU	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	P
Warehousing <i>(interior)</i>	NP	NP	NP	NP	NP	NP	NP	NP	SLU	P	P	NP	NP
Wedding Chapels	SLU	SLU	SLU	SLU	SLU	SLU	NP	P	P	NP	NP	SLU	P
Wind Energy Conversion Systems <i>(under 80')</i>	P	P	P	P	P	SLU	SLU	SLU	SLU	SLU	SLU	P	SLU
Wind Farms	SLU	SLU	SLU	SLU	SLU	NP	NP	NP	NP	SLU	SLU	SLU	NP
Yard Waste Composting Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	SLU	NP	NP	NP



	MANUFACTURED HOUSING DISTRICT
	LOCAL BUSINESS DISTRICT
	GENERAL BUSINESS DISTRICT
	MIXED USE DISTRICT
	INDUSTRIAL RESIDENTIAL DISTRICT
	INDUSTRIAL DISTRICT

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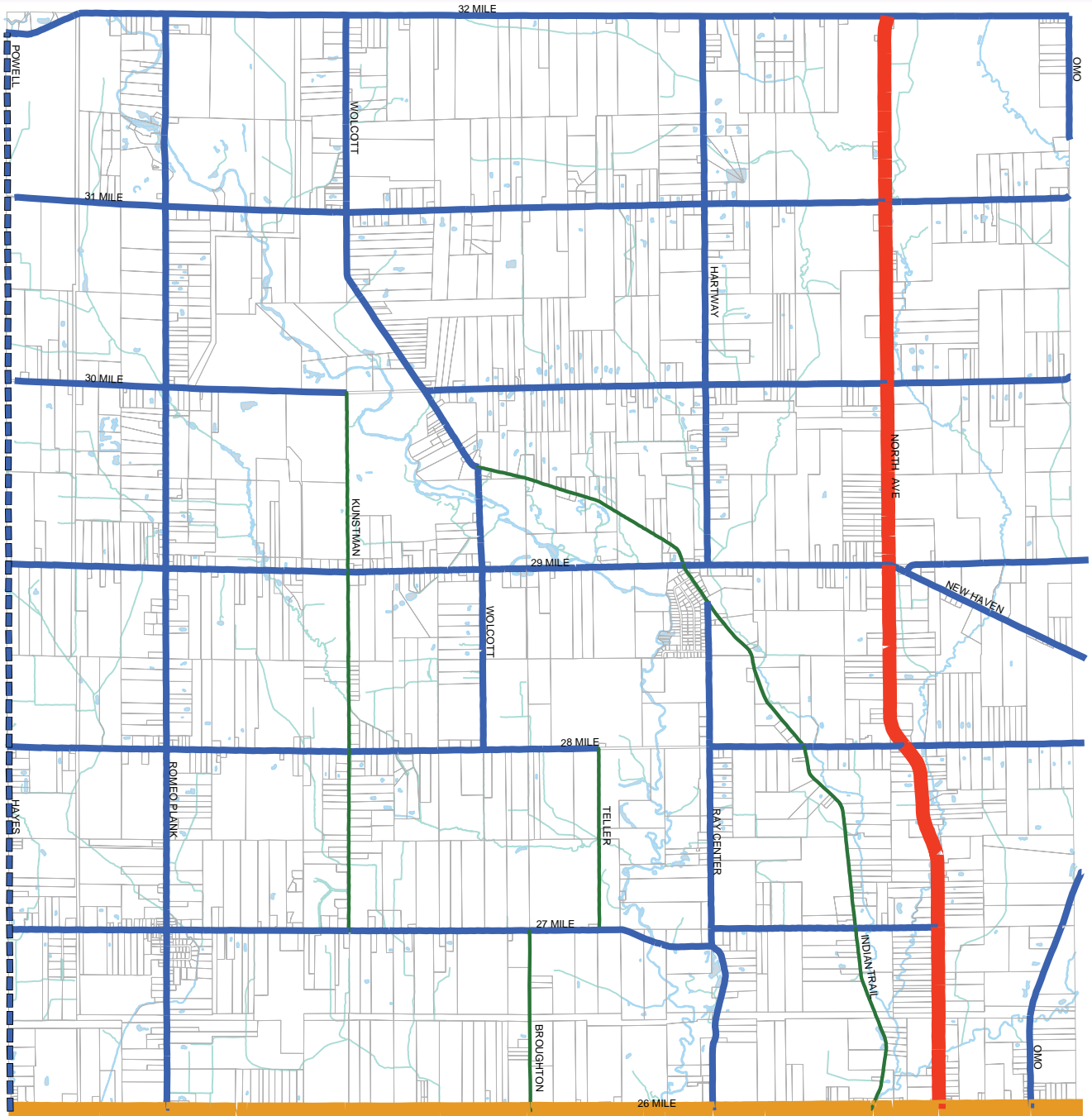
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THOROUGHFARE MAP

- Regional Roadway 204'
- Major Roadway 150'
- Major Roadway 120'
- Major Roadway 120'(Proposed)
- Collector Roadway 86'

SECTION 400 STATEMENT OF INTENT.

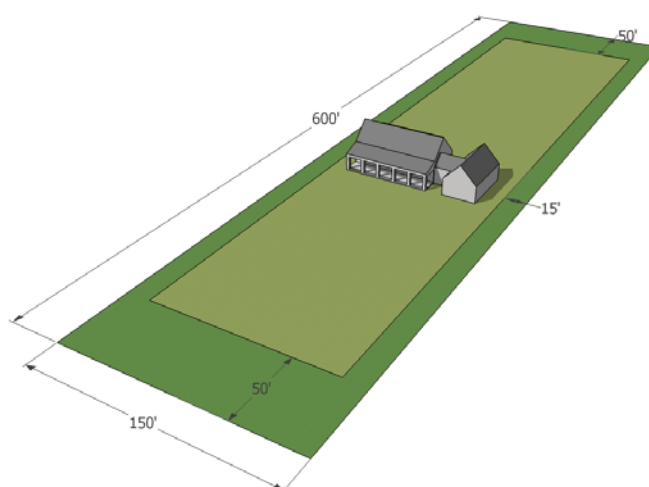
The Agricultural Residential District is a single family residential district intended to maintain the Township's long-standing rural, open space character, including identified natural features and farmland, prevent the overcrowding of land in those areas and to provide an environment in which long term farming can be maintained by creating a balance between residential development potential and open space preservation.

Areas zoned as Agricultural Residential are not intended to be serviced by the Township's planned public sanitary sewer system but may be serviced by municipal water in an effort to help alleviate pressure on the underground well water supply.

The zoned density is designed to manage the overall number of homes within the Township that will not be serviced by the Township's planned sanitary sewer district, understanding that significant numbers of homes on small lots and individual well and septic systems is not desirable. Further that a majority of the Township's roads are gravel and cannot accommodate a large amount of traffic generated from higher density single family homes.

It is intended that open space preservation and other best management practices will be utilized for developments within the Agricultural Residential District to preserve those environmental features identified within the Township's Master Land Use Plan.

Design Elements - Principal Structure		
Lot Dimensions		Requirement
Minimum Lot Area		90,000 sq. ft.
Minimum Lot Width		150'
Maximum Lot Coverage		35%
Maximum Impervious Surface		50%
Maximum Width to Depth Ratio		1:5
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		15'
Minimum Rear Yard Setback		50'
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Floor Area	First Floor	Total
	One Story	960
	One and One-Half Story	1,200
	Two Story	1,300



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SECTION 401 PRINCIPAL USES PERMITTED.

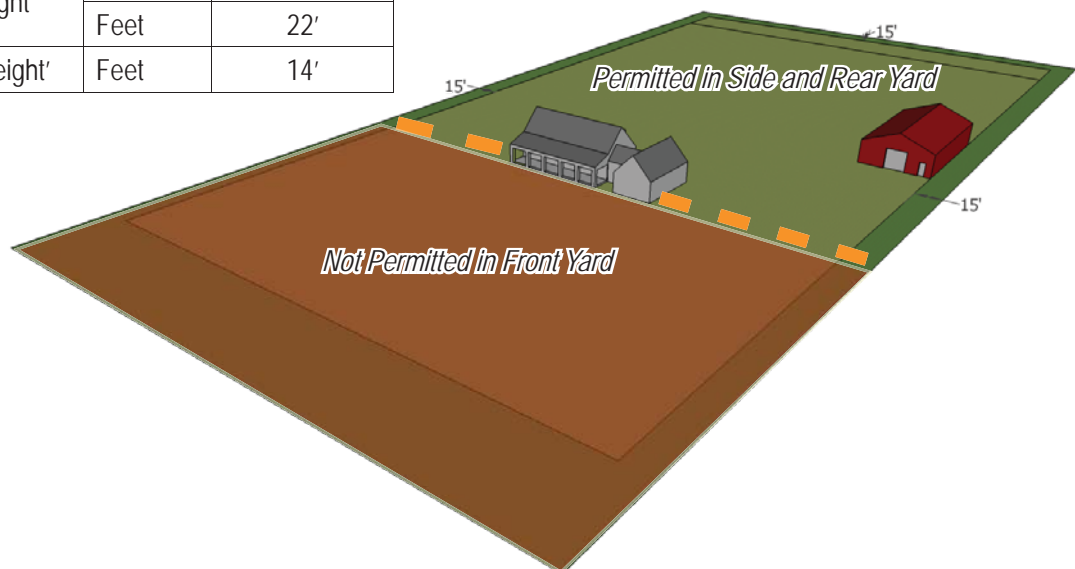
A.	Family Child Care
B.	Farms, farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
C.	Home Occupations (Type I), as defined in this Zoning Ordinance. If there is a question as to whether the proposed use is a Type I home occupation, then such use shall be submitted as a special approval land use.
D.	One-Family Site Condominiums.
E.	Open Space Communities.
F.	Publicly-owned and operated municipal buildings and essential services.
G.	Roadside Stands.
H.	Single-family dwellings.
I.	Sod Farms (provided that said lot or portion thereof shall be reseeded after stripping by Fall of the year in which it was stripped, so as to prevent actual or potential erosion by water or wind).
J.	State Licensed Residential Facilities (Under 6 Persons)
K.	Tree and shrub nurseries
L.	A temporary permit may be issued by the Township Board for a mobile home for a period up to six (6) months while the single-family dwelling is being constructed.

SECTION 402 ACCESSORY USES PERMITTED

A.	Accessory buildings, structures and uses customarily incidental to any of the above uses, when located on the same property.
B.	Private swimming pools.
C.	Farm, fish and recreation ponds or aesthetic landscaping ponds.
D.	Keeping of animals.
E.	Storage.
F.	Fences, walls and other protective barriers.
G.	Wind Energy Conversion Systems

Design Elements - Accessory Structure

Yard Dimensions		Requirement	Building Square Footage		Requirement
Minimum Front Yard Setback		Not Permitted in Front Yard	Maximum Floor Area		Total Square Footage
Minimum Side Yard Setback		15'	One Acre or Less		1,000
Minimum Rear Yard Setback		15'	Over One Acre, Less than Five Acres		2,000
			Over Five Acres		3,000
Building Dimensions		Requirement			
Maximum Building Height	Stories	1			
	Feet	22'			
Maximum Side Wall Height'	Feet	14'			



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SECTION 403 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Adult Foster Care
B.	Agribusiness Uses
C.	Airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations
D.	Assembly Halls and Banquet Facilities
E.	Bed & Breakfast Establishments
F.	Cemeteries
G.	Churches and Other Places of Worship
H.	Commercial Vehicle Storage
I.	Convalescent, rest or nursing homes
J.	Feedlots
K.	Fraternal Organizations, Lodges, Clubs
L.	Group Child Care
M.	Home occupations (Type II), as defined in this Zoning Ordinance, provided that adequate off-street parking can be provided for such use and it is determined, after a public hearing, that there would be no adverse impacts on surrounding properties. This may include barber shops, beauty parlors, child-care centers or medical offices.
N.	Landfill
O.	Large-scale recreation uses

P.	Mining and extraction of oil, sand, gravel, clay or similar materials.
Q.	Nursery schools and care centers
R.	Public Buildings (Other than Ray Township)
S.	Public, parochial and private schools, colleges and universities, business schools
T.	Public Utilities and the Like (Public and Private)
U.	Private Roads
V.	Senior Housing and Assisted Living
W.	Solar Farms
X.	Storage of Commercial Vehicles
Y.	Veterinarian or animal clinics, dog kennels, animal rescues, feline establishments,
Z.	Wedding Chapel
AA.	Non Commercial Radio Towers
BB.	Accessory Buildings over four hundred (400) square feet in size located in the front yard or accessory buildings over 3,000 square feet on five (5) acres or more

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SECTION 500

STATEMENT OF INTENT

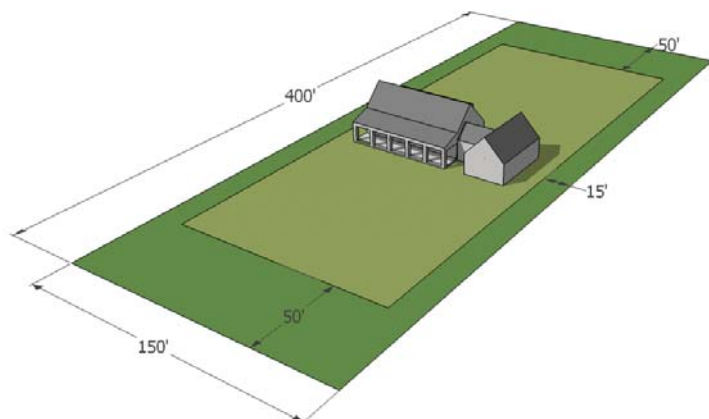
The Residential Transitional District is a single family residential district intended to provide a progression between those areas of the Township which are planned for higher densities within the sanitary sewer area and the majority of the Township which is not intended to be serviced and therefore much more rural and open.

These areas are not intended to be serviced by the Township's planned public sanitary sewer system but may be serviced by municipal water in an effort to help alleviate pressure on the underground well water supply.

The zoned density recognizes the need for a transition between sewered and unsewered areas but still is cognizant of the limitations of many of the soil types in the Township to accommodate septic systems

It is intended that open space preservation and other best management practices are still utilized for developments within the Residential Transitional District to preserve those environmental features identified within the Township's Master Land Use Plan.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		60,000 sq. ft.
Minimum Lot Width		150'
Maximum Lot Coverage		35%
Maximum Impervious Surface		50%
Maximum Width to Depth Ratio		1:5
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		15'
Minimum Rear Yard Setback		50'
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Floor Area	First Floor	Total
One Story	960	960
One and One-Half Story	800	1,200
Two Story	650	1,300



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SECTION 501 PRINCIPAL USES PERMITTED.

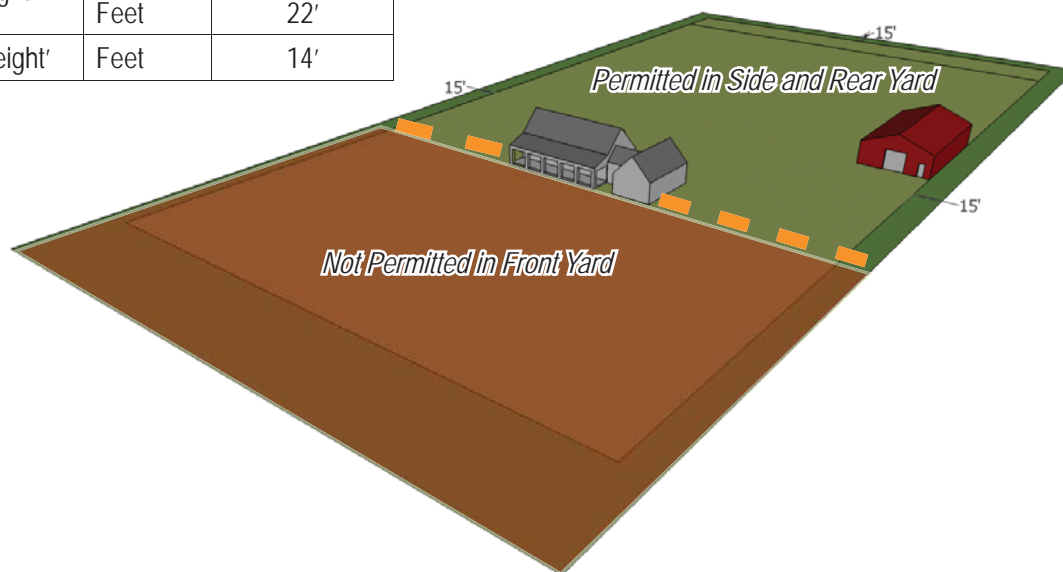
A.	Family Child Care
B.	Farms, farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
C.	Home Occupations (Type I), as defined in this Zoning Ordinance. If there is a question as to whether the proposed use is a Type I home occupation, then such use shall be submitted as a special approval land use.
D.	One-Family Site Condominiums.
E.	Open Space Communities.
F.	Publicly-owned and operated municipal buildings and essential services.
G.	Roadside Stands.
H.	Single-family dwellings.
I.	Sod Farms (provided that said lot or portion thereof shall be reseeded after stripping by Fall of the year in which it was stripped, so as to prevent actual or potential erosion by water or wind).
J.	State Licensed Residential Facilities (Under 6 Persons)
K.	Tree and shrub nurseries
L.	A temporary permit may be issued by the Township Board for a mobile home for a period up to six (6) months while the single-family dwelling is being constructed.

SECTION 502 ACCESSORY USES PERMITTED

A.	Accessory buildings, structures and uses customarily incidental to any of the above uses, when located on the same property.
B.	Private swimming pools.
C.	Farm, fish and recreation ponds or aesthetic landscaping ponds.
D.	Keeping of animals.
E.	Storage.
F.	Fences, walls and other protective barriers.

Accessory Structure - Design Elements

Yard Dimensions		Requirement	Building Square Footage		Requirement
Minimum Front Yard Setback		Not Permitted in Front Yard	Maximum Floor Area		Total Square Footage
Minimum Side Yard Setback		15'	One Acre or Less		1,000
Minimum Rear Yard Setback		15'	Over One Acre, Less than Five Acres		2,000
			Over Five Acres		3,000
Building Dimensions		Requirement			
Maximum Building Height	Stories	1			
	Feet	22'			
Maximum Side Wall Height'	Feet	14'			



SECTION 503 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Adult Foster Care
B.	Agribusiness Uses
C.	Airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations
D.	Assembly Halls and Banquet Facilities
E.	Bed & Breakfast Establishments
F.	Cemeteries
G.	Churches and Other Places of Worship
H.	Commercial Vehicle Storage
I.	Convalescent, rest or nursing homes
J.	Fraternal Organizations, Lodges, Clubs
K.	Group Child Care
L.	Home occupations (Type II), as defined in this Zoning Ordinance, provided that adequate off-street parking can be provided for such use and it is determined, after a public hearing, that there would be no adverse impacts on surrounding properties. This may include barber shops, beauty parlors, child-care centers or medical offices.
M.	Landfill
N.	Large-scale recreation uses
O.	Mining and extraction of oil, sand, gravel, clay or similar materials.

P.	Nursery schools and care centers
Q.	Public Buildings (Other than Ray Township)
R.	Public, parochial and private schools, colleges and universities, business schools
S.	Public Utilities and the Like (Public and Private)
T.	Private Roads
U.	Senior Housing and Assisted Living
V.	Solar Farms
W.	Storage of Commercial Vehicles
X.	Wedding Chapel
Y.	Wind Farm

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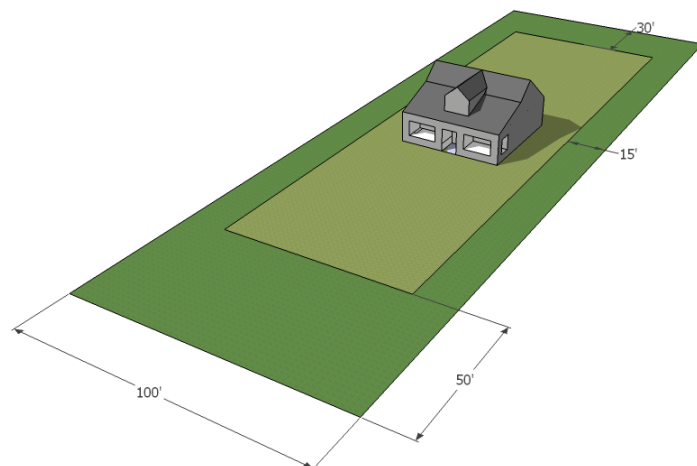
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SECTION 600

STATEMENT OF INTENT

The Single Family Residential Low Density District is a single family district which is intended to be implemented as a part of the Township's planned sanitary sewer district. Based on the lot sizes permitted in this District, individual well and septic are not permitted on lots meeting the minimum requirements. The zoned density recognizes that this district is the lowest density district within the Township's planned sanitary sewer district and provides a transition from the higher density districts in the sewer district and those lower density districts outside of the planned sanitary sewer district. It is intended that open space preservation and other best management practices will be utilized for developments within the Single Family Residential Low Density District even at the permitted higher densities.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		30,000 sq. ft.
Minimum Lot Width		100'
Maximum Lot Coverage		35%
Maximum Impervious Surface		50%
Maximum Width to Depth Ratio		1:4
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		15'
Minimum Rear Yard Setback		30'
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Height	30
Minimum Floor Area	First Floor	Total
One Story	960	960
One and One Half Story	800	1,200
Two Story	650	1,300



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SECTION 601 PRINCIPAL USES PERMITTED

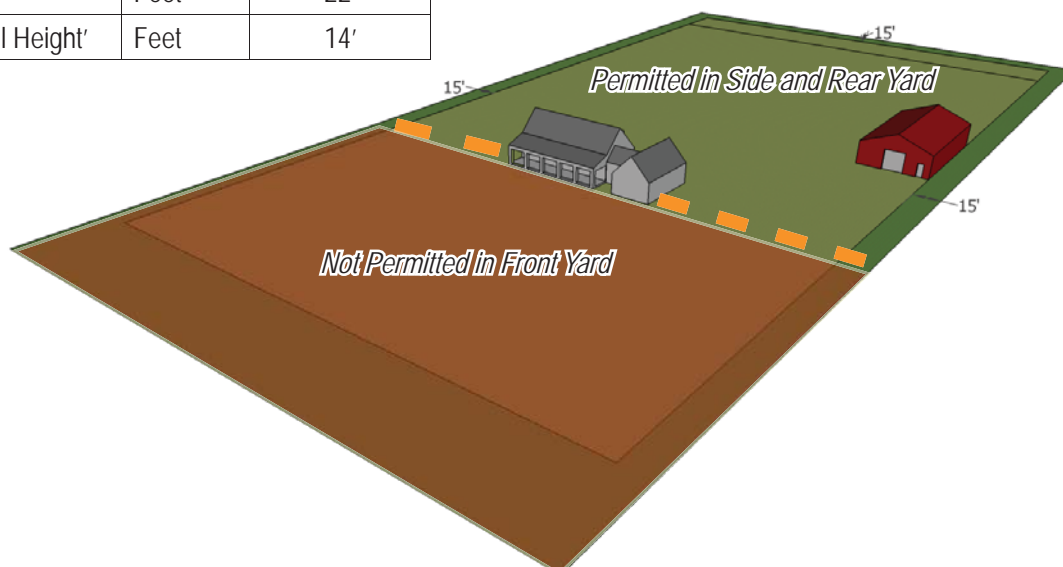
A.	Family Child Care and the Like
B.	Existing Farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
C.	Home Occupations (Type I)
D.	Municipal buildings
E.	Open Space Developments
F.	Roadside Stands
G.	Single Family Dwellings
H.	Site Condominiums
I.	Sod Farms
J.	State Licensed Residential Facilities and the Like (Under six (6) persons)
K.	Temporary Housing

SECTION 602 ACCESSORY USES PERMITTED

A.	Accessory Buildings, structures, and uses customarily incidental to any of the above uses, when located on the same property.
B.	Private Swimming Pools
C.	Fences and walls
D.	Wind Energy Conversion System
E.	Keeping of Animals
F.	Decks and Patios

Accessory Structure - Design Elements

Yard Dimensions		Requirement	Building Square Footage		Requirement
Minimum Front Yard Setback		Not Permitted in Front Yard	Maximum Floor Area		Total Square Footage
Minimum Side Yard Setback		15'	One Acre or Less		1,000
Minimum Rear Yard Setback		15'	Over One Acre, Less than Five Acres		2,000
			Over Five Acres		3,000
Building Dimensions		Requirement			
Maximum Building Height	Stories	1			
	Feet	22'			
Maximum Side Wall Height'	Feet	14'			



SECTION 603 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Adult Foster Care
B.	Agribusiness Uses
C.	Assembly Halls and Banquet Facilities
D.	Bed & Breakfast Establishments
E.	Cemeteries
F.	Churches and Other Places of Worship
G.	Commercial Vehicle Storage
H.	Convalescent, rest or nursing homes
I.	Fraternal Organizations, Lodges, Clubs
J.	Group Child Care
K.	Home occupations (Type II), as defined in this Zoning Ordinance, provided that adequate off-street parking can be provided for such use and it is determined, after a public hearing, that there would be no adverse impacts on surrounding properties. This may include barber shops, beauty parlors, child-care centers or medical offices.
L.	Large-scale recreation uses
M.	Mining and extraction of oil, sand, gravel, clay or similar materials.
N.	Nursery schools and care centers
O.	Public Buildings (Other than Ray Township)

P.	Public, parochial and private schools, colleges and universities, business schools
Q.	Public Utilities and the Like (Public and Private)
R.	Private Roads
S.	Senior Housing and Assisted Living
T.	Solar Farms
U.	Wedding Chapel
V.	Wind Farm

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SINGLE FAMILY RESIDENTIAL LOW

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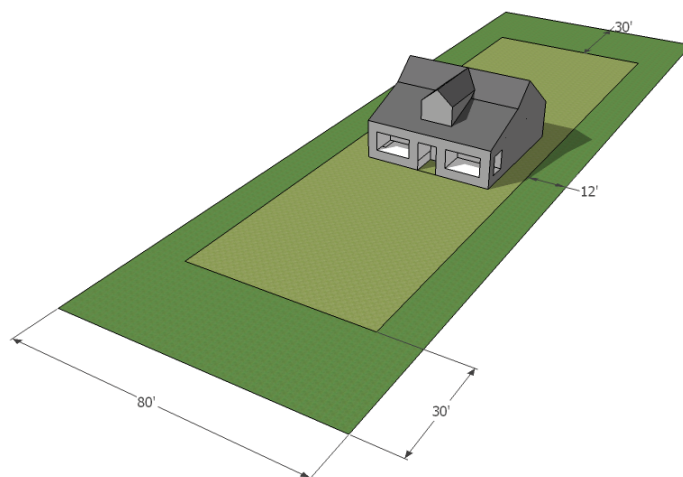
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SECTION 700

STATEMENT OF INTENT

The Single Family Residential Medium Density District is a single family district which is intended to be implemented as a part of the Township's planned sanitary sewer district. Based on the lot sizes permitted in this District, individual well and septic are not permitted on lots meeting the minimum requirements. The zoned density recognizes that this district is a mid range density district within the Township's planned sanitary sewer district and provides a transition from the higher density districts and those lower density districts at the periphery of the planned sanitary sewer district. It is intended that open space preservation and other best management practices will be utilized for developments within the Single Family Residential Medium Density District even at the permitted higher densities.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		20,000 sq. ft.
Minimum Lot Width		80'
Maximum Lot Coverage		35%
Maximum Impervious Surface		50%
Maximum Width to Depth Ratio		1:4
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	132'
	Major	92'
	Collector	73'
	Local	60'
Minimum Side Yard Setback		12'
Minimum Rear Yard Setback		30'
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Height	30
Minimum Floor Area	First Floor	Total
One Story	960	960
One and One Half Story	800	1,200
Two Story	650	1,300



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Section 701 PRINCIPAL USES PERMITTED

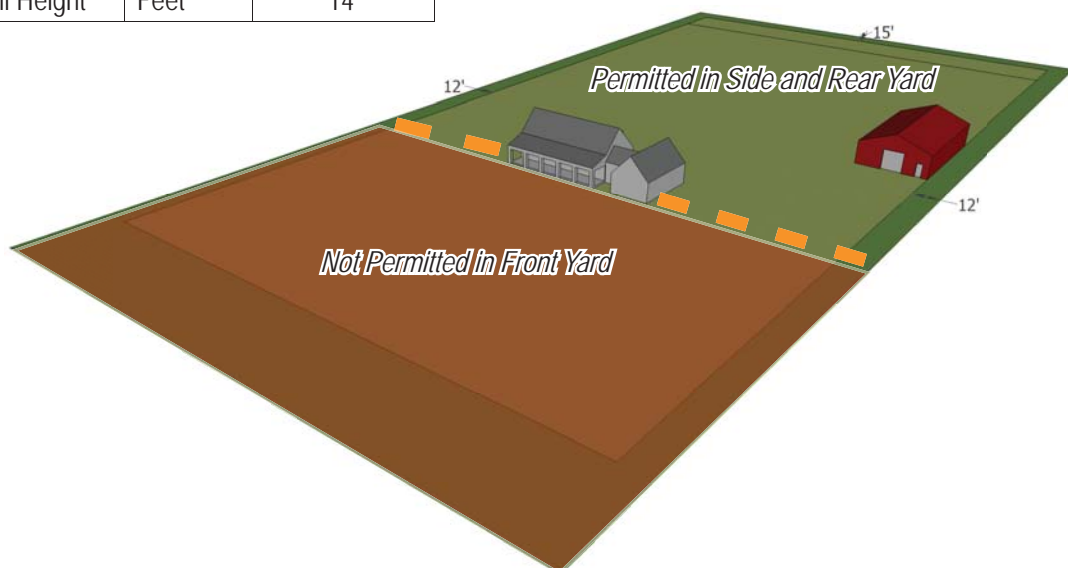
A.	Family Child Care and the Like
B.	Existing Farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
C.	Home Occupations (Type I)
D.	Municipal buildings
E.	Open Space Developments
F.	Roadside Stands
G.	Single Family Dwellings
H.	Site Condominiums
I.	Sod Farms
J.	State Licensed Residential Facilities and the Like (Under six (6) persons)
K.	Temporary Housing

SECTION 702 ACCESSORY USES PERMITTED

A.	Accessory Buildings, structures, and uses customarily incidental to any of the above uses, when located on the same property.
B.	Private Swimming Pools
C.	Fences and walls
D.	Wind Energy Conversion System
E.	Keeping of Animals
F.	Decks and Patios

Accessory Structure - Design Elements

Yard Dimensions		Requirement	Building Square Footage		Requirement
Minimum Front Yard Setback		Not Permitted in Front Yard	Maximum Floor Area		Total Square Footage
Minimum Side Yard Setback		12'	One Acre or Less		1,000
Minimum Rear Yard Setback		15'	Over One Acre, Less than Five Acres		2,000
			Over Five Acres		3,000
Building Dimensions		Requirement			
Maximum Building Height	Stories	1			
	Feet	22'			
Maximum Side Wall Height'	Feet	14'			



SECTION 703 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Adult Foster Care
B.	Agribusiness Uses
C.	Assembly Halls and Banquet Facilities
D.	Bed & Breakfast Establishments
E.	Cemeteries
F.	Churches and Other Places of Worship
G.	Commercial Vehicle Storage
H.	Convalescent, rest or nursing homes
I.	Fraternal Organizations, Lodges, Clubs
J.	Group Child Care
K.	Home occupations (Type II), as defined in this Zoning Ordinance, provided that adequate off-street parking can be provided for such use and it is determined, after a public hearing, that there would be no adverse impacts on surrounding properties. This may include barber shops, beauty parlors, child-care centers or medical offices.
L.	Large-scale recreation uses
M.	Mining and extraction of oil, sand, gravel, clay or similar materials.
N.	Nursery schools and care centers
O.	Public Buildings (Other than Ray Township)

P.	Public, parochial and private schools, colleges and universities, business schools
Q.	Public Utilities and the Like (Public and Private)
R.	Private Roads
S.	Senior Housing and Assisted Living
T.	Solar Farms
U.	Wedding Chapel
V.	Wind Farm

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SINGLE FAMILY RESIDENTIAL MEDIUM

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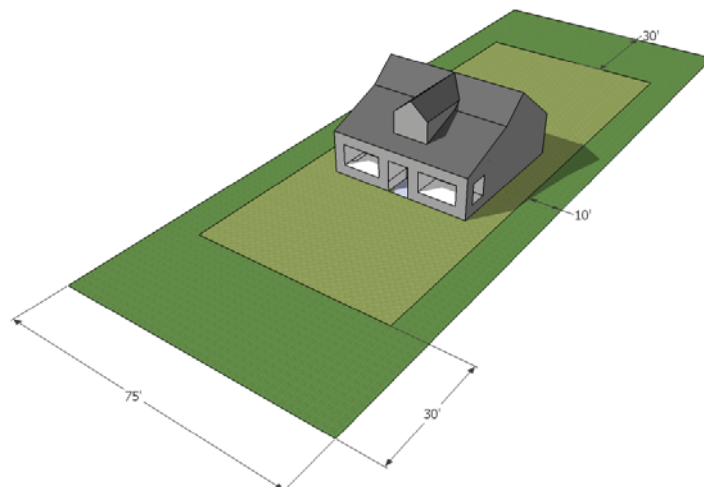
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SECTION 800 STATEMENT OF INTENT

The Single Family Residential High Density District is a single family district which is intended to be implemented as a part of the Township's planned sanitary sewer district. Based on the lot sizes permitted in this District, individual well and septic are not permitted on lots meeting the minimum requirements. The zoned density recognizes that this district is the most dense single family district and provides a transition between multiple family and manufactured housing as well as nonresidential uses and lower intensity single family districts. It is intended that open space preservation and other best management practices will be utilized for developments within the Single Family Residential High Density District even at the permitted higher densities.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		15,000 sq. ft.
Minimum Lot Width		75'
Maximum Lot Coverage		35%
Maximum Impervious Surface		50%
Maximum Width to Depth Ratio		1:4
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	132'
	Major	92'
	Collector	73'
	Local	60'
Minimum Side Yard Setback		10'
Minimum Rear Yard Setback		30'
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Height	30
Minimum Floor Area	First Floor	Total
One Story	960	960
One and One Half Story	800	1,200
Two Story	650	1,300



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SECTION 801 PRINCIPAL USES PERMITTED

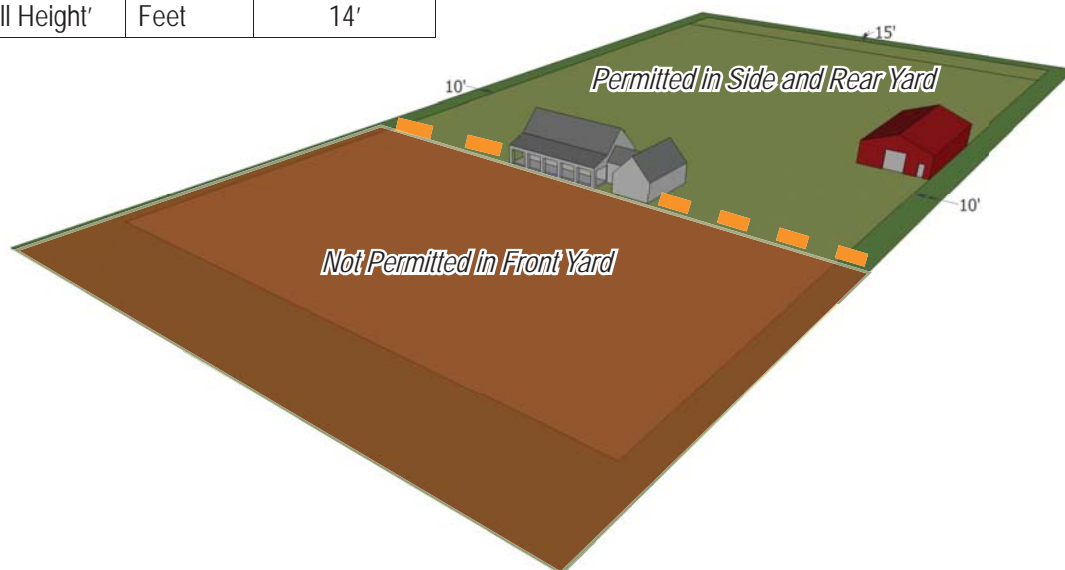
A.	Family Child Care and the Like
B.	Existing Farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
C.	Home Occupations (Type I)
D.	Municipal buildings
E.	Open Space Developments
F.	Roadside Stands
G.	Single Family Dwellings
H.	Site Condominiums
I.	Sod Farms
J.	State Licensed Residential Facilities and the Like (Under six (6) persons)
K.	Temporary Housing

SECTION 802 ACCESSORY USES PERMITTED

A.	Accessory Buildings, structures, and uses customarily incidental to any of the above uses, when located on the same property.
B.	Private Swimming Pools
C.	Fences and walls
D.	Wind Energy Conversion System
E.	Keeping of Animals
F.	Decks and Patios

Accessory Structure - Design Elements

Yard Dimensions		Requirement	Building Square Footage		Requirement
Minimum Front Yard Setback		Not Permitted in Front Yard	Maximum Floor Area		Total Square Footage
Minimum Side Yard Setback		10'	One Acre or Less		1,000
Minimum Rear Yard Setback		15'	Over One Acre, Less than Five Acres		2,000
			Over Five Acres		3,000
Building Dimensions		Requirement			
Maximum Building Height	Stories	1			
	Feet	22'			
Maximum Side Wall Height'	Feet	14'			



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SECTION 803 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Adult Foster Care
B.	Agribusiness Uses
C.	Assembly Halls and Banquet Facilities
D.	Bed & Breakfast Establishments
E.	Cemeteries
F.	Churches and Other Places of Worship
G.	Commercial Vehicle Storage
H.	Convalescent, rest or nursing homes
I.	Fraternal Organizations, Lodges, Clubs
J.	Group Child Care
K.	Home occupations (Type II), as defined in this Zoning Ordinance, provided that adequate off-street parking can be provided for such use and it is determined, after a public hearing, that there would be no adverse impacts on surrounding properties. This may include barber shops, beauty parlors, child-care centers or medical offices.
L.	Large-scale recreation uses
M.	Mining and extraction of oil, sand, gravel, clay or similar materials.
N.	Nursery schools and care centers
O.	Public Buildings (Other than Ray Township)

P.	Public, parochial and private schools, colleges and universities, business schools
Q.	Public Utilities and the Like (Public and Private)
R.	Private Roads
S.	Senior Housing and Assisted Living
T.	Solar Farms
U.	Wedding Chapel
V.	Wind Farm

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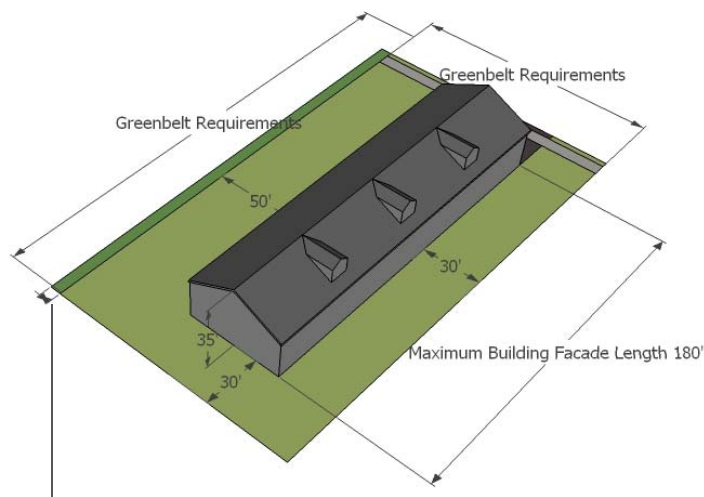
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SECTION 900 STATEMENT OF INTENT

The multiple-family residential district is designed to permit a more intense residential use of land with various types of multiple dwellings and related uses. A variety of types and sizes of residential accommodations for ownership or rental are thereby provided to meet the needs of the different age and family groups in the Township.

