

ARTICLE 10 ZONING DISTRICTS

No building, structure or parcel in any Zoning District shall be used or occupied except for uses that are identified in the Zoning District as permitted, permitted subject to special regulations, or permitted by special land use permit.

10.1 USES PERMITTED

Refer to Section 10.6, Table of Uses.

10.2 CONDITIONAL USES PERMITTED SUBJECT TO SPECIAL REGULATIONS

Refer to Section 10.6, Table of Uses, and subject to the provisions of Section 10.5.

10.3 USES PERMITTED BY SPECIAL LAND USE PERMIT

Refer to Section 10.6, Table of Uses, and subject to the provisions of Section 10.5 and Article 11.

10.4 REGULATIONS

Refer to Section 10.7, Table of Dimensional Regulations.

10.5 DISTRICT PROVISIONS

10.5.1 AGRICULTURE AG

10.5.1.1 Intent

This district is composed of certain land in outlying areas presently of rural character. Such land is to remain for agricultural use with the intent that agriculture will be the principal land use within the foreseeable future, although the secondary use of recreation is of prime importance. The regulations for this district are designed to stabilize and protect the essential characteristics of the district without unduly restricting its use solely to that of an agricultural nature. To these ends, development is limited to a low concentration and to those uses, which would not be detrimental to future development. Various types of State Recreation Parks could be developed. (see Michigan Park Classification)

10.5.1.2 Special Regulations

- A. Hunting Cabin/Weekend Retreat
 1. No structure used as a hunting cabin or weekend retreat shall be permitted to be occupied for more than sixty (60) days in a calendar year.
 2. Ground floor footage shall be a minimum of 300 square feet.
 3. Ground floor footage of greater than 500 square feet shall require special land use approval under Article 11.
 4. On parcels ten (10) acres or larger, such use shall be a permitted land use subject to a minimum setback of 150 feet.
 5. On parcels one (1) acre or larger, such use shall be a special land use subject to the provisions of Article 11.
- B. Mobile Home Park
Subject to the standards of Section 10.5.6.
- C. See also Article 9.

10.5.2 RESORT RS**10.5.2.1 Intent**

This district is composed of land on or adjacent to areas attractive to tourism. It is presently partially undeveloped, or existing resorts and tourist attractions give it its character. Scenic parks, roadside turnouts, historic marked areas and private and public recreational developments take place.

10.5.2.2 Special Regulations

- A. Single Family Dwellings
Nothing shall prevent the conversion or alteration of any single family dwelling, in existence on June 10, 1975, into not more than two (2) separate dwelling units, provided that such dwelling units shall conform with the following provisions:
 1. Any single family dwelling converted under the provisions of this section shall be required to have within the enclosed walls of the original structure a total of not less than 1,600 square feet of habitable floor area for two dwelling units.

2. There shall be a minimum habitable floor area of 600 square feet for each separate dwelling unit within any single-family structure, which has been converted to house two families.
3. The provisions of this section shall apply only to the conversion of single-family dwellings and shall not be construed to permit the construction of two family dwellings.

B. Resorts

1. The proposed use shall constitute an expansion of a resort that existed on the date of the adoption of the Clark Township Zoning Ordinance.
2. The existing resort proposed to be expanded shall be, itself, properly zoned for its use as a resort.
3. The proposed expansion will only utilize a parcel or parcels of land either contiguous to the existing resort or lying directly across a public street or road from an existing resort.
4. That any proposed expansion and/or any future expansions from an existing resort shall not occupy a land area exceeding the size of the land area utilized by the resort existing on the date of the adoption of the Clark Township Zoning Ordinance.
5. The applicant for such special land use permit shall submit satisfactory evidence of ownership or other proprietary interest in the property proposed to be used for such expansion.
6. The applicant for such special land use permit shall submit a detailed site plan drawn to scale which shall include at least the following:
 - A. The boundaries of the property proposed to be used for such expansion.
 - B. The boundaries of the property being utilized for the existing resort.
 - C. The size and location of all structures or other land improvements that are both existing and that are proposed for development.
 - D. The size and location of all signs either existing or proposed to be erected.
 - E. The location and type of all existing and proposed exterior lighting.
 - F. A detailed description of all existing and proposed sanitary sewage disposal systems and water supply systems that will service both the existing and proposed resort area.

