

Ganges Township Zoning Ordinance

Ordinance No. ~~65~~68

Adopted: April 8, 2026~~5~~
Effective Date: April 25, 2026~~5~~

Amended by Ordinance 47: December 1, 2011
Amended by Ordinance 49: March 29, 2012
Amended by Ordinance 51: July 4, 2013
Amended by Ordinance 52: May 29, 2014
Amended by Ordinance 53: July 21, 2016
Amended by Ordinance 54: May 25, 2017
Amended by Ordinance 55: June 29, 2017
Amended Ordinance 58: October 31, 2019
Amended Ordinance 60: August 27, 2020
Amended Ordinance 61: June 9, 2022
Amended Ordinance 65: April 8, 2025
Amended Ordinance 68: _____, 2026

Amendments

[Ordinance #47](#) Effective: 12/01/11 Amends the Ganges Township Zoning Ordinance #46 to modify or clarify the following areas: Article 3 General Provisions; Article 9 Black River Watershed Overlay District; Article 12 Site Plan Review; Article 17 Zoning Ordinance Amendment requirements; Rezone Parcel 03-07-004-002-00 from Manufactured Housing Community to Residential/Agricultural.

[Ordinance #49](#) Effective: 3/29/12 Amends the Ganges Township Zoning Ordinance #46 to modify or clarify the following areas: Article 2 Definitions (biofuel); Article 3 General Provisions (construction standards and Biofuel Production Facilities); Article 5 Agricultural District Table of Uses (Biofuel Production Facilities); Article 6 Residential/Agricultural District Table of Uses (Biofuel Production Facilities); Article 8 - Commercial and Mixed Use Districts Table of Uses (Biofuel Production Facilities); Article 11 Industrial District Table of Uses, Development Requirements (single family dwellings).

[Ordinance #51](#) Effective: 7/4/13 Amends the Ganges Township Zoning Ordinance #46 to modify or clarify the following areas: Article 3 General Provisions (Home Occupation retail sales, Accessory Building setbacks, semi-truck and sign regulations); Article 5 Agricultural District Table of Uses (Semi-truck parking and Farm Markets); Article 6 Residential/Agricultural District Table of Uses (Public Parks in Residential, Farm Markets with SLU approval); Article 8 - Commercial and Mixed Use Districts Table of Uses (changed Mixed Use District to Residential Mixed Use/Planned Unit Development. Allow Farm Markets and ponds and eliminate some commercial uses); Article 10 Planned Unit Development District (replace Mixed Use PUD with RMU/PUD, eliminate Industrial PUD, modify Common Open Space calculation for wetlands, density bonus on private roads if part of a PUD); Article 14 Special Land Uses (GAAMPS requirement for Farm Markets and Cell Tower collocation changes); Article 15 Nonconformities (modify nonconforming dwelling restrictions; Zoning Map - correct errors and remove Mixed Use district).

[Ordinance #52](#) Effective: 05/29/14 Amends the Ganges Township Ordinance #46 to modify or clarify the following areas: Article 2 - Cottage Industry, Cottage Food Industry; Article 3 General Provisions (Roadside Stands, name change from MDNR to MDEQ, Domesticated Animals); Article 4 Districts (replace MU with RMU/PUD), Article 5 Agricultural District Table of Uses (Biofuel typo, Roadside Stand, Equine Boarding, Farm Market, Raising fur bearing animals/game birds, Migrant Housing, Wireless Communication Antenna, Noncommercial Wind Energy, Cottage Food industry); Article 6 Residential/Agricultural District Table of Uses (Migrant Housing, Biofuel typo, Farm Market, Raising of fur bearing animals/game birds, Temporary Uses or Buildings, Roadside Stands, Cottage Food Industry); Article 7 Manufactured Housing Community District Table of Uses (Home based Business, Home Occupation, Biofuel typo, Cemetery, Church, Cottage Industry, Roadside Stand, Municipal Services, Library, Migrant Housing, Ponds, Noncommercial Wind Energy, Private Roads, Temporary Uses or Buildings, Raising furbearing animals/game birds, Schools and Colleges, Winery, Cottage Food Industry, Bed & Breakfast, modify setbacks; Article 11 Industrial District Table of Uses (Home based Business, Home Occupation, Cottage Industry, Vehicle Repair, Excavating, Municipal Services, Mini Storage, Ponds, Noncommercial Wind Energy, Private Roads, Schools, Temporary Uses or Buildings, Cottage Food

[MDNR/MDEGLE. Industrial District-Modify Lumber yard and Whole sales and services, Commercial Small Cell Communications Facility. Site Plan Review- Staff approval for Commercial Small Cell Communications Facilities](#)

[Ordinance #61 Effective: 06/09/2022 Amends the Ganges Township Ordinance #60 Article 2-Definitions- Add Lot coverage includes driveways and parking lots paved or unpaved. Modify and clarify sign definitions; Article 3-General Provisions clarify regulations for Single Family Dwellings, Accessory Buildings and Structures, Temporary Buildings and Guest Cottages. Add Stair setbacks. Replace and update Private Road Ordinance. Modify Sign Ordinance to be content neutral. Add sign maintenance standards and permanent/temporary sign dimensions allowed per parcel; Article 5- Ag District Add to table of uses Signs P; Article 6- Residential/Residential AG Districts Add to table of uses Signs P; Article 7- manufactured Housing Community District Add to table of uses Signs P; Article 8-Commercial District Add to table of uses Signs P; Article 11- Industrial District Add to table of uses Signs P; Article 12 Site Plan Review Add Property lines and dimensions as determined by a staked land survey bearing the seal of the professional licensed surveyor preparing the Site Plan; Article 14- Special Land Uses Wind Energy Conversion System Commercial Modify and clarify road use agreement, setbacks, signage, location, decommissioning, and liability insurance; Article 16- Zoning Board of Appeals Add a staked land survey of the parcel bearing the seal of the licensed professional surveyor preparing the land survey must accompany the variance application along with appropriate property markings on site to indicate the location of the variance request.](#)