Design Elements			
Site/Lot Dimensions (Entire Site)		Requirement	
Minimum Lot Area		43,560 sq. ft.	
Minimum Lot Width		150'	
Maximum Width to Depth Ratio		1:5	
Yard Dimensions (Entire Site)		Requirement	Requirement
Minimum Front Yard Setback		Building	Parking
Road Designation	Regional	152'	132'
	Major	110'	90'
	Collector	93'	73'
	Local	80'	60'
Minimum Side Yard Setback		50'	
Minimum Rear Yard Setback		50'	
Gross Site Area (Per Unit)		Area	
1 Bedroom or Efficiency Unit		7,000	
2 Bedrooms		8,000	
3 Bedrooms		8,500	
Note: Units with more than three (3) bedrooms shall provide an additional one thousand (1,000) square feet of site area for each additional bedroom.			
Note: Plans presented which include a den, library or extra room shall have such extra room counted as a bedroom for purposes of this Ordinance.			



Required Reallocation of Greenspace From Parking Encroachment

Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Maximum Building Facade (face) Length		180'
Minimum Floor Area		Total
1 Bedroom		700
2 Bedrooms		850
3 Bedrooms +		200 square feet for each bedroom above 2

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SECTION 901 PRINCIPAL USES PERMITTED

A.	Family Child Care and the Like
B.	Existing Farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
C.	Home Occupations (Type I)
D.	Municipal buildings
F.	Roadside Stands
G.	Multiple Family Dwellings
I.	Sod Farms
J.	State Licensed Residential Facilities and the Like (Under six (6) persons)
K.	Temporary Housing

SECTION 902 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Adult Foster Care
B.	Agribusiness Uses
C.	Assembly Halls and Banquet Facilities
D.	Bed & Breakfast Establishments
E.	Cemeteries
F.	Churches and Other Places of Worship
G.	Convalescent, rest or nursing homes
H.	Fraternal Organizations, Lodges, Clubs
I.	Group Child Care
J.	Home occupations (Type II), as defined in this Zoning Ordinance, provided that adequate off-street parking can be provided for such use and it is determined, after a public hearing, that there would be no adverse impacts on surrounding properties. This may include barber shops, beauty parlors, child-care centers or medical offices.
K.	Large-scale recreation uses
L.	Mining and extraction of oil, sand, gravel, clay or similar materials.
M.	Nursery schools and care centers
N.	Public Buildings (Other than Ray Township)
O.	Public, parochial and private schools, colleges and universities, business schools

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P.	Public Utilities and the Like (Public and Private)
R.	Senior Housing and Assisted Living
S.	Solar Farms
T.	Wedding Chapel
U.	Wind Farm

SECTION 903 GROSS SITE AREA PER UNIT

Minimum gross site area in square feet, per dwelling unit for each Multiple-Family District:

Number of Bedrooms	Gross Site Area per Unit
1 Bedroom	7,000 sq.ft.
2 Bedrooms	8,000 sq. ft.
3 Bedrooms	8,500 sq. ft.

NOTE: Efficiency units shall be regulated the same as one (1) bedroom units.

NOTE: Units with more than three (3) bedrooms shall provide an additional one thousand (1,000) square feet of site area for each additional bedroom.

NOTE: Plans presented which include a den, library or extra room shall have such extra room counted as a bedroom for purposes of this Ordinance.

SECTION 904 BUILDING SETBACKS

A. Landscaped setbacks must be provided adjacent to, and surrounding each building on the following basis:

Side of Building	Required Setback
Front	30 feet
Rear	50 feet
Sides	30 feet

- Setbacks utilized for one building shall not be utilized to fulfill the setback requirement for any other building. Such landscape setback shall be exclusive to the building it surrounds.
- Buildings which include attached garages may utilize the required landscape setback to permit a parking apron and paved access to garages. However, pavement shall not surround more than forty (40) percent of the overall perimeter of the building.
- Each square foot of pavement which encroaches into a required setback must be replaced on another side of the same building. Site plans must clearly dimension landscaped greenbelts and provide calculations in instances of setback transfer.
- In no case shall any building encroach any closer than fifteen (15) feet to a road, drive, access lane or parking area.
- Yard areas used to facilitate utilities must maintain a thirty (30) foot greenbelt.

SECTION 905 RECREATION

Well-defined and improved recreation areas and facilities, such as parks, playgrounds, swimming pools and community buildings, shall be provided. At a minimum, these parks shall include amenities such as picnic tables, benches and paved walking paths.

A. The minimum number of square feet of recreation area and/or facilities shall be provided in addition to all required setbacks and greenbelts and shall be provided on a per unit basis according to the following schedule:

1. Detention ponds and other subaqueous areas such as lakes, rivers, etc. may not be included in the calculations towards required recreation areas.
2. Natural open space, excluding the types of areas mentioned above, may be included and credited for up to one-half (½) of the recreation area requirement upon Planning Commission approval.

Provisions for separate adult and youth recreation and open space areas are encouraged. Recreation facilities generally shall be provided in a central location and should be convenient to all units within the development. In larger developments, however, recreation facilities may be decentralized or part of an approved open space area plan. In either scenario, open space shall be connected throughout the development.

SECTION 1000 STATEMENT OF INTENT

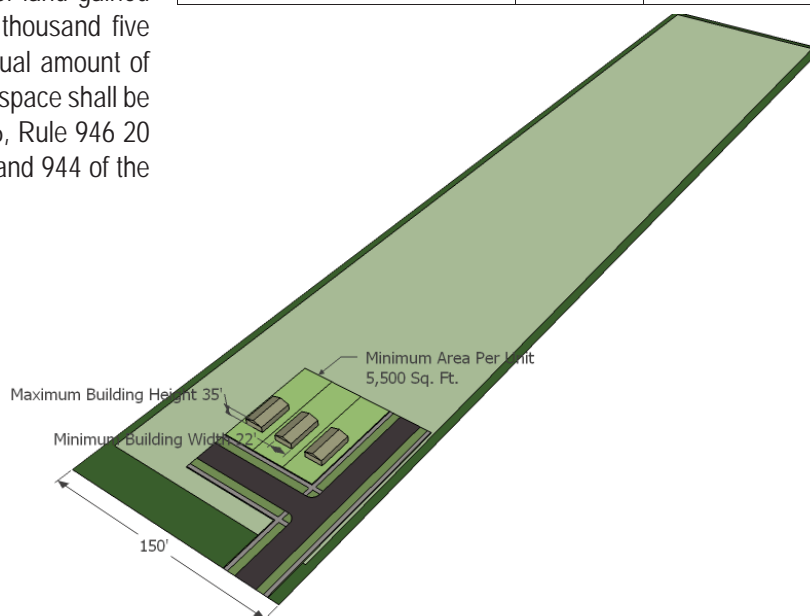
The Manufactured Housing Community District is a residential district. The rules are those set forth by the Mobile Home Commission, except for the following regulations designed to provide adequate space and land use separation in harmony with the Township's other zoning districts.

SECTION 1001 PERMITTED USES

- A. Mobile home parks, as defined and subject to the requirements, as established and regulated by Act 96 of the Public Acts of 1987, as amended.
- B. Accessory commercial uses may be conducted in a manufactured housing community in separate, permanent structures and for such purposes as the office of the manager, laundry and dry cleaning facilities, or other services for the residents of the park. Accessory uses may also include clubhouses and recreational facilities. Adequate parking for such services shall be provided. All accessory uses shall require full site plan review and approval.

*The five thousand five hundred (5,500) square feet area requirement for any individual site may be reduced by twenty percent (20%), 15 provided that the individual site shall equal at least four thousand four hundred (4,400) square feet. For each one (1) square foot of land gained through the reduction of a site below five thousand five hundred (5,500) square feet, at least an equal amount of land shall be dedicated as open space. This space shall be in addition to that required under R125.1946, Rule 946 20 and R125.1941 and R125.1944, Rules 941 and 944 of the Michigan Administrative Code.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area (Entire Site)		15 Acres
Minimum Lot Width		150'
Maximum Width to Depth Ratio		1:5
Minimum Lot Area (Housing Site)		5,500 sq. ft. *
Yard Dimensions (Entire Site)		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		10'
Minimum Rear Yard Setback		10'
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Floor Area		Total
All Residences		960 Sq. Ft.
Minimum Building Width		22'



SECTION 1002 SPECIAL APPROVAL LAND USES

- A. Public Utilities and the Like (Public and Private)

SECTION 1003 GENERAL SITE REGULATIONS

- A. A manufactured housing community shall only be permitted on a minimum site of fifteen (15) acres.
- B. The maximum height of service buildings and permitted office structures shall be two (2) stories or thirty five (35) feet.
- C. Fire hydrants shall be provided as required by the Township. Further, appropriate volume and pressures of any fire suppression system shall be provided as required by the Township.
- D. A manufactured housing community shall be developed with public roads meeting the requirements of the Macomb County Department of Roads.
- E. Sidewalks shall be provided on both sides of the street throughout the manufactured housing community.
- F. Screening as required by the Ordinance shall be provided along the exterior boundaries of the manufactured housing community.
- G. The minimum size of any manufactured home placed within a manufactured housing community shall be nine hundred and sixty (960) square feet. Further, the minimum width of any such unit shall be twenty two (22) square feet. Finally, ceiling heights shall be a minimum of seven and one half (7.5) feet.
- H. Reference is hereby made to Sections 11, 12 and 13 of the Mobile Home Commission Act (No. 419, P.A. 1976) which requires, among other things, that a person who desires to develop a manufactured housing community shall submit a preliminary plan to the Ray Township Planning Commission for approval. The preliminary plan shall include the location, layout, general design and a general description of the project for submission requirements and procedures. The preliminary plan shall not include detailed construction plans.

SECTION 1100 STATEMENT OF INTENT.

The Mixed Use Residential District is primarily a single family residential district intended to provide for a flexibility of residential densities and housing types as well as providing a limited amount of nonresidential use along the 26 Mile Road frontage at the entrances of planned subdivisions. Nonresidential uses should be limited in size providing convenience shopping opportunities to the residents of the adjoining subdivisions. This area is intended to be serviced by public sanitary sewer and water infrastructure and should not be developed to the prescribed densities until such infrastructure is available. It is intended that open space preservation and other best management practices will be utilized within the Residential Mixed Use District to preserve those environmental features identified within the Township's Master Land Use Plan.

Design Elements			
		Residential	Commercial
Lot Dimensions		Requirement	Requirement
Minimum Lot Area - Residential		15,000	NA
Maximum Lot Area		NA	90,000
Minimum Lot Width		75'	NA
Maximum Lot Coverage		35%	35%
Maximum Impervious Surface		50%	60%
Maximum Width to Depth Ratio		1:5	1:5
Yard Dimensions		Requirement	Requirement
Minimum Front Yard Setback			
Road Designation	Regional	152'	152'
	Major	90'	110'
	Collector	73'	93'
	Local	60'	80'
Minimum Side Yard Setback		10'	20'
Minimum Rear Yard Setback		30'	30'
Building Dimensions		Requirement	Requirement
Maximum Building Height	Stories	2	2
	Feet	35'	35'
Minimum Floor Area			
	First Floor	Total	Total
One Story	960	960	NA
One and One Half Story	800	1,200	NA
Two Story	650	1,300	NA

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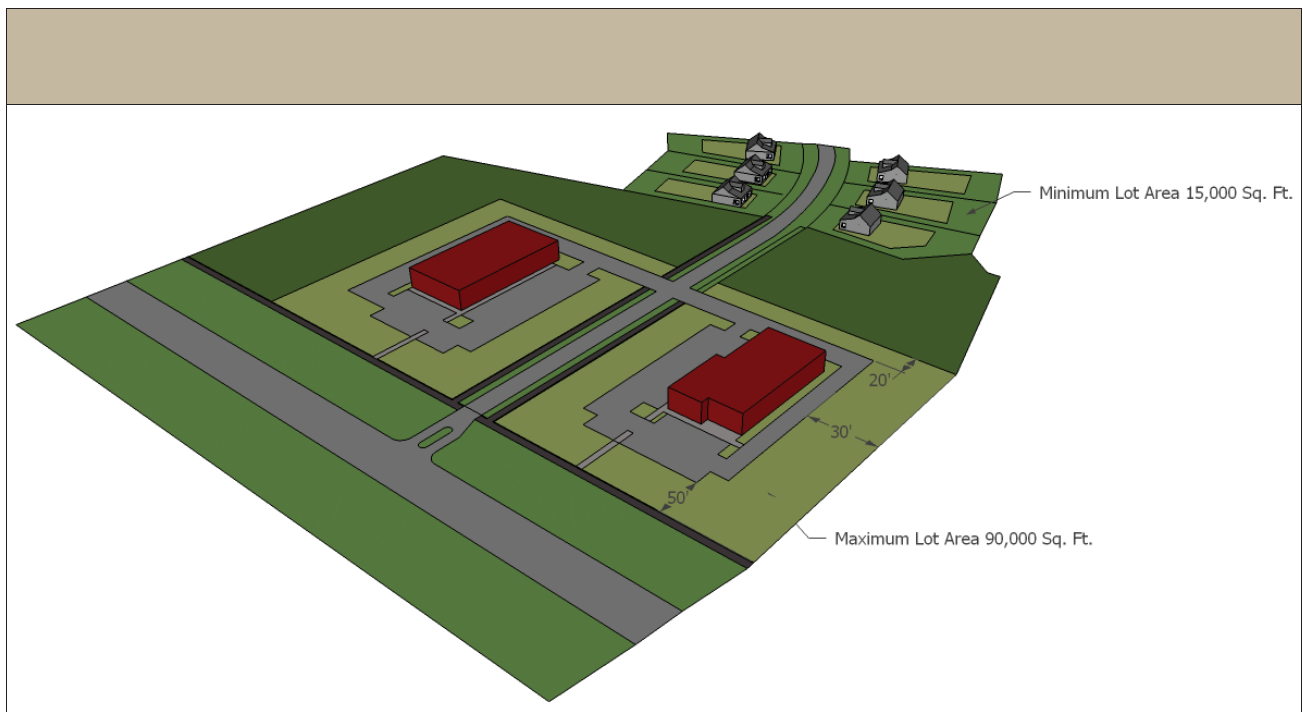
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SECTION 1101 PRINCIPAL USES PERMITTED

A.	Single Family Dwellings
B.	Publicly owned and operated municipal buildings and essential services
C.	Type I Home Occupations
D.	The attaching of single family homes into multiple family complexes of no more than four (4) units provided the requirements of Section Open Space Communities are met.
E.	Family Child Care and like
F.	State Licensed Residential Facilities and the like (under six (6) persons)
G.	Existing Farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).



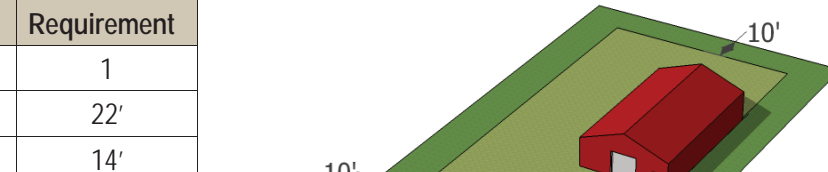
SECTION 1102 ACCESSORY USES PERMITTED - RESIDENTIAL

A.	Accessory Buildings, structures and uses customarily incidental to any of the above uses, when located on the same property.
B.	Private Swimming Pools
C.	Fences and walls
D.	Wind Energy Conversion Systems
E.	Keeping of Animals
F.	Decks and Patios
G.	Satellite, Internet and Broadband Dishes provided such are not over three (3) feet in diameter.

Accessory Structure - Design Elements

Yard Dimensions		Requirement
Minimum Front Yard Setback		Not Permitted in Front Yard
Minimum Side Yard Setback		10'
Minimum Rear Yard Setback		10'
Building Dimensions		Requirement
Maximum Building Height	Stories	1
	Feet	22'
Maximum Side Wall Height'	Feet	14'

Building Square Footage		Requirement
Maximum Floor Area		Total Square Footage
One Acre or Less		1,000
Over One Acre, Less than Five Acres		2,000
Over Five Acres		3,000



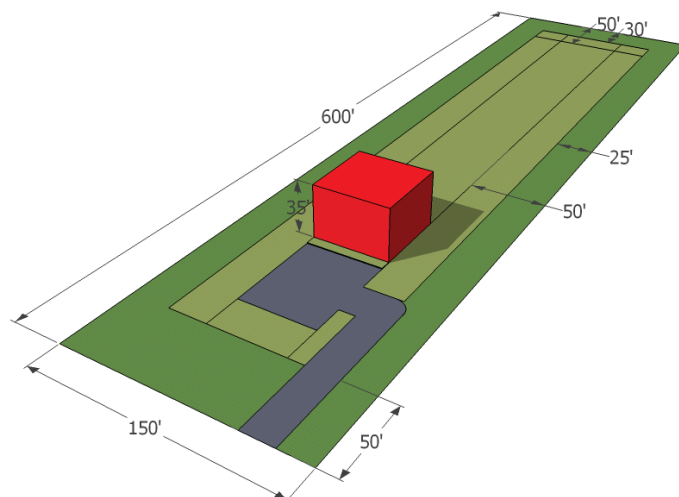
SECTION 1103 SPECIAL APPROVAL LAND USES	
A.	Churches and other Places of Worship
B.	Cemeteries
C.	Public, parochial and private schools, colleges and universities, business schools
D.	Nursery Schools
E.	Bed and Breakfast Establishments
F.	Pharmacies, drug stores, banks and other similar uses
G.	Convenience Stores
H.	Professional and business offices such as doctor clinics, veterinarians, architect, engineer, lawyer, real estate, and insurance offices.
I.	Other B-1 Permitted Uses
J.	Group Child Care Home and the like
K.	Adult Foster Care Facilities and the like
L.	Senior Housing and Assisted Living Facilities
M.	Convalescent, rest or nursing homes
N.	Type II Home Occupations
O.	Public Utilities and the Like (Public and Private)

SECTION 1200 STATEMENT OF INTENT.

The B-1 Local Business District is designed to give the Township a business district that is somewhat more selective than a General Business District, and to provide for the establishment of local neighborhood shopping facilities designed to meet the day-to-day convenience shopping, personal services and professional office areas that are compatible with and are of service to nearby residential areas.

Nonconforming Commercial Lots	
Any nonconforming lot of record based on insufficient land area or lot dimension shall only be used as permitted in the district in which it is located. A single nonconforming lot may be developed or improved with a principal building and permitted accessory structures, without the need for a variance, provided that the following conditions have been met:	
	The structure and lot shall meet a minimum of fifty (50) percent of the required side and rear yard setbacks. Further, the required greenbelt provisions of this Ordinance may also be reduced by fifty (50) percent.
	The required front yard setback may be reduced by ten (10) feet.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		90,000 sq. ft.
Minimum Lot Width		150'
Maximum Lot Coverage		30%
Maximum Impervious Surface		75%
Maximum Width to Depth Ratio		1:5
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	125'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		15'
Minimum Side Yard Setback - Residential		30'
Minimum Rear Yard Setback		30'
Minimum Rear Yard Setback - Residential		50'
Minimum Parking Setback		Minimum Required Yard
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Building Separation		30'



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SECTION 1201 PRINCIPAL USES PERMITTED.

The following uses may be permitted subject to the provisions of this Ordinance:

A.	Generally recognized neighborhood retail businesses, which supply commodities on the premises, such as but not limited to: groceries, drug stores (drive thru prohibited), video rental, stores selling cellular phones and the like, coffee shops and sit down restaurants (not including fast food or other drive thrus), hardware stores and the like.
B.	Personal service establishments, which perform services, on the premises, such as but not, limited to: repair shops (watches, radio, television, computer, shoe, etc.), tailor shops, hair salons or barber shops, and self-service laundries.
C.	Dry cleaning and laundry establishments, (pick-up stations only), dealing directly with the consumer.
D.	Professional and business offices such as: doctor clinics, veterinarians, architect, engineer, lawyer, real estate, and insurance offices.
E.	Churches and other Places of Worship
F.	Municipal Facilities
G.	Pharmacies, drug stores, banks and other similar uses without drive thrus
H.	Convenience Stores
I.	Private clubs and lodges

SECTION 1202 SPECIAL APPROVAL LAND USES.

The following uses may be permitted after special land use approval has been granted by the Township Planning Commission:

A.	Private clubs and lodges
B.	Nursery schools and day care centers
C.	Pharmacies, drug stores, banks and other similar uses with drive thrus
D.	Hospitals and emergency clinics
E.	Public Utilities and the Like (Public and Private)
F.	Large Scale Recreation
G.	Eating and Drinking Establishments with outdoor seating and/or entertainment)

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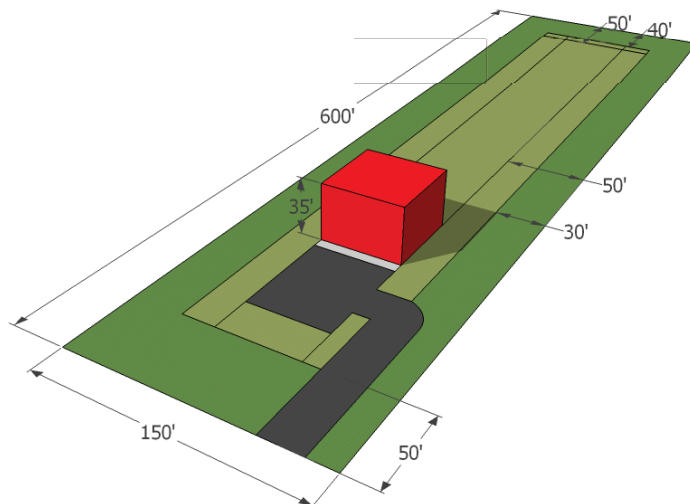
SECTION 1203 ACCESSORY USES PERMITTED	
The following accessory uses may be permitted subject to the provisions of this Ordinance:	
A.	Wind Energy Conversion Systems
B.	Private Broadband Towers and Transmitting Devices

SECTION 1300 STATEMENT OF INTENT.

The General Business District, as established in this Article, is intended to permit a wider range of business and entertainment activities than those permitted in the Local Business District. The B-2 General Business Districts are designed to provide sites for more diversified business types and are often located so as to serve passerby, auto-oriented consumer traffic. These uses would likely generate larger volumes of vehicular traffic, would need more off-street parking and loading and would require more planning to integrate such districts with adjacent residential areas.

Nonconforming Commercial Lots	
Any nonconforming lot of record based on insufficient land area or lot dimension shall only be used as permitted in the district in which it is located. A single nonconforming lot may be developed or improved with a principal building and permitted accessory structures, without the need for a variance, provided that the following conditions have been met:	
	The structure and lot shall meet a minimum of fifty (50) percent of the required side and rear yard setbacks. Further, the required greenbelt provisions of this Ordinance may also be reduced by fifty (50) percent.
	The required front yard setback may be reduced by ten (10) feet.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		90,000 sq. ft.
Minimum Lot Width		150'
Maximum Lot Coverage		30%
Maximum Impervious Surface		75%
Maximum Width to Depth Ratio		1:5
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	125'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		15'
Minimum Side Yard Setback - Residential		30'
Minimum Rear Yard Setback		30'
Minimum Rear Yard Setback - Residential		50'
Minimum Parking Setback		Minimum Required Yard
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Building Separation		30'



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SECTION 1301 PRINCIPAL USES PERMITTED.

The following uses may be permitted subject to the provisions of this Ordinance:

A.	Any retail business or service establishment permitted in B-1 Districts.
B.	All retail business, service establishments or processing uses as follows:
1.	Any retail business whose principal activity is the sale of merchandise.
2.	Eating or drinking establishments (indoor only).
3.	Churches and other places of worship, wedding chapels, catering establishments or banquet halls.
4.	Offices, medical or dental clinics, veterinarians, banks, loan companies, real estate and insurance offices, and similar uses.
5.	Commercial dog kennels and veterinarian clinics (indoor only).
6.	Funeral homes and mortuary establishments.
7.	Any service establishment of an office, showroom, or workshop nature of an electrician, decorator, dressmaker, tailor, baker, painter, printer, upholsterer; or an establishment doing radio or home appliance repair, photographic reproduction, and similar service establishments that require a retail adjunct.
8.	Hotels, motels, fraternal organizations, lodge halls, and clubs.
9.	Indoor commercial recreation establishment such as a bowling alley, billiard ball, gymnasium, indoor archery range, indoor tennis court, indoor skating rink or similar establishment.
10.	Theaters, assembly halls, concert halls, or similar places of assembly when conducted completely within enclosed buildings.
11.	Business schools, colleges or private schools.
12.	Retail Sales and Display of Fireworks from a permanent location

Amended: December 4, 2012

SECTION 1302 SPECIAL APPROVAL LAND USES.

The following uses may be permitted after special land use approval has been granted by the Township Planning Commission:

A.	Large Scale Recreation
B.	Outdoor sales space for sale of automobiles and/or trucks; mobile homes and travel trailers, agricultural implements
C.	Drive-in / thru establishments; including fast food restaurants
D.	Warehousing and storage within a completely enclosed building.
E.	Auto bump and paint shops
F.	Woodworking or cabinetmaker and sales
G.	Offices, research and testing laboratories.
H.	Communication towers, personal wireless services (cell towers) and similar towers and antennas
I.	Car washes and auto laundries
J.	Automobile service stations and gas stations
K.	Nursery schools and day care centers
L.	Public Utilities and the Like (Public and Private)
M.	Commercial dog kennels with outside runs
N.	Eating and Drinking Establishments with outdoor seating and/or entertainment)

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O.	Pawn Shops and the like
P.	Tattoo Parlors and the like
Q.	Hookah lounges and the like
R.	Retail Sales and Display of Fireworks from a temporary facility such as a tent, trailer, stand, area covered by canopy, etc. The Planning Commission may accept a site plan which does not meet the full requirements of Section 2103 provided all information deemed necessary for review is provided. <i>Amended: December 4, 2012</i>

SECTION 1303 ACCESSORY USES PERMITTED

The following accessory uses may be permitted subject to the provisions of this Ordinance:

A.	Wind Energy Conversion Systems
B.	Private Broadband towers and transmitting devices

SECTION 1400 STATEMENT OF INTENT

The purpose of the Davis Mixed Use District is to encourage development and redevelopment which is consistent with the traditional architecture, mixture of uses and compact layout of a traditional village or settlement such as Davis. The requirements of this District are designed to permit a variety of retail, office, housing, and service uses which are subject to review by the Planning Commission.

**For existing buildings, the established front yard setback may be maintained and not be deemed nonconforming. Any additions must comply with the existing front yard setback.*

Design Elements				
Residential Uses				Commercial Uses
Lot Dimensions		Requirement		Requirement
		Without Public Sewer	With Public Sewer	
Minimum Lot Area		90,000 Square Feet	15,000 Square Feet	
Minimum Lot Width		150'	75'	60'
Maximum Lot Coverage		35%	35%	60%
Maximum Impervious Surface		50%	50%	80%
Maximum Width to Depth Ratio		1:5	1:4	N/A
Yard Dimensions		Requirement		Requirement
Minimum Front Yard Setback*				
Road Designation	Regional	152'	132'	102'
	Major	110'	92'	60'
	Collector	93'	73'	43'
	Local	80'	60'	30'
Minimum Side Yard Setback (New Lots)		15'	7'	0' Internal
Minimum Side Yard Setback (Existing Lots)		7'		15' External
Minimum Rear Yard Setback		50'	30'	20' Internal/ External
Building Dimensions		Requirement		Requirement
Maximum Building Height	Stories	2	2	3
	Height	35'	35'	35'
Minimum Floor Area		First Floor	Total	
One Story		960	960	N/A
One and One Half Story		800	1,200	N/A
Two Story		650	1,300	N/A

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SECTION 1401 PRINCIPAL USES PERMITTED.

The following uses may be permitted subject to the provisions of this Ordinance:

A.	Single Family Dwellings
B.	Permitted Uses in the B-1 Local Commercial District
C.	Type I Home Occupations
D.	Publicly owned and operated municipal buildings and essential services
E.	Existing Farm buildings and greenhouses, general and specialized farms, and agricultural activities (except feedlots).
F.	State Licensed Residential Facilities and the like (under six (6) persons)
G.	Family Child Care and like
H.	The attaching of single family homes into multiple family complexes of no more than four (4) units provided the requirements of Section Open Space Communities are met.

SECTION 1402 SPECIAL APPROVAL LAND USES.

The following uses may be permitted after special land use approval has been granted by the Township Planning Commission:

A.	Muiltple Family (non elderly housing)
B.	Elderly Housing Complex (up to three stories)
C.	Elderly Housing (attached units)
D.	Elderly Housing (detached housing/cottage style)
E.	Permitted and Special Land Uses in the B-2 General Business District
F.	Churches and other Places of Worship
G.	Public, parochial and private schools, colleges and universities, business schools
H.	Group Child Care Home and the like
I.	Type II Home Occupations
J.	Adult Foster Care Facilities and the like
K.	Bed and Breakfast Establishments
L.	Cemeteries

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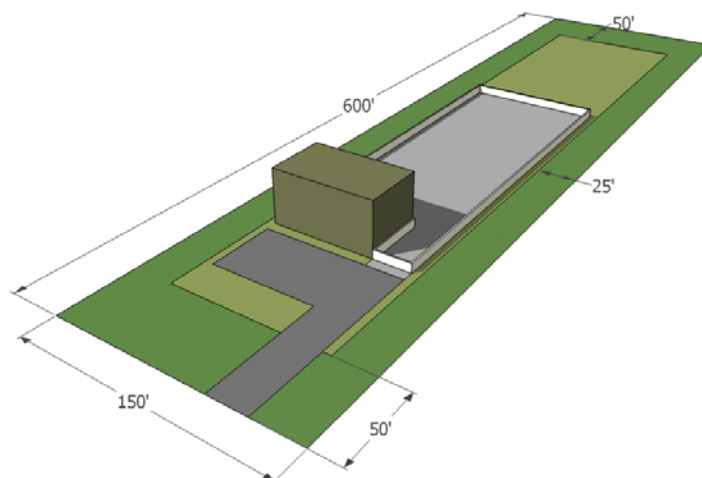
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SECTION 1500 STATEMENT OF INTENT.

The industrial residential district is designed as a transition district from the existing single family residential land uses found along North Avenue essentially between 26 Mile Road and 27 Mile Road. These properties have traditionally been designated as an area of the Township where large commercial trucks can be located on residential properties due to the availability of Class A roads (North Avenue and 26 Mile Road). The Township's 2010 Master Plan furthers this idea and develops the corridor as a more true future industrial area. The IR District is designed to implement the ideas and concepts of the 2010 Master Plan by allowing existing residences to be maintained or a single new residence to be constructed while also allowing less intense industrial uses as a permitted use. Those industrial uses which would have additional impacts due to their outdoor nature or potential for noise generation can be considered as a special land use.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		90,000 sq. ft.
Minimum Lot Width		150'
Maximum Lot Coverage		30%
Maximum Impervious Surface		75%
Maximum Width to Depth Ratio		1:5
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	125'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		25'
Minimum Rear Yard Setback		50'
Minimum Parking Setback		Minimum Required Yard
Outdoor Storage Setback		Minimum Required Yard
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Building Separation		30'



SECTION 1501 PERMITTED USES.

The following uses may be permitted subject to the provisions of this Ordinance:

A.	A single family residence (Plats and Site Condominiums shall not be permitted)
B.	Home Occupations (Type I & II)
C.	Indoor Storage of Contractors Equipment, Work Vehicles and the Like
D.	Manufacturing, Assembly and Processing Facilities
E.	Offices

SECTION 1502 SPECIAL APPROVAL LAND USES.

The following uses may be permitted by the Township Planning Commission, subject to the standards for each use hereinafter itemized and subject to the provisions of Site Plan Review:

A.	Auto Repair Shops
B.	Outdoor Storage of Contractor Equipment, Work Vehicles and the Like
C.	Outdoor Storage of Loose Materials and Products
D.	Outdoor Storage of Raw Materials or Work Product
E.	Landscaping Facilities
F.	Retail Uses
G.	Public Utilities and the Like (Public and Private)
H.	Retail Sales and Display of Fireworks from a temporary facility such as a tent, trailer, stand, area covered by canopy, etc. The Planning Commission may accept a site plan which does not meet the full requirements of Section 2103 provided all information deemed necessary for review is provided. <i>Amended: December 4, 2012</i>

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SECTION 1503 ACCESSORY USES

The following accessory uses may be permitted subject to the provisions of this Ordinance:

A.	Wind Energy Conversion Systems
B.	Private Broadband towers and transmitting devices

SECTION 1504 CONDITIONS

The following conditions shall apply to all uses permitted in this Ordinance:

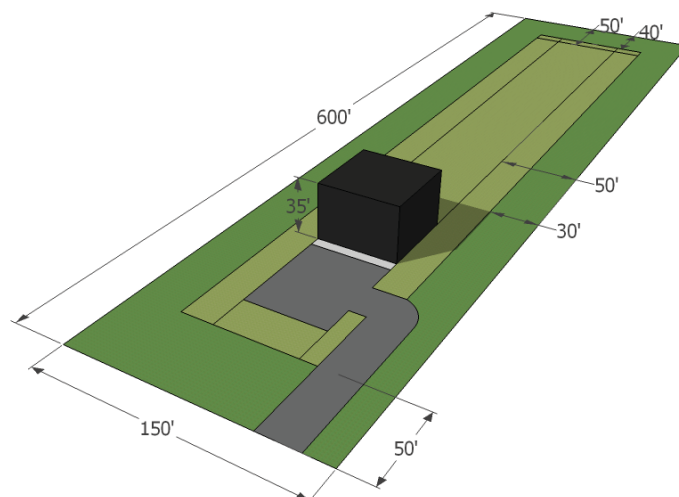
A.	Along those areas where outdoor storage is to occur, landscape screening shall be required between the outdoor storage and the public right of way. Screening shall consist of evergreen trees planted at rate of one tree for each ten (10) linear feet of outdoor storage visible from the public right of way. These trees shall be planted in a natural manner while maintaining the visual effect of a screen.
B.	In addition to the required landscaping, a confining fence shall be required around all outdoor uses and storage areas. This fence shall be constructed behind the required landscape noted above.
C.	For those uses which abut an existing residential use, the Planning Commission shall determine the type and intensity of screening necessary between the proposed use and existing adjacent residence. Factors in determining the amount and intensity of landscape shall include: amount and intensity of outdoor use, proximity to the existing residence, existing vegetation, etc.

SECTION 1600 STATEMENT OF INTENT.

The I-1 Industrial District is designed to accommodate wholesale activities, warehouses, manufacturing and industrial operations providing the Township with land uses increasing its tax base as well as employment opportunities. Other uses with a major outdoor component may be permitted upon special land use review. Certain commercial uses may be permitted in these districts where it is shown that these uses are needed to serve the industrial uses and the personnel employed therein.

Nonconforming Industrial Lots	
Any nonconforming lot of record based on insufficient land area or lot dimension shall only be used as permitted in the district in which it is located. A single nonconforming lot may be developed or improved with a principal building and permitted accessory structures, without the need for a variance, provided that the following conditions have been met:	
	The structure and lot shall meet a minimum of fifty (50) percent of the required side and rear yard setbacks. Further, the required greenbelt provisions of this Ordinance may also be reduced by fifty (50) percent.
	The required front yard setback may be reduced by ten (10) feet.

Design Elements		
Lot Dimensions		Requirement
Minimum Lot Area		90,000 sq. ft.
Minimum Lot Width		150'
Maximum Lot Coverage		30%
Maximum Impervious Surface		75%
Maximum Width to Depth Ratio		1:5
Yard Dimensions		Requirement
Minimum Front Yard Setback		
Road Designation	Regional	152'
	Major	125'
	Major	110'
	Collector	93'
	Local	80'
Minimum Side Yard Setback		15'
Minimum Side Yard Setback - Residential		30'
Minimum Rear Yard Setback		30'
Minimum Rear Yard Setback - Residential		50'
Minimum Parking Setback		Minimum Required Yard
Building Dimensions		Requirement
Maximum Building Height	Stories	2
	Feet	35'
Minimum Building Separation		30'



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SECTION 1601 PRINCIPAL USES PERMITTED.

The following uses may be permitted subject to the provisions of this Ordinance:

A.	Manufacturing, compounding, processing, assembly and packaging facilities within a building.
B.	Warehousing and wholesaling facilities
C.	Offices, research and laboratories.
D.	Commercial kennels.
E.	Public Airports, airfields, runways, hangars, beacons and other facilities associated with airport operations.
F.	Mini-warehousing facilities (indoor only)
G.	Warehousing and Storage of Consumer Fireworks

Amended: December 4, 2012

SECTION 1602 SPECIAL APPROVAL LAND USES.

The following uses may be permitted after special land use approval has been granted by the Township Planning Commission:

A.	Retail business uses which have an industrial character in terms of their outdoor storage requirements or activities such as; lumber yards; building materials; boat, car, truck, mobile home, travel trailer or farm implement sales; tree and nursery sales (either wholesale or retail).
B.	Retail services to serve the needs of persons working in the industrial district such as: eating and drinking establishments; banks; automobile service stations; trade or industrial schools; medical clinics and urgent care facilities.
C.	Incineration or compaction of garbage or refuse.
D.	Mining, Extraction and Landfills
E.	Communication towers, personal wireless services (cell towers) and similar commercial towers and antennas
F.	Heavy automobile and engine repair.
G.	Adult Use/Entertainment <i>Amended: December 4, 2012</i>
H.	Concrete, Asphalt, or other Bituminous plants
I.	Yard Waste Composting Facilities
J.	Junk yards
K.	Public Utilities and the Like (Public and Private)
L.	Crematoriums
M.	Trucking operations, trucking facilities and truck storage.

