

## **Article 3**

# **ZONING DISTRICTS, REGULATIONS, and MAP**

### **Section 3.1 Establishment of Districts**

For the purpose of this Ordinance, the Township is hereby divided into the following zoning districts, which may be referred to as “Districts”, and which shall be known by the following respective symbols and names, and shall have boundaries as delineated on the Official Zoning Map.

#### Agricultural Districts

AG      Agricultural District

#### Residential Districts

RR      Rural Residential District  
R-1      Single-Family Residential District  
R-2      Single-Family Residential District  
R-MF      Multiple Family Residential District  
R-MHC      Manufactured Housing Community District  
RB      Residential Business District

#### Business Districts

B-1      Local Business District

#### Industrial Districts

I-1      Light Industrial District

#### Other Districts

C      Conservation District  
PUD      Planned Unit Development District  
REOA      Renewable Energy Overlay Area

(Section amended 7-5-24, Ord. #2024-3)

### **Section 3.2 Zoning District Map**

**A.** The boundaries of the respective Districts enumerated in Section 3.1 are defined and established as depicted on the Official Zoning Map entitled “LAKE TOWNSHIP ZONING MAP,” which is an integral part of this Ordinance and is incorporated herein by reference. This map, with all notations and explanatory matter thereon, shall be published as part of this Ordinance as if fully described herein.

**B.** This Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bearing the following: *This is to certify that this is the Official Zoning Map of the Lake Township Zoning Ordinance adopted on the 16th day of November, 2020.* If, in accordance with the provisions of this Ordinance, changes are made in zoning district boundaries or other matter portrayed on the Official Zoning Map, such changes shall also be made on the Official Zoning Map.

**C.** The Official Zoning Map shall be located at the official office of the Township and shall be the final authority with regard to the current zoning status of all land in the Township, along with supporting minutes of Township Board meetings regarding zoning district changes, regardless of the existence of copies of the Official Zoning Map which may be made and from time to time.

### **Section 3.3 Purposes of Zoning Districts**

See Table 3-1 of this Ordinance.

### **Section 3.4 Interpretation of District Boundaries**

**A.** Where, due to the scale, lack of details, or illegibility of the Official Zoning Map, there is an uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, the interpretation concerning the exact location of District boundary lines shall be determined, upon written application by the Zoning Administrator, and if appealed, then to the Zoning Board of Appeals. The Zoning Administrator and the Zoning Board of Appeals shall apply the following standards in arriving at a decision on such matters:

1. Boundaries indicated as approximately following roads or highways shall be construed as following the

- center lines of said roads or highways.
2. Boundaries indicated as approximately following section lines, quarter section lines, quarter-quarter section lines, or lot lines shall be construed as following such lines.
  3. Boundaries indicated as approximately following Township boundary lines shall be construed as following such boundary lines.
  4. Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Official Zoning Map.
  5. Boundaries following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines except that the boundaries shall be deemed to go to the center of a lake. In the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, canals, or other water courses shall be construed to follow such centerlines.
  6. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two (2) Districts, the land in question shall be construed as being located in the more restrictive District. The "more restrictive District" shall be the District that places greater restrictions on development based on such factors as the intensity of authorized uses, setbacks, lot coverage, and related development standards.

### **Section 3.5 Permitted Uses in Zoning Districts**

**A. Compliance with Zoning Regulations:** Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure, and every enlargement of, or addition to an existing use, building and structure, occurring after the effective date of this Ordinance, shall be subject to all regulations of this Ordinance that are applicable in the zoning district in which such use, building, or structure shall be located. Whenever any fill is placed in any lake or stream, the land thus created shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable for lands to which the same shall attach or be adjacent.

**B. Uses Permitted in Each Zoning District:** Tables 3-2 and 3-3 identify the principal land uses permitted in each of the Districts enumerated in Section 3.1. No land use shall be established on a lot except in conformance with Tables 3-2 and 3-3 or as may be provided elsewhere in this Ordinance. In order to ensure all possible benefits and protection for the zoning districts in this Ordinance, the Tables delineate whether a land use permitted in a particular District is a "Use Permitted by Right" or a "Special Land Use".

1. Uses Permitted by Right: Uses permitted by right are the primary uses, buildings and structures specified for which the District has been established, and are subject to plot plan or site plan approval except where provided otherwise.
2. Special Land Uses: Special land uses are uses, buildings and structures that have been generally accepted as reasonably compatible with the "uses permitted by right" in the District, but could present potential injurious effects upon such primary uses, buildings and structures within the District or are otherwise unique in character and therefore require special consideration in relation to the welfare of adjacent properties and/or to the Township as a whole. All such uses shall be subject to a public hearing and site plan approval. See Article 15, Procedures for Special Land Uses.

**C. Accessory Uses:** Unless otherwise specified in this Ordinance, accessory uses that are clearly incidental to, subordinate to and customarily associated with the principal use of the property are permitted in all Districts and shall conform to all applicable standards of this Ordinance, including Section 20.8 (Accessory Uses, Buildings and Structures). Examples of such accessory uses include, but are not limited to, household gardening in association with a dwelling, a private stable in association with a dwelling, the repair of vehicles in association with a vehicle dealership, and a parking lot serving an office building on the same lot. Except in the case of an approved home occupation or as may be expressly authorized elsewhere by this Ordinance, no retail sales, repair or the servicing of items shall be construed as an accessory use to the principal residential use of a lot.