Ordinance #65 Effective: April 25, 2025 Amends the Ganges Township Ordinance #61 to Repeal and Replace the Ganges Township Zoning Ordinance with General reorganization of the Zoning Ordinance Articles and Section content, including a separate Article for each Zoning District. This includes updates to section references throughout the document and the creation of two (2) new zoning districts, the Glenn Neighborhood Residential District (Article 8) and the Glenn Hamlet Mixed-Use District (Article 9). Article 2: Definitions, include the following amendments: Updates to the definitions of state-regulated uses, such as adult foster care family home, large group home, small group home, and private residence. Updates to the definitions of state-regulated uses pertaining to childcare facilities. Definitions for commercial and non-commercial greenhouses. Definitions of Open Space, Driveway, Vehicle, Brewpub, Event Center. Article 3, General Provisions, includes the following amendments: Section 3.9., Fences. This includes amendments to clarify the maximum fence height and setback within a front yard. Section 3.19., Ponds. Update to reflect the change of the State Department name from DEQ to EGLE. Section 3.20., Private Roads. To expand on the requirements for private roads in the A District, to serve a maximum of 2 dwelling units and are prohibited as part of a planned unit development (PUD). This section was expanded to include permitted districts where private roads may be constructed. Section 3.34., Solar Energy Systems-Noncommercial. To clarify screening requirements for these facilities. Articles 5-12., District Chapters, including the following amendments: Reduced parking requirements for non-residential uses. Minimum lot size in the A District from 3 acres to 5 acres. General consolidation of commercial uses and general retail uses. General consolidation of school and college uses. Article 14, Planned Unit Development District, includes the following amendments: Section 14.4., Types of PUDs. This Section was expanded to permit PUDs within the new Glenn Hamlet Mixed-Use District. Amendments also include the types of residential PUDs permitted in the R, R/A District, CNR, or C Districts, Section 14.6., Glenn Hamlet Mixed-Use PUD. This is a new section that describes requirements for PUDs in the Glenn Hamlet Mixed-Use District. This included permitted uses, access requirements, and design of commercial buildings and lots. Article 18, Special Land Uses, includes the following amendments: Section 18.6., Specific Special Land Use Standards. New requirements for Event Centers and Event Venues; New requirements for Elderly Housing; New requirements for Bowling Alleys; New requirements for Off-Site Battery Energy Storage Facilities.

[Ordinance #66 Effective _____, 2026 Amends the Ganges Township Ordinance #65 to create a new Zoning Overlay District, the Lake Michigan Shoreline Protection Overlay as Article 14, to renumber existing Articles 14 through 20 and their associated Sections; to amend Section 19.6.C, Special Land Use Standards for Campgrounds, Private and Public; to amend Article 20 \(now 21\) to consolidate Variance rules under one section, 21.4, and to amend rules for Variance applications; and, to correct minor errors throughout the Ordinance.](#)

COTTAGE INDUSTRY – An accessory use to a dwelling where the owner of the dwelling operates a small-scale business as part of the owner’s lifestyle and as a means of income. Uses may include but are not limited to creating art, producing crafts and selling such items on the same lot.

Section 2.5 Definitions – D

DECK – An unroofed structure used for outdoor living purposes which may or may not be attached to a building and which protrudes above the finished grade.

DEED RESTRICTION – A restriction on the use of a lot that is set forth in the property deed and recorded with the County Register of Deeds. It is binding on subsequent owners and is sometimes also known as a restrictive covenant. Unless the Township has an ownership interest in the property, a deed restriction is enforced by the parties to the agreement, not by the Township.

DENSITY – As applied in this Ordinance, the number of dwelling units situated on or to be developed on a gross acre of land.

DISTRICT, ZONING – A portion of the Township within which certain uses of land or buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

DRIVEWAY – A property entry point for vehicles running from a street [up to any building or garage or](#) to within ten (10) feet of a [residence dwelling](#). For the purposes of lot coverage calculation, a driveway shall have a minimum width of eight (8) feet, be properly leveled and prepared, with a top surface composed of concrete, asphalt, gravel, or other commonly accepted driveway material. Grass, sand, or dirt will not be considered as appropriate material.

DRIVE THROUGH ESTABLISHMENT – A commercial establishment whose retail/service character includes a driveway approach and service windows or facilities for vehicles in order to serve patrons while in or momentarily stepped away from the vehicle. Examples include banks, cleaners and restaurants but not including vehicle service stations.

DWELLING, OR DWELLING UNIT – Any building or portion thereof having cooking and housekeeping facilities (kitchen, bath and sleeping facilities), which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or temporarily, but in no case shall a motor home, trailer coach, garage, automobile chassis, tent, or portable building be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit and shall comply with the applicable provisions of this Ordinance.

- A. **Dwelling, Multiple Family.** A building or portion thereof, used or designed for use as a residence for three (3) or more families living independently of each other and each doing their own cooking and housekeeping.
- B. **Dwelling, Single Family.** A building used or designated for use exclusively by one (1) family.
- C. **Dwelling, Two-Family (also termed Duplex).** A building on a single lot for use exclusively by two (2) families living independently of each other with separate entrances for each unit. This includes two story building having complete facilities for cooking and housekeeping on each floor and side by side units that share a common wall with each having complete facilities for cooking and housekeeping.

- D. **Lot, Double Frontage (Through):** Any lot, excluding a corner lot, which fronts on two (2) streets which do not intersect.
- E. **Lot, Flag:** An interior lot possessing less than the required street frontage.
- F. **Lot, Interior:** A lot other than a corner lot with only one (1) lot line fronting on a street.
- G. **Lot, Waterfront:** A lot having frontage directly upon a lake, river, or other significantly sized impoundment of water.

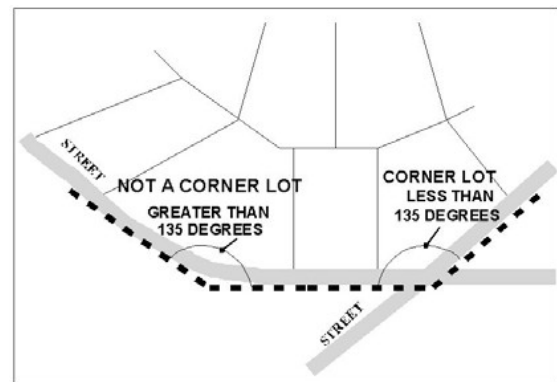
LOT COVERAGE – The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures, decks or patios, [and paved or unpaved](#) driveways and parking lots ~~paved or unpaved~~. [For the purpose of lot coverage calculation, a driveway shall have a minimum width of eight \(8\) feet and shall be measured up to any building or garage or to within ten \(10\) feet of a dwelling.](#)

LOT LINES – The property lines or other described lines bounding the lot.