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N.	Mini-warehousing with outdoor storage.
O.	Storage facilities for building materials, sand, gravel, lumber or storage of contractors equipment and materials
P.	Bulk Storage of Hazardous Materials
Q.	Large Scale Recreation
R.	Indoor Commercial Recreation
S.	Automobile Recycling Facilities
T.	Warehousing and Storage of Consumer Fireworks along with Retail Sales and Display of Fireworks from a Permanent or Temporary Facility. <i>Amended: December 4, 2012</i>

SECTION 1603 ACCESSORY USES PERMITTED	
A.	Wind Energy Conversion Systems (providing service to the individual site)
B.	Accessory Caretakers Quarters
C.	Private Broadband towers and transmitting devices

SECTION 1700 REQUIRED STANDARDS AND DESIGNS BY USE.

- A. **Airports - Airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations.**
1. Airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations, subject to all rules and regulations of the Federal Aeronautics Administration, which agency shall approve the preliminary plans submitted to the Township.
 2. Land beneath all aircraft approach zones as established by appropriate aeronautical authorities, which is not actually owned by the airport or has some of its rights restricted by easement, shall be developed in a manner which will not endanger safe flight conditions to and from the airport. The permitted height of buildings, structures, telephone and electrical lines and appurtenances shall be established after consultation with the appropriate aeronautical agencies.
 3. No building or structure or part thereof, shall be erected closer than sixty (60) feet from any property line.
 4. The open storage of junked or wrecked motor vehicles, aircraft, parts, etc. shall not be permitted.
- B. **Animal Feedlots.**
1. The minimum site size shall be forty (40) acres.
 2. That no structures, pens or corrals be located closer than five hundred (500) feet to any property line.
 3. That all feedlots shall have diversion and storage facilities for stormwater runoff to prevent runoff from reaching a water course.
 4. An environmental study shall be provided by the applicant that assures ground water resources will not be negatively impacted and that adjacent off-site premises will not be impacted by offensive odor.
 5. Shall follow Generally Accepted Agricultural Management Practices as defined by the Michigan Department of Agriculture.
- C. **Automobile Repair - Automobile repair, such as auto body repair, engine rebuilding, auto rust proofing and the like**
1. The site shall have direct access onto a public road designated as a major thoroughfare.
 2. All wrecked or damaged vehicles shall be enclosed with a six (6) foot high, view obscuring fence within the side or rear yard.
 3. Evergreen trees measuring six to eight (6-8) feet in height shall be planted between the outdoor storage area and: any residential use, residential zoning district, road right of way. Trees shall be planted at a minimum rate of one (1) tree for each fifteen (15) feet. The Planning Commission may approve other alternative landscaping schemes provided the intent of this requirement is met.
 4. No wrecked or damaged vehicle shall be stored on the premises for a period of time exceeding thirty (30) days.
- D. **Bed and Breakfast Establishments.**
1. The rooms utilized for lodging purposes shall be part of the primary residential use.
 2. There shall be no commercial kitchens (as defined by the Macomb County Health Department or other appropriate State agency) used for the Bed and Breakfast rooms. Further, cooking or dining facilities shall not be permitted to be used by the general public.
 3. The residence shall be occupied and lived in at all times by the owner/mortgagor of the property.
 4. Adequate lavatory, bathing facilities and kitchen facilities for the lodging rooms shall be provided, as per the requirements of the Macomb County Health Department or other appropriate regulatory agency.

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5. Rooms associated with a bed and breakfast establishment shall only be permitted in the primary residence and shall not be permitted in accessory dwellings.
6. Copies of all current Federal, State, County, and local permits/approvals shall be provided to the Township.
7. The length of any stay shall not exceed fourteen (14) consecutive days or a total of thirty (30) days in any one calendar year.
8. Ancillary activities associated with a bed and breakfast facility may be permitted as a part of a special land use approval. Ancillary activities are defined as activities related solely to a primary use of the realty as a bed and breakfast and shall not exceed the maximum capacity of the bed and breakfast as defined by the Ray Township Fire Department.

E. Churches, Temples and Other Places of Worship.

1. The site shall have access directly onto a public road designated as a major thoroughfare.
2. Evergreen trees measuring six to eight (6-8) feet in height shall be planted between the building and parking areas and: any residential use, residential zoning district, road right of way. Trees shall be planted at a minimum rate of one (1) tree for each twenty (20) feet. The Planning Commission may approve other alternative landscaping schemes provided the intent of this requirement is met.
3. No parking shall be permitted within the front yard.

F. Gasoline Stations.

1. Must be located at or near the intersection of two public roads, each having a proposed right-of-way of a major thoroughfare on the Township's adopted Master Plan.
2. Driveways shall be located at the furthest point from the intersection of the road rights of way as possible.
3. The edge of the canopy (extended downward to the ground) for gas pumps shall meet the setback requirements for a principal structure.

G. Gun ranges and gun clubs.

1. Shall be subject to the requirements of the Ray Township Shooting Range Ordinance.

H. Horse Riding Stables.

1. The minimum site size shall be thirty (30) acres.
2. All areas of the site where livestock are permitted to roam, exercise or feed shall be enclosed by a fence of not less than four (4) feet and not more than six (6) feet in height and constructed of materials which can restrain the animals.
3. All structures utilized for stable or animal purposes shall be set back at least one hundred (100) feet from all property lines.
4. All stockpiled manure shall be kept in a central area at least two hundred (200) feet from any property line and shall be properly managed to properly control odor. This setback may be modified upon a finding the manure management addresses odor at a lesser setback.

I. Incineration Facilities or Compaction of Garbage or Refuse

1. The site shall have direct access onto a public road designated as a major thoroughfare.
2. Such use shall not be located within three hundred (300) feet of any residential use or residential zoning district.
3. Evergreen trees measuring six to eight (6-8) feet in height shall be planted around the entire site. Trees shall be planted at a minimum rate of one (1) tree for each fifteen (15) feet.

J. Junkyards

1. All outdoor storage areas shall be enclosed with a six (6) foot high, view obscuring fence.
2. Evergreen trees measuring six to eight (6-8) feet in height shall be planted between the outdoor storage area and: any residential use, residential zoning district, road right of way. Trees shall be planted at a minimum rate of one (1) tree for each fifteen (15) feet.
3. Shall not be located within two hundred (200) feet of any residential use or residential zoning district.
4. Storage of any vehicles, parts, etc. shall not exceed the height of the fence.
5. Shall be located on a major thoroughfare as defined within the most recent Ray Township Master Land Use Plan.

K. Kennels (Private and Commercial), Offices of a Veterinarian and Animal Clinics.

1. Private Kennels

- a. The minimum site shall be ten (10) acres.
- b. Setbacks shall be
 - (1) three hundred fifty (350) feet from the centerline of the road.
 - (2) one hundred (100) feet to side and rear property lines.
 - (3) The Planning Commission may review and modify these standards if it is determined that the kennel will not impact any adjoining properties.
- c. There shall be no boarding and no sales other than puppies. Stud services are permitted.
- d. All dogs must have a shelter, sized according to the breed of the animal, with direct access to exercise runs. Dog shelters shall be designed to be able to be cleaned as per Macomb County minimum requirements. Animal runs must be enclosed by a solid six (6) foot high privacy/safety fence.

2. Commercial Kennels

- a. Shall be constructed so that all animals are enclosed within a building at night.
- b. The minimum site shall be ten (10) acres.
- c. The required minimum road frontage shall be five hundred (500) feet.
- d. Setbacks shall be:
 - (1) three hundred fifty (350) feet from the centerline of the road
 - (2) two hundred (200) feet to side and rear property lines.
 - (3) The Planning Commission may review and modify these standards if it is determined that the kennel will not impact any adjoining properties.
- e. All outdoor animal pens must be enclosed within a solid six (6) foot high privacy/safety fence.
- f. The animal pen surface shall be of concrete pitched to provide runoff from cleaning to a septic tank or other Macomb County approved system.
- g. Shall file for and receive an annual Township operating permit.

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L. Large-Scale Public and Private Recreation Uses

1. The minimum site size shall be twenty (20) acres.
2. The site shall have direct access onto a public road designated as a major thoroughfare.
3. A minimum setback of two hundred (200) feet between buildings and the property lines of abutting residentially zoned lands. The Township Planning Commission may modify this requirement where it is shown that a lesser setback is acceptable.
4. No active recreation shall take place within thirty (30) feet of the perimeter of the site.
5. Evergreen trees measuring six to eight (6-8) feet in height shall be planted between the active recreation areas and: any residential use, residential zoning district, road right of way. Trees shall be planted at a minimum rate of one (1) tree for each fifteen (15) feet. The Planning Commission may approve other alternative landscaping schemes provided the intent of this requirement is met.

M. Mining, Extraction and Filling of Land.

Sand and gravel mining or extraction, similar removal operations, land stripping and landfills (does not include solid waste or sanitary landfills approved under Act 641, P.A. 1978 as amended) may be permitted as a special land use approval in any single family residential district and the I-1 Districts. Such uses shall meet the following conditions:

1. The purpose of these requirements is to provide for mining or similar operation on those lands which have significant gravel and/or sand deposits. The regulations are intended to result in: mining, excavation, landfill or similar operations that will not be detrimental to the public health, safety, and welfare; and operations which will be conducive to and result in the reclamation of the land so that it will be suitable for other purposes, including single-family residential purposes.
2. Permit Procedures and Regulations.
 - a. An application for the special land use approval and a permit for a landfill or mining extractive shall be made to the Township Planning & Zoning Department accompanied by the necessary fees, financial guarantees and documents.
 - b. The application shall be accompanied by a site plan as well as the following information:
 - (1) Name of the owner, or owners, of land from which removal or landfill is to be made.
 - (2) Name and address of applicant making a request for such permit.
 - (3) Name and address of the person, firm, or corporation who or which will be conducting the actual removal operation.
 - (4) Location, size, and legal description of the total land area proposed for such use.
 - (5) Location of the processing plant.
 - (6) Type of materials or resources to be removed or to be brought to the site.
 - (7) Proposed method of removal or filling, general haul route, and whether blasting or other use of explosives will be required.
 - (8) General description of equipment to be used.
 - (9) The estimated time to complete total operations.
 - (10) The total area (expressed in acres) proposed to be excavated, mined or land filled in the first year of operation, said period to commence from the date of issuance of the mining and extractive industry permit.
 - (11) A reuse plan showing the proposed use of land be located on the site upon completion of mining, extraction and landfill operations which meets current zoning requirements.
 - (12) A development impact statement as required in Subsection (P) of this section.
 - c. The application for a permit shall be accompanied by the fee established by the Township Board.

3. Regulations.

All mining and extraction is subject to the following requirements and regulations:

- a. No mining, landfill, stockpiling of material, or processing shall take place closer than fifty (50) feet to any property line. The Township Planning Commission may approve a reduction in this setback requirement for mining or stockpiling where it finds that no impact will be made to adjacent land uses. If the circumstances of the site indicate that the fifty (50) foot setback requirement would not be adequate to protect abutting property, the Township Planning Commission shall require a greater setback.
- b. No mining or landfill shall be carried on closer than seventy-five (75) feet of the proposed right-of-way. The Planning Commission may modify this requirement in order to reduce or raise the final elevation of the grade to be in conformance with the existing elevation of the abutting road or property. Any area excavating within the seventy-five (75) foot setback area shall be back filled and final graded upon completion of the excavation of that area. .
- c. Site barriers or fences shall be provided along all boundaries of the site. Additional screening shall be provided as follows:
 - (1) Earth berms constructed to a height of six (6) feet above the mean elevation of the general level of terrain along interior property lines. Berms shall have slopes that are not in excess of one (1) foot vertical to four (4) feet horizontal, and shall be planted with grass, trees, or shrubs.
 - (2) Evergreens measuring six to eight (6-8) feet in height shall be planted on the berm shrubbery in rows parallel to the boundaries of the property, not less than four (4) feet in height at the time of planting and which grow to not less than six (6) feet in height at maturity and sufficiently spaced to provide effective site barriers when six (6) feet in height.
- d. Both permanent and/or temporary processing plants and their accessory structures shall not be located closer than two hundred fifty (250) feet from any property lines as well as adjoining public rights-of-way and shall, where practicable, be located at a lower elevation than the surrounding terrain to lessen visual and noise impact.
- e. Pit Operations.
 - (1) Where an excavation in excess of five (5) feet will result from such operations, the applicant shall erect a fence completely surrounding the portion of the site where the excavation extends said fence to be not less than five (5) feet in height complete with gates, which gates shall be kept locked when operations are not being carried on.
 - (2) All roads used for the purpose of ingress and egress to said excavation site shall be kept dust free by hard topping with cement, bituminous substance, acceptable crushed material, or chemical treatment.
 - (3) The slopes of the banks of the excavation shall in no event exceed a minimum of five (5) feet to one (1) foot (five (5) feet horizontal to one foot vertical) when ponded water results from the operation. This slope must be maintained and extended into the water to a depth of five (5) feet.
 - (4) Where quarrying operations result in a body of water, the owner or operator shall place appropriate "KEEP OUT" - "DANGER" signs around the premises. The signs shall not be more than two hundred (200) feet apart.

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- (5) To protect water wells and the water supply of the Township, the pumping or draining of water from such quarrying operations is absolutely prohibited unless it can be shown that wells of adjacent properties will not be impacted.
- (6) The method of quarrying shall be approved by the Township Planning Commission.
- (7) The Township Planning Commission shall require such other performance standards where because of peculiar conditions they deem it necessary for the protection of health, safety, and general welfare of the Township.
- (8) Dust and noise emitted from the operation shall be controlled by Section _____ of this Ordinance.

- f. All equipment and facilities used in the processing of sand, gravel, or stone shall be constructed, maintained, and operated in such manner as to eliminate noises, vibrations, or dust impacts to adjacent properties.
- g. Temporary stockpiling areas for topsoil or overburden shall be subject to approval of the Township Planning Commission.
- h. Reclamation and rehabilitation of mining areas, in accordance with the Reuse Plan, shall be commenced immediately upon completion of the mining area or phase as required by the Planning Commission and shall continue, uninterrupted until the area or phase has been fully reclaimed. Where possible, rehabilitation and reclamation shall be accomplished concurrently with the mining or excavation operations. Completion of the reclamation and rehabilitation shall occur within two (2) years of termination of mining or excavation activity unless otherwise approved by the Planning Commission.
- i. Stripping Operations.
 - (1) No soil, sand, gravel, clay or similar materials shall be removed below a point of six (6) inches above the mean elevation of the center line of the nearest existing or proposed road as approved by the Macomb County Department of Roads, except as required for the installation of utilities and pavements.
 - (2) No soil, sand, clay, gravel or similar materials shall be removed which causes water to collect or to result in a place of danger to the public health. The premises shall be graded at all times so surface water drainage is not impeded.
 - (3) Sufficient top soil shall be stockpiled on site so that the entire site, when operations are completed, may be covered with a minimum of four (4) inches of top soil immediately following the termination of the stripping operations. The Planning Commission may require that the operator restore the site with top soil as each area or phase is completed.
 - (4) The Township Planning Commission may require such other and further requirements as is deemed necessary in the interest of the public health, safety and general welfare of the Township.
- j. No building permit shall be issued until the Planning Commission has recommended approval of the special land use to the Township Board and the Township Board has issued a mining, extraction or landfill permit as required in the Township Mining, Excavation and Landfill Ordinance.

N. Travel Trailer parks and Campgrounds:

1. The minimum site size shall be twenty-five (25) acres.
2. Within a travel trailer park, the number of individual unit spaces shall not exceed fifteen (15) spaces per acre.
3. The minimum area for any space shall be 1,200 square feet. The minimum dimension of any side shall be thirty (30) feet.
4. The minimum distance between travel trailers shall be twenty (20) feet. .

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5. The parking or keeping of a tent, camper, travel trailer or recreation vehicle shall be limited to not more than thirty (30) days duration. Storage of recreation vehicles shall be permitted for extended periods of time in clearly defined and regulated storage areas.
6. The travel trailer park shall have a central water supply system with potable water.
7. Adequate toilet and sewage facilities shall be provided as approved by the State of Michigan and Macomb County Health Departments.
8. A minimum of twenty-five (25%) percent of the total area shall be reserved for recreation or open space purposes. Lakes and other bodies of water shall not be counted towards the recreation or open space requirement.
9. One (1) single-family residence shall be permitted within the travel trailer park and may be used as the office of the park.

O. Wireless Communication Towers

1. Purpose and Intent

It is the general purpose and intent of Ray Township to carry out the will of the United States Congress by authorizing communication facilities needed to operate wireless communication systems as may be required by law. However, it is the further purpose and intent of the Township to provide for such authorization only in a manner which will retain the integrity of neighborhoods and the character, property values and aesthetic quality of the community at large. In fashioning and administering the provisions of this Ordinance, an attempt has been made to balance these potentially competing interests.

It is the intent of this Section to:

- a. Protect residential areas and land uses from the potential adverse impact of towers and antennas.
- b. Establish predetermined districts or zones of the number, shape, and in the location considered best for the establishment of wireless communication facilities as special land uses, subject to conformance with applicable standards.
- c. Ensure that wireless communication facilities are situated in appropriate locations and relationships to other land uses, structures and buildings, and limit inappropriate physical and aesthetic overcrowding of land use activities and adverse impact upon existing population, transportation systems, and other public services and facility needs by regulating and limiting the establishment, placement and manner of wireless communication facilities.
- d. Minimize the total number of towers or antennas throughout the community.
- e. Promote the public health, safety and welfare.
- f. Provide for adequate public information about plans for wireless communication facilities, and allow the Township to efficiently plan for the location of such facilities.
- g. Minimize the adverse impacts of technological obsolescence of such facilities, including timely removal of facilities.
- h. Encourage users of towers and antennas to configure them (stealth technology) in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.
- i. Avoid potential damage to adjacent properties from tower or antenna failure through engineering and careful siting of tower structures.
- j. In furtherance of these goals, Ray Township shall give due consideration to the Township's Master Plan, Zoning Ordinance, existing land uses, and environmentally sensitive areas in considering sites for the location of towers and antennas.

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Commercial wireless communication towers, including their respective transmission towers, relay and/or receiving antennas, and normal accessory facilities involved in television, radio, microwave, cable systems, cellular, personal communication, and similar communication services and facilities, shall be permitted as a special land use in the Local Business, General Business, Industrial Residential, Industrial Districts, when found to be needed or desirable to the public convenience or welfare and in conformance with the following requirements.

It is noted that communication towers do not fall under the classification of essential services and may in no way be regulated as such. The development of new towers is specifically prohibited in all other zoning districts in the Township. The Township strongly encourages the development of necessary towers on suitable Township-owned property.

- a. Assigned and sealed written explanation of the design characteristics and ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards shall be submitted by a State of Michigan Certified Professional Engineer. This information shall also address the potential for the tower or other mounting structure and/or antennas to topple over or collapse, and what tower configuration should be expected in such an event. Technical documentation of any information regarding these concerns shall also be provided.
- b. If a new tower is proposed, the application shall include a map showing existing and known proposed wireless communication facilities within the Township and, further, showing existing and known proposed wireless communication facilities within areas surrounding the borders of the Township, in the location and area relevant in terms of potential co-location or in demonstrating the need for the proposed facility. The Township may also request that the applicant provide mapping identifying all of the tower locations, "search rings," or coverage areas within Ray Township and the nearest adjoining units of government which are within a one (1) mile radius of the applicant's site.
- c. In order to maximize the efficiency of providing such services, while minimizing the negative impact of such facilities on the Township, co-location of such facilities on an existing tower or other existing structure is required, when feasible. If the application represents a new tower/antenna facility, the applicant shall provide a letter of intent to lease excess space on the tower and shall commit itself to:
 - (1) promptly responding to any requests for information from a potential co-user of their tower/antenna;
 - (2) negotiate in good faith and allow for leased, shared use of the facility, when it is technically practical; and
 - (3) make no more than a reasonable charge for a shared use lease.
- d. Co-location may be permitted by the Planning Commission, after site plan review, on all existing towers and existing similar structures, regardless of the zoning district in which it is located, and the requirement for special land use approval and the associated public hearing shall be waived. The application shall for co-location shall include a site plan as well as documentation by the co-user as to their ability to co-locate on the tower.
- e. The location and improvement of wireless communication towers shall be subject to the following additional requirements:
 - (1) The overall height of the tower/antenna shall not exceed one hundred seventy-five (175) feet in height above the average grade around the structure it is mounted upon.
 - (2) Monopole (stealth or equivalent type) antenna structures shall be required where such are technologically feasible.

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- (3) The tower site shall be landscaped in an aesthetically pleasing and functional manner. The tower base, accessory buildings, and protective fencing shall be screened from the view of any public right-of-way and/or adjacent properties by an obscuring greenbelt. Landscaping shall also be incorporated along access drives servicing the tower site.
 - (5) Setback requirements will be determined in relation to the tower/antenna design and collapse data previously required in this Section. Minimum setback requirements, are as follows (setback requirement shall also apply to any accessory buildings):
 - (a) When adjacent to non-residential zoning districts, the setback shall not be less than the overall height of the tower/antennas.
 - (1) If the design and collapse data for the tower properly documents its ability to collapse down upon itself, the setback requirements to any side or rear yard property line abutting a non-residential zoning district may be reduced to no less than fifty (50) feet.
 - (b) When adjacent to any residential zoning district, the tower setback shall not be less than the overall height of the tower/antennas, plus fifty (50) feet.
 - (c) Further modifications to the side and rear yard setbacks may be considered when it is documented that the adjacent property is unbuildable due to wetlands, floodplains or other significant limitations. It shall also be found that no adverse effects on reasonable development patterns in the area would be created by constructing the tower.
 - (d) Additional setbacks may be required if the established fall zone of the tower/ antennae is greater than the above stated setback requirements. The setbacks shall be no less than the fall zone as established by the design engineer or the above mentioned setback, whichever is greater.
 - (e) In no instance shall any tower facility be located within a front yard.
- f. The applicant shall submit a letter agreeing that, should any tower/antenna facility approved under this Section cease to be used for its approved use for more than ninety (90) continuous days, or more than ninety (90) days of any one hundred and twenty (120) day period, it shall be removed from the site within one hundred eighty (180) days of such cessation. Removal of the tower/ antenna and its accessory use facilities shall also include removing the top three (3) feet of the caisson upon which the tower is located and covering the remaining portion with top soil. The letter of agreement may include a financial guarantee, if deemed appropriate by the Township Planning Commission, to insure removal of any or all of the facilities. Any such agreement, including any financial guarantee shall be in a form acceptable to the Township Attorney. The financial guarantee may also include a provision for periodic adjustments to reflect changes in the Consumers Price Index or other similarly established and accepted price indexes.
- g. As necessary, any pertinent information on file at the Township which relates to the use, contact information, structural information, etc., shall be updated when such information becomes available. Any such information which is a trade secret and/or other confidential commercial information which, if released, would result in commercial disadvantage to the applicant, may be submitted with a request for confidentiality in connection with the development of governmental policy (MCL 15.243(1)(g)). This Ordinance shall serve as the promise to maintain confidentiality must be prominently stated in order to bring it to the attention of the Township.

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P. Yard Waste Composting Facility

1. Site Requirements:
 - a. The minimum site shall be twenty (20) acres.
 - b. A minimum area of one (1) acre shall be provided for each three thousand (3,000) cubic yards of organic material to be composted.
 - c. All ingress and egress shall be directly onto a proposed major thoroughfare of at least one hundred twenty (120) feet of right-of-way.
 - d. The public road servicing the site must be paved. The access or service roads on the site shall be paved for at least the first two hundred fifty (250) feet from the public road. This portion of the access road shall be a minimum of twenty-four (24) feet and shall be paved. All other roads/maneuvering lanes onsite shall be built to a standard acceptable to the Township to ensure emergency access is maintained and shall be kept dust free at all times.
 - e. Only typical yard waste shall be composted or stored on site. These yard wastes typically include: leaves, grass clippings, brush or shrub trimmings.
 - f. The entire area being actively composted shall be clay lined to a thickness determined by the Township Engineer based on underlying soil conditions, water table, potential for groundwater contamination, proximity to environmentally sensitive areas, etc.
2. Application Requirements (may be shown on the site plan or as an addendum to the plan):
 - a. A site plan meeting the requirements of this Ordinance.
 - b. Name, address and telephone number of the owner, or owners, of land of the subject site.
 - c. Location, size and legal description of the total land area proposed for such use.
 - d. Name, address and telephone number of applicant making a request for such permit.
 - e. Name, address and telephone number of the person, firm or corporation who, or which, will be conducting the actual composting operation.
 - f. Types of materials to be composted.
 - g. Types and number of equipment used (i.e., shredders, front-end loaders, windrow turning machine, screening and shakers).
 - h. Location and sizes of staging area, windrows, curing area, screening area, finished product, shipping and loading.
 - i. Location and dimensions of office, control booths, maintenance and storage buildings. Plans shall show the location of all fuel storage facilities and shall detail all primary and secondary containment for all hazardous materials.
 - j. Location, numbers, types and cross-sections for landscaping, screening, berms and buffers.
 - k. Location of any adjacent wetland or flood plain.
 - l. On-site topography with elevations or contours not greater than two (2) feet.
 - m. A site drainage plan addressing the method of storm water runoff shall be provided for review and approval by the Township Engineer. Pooled water shall not be permitted to collect on site. An appropriate stormwater quality facility in addition to the required settling basin/detention pond or similar device, shall be installed prior to the discharge off site.
 - n. Soil types and water table.
 - o. Water source.
 - p. Personnel, number and classifications.
 - q. Development Impact Statement

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- (1) Information and Data Required.
 - (a) Location map at 1" = 200', indicating the location of the subject property in relation to the Township's thoroughfare system.
 - (b) Zoning Map, indicating the subject property and the zoning of adjacent properties for a radius of one half (½) mile, measured from the boundaries of the site.
 - (c) Land Use Map, indicating the subject property and adjacent land uses by type for a radius of one half (½) mile, measured from the boundaries of the site. An aerial photograph may be used to illustrate this information.
 - (d) Site conditions of the subject property, indicating the following information. All information shall be depicted graphically on an existing conditions map and accompanied by the most recent aerial photography supplied by the Macomb County Planning and Economic Development Department.
 - (1) Location and size of existing natural features, such as streams, bodies of water, floodplains, soil types and conditions, topography, ground water table, and vegetation inventory (classification of existing types by general location and numbers or density as appropriate). If the possibility of wetlands exist on-site, an official Level III wetlands assessment conducted by the Michigan Department of Natural Resources and Environment shall be conducted.
 - (2) A woodlands map identifying the location, size and type of site vegetation.
 - (3) Location and size of existing facilities and utilities, as applicable (thoroughfares, water service, sanitary sewer, storm drain, gas lines, electric lines, etc.) on the site or available to serve the site.
 - (4) Improvements adjacent to and directly across the street, i.e., driveway approaches, passing lanes, curb-cuts, etc.
 - (e) Conceptual Plan, showing how the proposed composting facility relates to the above-referenced conditions.
 - (f) Other information, as determined by the Planning Commission that may be necessary to assess the impact of the proposed development.
- (2) Impact Assessment.

The applicant shall provide information assessing the impact of the proposed composting facility as it pertains to the following factors. The required information shall be provided in narrative and graphic formats, as appropriate.

 - (a) Land Use Impacts.
 - (1) Brief description of the proposed land use.
 - (2) Hours of operation.
 - (3) Identify whether the proposed use will create dust, noise, odor or glare that may impact abutting property and how such will be mitigated.
 - (4) Project phasing plan or schedule.
 - (5) Describe how existing natural features will be preserved.
 - (6) Describe impacts on ground water quality or quantity.

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(b) Impact on Public Utilities.

- (1) Description of how the site will be provided with water and sanitary sewer facilities (public system or private), including the adequacy of the existing public utility system to accommodate the proposed new development.
- (2) For sites to be served by wells and septic systems, documentation of adequacy and/or permits from the Macomb County Health Department shall be required.
- (3) Describe the methods to be used to control storm water drainage from the site. This shall include a description of measures to control soil erosion and sedimentation during construction. Correspondence from the Macomb County Drain Commissioner stating their initial concerns and recommendation shall be attached.

(c) Traffic Impacts.

(1) Description of Existing Traffic Conditions:

- i. Traffic Counts. Existing conditions, including existing peak-hour traffic volumes and daily volumes, if applicable, on street(s) adjacent to the site. Traffic count data shall not be over two (2) years old, except the community or road agency may permit 24-hour counts up to three (3) years old to be increased by a factor supported by documentation or a finding that traffic has increased at a rate less than two (2%) percent annually in the past three to five (3-5) years.
- ii. Roadway characteristics shall be described and illustrated, as appropriate. Features to be addressed include land configurations, geometrics, signal timing, traffic control devices, posted speed limits, average running speeds and any sight distance limitations. Existing levels of service shall be calculated for intersections included within the study area.
- iii. Existing driveways and potential turning movement conflicts in the vicinity of the site shall be illustrated and described.
- iv. The existing right-of-way shall be identified, along with any planned or desired expansion of the right-of-way requested by the applicable road agency.
- v. Approved developments within the study area shall be part of all calculations for anticipated traffic.

(2) Trip Generation.

- i. Forecasted trip generation of the proposed use for the a.m. (if applicable) and p.m. peak hour and average day. This shall include the anticipated truck traffic entering and exiting the site. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly

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- accepted sources of data or supplement the standard data with data from at least three (3) similar projects in Michigan. All approved but not yet constructed developments shall be included in the forecasted trip generation for the area.
 - ii. Any trip reduction for pass-by trips, transit, ride sharing, other modes, internal capture rates, etc. shall be based both on ITE findings and documented survey results acceptable to the agency reviewers. The community may elect to reduce the trip reduction rates used.
 - iii. For projects intended to be developed in phases, the trip generation by phase shall be described.
- (3) Trip Distribution.

The projected traffic generated shall be distributed (inbound vs. outbound, left turn vs. right turn) onto the existing street network to project turning movements at site access points and nearby intersections, where required. Projected turning movements shall be illustrated in the report.
- (4) Impact Analysis.

Level of service or "capacity" analysis at all intersections significantly impacted by the proposed development shall be provided using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board.
- (5) Access Design/Access Management Standards.

The report shall include a map and description of the location and design of proposed access (driveways or new street intersections), including any sight distance limitations, dimensions from adjacent driveways and intersections within two hundred and fifty (250) feet on either side of the main roadway, data to demonstrate that the number of driveways proposed are the fewest necessary, support that the access points will provide safe and efficient traffic operation, and be in accordance with the standards of Ray Township and the Macomb County Department of Roads.
- (6) Other Study Items.

The traffic impact study shall include:

 - i. Need for, or provision of, any additional right-of-way where planned or desired by the applicable road agency.
 - ii. Changes which should be considered to the site plan layout.
 - iii. If a traffic signal is being requested, the relationship of anticipated traffic-to-traffic signal warrants in the Michigan Manual of Uniform Traffic Control Devices. Analysis should also be provided on the impacts to traffic progression along the roadway through coordinated timing, etc.

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- iv. Description of site circulation and available sight distances at site driveways.
- v. The anticipated area for truck stacking and how such stacking area will alleviate stacking on the adjacent public thoroughfare, not negatively impact any surrounding residential properties, and not interfere with on-site circulation and emergency access.

(7) Mitigation/Alternatives.

The study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of use. Proposed mitigation measures should be discussed with the applicable road agency. The responsibility and timing of roadway improvements shall be described.

- (8) All traffic impact studies shall be prepared by a registered Professional Engineer specializing in the preparation of traffic studies. The preparer shall have a minimum of three (3) years of recent experience in the preparation of traffic impact analyses and provide evidence of ongoing familiarity with the Highway Capacity Manual.

(3) Evaluation Standards.

In reviewing Development Impact Statements, the Planning Commission shall consider the information provided in relation to the following standards:

a. Land Use Impacts.

- (1) The use shall not result in a negative impact on the surrounding neighborhood or future development, taking into consideration the type and intensity of use on the basis of the potential for nuisances (glare, noise, odor, etc.).
- (2) The use is compatible with planned development patterns, as expressed in the Township's adopted Master Plan.

b. Public Utilities.

- (1) Public water and sanitary sewers with adequate capacity to serve the site are available, as determined by the Township Engineer.
- (2). For sites where public utilities are not available, documentation has been provided by the appropriate agency that the site is capable of supporting on-site wastewater disposal systems and well(s).
- (3) That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading the watercourses in the area. Further, that such runoff will not impact water quality of adjacent water bodies.

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- (4) That the plan provides for the proper extension of public utilities and drainage improvements as provided for in the Township Master Plan and as determined by the Township Engineer.
 - c. Traffic Impacts.
 - (1) The proposed development has access to a public road capable of supporting the development.
 - (2) The use will not increase traffic that will effectively result in a level of service of "D" or lower on the abutting road or at intersections proximate to the proposed development.
 - (3) The number of driveways serving the site are the minimum necessary to accommodate anticipated traffic.
 - (4) The placement and design of driveways will accommodate safe movement of traffic into and out of the site, giving particular attention to truck traffic.
 - (5) Appropriate mitigation measures have been provided to address the anticipated traffic impacts of the development.
 - d. Natural Resources.
 - (1) That natural resources will be preserved to the maximum extent feasible, and that areas to be left undisturbed during construction shall be so indicated on the plan.
 - (2) The proposed development does not encroach into floodways or floodplains.
 - (3) That soil conditions are suitable for excavation and site preparation and the wet or unstable soils not suitable for development will be either undisturbed or modified in an acceptable manner.
 - (4) The proposed development will not cause soil erosion or sedimentation problems.
 - e. Any adverse impacts that are the direct result of mitigation strategies shall also be addressed.
- 3. Operational Requirements:
 - a. All composting operations shall utilize aerobic methods. Generally accepted methods for composting as defined by the United States Environmental Protection Agency, Michigan Departments of Natural Resources, Environmental Quality, and Agriculture shall be utilized onsite.
 - b. Operation cycle and timetable from acceptance of material on site to disposition of the final product. This shall include shredding, aeration, moisture control, mechanical turning and screening. Pile turnings shall be done to coincide with favorable wind conditions.
 - c. Proposed methods of disposing of the final product. The applicant shall show that sufficient contracts exist for the sale of the final product. The plan shall show the size and height of the storage area. The plan shall indicate the type of sales or distribution of product (i.e., retail, individual bags, truckloads, or wholesale).

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- d. All operational details shall be clearly delineated. The hours of operation and days of week the facility is open shall be stated. Further details of trucking operations shall also be provided, including number of trucks entering and existing the site daily, truck stacking areas, designated haul routes, etc.
- e. Use of any chemicals or accelerating agents, including bacteria, fungi, nitrogen or sewage.
- f. Monitoring and control methods for environmental protection (odor, dust, anaerobic problems, methane production). Prior to the start of operation, the owner or operator shall provide a written control plan to the Township which shall outline the steps necessary to reverse a breakdown in the system or a pollution problem. Upon a declaration by the Township that such a problem exists, the owner and operator shall be notified and given a reasonable time to correct the problem. If the problem is not corrected, the Township shall have the right to intervene, correct the problem, and use the performance bond to pay for the services.
- g. Plan to ensure that trash and contaminants are not brought onto the site or, if they are, that there is a plan for proper disposal of non-yard wastes at an approved sanitary landfill.
- h. Plan for disposition of unmarketable compost.
- i. Demonstration by operators that the operation is capable of success (profitable).
- j. Yard waste shall be actively rotated. There shall be a maximum accumulation period of three (3) years.

4. Area, Height and Placement Requirements:

- a. Front yard setbacks (measured from the proposed right-of-way line) fifty (50) feet. No stockpiling shall be located closer than seventy-five (75) feet from the proposed right-of-way.
- b. Side and Rear. No composted material, stockpiling or processing shall be located closer than seventy five (75) feet from side or rear property lines.
- c. Height. The height of any composted material (windrows or stockpiling) shall be limited to eight (8) feet.
- d. Distance to Housing: No stockpiling, storage, loading or unloading, processing, windrows or composting shall take place within five hundred (500) feet of an existing residential dwelling unit.
- e. If any river, creek, stream, swale, drain, regulated wetland, or similar natural feature is present on the site, it shall be buffered by a twenty-five (25)-foot undisturbed setback, measured from the outer edge of the floodplain, high water mark, wetland edge, etc. A one hundred (100) foot setback shall be provided between any active composting and a groundwater well. Approval from the appropriate regulating agency shall be required, ensuring the above noted features have been adequately protected from pollution.

5. Other Requirements:

- a. Acomposting facility shall not be allowed in any 100-year or 500-year floodplain, unless the Michigan Department of Natural Resources and Environment (MDNRE) has approved the area for such operations. Permission from the MDNRE, stating where composting operations will be allowed in the floodplain, shall be necessary before site plan review.

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- b. A composting facility shall not be allowed in any protected wetland. A Wetland Assessment shall be made by the MDNRE prior to site plan review.
- c. Screening. That portion of the site used for composting or stockpiling which is visible from the street or an adjacent residence shall be enclosed, screened or buffered as follows: an eight (8) foot high berm with a four (4') foot wide flat crown, shall be constructed along the entire perimeter of the site or the area being actively utilized for composting. A double row of evergreens (6'-8' in height at planting) shall be planted atop the berm fifteen (15') feet on center for each row. The rows shall be offset a minimum of eight (8) feet. This requirement may be altered as determined by the Planning Commission based on a finding that a more suitable alternative is available which accomplishes the intent of this section.
- d. Trash Receptacles. Adequate trash receptacles shall be provided and shall be completely obscured from view by a screen fence or wall.
- e. Signs. There shall be no more than one (1) freestanding or ground sign, not to exceed thirty-two (32) square feet of sign area or exceed six (6) feet in height.
- f. Parking. A minimum of three (3) off-street parking spaces shall be provided and shall be laid out in such a way that they can be safely and conveniently used. The Planning Commission shall determine the number of additional parking spaces necessary based on the number of employees and the anticipated traffic that will be generated.
- g. Performance Guarantees. The Commission shall require and establish the amount of any performance guarantees, such as bonds or letters of credit or other means of guarantee acceptable to the Township, to assure zoning and special approval compliance, to correct breakdowns in the composting system, and to guarantee restoration in the event of abandonment, hazardous waste, or other environmental pollution. The amounts of these bonds shall be established by the Township Engineer and shall be stipulated as a part of any conditions of approval.
- i. Approvals. The applicant shall provide letters from Macomb County, the Michigan Department of Natural Resources and Environment (MDNRE), etc. that this operation, based on the proposed site plan:
 - (1) Is consistent with the Macomb County Solid Waste Management Plan.
 - (2) That the appropriate State agencies have reviewed such plans and are not aware of any problems and does not have any environmental concerns from the proposed operation.
- j. All yard waste composting operations shall be licensed yearly by the Township Board. As a part of the yearly licensing, a licensing fee as established by Township Board Resolution shall be paid in full. As a condition of that permit, any and all costs incurred by the Township to verify compliance with this Ordinance, or as a result of the review of monthly reports, general site inspections as a result of the permit or those monthly and annual reports shall be the responsibility of the applicant. Any violation of this Ordinance shall be grounds for the denial of a license.