**D. Prohibited Uses:**

1. Use Not Listed is Prohibited: Any use of land not specifically permitted under this Ordinance is prohibited, including any use of land not specifically identified in Tables 3-2 and 3-3. The Planning Commission may initiate an amendment to the Ordinance to authorize an otherwise prohibited use and standards that will apply for that use. If the Township Board adopts such an ordinance amendment according to Article 17, then an application can be submitted for that use. See Section 17.2 regarding

- the initiation of amendments.
2. Non-Compliance with Local, County, State or Federal Law: Land uses, activities, buildings, structures, enterprises or purposes that are contrary to or which violate federal or state laws, county ordinances, this Ordinance or other Township ordinances are prohibited
  3. Approvals/Permits: No zoning approval, permit, variance, rezoning, site plan approval or zoning compliance permit shall be issued or granted by the Township for any use, activity, enterprise, structure or building that is illegal under Michigan law or federal law.

### **Section 3.6 Site Development Requirements of Zoning Districts**

**A. Compliance:** All land uses shall comply with the site development requirements of the District in which it is located, as delineated in Table 3-4, in addition to all other applicable site development and other provisions of this Ordinance including, but not limited to:

1. Article 7: Standards and Regulations for Specific Land Uses.
2. Article 9: Signs.
3. Article 10: Off-Street Parking and Loading.
4. Article 11: Landscaping and Screening.
5. Article 12: Environmental Standards.
6. Article 13: Access and Private Roads.
7. Article 20: Supplemental Provisions.

**B. Shared Compliance Prohibited:** No part of a setback area, yard, or other open space required about or in connection with any use, building or structure, for the purpose of complying with this Ordinance, shall be included as part of a setback area, yard, or other open space similarly required for any other use, building or structure.

**C. Setback and Lot Reductions:** No setback area or lot existing at the time of adoption of this Ordinance shall be reduced in dimension, frontage or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein, including area, frontage and lot width. No lot shall be divided, split, or subdivided unless said action meets this Ordinance and all other applicable Township ordinances.

**D. Lot Modifications:** No portion of one lot shall be used in the creation of another lot unless each lot resulting from each such reduction, division, alteration, or sale, shall conform to all of the requirements established herein. No lot or other area shall be further reduced if already less than the minimum requirement. See also Section 20.24.

**E. Submerged Lands:** Property and bottomlands located under a lake or stream shall be excluded from lot area or dimension calculations for purposes of determining minimum lot area and dimension requirements pursuant to this Ordinance.

**F. Land in Right-Of-Ways and Easements:** Lands located within a public street right-of-way, private road easement or access easement or right-of-way shall be excluded from lot area or lot dimensions for purposes of determining minimum lot area, lot frontage, lot width and other dimension requirements of this Ordinance.

**G. More Stringent Requirements:** Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, the provisions of such law or ordinance shall govern.

### **Section 3.7 Special District Provisions**

#### **A. Manufactured Housing Community District (R-MHC)**

1. Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Michigan Mobile Home Commission Act, a preliminary plan shall be submitted to the Township for review by the Planning Commission. The preliminary plan shall include the location, layout, general design, and general description of the project. The preliminary plan shall not include detailed construction plans. In preparing the preliminary plan and when reviewing the plan, the developer and Planning Commission shall generally follow the procedures and requirements in Article 14 of this Ordinance, except where said procedures and requirements are superseded by the requirements in P.A. 96 of 1987, as amended, or the Manufactured Housing Commission Rules. Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Planning Commission shall take action of the preliminary plan within sixty (60) days after the Township receives the preliminary plan.

2. All manufactured housing communities shall be constructed and maintained in accordance with P.A. 96 of 1987, as amended, and the rules and regulations promulgated by the Manufactured Housing Commission pursuant to the authority vested in the Manufactured Housing Commission by such Act. The construction of a manufactured housing community shall not be initiated, nor shall a manufactured housing community be inhabited or operated until all necessary permits have been acquired from the Michigan Department of Labor and Economic Growth and all other agencies pursuant to the Manufactured Housing Commission Act.

**B. Conservation District (C)**

1. Permitted Principal Uses: Permitted principal uses in the Conservation District are as follows:
  - a. Areas set aside or used for the protection of wildlife and natural resources, wildlife management areas, nature preserves, and game refuges.
  - b. Campgrounds owned and operated by the State of Michigan, Huron County, or Lake Township.
  - c. Facilities dedicated to outdoor non-motorized passive recreation not otherwise included in (a) or (b), operated by the State of Michigan, Huron County, or Lake Township.
  - d. Unroofed decks and similar unroofed outdoor leisure areas, no greater than six (6) inches above the ground below, on a lot that is under same ownership and adjacent to a separate lot on which a dwelling is present and such vacant lot serves the dwelling in an accessory capacity. "Adjacent" shall include lots under same ownership and separated by a road right-of-way where such lots would have a shared lot line or portion thereof in the absence of such road right-of-way. Subsection (d) shall not be construed as authorizing buildings.
2. Development Standards: All lots and buildings in the Conservation District shall comply with the regulations and requirements of this Ordinance and the following:
  - a. Minimum Lot Area: Twelve thousand (12,000) sq. ft.
  - b. Minimum Lot Width: One-hundred (100) feet.
  - c. Minimum Front, Side and Rear Yard Setback for All Structures: Twenty (20) feet.
  - d. Maximum Building Height: Twenty (20) feet.
  - e. Maximum Building Coverage: Five (5) percent.
  - f. Maximum Lot Coverage: Five (5) percent.

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