- A. **Front Lot Line.** In the case of an interior lot, the front lot line shall mean the line separating such lot from the street [right-of-way](#).
- In the case of a waterfront lot, the portion adjacent to the water is considered the front lot line and the opposite side, abutting the street, is the rear yard lot line.
 - In the case of a corner or through lot, each lot line separating the lot from a right-of-way shall be considered a front lot line.
- B. **Rear Lot Line.** Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot.
- In the case of an irregular or triangular-shaped lot, a line at least ten (10) feet in length entirely within the lot, parallel to, and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth of rear yard.
 - In cases where none of these definitions are applicable, the Zoning Administrator shall designate the rear lot line.
- C. **Side Lot Line.** Any lot line that is not a front lot line or a rear lot line. A side lot line separating a lot from another lot, or lots, is an interior side lot line.



Corner, Interior, and Through Lots



LOT OF RECORD – A legally established lot which exists in a subdivision plat as shown on the records of the County Register of Deeds, or a lot described by metes and bounds, which has been so recorded as required by law.

LOT WIDTH – The continuous distance perpendicular to the side lot lines, measured at the front setback line.

Section 2.15 Definitions – N

NATURAL FEATURES – Natural features shall include, but not be limited to: soils, wetlands, woodlots, floodplains, landmark trees, overgrown fence rows, water bodies, topography, vegetative cover, steep slopes, or other significant features identified by the Planning Commission, Township Board or State of Michigan Natural Features Inventory.

NONCONFORMING BUILDING OR STRUCTURE – A building, structure or portion thereof that conformed with all Township zoning requirements at the time of its erection, but which does not conform to the provisions of the Ordinance in the zoning district in which it is located.

NONCONFORMING LOT – A lot that conformed with all Township zoning requirements at the time of its creation which no longer conforms to the requirements for lot area or lot width, and which has not been subdivided or reduced in size.

NONCONFORMING USE – A use that conformed with all Township zoning requirements at the time of its inception, but which does not conform to the provisions of this Ordinance.

NUISANCE – An offensive, annoying, unpleasant, or obnoxious thing or practice being a cause or source of annoyance.

NURSERY, PLANT – A space, building or structure, or combination thereof, for the storage of live trees, shrubs, or plants. The definition of nursery within the meaning of this Ordinance does not include any temporary space, building or structure used for the sale of fruits, vegetables, or harvested and cut Christmas trees.

NURSING HOME – A home for the care of the aged or infirm, or a place of rest for those suffering bodily disorders, where care is provided for compensation. The home shall conform to, and be licensed under, applicable State law.

Section 2.16 Definitions – O

OFF-ROAD VEHICLE (“ORV”) – any motor vehicle that can be operated cross-country (without benefit of a road or trail) over land, snow, and other natural terrain. This includes multi-track or multi-wheel vehicles; all-terrain vehicles (ATVs); motorcycles or related multi-wheel vehicles; amphibious machines (water-to-land and back); hovercrafts; and other vehicles that use mechanical power, including two- or four-wheel-drive vehicles that are highway registered but operated off highways or off roads. The following are not considered ORVs by Michigan law: registered snowmobiles; farm, construction, or logging vehicles when being used in usual work practices; and military, fire, emergency, and law enforcement vehicles.

OFF-SITE BATTERY ENERGY STORAGE FACILITY – An entire system that provides access to and absorbs, stores, and discharges electricity. Off-Site Battery Energy Storage Facilities shall require a special land use and shall be located only in the Agricultural, Commercial or Industrial Districts.

OPEN AIR BUSINESS – Uses operated substantially in the open air, including, but not limited to:

- A. Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services.
- B. Outdoor display and sale of garages, motor homes, manufactured homes, snowmobiles, farm implements, swimming pools, and similar activities.
- C. Retail sale of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
- D. Flea Markets.

OPEN SPACE, DEDICATED – Common open space dedicated as a permanent recorded easement.

OPEN SPACE DEVELOPMENT – A development in which the lot sizes are reduced below those normally required in the zoning district in which the development is located in return for the provision of permanent open space on-site.

OPEN SPACE, USABLE – That portion of the common open space which due to its slope, drainage characteristics and soil conditions can be used for active recreation or agriculture.

OUTDOOR RECREATION – [An outdoor facility for leisure and exercise. Examples include parks and nature preserves. Does not include golf courses or sports facilities.](#)

Section 2.17 Definitions – P

PARK, PRIVATE – [A natural or landscaped area provided by a private entity for recreation.](#)

PARK, PUBLIC – [A natural or landscaped area provided by a unit of government for recreation.](#)

PARKING LOT – A facility (not including parking for single and two-family units) providing vehicular parking spaces, along with adequate drives, aisles, and maneuvering space to allow unrestricted ingress and egress to at least two (2) vehicles.

PARKING SPACE – An off-street space exclusive of necessary driveways, aisles, or maneuvering areas suitable to accommodate one (1) motor vehicle and having direct unobstructed access to a street or alley.

PATIO – An area at grade, improved with concrete, brick, or other hard surface, adjacent to a dwelling and used by occupants of the dwelling for leisure time activities, but not used for vehicle parking or storage.

PERSON – An individual, partnership, corporation, association, governmental entity, or other legal entity as defined by the Michigan Zoning Enabling Act, as amended.

PLANNED UNIT DEVELOPMENT (PUD) – A development approval under the provisions of this Ordinance that permits certain flexibility in use, lot dimensions, and other development requirements for certain purposes as defined by the Zoning Act and this Ordinance.

POND – Small, still land based bodies of water formed by pooling of water inside a depression occurring naturally or artificially. Ponds have a maximum surface area of 12 acres, maximum depth of 16 feet and less than 30% of emergent vegetation.

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

PUBLIC UTILITY – A business organization duly authorized to furnish, under Federal, State, or municipal regulations, to the public, electricity, gas, steam, communications (except cellular) telephone or commercial wireless communications towers), telegraph, internet, cable, transportation, sanitary sewer, or water services.

Section 2.18 Definitions – Q

QUALIFIED RESIDENTIAL TREATMENT PROGRAM – A program within a child caring institution meeting the requirements of the Child Care Organizations Act, PA 116 of 1973, Section 1. (ee) i-vi MCL 722.111 as amended.

Section 2.19 Definitions – R

RECREATIONAL VEHICLE – A vehicle that has its own motive power or is towed by a motor vehicle, is primarily designed to provide temporary living quarters for recreational, camping, travel, or seasonal use, complies with all applicable federal vehicle regulations, and does not require a special highway movement permit under section 719a of the Michigan Vehicle Code to be operated or towed on a street or highway. The term includes, but is not limited to, a motor home, travel trailer, park model trailer that does not require a special highway movement permit under section 719a, or pickup camper. ~~or equipment intended for temporary or periodic use for recreational or leisure pursuits. Such vehicles shall include boats, airplanes, special purpose automobiles, floats, rafts, trailers, snowmobiles, camping or travel trailers, motorized homes, detachable travel equipment of the type adaptable to~~

RELIGIOUS INSTITUTIONS – Religious institutions primarily provide meeting areas for religious activities. They may be associated with a convent (group housing) or provide caretaker housing or a parsonage on site (as an accessory use).