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- k. Inspection. As a condition of the composting license, the site shall be open for inspection to the Township during normal business hours or within twenty-four (24) hours per Township request. Further, the operator of the facility shall supply the Township with a monthly report (between the months of April and October) including, at a minimum, the following information: the amount of material brought to the site, the amount of material taken from the site, results of groundwater and surface water monitoring, any issues with rodents or other health concerns, any indications of violations or potential violations of the license or this Ordinance and actions to correct such action, and any other information cited as a condition of the annual license as granted by the Township.

Q. Adult Use/Entertainment

1. Purpose. In the development of a community, there are some uses which, because of their nature, are recognized as having, or as having a potential for, serious, damaging, and deleterious effects on the community, its business activity and commerce, and its citizens, including children, particularly when such uses are close to residential neighborhoods or when several of such uses are concentrated in areas within the community. Special regulations of these uses are necessary to promote and protect the public health, safety, and general welfare of the community and its citizens, and to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhoods, and to protect and conserve property values therein. Uses subject to these special controls are as follows:

- a. Adult bookstores
- b. Adult video stores
- c. Adult motion picture theaters
- d. Adult cabarets or adult clubs
- e. Any other adult orientated use

It is the purpose of this section to prevent the concentration of these uses in any one area and prevent the location of these uses near residential zones, churches, schools and public or private parks.

2. Location of regulated adult use.
 - a. Subject to compliance with the standards contained in this Section and any applicable obscenity law, ordinance or statute, or any other applicable rule, law, ordinance or statute, a regulated adult use shall be permitted to locate and operate only in the following designated zone after special land use approval:
 - (1) Industrial (I-1)
 - b. No regulated adult use shall be established or maintained on a parcel of land which parcel has a boundary within 500 feet from a boundary of any of the following:
 - (1) Any parcel of land zoned or used for single family, two family or multiple family dwellings;
 - (2) Any parcel of land zoned for a mobile home park;
 - (3) Any parcel of land having a school or church thereon;
 - (4) Any parcel of land used as a public or private park;

3. Application procedure. In order to establish any of the regulated adult uses whether as a portion of an existing store or facility or as a new store or facility, a special land use application for such use shall first be made to the Planning and Zoning Department. The application shall then be processed as provided for in Section 2203 of the Ray Township Zoning Ordinance. Only those applications for adult regulated uses which meet the location standards set forth in this section, all applicable special land use standards of Section 2202 and other applicable laws of the Township shall be approved.

Amended: December 4, 2012

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SECTION 1800 STATEMENT OF INTENT

- A. Uphold the Township's right and duty to protect its natural resources and amenities, as established within the State Constitution and the enabling legislature.
- B. To protect the existing natural environment to the greatest extent possible. By protecting the existing natural environment, the Township is protecting the existing natural systems, which include the following:
 - 1. Unique wildlife habitat and habitat transition, including, without limitation, feeding, nesting, resting, and traveling areas for numerous species.
 - 2. Existing natural drainage ways which filter out particulates and other sediments which would otherwise pollute the State waterways and groundwater.
 - 3. Preserve the existing soil stability to reduce soil erosion and contamination.
 - 4. Preserving the existing water quality.
 - 5. Maintaining a reasonable micro climate.
 - 6. Filtering pollution from the atmosphere.
- C. To enhance the visual quality of the Township, while preserving and/or enhancing each individual property's economic value.
- D. To provide protection in a natural manner for adjacent property owners, persons passing by, and the Township as a whole, from activities and unintentional side effects of new development.
 - 1. Reduce or eliminate glare into and from adjacent sites and activities.
 - 2. Reduce dust and other pollutants from the air.
 - 3. Control noise and provide acoustical modification into and from adjacent sites.
 - 4. Control the direction and velocity of surface water runoff and minimize soil erosion.
 - 5. Minimize the visibility of undesirable elements contained within the site.

SECTION 1801 MINIMUM GREENBELT REQUIREMENT

Whenever screening of a more intense nature is not otherwise required along a side or rear property line of a multiple-family, non-residential, office, commercial or industrial development a greenbelt shall be provided.

- A. Such greenbelt shall be a minimum ten (10') foot wide greenbelt shall be established along all such property lines.
- B. Greenbelts shall be planted with a mixture of eight (8') foot high evergreens and two and one half (2 ½) inch caliper deciduous trees at a ratio consistent with one (1) tree for each thirty (30') feet of side or rear property line. It is encouraged that these trees be planted in a natural manner such as tree clusters or the like.
- C. This section shall not apply to the Davis Mixed Use District.

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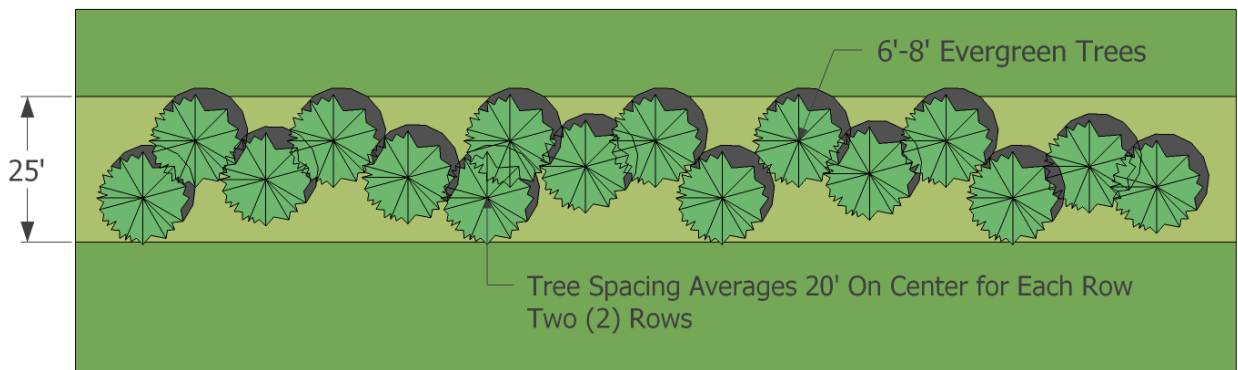
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SECTION 1802 SCREENING OF DISSIMILAR USES

Whenever a nonresidential development abuts a residential use or district, screening shall be provided consistent with the following:

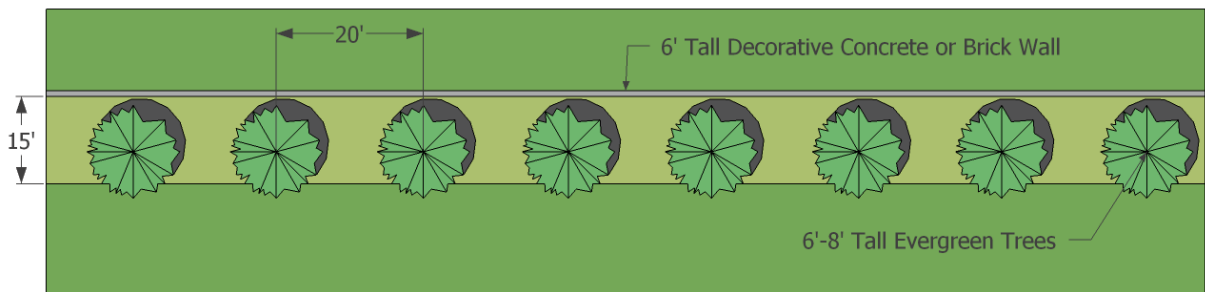
A. Natural landscape buffer:

1. A natural rolling berm between three (3) and six (6') foot high shall be constructed along the entire property line(s) of such dissimilar uses or immediately around the area being screened if determined to be acceptable by the Planning Commission.
2. The berm shall be planted with two (2) contiguous staggered rows of evergreen trees measuring six (6') to eight (8') feet in height. Each row shall be planted at intervals not exceeding twenty (20') feet on center. Natural groupings of the evergreens are encouraged provided the tree ratios are maintained
3. The berm and landscaping shall be contained within a twenty five (25') foot landscaped easement.



B. If the Planning Commission determines that a natural landscape buffer is not acceptable or that another form of screening may provide a better screening scenario, a six (6') foot tall poured decorative concrete or decorative brick wall may be approved.

1. Such wall shall be constructed on the mutual property line and shall be contained within a fifteen foot wide landscape easement.
2. A single row of evergreens, six to eight (6-8') feet in height shall be planted along such wall at intervals not exceeding twenty (20') feet on center.



C. The Planning Commission upon their review may approve other unique configurations which meet the intent of this Ordinance.

D. This section shall not apply to the Davis Mixed Use District

SECTION 1803 STREET TREES AND FRONTAGE LANDSCAPING

- A. Minimum Street Tree Requirement
1. Street trees shall be provided in all zoning districts and for all uses (with the exception of single family residential dwellings and farm uses)
 2. Shall be planted at a rate of one (1) tree for each twenty five (25) feet of frontage.
 3. Shall be a minimum of two and one half inch caliper at breast height.
 4. Planted generally parallel and adjacent to (within five (5) feet unless easements are present) the right of way along the frontage(s) of the property.
- B. Supplemental Plantings for Commercial and Industrial developments which have frontage along 26, 29, and 32 Mile Roads as well as Romeo Plank and North Avenue.
1. Additional evergreen trees shall be planted in addition to the required minimum street tree requirements at a rate of one (1) tree for each twenty five (25) feet of frontage.

FRONTAGE LANDSCAPING GRAPHIC



Street Trees	
A	Ginko Bilboa (male only)
B	Sweet, Sour or Black Gum
C	Pin Oak
D	Hackberry

SECTION 1804 SCREENING OF ROADWAYS AND ACCESS DRIVES

- A. Whenever a roadway or other access drive within any development abuts an exterior property line or does not provide sufficient area for a buildable lot, a row of eight-foot (8') high evergreens within a twenty (20) foot landscape easement, planted at a rate of not less than one tree for each fifteen (15) feet shall be planted along such roadway for the length of such abutment. Natural groupings of such trees is encouraged as approved by the Planning Commission. The Planning Commission may waive the requirement for screening if existing landscaping is present, more creative alternatives are provided, or if no good purpose would be served by requiring such.

PERMISSIBLE TREES

	Minimum Allowable Size								
	Height				Caliper				
	8'	3'-4'	2'-3'	18"-2'	2"	2.5"	18"-2' Spread	2" Peat Pot	2 gal. Container
Evergreens:									
Pine									
Spruce									
Fir									
Hemlock									
Narrow Evergreen Trees:									
Red Cedar									
Arborvitae									
Street Trees:									
Ginko Biloba (male only)									
Sweet, Sour or Black Gum									
Pin Oak									
Hackberry									
Large Deciduous Trees:									
American Beech									
Red or Sugar Maple									
Linden (Basswood)									
Red, White or Burr Oak									
Tulip Tree									
Kentucky Coffee Tree									
Hackberry									
Shagbark Hickory									
Tamarack									
Small Deciduous Trees:									
Redbud									
Flowering Dogwood									
Witch Hazel									
Red Mulberry									
American Hazelnut									

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PERMISSIBLE TREES

	Minimum Allowable Size								
	Height				Caliper				
	8'	3'-4'	2'-3'	18"-2'	2"	2.5"	18"-2' Spread	2" Peat Pot	2 gal. Container
Large Evergreen Shrubs:									
Hicks or Upright Yew									
Spreading Yew									
Pfitzer or Savin Juniper									
Mugho Pine									
Small Evergreen Shrubs:									
Brown's, Ward's Seabion Yews									
Dwarf Spreading Juniper									
Dwarf Mugho Pine									
Euonymous Varieties									
Large Deciduous Shrubs:									
Honeysuckle									
Lilac									
Sumac									
Buckthorn									
Pyracantha									
Weigela									
Flowering Quince									
Barberry									
Cotoneaster									
Sargent Crabapple									
Dogwood (Red Osier & Grey)									
Euonymous Varieties									
Viburnum Varieties									
Boxwood									
Small Deciduous Shrubs:									
Dwarf Winged									
Regal Privet									
Fragrant Sumac									
Lavender									
Cotoneaster (Rockspray)									

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Minimum Allowable Size									
	Height				Caliper				
	8'	3'-4'	2'-3'	18"-2'	2"	2.5"	18"-2' Spread	2" Peat Pot	2 gal. Container
Grasses, Sedges, Rushes:									
Big Bluestem									
Copper-Shouldered Oval Sedge									
Sand Bracted Sedge									
Canada Wild Rye									
Bottlebrush Grass									
Purple Love Grass									
June Grass									
Switch Grass									
Little Bluestem									
Indian Grass									
Prairie Cordgrass									
Porcupine Grass									
Forbs:									
Nodding Wild Onion									
Common or Whorled Milkweed									
Butterfly Weed									
Pale Indian Plantain									
Heart-leaved, Smooth, Short's or Sky Blue Aster									
Tall Bellflower									
Virgin's Bower									
Tall Coreopsis									
Purple Conflower									
Purple Joe - Pye Weed									
Flowering Spurge									
Wild Geranium									
Woodland, Western, Prairie or False Sunflower									
Round-Headed Bush Clover									
Rough, Cylindrical or Savanna Blazing Star									
Wild Lupine									
Wild Burgamot									
Foxglove or Hairy Beardtongue									
Sand Prairie Phlox									
Solomon Seal									

PROHIBITED TREES

Plant Material		Plant Material	
1.	Bittersweet	20.	Horse Chestnut
2.	Black Walnut.	21.	Japanese or Common Barberry
3.	Boxelder.	22.	Japanese or Tatrian Honeysuckle
4.	Catalpa.	23.	Leafy Spurge
5.	Chinese or Siberian Elm	24.	Maiden Grass
6.	Chokecherry.	25.	Mulberry
7.	Common Buckthorn	26.	Norway Maple
8.	Common Periwinkle	27.	Oxeye Daisy
9.	Common Privet	28.	Porcelain Berry
10.	Cottonwood.	29.	Purple Loosestrife
11.	Creeping Bellflower	30.	Ribes (Gooseberry)
12.	Creeping Charlie	31.	Siberan Pearshrub
13.	Crown Vetch	32.	Soapwort
14.	Dame's Rocket	33.	Soft maple (silver)
15.	European Mountain Ash	34.	Tree of Heaven
16.	Flowering Rush	35.	Willow
17.	Goutweed	36.	Winter Creeper, European or Winged Euonymus
18.	Green and White Ash	37.	Yellow Flag
19.	Hawkweed	38.	All thorned trees and shrubs

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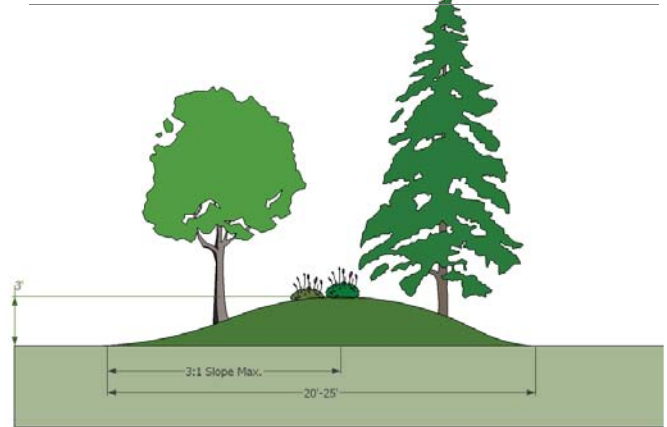
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SECTION 1805 PARKING LOT SCREENING FROM A PUBLIC THOROUGHFARE

- A. A three-foot (3') high (as measured from the parking lot curb grade) naturally rolling berm shall be provided between the outer edge of all parking lots and the adjacent road right-of-way. The slope of such berm shall be no steeper than 3:1 (a maximum slope ratio of three feet (3') horizontal to one foot (1') vertical). This provision shall not be applicable to the Davis Mixed Use District.

PARKING LOT SCREENING PROFILE GRAPHIC



SECTION 1806 PARKING LOT LANDSCAPING

- A. All unpaved areas between a nonresidential building and a facing street shall be landscaped and maintained to include grass and/or shrubbery.
- B. Curbed landscape islands shall be placed at the ends of all parking space groupings to separate the parking spaces from maneuvering lanes and to provide for safe traffic flow. The Planning Commission may waive the requirement for parking islands in certain instances where the Fire Department provides written comment that such island will interfere with emergency service.
- C. Curbed landscaped islands shall not be less than one hundred and eighty (180') square feet of land area for each tree planting. Further, such islands shall not be less than seven (7') feet in width. The curbed landscaped islands shall be planted with sod or other acceptable plant material.
- D. Trees shall be planted throughout the parking area and within the required curbed landscape islands. Trees shall be a minimum of two and one-half (2 ½") inch caliper at the time of planting and shall be provided at a ratio of one (1) tree for each five (5) parking spaces or fraction thereof. These trees shall not be counted towards street frontage trees or general greenbelt planting requirements.

The following trees or similar types are suitable species for parking lots:

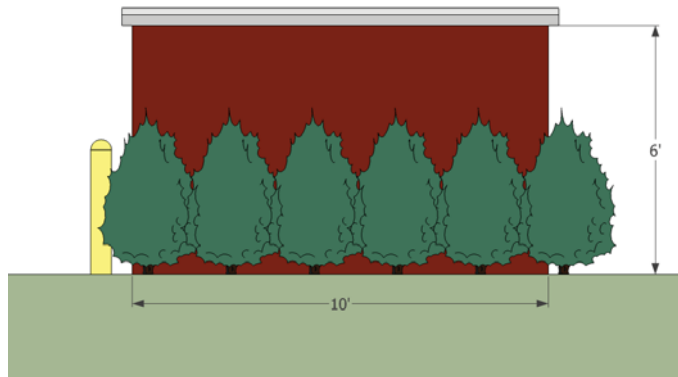
Parking Lot Landscaping Trees	
A	American Beech
B	Red or Sugar Maple
C	Linden (Basswood)
D	Red, White or Burr Oak
E	Tulip Trees
F	Kentucky Coffee Tree
G	Hackberry

Parking Lot Landscaping Trees	
H	Shagbark Hickory
I	Tamarack
J	Redbud
K	Flowering Dogwood
L	Witch Hazel
M	Red Mulberry
N	Americian Hazelnut

SECTION 1807 TRASH RECEPTACLES, LOCATION AND SCREENING

- A. The location of trash receptacles shall be indicated on a site plan. All such trash receptacles shall be located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, site traffic circulation patterns, or any public right-of-way. Trash receptacles shall not be located within the front or street side yard.

DUMPSTER PROFILE GRAPHIC



- B. All trash receptacles shall be screened on three (3) sides by durable masonry walls which are similar to, or compatible with, the exterior construction materials used elsewhere on site. The height of the masonry screening shall be six (6) feet. The walls shall be constructed of either color impregnated poured concrete with a simulated brick pattern or decorative clay brick, the same as that used for the principle building. The dumpster enclosure shall not be painted. Further, the trash receptacle enclosure shall be complemented with evergreen and other decorative plantings that provide a continuous screen.
- C. All trash receptacles shall be placed on a concrete pad, approved by the Township Engineer. Further, all such walls shall be constructed with suitable footings. Concrete or metal bollards shall be placed between the trash receptacle and the rear wall of the enclosure.
- D. Trash receptacles shall be so located and arranged to minimize their visibility from adjacent streets and uses. All trash receptacles shall be located on site to be as accessible as possible without interfering with vehicular circulation patterns.

SECTION 1808 LANDSCAPING ADJACENT TO NON-RESIDENTIAL BUILDINGS

Wherever a building is constructed which abuts parking, a drive, service aisle, road or other means of access or maneuvering, the following landscape areas shall be provided:

- A. A ten (10') foot wide greenbelt shall be provided around the equivalent of twenty five (25%) percent of the building and a four (4') foot wide greenbelt around the equivalent of fifty (50%) percent of the building. The remaining twenty five (25%) percent of the building may abut the above described paved areas.
- B. Such landscaped areas shall contain landscape materials as approved by the Township Planning Commission. Acceptable materials may include small shrubs and bushes as well as flowering plants.
- C. The Planning Commission may waive the requirement for landscaping adjacent to non-residential buildings in certain instances where the Fire Department provides written comment that such landscaping will interfere with emergency service.

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SECTION 1809 NON RESIDENTIAL FIXTURE SCREENING.

Nonresidential appliances, including, but not limited to, air conditioners, heating apparatus, dust collectors, filters, transformers, and any other such appliance or apparatus, shall be obscured from view.

- A. Such appliances, if located on the roof shall be enclosed on all sides by view-obscuring screening so as not to be visible from off the site. The design of the screening shall be approved by the Planning Commission as compatible with the architectural design of the building upon which it is located.
- B. Ground mounted appliances shall be screened using decorative landscaping, a decorative wall or wood screening fence, whichever the Planning Commission determines to be most appropriate.

SECTION 1810 LOADING AND UNLOADING AREA SCREENING

Areas designated for formalized loading and unloading shall be screened from view of any public or private thoroughfare or adjacent residential property.

- A. Screening shall consist of either an extension of the building architecture or with additional evergreen landscape screening for the length of such loading and unloading space.
- B. The screening mechanism shall provide a minimum screening height of eight (8) feet.

SECTION 1811 GENERAL LANDSCAPING REQUIREMENTS.

- A. Whenever any yard (front, side or rear) is not designated for building, off-street parking, loading and unloading, storage, or other purpose within the terms and requirements of a given zoning district, it shall be landscaped with either approved natural materials or living plant materials.
- B. Existing significant trees, tree stands, natural vegetation, and wild-life habitat shall be integrated into the site landscape plan to the maximum extent possible.
- C. Undeveloped portions of the site shall remain in a natural undisturbed state or shall be seeded and maintained back to its original condition.
- D. All plant materials shall be maintained in a healthy and vigorous growing condition. All unhealthy and dead plant material shall be replaced within one year or the next appropriate planting period, whichever comes first.
- E. Plant and grass materials shall be of acceptable varieties and species, free of pests and diseases, hardy in Macomb County, and shall conform to standards of the American Association of Nurserymen and the Township.
- F. Approved ground cover used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one complete growing season.
- G. Grass areas shall be planted in species or seed mixtures normally grown as permanent lawns or other acceptable natural cover in Macomb County. Grass may be plugged, sprigged, seeded or sodded. Except that rolled sod, erosion reducing net or suitable mulch shall be used in swales or other areas subject to erosion.
- H. An ample variety and quantity of ornamental plants, trees and shrubs should be provided. Variety should be achieved with respect to seasonal changes, species selected, texture, color and size at maturity.

- I. Landscaping should be encouraged that will serve the functions of enhancing the visual environment, ensuring public safety, moderating the microclimate and minimizing nuisances.
- J. Landscaping should serve to integrate the project with the site, with a particular sensitivity to the natural topography, drainage and existing native vegetation. It should enhance the architecture of surrounding structures, when possible, by being of similar scale.
- K. Preservation of the existing landscape material and landforms is mandatory, particularly where mature trees are a part of the site.

SECTION 1812 NATURAL RESOURCE GREENBELT

The Township recognizes the fragility and benefits of certain natural features within the Township such as wetlands, marshes, bogs, streams, inland lakes, ponds and drains. These features help regulate storm water drainage, water quality, help control erosion and sediment disposition, as well as provide for wildlife and plant habitat. In an effort to help preserve these environmental features and the benefits in which they provide, the Township shall require natural resource buffers or greenbelts around natural features located on site. These buffers will help ensure that no damage, impairment or other intrusion occurs to the natural habitat and that contaminants or pollutants do not degrade or destroy these areas.

- A. A twenty-five foot (25') undisturbed greenbelt shall be preserved around the boundary of any State regulated wetland and all other flagged wetlands which are intended to remain onsite, as well as from the ordinary high water mark of any inland lake or pond, streams, creeks or drains (improved or unimproved). These areas shall be conspicuously noted on the site plan and before any land clearing activities are commenced, the developer shall erect and maintain a suitable barrier between such environmental feature greenbelt and lands which are intended to be cleared.
- B. There shall be no construction of any structures or the removal or deposit of any soils, including dredging, filling or land balancing within a required natural resource greenbelt.
- C. These requirements may be modified by the regulating State, County or other appropriate agency.

SECTION 1813 STORMWATER FACILITIES

The placement and design of storm water systems shall be coordinated with the Township Engineer and the Township's Land Development and Engineering Standards. Particular attention shall be given to the aesthetic value of the system. Wherever possible the system shall be incorporated into the overall landscape design of the site.

- A. Whenever fencing is required around a pond, detention pond, retention pond, siltation basin, lake or the like, fencing which is ornamental in nature shall be utilized.
- B. Fencing shall be either decorative wrought iron or simulated wrought iron.
- C. Fencing shall be between four (4) and six (6) feet in height as required by the Township and must meet all other applicable building codes.
- D. In those areas not visible to public view or adjacent residences, the Planning Commission may approve a substitute material if no good purpose is served by provided the decorative fencing material.

SECTION 1814 OUTDOOR LIGHTING

- A. Outdoor lighting in conjunction with any site plan or special land use approval in all use districts shall conform to the following requirements as to type, location and intensity.
1. All outdoor lighting used to light a specific site shall be shielded downward or below horizontal (maximum of 85 degrees from vertical) to reduce glare and shall be so arranged and designed to reflect light away from all adjacent residential districts or existing adjacent residences and public right-of-ways. No light shall cast a glare onto adjacent roadways.
 2. Artificial light shall be stationary and constant in intensity and color at all times when in use. There shall be no flashing, oscillating, moving or intermittent type of lighting or illumination. In addition, there shall be no bare bulb illumination of any kind exposed to public view.
 3. There shall be no lights which tend to be harmful to natural forms of vegetation in any use district. Lighting shall utilize high pressure sodium or LED bulbs.
 4. The lighting sources (bulbs or lenses) for non-residential properties shall not be visible from adjoining properties or rights-of-way. In addition, the height of the non-residential lighting fixture, including the base, measured from the established grade shall not exceed twenty (20) feet; fifteen (15) feet when located within fifty (50) feet of a residential district.
 5. Carriage style lights which may have lighting sources which are not directed downward may be utilized in any district; however, such lights shall have internal shields to direct light downward and away from adjacent properties and roadways as necessary. The height of such lights shall not exceed twelve (12) feet.
 6. No light measured (at eye level) at the property line between any use and any other use shall be greater than one-tenth (0.1) foot candle at the side and rear property line. Lighting along roadways shall not have an average maintained illuminance greater than 0.5 foot candles.
 7. Lighting at any non-residential drive and street intersection may be required upon Planning Commission determination. Fixtures located at an intersection shall be full cutoff fixtures. Such lighting shall not exceed an average of one (1) foot candle. Lighting at major intersections shall not exceed an average of one and four tenths (1.4) foot candles.
 8. Ground lighting (up-lighting) used for the purpose of illuminating signs, landscaping and architectural details shall be shielded away from public view, directed solely at the object to be lit and landscaped as necessary.
 9. A ground level illumination plan (in foot candles) which demonstrates compliance with the standards of this Ordinance shall be required for each site or development.
 10. The intensity of outdoor lighting in all use districts shall be limited to the following amounts, unless otherwise noted above.

Use	Maximum Illumination	Uniformity Ratio
Residential and Special Land Uses within Residential Districts		
All Parking Lots / Maneuvering Areas	0.8	4:1
NonResidential		
Small Parking Lots / Maneuvering Areas	0.8	4:1
Large Parking Lots / Maneuvering Areas	2.4	4:1

SECTION 1815 FENCES, WALLS, AND OTHER PROTECTIVE BARRIERS.

All fences and walls of any nature, type or description located in the Township shall conform to the following regulations:

- A. The erection, construction or alteration of all fences, walls or other types of protective barriers, in other than a residential zoning district, shall be approved by the Building Inspector as to their conformance to the requirements of the zoning district wherein they are located and to the requirements of this Section.
- B. Fences in the residential zoning districts shall conform to the following requirements:
 1. No fence shall hereafter be erected along lot lines or located within any required side or rear yard in excess of six (6) feet, or less than three (3) feet in height above the grade of the surrounding land. Public recreation facilities may erect a fence greater than six (6) feet to provide protection to adjoining residential properties.
 2. Bona fide farms may use barbed wire or electric current fences to contain their animals.
 3. All other fences hereafter erected in the R-1 Residential-Agricultural zoning district shall be of an ornamental nature. Barbed wire, spikes, nails or any other sharp point or instrument of any kind on top or on the sides of any fence, or electrical current or charge in said fences, must receive the prior approval of the Board of Appeals.
 4. No fence shall hereafter be erected in the front yard of lots or parcels which have a height greater than four (4) feet.
- C. Required walls shall be located on the lot line, except where underground utilities interfere and except in instances where this Ordinance requires conformance with front yard setback lines in abutting residential zoning districts. Masonry or poured walls shall be erected on a concrete foundation, which shall have a minimum depth of forty-two (42) inches below a grade approved by the Building Inspector.
- D. No fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection, except that shade trees would be permitted where all branches are not less than eight (8) feet above the road level. Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them at points thirty (30) feet from the intersection of the street lines or, in the case of a rounded property corner, from the intersection of the street property lines extended.
- E. A wall or greenbelt and/or landscaped earthen berm shall be required for construction in any district which abuts a One-Family Residential zoning district.

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- F. Walls shall be constructed of a common or face brick, decorative block, or similar material that is compatible with the principal building or adjacent residential districts.
- G. Where the Planning Commission has determined that a wall would not be desirable or that the buffering of adjacent uses could better be accomplished through the use of a chain-link fence and greenbelt or earthen berm, such fence and greenbelt or berm shall meet the following requirements of these Sections and the greenbelt provisions of this Section.

SECTION 1900 STATEMENT OF INTENT

The off-street parking and loading requirements of this Ordinance are established to prevent congestion on public streets by providing clearly defined parking areas that are separated from roadways; to remove the hazard to pedestrians emerging between parked vehicles onto a public street; to facilitate proper stormwater runoff; to prevent the generation of dust; and to ensure safe, on-site circulation for pedestrians and automobiles.

SECTION 1901 GENERAL PARKING REQUIREMENTS.

- A. Whenever a use or an activity requiring off-street parking is created, enlarged or increased in activity or intensity, off-street parking spaces shall be provided on site and maintained as required by this Ordinance.
- B. The amount of required off-street parking for new uses of buildings, additions to existing buildings, new uses of land and accessory buildings shall be determined in accordance with the regulations in effect at the time the new use or addition is proposed, and the space so required shall be shown on the site plan and shall be irrevocably reserved for such use.
- C. Off-street parking existing at the effective date of this Ordinance in conjunction with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
- D. Required off-street parking areas may not be enclosed with a gate or fence that would permit it to be closed.
- E. Unless otherwise stated, for the purpose of determining off-street parking requirements for a use, floor area shall mean one hundred (100) percent of the gross floor area. The Planning Commission may allow a variation to the this requirement based on unique floor plans.
- F. All parking area stalls (for other than single family residential) shall be striped and surfaced with either bituminous asphalt or concrete.
- G. The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited within the required off-street parking.

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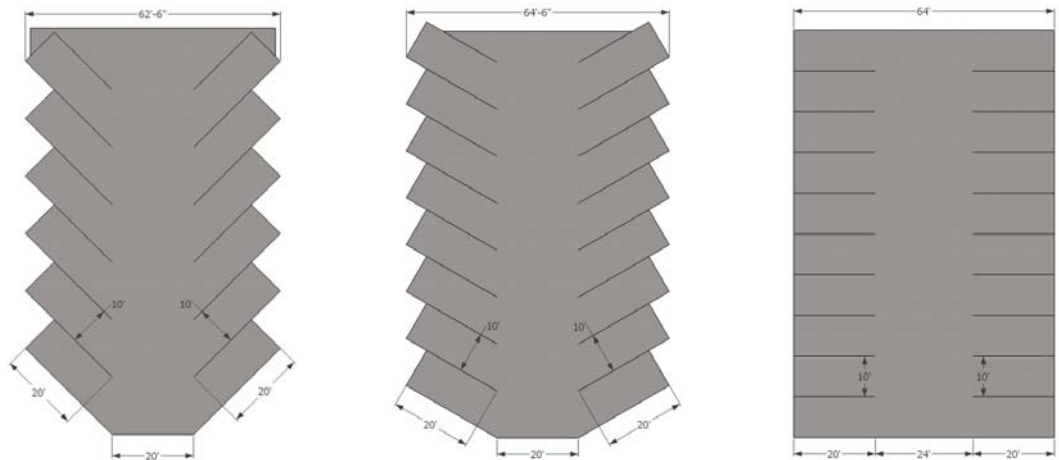
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SECTION 1902 PARKING LAYOUT AND DESIGN

A. Plans for the layout of an off-street parking area shall have dimensions consistent with the following standards:

PARKING PATTERN LAYOUT



1. All other two-way drives or maneuvering lanes not indicated above shall have a minimum width of twenty-four (24) feet. One-way drives may have a minimum width of twelve (12) feet. All proposed maneuvering lanes less than twenty (20) feet in width are subject to approval by the Ray Township Fire Department.
2. In any area where front-end parking abuts an unobstructed curbed area or a raised sidewalk, up to a two-foot vehicle overhang credit may be applied to the required parking space depth, equal to the depth of the overhang. In no case shall the parking stall depth be decreased to allow a vehicle to overhang a required parking setback or property line.
3. In any area where a row of front-end parking abuts a raised sidewalk, such sidewalk shall have a minimum width of at least seven (7) feet.

SECTION 1903 RESIDENTIAL PARKING STANDARDS

A. Residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve, and subject to the provisions of this Ordinance.

SECTION 1904 NONRESIDENTIAL PARKING STANDARDS

A. No parking lot shall be constructed unless a permit therefore is issued by the Building Department after the requirements of Site Plan Review have been met.

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- B. Off-street parking shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant as well as all necessary easements to secure the use of such parking. Such parking area shall not be separated from the use it is intended to serve by a road.
- C. Off-street parking may be located within any non-required yard.

SECTION 1905 CALCULATING PARKING REQUIREMENTS

- A. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accordance with a use which the Planning Commission considers similar in nature.
- B.. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.
- C. For sites which have multiple uses, parking shall be provided for all such uses. The Planning Commission may allow for a reduction based on overlap between such uses.
- D. Reserved parking may be requested by the applicant. Reserved parking spaces must be shown and labeled on the site plan. If an applicant demonstrates that its proposed specific use presents a fewer required number of parking spaces based on total usable floor area; the total number of employees / workers is substantially less than that anticipated by the previous sections of this Ordinance; there exists a combination of uses which share parking facilities; peak hours or operation vary from normal business hours and that the reserve parking for the development will be serviced safely, undue stacking of vehicles will not occur, and traffic flow throughout the parking lot will be maintained in a safe manner, the Planning Commission may reduce the total number of parking spaces required to be built. If the Planning Commission determines that the development cannot be serviced safely, that undue stacking, is likely to occur, or that traffic flow will likely not be maintained in a safe manner if the total number of parking spaces is not built prior to the issuance of a certificate of occupancy, the Planning Commission shall deny the applicant's request for reserve parking. If the Planning Commission grants the applicant's request for reserved parking, the total number of parking spaces required to be built must be shown on the site plan and the number of spaces which the total is reduced by must be shown on the site plan as reserved parking. If the Township determines that traffic patterns, a change in use or an increase in the use, either in number of employees, hours of operation, decreased amount of storage, etc. constitutes a need, in the Township's sole discretion, for the reserved parking spaces to be constructed, such spaces shall be constructed as shown on the site plan within six (6) months of being so notified by the Township.

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Residential		
Use		
	Residential, One-Family and Two-Family	Two (2) for each dwelling unit.
	Residential, Multiple-Family	Two (2) for each dwelling unit.
	Housing for the Elderly	One (1) for each two (2) units, and one (1) for each employee.
	Manufactured Housing Community	Two (2) for each mobile home site, and one (1) for each employee of the Manufactured Housing Community. Provisions shall also be made for visitor parking.
	Bed and Breakfast	One (1) for each rentable room, plus two (2) for the dwelling unit.
Institutional		
Use		
	Auditoriums (incidental to churches, schools, and hospitals)	One (1) for each three (3) seats or persons permitted by maximum occupancy.
	Child Care, nursery school, and daycare facilities	One (1) space for each employee plus one (1) space for each four (4) children on the premises at one time. Adequate drop off space shall be provided as determined by the Planning Commission.
	Churches or Temples or Other Places of Worship:	One (1) for each three (3) seats or six (6) feet of pews in the main unit of worship.
	Convalescent Homes	One (1) space for each two (2) beds plus one (1) for each employee.
	Elementary and junior High Schools	Ten (10) spaces plus one (1) for each one (1) teacher, employee or administrator, in addition to the requirements of auditorium.
	Hospitals and Sanitariums	One (1) space for every two (2) beds, and one (1) additional space for every two (2) persons employed in the largest shift.
	Libraries	One (1) space for every five hundred (500) square feet of floor area.
	Private Clubs or Lodge Halls	One (1) for each three (3) persons allowed within the maximum occupancy.
	Senior High Schools	One (1) for each one (1) teacher, employee, or administrator and one (1) for each three (3) students, in addition to the requirements of the auditorium
Commercial		
Use		
	Banquet/catering halls	One (1) space for every two (2) persons allowed within maximum occupancy.
	Bowling Alleys	Three (3) spaces per lane.
	Car Wash (self service)	Two (2) waiting spaces plus one (1) drying space at exit of bay.
	Car Wash	One (1) space for each employee plus fifteen (15) stacking spaces. In addition a fifty (50) foot drying lane shall be provided upon exit.
	Dance Halls, arcades, pool halls, rinks	One (1) space for each three (3) persons allowed within maximum capacity.
	Driving Ranges	One (1) space for each driving range tee (or fifteen (15) lineal feet of tee area) plus one (1) space for each employee.