7. Upon receipt of an application for a special land use permit hereunder, the Planning Commission shall conduct a public hearing on said application and shall reasonably notify such persons as the commission deems appropriate in writing as to the date, time and place that said public hearing shall be held. In deciding whether a special land use permit hereunder shall be granted, the Planning Commission shall consider the following factors:
 - A. Is there a need for increased resort facilities as proposed by the applicant?
 - B. Will the proposed resort expansion adversely affect the residential character of the surrounding neighborhood?
 - C. Will the proposed development be detrimental to the health, safety and general welfare of the Township as a whole and to the surrounding neighborhood in particular?
- C. **Public Utility Buildings and Structures**
Public utility activities of an industrial nature such as repair and maintenance yards, storage facilities, or activities which generate electronic interference are prohibited.
- D. **Hunting Cabin/Weekend Retreat**
 - a. No structure used as a hunting cabin or weekend retreat shall be permitted to be occupied for more than sixty (60) days in a calendar year.
 - b. Ground floor footage shall be a maximum of 600 square feet.
 - c. A minimum parcel size of 10 acres shall apply.
 - d. A minimum setback of 150 feet shall apply.
- E. See Article 9.

10.5.3 SINGLE FAMILY RESIDENTIAL R-1**10.5.3.1 Intent**

This district is composed of medium density single- family residential areas primarily in the towns and villages, where medium density single family residential development has occurred, or appears likely to occur. The regulations for this district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for family life. To these ends, development is restricted to medium density single family residential use, where adequate facilities and services will be provided. In addition, certain tourist oriented commercial enterprises and multiple family developments are permitted.

10.5.3.2 Special Regulations

- A. Public Utility Buildings and Structures
Public utility activities of an industrial nature such as repair and maintenance yards, storage facilities, or activities which generate electronic interference are prohibited.
- B. Resorts

Resorts shall be permitted as special land uses subject to the provisions of Section 10.5.2.2.B.
- C. See also Article 9.

10.5.4 RURAL RESIDENTIAL R-2**10.5.4.1 Intent**

This district is composed of certain land in outlying areas presently of a rural residential character where low-density single-family residential development has occurred or appears likely to occur. The regulations for this district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for family life. To these ends, development is restricted to low density single family residential use consistent with limited rural type facilities and service.

10.5.4.2 Special Regulations

- A. **Single Family Dwellings**
Nothing shall prevent the conversion or alteration of any single family dwelling, in existence on June 10, 1975, into not more than two (2) separate dwelling units, provided that such dwelling units shall conform with the following provisions:
Any single family dwelling converted under the provisions of this section shall be required to have within the enclosed walls of the original structure a total of not less than 1,200 square feet of habitable floor area for two dwelling units.
There shall be a minimum habitable floor area of 600 square feet for each separate dwelling unit within any single-family structure, which has been converted to house two families.
The provisions of this section shall apply only to the conversion of single- family dwellings and shall not be construed to permit the construction of two family dwellings.
- B. **Mobile Home Park**
Subject to the standards of Section 10.5.6.
- D. **Hunting Cabin/Weekend Retreat**
a. No structure used as a hunting cabin or weekend retreat shall be permitted to be occupied for more than sixty (60) days in a calendar year.
b. Ground floor footage shall be a maximum of 600 square feet.
c. A minimum parcel size of 10 acres shall apply.
d. A minimum setback of 150 feet shall apply.
- E. **Public Utility Buildings and Structures**
Public utility activities of an industrial nature such as repair and maintenance yards, storage facilities, or activities which generate electronic interference are prohibited.
- F. **See also Article 9.**

10.5.5 ISLAND RESIDENTIAL R-3**10.5.5.1 Intent**

This district is composed of those islands not connected to the mainland by way of roads or a bridge capable of providing vehicular access. These areas are presently of a vacation residential character where low-density single-family residential development has occurred or appears likely to occur. The regulations for this district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for continued recreational use. To these ends, development is restricted to low density single family residential use consistent with limited facilities and service.