RESTAURANT – A building in which food and drinks are prepared and sold for consumption on the premises or for takeout.

RETAIL - The sale of goods directly to the consumer in relatively small quantities for use or consumption rather than for resale.

ROADSIDE STAND – A structure that is less than one hundred twenty (120) square feet in area, used for the display and sale of agricultural products, with no space for customers within the structure itself.

ROOF LINE – The top edge of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.

Section 2.20 Definitions – S

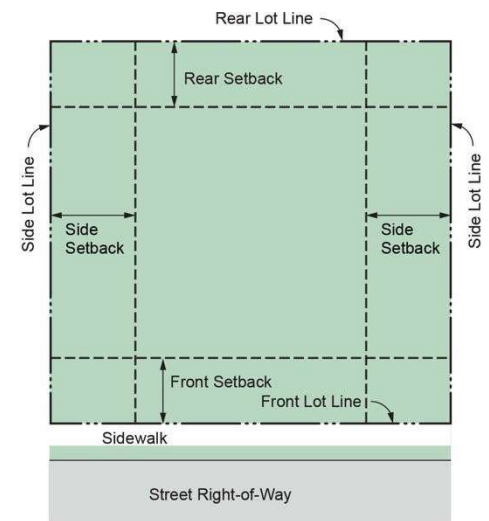
SATELLITE DISH – A parabolic dish designed for the purpose of transmitting or receiving microwave radio, television, satellite, or other electromagnetic energy signals, including as a part of the apparatus or device the main reflector, sub reflector feed, amplifier and support structure.

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

SETBACK – The minimum distance that is required between any lot line or street right-of-way and any main building, accessory building or other structure whether roofed over or not.

SEXUALLY ORIENTED BUSINESSES (definitions relating to) –

- A. **Adult Bookstore or Adult Video Store:** An adult bookstore or adult video store means a commercial establishment which has a substantial portion of its stock in trade for sale or rent, for any form of consideration, any one or more of the following items:
- Books, magazines, periodicals or other printed matter, or photographs, pictures, films, motion pictures, video cassettes, video tapes, any material in digital format (including, but not limited to compact discs [CDs] or digital video discs [DVDs]), greeting cards, or video reproductions, slides, or other visual representations or electronic media or other merchandise which is predominantly distinguished or characterized by an emphasis on depiction or description of specified anatomical areas or specified sexual activities; or



SOLAR FARM – A utility scaled commercial facility that converts sunlight into electricity for the wholesale or retail sale of the generated electricity off site. Solar farms require a Special Land Use and shall be located only in the Agricultural, Commercial or Industrial districts.

SPECIAL LAND USE – A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity or general welfare.

STACKING SPACE – An area designated for a line of vehicles waiting for drive-through service.

STATE LICENSED RESIDENTIAL FACILITY – A structure constructed for residential purposes that is licensed by the state under the Adult Foster Care Licensing Act, PA 218 of 1979 as amended or the Child Care Organizations Act, PA 116 of 1973 as amended and provides residential services to 6 or fewer individuals under 24-hour supervision or care.

STOP WORK ORDER – An administrative order which is either posted on the property or mailed to the property owner which directs a person not to continue, or not to allow the continuation of an activity which is in violation of this Ordinance.

STORY – That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. For the purpose of this Ordinance, a basement or cellar shall be counted as a story only if over fifty (50) percent of its height is above the level from which the height of the building is measured, or if it is used for business purposes.

STORY, HALF – That part of a building between a pitched roof and the uppermost full story, the part having a floor area which does not exceed one-half (1/2) the floor area of a full story, provided the area contains at least two hundred (200) square feet and contains a clear height of at least seven (7) feet, at its highest point.

STREET RELATED DEFINITIONS:

- A. **Collector or Arterial Road:** Public streets that gather traffic from local streets or move larger volumes of traffic through the Township.
- B. **Cul-de-Sac:** A local street of short length, having one end open to traffic and being permanently terminated at the other end by a vehicular turn around.
- C. **Local Street:** A public street with local traffic volumes, the principal use or function of which is to give access to abutting properties.
- D. **Private Road:** A privately owned and maintained drive, street or road not dedicated to the County Road Commission as a public road, which provides the primary means of vehicular ingress and egress from a public road or another private road to ~~2~~one to four (1-4) or more lots or parcels whether created by a private right-of-way agreement, easement or by prescription.
- E. **Public Road Authority:** The Allegan County Road Commission or Michigan Department of Transportation having jurisdiction over the street.
- F. **Public Street:** A publicly owned thoroughfare which affords traffic circulation and principal means of access to abutting property, including any avenue, place, way, drive, lane, boulevard, highway, road, or other thoroughfare, except an alley.
- G. **Right-of-Way:** A road, alley, or other thoroughfare or easement permanently established for passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

Section 2.26 Definitions – Y

YARD

- A. **Yard, Required Front.** An open ~~space~~ [area](#) extending the full width of the lot, the uniform depth of which is the minimum prescribed horizontal setback distance measured at right angles to the front lot line.
- B. **Yard, Required Rear.** An open area extending across the full width of the lot, the uniform depth of which is the minimum prescribed horizontal setback distance measured at right angles to the rear lot line.
- C. **Yard, Required Side.** An open area between a main building and the side lot lines, extending from the front yard area to the rear yard area. The width of the required side yard shall be measured horizontally from and at right angles to the nearest point of the side lot line.