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Commercial (Cont)		
	Dry Cleaners	One (1) space for each two (2) employees (minimum of five (5) spaces).
	Exercise Clubs	One (1) space for each two (2) persons allowed within maximum occupancy.
	Funeral Homes	One (1) space for each fifty (50) square feet assembly, parlor, and reception area.
	Furniture, appliance, plumbing, interior design store or showroom	One (1) space for each eight hundred (800) square feet of area.
	Gasoline Station	One (1) space for each pump plus one space for each two hundred (200) square feet of retail space.
	Golf Courses	Six (6) spaces for each golf hole.
	Hotel	One (1) space for each occupancy unit plus one space for each employee.
	Kennel	One (1) space for each five (5) kennel runs
	Laundromat	One (1) space for each two (2) machines
	Oil Change Facility	One (1) space for each two hundred (200) square feet of floor area.
	Planned Commercial or Shopping Center	One (1) space for every two hundred and fifty (250) square feet of floor area.
	Restaurant	One (1) space for each two (2) persons allowed within maximum occupancy. This shall also apply to any outdoor seating areas.
	Restaurants - Fast-food and drive-ins	One space (1) for every two (2) employees; plus one (1) space for every three (3) seats intended for patrons within the restaurant building; plus one (1) space for every twenty (20) square feet of building floor area available in the order-waiting area. Drive-thrus shall provide a minimum of eight (8) waiting spaces.
	Retail (General)	One (1) space for each two hundred (200) square feet.
	Service Bays (uses with)	Two (2) spaces for each service bay.
	Vehicle Sales	One (1) space for each three hundred (300) square feet of sales area.
Office		
Use		
	Banks	One (1) space for every two hundred (200) square feet of floor area.
	Business and professional offices or free-standing administrative offices	One (1) space for every two hundred and fifty (250) square feet of floor area.
	Clinics, medical, dental, veterinary	One (1) space for every one hundred and fifty (150) square feet of floor area.
Industrial		
Use		
	Manufacturing or warehousing	One (1) space for each two thousand (2,000) square feet.
	Self Storage Facilities	One (1) space for each fifty (50) square feet of office area.

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SECTION 1906 COLLECTIVE PARKING

- A. Nothing in this section shall be construed to prevent the collective provisions of off-street parking areas for two (2) or more buildings or uses. Such collective parking may be reduced by up to fifteen (15) percent of the required minimum number of spaces for the various uses computed separately, provided that parking calculations are presented to the Planning Commission which substantiate the requested reduction.

SECTION 1907 DRIVE THRU OR STACKING LANES

- A. Whenever drive-thru or vehicle stacking lanes are provided, such lanes shall be located so as not to impede pedestrian or vehicular circulation.
- B. A drive-through or stacking lane shall not cross a vehicle maneuvering lane or aisle or block any space used for parking.
- C. Uses which require drive thru or stacking lanes shall provide at a minimum six (6) off-street waiting spaces for each service window or service bay.
- D. The lane arrangement and number of drive thru or stacking lanes shall be subject to Planning Commission approval based on the layout of the parking lot/maneuvering lanes, the proposed use of the service window/bays and any concerns set forth by the Fire Department.
- E. Waiting space requirements for eating establishments shall be counted beginning at the menu board. All spaces between the menu board and the service window shall not count towards the waiting space requirement.
- F. A waiting space shall be twenty-three (23) feet long by ten (10) feet wide.

SECTION 1908 CROSS ACCESS

- A. If the Planning Commission finds that in order to decrease hazards to vehicular traffic by minimizing the need for driveways to each facility, it shall require a cross access easement and shared driveway easement to provide for vehicular access to existing and/or contemplated adjacent parking lots. All such easements shall be reviewed by the Township and recorded with the Macomb County Register of Deeds.

SECTION 1909 OFF-STREET LOADING AND UNLOADING.

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

1. All spaces shall be laid out in the dimension of at least ten by fifty (10 x 50) feet, or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height.
2. There shall be provided:

Space Requirement		Square Footage
a.	One (1) space	floor areas up to 20,000 square feet.
b.	Two (2) spaces	floor areas 20,000 to 50,000 square feet.
c.	One (1) additional space	every additional 100,000 square feet of floor space above 50,000 square feet.

3. The Planning Commission may waive the loading and unloading space requirement for uses which do not customarily require large amounts of shipping.
4. All unloading and unloading areas shall be located in the rear yard. Loading and unloading may be permitted in the front or side yard by the Planning Commission if they determine that the activity will be screened from the road and will not cause conflicts with internal or external traffic circulation.
5. Loading and unloading areas shall be so located and designed that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way and complete loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot maneuvering lane or aisle. When required, loading and unloading areas shall be designated and defined. Overhead doors shall be considered as loading/unloading areas and shall not be placed on the front of the building.
6. Areas designated for loading and unloading shall be screened from view of any public or private thoroughfare or adjacent residential property with either an extension of the building architecture or with additional landscape screening for the length of such loading and unloading space. The screening mechanism shall provide a minimum screening height of eight (8) feet.

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SECTION 2000 STATEMENT OF INTENT

The intent of this Ordinance is to create a comprehensive, balanced system of regulating signs and, thereby, to facilitate an easy and pleasant communication between people and their environment, to enhance the physical appearance of the Township, to make the Township a more enjoyable and pleasing community, and to create a more attractive economic and business climate. It is intended by the provisions of this Ordinance to reduce signage and advertising distractions, to eliminate hazards caused by signs being too close to the public rights-of-way, to avoid the confusion of conflicting adjacent signs, to protect property values, and to eliminate obsolete, irrelevant, nonconforming and deteriorated signs. With these purposes in mind, it is the intention of this Ordinance to authorize the use of signs which are:

- Compatible with their surroundings.
- Appropriate to the type of activity to which they pertain.
- Expressive of the identity of individual proprietors or of the development as a whole.
- Legible in the circumstances in which they are seen.
- That all signs within the Township are consistent in size and aesthetic character.

SECTION 2001 SUBMISSION AND PERMIT REQUIREMENTS

- 1 No person shall alter, relocate, erect, re-erect or construct any sign, except those which are exempted, unless a permit for same has been issued by the Township pursuant to this Ordinance. Signs which are approved as part of a site plan do not require a separate application and sign fees for Planning Commission review. This does not include building permit fees.
- 2 **Application for Permit.**
 - (a) Written application shall be made on forms provided therefore by the Township.
 - (b) The application shall be accompanied by a site plan, sign drawing and sign data presented in accordance with the following requirements:
 1. The site plan shall be drawn to a scale not less than fifty (50) feet to the inch.
 2. The site plan shall show the location of all existing and proposed sign(s) on the site.
 3. The site plan shall show the location of existing and proposed streets, roadways, parking areas, entrances and exits within fifty (50) feet of the proposed sign(s) as well as the setback and clear vision triangle.
 4. Drawings of the proposed sign(s) to be installed on the site shall be submitted with the site plan and shall include all of the following detailed information:
 - a. Height of the sign above the ground.
 - b. Surface of the sign (material, color and dimensions).
 - c. Clearly outline the areas computed as sign area on an illustration.
 - d. Lettering of sign drawn as it will appear on the erected sign. It need not be in the style of the finished sign, but must be neatly printed in the size and weight approximating that of the final constructed sign.

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- e. Method and color of illumination, if any.
- f. Logos, emblems or additional features.
- g. Such additional information as the Planning Commission deems necessary and/or pertinent to the application.
- h. For wall signs, a drawing of the total building wall upon whose face the sign is to be displayed at a reasonable scale.

- (c) Copies of the application and all plans and supplemental statements of information required shall be filed with the Planning and Zoning Department, together with the fee as established by resolution of the Township Board.

3 Granting and Issuance of Permit.

- (a) All new signs, which are not exempt, shall be reviewed by the Planning Commission. Signs may be, and are encouraged to be reviewed by the Planning Commission as part of the site plan review process. The Planning and Zoning Administrator or the Building Official shall require a sign application to be reviewed by the Planning Commission if one or both individuals is unable to determine that the proposed sign complies with all provisions of the Township Zoning Ordinance and all applicable Township Codes.
- (b) Upon receipt of all necessary information required by this Ordinance, the Planning and Zoning Administrator shall forward the application to the Planning Commission. The Planning Commission shall either approve or disapprove the application based upon the standards set forth in this Ordinance.

4. Exemptions.

The following signs are exempt from review and approval requirements, however, such signs shall conform to all applicable regulations.

- (a) The following signs shall not require Planning Commission approval and building permits:
 - Address numbers consistent with this Ordinance.
 - Governmental signs - including directional signs
 - Handicap signs.
 - Historical marker signs (official).
 - Identification signs or nameplates.
 - Open and Closed signs (not exceeding two (2) square feet in area).
 - Political signs.
 - Real estate signs for a single-family home or a single-family unit, or vacant property.
 - Refacing an existing sign frame. Such a change shall require a building permit when applicable.
 - Wall signs of three (3) inches in height or less.
 - Warning signs and other non-advertising signs.
 - Directional signs painted directly onto the parking lot or maneuvering lane surface.
 - Any sign which is located completely within an enclosed building and which is not visible from outside the building. If the sign is visible it shall be regulated by the regulations of the most similar sign type.

- (b) Township, County, State or Federal road or traffic control.
- (c) Signs not visible beyond the boundaries of the lot or parcel upon which they are located. Such signs shall not be counted toward the maximum number of signs permitted on a site and shall remain subject to Planning Commission approval, permit requirements, inspections, and height and setback requirements.
- (d) In all zoning districts, flags of the United States, the State of Michigan, any political subdivision of the State of Michigan, or other flags or banners approved by the Township Board for general display, are permitted.

5. Prohibited Signs.

The following signs shall not be permitted or erected in the Township:

- (a) Flashing, animated, moving or bare bulb-type signs or displays.
- (b) Signs affixed to or painted on street furniture, telephone or light poles, and the like.
- (c) Banner signs, A-frame signs, and any other temporary sign not specifically permitted.
- (d) Changeable copy signs, except as part of a permanent freestanding sign.
- (e) Vehicle business signs and trailer signs.

SECTION 2002 ZONING DISTRICT REGULATIONS.

1. **Residential Zoning Districts (All Residential Zoning Districts - R1, RT, R30, R20, R15, RM, MHC and Residential Developments in the RMU and DMU Districts).**
 - (a) One (1) identification sign or nameplate is permitted for each dwelling unit with a permitted home occupation.
 - (b) One (1) monument sign is permitted for each approved non-residential building site.
 - (c) One (1) subdivision entrance sign shall be permitted for each major entrance to a residential subdivision, mobile home park and multiple-family development
 - (d) Two (2) signs, each not to exceed thirty five (35) square feet, may be permitted on farm property to advertise farm produce or agricultural products produced and sold on the site.
2. **Business Zoning Districts (B-1, B-2 Zoning District and Commercial Developments in the RMU District).**
 - (a) One (1) monument sign shall be permitted for each site or center.
 - (b) One (1) identification sign or nameplate is permitted for each office unit within a multi-tenant professional office development.
 - (c) For professional office and commercial uses in a stand alone building, one (1) wall sign and one (1) monument sign shall be permitted for each site.

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- (d) For professional office and commercial uses in a multiple tenant building, one (1) wall sign shall be permitted for each tenant which has a separate unit within a building. In addition, one (1) monument sign shall be permitted for each site/center.
- (e) In shopping centers with multiple tenants, all signage shall be coordinated as to size, location, color and character. A coordinated sign package stipulating the general sign scheme shall be submitted for the entire center prior to individual permits being granted.

3. Industrial Zoning Districts (I-1 and IR Zoning Districts).

- (a) One (1) monument sign shall be permitted for each site.
- (b) One (1) wall sign shall be permitted for each tenant having an individual public entrance to a building.
- (c) One (1) subdivision entrance sign shall be permitted for each major road entrance to identify an industrial or technical park.

4. Davis Mixed Use District (DMU District).

- (a) One (1) wall sign shall be permitted for each tenant having an individual public entrance to a building.
- (b) One (1) projecting sign shall be permitted for each tenant having an individual public entrance to a building.

SECTION 2003 SPECIFIC REGULATIONS.

1. Awning or Canopy Signs.

- (a) An awning or canopy sign shall be permitted in lieu of a permitted wall sign.
- (b) A minimum vertical clearance of fourteen (14') feet shall be provided beneath any awning or canopy sign which projects over a parking area or driveway. In all other areas, a minimum vertical clearance of eight (8') feet shall be provided.

2. Billboards.

- (a) The construction of new billboard signs within the Township is prohibited.

3. Digital Signs.

- (a) Digital signs shall only be permitted in the Township's commercial districts as follows. Further, due to the potential impact of such signs to the Township's residential areas and their potential for general distraction, such signs shall only be permitted at the immediate corner (those properties have frontage on the two roads noted) of the following major intersections of the Township: 26 Mile Road and Romeo Plank, 26 Mile Road and North Avenue, 32 Mile Road and Romeo Plank and 32 Mile Road and North Avenue. These areas have been planned as larger commercial nodes where impacts to residential uses are not as predominate and where the largest number of travelers can view such signs.

- (b) No digital sign shall be permitted to scroll, oscillate or have full animation. Such signs shall be deemed to constitute a distraction/safety hazard to drivers or pedestrians. All digital signs shall have "instant" changes with no effects.
- (c) Any electronic message displayed shall remain unchanged for a minimum of sixty (60) seconds prior to switching messages.
- (d) A digital sign shall be integrated into the freestanding sign for the site and shall not be larger than sixteen (16) square feet in area. The sign area for the digital sign shall count as a part of the overall permissible sign area for the freestanding sign.
- (e) The digital sign shall be one (1) color and may not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or results in a nuisance to the driver.
- (f) Digital signs shall maintain automatic brightness control keyed to ambient light levels.
- (g) Digital signs shall be programmed to go dark if the sign malfunctions.
- (h) Signage should not be designed to emulate traffic safety signage.
- (i) On those properties where a digital sign has been approved by the Township, there shall be no other temporary signage.

Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the maximum permitted intensity level.

	Daytime	Nighttime
Brightness	5,000 nits	500 nits

4. Directional Signs.

- (a) Directional signs shall not exceed two (2) square feet in area, and shall not exceed three (3') feet in height.
- (b) No more than one (1) such sign shall be located at each drive location.
- (c) The Planning Commission may permit additional directional signs under unique circumstances to allow further clarity in site circulation.

5. Identification Signs for Home Occupations.

- (a) One (1) unlit freestanding or wall-mounted sign shall be permitted for each home occupation.
- (b) An identification sign shall not exceed four (4) square feet in sign area.

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6. Monument or Ground Signs.

- (a) A monument or ground sign shall not exceed:
 1. Sixty-four (64) square feet in sign area in the B-2 Zoning District
 2. Forty (40) square feet in sign area in the B-1 Zoning District and Commercial developments in the RMU District
 3. Twenty-four (24) square feet in sign area in all residential zoning districts and a residential development in the RMU and DMU Districts.
 4. Twenty-four (24) square feet in sign area in the I-1 or IR Zoning Districts.
- (b) Retail establishments with over 80,000 square feet of gross floor area and over 300 feet of road frontage on a single thoroughfare shall be permitted two (2) ground signs with forty (40) square feet of sign area each. The signs shall be evenly spaced along the frontage of the site and shall not in any case abut each other.
- (c) Monument signs, including the architectural features, shall not exceed six (6) feet in height. Monument signs shall not have more than two (2) foot of clearance between the bottom of the sign and the established grade.
- (d) For sites located at the intersection of two (2) major thoroughfares, the square footage permitted for a monument or ground sign may be split between two (2) monument or ground signs, one (1) on each road frontage.

7. Portable Signs.

- (a) Portable signs, as defined herein, are hereby prohibited, regardless of form, size, character or placement, unless otherwise specifically permitted within this Ordinance.

8. Projecting Signs.

- (a) Projecting signs, as defined herein, are hereby prohibited, regardless of form, size, character or placement except in the DMU District.
- (b) In the DMU District projecting signs:
 1. Shall not project more than four (4) feet from the vertical façade of the building on which it is located.
 2. Shall not exceed sixteen (16) square feet in sign area.
 3. Shall have a minimum vertical clearance of eight (8) feet.

9. Pylon Signs.

- (a) Pylon signs, as defined herein, are hereby prohibited, regardless of form, size, character or placement.

10. **Special Event Signs.**

- (a) Signs advertising a Special Event may be allowed for events that include, but are not limited to, grand openings, vehicle shows/displays, craft shows, benefit rummage/bake sales and festivals:
 - 1. Special Event Signs may include: A frame signs, banners, festoon signs, streamers and the like.
 - 2. Special Event Signs may be issued for not more than ten (10) consecutive days and not more than four (4) times within any twelve (12) month period.
 - 3. No more than six off-site sign locations related to a Special Event may be permitted. Such off-site signs shall each be limited to six (6) square feet in area.

11. **Residential Development Entrance Signs.**

- (a) A residential development entrance sign shall not exceed twenty-four (24) square feet in sign display area.
- (b) A residential development entrance sign shall not exceed six (6') feet in height.
- (c) A residential development entrance sign may be located in a traffic island at the entrance of a subdivision, if the Planning Commission determines that the sign will not obstruct motorist vision and the location is approved by the Macomb County Department of Roads.

12. **Temporary Signs.**

- (a) Temporary signs include, but are not limited to the following:
 - 1. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premise for sale, rent or lease.
 - 2. An on-site sign advertising an on-going garage, estate or yard sale.
 - 3. An off-site sign for the purpose of providing direction to another premise that is having a garage, estate or yard sale, as long as the dates of the sale are clearly indicated on the sign.
 - 4. Non-commercial signs, which contain non-commercial informational or directional messages.
 - 5. Political signs.
 - 6. Holiday or other seasonal signs.
 - 7. Construction signs for buildings under construction.
- (b) All temporary signs must comply with all of the following regulations:
 - 1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed eighteen (18) square feet. The maximum size of individual temporary signs shall not exceed six (6) square feet in area. Temporary signs shall not be higher than forty-eight (48) inches above average mean grade of the yard on which it is placed.

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Exceptions:

- a. One sign advertising the sale or lease of vacant land, when the parcel exceeds ten (10) acres in area, shall be allowed to have a size equal to thirty two (32) square feet of sign area or eight (8) feet in height.

2. Location of Temporary Signs:

- a. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way
- b. Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway and shall not be located in a dedicated right-of-way.
- c. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
- d. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
- e. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.
- f. Signs shall be located so as to comply with the corner clearance requirements.

3. Time Limitations for Temporary Signs: Each temporary sign shall be removed upon the completion of the event in which they notice/advertise or within sixty (60) days of placement whichever is less.

Exceptions

- a. Where there is a valid contract for work on the premises that exceeds sixty (60) days or where the property is actively listed for sale or lease, then temporary signs shall be permitted on the premises for the length of the contract or time on the market.

13. Wall Signs.

- (a) Shall not project more than twelve (12") inches horizontally beyond the wall of a building.
- (b) Shall be used to display the name of the firm, the address or a symbol, or type of business.
- (c) Shall not project above the roof line (eave) of a building or structure.
- (d) Shall not exceed one (1) square foot for each linear foot of store front on which the sign is to be placed, or twenty (20) square feet, whichever is greater. In no case shall a wall sign exceed sixty square feet (except as permitted below). Wall signs, meeting the permitted size noted above, shall be permitted on each façade which fronts a roadway.

Amended: December 18, 2012

- (e) Large, multi-department stores and big box uses with over one hundred and fifty thousand (150,000) square feet of floor area may be permitted a wall sign area equal to one (1) square foot for each linear foot of store frontage up to a maximum of two hundred (200) square feet.
- (f) Multiple wall signs may be permitted by the Planning Commission provided that the total area of all wall signs does not exceed the area permitted by Ordinance.
- (g) Illuminated signs placed or constructed within the building which are intended to be visible from the exterior of the building may be counted towards overall permissible wall signage based on Planning Commission review.

SECTION 2004 GENERAL REGULATIONS.

No sign may be erected, displayed or substantially altered or reconstructed, except in conformance with the regulations specified in this Ordinance.

The following conditions shall apply to all signs regardless of use district:

1. **Locational Requirements.**

- (a) No sign, except as otherwise permitted herein, shall be located in, project into, or overhang a public right-of-way or dedicated public easement unless approval has been obtained from the Macomb County Department of Roads.
- (b) No sign, except those established and maintained by the Township, County, State or Federal governments, shall be located within the triangle formed by the intersection of any road right-of-ways and/or access drive at points thirty (30) feet distant from the point of their intersection.
- (c) No signs shall be located so as to impede pedestrian or automobile traffic or clear vision.
- (d) A sign shall not be located closer than fifteen (15') feet to any side or rear property line.
- (e) All signs shall meet the following minimum setbacks as measured in feet from the centerline of each road right-of-way (ROW) in accordance with the Township's Master Plan. The Planning Commission may approve alternate locations based on existing setbacks or lot configurations.

Road Type (See Master Plan)	Distance in Feet
Regional (204' R.O.W.)	112
Regional (150' R.O.W.)	85
Major (120' R.O.W.)	70
Collector (86' R.O.W.)	53
Local (60' R.O.W.)	40
Private Roads*	20

* Measured from the road easement or common usage line.

2. **Illumination.**

- (a) Any external illumination of signs shall be positioned in a down lit manner and shall be shielded so that the light shines away from adjoining properties and the eyes of motorists or pedestrians. The light source of such illumination shall not be visible from public view.
- (b) Specialty lighting, such as neon accent lighting, may be permitted by the Planning Commission on a finding that the proposal is in character with the use and not detrimental to other uses in the vicinity. This regulation does not apply to lighted window signs, such as "open" signs.

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3. Addresses.

- (a) Addresses shall be provided on every freestanding sign and shall meet the following requirements:
 - i. Numbers shall be between six (6") and twelve (12") inches in height.
 - ii. Address numbers shall be located on all store doors at the front and rear of the facility.
 - iii. Addresses shall be integrated within the structure of all monument signs and shall be clearly distinguishable from the sign face. For signs advertising more than one address, the range of addresses shall be on the sign.

4. Width-to-Height Ratio.

- (a) In no case shall any sign exceed a maximum width-to-height ratio of six (6') feet in width to one (1') foot in height. The Planning Commission may approve alternate ratios based on unique circumstances or designs.

5. Landscape Requirements.

- (a) A monument sign shall be located within a dedicated landscaped area. Such landscaping shall include perennial plantings such as evergreen shrubs and other annual/decorative landscaping.

SECTION 2100 STATEMENT OF INTENT

The purpose of this Article is to provide the Township Planning Commission with the opportunity to review the proposed use of a site in relation to surrounding uses, accessibility, pedestrian and vehicular circulation, spatial relationships, off-street parking, public utilities, general drainage, environmental characteristics, site vegetation, screening and buffering, developmental characteristics and other site elements which may have an effect upon the public health, safety, morals and general welfare, and its relationship and harmony with adopted Township ordinances and plans. Site improvements and development shall conform exactly to the approved site plans and supplemental drawings as approved by the Planning Commission.

SECTION 2101 SITE PLAN SUBMISSION REQUIREMENTS

1. A site plan shall be submitted for review by the Planning Commission whenever one or more of the following conditions apply:

Condition	
A.	Whenever a building permit is required for the erection or structural alteration of a building (other than one-family homes, farm buildings, or accessory structures to these uses, unless otherwise required by this Ordinance).
B.	For the construction, use, or establishment of a new or additional parking or storage area.
C.	For all special land uses.
D.	For any change in use or class of use as determined by the Township Building Official or his/her designee.
E.	The erection of, or addition to, any major utility service facilities, including towers, substations, pump stations and similar facilities.
F.	Any site used for mitigation purposes (i.e. wetland mitigation)
G.	Any public road not otherwise regulated by Township Ordinance
H.	Any change to an approved site plan as determined by the Planning & Zoning Department

SECTION 2102 SITE PLAN REVIEW CRITERIA.

1. The site plan shall present the proposed use of a site in relation to surrounding uses, accessibility, pedestrian and vehicular circulation, spatial relationships, off-street parking, public utilities, general drainage, environmental characteristics, site vegetation, screening and buffering, developmental characteristics and other site elements which may have an effect upon the public health, safety, morals, and general welfare and its relationship and harmony with adopted Township ordinances and plans.
2. All the development features, including the principal building or buildings and any accessory buildings or uses, open space, and any service roads, driveways and parking areas, shall be so located and related as to minimize the possibility of any adverse effects upon adjacent property, such as, but not limited to, channeling excessive traffic onto local residential streets, lack of adequate screening or buffering or parking or service areas, the accumulation of litter, production of noise, light, smoke, fumes, or the piling of plowed snow. Building groupings and circulation routes of traffic shall be located so as not to interfere with police or fire equipment access. Public streets adjacent or through the proposed development shall be required when it is essential to promoting and protecting public health, safety and general welfare, and to provide continuity to the public road system.

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3. Recreation areas and facilities, such as playgrounds, pathways, open space and preservation areas, swimming pools and community buildings, shall be provided to the extent necessary to meet the anticipated needs of the residents of the project it is designed to serve. Provision of separate adult and tot-lot recreation areas adequately landscaped is encouraged. Recreation facilities generally should be provided in a central location and should be convenient to the project community center. In larger developments, however, recreation facilities can be decentralized, if more than one, or if made part of an open space area.
4. The site plan shall show that attention has been given in the placement of proposed buildings, parking areas, driveways, landscaping and other physical improvements of the site in relation to existing on-site natural features and vegetation such as trees, wooded areas, natural groves, and terrain features.
5. The Planning Commission may require further landscaping, fences, walls and berms pursuant to the objectives of this Ordinance, and such improvements shall be provided and maintained as a condition of the establishment and the continued maintenance of any use.
6. The site plan shall show that any proposed service roads, driveways, and parking areas are so related to each other within the site, and so related to the roads bordering the site as to promote pedestrian and vehicular safety and to minimize the likelihood of accidents.

SECTION 2103 SUBMISSION REQUIREMENTS.

Whenever required by this Ordinance, a site plan meeting the following minimum standards shall be submitted, reviewed and approved by the Planning Commission prior to the issuance of a building permit.

Site Plan Elements		
Administrative Requirements		
A.	Site Plan Review Application (appropriate number)	
B.	Sealed Site Plans (appropriate number)	
	(1)	Sealed by Architect, Engineer, Surveyor, Planner
C.	Complete Legal Description as well as Legal Description of Development Area (if different)	
D.	Proposed Address	
E.	Zoning of Site and Surrounding Properties	
F.	Scale = 1"=20' (or other acceptable scale based on site size)	
G.	Original plan date and all revision dates	
H.	North arrow	
I.	Location map	
Existing Conditions		
A.	Existing Topography or suitable grade shots (2' contours)	
B.	Benchmarks	
C.	Trees (Individual or Groupings)	
	(1)	Indicate areas to be removed

Existing Conditions (Cont)		
D.	Wetlands (as shown on official mapping)	
	(1)	MIRIS
	(2)	National Wetlands Inventory conducted by the Department of the Interior,
	(3)	Macomb County General Wetlands Map
	(4)	Natural Features Inventory
	(5)	any other official wetlands map adopted by Ray Township
	(6)	Hydric Soils on Soil Conservation Service Mapping
E.	Existing rights-of-way	
F.	Existing structures, pavement and improved areas (onsite)	
G.	Existing structures, pavement and improved areas (offsite within 200' as necessary)	
Physical Improvements		
A.	Net acreage figures.	
B.	Location and designation of units by type of buildings.	
C.	Sidewalks and pathways.	
D.	Hydrant locations.	
E.	Exterior lighting locations with height, intensity, type and method of shielding.	
F.	Trash receptacle location, loading stops, and method of screening.	
G.	Transformer pad location and method of screening.	
H.	Proposed topography (or suitable grade shots)	
Architectural		
A.	Front, Side, and Rear Elevations for all buildings	
B.	Typical Floor Plans	
C.	Number of bedrooms per unit (as necessary)	
Dimensions		
A.	Front, side and rear yard dimensions.	
B.	Building length and width dimension.	
C.	Parking spaces with typical dimensions, including handicapped parking spaces.	
Landscape		
A.	Greenbelt, obscuring wall or berm locations, and cross-sections, where appropriate.	
B.	A landscape and screening plan for all unpaved areas.	
Access and Maneuvering		
A.	Drive or street approaches, including acceleration, deceleration and passing lanes.	
B.	Dedicated road right-of-way or dedicated maneuvering lanes and pavement widths and lengths.	
C.	Dedicated parking areas	

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Utilities and Infrastructure		
A.	All utility lines serving the area located on the site.	
B.	Soil borings, locations and summary report data shall be shown where soil quality may in question.	
C.	Surface drainage and drainage plan and indication of any BMPs utilized to control storm water quantity and quality.	
D.	Well and septic location as well as associated utility lines	
Miscellaneous		
A.	List and location of hazardous substances used, stored or generated at the proposed facility, in accordance with procedures approved by the Ray Township Planning Commission and Ray Township Fire Department.	
B.	For residential uses (Multiple-Family, Mobile Home Parks, and open space developments), indicate the following additional information:	
	(1)	Density calculations.
	(2)	Carport locations and details.
	(3)	Community building details and method of fencing the swimming pool, if applicable.
C.	In the case of nonresidential uses (i.e., Commercial, Industrial, Special Land Use, and Office development), the following additional information shall be required:	
	(1)	Loading and unloading area and method of screening.
	(2)	Total and usable floor area.
	(3)	Designation of fire lanes as approved by the Township.
	(4)	Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimension, and other data of all such equipment and/or machinery shall be indicated.
D.	Sign location and setbacks	
	(1)	Sign appearance
	(2)	Sign lighting
	(3)	Sign materials
	(4)	Sign landscaping

1. Where it is determined by the Planning Commission that certain requirements of this Section are not necessary to the review and understanding of a site, the Planning Commission may waive the requirements.

SECTION 2104 PROCESSING PROCEDURES.

1. The proposed site plan shall be submitted to the Township Planning and Zoning Department who shall check the posted submission dates and transmit the plan and application to the following departments, agencies and consultants for their review:

Agency	
A.	Planning Commission File.
B.	Planning Commissioners (one for each).
C.	Township Planner.
D.	Township Engineer.
E.	Fire Department.
F.	Building Department.
G.	Assessor's Office (Check legal description)
H.	Macomb County Road Commission or MDOT, whichever is appropriate (if necessary).
I.	Macomb County Public Works Commissioner (if necessary).
J.	Macomb County Health Department (if necessary).
K.	Appropriate School District (if necessary).

2. The Township Planning and Zoning Department shall place the site plan along with the available written comments from the various agencies and departments on the next available Planning Commission agenda (based on submittal date) for their review.
3. The site plan shall be reviewed by the Planning Commission at a public meeting against the specific requirements of the Ordinance, including those items listed above and other acceptable planning concepts as appropriate.

SECTION 2105 DECISIONS

1. If approved or approved with additions, corrections, or alterations, the site plan shall be signed by the Planning Commission Chair as the official approved plan and all additions, corrections, or alterations shall be noted.
2. If not approved, the reasons for such denial shall be stated in writing and a copy of such reasons shall be promptly transmitted to the applicant.
3. If plans require significant alterations or if additional information is necessary to render a decision, the applicant may request that the planning commission postpone their decision until such time such alterations or information is provided for review.
4. Approval of the site plan (as submitted, or with additions, corrections, or alterations) by the Planning Commission shall satisfy the requirements of this Zoning Ordinance for the issuance of a zoning compliance permit. It shall not, however, exempt the petitioner from compliance with other Township ordinances.

SECTION 2106 PROCESSING FLOWCHART

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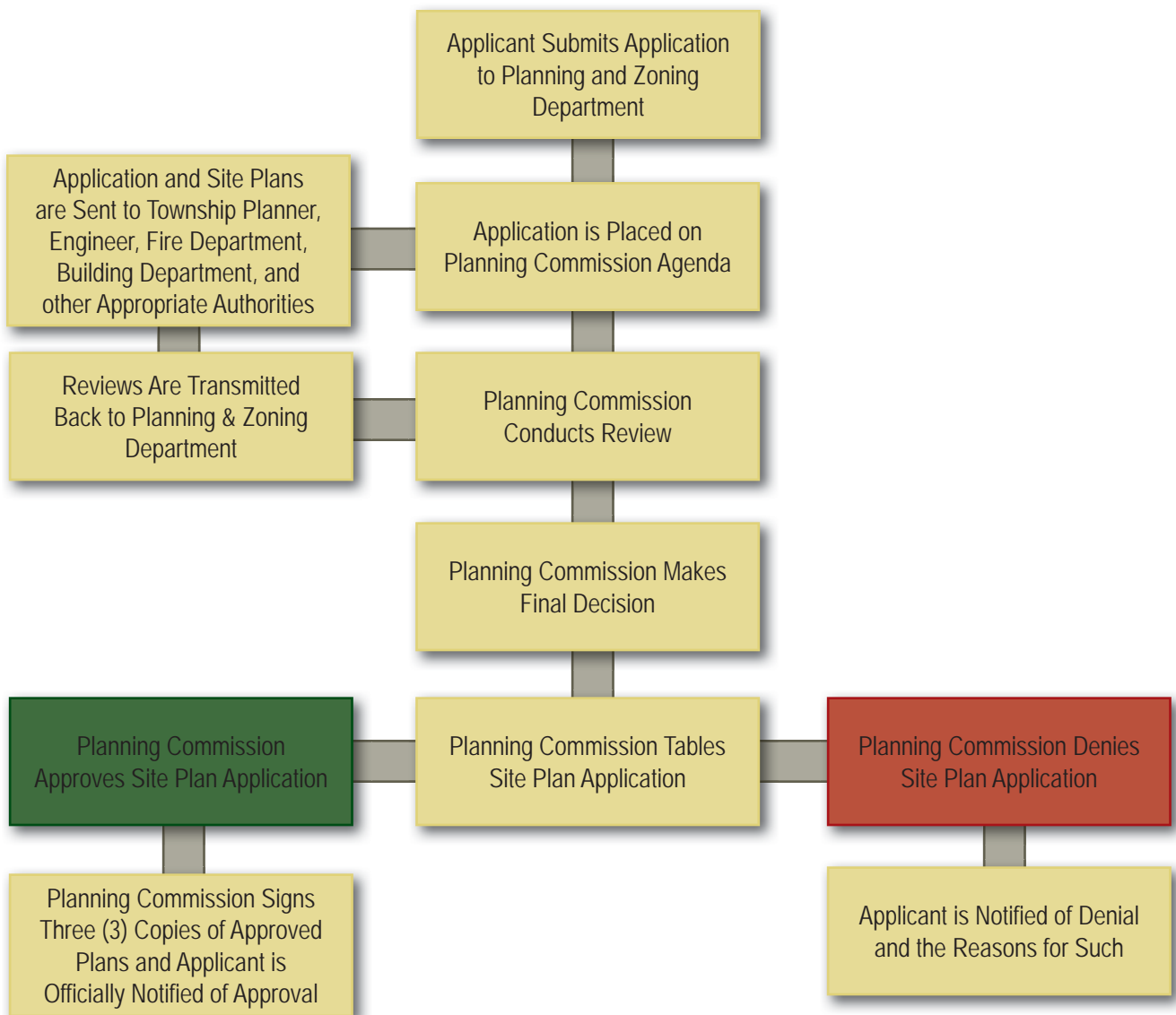
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SECTION 2107 APPROVAL PERIOD

1. A site plan approval shall be valid for one (1) year after the date of the Planning Commission meeting where approval was granted. If physical improvement of the site is not in actual progress at the end of a year and completed within two years, the approval becomes null and void unless renewed or extended by specific Planning Commission action. If approval is not extended before expiration of the one-year period, then a new application and a new approval shall be required before a building permit may be issued.

SECTION 2108 FINANCIAL GUARANTEE

1. The Planning Commission shall require a cash deposit or other financial guarantee acceptable to the Township, covering the estimated cost of improvements associated with the approved site plan be deposited with the Township to ensure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project, and any cash deposits shall be rebated in reasonable proportion to the ratio of work completed on the required improvements as work progresses.

Financial guarantees shall not expire prior to the completion of the proposed project. Appropriate assurance shall be provided which either notifies the Township that the financial guarantee is set to expire or that the financial guarantee has an evergreen clause or similar mechanism as a condition of the guarantee.

SECTION 2109 SITE PLAN APPEAL

1. An applicant for a site plan approval may appeal the decision or absence of a decision of the Planning Commission to the Township Zoning Board of Appeals as described in this Ordinance.

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SECTION 2200 STATEMENT OF INTENT.

For all Special Land Use Approvals, a site plan must be submitted to the Township Planning Commission according to the requirements of Section 2101, Site Plan. The following review standards are provided to allow an opportunity to use a lot or parcel of land for an activity which, under usual circumstances, might be detrimental to other permitted land uses and cannot be permitted within the same district, but which use can be permitted under circumstances unique to the proposed location and subject to conditions acceptable to the community and providing protection to adjacent land use.

SECTION 2201 SPECIAL LAND USE APPROVAL REQUIRED.

- A. In all cases the power to grant special land use approval shall be and hereby is vested in the Planning Commission. Upon receipt of a written application and site plan, conducting the required public hearing and necessary review, the Planning Commission shall make a determination as to whether the proposed use or structure meets all ordinance requirements, the required standards and that there are no more adverse effects than would normally be associated with the subject district which in the opinion of the Planning Commission cause injury to the adjacent properties or residents, or the Township as a whole.

SECTION 2202 SPECIAL LAND USE STANDARDS.

- A. In considering all applications for special land use approval, the Planning Commission shall review each case individually as to its conformity and must find affirmative to each of the following standards as well as the standards for each special land use approval:
1. The proposed special approval land use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
 2. The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements, routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access to off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian-vehicle conflicts.
 3. The proposed use will be designated so that the location, size, intensity, site layout and periods of operation of the proposed use eliminate any excessive nuisance emanating there from which might be objectionable to the occupants of any other nearby permitted uses.
 4. The proposed use will be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
 5. The proposed use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.
 6. The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

SECTION 2203 PROCEDURES.

- A. The appropriate number of copies of the proposed site plan and the application for special land use approval shall be submitted to the Township Offices on or before the set submission deadline. Copies of the application and site plan shall be submitted to the Planning Commission, Building Inspector, Fire Department, Planning Consultant, and other Township advisors as necessary (attorney, engineer, etc.). The Planning Commission may request comments from county, state or local agencies as they deem necessary.
- B. Upon receipt of an application (which shall also include the proposed site plan), the Township shall:
 1. publish a notice of public hearing in the local newspaper;
 2. submit a notice of same to owners of the property in question;
 3. send or deliver notices to persons with assessed property within three hundred (300) feet; and
 4. send notices to occupants within three hundred (300) feet.

The notice shall be published no less than fifteen (15) days prior to the Planning Commission meeting at which the application will be considered.