10.5.5.2 Special Regulations

- A. None

10.5.6 MOBILE HOME PARK MH**10.5.6.1 Intent**

This district is designed solely for mobile home parks and such accessory structures and uses normally associated thereto, in accordance with those regulations specified by the State of Michigan Mobile Home Park Act 243, Public Acts of 1959, as amended, and in accordance with the area requirements specified herein and shall further comply with all codes and ordinances of the Township.

10.5.6.2 Special Regulations

- A. Mobile Home Park
1. Mobile homes used for habitation shall be confined to Mobile Home Parks or other designated districts.
 2. Mobile Home Park Districts shall have access (Minimum 50 ft.) to a primary or major county street, or similarly adequate thoroughfare or state trunkline.
 3. Mobile Home Park Districts shall not be less than five acres in size.
 4. The owner of every mobile home park which lies immediately adjacent to a residential district shall provide a suitable screen. The screen shall be in the form of either a wall, fence, or evergreen planting which is compact and maintained in good condition at all times. The height of the screen shall not be less than

five except where the screen would interfere with traffic safety, in which case it may be reduced in height to, but not less than three feet in height. Adequate landscaping shall also be provided by the owner of the Mobile Home Park, within the front yard setback area, between the mobile home sites and any public street so as to provide an attractive frontage upon said street.

5. Each mobile home site shall contain an area of not less than 2,000 square feet and have a width of not less than 30 feet.
6. No mobile home within a park shall be within 35 feet of a residential district boundary.

B. See Article 9.

10.5.7 COMMERCIAL C

10.5.7.1 Intent

This district is designed for the convenience of shopping of persons residing in the surrounding residential neighborhood and for the visiting tourists. The regulations are designed to permit development of the enumerated functions as limited to protect the abutting and surrounding residential properties. The single most important reasons for the creation of a Commercial District is to protect the residential way of life of this Township from rampant commercial expansion -- while still providing suitable commercial outlets for the residents. Businesses shall be in compliance with all governmental regulations and licensing requirements.

10.5.7.2 Special Regulations

- A. **Single Family Dwelling**
Single family dwellings shall be subject to the dimensional standards and requirements of the Single Family Residential R-1 District.
- B. **Automobile Sales Agency**
No dismantling or storage of dismantled cars shall take place outdoors, including used car lots.
- C. **Sawmills**
 - a. The minimum parcel size shall be ten (10) acres.
 - b. Screening of adjacent land uses, to the satisfaction of the Planning Commission, shall be required.

- D. **Public Utility Buildings and Structures**
Public utility activities of an industrial nature such as repair and maintenance yards, storage facilities, or activities which generate electronic interference are prohibited.
- E. See also Article 9.

10.5.8 INDUSTRIAL M

10.5.8.1 Intent

The Industrial District is limited to large tracts located along State Highways, major county thoroughfares and railroad rights-of-way and/or commercial area. These regulations are intended to provide standards of external effects or amenities compatible with the surrounding or abutting residential districts. To these ends, development is limited to a low concentration, external effects are limited and uses are limited to those industrial activities which can be operated in a clean and quiet manner and which will be least objectionable to adjoining residential districts.

10.5.8.2 Special Regulations

- A. **Single Family Dwelling**
Single family dwellings shall be subject to the dimensional standards and requirements of the Rural Residential R-2 District.
- B. **Special Uses**
 - 1. A determination of the Planning Commission established under State Statute and this ordinance shall be conclusive on any question of nuisance, or objectionableness of any business or operation under the terms of this section.
 - 2. Special Land Use permits for the Industrial District will be at the discretion of the Planning Commission. The burden of proving that the project being applied for will have limited damage to the surrounding environment is upon the party(ies) seeking the special land use. Special Land use hearings on projects under the Industrial District shall be given Township-wide notification, so that any resident of the Township can attend, review the information, and voice his/her opinion on the matter. The Planning Commission may, in place of making a difficult decision, and after a public meeting, send the matter to a vote of the

Township population. The Referendum shall take place no sooner than 60 days following the decision to send the matter to a public vote, and no longer than 120 days after deciding to send the matter to a public vote. The referendum shall pass if 51% of all voters who vote in the Township approve. There shall be no appeal to the Township Zoning Board of Appeals as to any result of an Industrial Zoned District Referendum.