Section 2.27 Definitions – Z

ZONING ACT – The Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

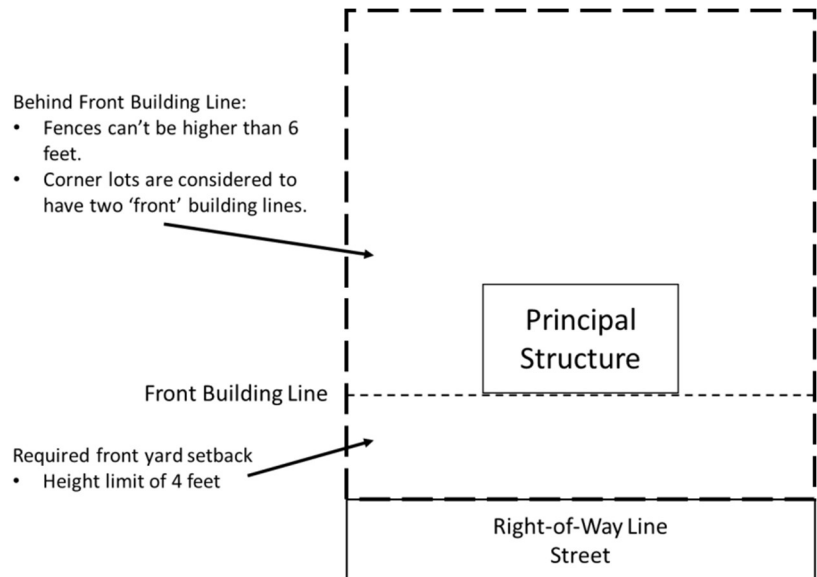
ZONING ADMINISTRATOR – The person designated by the Township Board to administer the provisions of this Ordinance.

ZONING BOARD OF APPEALS – The Zoning Board of Appeals of Ganges Township.

ZONING COMPLIANCE PERMIT – A permit signifying compliance with the provisions of this Ordinance as to design, use, activity, height, setbacks, density, site planning, special use status, or planned unit development status.

Section 3.9 Fences

- A. ~~For lots with a principal building, only chain-link, wrought iron, wood or vinyl fences are permitted within the required front yard setback. This fence cannot exceed four (4) feet in height within 50 (fifty) feet of the road right-of-way and must be at least six (6) feet from the road right of way. Fence height is defined as the vertical distance measured from the finish grade of the lot to the tallest point of the fence.~~
- B. ~~For lots with a principal building, only chain-link, wrought iron metal, wood or vinyl fences are permitted within the required front yard setback. This fence cannot exceed four (4) feet in height within 50 (fifty) feet of the road right-of-way and must be at least six (6) feet from the road right of way.~~
- C. Fences shall not be placed within forty (40) feet of the water's edge at Lake Michigan or Hutchins Lake.
- A.D. Fences are not permitted in the submerged lands of Lake Michigan or from the Ordinary High Water Mark to the bluff edge of Lake Michigan, except for temporary fencing used for shoreline protection as permitted in Section 14.7.B.3.
- B.E. ~~No person shall string, place, or maintain~~ Razor wire, single-strand barbed wire, or and single-strand cable are not permitted as part of any fence or structure at the property line in any zoning district (unless associated with required Homeland Security measures.) as part of any fence, or structure at the property lines in any zoning district.
- G.F. ~~Barbed wire or electric fencing may only be used as part of a~~ agricultural farm operation as defined in the Michigan Right to Farm Act, PA 93 of 1981, as amended, or when required by ordinance.



Section 3.10 Outdoor Furnaces

Furnaces located outside a building shall be permitted only under the following conditions.

- An outdoor furnace requires zoning compliance and mechanical permits.
- All units shall be "UL" (Underwriters Laboratory) listed and shall comply with the State mechanical code.
- Phase 2 [high efficiency] furnaces shall be located a minimum of fifty [50] feet from any property line. Low efficiency furnaces shall be located a minimum of two hundred (200) feet from any property line.
- The unit shall not be located within the front yard unless it is located over two hundred (200) feet off the

- e) Cervid (deer, reindeer, moose, elk).

Section 3.19 Ponds

- A. No pond shall be constructed, installed, or maintained which either causes or contributes to the erosion of any adjacent, abutting, or nearby lands.
- A.B. Ponds greater than one (1) acre require a Soil Erosion Sedimentation Control (SESC) Permit from the Allegan County Environmental Health Department.
- B.C. Ponds greater than five (5) acres require a permit from the Michigan Department of Environment, Great Lakes, and Energy.
- D. Ponds must be constructed and maintained with gradual slopes to depths of up to five or six feet with no sudden drop offs.
- G.E. The Planning Commission may require a fence in conjunction with the construction of a pond, provided that requiring a fence would substantially improve the site in terms of safety, screening, privacy, or other reasons.

Section 3.20 Private Roads

- A. **Purposes.** The purposes of this Section are to regulate the design and construction of private roads; to permit private roads for residential uses only; to protect the Township's rural character and preserve farmland by preventing excessive lot splits; to ensure that adequate safety measures for emergency response and access are provided on private roads; and to provide a safe environment for residents serviced by a private road.
- B. **Districts Permitted.**
1. Private roads are permitted in the AR, Agriculture/Residential, C, Commercial, I, Industrial, R, Residential, GNR, Glenn Neighborhood Residential, GHMU, Glenn Hamlet Mixed Use, and PUD, Planned Unit Development districts.
 - a) Private roads in the A/R, C, I, R, GHMU, and PUD Districts shall serve no more than fifteen (15) parcels and not to exceed fifteen (15) single family dwellings.
 - b) Private roads in the GNR District may serve as many parcels as necessary to achieve a connected street network within neighborhood developments.
 - c) Private roads may be permitted in the A District, subject to restrictions described in Section 3.20.C. below.
- C. **Private Roads in the A District.**
1. To prevent excessive lot splits and residential neighborhood sprawl, as well as to preserve and protect the Township's valued agricultural lands and agriculture production facilities, private roads shall not be permitted in the A, Agriculture District, if proposed as a component of a PUD or site condominium development.
 - a) Private roads in the A District shall not serve more than two (2) parcels and not to exceed two (2) dwelling units.
 2. All existing private roads in the A, Agriculture District may continue to operate and be maintained as approved by the Planning Commission, so long as the private road is not extended or lengthened.

4. Fencing will be commensurate with that required to obtain a Permit to Hold Wildlife in captivity from the DNR.
5. Hunting of animals or birds for sport or profit may be permitted in designated areas subject to State laws pertaining to separation distances required between hunting areas and dwellings.
6. Animal waste shall be disposed of in a safe manner as recommended by the Allegan County Health Department and GAAMP for Manure Management and Utilization.

Section 3.33 Food Trucks

- A. Food trucks not associated with wineries or breweries may cater outdoor public entertainment events only if approved by the Ganges Township Board and must be removed from the property at the conclusion of the event.
- B. Up to two (2) food trucks are allowed as accessory uses at wineries and breweries only.
- C. All food trucks must have all the necessary permits from the Allegan County Health Department and the State of Michigan.