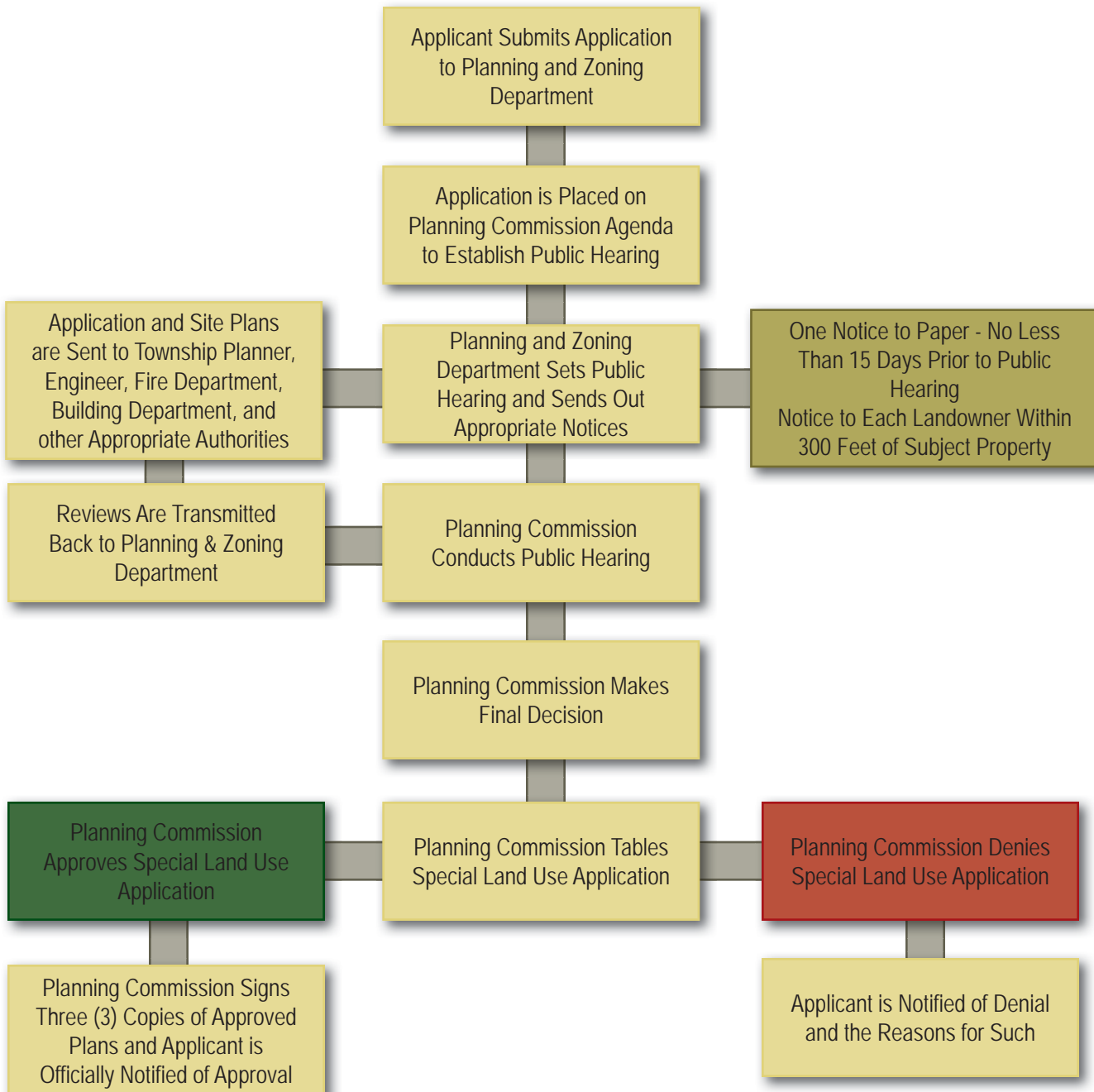
The notice shall:

 1. Describe the nature of the special land use request.
 2. Indicate the property which is the subject of the special land use request.
 3. State when and where the special land use request will be considered.
 4. Indicate when and where written comments will be received concerning the request.
- C. The Planning Commission shall review the application after proper notice has been given as required by State Law. The Commission shall base its recommendations upon review of the individual standards for that specific special land use, the standards of special land use approval and the requirements of this and all other applicable ordinances.
- D. The Planning Commission shall consider the special land use for approval, conditional approval or denial. If the Commission determines that the particular special land use(s) should be allowed, it shall clearly set forth in writing the particular use(s) which have been allowed. Thereafter, the Township may issue a building permit in conformity with the particular special land use approval. In all cases where a particular special land use has been granted, application for a building permit must be made and received by the Township not later than one (1) year thereafter, or such approval shall automatically be revoked. Provided, however, that the Planning Commission may grant an extension for good cause shown under such terms and conditions and for such period of time not exceeding twelve (12) months as it shall determine to be necessary and appropriate.
- E. If the Planning Commission shall determine that the particular special land use(s) requested does not meet the standards of this Ordinance it shall deny the application by a written endorsement which clearly sets forth the reason for such denial.
- F. The Planning Commission may impose such conditions or limitations in granting approval as may be permitted by State Law and this Ordinance which it deems necessary to fulfill the spirit and purpose of this Ordinance providing that such conditions meet the requirements of this Ordinance.

SPECIAL LAND USE APPROVAL

- G. Any decision on a special land use shall be incorporated in a statement of conclusions relative to the special land use under consideration. The decision shall specify the basis for decision, and any conditions imposed.
- H. Appeals for dimensional aspects of a proposed special land use application shall be taken to the Township Zoning Board of Appeals as provided in Act 110 of Public Acts of 2006 as amended.

SECTION 2204 PROCESSING FLOWCHART



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SECTION 2300 SITE CONDOMINIUMS.

A. Statement of Intent.

The intent of these requirements is to ensure that all site condominium developments are constructed in compliance with accepted planning and engineering standards applicable to similar forms of development. Site condominiums may be allowed as a permitted use in any zoning district.

Further, it is also the intent of this section to promote the following objectives:

- Maintain the rural character of the Township.
- Maintain an image of open space within the Township.
- Preserve open space within the township.
- Preserve natural resources within the Township.
- Preserve agriculture and farming within the Township.
- Achieve a balance between farming, open space and residential growth within the Township.

B. Submission Requirements.

All site condominium subdivision plans shall be submitted for site plan review as required by this Ordinance and Section 66 of the Condominium Act, as amended, and include the following information:

1. A survey of the site condominium site.
2. A survey or drawing delineating all natural features on the site, including, but not limited to, flood plains, wetlands, ponds, streams, lakes, drains, woodland areas, and cultural and historic features.
3. The location size, shape, area and width of all site condominium units and common elements (limited and general), convertible areas as well as the location of all proposed streets.
4. A copy of the proposed Master Deed, all maintenance assurances and easements, and a copy of all restrictive covenants.
5. A utility plan showing all sanitary sewer, water, and storm drainage improvements, plus all easements for installation, repair and maintenance of all utilities. If wells and septic systems are the primary utility system, then letters (along with appropriate perc tests, as necessary) shall be submitted from the Macomb County Health Department commenting on the potential ability of the system to succeed.
6. A street construction and paving plan for all streets within the proposed site condominium.
7. A storm drainage and storm water management plan, including all pipes, swales, drains, basins, and other facilities.
8. A landscape plan for all entry, street and common element areas.

C. Review.

1. Pursuant to authority conferred by Section 141 of the Condominium Act, Act 59 of 1978, as amended, all site condominium plans require approval by the Planning Commission prior to units being sold or site improvements being initiated.

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2. The site condominium process is a two (2) step process; preliminary and final plan review.
 - a. **Preliminary Plan Review** - In the preliminary review phase, the Planning Commission shall review the overall plan for the site, including basic road and unit configurations and the consistency of the plans with all applicable provisions of the Ray Township Master Plan, Subdivision Ordinance and Zoning Ordinance.

In a site condominium which has private roads, approval from the Township Board under the private road requirements of this Ordinance shall be required prior to the Final Plan Approval.

- b. **Final Plan Review** - Upon receipt of Preliminary Plan Approval, the applicant shall prepare the appropriate engineering plans and apply for Final Plan Review. Further, such plans shall have been submitted for review and comment to all applicable Local, County and State agencies. Final approval shall not be granted until such time as all applicable review agencies have had an opportunity to comment on said plans.
3. The Planning Commission may consult with the Township Attorney, Planner, and Engineer regarding the adequacy of the submission as it relates to the Ray Township Zoning Ordinance, Subdivision Ordinance, and requirements of the Condominium Act.

D. District Requirements.

The development of all site condominiums shall observe the applicable dwelling density, lot area, yard setback and minimum floor area requirements of the zoning district within which the project is located.

E. Design Standards.

1. All development in a site condominium shall conform to the design and layout standards of the Ray Township Subdivision Ordinance and Zoning Ordinance.
2. All streets and roads in a site condominium shall conform to the private road standards of the Zoning Ordinance or the Macomb County Department of Roads engineering and design standards for public streets. All roads regardless of ownership shall meet or exceed the specifications and designs of the Ray Township Land Development and Engineering Ordinance.
3. Public streets, including appropriate stub connections shall be required, where necessary, to provide continuity to the road system. If private streets are provided, an easement may be required to ensure the ability to connect and utilize roadways between developments.

F. Utility Easements.

The site condominium plan shall include all necessary easements granted to Ray Township for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing and/or removing drainage swales, retention or detention facilities, pipelines, mains, conduits and other installations of a similar character for the purpose of providing public utilities, including the conveyance of sewage, water and storm water run-off across, through, and under the property subject to said easement.

G. Engineering Reviews and As-Built Requirement.

The Township shall also require the appropriate inspections prior to the issuance of any building permits for individual residences. An “as-built” survey shall be provided to and reviewed by the Township Engineer for compliance with the approved site plan and all applicable Township ordinances.

- H. Any building bonds will not be released to the developer/owner until the as-built plans have been reviewed and accepted by the Township and the Master Deed (including all exhibits and bylaws) has been reviewed by the Township and recorded with the Macomb County Register of Deeds, according to the provisions of the Condominium Act.

SECTION 2301**CONVERSIONS OR AMENDMENTS TO CONDOMINIUM DOCUMENTS**

- A. Any time existing condominium master deed or association documents (or any similar type documents) are developed or are amended in such a manner which would cause need for Township review, such documents shall be submitted to the Township Planning & Zoning Department for administrative review, along with all appropriate fees. If during the administrative review it is determined that it is necessary for the Planning Commission to review the documents or review an amended site plan as a result to amendments to such documents, a site plan meeting the requirements of Sections 2100-2109 shall be submitted. Once approved, the documents shall be recorded as necessary and a copy of the recorded document shall be submitted to the Township for their records.

1. The need for review shall be as a result of one of the following:

- a. Changes to the legal descriptions of the overall site, the number of units/parcels, the layout of such units/parcels, changes in ownership (via condominium lines), etc.
- b. Changes in rules and regulations within the document that are also regulated by the Township Zoning Ordinance or other regulatory Ordinances.
- c. The splitting, dividing or amending of portions of the site by legal descriptions or ownership lines which may impact access to or through the site, required number of parking spaces, required setbacks, etc.

- B. In those instances where differing ownerships will or may occur through the condominium process, proof must be provided that each different unit will have adequate access to well and septic systems and are able to meet all applicable ordinance requirements as if the unit were a separate site. Further, if the site is serviced by public sanitary sewer and water, a separate tap and meter for each service for each unit shall be provided unless waived by the Township.



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SECTION 2400 OPEN SPACE COMMUNITIES.

A. Statement of Intent.

The purpose of this Section of the Zoning Ordinance is to allow and encourage alternative subdivision designs which preserve Ray Township's character and environmentally sensitive elements, while providing housing communities that are desired by the community.

Open Space Communities promote the following objectives:

- Maintain the rural character of the Township.
- Maintain an image of open space within the Township.
- Preserve open space within the township.
- Preserve natural resources within the Township.
- Preserve agriculture and farming within the Township.
- Achieve a balance between farming, open space and residential growth within the Township.

B. Site Criteria.

1. An open space community may be located in all residential districts.
2. The open space community shall have direct access to an approved public roadway.
3. In all open space communities, at least two (2) of the following items must be present:
 - a. Preservation of Natural Amenities - Sites preserving a significant quantity of any of the following:
 - (1) Organic Amenities: Significant views and vistas, mature woodlands, wetlands or lowland areas, prairie, bodies of open water (such as ponds, streams, natural drainage ways), wildlife habitat or corridors, and significant size trees (six to eight inches or more, measured five feet above the grade).
 - (2) Nonorganic Amenities: Farmhouses (viable for restoration and/or preservation), fence lines (stone or wood), buildings or foundations of historical value.
 - b. Provisions for Recreational Facilities - The submittal should include both passive and/or active recreation areas. Passive recreation areas shall include areas such as pathway systems, common green areas of a substantial size, and open/preserves natural amenity areas, or other areas or uses consistent in nature. Active recreation areas shall include areas such as children play sets, sports fields (i.e., football, soccer, baseball), and other fitness areas that are consistent in nature.
 - c. Creation of Natural Amenities - These areas are to be constructed in a manner that replicates a natural setting. A percentage of these areas should remain "unmanicured," allowing natural growth and processes to occur. These areas can take a number of forms, such as woodlands (interior street tree plantings shall not count for this requirement), wildflower or grass meadows, constructed wetlands (preferably extension to an existing), or other areas consistent in nature.
 - d. Preservation of Agriculture - Land uses, such as orchards, horse stables, active farms, or other similar agriculture uses, shall be preserved, where feasible or viable. In no way shall an intensive animal raising, slaughter house or similar use be allowed within an open space community. A buffer shall be maintained between the agricultural use and the residential units.

4. All of the above-mentioned areas shall be accessible or open to all residents within the open space community, with the exception of farmland.

C. Submission Requirements.

The submission for an Open Space plan shall consist of all four (4) of the following plans. Plans #2 and #3 may be shown on the same sheet if clarity is maintained.

1. Plan #1 - Parallel Plan.

A "parallel" or "yield plan" shall be prepared by the developer showing a feasible development under the requirements of the zoning district in which the property is located and the requirements of any and all State, County and Township Zoning Ordinance and subdivision regulations. All lots, roads and other improvements shall be designed so that they do not adversely impact wetlands, floodplains or drainage ways, as regulated by Federal, State, County or local agencies.

It must be determined by the Planning Commission that the parallel plan is able to be physically constructed and meet all current Zoning Ordinance and subdivisions regulations. If there is a question regarding the availability of water, suitability of soils for septic, the location or extent of wetlands or floodplains, the Planning Commission may request further review and recommendation from the proper regulatory authority. If it is determined, through these responses, that the number of lots proposed is unfeasible, the yield plan shall be revised and resubmitted, minus that number of lots.

Further, the Planning Commission may also waive the submission of a yield plan if it is determined that the number of housing units proposed under the open space community is, without question, well below what would be feasible for the site. Such waivers must be detailed in writing and recorded as part of the motion in the minutes of the Planning Commission.

2. Plan #2 - Site Analysis Plan.

A site Analysis Plan shall be submitted, showing the following site features:

- a. Wetlands, as determined by the Michigan Department of Natural Resources and Environment
- b. Water areas, such as lakes, streams and ponds
- c. Woodlands, tree rows and farmlands
- d. Soils and topography
- e. Drainage patterns and County drains
- f. Historic and cultural features
- g. Wildlife habitat corridors
- h. View sheds and view corridors
- i. Existing easements of record

- j. Existing and proposed rights-of-way
- k. Existing infrastructure
- l. Adjacent development within two hundred (200) feet

3. Plan #3 - Conservation Areas Plan.

The combination of the site analysis elements noted above shall be used to outline the primary and secondary conservation areas. The primary conservation areas include areas where no development is to occur. The secondary conservation areas are areas where development can occur, but special care must be taken to minimize adverse impacts.

- a. Primary Conservation Areas shall generally include- floodplains, regulated wetlands, drainage ways, easements, 150 - foot exterior road buffer, or other exceptional elements.
- b. Secondary Conservation Areas shall generally include - farmlands, woodlands, suspected or marginal wetlands, tree lines, soils sensitive to development, soils prone to flooding, aesthetic views, etc.
- c. Buildable Areas shall generally include - areas that are not dedicated to primary conservation areas may be treated as buildable areas. Housing sites should be located so as to complement the conservation areas.

4. Plan #4 - Open Space Plan.

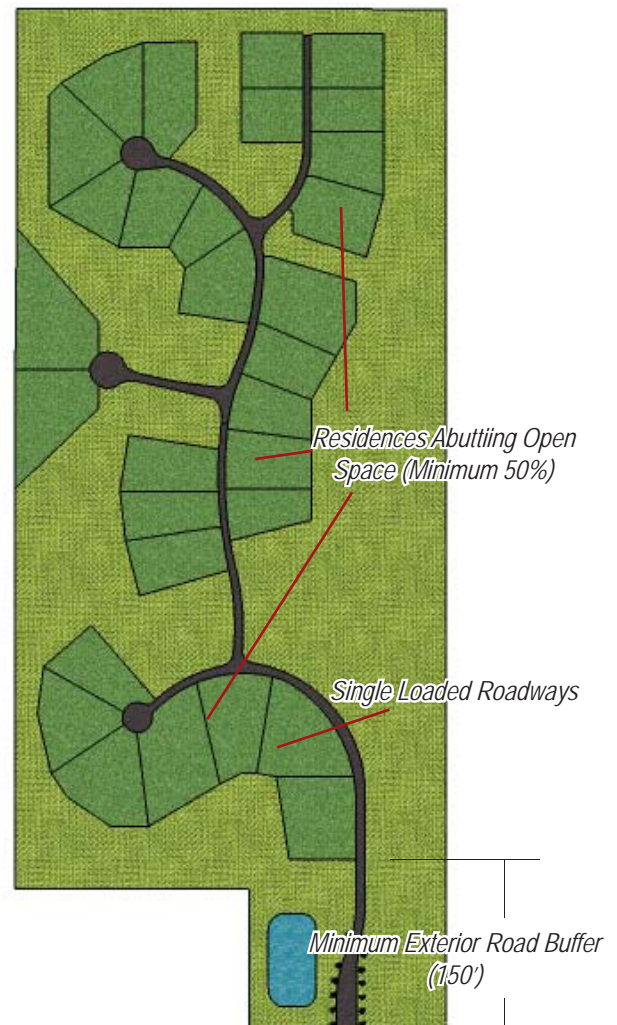
An Open Space Plan, with the proposed housing layout (not exceeding the maximum number of housing units determined by the parallel/yield plan). The Open Space Plan shall provide all information required for a standard subdivision or site condominium plan.

D. The Review Process.

- 1. The Planning Commission shall determine that the parallel plan submitted meets all applicable regulations of the State Subdivision Control Act and the Township Subdivision and Land Division Regulations.
- 2. The Planning Commission shall confirm the accuracy and feasibility of the open space plan as regulated by this Section and all other applicable regulations of the Zoning Ordinance, subdivision regulations, and Land Development and Engineering Ordinance.
- 3. Planning Commission Determination.
 - a. Approval of the open space plan shall be synonymous with preliminary plan review for a site condominium or tentative preliminary plat approval for a subdivision and the remainder of the process shall follow conventional processing requirements for site condominiums and subdivisions. For an open space community with simple splits on a public or private road, Planning Commission approval of the open space plan shall be synonymous with final approval.
 - b. If denied, the proprietor may either submit the parallel plan for approval under conventional subdivision or site condominium review process, or submit a revised application for an open space community.

E. Site Design Requirements.

1. Unless otherwise provided for in this Ordinance, all other applicable Zoning Ordinance provisions shall apply.
2. Minimum Lot Size - Lot sizes shall be determined by the State and County Health Departments' regulations or standards.
3. Minimum Yard Setbacks - Ten (10) feet.
4. Development Layout - The development is encouraged to include roads that are single loaded (homes along only one side of the street).
5. Minimum Exterior Road Buffer - A minimum of a one hundred and fifty (150) foot buffer from the proposed right-of-way along any exterior County Road or State Highway.
6. Minimum Open Space - A minimum of fifty (50%) percent of the gross land area.
7. Maximum Amount of Unbuildable Land Used as Open Space - A maximum of fifty (50%) percent of the total open space allotment may be unbuildable land such as; land that is regulated by Michigan Department of Natural Resources and Environment, or the Environmental Protection Agency, Army Corps of Engineers, or any other regulatory body which has jurisdiction over land which cannot be used for the construction of housing.
8. Houses Abutting the Open Space - A minimum of fifty (50%) percent of all dwelling units within the development shall abut a dedicated open space area.
9. Access to Open Space - Access points or paths shall be provided to afford access to open space and common areas. These access points shall link the open space to the roadway, sidewalks, or the remainder of the development.
10. General Lot Character - Flag lots or panhandle lots shall not be permitted within an open space community.
11. Natural Area - An undisturbed greenbelt shall be required around any natural features or farmland preserved within the common open space areas.



12. Pedestrian Circulation - Adequate pedestrian circulation shall be provided. Adequate access shall be provided to all open space/ recreational spaces from the residential areas. Paths provided within the development shall be constructed of asphalt (meeting the design specifications of the Township) or other similar material as approved by the Planning Commission.
13. Garages - A minimum of fifty (50%) percent of all dwelling units shall have side, rear, or alley entry garages, or other garages configurations not opening to the street. Garages that face the roadway shall not extend beyond the front plane of the house and are encouraged to be recessed at least five (5') feet from the front plane of the house.
14. Overall Architectural Character - A diversity of single-family housing styles, colors, and configurations are encouraged throughout the development.

F. Roadways.

1. Roadways Widths - Roadway surface and base standards shall conform to the standards of the Ray Township Land Development and Engineering Standards. The following minimum roadway widths are established for an approved open space community:

Roadway Width Schedule		
Number of Homes	Roadway Width	Roadway Surface
Less than 25	22 feet	Macomb County Department of Roads Standards
25 or More	22 feet	Macomb County Department of Roads Standards

2. Cul-de-sac Design - Each cul-de-sac shall be designed to allow for trees and landscaping within the interior area of the cul-de-sac. The types of vegetation shall be approved by the Township Fire Department.

G. Dedication of Open Space.

The dedicated open space shall be set aside in an irrevocable conveyance that is acceptable to the Township, such as the following:

1. A Conservation Easement, as established by the State of Michigan Conservation and Historic Preservation act, Public act 197 of 1980, as amended (M.C.L. 399.251).
2. Master Deed, as established by the State of Michigan Condominium Act, Act 59 Public Act of 1978, as amended.
3. Distributed, gift or sale of the development rights to all property owners within the Open Space Community, the Township, or other acceptable land conservancy.

The above conveyance shall indicate all proposed uses of the dedicated open space, which shall also be shown on the approved open space or farmland community. The Township Attorney shall review the conveyance and assure the Township that such lands shall remain as open space for perpetuity. The conveyance shall also detail a maintenance schedule and funding for operation, maintenance and insurances for all common areas, facilities, projects and programs of the Open Space Community, and shall include methods of payment and collection.

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SECTION 2500 PRIVATE ROADS.

Private roads shall be subject to all of the following provisions.

A. General Conditions.

1. The owners of any lot, outlot, or parcel of land fronting upon said private road, or using the same for ingress and egress, shall own an undivided property interest therein.
2. The private road shall be officially named as approved by the Township and all-weather road signs, which comply with Macomb County Department of Roads standards and specifications, shall be erected.
3. All land divisions shall conform to the State of Michigan Land Division Act and all applicable regulations of the Township.
4. All necessary construction permits shall be obtained from the Macomb County Department of Roads and all other applicable agencies prior to the roadway being constructed.
5. All lots abutting a private road shall only have access to the private road, unless there is an existing access drive which is utilized for an existing residence.

B. Approval Process

1. For private roads developed outside of an open space development, the private road shall be considered a special land use approval and shall follow the standards of special land use.

The Planning Commission shall base its recommendation upon the special land standards as well as compliance with the Master Plan, Zoning Ordinance and Land Development Ordinance of Ray Township as well as the applicable plans and regulations of the Macomb County Department of Roads.
2. Private roads developed as a part of an open space development shall be considered a permitted use and shall follow the standards of site plan review.
3. The Planning Commission shall make a recommendation to the Township Board which shall have the final decision for either approval or denial of the private road application.
4. After Township Board approval, the Township Engineer shall review and approve all engineering and construction plans prior to the start of any construction.
5. Private road construction is to be commenced within twelve (12) months and completed within twenty four (24) months of approval by the Township Board. Failure to complete private road construction within the timeframe shall render said approval null and void, unless an extension has been granted by the Township Board. The maximum extension shall be for one (1) year.

C. Submission Requirements.

1. An application and site plan for the development of a private road shall include all information required within the Site Plan Section. In addition, the following items shall be submitted:

- a. A certification survey of the proposed road and all abutting underlying parcels prepared by a land surveyor or civil engineer.
 - b. The cross-section of the proposed road.
 - c. Surveys and legal descriptions of the proposed parcel splits showing the proposed acreage and lot dimensions.
2. All persons owning lands which front upon or use said private road for ingress and egress shall be party to a maintenance agreement. A copy of the maintenance agreement and all associated deed restrictions shall be furnished for review and approval. Such documents shall appear as a deed restriction, covenant, or other acceptable legal mechanism and shall be recorded with the Macomb County Clerk, Register of Deeds.
 - a. A method of initiating or financing any improvements and/or maintenance which may be necessary to meet or exceed Macomb County Department of Roads standards or return the roadway to an acceptable standard for emergency purposes as determined by the Township.
 - b. A workable method of apportioning the cost of maintenance and improvements.
 - c. A prohibition against the owner of any lot or parcel of land holding an interest in the private road from restricting, limiting, or in any manner interfering with the utilization of said road by a guest, invitee, tradesman, emergency vehicle, or others having right to use said road.
 - d. Signatures of all persons owning lands which front upon or use said private road for egress and ingress at the time of Township approval.
 - e. All such documentation and agreements shall be reviewed and recommended for approval prior to or a condition of final Planning Commission and Township Board action.
- D. Design Standards.
 1. A private road shall not be allowed if it abuts or is adjacent to a separate parcel whose owner is not a joint applicant. If the adjoining lot is not willing to be a joint applicant, a notarized statement from the adjoining landowner indicating no objections to the development of private road shall be acceptable. Further, private roads shall not be permitted when the private road will not be appurtenant to said parcel, or where the private road could result in double frontage lots.
 2. A private road shall not be permitted on section or 1/2-section lines unless the Macomb County Department of Roads and Township have determined in writing that a public road at that location is not required.
 3. All persons holding an interest in said road shall dedicate an easement to the Township for utilization of the full width and length of said private road for roadway and public utilities. All private roads shall have a minimum right-of-way or easement, as established by the Township Master Plan and Zoning Ordinance.
 4. The maximum length of any private road shall be 2,640 feet.
 5. A cul-de-sac with a minimum radius of forty four (44) feet shall be provided. This radius may be increased based on requirement of the Ray Township Fire Department in order to meet the requirements of the 2003 International Fire Code, specific Section 503 & Appendix D, as amended. The Township may permit other alternative turn around designs which provide adequate turning movements for emergency vehicles as reviewed and approved by the Planning Commission and Ray Township Fire Department. If islands are proposed within the cul-de-sac area, such islands shall be fully curbed and shall be landscaped.
 6. A boulevard entrance shall be provided for any road over eight hundred (800) feet in length. The maximum length of the boulevard without a break shall be one hundred (100) feet. The minimum width of the cul de sac shall be ten (10) feet. Such boulevard shall be landscaped as approved as a part of an approved landscape plan and shall be included within the road's maintenance agreement.

7. The intersection of the private road and the abutting road shall be at ninety (90) degree angles. Modifications of this requirement may be allowed upon review by the Township Engineer when justified by physical constraints of the site. Minimum radius at intersections shall be thirty (30) feet measured from the edge of the road surface.
8. The placement of the private road shall allow for the development of building sites, meeting the requirements of the underlying Zoning District, on both sides of the road. No single parcel of land shall be divided by any private road.
9. A twenty (20) foot landscape greenbelt (contained within an easement) shall be provided along all exterior roadways. A complete landscape plan for the entire development area shall be submitted.
10. A minimum of four (4) trees shall be planted outside of and parallel to the private road easement for each lot. Trees must be planted prior to occupancy of the residential structure.
11. The lot area of lots developed as a part of a private road shall be exclusive of that land area contained within the designated road easement.
12. All private roads shall be constructed in accordance with the specifications in the Ray Township Land Development and Engineering Ordinance or, if not in effect, then the Macomb County Department of Roads specifications.
13. All private road construction shall be designed to meet the requirements of the 2003 International Fire Code, specific Section 503 and Appendix D, as amended.
14. Appropriate road signage shall be provided throughout the development.

E. Financial Guarantee

1. After approval of a private road by the Township Board, and before construction of the road is commenced, the applicant shall provide a financial guarantee assuring the proper and timely completion of said road and any utilities with the Township.
2. The financial guarantee shall be equal to the estimated costs of construction of the private road as determined by the proprietor and agreed upon by the Township Engineer.
3. Such financial guarantee may be cash, irrevocable bank letter of credit, or other financial guarantee acceptable to the Township.
4. The financial guarantee shall remain on deposit with the Township until improvements have been installed in accordance with the approved plans and the Township Engineer has certified his acceptance to the Township Board.
5. Portions of this financial guarantee may be released and made available upon request by the developer and verification by the Township Engineer that the portion of the project has been completed and approved.

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F. Building Permits

1. The Township Building Inspector may grant building permits for buildings only upon the completion of the road and only after the Township Engineer assures that:
 - a. The private road has been constructed and approved by the Township up to, and including, the parcel for which they are seeking a building permit.
 - b. A sufficient financial guarantee remains to complete the remainder of the road and associated improvements.

SECTION 2600 INTENT

- A. It is deemed necessary to the preservation of health, safety and welfare that the certain uses hereinafter set forth be specially controlled because they serve an area, market and/or purpose considerably beyond the borders of the Township and/or create particular problems of control in relation to adjoining uses, districts, public health, safety and welfare. These uses, because of their unique characteristics and/or effects upon public health, safety and welfare, are deemed to be impractical to be permitted without Special Land Use or Planned Unit Development (PUD) approval, and then only as specifically allowed.

The intent of the Planned Unit Development is to permit flexibility in the regulations of land development; encourage innovation in land use and variety of design, layout and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities; encourage useful open space; and provide better housing, employment and shopping opportunities particularly suited to the needs of the residents of the Township.

The specific objectives of this section are to:

- Provide for a mixture of acceptable uses such as commercial, industrial, office, and residential.
- Allow for an innovative site design that incorporates all uses, parking, open spaces, etc.
- Approve the development of a planned unit development through an overall site development plan.
- Provide for flexibility in setbacks, building relationships, and use relationships.
- Provide regulations for coverage, density, and building heights.
- Provide a mechanism for managing site access for multiple uses through joint roads and driveways as well as interconnection of uses.

SECTION 2601 LOCATION

- A. Planned unit developments (PUDs) may be permitted as regulated in this section within all Zoning Districts.

SECTION 2602 PERMITTED USES

- A. All permitted uses within the underlying Zoning Districts. (Uses consisting largely of outdoor storage and/or outdoor operation shall be located in an internal location when feasible. Further, landscaping and screening which completely masks such storage or activity shall be provided.

SECTION 2603 SPECIAL LAND USES

- A. All special land uses in the Residential Districts.
B. All special land uses within the NonResidential Zoning Districts.

SECTION 2604 MINIMUM SITE CRITERIA

- A. **Ownership and Minimum Site Area.**

Any person or persons having a beneficial interest or right to obtain a beneficial interest in at least five (5) acres of land may apply for development as a PUD under the procedures for, and in compliance with, the standards of herein.

B. Access.

The PUD must have direct access to a regional, major or secondary road as defined in the Township Master Plan. Local roads adjacent to the PUD shall not be used except for uses and traffic intensity compatible with the adjacent zoning. Access drives within close proximity to major intersections of public streets shall be avoided. Common drives or roadways shall be provided for all uses on site. The use of boulevard roadways and entryways is encouraged. Further, separate roads may be provided for truck traffic as deemed appropriate by the Planning Commission.

SECTION 2605 PROCEDURES, SUBMISSION AND APPROVAL

Approval of a PUD shall require a two-step process by the Township Planning Commission, preliminary and final PUD approval. The preliminary phase shall involve a review of the preliminary PUD development plan to determine its suitability and consistency in the land use and zoning patterns of the Township. The final phase shall require detailed site plans for all or various parts of the preliminary PUD development plan prior to the issuance of building permits. The Ray Township Planning Commission shall be the reviewing and approving body for PUD's.

A. Submission of Preliminary Plans.

An application as supplied by the Township along with all applicable fees as established by the Township Board shall be submitted to the Township along with the necessary number of copies of the site plan and supplemental information. Unless otherwise stated within this Ordinance, the requirements and review process of Section 2100-2109 shall be met. The following documentation and information shall be provided with the preliminary plans:

1. A boundary survey of the exact acreage being requested, to be performed by a registered land surveyor or civil engineer (Scale: 1" = 200').
2. A topography map drawn as contours, with an interval *at a maximum of two (2) feet*. This map shall indicate all stands of trees, bodies of water and unbuildable area due to soil conditions, wetlands, topography or similar conditions (Scale: 1" = 200').
3. A recent aerial photograph of the area shall be provided (Scale: 1" = 200).
4. A preliminary development plan for the entire PUD area, carried out in such detail as to indicate the functional use areas, any subdivision of land, building layout, architecture and design and the character of non-residential development being requested; the densities being proposed; a generalized thoroughfare, traffic and pedestrian circulation plan; natural resource areas and other usable open spaces, and common areas for users of the Planned Unit Development. Phasing lines (if proposed) must be shown on the plan at this time.
5. A preliminary utility plan shall show each utility as a one-line diagram, with flow direction drawn on the proposed street or site layout. Preliminary estimates shall also be provided regarding contemplated total storm water flow, sanitary sewage flows and water requirements. The anticipated method of treating sanitary sewer flows and providing water shall be specified. The Planning Commission may require appropriate studies to verify the ability of the site to accommodate onsite water and sewer.

6. All supporting documentation and material as to the development's objectives and purposes to be served; economic feasibility; conformity to plans and policies of the Township; market needs; utilities and circulation facilities; impact on natural resources; impact on the general area and adjacent property; estimated cost; and a staging plan showing the general time schedule of and expected completion dates of the various elements of the plan. The Township may require the applicant to provide additional information demonstrating the demand for this project, surety that public services and facilities affected by the land use or activity will be capable of accommodating the increased service and facility loads caused by the land use or caused by the activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent land uses, and to promote the use of land in a socially and economically desirable manner. Such information may include, but shall not be limited to, the following: market demand studies, relevant financial information, banking references, and examples of previously completed projects.
7. The general architectural themes shall be presented to the Planning Commission for approval at the preliminary planned unit development phase.

B. Review of Preliminary Plans

Upon receipt of a completed application for preliminary approval, and all required supplemental information the Planning Commission shall set and hold a public hearing on the application. Proper notice, as required by the Township Zoning Act, shall be given to required individuals/property owners. The applicant shall make a presentation to the Planning Commission and the public regarding the proposed PUD.

The Planning Commission shall review all applicable site plans, correspondence, studies, public comment, etc. in reviewing a PUD application. In addition the Planning Commission shall use the planning standards contained within Section 2202 and this Section. Further, in reviewing the PUD application the Planning Commission shall also review adjacent land use, adjacent zonings, adjacent Master Plan designations, etc. to ensure that the intent of the PUD meets the intent of the Townships goals, policies and land use planning practices for the particular area in which it is proposed. And finally that there is, or will be at the time of development, an adequate means of disposing of sanitary sewage and of supplying the development with water, and the road system and storm water drainage system will be adequate.

C. Action on Preliminary Planned Unit Plan submitted to the Planning Commission.

1. If the Planning Commission determines the application meets the standards and requirements set forth herein, it shall approve the preliminary PUD plan by motion including the finding of facts and reasons for such preliminary approval. If the Planning Commission determines the application does not meet the standards and requirements set forth herein, it shall deny the application and provide the reasons for denial in the Commission minutes.
2. Once an area has been included within a preliminary development plan for Planned Unit Development and the Commission has approved such plan, no development may take place in such area, nor may any use thereof be made, except in accordance with the preliminary development plan approved or in accordance with a Commission approved amendment thereto.
3. Within a period of eighteen (18) months following approval by the Commission, final detailed site plans for the entire area embraced within the area approved for development under this district by the Commission must be submitted as hereinafter provided. If such site plans have not been submitted and approved within the two (2) year period, the right to develop under the approved plan may be terminated by the Commission and a new application must then be filed and processed in the same manner as in the original instance if the project is to be considered for continuation.

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D. Submission of Final Plans.

1. Before any building permits shall be issued for buildings and structures within the area of the Planned Unit Development District, a final detailed site plan for all or a portion of the PUD site shall be submitted to the Planning Commission for review. The following documentation shall be submitted with the final plans:
 - a. A detailed site plan (meeting the requirements of the SITE PLAN REVIEW Section, fully dimensioned, showing a fully scaled plan view of all buildings, all public road rights-of-way and private streets (commercial and industrial), boundaries and acreage of each use area and the proposed ultimate density thereof, parking areas, utilities; and the detailed site plan shall indicate plans for natural resource preservation, the development of open space or areas to be set aside for the use of the public within the development (Scale: 1" = 50').
 - b. The proposed topography, contour interval of at least two (2) feet, shall be superimposed on all site plans (Scale: 1" = 50').
 - c. Typical floor plans for all principal buildings and structures, with a schedule of building types.
 - d. Each plat or site plan within the PUD submitted for final approval shall, either individually or in combination with previously approved project areas, meet the standards of this Section as to density and open space requirements. Open space shall be computed as a proportionate amount of the total open space requirement.
 - e. A final scheduling indicating the proposed timing of the development, including phasing and partialization, if appropriate.
 - f. Statement of Covenants, Grants of easement and other restrictions to be imposed upon the uses of land and structures.
 - g. Any other data, plans, or drawings considered by the Planning Commission to be necessary for the consideration of the proposal, including but not limited to assurances that areas shown on the plan for use by the public and occupants shall be, or have been, irrevocably committed for that purpose. The Township reserves the right to require conveyances or other documents to be placed in escrow. Assurance of financial support for and maintenance of all improvements indicated on the plan for open space areas and common use areas. Assurances may require posting of bonds as determined by the Township Planning Commission.
 - h. All other provisions of Sections 2100-2109 shall be met, unless otherwise provided in this section.