F. See also Article 9.

10.5.9 LIGHT INDUSTRIAL LM

10.5.9.1 Intent

The Light Industrial District is limited to larger tracts of land comprised of smaller tracts of land located along county or state thoroughfares. These regulations are designed to permit development of the uses compatible with the surrounding or abutting districts. Development of use shall be limited to industrial activities, which can be operated in a clean and quiet manner and which will be least objectionable to adjoining districts.

10.5.9.2 Special Regulations

- A. Single Family Dwelling
Single family dwellings shall be subject to the dimensional standards and requirements of the Rural Residential R-2 District.
- B. Outside Storage
 - 1. No outside storage shall be permitted in any required front, side or rear yard.
 - 2. Outside storage shall be screened with fence or trees from the view of all surrounding properties.
- C. Sawmills
 - 1. The minimum parcel size shall be 75,000 square feet.
 - 2. The minimum parcel frontage shall be 200 feet.
 - 3. Screening of adjacent land uses, to the satisfaction of the Planning Commission, shall be required.

D. All Industrial Uses

An industrial use which meets the intent and the purpose of this district where all work is carried on within an enclosed building, and which does not emanate noise, vibration, odor, smoke, liquid wastes, or light to such an extent as to be objectionable to surrounding properties.

E. Special Uses

1. A determination of the Planning Commission established under state statute and this ordinance shall be conclusive on any question of nuisance, or objectionableness of any business or operation under the terms of this section.
2. Special Land Use permits for the Light Industrial District will be at the discretion of the Planning Commission. The burden of proving that the project being applied for will have limited damage to the surrounding environment is upon the party(ies) seeking the special land use. Special Land use hearings on projects under the Light Industrial District shall be given Township-wide notification, so that any resident of the Township can attend, review the information, and voice his/her opinion on the matter. The Planning Commission may, in place of making a difficult decision, and after a public meeting and proper hearings, send the matter to a vote of the Township population. The Referendum shall take place no sooner than 60 days following the decision to send the matter to a public vote, and no longer than 120 days after deciding to send the matter to a public vote. The referendum shall pass if 51% of all voters who vote in the Township approve. There shall be no appeal to the Township Zoning Board of Appeals as to any result of a Light Industrial Zoned District Referendum.

F. See Article 9.

10.5.10 PARKING P**10.5.10.1 Intent**

The Parking District applies to lands identified for or utilized solely for parking purposes. This District shall be applied only to those parcels intended to provide long term parking in service of the Commercial C District uses or to provide secured parking for uses within the Island Residential R-3 District.

10.5.10.2 Special Regulations

A. None.

10.5.11 PUBLIC AND QUASI-PUBLIC DISTRICT Q**10.5.11.1 Intent**

This district applies to lands set aside for the development of governmental, public recreation, education and similar functions. Partially so used at present and partially proposed, proposed districts unless purchased or donated for public use at the time of the development shall be rezoned for private development. Thus, these districts depict the community's desire only. The rezoning of these districts for private uses to follow the procedures for rezoning (amendments) as set forth in this ordinance.

10.5.11.2 Special Regulations

A. See Article 9.

10.5.12 SHORE STRIP SS

10.5.12.1 Intent

This district is located between the lakeshore and street. The natural character is to be retained, especially where beaches occur. No structures other than auxiliary to the use of the lake as a natural area are to be erected.

10.5.5.2 Special Regulations

- A. Lake Oriented Activities
All uses in connection with lake oriented activities such as landing piers, small shelters, and boathouses shall be allowed provided they meet the standards established in Article IX, Section 903
- B. Parking
Off street parking only as an adjunct to the permitted uses. No commercial parking lots permitted.
- C. See also Article 9.

10.6 Table of Uses

See following pages

10.7 Table of Regulations

See following pages