Section 3.34 Solar Energy Systems-Noncommercial

A. General Requirements:

1. **Setbacks.** All noncommercial solar energy systems shall maintain a minimum setback of twenty (20) feet from all property lines.
2. Mechanical equipment and system components must be screened from street and neighboring residences by privacy fencing or landscaping.
3. **Site Plan Required.** A site plan shall be required for the construction of a noncommercial solar energy system. Site plans shall show all existing and proposed structures, driveways, and adjacent structures within one hundred (100) feet, and any other information required by the Zoning Administrator or Building Inspector that is necessary to determine compliance with this ordinance. Submission of twelve (12) copies of a 24x36 inch Site Plan bearing the seal of the engineer/surveyor preparing the Site Plan to must be received by the Zoning Administrator not less than 35 consecutive days prior to the regular Planning Commission meeting at which the request will be considered. The Planning Commission shall receive copies of the 24x36 inch Site Plans bearing the seal of the engineer/surveyor preparing the Site Plans not less than 15 consecutive days prior to that meeting.

B. Building-mounted Solar Panels.

1. Solar energy collectors that are mounted on the roof of a building shall not project above the highest point of the roof and shall not exceed the maximum building height for the zoning district in which it is located.
2. Solar energy collectors that are wall mounted shall not exceed the height of the building wall to which they are attached.
3. Solar energy collectors shall not be mounted on a building wall that is parallel to an adjacent road right-of-way.

11. Significant natural features and other natural characteristics, including but not limited to open space, wetlands, stands of trees, brooks, ponds, floodplains, hills, slopes of over fifteen percent (15%) and similar natural assets or hazards of subject property and abutting properties within three hundred (300) feet of the subject property.
12. Two professionally sealed and six (6) non sealed Site Plans are required for the initial construction of a tower. For subsequent administrative tower approvals two sealed Site Plans are required.
13. The entire area which could be serviced by the proposed commercial small cell communications facility shall be described.

Section 3.36 Off-Road Vehicles (ORVs)

- A. It is illegal, per State law, to operate ORVs below the Ordinary High-Water Mark for the Great Lakes (MCL 324.81133 and MCL 324.32502). ORVs can be operated on private land above or landward of the Ordinary High-Water Mark only with written permission of the property owners involved. Horseback riding on the shorelines of the Great Lakes is prohibited unless authorized as can occur at Silver Lake State Park. Violations can be reported to the Department of Natural Resources (DNR) by phoning or texting 1-800-292 7800.

Article 5. Agricultural District

Section 5.1 Intent and Purpose

- A. The regulations of the “A” Agricultural District are intended to ensure that land areas within the Township which are well suited for production of food and fiber are retained for such production, unimpeded by the establishment of incompatible uses which would hinder farm operations and irretrievably deplete agricultural lands. Further, the intent of this Article is to preserve the rural character of these areas. The District also accommodates very low density residential development and other specialized rural uses requiring large tracts of land. In the Agricultural District, certain impacts such as odors, noise, application of chemicals, and other external impacts typically associated with farming operations shall be recognized and reasonably tolerated provided they do not pose a threat to the general health, safety, and welfare of Township residents.

Section 5.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the “A” Agricultural District:
1. **P – Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 2. **SLU – Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article 198 are met.
- B. As per Section 3.1.B, if a use is not listed in the Table below, it shall be considered prohibited.

Table of Uses	A
Residential	
Single family dwelling	P
Two family dwelling (duplex)	P
Adult foster care family home	P
Adult foster care large group home	P
Adult foster care small group home	P
Adult foster care private residence	P
Family childcare home	P
Foster family group home	P

Foster family home	P
Group childcare home	SLU
Migrant housing (subject to Section 3.24)	P
Open Space Preservation	P
Non-Residential	
Biofuel Production Facility less than 100,000 Gal (Subject to Section 3.36)	P
Biofuel Production Facility 100,000 Gal to 500,000 Gal (Subject to Section 3.36)	SLU
Commercial Small Cell Communications Facility (subject to Section 3.35)	P
Confined feedlot and livestock holding facilities	P
Cottage industry	SLU
Energy Storage Facility (non-commercial)	P
Equine boarding stable and/or training facility (subject to Section 3.31)	P
Farm market (subject to Section 3.30)	P
Farm Operation	P
Greenhouses and Nurseries (commercial)	SLU
Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	P
Mineral Mining (only allowed on non-prime farmland Class V through VIII as determined by the USDA National Resources Conservation Service (NRCS))	SLU
Municipal and public service activities	SLU
Off-site Battery Energy Storage Facility (subject to 198.6 FF)	SLU
Parks/outdoor recreation, public	SLUP
Parks/outdoor recreation, private	PSLU
Private roads (Subject to Section 3.20 C)	P
Raising of fur-bearing animals or game birds (subject to Section 3.32)	P
Schools and colleges, public	P
Semi-truck parking (subject to Section 3.25)	P
Solar Farm (only allowed on non-prime farmland Class V through VIII as determined by the USDA Natural Resources Conservation Service (NRCS))	SLU
Truck parking (number and type as needed for agricultural purposes)	P
Veterinary hospital or clinic	P
Wireless communications tower over 75 feet in height	SLU
Wind energy conversion system (commercial)	SLU
Winery, Meadery, or Cider Mill	SLU
Wireless communication tower under 75 feet in height wholly owned and used by a federally licensed amateur radio station operator	P
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other structure	P
Accessory	
Accessory buildings and uses	P
Agricultural products, retail	SLU
Bed and Breakfasts	SLU
Cottage Food Industry (subject to Section 2.4)	P
Food Truck (subject to Section 3.33)	P

Article 6. Residential/Agricultural District

Section 6.1 Intent and Purpose

- A. The regulations of the "R/A" Residential/Agricultural District recognize lands that retain a relatively high proportion of agriculture and open space use but, due to population growth, soil characteristics, and related factors, experience ongoing transition to non-farm low density residential development. It is the intent that the area is developed with buffers from agricultural activities. Public services are not intended for this district for an indefinite period.

Section 6.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the "R/A" Residential/ Agricultural District:
1. **P – Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 2. **SLU – Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article 198 are met.
- B. Per Section 3.1.B., if a use is not listed in the Table below, it shall be considered prohibited.