E. Review of Final Plans.

The Planning Commission shall review the final site plans, additional documentation provided by the applicant, and reviewing agency's comments. In the process of review, the Planning Commission shall consider:

1. Specific development requirements set forth in this Section.
2. The location and design of service roads or drives and driveways providing vehicular ingress to and egress from each building site, in relation to streets giving access to the site and in relation to pedestrian traffic.
3. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will ensure:
 - a. Safety and conveniences of both vehicular and pedestrian traffic, both within the site and in relation to access streets.
 - b. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent parcels and districts.
 - c. Accessibility afforded to emergency vehicles.

4. The arrangement of use areas on the site in relation to functional, efficient and compatible arrangements within the site and also to adjacent uses.
 - a. The treatment of public space.
 - b. The availability of sewer and water capacity and the capacity of other utilities.
 - c. The impact on air quality.
 - d. The potential noise from development and traffic sources.
5. The plan's conformity with, and compatibility to, the character of the surrounding property and that it will not substantially interfere with the safety, light, air and convenience of the surrounding private and public property.
6. Any other matters that are within the township departments' or the planning commission's jurisdiction.
7. Before approval of any final, detailed site plan, the Township Planning Commission shall determine:
 - a. That all use areas shown upon the development plan for the entire Planned Unit Development District for use by the public or the users of land within the Planned Unit Development District have been irrevocably committed to such uses by dedication, restrictive covenants or in some other manner satisfactory to the Township.
 - b. That the final detailed site plan is in conformity with the original preliminary plan previously approved.
 - c. That the sanitary sewage, water and storm water drainage requirements of the proposed development have been adequately addressed by the applicant.
 - d. If necessary, the provision of public roads has been made so as to cause continuity of public access between any abutting thoroughfare and ingress and egress to all development within the plan.

F. Action on Final Submittal to the Planning Commission.

1. If the Planning Commission determines the final plans meet the requirements set forth, the Commission shall approve the final plans. Any approval of the Planning Commission may include conditions as set forth herein. If the Commission determines that the final plans do not meet the requirements set forth, the Commission shall deny the application. The reasons for the denial of the application and the final plans shall be set forth in detail in the Commission minutes.
2. Upon approval of the Commission, each detailed final site plan shall be effective for a period of one (1) year. If development in compliance with a final site plan is not substantially underway in this period, further development shall not be approved until the final site plan in question is completed or until the timeframe for completion is extended or waived by the Planning Commission. Reasons for extending such timeframe may include a showing by the applicant of good faith in completing engineering review and approval or construction or the overall project still meets the intent of the original approval.

G. Conditions to Approvals

1. The Planning Commission may impose such conditions or limitations in granting approval as may be permitted by State law and this Ordinance that it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall do all of the following:

- a. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - b. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
 - c. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to insure compliance with those standards.
 - d. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. The Planning Commission shall maintain a record of changes granted in conditions.
 - e. Once a Planned Unit Development has been approved, no Zoning Board of Appeals requests shall be permitted. Zoning Board of Appeals requests may be heard prior to the granting of Planned Unit Development approval. Any changes in the development plans must be made following the same procedure as with the detailed-final-site plan in accordance with revision procedures contained herein.
2. The Township Board shall have the right to establish a Special Assessment District for those amenities permitted by State Statute to ensure that the uses and buildings approved as a part of the overall planned unit development are kept in a clean, safe and acceptable manner. The terms and conditions of any special assessment district shall be established by the Board and reviewed by the Township Attorney.

SECTION 2606 DETAILED SITE CRITERIA

A. Consistency of Uses

The uses proposed shall be generally consistent with the Ray Township Master Plan. Any variations or mixture of uses which are not shown on the Township Master Plan shall be duly noted and rationale for such deviation shall be made a part of the Planning Commission record.

B. Perimeter Setbacks.

All non-residential structures shall be located not less than one hundred (100) feet from all exterior property lines.

Further, a twenty five (25) foot greenbelt shall be provided along all exterior property lines of the PUD. This area shall not be used for building, parking, maneuvering, etc. and shall be planted with mixture of deciduous and evergreen trees consistent with the Ray Township Zoning Ordinance. These plantings shall provide a continuous visual screen. Trees may be grouped to allow landscape variation. The required tree plantings shall be supplemented with shrubbery and other decorative plantings.

The Planning Commission may modify any of these standards, when alternatives are proposed and are found to be consistent with the planning standards of Section 2202. These may include architectural details, breaks in the building façade, varying the height of buildings, providing additional screening, etc.

C. Interior Setbacks.

All proposed uses shall comply with the applicable setback, height, minimum floor area and lot coverage requirements of the applicable zoning district. The Planning Commission may modify any of these standards, when found to be consistent with the planning standards of Section 2202. In making any such modifications, the Township shall determine that all structures are located and designed to assure maximum privacy. Building elevations and floor plans shall be required to assure compliance with these requirements.

D.. Landscaping and Screening.

Whenever incompatible uses, in particular, off-street parking areas, service areas for loading and unloading vehicles other than passengers, and areas for storage and collection of refuse and garbage abut one another or are visible from public view or public right of way, either within the area of the Planned Unit Development or between the Planned Unit Development and the adjacent land uses or zoning districts adequate screening and buffering must be provided. Further screening shall be provided between exterior roadways and the area of the planned unit development.

E. Architectural Compatibility.

Architectural features of all structures shall be designed to be compatibly integrated within the overall PUD. The plan shall demonstrate such common architectural designs, materials, and amenities. The general architectural themes shall be established at preliminary planned unit development approval.

F. Access Management.

Well-defined circulation routes shall be required. Particular attention shall be paid to entry and exit drives and the potential conflicts that arise either onsite or offsite. Access drives shall be the absolute minimum number needed to adequately service the site. Main drives connected to the entry and exit points shall be provided. These drives shall limit the number of intersections or cross traffic within the parking and maneuvering areas extending the throat of the access drive.

Further landscaped parking islands shall be provided along the above noted main drives and shall also be provided at the end of all parking aisles. Parking lot landscaping shall be provided at a rate of one tree per five (5) parking spaces. These trees shall be planted within concrete islands placed at the end of parking lanes to provide parking lot definition.

G. Open Space.

A minimum of fifteen (15) percent of the total project area shall be developed for outdoor recreation and open space uses; but such areas shall not include space devoted to streets, parking, onsite stormwater facilities, or required setbacks. In calculating open space acreage, the applicant may, at the discretion of the Township, include existing natural features that occur on the site, including wetlands, lakes or ponds, woodlands, etc., provided that facilities are made available as apart of the PUD approval to use these areas for active or passive recreation purposes.

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H. Parking Requirements

The applicant may propose a reduction in the overall number of parking spaces servicing the site. Information and support data shall also be furnished to the Township substantiating such reduction. The Planning Commission may allow for the banking of parking spaces onsite. This will allow for a reduction in the total number of parking spaces constructed in the immediate provided ample space for such future spaces is shown on the site plan. However, such provision would allow the Township to require the number of parking spaces reduced or banked to be built at a later date upon a finding that such spaces are necessary for the effective and safe operation of the site.

I. Signage

As a part of the overall signage for the PUD, the applicant shall submit a sign package either meeting Township Ordinance or providing a package that allows sign sizes to be averaged over the entire site.

SECTION 2700 CREATION OF ZONING BOARD OF APPEALS.

- A. There is hereby established a Zoning Board of Appeals, which shall perform its duties and exercise its powers as provided by Act 110, Public Acts of 2006, as amended, and as provided in this Ordinance, in such a manner that the objectives of this Ordinance shall be observed, public safety, morals and general welfare assured, and substantial justice done.

SECTION 2701 MEMBERSHIP

- A. The membership of the Board shall consist of five (5) members.
1. The first member shall be a member of the Township Planning Commission.
 2. The remaining members shall be selected and appointed by the Township Board, of which members shall be representative of the population distribution and of the various interests present in the Township.
 3. One (1) elected member of the Township Board may serve on the Zoning Board of Appeals, but may not serve as chairman.
 4. Finally, an employee or contractor of the Township Board may not serve as a member or an employee of the Zoning Board of Appeals.
- B. The terms of each member shall be for three (3) years.
1. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired.
 2. All vacancies for unexpired terms shall be filled for the remainder of the term.
- C. The Township Board may appoint two (2) alternate members for the same term as regular members of the Zoning Board of Appeals.
1. An alternate member may be called to serve in the place of a regular member if the regular member will be absent or for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest.
 2. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals.
- D. Members of the Zoning Board of Appeals shall be removable by the Township Board for non-performance of duty or misconduct in office upon written charges after public hearing.
- E. A member shall disqualify him or herself from a vote in which there exists a conflict of interest. Failure of a member to disqualify him or herself from a vote in which there is a conflict of interest shall constitute misconduct in office.
- F. A quorum of the Zoning Board of Appeals shall consist of at least three (3) persons. The Zoning Board of Appeals shall not conduct business unless a quorum of the membership is present.
- G. The Zoning Board of Appeals shall elect one of its members as Chairman, Vice Chairman and Secretary.

SECTION 2702 POWERS OF ZONING BOARD OF APPEAL.

Upon the appeal, in addition to the general duties and powers conferred upon it by law, the Board of Appeals shall have the following specific powers:

- A. To permit the erection, alteration or enlargement of any building or structure of a greater height, bulk or area than is permitted in a certain district.
- B. To permit the reduction or other modification of the required setbacks in a certain district.
- C. Interpret zoning district boundaries where, due to the scale, illegibility of the zoning map, or due to the absence of a street, alley, recorded subdivision, or plat line, there is any uncertainty, contradiction or conflict as to the intended location of any zone district boundaries.
- D. To permit an increase in height of a nonconforming building or structure or an enlargement or extension of such a nonconforming building or structure existing at the effective date of this Ordinance,
- E. The Zoning Board of Appeals may alter or otherwise modify any other provision within this Ordinance provided the spirit and intent of the Ordinance is maintained.
- F. The Zoning Board of Appeals shall interpret the boundary lines on the Official Township Zoning Map should a discrepancy occur in its interpretation. The Planning Commission shall provide a recommendation to the Zoning Board of Appeals prior to final action.
- G. The Zoning Board of Appeals shall not have the authority to grant use variances or to hear appeals on special land use requests dealing with the decision to approve or deny a special land use.

SECTION 2703 PROCEDURE.

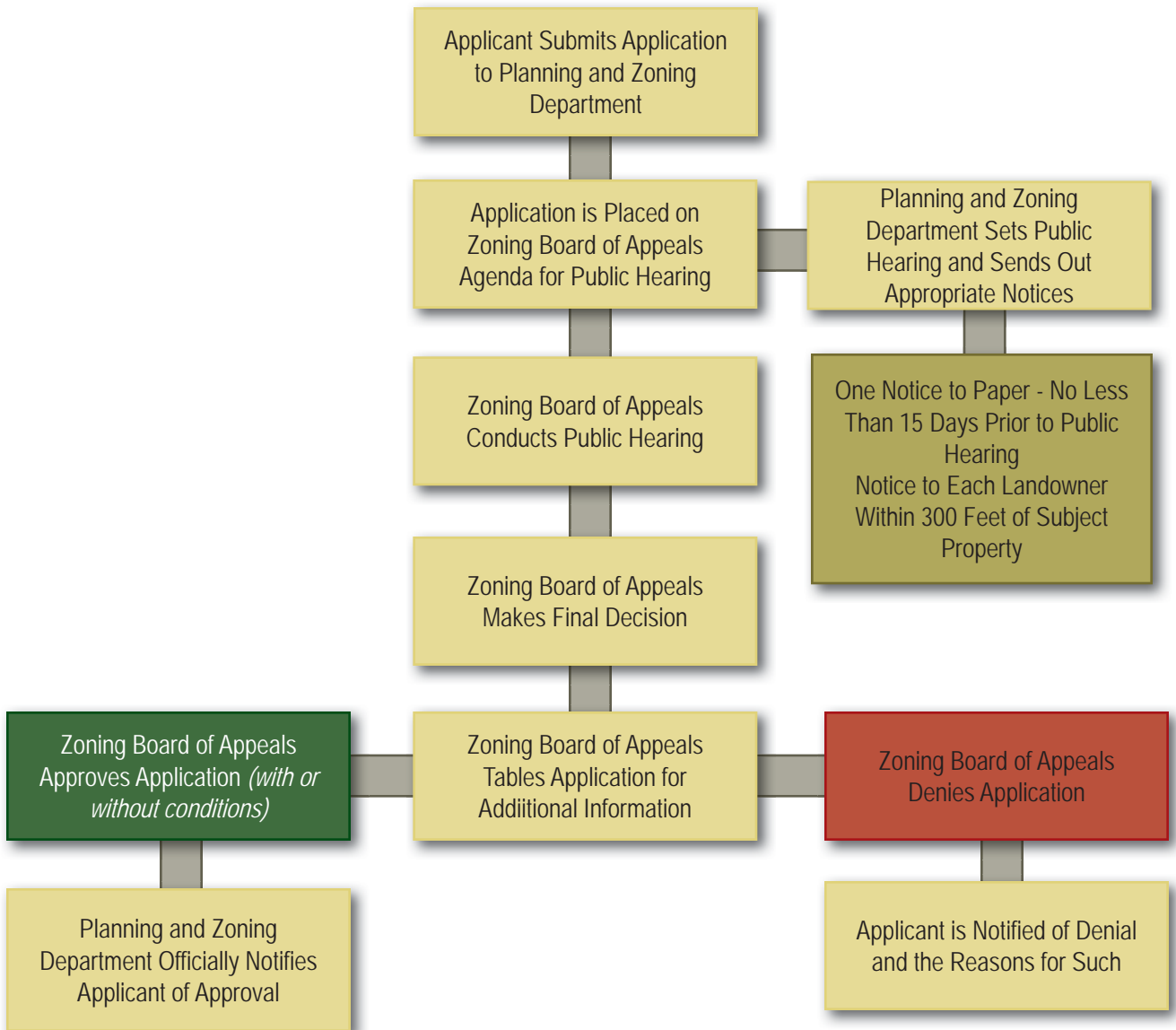
- A. These procedures are instituted to hear and decide appeals from a review, order, requirement, request for interpretation decision or determination made by an administrative official or commission charged with the administration or enforcement of the Township Zoning Ordinance.
- B. An application for the approval of a variance shall be made by an owner with an interest in the site to the Planning and Zoning Department, accompanied by the necessary fees and documents. The application shall be accompanied by a site plan, mortgage survey or plot plan drawn at a legible scale and placed on a standard sheet and containing the following information:
 - 1. Dimensional elements for which a variance is requested.
 - 2. Dimensional relationships of the subject lot to the structure on all adjacent lots.
 - 3. The application shall be accompanied by a written narrative completed by the applicant explaining:
 - a. How the strict enforcement of the provisions of the Township Zoning Ordinance would cause practical difficulty and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district.
 - b. How the conditions and circumstances are unique to the property and are not similarly applicable to other properties in the same zoning district.

- c. How the conditions and circumstances unique to the property were not created by the owner, or his predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property.
 - d. Why the requested variance will not confer special privileges that are denied other properties similarly situated in the same zoning district.
 - e. Why the requested variance will not be contrary to the spirit and intent of this Zoning Ordinance.
- C. The Planning Department shall notify the applicant and all owners of an interest in lots, as provided in this Ordinance.
- D. The Board shall consider the application for variance at its next regular meeting provided proper notification can be achieved.
- E. The Zoning Board of Appeals shall approve, approve with conditions or deny the application. The motion of the Zoning Board of Appeals shall be in writing.
- F. An applicant may represent themselves or be represented by any agent or attorney.
- G. Any proposal that is also subject to site plan review and approval by the Planning Commission shall appear before the Planning Commission prior to being heard by the Zoning Board of Appeals.

SECTION 2704 NOTICE

- A. The Board of Appeals shall conduct a public hearing for each item on the Zoning Board of Appeal agenda. Notice of the public hearing shall be provided not less than fifteen (15) days prior to such meeting to the following:
 - 1. The applicant and landowner (if not the applicant)
 - 2. All property owners on the latest tax rolls within three hundred (300) feet of the subject site.
 - 3. Public newspaper of general circulation in the Township.
- B. If the request does not involve a specific property, notice is only required within a public newspaper of general circulation in the Township no less than fifteen (15) days prior to such meeting.
- C. Proof of service of mailing and Affidavit of Publication shall be made a part of the file.
- D. The Notice of Public Hearing shall contain:
 - 1. The time and place of the public hearing
 - 2. The section of the zoning ordinance from which the variance is sought or to be interpreted
 - 3. The location of the property included in the application (as applicable) by either common address or parcel identification number or both as well as legal description
 - 4. Where and when comments may be submitted

SECTION 2705 PROCESSING FLOWCHART



SECTION 2706 STANDARDS

- A. The Board shall not approve an application for a variance unless it has been found positively that:
1. The strict enforcement of the Zoning Ordinance would cause practical difficulty and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district.
 2. The conditions and circumstances are unique to the subject property and are not similarly applicable to other properties in the same zoning district.
 3. The conditions and circumstances unique to the property were not created by the owner, or his/her predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property.
 4. The requested variance will not confer special privileges that are denied other properties similarly situated and in the same zoning district.
 5. The requested variance will not be contrary to the spirit and intent of the Township Zoning Ordinance.

SECTION 2707 DECISION

- A. No order of the Zoning Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than one (1) year, unless a building permit is obtained and work is commenced.
- B. The applicant may file, in writing, a request for an extension of up to one (1) year. The request shall be filed with the Planning & Zoning Department. The Zoning Board of Appeals reserves the right to deny such request.
- C. The concurring vote of a majority of the total membership of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or Commission.
- D. All actions of the Board shall be stated in writing within the minutes. The applicant shall also be notified in writing by the Township of the official decision of the Zoning Board of Appeals.

SECTION 2708 APPEALS OF A ZONING BOARD OF APPEALS DECISION

- A. Appeals of a Zoning Board of Appeals decision shall be permissible as provided for in MCL 125.3605, as amended.

SECTION 2709 STAY OF PROCEEDING.

- A. An appeal stays all proceedings in furtherance of the action appealed from unless the official from whom the appeal is taken certifies to the Zoning Board of Appeals after the notice of appeals have been filed by him that by reason of the facts stated in the Certificates a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Zoning Board of Appeals or by the Circuit Court on application or notice to the officer from whom the Appeal is taken and on due cause shown.



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SECTION 2800 INTENT.

- A. It is the intent of this Ordinance to permit legal nonconforming lots, structures, or uses to continue until they are removed but not to encourage their survival.
- B. It is recognized that there exists within the districts established by this Ordinance and subsequent amendments, lots, structures, and uses of land and structures which were lawful before this Ordinance was passed or amended which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendments.
- C. Such uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.
- D. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this Ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, generally in the district involved.

SECTION 2801 GENERAL

A. Continuance of Nonconforming Building.

Any such nonconforming building or structure may be continued and maintained, provided there is no physical change other than necessary maintenance and repair in such building or structure, except as permitted hereinafter.

B. Continuance of Nonconforming Use.

Any such nonconforming use may be continued and maintained, provided there is no increase or enlargement of the area, space or volume occupied by, or devoted to, such nonconforming use within a building or on site.

SECTION 2802 NONCONFORMING USE

A. Change of Use.

The nonconforming use of a building, structure or land may not be changed to a different use unless one or more of the following conditions has been met:

- 1. Such different use is permitted in the Zoning District under which the property is currently zoned, subject to site plan review and approval as required in the Zoning Ordinance.
- 2. Such proposed use, while still nonconforming, is considered less intense than the previous nonconforming use as determined by the Ray Township Planning Commission, and would bring the site closer into conformance with existing Ordinance standards. A use may be deemed more intense if the Planning Commission determines that the proposed use meets any of the following criteria:

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- a. The proposed use generates more light, noise, air, or other pollution than the current use;
- b. The proposed use generates more traffic and/or turning movements, or negatively alters the traffic circulation pattern on or off the site;
- c. The use generates a greater need for parking on site;

B. **Abandonment; Termination of Nonconforming Use.**

Any part of a building, structure or land occupied by a nonconforming use which is abandoned and remains unoccupied for a continuous period of twelve (12) months shall not be occupied, except by a use which conforms to the use regulations of the district in which it is located. This shall not apply to a seasonal nonconforming use of land. However, discontinuation for a full season with no active attempt to sell or market the property shall be considered abandoned and any future use shall conform to this Ordinance.

C. **Change of Tenancy or Ownership.**

There may be a change of tenancy, ownership or management of an existing nonconforming use, provided there is no change in the nature or character of such nonconforming use.

D. **Expansion of Nonconforming Use Prohibited.**

A nonconforming use of all of or a portion of a building or structure, which building or structure otherwise conforms to the provisions of this Ordinance, shall not be expanded or extended into any other portion of the conforming building or structure nor changed, except to a conforming use (unless otherwise allowed by this Ordinance).

E. **Nonconforming Use of Land - Continuation of Use.**

The nonconforming use of land (where no building is involved) existing at the date this Ordinance becomes effective, may be continued, provided that:

1. No such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property.
2. If such nonconforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of this Ordinance.

SECTION 2803 NONCONFORMING BUILDINGS/STRUCTURES

A. Maintenance Permitted.

Except as otherwise provided in this Section, a nonconforming building or structure may be maintained. The maintenance of such building or structure shall include necessary repairs and incidental alterations, which alterations, however, shall not extend the extent or degree of nonconformity of such building or structure to this Ordinance, provided that in a building which is nonconforming as to use regulations, no structural alterations shall be made, except those required by law or ordinance. Provided further, that the cost of such work shall not exceed thirty (30) percent of the assessed valuation of such building or structure at the time such work is done. This requirement shall not be considered as prohibiting the bringing of a structure into conformity with the regulations of the district in which it is located.

B. Restoration of Damaged Building.

A nonconforming building or structure having been damaged or partially destroyed by fire or other calamity to an extent not exceeding sixty five (65) percent of its assessed valuation, at that time, may be restored; and its immediately previous occupancy or use existing at the time of such partial destruction may be continued or be resumed, provided that such reconstruction is approved by the Building Official, and the work of restoration is commenced within one (1) year of the date of such partial destruction and is diligently carried on to completion.

Whenever a nonconforming building or structure is damaged in excess of sixty five (65) percent of its assessed valuation, at that time, the repair or reconstruction of such building shall conform to all of the regulations of the district in which it is located and it shall be treated as a new building.

C. Additions, Enlargements, Moving.

A building or structure that is nonconforming, in regard to setbacks or height, may be added to or enlarged if such addition or enlargement conforms to all of the regulations of the district in which it is located. In such case, such addition or enlargement shall be treated as a separate conforming building or structure if all other requirements of the Ordinance are met.

When a building or structure, or portion thereof, is moved from one district/lot to another or to another location within the same district, it must conform or be made to conform to all of the regulations, ordinances and codes of the district/lot to which it is moved.

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SECTION 2804 NONCONFORMING LOTS

A. Nonconforming Lot of Record. Division of Nonconforming Lot.

Parcels shall not be divided in a manner that increases nonconformity, causes an existing structure or site improvement to become nonconforming, or creates one or more nonconforming or substandard lots.

B. Use of a Nonconforming Lot of Record.

Any nonconforming lot of record shall only be used as permitted in the district in which it is located. A single nonconforming lot may be developed or improved with a principal building and permitted accessory structures, without the need for a variance, provided that the following conditions have been met:

1. The structure and lot shall conform with at least fifty (50) percent of all applicable yard dimensions, setbacks and other requirements, other than minimum lot width and lot area, for the district in which it is located. Further, the front yard setback shall not be reduced to a point which would permit the construction of a structure within the existing road right of way or easement.
2. The lot is not under contiguous single ownership with other lots that could be combined into one or more conforming lots.

C. Contiguous Nonconforming Lots Under the Same Ownership.

Two (2) or more contiguous, conforming or nonconforming lots under the same ownership shall be considered one (1) parcel for the purposes of this Ordinance. The applicant shall not be permitted to make improvements to the parcel prior to combining such lots to create one conforming lot of record.

SECTION 2900 ADMINISTRATIVE OFFICIAL.

A. Administrative Official

1. The provisions of this Zoning Ordinance shall be administered and enforced by a Zoning Administrator and/or Building Inspector as appointed by the Township Board. Unless specifically directed otherwise by the Township Board, the duties of the Zoning Administrator shall be provided with the assistance of such other persons as the Township Board may direct. The Building Inspector shall serve under such terms and at such rate of compensation as the Township Board may determine.
2. If the Zoning Administrator/Building Inspector shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing, the person responsible for such violation or the owner of record of the lot upon which such violation is taking place, indicating the nature of the violation. He shall order discontinuance of the illegal use of any lot or structures; or if illegal additions, alterations, or structural changes, discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

B. Permits Required.

1. A zoning compliance permit shall be required for all new uses, change of use, new construction or structural alteration of any structure or building.
2. A building permit, meeting all of the requirements of the applicable building code or the state construction code shall be required prior to the erection, alteration, moving or removal of any structure or building.
3. No building or zoning compliance permit shall be required for alterations or repairs for roofing repairs, siding or painting, or interior repairs, provided that such repairs shall not be construed to include the cutting away of any stone or masonry wall, the addition or removal of any beam or support, or the removal, change or closing of any staircase, means of ingress or egress, or any chimney or window or is otherwise not required by the applicable construction code. No building or zoning compliance permit shall be required for detached accessory buildings such as storage sheds, dog houses, bus shelters, or children's playhouses provided they do not exceed fifty (50) square feet in area.
4. Site plan approval and/or Special Approval may be required for certain uses according to the provisions of this zoning ordinance prior to the issuance of a building permit or a zoning compliance permit.
5. Applications shall be applied for in writing on the forms provided and according to the procedures established by the Township. The amount of fees charged for permits or inspections shall be established by the Township Board.

C. Certificates of Zoning Compliance.

It shall be unlawful to use, or occupy, or permit the use, or occupancy of any structure or premises, or parts thereof, hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a certificate of occupancy and/or zoning compliance have been issued by the Building Inspector stating that the proposed use of the structure or lot conforms to the requirements of this Ordinance.

1. No nonconforming structure or use shall be changed, or extended until a certificate of compliance shall have been issued by the Building Inspector in compliance with the terms of this ordinance. The certificate of zoning compliance shall state specifically wherein the nonconforming use differs from the provisions of this Ordinance.

2. No permit for erection, alteration, moving, or repair of any structure shall be issued until an application has been made for a certificate of zoning compliance, and the certificate shall be issued in conformity with the provisions of this Ordinance upon completion of the work.
3. The Building Inspector shall maintain a record of all certificates of zoning compliance.
4. Failure to obtain a certificate of compliance shall be a violation of this Ordinance and punishable under the applicable provisions of this Ordinance.

D. Building Permits.

Where a building permit is required for the erection or structural alteration of a building (other than a single-family dwelling or farm dwelling and other than accessory building to such dwellings), a Site Plan shall be reviewed and approved in accordance with the provisions of this Ordinance prior to the issuance of a building permit.

Before proceeding with the erection, alteration or removal of any structure or building, a permit shall be first obtained from the Building Inspector. The application for such permit shall be made in writing and upon printed forms furnished by the Township.

All applications for building permits shall be accompanied by the appropriate number of sets of plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of structures already existing, if any; and the location and dimensions of the proposed structure or alteration. The application shall include such other information as lawfully may be required by the Building Inspector, including data on existing or proposed structures or alteration, existing or proposed uses of the structures and lot; the location of existing or proposed wells, septic systems or drains; the number of families, housekeeping units, or rental units the structure is designed to accommodate.

1. One (1) copy of the plans shall be returned to the applicant by the Building Inspector after he shall have marked such copy either as approved, or disapproved, and attested to same by his signature on such copy. One (1) copy of the plans, similarly marked, shall be retained by the Building Inspector.

E. Certificates of Occupancy.

It shall be unlawful to use, or occupy, or permit the use, or occupancy of any structure or premises, or parts thereof, hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a certificate of occupancy and zoning compliance shall have been issued therefore by the Building Inspector.

1. No occupancy permit shall be granted until the septic tank tile field and water supply system is inspected and approved by the Macomb County Health Department.
2. No change of use shall be made in any building, premises or land or part thereof now or hereafter erected, altered, or used that is not consistent with the provisions of this Ordinance and no such change or use or occupancy shall be made without the issuance of a certificate of occupancy and compliance for such new use.
3. A certificate of occupancy and compliance shall be applied for coincident with the application for a building permit. Where a certificate of use and occupancy is required not in conjunction with the issuance of a building permit, the same shall be issued on forms furnished by the Building Inspector. Every change of use shall require the issuance of a new certificate of use.

4. A temporary certificate of occupancy may be issued by the Building Inspector for a period not exceeding six (6) months during alterations for partial occupancy of a structure pending completion of such alterations, provided that such temporary certificate may include such conditions and safeguards as will protect the safety and health of the occupants and the public.
5. The Building Inspector shall maintain a record of all certificates of zoning compliance.
6. Failure to obtain a certificate of occupancy shall be a violation of this Ordinance and punishable under the applicable provisions of this Ordinance.

F. Expiration of Building Permit.

If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire, except as otherwise provided herein; it shall be canceled by the Building Inspector; and written notice thereof shall be given to the persons affected.

If the work described in any building permit has not been completed within one (1) year from the date of issuance, the permit shall expire unless it is renewed. The Building Inspector may reissue said permit for a second period of one (1) year at the cost of 1/2, the original permit fee. The renewal permit will expire at the end of one (1) year having allowed a total of two (2) years for final construction under original permit.

At the end of two (2) years from the date of issuance of the original building permit, the permit shall expire and the Building inspector will notify the permit holder in writing of said expiration. No further work may be undertaken and all monies (financial guarantees, plan reviews, and permit fees) will be forfeited. To undertake any additional work after this period a new application, permit and fees shall be required.

G. Inspections.

As work progresses under a building permit the holder thereof shall cause the Building Inspector to be notified according to the requirements of the Township Building Code.

Each inspection shall be made as soon as possible following the receipt of notification. At the first inspection the Building Inspector shall determine to the best of his ability that the building or structure has been located in accordance with the site maps and that yard areas will comply with Township requirements.

Should the Building Inspector determine that the construction is not proceeding according to the plan filed or is in violation of any provision of this code or any other applicable ordinance, regulation or law, he shall notify the permit holder and further construction shall be stayed until correction has been affected and approved by the Building Inspector or upon notice and request for reinspection duly made.

If the permit holder fails to comply with the requirements at any stage of construction, the Building Inspector is hereby empowered to cancel the building permit issued and shall cause notice of such cancellation to be securely posted upon said construction. Posting of such notice shall be considered sufficient notification to the permit holder of cancellation thereof. No further work shall be undertaken or permitted upon such construction until a valid building permit shall thereafter have been issued.

H. Unlawful Structures.

Any uses of land or dwellings or construction or alteration of building or structure including tents or mobile homes used, erected, altered, razed or converted in violation of any of the provisions of this Ordinance are hereby declared to be a nuisance per se.

The Building Inspector or the Township Supervisor is hereby authorized to apply to a court of equity to abate the nuisance created by such unlawful use or structure. Whenever the Building Inspector has declared a structure to be not conforming with the requirements contained in this Ordinance, the owner or occupant may be required to vacate such structure or premises and such structure or premises shall not again be used or occupied until it has been made to conform with this Ordinance.

SECTION 2901 SCHEDULE OF FEES, CHARGES, AND EXPENSES.

- A. Fees, charges, and expenses shall be assessed as part of the application for special use permits, site plan review, appeals, building permits, certificates of zoning compliance, and amendments to defray expenses incurred in processing such application.
- B. The Township Board by resolution shall establish a schedule of fees, charges, and expenses.
 1. The schedule of fees, charges and expenses may be altered or amended by resolution duly adopted by the Township Board.
- C. No action shall be taken on any application or appeal until all applicable fees, charges, and expenses have been paid in full.

SECTION 2902 VIOLATIONS AND PENALTIES

Any building or structure which is erected, altered, maintained or used or any use of land which is begun, maintained or changed in violation of any provisions of this Ordinance is hereby declared to be a nuisance per se. Any person, firm, or other organization which violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any provisions shall be fined upon conviction not more than One Hundred (\$100.00) Dollars, together with the cost of prosecution or shall be punished by imprisonment in the County Jail for not more than ninety (90) days for each offense or may be both fined and imprisoned as provided herein at the discretion of the Court. Each and every day during which an illegal erection, alteration, or maintenance of use continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this Ordinance.

SECTION 2903 REPEAL OF CONFLICTING PROVISIONS

The Ray Township Zoning Ordinance passed by the Township Board on November 18, 1997 and as amended, is hereby repealed: All other resolutions or ordinances, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict, hereby repealed.

SECTION 2904 VESTED RIGHTS

This Ordinance and any of the provisions hereof are not intended and shall not be construed to establish any vested right in or on behalf of any persons, firm or corporation in and to the continuation of any particular use, district, zoning classification or any activity therein and each of such matters are hereby declared to be subject to such later amendments to this Ordinance as may be necessary to appropriate for the further preservation and protection of public health, safety, welfare and morals.

SECTION 2905 SEVERABILITY

This Ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable. If any article, section, subsection, paragraph, part, provision, sentence, word and/or portion is adjudged by a Court of competent jurisdiction to be invalid or unenforceable for any reason whatsoever, it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

SECTION 2906 ENACTMENT AND EFFECTIVE DATE

The provisions of this Ordinance are hereby declared to be immediately necessary for the preservation of the public peace, health, safety, welfare and morals of the people of the Township of Ray, and are hereby ordered to be given immediate effect from and after the date of its passage by the Township Board in accordance with the provisions of Public Act 110 of 2006, as amended, and subsequent publication as required by law.

I, Ken Artmen, Township Clerk of the Township of Ray, do hereby certify that this Ordinance was originally adopted by the Ray Township Board, by authority of Act 110 of 2006, as amended, at a meeting of the Ray Township Board held at the Township Hall on the 4th day of October 2011. The Zoning Ordinance shall take effect thirty days after the publication of a synopsis of this Ordinance in a paper of general circulation in the Township.

Ken Artmen
Ray Township Clerk

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SECTION 3000 INTRODUCTION

For the purpose of this Ordinance, certain terms are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number and words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory. The term "person" shall mean an individual, partnership, corporation, or other association or their agents. The words used or occupied include the words intended, designed, or arranged to be used or occupied. Terms not herein defined shall have the meanings customarily assigned to them.

SECTION 3001 DEFINITIONS

ACCESSORY BUILDING - A detached structure on the same lot with and of a nature customarily incidental to the principal structure.

ACCESSORY USE - A use naturally and normally incidental and subordinate to, and devoted exclusively to the main use of the premises.

ADULT USE -

Adult book store. An establishment having as a substantial or significant portion of its stock in materials, devices, objects, goods, trade, books, magazines, and other media or periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", or an establishment with a segment or section devoted to the sale or display of such material.

Adult motion picture theater. A building or area used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

Adult video store. An establishment having as a substantial or significant portion of its stock in trade, pictures, films or videotapes which are characterized or distinguished by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" (as further defined).

Cabaret. A cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators (of an adult nature) or similar entertainers.

Specified anatomical areas:

- a. Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities:

- a. Human genitals in a state of sexual stimulation or arousal.
- b. Acts of human masturbation, sexual intercourse or sodomy.
- c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Amended: December 4, 2012

AGRICULTURAL USE - Farmland devoted to the production of plants and animals useful to man, including forages and sod crops; grains and feed crops; dairy and dairy crops; livestock, including breeding and grazing; fruits; vegetables; and other similar uses and activities.

AGRIBUSINESS USE - Any fixed or mobile retail food establishment which is engaged primarily in the sale of raw agricultural products, but may include packaged food products. Such business shall be clearly incidental and accessory to the principal agricultural use.

ALLEY - A public way which affords a secondary means of access to abutting property typically at the rear of a building and not intended for general traffic circulation.

ALTERATIONS - Any change, addition or modification in construction, appearance or type of occupancy.

ALTERATIONS, STRUCTURAL - Any change in the number of exits in the supporting members of a building, such as bearing walls, or partitions, columns, beams or girders or any substantial change in the roof.

APARTMENT - The term "apartment" is the same as dwelling, multiple family.

AUTOMOBILE REPAIR - General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair; overall painting and vehicle rust proofing.

AUTOMOBILE SERVICE STATION - (GAS STATION) A building or premises designed or used for the retail sale or supply of fuels (stored only in underground tanks), lubricants, air, water, and other operating commodities for motor vehicles, and including the customary space or facilities for the installation of such commodities on or in such vehicles, and including space or facilities for the storage, minor repair or servicing, but not including bumping, painting, refinishing, muffler installation where the primary use of the premises is such, thereof. A service station is not an automobile repair or body shop. An automobile service station may also contain general retail sales space for convenience goods.

AUTOMOBILE WASH ESTABLISHMENT - (CAR WASH) A building, or a portion thereof, the primary purpose of which is that of washing motor vehicles.

BASEMENT - That portion of a building which is partly or wholly below grade but so located that the average vertical distance from the grade to the floor is greater than the average vertical distance from the grade to the ceiling; provided, however, that if the average vertical distance from the grade to the ceiling is five (5) feet or more, such basement shall be considered as a story.

BED AND BREAKFAST ESTABLISHMENT - shall be defined as in PA 92 of 2000, as amended.

BERM - A mound of soil/earth graded and shaped in such a fashion as to be utilized for screening purposes.

BILLBOARD - A billboard shall mean any structure or portion thereof designed or intended to be used for posting, painting, or otherwise affixing any advertising sign, which does not pertain to the premises or to the use of premises on which it is located.

BOARD OF APPEALS - The Zoning Board of Appeals of the Township of Ray.

BOARDING HOUSE - A building (includes rooming house or lodging house) where lodging and/or meals, are provided for compensation to three (3) or more persons

BUILDABLE AREA - The space remaining after compliance with the minimum required setbacks and the minimum open space requirements of this Ordinance.

BUILDING - A structure, either temporary or permanent, having a roof or cover supported by columns or walls for the shelter, support or enclosure of persons, animals, or chattels, is a building. This shall not include buildings of less than six (6) square feet such as a dog house. This shall include tents, awnings, or vehicles situated on private property and used for purposes of a building.

BUILDING HEIGHT - The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roofs, or to a point equivalent to the foregoing on any other roof. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade. For accessory building height see Section 200.

BUILDING LINE - A line established, in general, parallel to the front street right-of-way line at the minimum front yard setback distance.

CLINIC - A place for the care, diagnosis, and treatment of sick or injured persons, and those in need of medical or minor surgical attention. A clinic may include one or more dentist or doctor offices. A clinic may incorporate customary laboratories and pharmacies incidental or necessary to its operation or to the service of its patients, but may not include facilities for in-patient care.