Table of Uses	R/A
Residential	
Single family dwelling	P
Two family dwelling (duplex)	P
Adult foster care family home	P
Adult foster care large group home	P
Adult foster care small group home	P
Adult foster care private residence	P
Family child care home	P
Foster family group home	P
Foster family home	P
Group child care home	SLU
Migrant housing (subject to Section 3.24)	P

Open Space Preservation	P
Residential PUD	SLU
Non-Residential	
Agricultural service establishment	P
Agricultural products retail	SLU
Biofuel Production Facility less than 100,000 Gal (Subject subject to Section 3.36)	P
Biofuel Production Facility 100,000 to 500,000 Gal (Subject subject to Section 3.36)	SLU
Campground, public or private	SLU
Cemeteries	SLU
Commercial Small Cell Communications Facility (subject to Section 3.36)	P
Cottage industry	SLU
Energy Storage Facility (non-commercial)	P
Equine boarding stable and/or training facility (Section 3.31)	P
Farm market (subject to Section 3.30)	P
Farm operation	P
Golf course or country club	SLU
Greenhouses and Nurseries (commercial)	SLU
Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	SLU
Mineral Mining (only allowed on non-prime farmland Class V through VIII as determined by the USDA National Resources Conservation Service (NRCS))	SLU
Municipal and public service activities	SLU
Nursing or convalescent home	SLU
Parks/outdoor recreation, public	SLUP
Parks/outdoor recreation, private	P SLU
Private Roads (subject to Section 3.20)	P
Raising of fur-bearing animals or game birds (subject to Section 3.32)	P
Religious Institutions	SLU
Semi-truck parking (subject to Section 3.25)	P
Schools and colleges, public	P
Truck parking (number and type as needed for agricultural purposes)	P
Schools and colleges, private	SLU
Winery, Meadery, or Cider Mills	SLU
Wind energy conversion systems (commercial)	SLU
Wireless communication tower over 75 feet in height	SLU
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other structure	P
Wireless communication tower of under 75 feet in height wholly owned and used by a federally licensed amateur radio station operator	P
Accessory	
Accessory buildings and uses	P
Bed and Breakfast establishments	SLU
Cottage Food Industry (Subject to Section 2.4)	P
Food Trucks (Subject to Section 3.33)	P
Greenhouses (non-commercial)	P

Article 7. Residential District

Section 7.1 Intent and Purpose

- A. The regulations of the “R” Residential District are intended to encourage a suitable environment for a variety of rural densities, and compatible supportive recreational, institutional, and educational uses. The intent of the R District is to protect residential areas from the encroachment of uses that are not appropriate to a residential environment.

Section 7.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the "R" Residential District:
1. **P – Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 2. **SLU – Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article ~~18~~19 are met.
- B. Per Section 3.1.B., if a use is not listed in the Table below, it shall be considered prohibited.

Table of Uses		R
Residential		
Single-family dwelling		P
Two-family dwelling (duplex)		P
Adult foster care family home		P
Adult foster care large group home		P
Adult foster care small group home		P
Adult foster care private residence		P
Family childcare home		P
Foster family group home		P
Foster family home		P
Group childcare home		SLU
Open Space Preservation		P
Residential PUD		SLU

Non-Residential	
Cemeteries	SLU
Commercial Small Cell Communications Facility (Subject to Section 3.36)	P
Energy Storage Facility (non-commercial)	P
Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	SLU
Municipal and public service activities	SLU
Parks/outdoor recreation, public	SLUP
Parks/outdoor recreation, private	PSLU
Private Roads (subject to Section 3.20)	P
Religious Institution	SLU
Schools and colleges, public	P
Schools and colleges, private	SLU
Wireless communication tower over 75 feet in height	SLU
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other structure	P
Wireless communication tower of under 75 feet in height wholly owned and used by a federally licensed amateur radio station operator	SLU
Accessory	
Accessory buildings and uses	P
Bed and Breakfast establishments	SLU
Cottage Food Industry (Subject to Section 2.4)	P
Greenhouses (non-commercial)	P
Home occupation/home-based business (Subject to Section 3.7)	P
Keeping animals as an accessory use (subject to Section 3.18)	P
Ponds (Subject to Section 3.19)	P
Noncommercial Wind Energy Conversion systems (Subject to Section 3.21)	P
Solar Energy System-noncommercial (subject to Section 3.34)	P
Temporary uses or buildings (subject to section 3.12)	P

Section 7.3 Development Requirements

A. Lot, Yard, and Building Requirements

Requirement	R District
Minimum Lot Area	0.75 acres
Minimum Lot Width*	100 ft.
Maximum Width to Depth Ratio	1:4
Minimum Front Yard Setback from Road Right of Way	40 ft.
Minimum Rear Yard Setback	30 ft.
Minimum Side Yard Setback	15 ft.
Maximum Lot Coverage	25%
Maximum Building Height	35 ft.
Minimum Dwelling Unit Floor Area (Living Area)	960 sq. ft.

* The minimum lot width for a lot on a cul-de-sac or other irregularly shaped lot shall be measured at the front yard setback. These lots shall have a minimum frontage of fifty (50) feet at the front property line.

Article 8. Glenn Neighborhood Residential District

Section 8.1 Intent and Purpose

- A. The purpose of the Glenn Neighborhood Residential District is to allow for higher density residential dwelling units and neighborhood developments to support the immediately adjacent Glenn Hamlet Mixed Use District. Residential developments and neighborhoods should be accessible by foot and/or bike to businesses and other community-oriented uses in the Glenn Hamlet Mixed Use District. Further, it is the intent of this District to create a “transect” of residential land uses from the Glenn Hamlet Mixed Use District to the surrounding low density Residential District and Residential/Agricultural District.

Section 8.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the “GNR” District:
1. **P – Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 2. **SLU –Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article [18-19](#) are met.
- B. Per Section 3.1.B., if a use is blank or not listed in the Table below, it shall be considered prohibited.

Table of Uses	GNR District
Residential	
Single-Family Dwellings	P
Two-Family Dwellings	P
Adult foster care family home	P
Adult foster care large group home	P
Adult foster care small group home	P
Adult foster care private residence	P
Elderly Housing	SLU
Family childcare home	P
Foster family group home	P

Foster family home	P
Group childcare home	SLU
Open Space Preservation	P
Residential PUD (Subject to Article 45 16)	SLU
Non-Residential	
Energy Storage Facility (non-commercial)	P
Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	SLU
Municipal and public service activities	SLU
Parks/outdoor recreation, public	SLUP
Parks/outdoor recreation, private	PSLU
Private Roads (subject to Section 3.20)	P
Religious Institution	SLU
Schools and colleges, public	P
Schools and colleges, private	SLU
Accessory	
Accessory buildings and uses	P
Bed and Breakfast establishments	SLU
Cottage Food Industry (Subject to Section 2.4)	P
Greenhouses (non-commercial)	P
Home occupation/home-based business (Subject to Section 3.7)	P
Noncommercial Wind Energy Conversion systems (Subject to Section 3.21)	P
Solar Energy System-noncommercial (subject to Section 3.34)	P
Temporary uses or buildings (subject to section 3.12)	P

Article 9.