COMMERCIAL VEHICLE - Any self propelled or towed vehicle used for the shipping or transporting of persons, goods and/or materials which has a gross vehicle weight of or exceeding 24,000 pounds.

COMMISSION - The word "Commission" shall mean the Ray Township Planning Commission.

CONDITIONAL USE - A use specified in this Ordinance as permissible in a specific use district only after special conditions are met. (uses permitted after special land use approval).

CONDOMINIUMS-

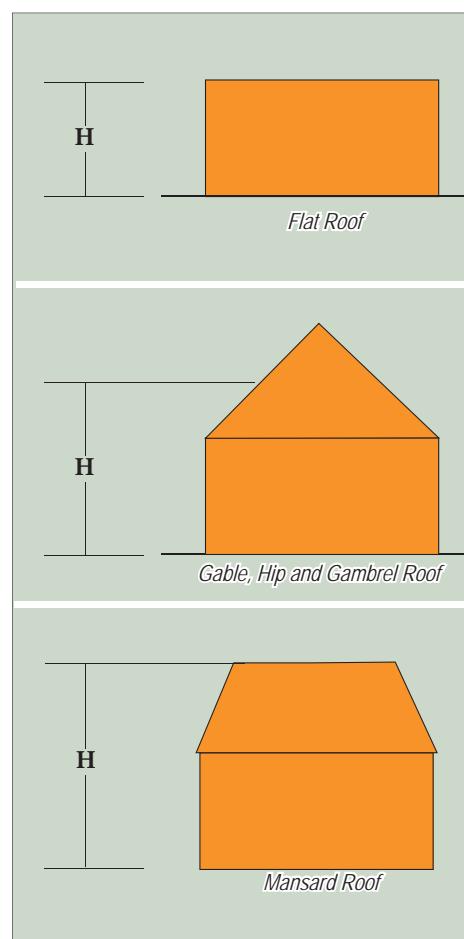
- (1) A building, a group of buildings or a property in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.
- (2) Condominium Act means Act 59 of 1978, as amended.
- (3) Condominium Subdivision Plan means the site plan illustrating the existing site features and all proposed improvements pursuant to the requirements for site plan review.
- (4) Condominium Unit means that portion of the condominium project designed and intended for separate ownership and use, as described in the master deed.
- (5) Master Deed means the condominium document recording the condominium project as approved by the Township, to which is attached as exhibits and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the site.

CONSUMER FIREWORKS - means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5 Consumer Fireworks does not include low-impact fireworks.

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CONVALESCENT HOME OR NURSING HOME OR REST HOME - A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and/or medical care.

BUILDING HEIGHT GRAPHIC



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DISTRICT - A portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

DRIVE-IN/THRU - A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle. (e.g., restaurants, cleaners, banks, theaters).

DRIVE, PRIVATE - A means of vehicle access serving one property, or one dwelling.

DWELLING - A building or portion thereof, used exclusively for residential occupancy but not including hotels, motels, boarding houses, travel trailers, and the like.

DWELLING, MULTIPLE - A building or portion thereof, used or designed as residences for three (3) or more families living independently of each other (i.e., apartment).

DWELLING, SINGLE-FAMILY OR ONE-FAMILY - A detached building designed for or occupied exclusively by one (1) family.

DWELLING, TWO-FAMILY - A detached building, designed for or occupied exclusively by two (2) families living independently of each other such as a duplex dwelling unit.

DWELLING UNIT - A room or rooms connected together constituting a separate, independent housekeeping establishment for one family only, physically separated from any other rooms or dwelling units, and containing independent cooking and sleeping facilities. In no case shall a travel trailer, automobile or truck chassis, or tent be considered a dwelling unit.

ERECTED - The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erection.

ESSENTIAL SERVICES - The term "essential services" means the erection, construction, alteration, maintenance, addition, reconstruction, or replacement by public utilities or municipal departments or commissions of underground, surface or overhead distribution of gas, electricity, communications (excluding commercial radio, television, cellular, digital, and other transmitting or relay, antenna, towers or monopoles), steam or water transmission or distributing systems, collection, supply or disposal system, including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service to this municipality and immediate surrounding territory by such public utilities or municipal departments or commissions. Such facilities, both above and below ground, designated to serve users outside of this municipality and immediate surrounding territory shall not be considered essential services under this definition.

EXCAVATING - Excavating shall be the removal of sand, stone, gravel or dirt below the average grade of the surrounding land and/or road grade, whichever shall be the highest.

FAMILY -

- A. A domestic family, that is, one (1) or more persons living together and related by the bonds of consanguinity, marriage, or adoption, together with servants of the principal occupants and not more than one (1) additional unrelated person, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in a dwelling.
- B. The functional equivalent of the domestic family, that is, persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family, with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie organization or group whose association is temporary or seasonal in character or nature. For the purposes of enforcement, it is presumed that a functional equivalent of a domestic family is limited to six (6) or fewer persons.

FARM - Refer to Farmland

FARM BUILDINGS - Any building or structure other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for the pursuit of their agricultural activities.

FARMLAND - Shall be defined by any of the following: 1) A farm of 40 or more acres, in one ownership which has been devoted primarily to an agricultural use, 2) A farm of 5 acres or more in one ownership, but less than 40 acres, devoted primarily to an agricultural use, which has produced a gross annual income from agricultural of \$200.00 per year or more per acre of cleared and tillable land, 3) A farm designated by the Department of Agriculture as a specialty farm in one ownership which has produced a gross annual income from an agricultural use of \$2,000.00 or more, at least 15 acres in size, or 4) Parcels of land in one ownership which are not contiguous but which constitute an integral part of farming operations being conducted. If any discrepancy arises, the Farmland and Open space Preservation Act (P.A. 116) shall override this ordinance. Amended:

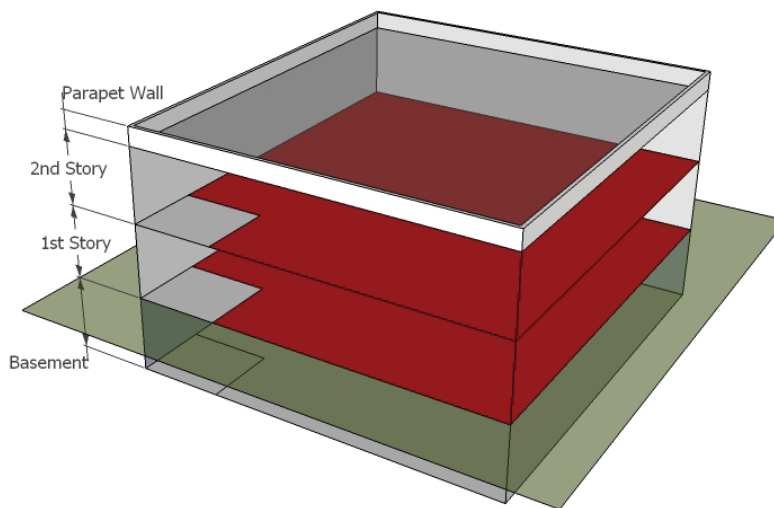
FARM FISH or RECREATION POND - A water impoundment made by constructing a dam, embankment or other impediment, or by excavating a pit or depression to provide water for livestock, fish and wildlife, fish production, recreation, fire control, crop and orchard spraying and related uses. Detention or retention ponds shall not constitute a farm, fish or recreation pond.

FEED LOT - A lot or area in which cattle, livestock or hogs or similar animals are confined in high densities or numbers which require feed areas, corrals or holding pens, feed storage and diversion channels or detention ponds to process, treat, or store animal waste and water runoff. Any such feed lot shall meet the minimum standards set by the Extension Agricultural Engineer at Michigan State University or the Macomb County Cooperative Extension Service.

FILLING - Shall mean the depositing or dumping of any matter onto, or into the ground, except common household gardening.

FLOORAREA - Area measured to the exterior face of exterior walls and to the centerline of interior partitions.

FLOOR AREA, USABLE, NON-RESIDENTIAL - The sum of the horizontal area of the first story measured to the exterior face of exterior walls, plus, similarly measured, that area of all other stories, including mezzanines, which may be made fit for occupancy, including the floor area of all accessory buildings measured similarly and the floor area of basements used for activities related to the principal use, such as storage, but excluding furnace and utility rooms. Parking space located within a building shall not be considered usable floor.



FLOOR AREA, USABLE, RESIDENTIAL - The sum of the horizontal area of the first story measured to the exterior face of exterior walls, plus, similarly measured, that area of all other stories having more than eighty-four (84) inches of headroom which may be made usable for human habitation, but excluding the floor area of basements, attics, garages, breezeways, porches and accessory buildings.

GARAGE, PRIVATE - An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats, and similar vehicles owned and used by the occupants of the building to which it is accessory.

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GREENBELT - A strip of land of definite width and location reserved for the planting of shrubs and/or trees to serve as a landscape area, an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

GROSS ANNUAL INCOME, farming related - An average income computed from two of the three tax years immediately preceding the current from the raising or harvesting of any agricultural commodities.

GROSS VEHICLE WEIGHT - As defined within the Motor Carrier Safety Act: the combined weight of a motor vehicle and any load on that vehicle.

GROUP CHILD CARE HOME - means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

GUN CLUB - Any club, organization, individual, group of individuals, or use, whether operated for profit or not, which caters to or allows the use of firearms.

HOOFED ANIMALS (AND THE LIKE): shall be defined as but not limited to horses, cattle, alpaca, llamas, buffalo, pigs, miniature horses, ponies, sheep, goats or other similar animals.

HOME OCCUPATION - Any use customarily conducted within the dwelling or its accessory buildings and carried on only by the inhabitants thereof. Such use shall be clearly incidental and secondary to the use of the dwelling unit for dwelling purposes, is not offensive, and shall not change the character thereof. Provided further, that no article or service is sold or offered for sale on the premises, except such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customary in residential areas. One (1) non-illuminated sign, not more than two (2) square feet in area, may be permitted which shall contain only the name, phone number, and occupation of the resident of the premises. Restaurants, animal hospitals, kennels, automobile repair or bump shops, among others, shall not be considered as home occupations.

Type I Home Occupations - Certain home occupations which are conducted entirely within the dwelling unit (does not include accessory buildings) and which do not require any external alterations, additional parking, or separate entrances.

Type II Home Occupations - Home occupations other than Type I which may be conducted in accessory buildings or elsewhere on the site. Type II Home Occupations may also be permitted to have external alterations to the structure, separate entrances, or additional parking spaces.

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

HOTEL - An establishment that provides lodging and usually meals and other services for travelers and other paying guests.

IMPERVIOUS SURFACE - mainly artificial structures such as pavements roads, sidewalks, driveways and parking lots) that are covered by impenetrable materials such as asphalt, concrete, brick, and stone and rooftops.

JUNK YARD - An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to: scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" includes automobile wrecking yards, and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

KENNEL - Any lot or premises on which four (4) or more dogs six (6) months old or over are kept either permanently or temporarily.

Commercial - Any lot or premises on which four (4) or more dogs six (6) months old or over are kept either temporarily or permanently for personal use or for boarding, breeding, training, competition, hunting, showing, or for sales.

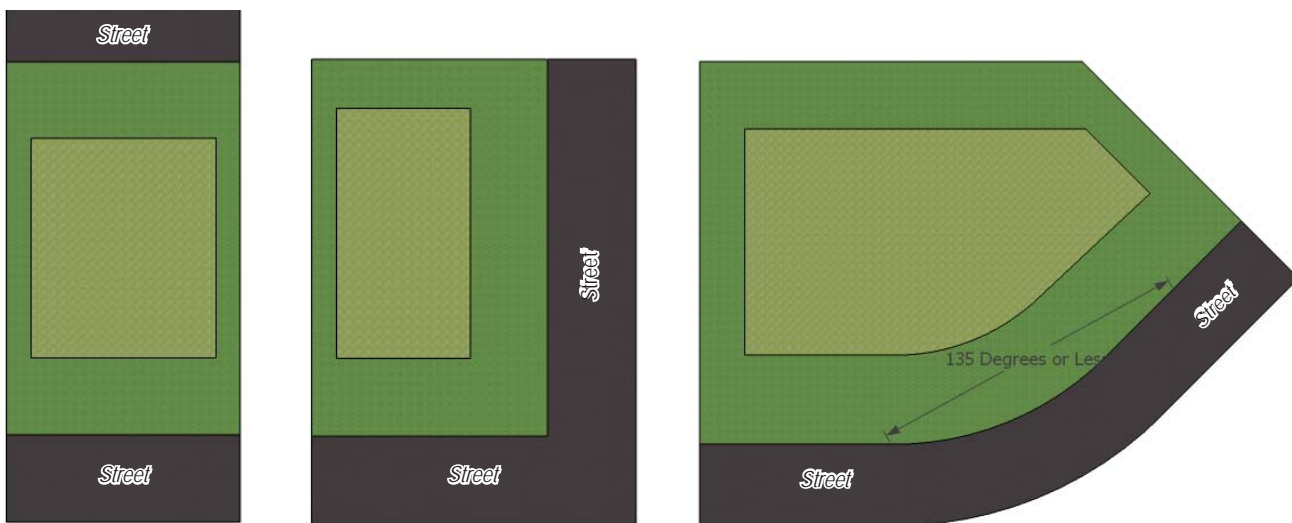
Private - Any lot or premises on which not less than four (4) but not more than ten (10) dogs six (6) months old or over, that are owned by the resident, are kept either temporarily or permanently for personal use or for breeding, competition, hunting or showing.

LARGE-SCALE PUBLIC AND PRIVATE RECREATION USES - operated by public or private agencies, organizations or authorities either for profit or not, including golf courses, parks, driving ranges, riding stables, tennis courts, gun ranges, camping and camper parks, hayrides, snowmobile and minibike trails, picnic grounds, swimming facilities, amusement parks, outdoor drive-in theaters, motorcycle and auto race tracks, horse tracks and the like.

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

LOT - A parcel of land occupied, or which could be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such open spaces as are required under the provisions of this Ordinance.

LOT GRAPHIC



LOT OF RECORD - A lot which exists as shown on the records of the Register of Deeds of Macomb County and Township assessment records.

LOT, CORNER - A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street, and any two (2) chords of which form an angle of one hundred thirty-five (135) degrees or less. The point of intersection of the street lot lines is the "corner". In the case of a corner lot with a curved street line, the corner is that point of intersection of the tangents described above.

LOT COVERAGE - The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

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LOT, DOUBLE FRONTAGE - An interior lot having frontages on two (2) more or less parallel streets as distinguished from a corner lot. In the case of a double frontage lot, one (1) street will be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing structures in the same block fronting on one or both of the streets, the required front yard setback shall be observed on those streets where such structures presently front.

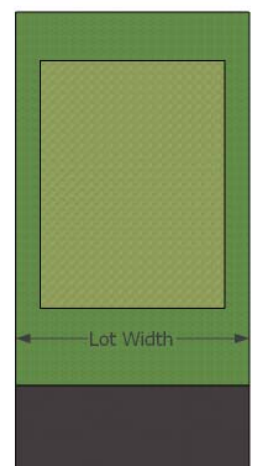
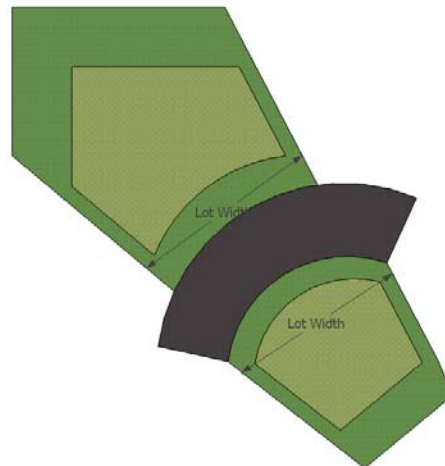
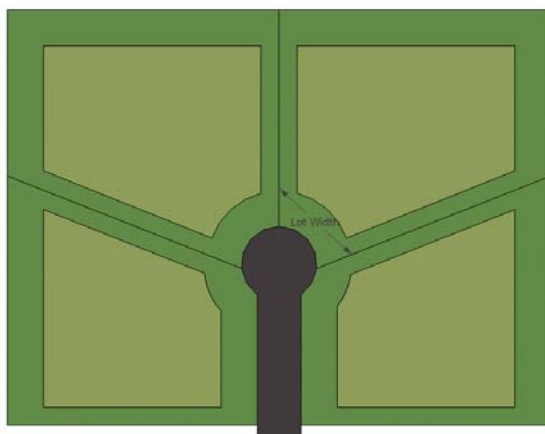
LOT, INTERIOR - A lot other than a corner lot.

LOT LINES - The lines bounding a lot as defined herein.

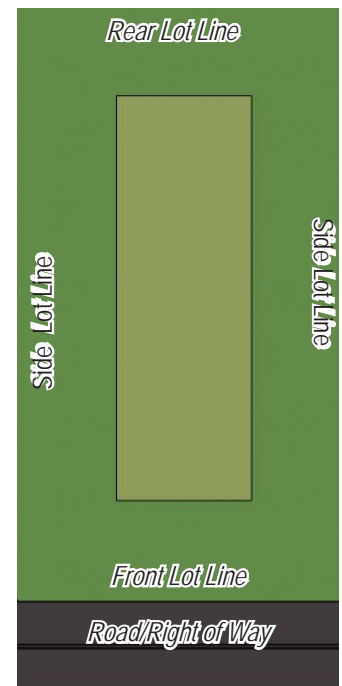
- (1) **Front Lot Line** - In the case of an interior lot, the line separating said lot from the street right-of-way. In the case of a corner lot, the front lot line is that line separating said lot from the street which is designated as the front street in the plat and in the application for a building permit or zoning occupancy permit.
- (2) **Rear Lot Line** - The lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line and wholly within the lot.
- (3) **Side Lot Line** - Any lot lines other than the front lot line or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

LOT WIDTH - The horizontal distance between the side lot lines, measured at the two points where the setback intersects the side lot line.

LOT WIDTH GRAPHIC



LOT LINE GRAPHIC



MAJOR THOROUGHFARE - A road which is intended to serve as a large volume traffic way for both the immediate area and the region beyond, and is designated as a major thoroughfare on the Township's Master Plan or the County's Thoroughfare Plan. Any street with a right-of-way width existing or proposed, of one hundred twenty (120) feet or greater shall be considered a major thoroughfare.

MASTER PLAN - (MASTER LAND USE PLAN) A comprehensive plan including graphic and written policies relative to land use, roads, airports, parks, schools, public buildings, the environment and all planned physical development of the Township. The Master Plan shall include any part of such plan, and any amendment to such plan.

MOBILE HOME (INCLUDES HOUSE TRAILER OR TRAILER COACH) - Any vehicle designed with all of the following characteristics:

- (1) Designed for long term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to external systems.
- (2) Designed to be after fabrication on its own wheels as one or more modules. Must also be able to be licensed under the provisions of Act 300 P.A. of 1949, as amended.
- (3) Arriving at the site where it is to be occupied as a complete dwelling and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connections to utilities and the like.

MOBILE HOME PARK (INCLUDING TRAILER CAMP PARK) - Any parcel of land which has been designed and/or improved for the placement of mobile homes or trailer coaches, which are to be used for dwelling purposes.

MOBILE HOME SITE (MOBILE HOME LOT) - A parcel of land, within a mobile home park, designed for the placement of a single mobile home.

MOTEL - A series of attached, semi-detached, or detached rental units containing bedroom, bathroom, and closet space wherein each unit has a separate individual entrance.

MULTIPLE FAMILY DWELLING/UNIT DEFINITIONS:

Efficiency unit. The term "efficiency unit" shall mean a dwelling unit containing a minimum of five hundred (500) square feet of floor area and consisting of not more than one (1) room in addition to kitchen, dining and necessary sanitary facilities.

One-bedroom unit. The term "one-bedroom unit" shall mean a dwelling unit containing a minimum floor area of at least seven hundred (700) square feet per unit, consisting of not more than two (2) rooms in addition to kitchen, dining and necessary sanitary facilities.

Two-bedroom unit. The term "two-bedroom unit" shall mean a dwelling unit containing a minimum floor area of at least eight hundred and fifty (850) square feet per unit, consisting of not more than three (3) rooms in addition to kitchen, dining and necessary sanitary facilities.

Three or more bedroom unit. The term "three (3) or more bedroom unit" shall mean a dwelling unit wherein for each room, in addition to the three (3) rooms permitted in a two (2) bedroom unit, there shall be provided an additional area of two hundred (200) square feet to the minimum floor area of eight hundred and fifty (850) square feet.

NONCONFORMING BUILDING - A building, structure or portion thereof, existing at the effective date of this Ordinance, or amendments thereto, that does not conform to the use provisions of this Ordinance, nor to the regulations of the district in which it is located.

NONCONFORMING STRUCTURE - A building, structure, or portion thereof, existing at the effective date of this Ordinance, or amendments thereto, that does not conform to the provisions of this Ordinance, nor to the regulations of the district in which it is located.

NONCONFORMING USE - A use which lawfully occupied a building or land at the time this Ordinance, or amendments thereto, that does not conform to the use regulations of the district in which it is located.

OCCUPIED - To dwell or reside in or to seize possession of and maintain control over. The word "occupied" shall also include terms such as arranged, designed, built, altered, converted to, rented or leased, or intended to be occupied.

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OPEN SPACE (OPEN SPACE COMMUNITY) - All area within the open space development, not individually owned or part of a limited common area, which are designed and intended to preserve environmental features for the common use and enjoyable of the residents of the entire development for any of the following uses: recreation, forestry and/or open space conservation, community gardens, or agricultural uses. The open space requirements shall not be met by land uses such as golf courses or other exclusionary commercial recreational uses, lot area within setbacks for each specific lot, or land area dedicated as limited commons.

PARKING SPACE - An area of not less than ten (10) feet wide by twenty (20) feet long, for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits and being fully accessible for the storage or parking of permitted vehicles.

PUBLIC SERVICE - Public service facilities within the context of this Ordinance shall include such uses and services as voting booths, pumping stations, fire halls, police stations, and quarters for welfare agencies, public health activities and similar uses.

PUBLIC UTILITY - Any persons, firm, corporation, municipal department, board or commission duly authorized to furnish and furnishing, under Federal, State or municipal regulations to the public, electricity, gas, sanitary sewers, steam, communications, telegraph, or water services.

QUARRY/EXCAVATION - Shall mean any breaking of the ground to hollow out by cutting or digging or removing any soil or rock matter, except common household gardening and general farm care.

ROADSIDE STAND - A temporary or existing permanent building operated on a seasonal basis for the purpose of selling only produce raised or produced by the proprietor of the stand or his/her family on the premises.

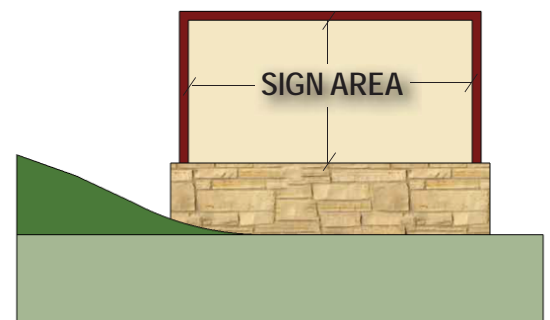
SCREENING - A wall, berm, fence or land of growing trees and shrubs, or combinations of these, for the protection of adjoining premises.

SETBACK - The minimum distance required between a building or parts of a building and the road centerline in the case of a front yard setback or the nearest applicable property line for side and rear yard setbacks.

SIGN - Any use of words, numbers, figures, devices, designs, logos, trademarks, letters, characters, marks, points, planes, posters, pictorials, pictures, strokes, stripes, lines, reading matter, illuminating devices or paint visible to the general public and designed to inform or attract the attention of persons, including the structure upon which such words, numbers, figures, devices, designs, logos, trademarks, letters, characters, marks, points, planes, posters, pictorials, pictures, strokes, stripes, lines, reading matter, illuminating devices or paint are or may be printed or affixed.

SIGN AREA - Sign area, unless otherwise noted, shall include the total area within any circle, triangle, rectangle or other geometric shape or envelope enclosing the extreme limits of writing, representation, emblem, or any similar figure or element of the sign, together with any frame or other material forming an integral part of the display, if any, or used to differentiate such sign from the background against which it is placed. The area of a double-faced sign shall be computed using only one face of the sign, provided that the outline and dimensions of both faces are identical and that the faces are back-to-back so that only one face is visible at any location.

SIGN AREA GRAPHIC



WALL SIGN AREA GRAPHIC



- (a) In the case of a wall sign in which there is no frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, the envelope shall be around the letters, logos, emblems, figures, pictures, stripes, etc.
- (b) In the case of a sign which is affixed to or printed on an awning or canopy, where there is no design or envelope forming an integral part of the display which differentiates the sign from the background of the awning material or color, the envelope shall be around the letters, logos, emblems, figures, stripes, etc. In the case of transparent or translucent awnings or canopies which have internal lighting, the entire surface of the awning or canopy shall be considered as the sign.

Accessory Sign - A sign which is accessory to the principal use of the premises. A sign which directly relates to the business activity or service conducted on the premises upon which the sign is placed.

Alter - A change to the physical component of the sign, including but not limited to the structural size, height or width of the sign. Such definition shall not include resurfacing the face of an existing sign with a new sign face of equal size and shape.

A-Frame - A temporary sign with two panels attached at the top with hinges.

Animation (signs): means displaying images in a dynamic way, like television or movie video or having graphics portraying a moving scene.

Awning - A metal, wooden, fiberglass, canvas, or other fabric cover fastened to a building, which extends over a porch, patio, deck, balcony, window, door or open space.

Awning Sign - An accessory sign that is printed on, or otherwise affixed to, an awning.

Balloon Sign - One or more balloons, or any other air-filled or gas-filled object used as a sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered or manufactured, or to any entertainment.

Banner Sign - A sign or display constructed of paper, plastic or fabric of any kind, intended to be hung, either with or without frames.

Billboard Sign - An off-site or non-accessory outdoor sign which advertises a business use or service not conducted on the premises upon which the sign is placed. Billboard structures are generally leased or rented and designed with changeable copy.

Canopy - A roof-like structure providing shelter to a public access area, which is either freestanding or is projecting from a building and is supported by structural members. A canopy may be constructed of metal, wood, or any approved fire-retardant material, such as cloth, canvas, fabric, plastic, or any light flexible material which is attached to or constructed on a frame or building.

Canopy Sign - An accessory sign that is printed on or otherwise affixed to a canopy.

Directional Sign - A sign not utilized for advertising purposes, but used to direct vehicular or pedestrian traffic to parking areas, loading areas, or to portions of a building.

Display interval (signs): means the amount of time between displaying different messages or images.

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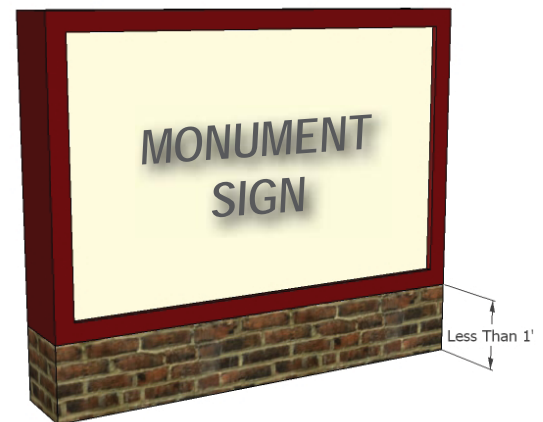
Zoning Map

Flag - A rectangular piece of fabric fastened to a pole on one end and free on the other. A series of flags on a single pole or pole string, or similar type of mount, shall be considered a pennant.

Freestanding Sign - A sign permanently attached to the ground by poles or braces and not attached to any building.

Identification Sign or Nameplate - An accessory wall-mounted sign which displays only the name of a person or firm.

Monument or Ground Sign - A freestanding accessory sign which is permanently fastened to the ground by upright(s), brace(s) or similar object(s), and which is not attached to a building or structure. Any on-site, accessory, permanent and freestanding sign with one (1') foot or less of clearance between the bottom of the sign and the established grade shall be a monument sign or ground sign.



Off-Site Signs - A sign which is not accessory to the principal use of the premises. Any card, cloth, paper, metal, painted glass, wood, plastic, stone, or other object of any kind or character whatsoever, placed for non-accessory advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in this definition shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or other fastening, affixing, or making visible in any manner whatsoever to the public.

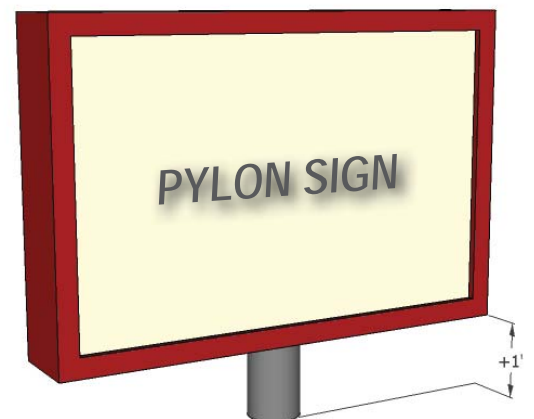
Pennant Sign - A sign or display consisting of long, narrow, usually triangular flags.

Political Sign - A sign relating to the election of a person or persons to public office, or relating to a political party or a political issue, or relating to a matter to be voted upon at an election.

Portable Sign - A sign which is not permanently fastened to a building, structure, or to the ground.

Projecting Sign - A sign which is permanently fastened to the surface of a wall in such a way that the sign face is perpendicular to the surface of the wall. The sign face shall consist of two (2) sides, mounted flush back-to-back.

Pylon Sign - A freestanding accessory sign which is permanently fastened to the ground by upright(s), brace(s) or similar object(s), and which is not attached to a building or structure. Any on-site, accessory, permanent and freestanding sign with more than one (1') foot of clearance between the bottom of the sign and the established grade shall be a pylon sign.



Real Estate Sign - An accessory sign which advertises the particular property upon which it is placed for sale, rent or lease.

Real Estate Development Sign - A freestanding accessory sign informing when a subdivision or other real estate development will commence construction or when it will be available for sale, use or occupancy.

Resurface - The replacement or restoration of a previously approved sign which does not include alteration to the existing structure or brackets.

Scrolling (signs): means having the letters or images move across the sign in any direction or pattern.

Sign Height - The vertical distance from the uppermost portion of a sign or sign structure to the grade at the base of the sign.

Site - All land in a development which is necessary or indicated as part of the development proposal to meet parking requirements, setback requirements, landscape requirements, drainage requirements (i.e., retention or detention basin), and lot coverage requirements.

Subdivision Entrance Sign - A sign depicting the name of a residential, office/service, commercial, or industrial subdivision, and which sign is located at the entrance to said subdivision.

Temporary Sign - An accessory sign that is intended to be displayed for a short amount of time as regulated herein, including A-frame, banners, pennants, or any other sign that is not permanently affixed to a building face or to a pole, pylon, or other support that is permanently anchored to the ground.

Trailer Sign - A sign mounted on, or a part of, a trailer or wheeled vehicle.

Vehicle Business Sign - A vehicle upon which a sign is painted or attached and is parked upon a premises for the intent of advertising. Vehicle business signs shall not include licensed commercial vehicles regularly used to transport persons or property for the operation of the business.

Wall Sign - An accessory sign permanently fastened to a building or structure, or a sign attached to, or placed flat against the exterior wall surface of any building, no portion of which projects more than twelve (12") inches from the wall.

Window Sign - A sign which is affixed, attached, painted or otherwise placed on or adjacent to the interior of a window in such a manner as to be readily visible from the exterior of the building.

STORY - That part of a building included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above.

STORY, HALF - An uppermost story lying under a sloping roof, the usable floor area of which does not exceed seventy-five (75) percent of the floor area of the story immediately below. Tri-level shall be considered one and one-half stories.

STREET (or ROAD), PRIVATE - A street or road which serves more than one (1) residence and which the landowners of property served by the private road are responsible for its maintenance.

STREET, PUBLIC - A thoroughfare which affords a principal means of access to abutting property and which has been accepted by the Macomb County Department of Roads or other public road agency as a public street.

SWIMMING POOL - The term "swimming pool" shall mean any structure or container intended for swimming, located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches subject to the requirements of current building code of the Township.

TEMPORARY BUILDING AND USE - A structure or use permitted by the Township Administration, Township Board, Township Zoning Board of Appeals to exist during periods of construction of the main use or for special events.

TOWNSHIP: Shall mean Ray Township, Macomb County, Michigan.

TRAVEL TRAILERS (INCLUDING RECREATIONAL VEHICLES, CAMPING TRAILERS, TRUCK CAMPERS, AND SELF-POWERED MOTOR HOMES) - Vehicular-type portable structures primarily designed as temporary living accommodations for recreational, camping or travel use. These vehicles can be towed, hauled or affixed to another vehicle and driven from one site to another without requiring a State or County Special Permit for travel.

TRAVEL TRAILER PARK (INCLUDES RECREATIONAL VEHICULAR PARK) - Any parcel of land designed and/or improved for the placement of two (2) or more travel trailers or tents (used for recreation, camping, or travel use) on the basis of overnight or weekly accommodations.

USE - The purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

VETERINARY CLINIC - A place for the care, diagnosis, treatment and surgical attention of pets and animals. A veterinary clinic may include customary pens or cages inside the clinic.

VETERINARY LARGE ANIMAL HOSPITAL - A place for the care, diagnosis, treatment, and surgical care of farm animals, including bovine and equine, as well as pet animals.

WECS WIND ROTOR: The blades plus hub to which the blades are attached used to capture wind for purposes of energy conversion.

WECS TOWER HEIGHT: The height of the actual tower, plus one-half the rotor diameter on horizontal axis installations, and on vertical axis installations, the distance from the base of the tower to the top of the unit as measured from the established or natural grade of the property.

WECS SURVIVAL WIND SPEED: The maximum wind speed a WECS in automatic, unattended operation (not necessarily producing power) can sustain without damage to structural components or loss of the ability to function normally.

WIND ENERGY CONVERSION SYSTEMS (HEREINAFTER REFERRED TO AS WECS): Any device that converts wind energy to mechanical or electrical energy.

WIRELESS COMMUNICATION FACILITIES: All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals which may include, but are not limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities, Citizen band radio facilities, short-wave facilities, ham, amateur radio facilities, satellite dishes, and governmental facilities which are subject to State or Federal law or regulations which preempt municipal regulatory authority are not included in this definition.

WIRELESS COMMUNICATION, CO-LOCATION: The location by two or more wireless communication providers, public authority, or other duly authorized party of wireless communications facilities on an existing structure, tower or building, in a manner that reduces the overall need for additional or multiple freestanding single use wireless communication facilities within Ray Township.

WIRELESS COMMUNICATION, SUPPORT STRUCTURE: A structure newly erected or modified to support wireless communication antennas and connecting appurtenances. Support structures types, including, but not limited to, monopoles, lattice towers, light poles, utility support structures, traffic control structures, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

YARDS - The open spaces on the same lot with a principal building or principal use, unoccupied and unobstructed from the group upward, except as otherwise provided in this Ordinance, and as defined herein.

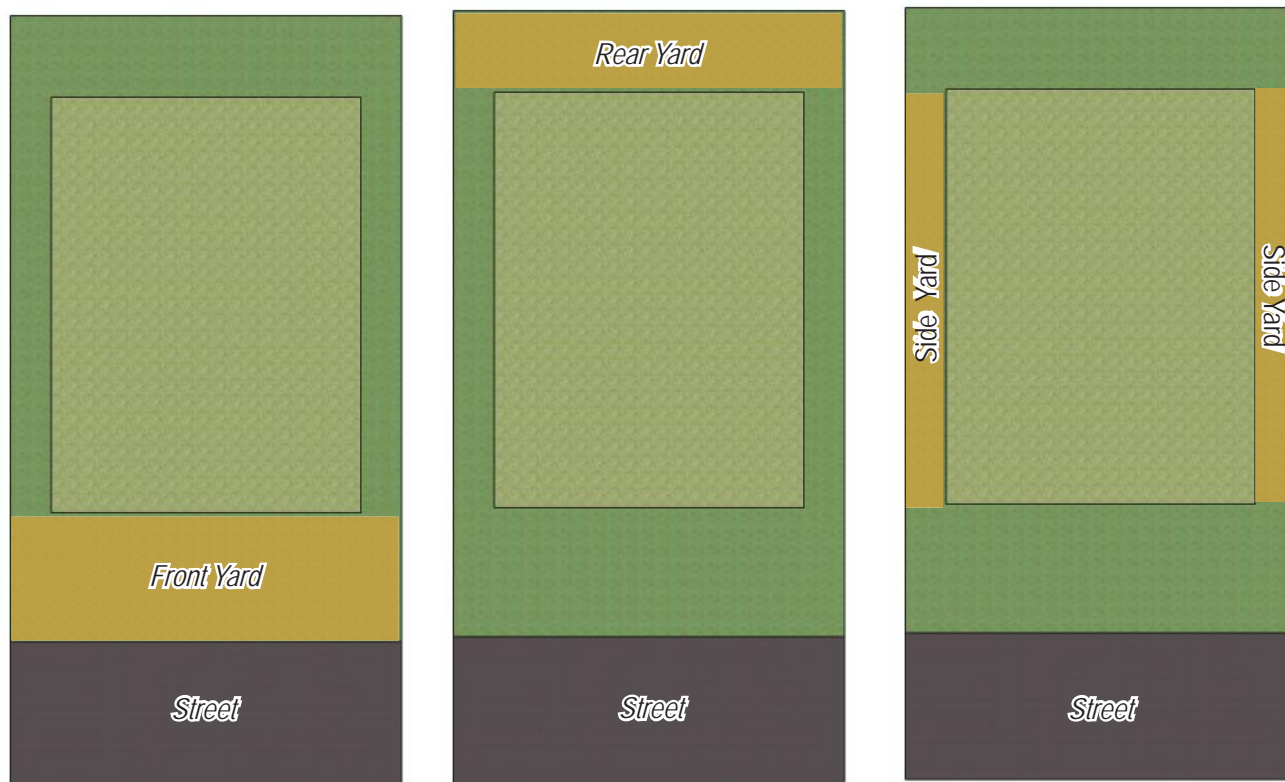
- (1) **Front Yard** - An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the street right-of-way line and the nearest point of the principal structure.

A corner lot shall have front yards and required front yard setbacks on each street. No principal building shall project beyond the required front yard on either street. On corner lots, the opposite lot lines shall be considered as side lot lines rather than rear lot lines.

- (2) **Rear Yard** - An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal building.

- (3) **Side Yard** - An open space between a principal building and the side lot line, extending from the front line to the rear lot line.

YARDS GRAPHIC



ZONING BOARD OF APPEALS: The Ray Township Zoning Board of Appeals.

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