Glenn Hamlet Mixed-Use District

Section 9.1 Intent and Purpose

- A. The Glenn Hamlet Mixed Use District, "GHMU" is intended to permit small scale, low impact, retail, and service businesses that are geared toward serving the residents of the Glenn Hamlet area. It is the intent of the GHMU District to provide a mix of small-scale local commercial land uses alongside residential land uses and neighborhoods. It is further the intent of this District to preserve the historic and existing character of the Glenn Hamlet area. The Glenn Hamlet Mixed Use area is intended to serve as a walkable low-intensity area for commercial and residential activities in Ganges Township.
- B. Managing access to individual properties will receive strong consideration during the review of individual sites in both districts. The use of combined drives, service drives, and well-planned access points will be stressed.

Section 9.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the "GHMU" District:
 - 1. **P – Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 - 2. **SLU – Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article 189 are met.
- B. Per Section 3.1.B., if a use is blank or not listed in the Table below, it shall be considered prohibited.

Table of Uses	GHMU
Residential Uses	
Single-Family Dwelling	P
Two-Family Dwelling (duplex)	P
Three-Family Dwelling (triplex)	P
Adult foster care family home	P
Adult foster care large group home	P
Adult foster care small group home	P

Adult foster care private residence	P
Family childcare home	P
Foster family group home	P
Foster family home	P
Group childcare home	SLU
Non-Residential Uses	
Bank, credit union, financial institution	P
Childcare Center	SLU
Clinics and Offices (medical, dental, lab)	P
Commercial Small Cell Communications Facility (subject to Section 3.36)	P
Computer, electronics sales and service (less than 2500 sq. ft.)	P
Energy Storage Facility (non-commercial)	P
Event center	SLU
Florist (less than 2,500 sf)	P
Glenn Hamlet Mixed Use PUD (Subject to Section 15.6)	SLU
Grocery store (less than 2500 sq. ft.)	P
Health or exercise club	P
Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	SLU
Massage, licensed therapist (subject to Section 2.15)	P
Office, general	P
Open Space Preservation	P
Park/outdoor recreation, public	SLUP
Park/outdoor recreation, private	PSLU
Personal service establishment (e.g., barber, salon, tailor, tanning spa)	P
Pharmacy/Drug Store (less than 2500 sq. ft.)	P
Printing, retail, and convenience (less than 2500 sq. ft.)	P
Private Roads (subject to Section 3.20)	P
Professional office (e.g., law, architecture, engineering, etc.)	P
Religious Institutions	SLU
Restaurants without drive-through facilities	P
Retail, general (less than 2,500 square ft)	P
School, Public	P
School, private	SLU
Studios (photography, dance, pottery, taxidermy, art, music, etc.) Commercial school (e.g. dance, music, martial arts, etc.)	SLUP
Veterinary clinic and hospital	P
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other structure	P
Accessory Uses	
Accessory apartments associated with businesses	P
Accessory buildings and uses	P
Bed and Breakfasts	SLU
Cottage industry	SLU
Cottage Food Industry (subject to Section 2.4)	P

Article 10. Manufactured Housing Community District

Section 10.1 Intent and Purpose

- A. The purpose of this district is to allow for the establishment of manufactured home communities and related accessory uses. Manufactured Housing Districts shall be located along primary roads and have three phase electric and natural gas availability. A manufactured housing community shall comply with all applicable procedures and requirements of The Mobile Home Commission Act 96 of 1987 as amended, and the Michigan Administrative Code.

Section 10.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the "M-H" Residential District:
1. **P – Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 2. **SLU – Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article [45-16](#) are met.
- B. Per Section 3.1.B., if a use is blank or not listed in the Table below, it shall be considered prohibited.

Table of Uses	M-H District
Residential	
Manufactured housing community	P
Adult foster care family home	P
Adult foster care large group home	P
Adult foster care small group home	P
Adult foster care private residence	P
Family childcare home	P
Foster family group home	P
Foster family home	P
Group childcare home	SLU
Open Space Preservation	P

Non-Residential	
Commercial Small Cell Communications Facility (subject to Section 3.365)	P
Energy Storage Facility (non-commercial)	P
Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	SLU
Park/outdoor recreation, public	SLUP
Park/outdoor recreation, private	P
Private Roads (subject to Section 3.20)	P
Semi-Truck Parking (Subject to Section 3.25)	SLU
Schools, public	P
Solar Energy System-noncommercial (subject to Section 3.34)	P
Temporary Uses or building (subject to Section 3.12)	P
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other structure	P
Wireless communication tower over 75 feet in height	SLU
Accessory	
Accessory buildings and uses	P
Home occupation/home-based business (subject to Section 3.7)	P
Cottage Food Industry (subject to Section 2.4)	P
Greenhouses (non-commercial)	P
Keeping Animals as an accessory use (subject to Section 3.18)	P
Noncommercial wind energy conversion systems (subject to Section 3.21)	P
Ponds (Subject to Section 3.19)	P

Section 10.3 Development Requirements

A. Lot, Yard, Building and Manufactured Housing Community Requirements

Requirement		M-H
Manufactured Housing Site Lot Size	Minimum Area	Community – 10 acres Dwelling sites – 5,000 sq. ft.
	Minimum Width	Dwelling sites – 40 ft.
Minimum Setbacks	Front Yard	Community – 50 ft. Dwelling sites – 10 ft.
	Side Yard	Community – 50 ft. Dwelling sites – 10 ft. each side
	Rear Yard	Community – 50 ft. Dwelling sites – 15 ft.
Building Requirements	Maximum Building Height	Community buildings – 35 ft. Dwellings, all other buildings – 15 ft.
	Minimum Floor Area Per Dwelling	750 sq. ft.

B. Parking Requirements

1. Location of Parking

- a) **Manufactured Housing Community.** The off-street parking facilities required for a single dwelling site shall be located on the same lot as the building they are intended to serve. Two (2) spaces per unit shall be provided. Parking is limited to the garage/carport and driveway only. One (1) parking space per every five (5) lots shall be provided for visitors, evenly distributed throughout the development.
- b) **Nonresidential Uses.** The off-street parking facilities required for nonresidential uses shall not be located within forty (40) feet of the right-of-way line. The respective side and rear yard setback common to an adjacent Residential District or use shall be a minimum of thirty (30) feet, of which fifteen (15) feet nearest the respective property line shall be developed as a buffer zone. The buffer zone shall extend the entire depth of the side of the lot in the case of the side yard parking adjoining the residential area, or the width of the rear of the lot in the case of rear yard parking adjoining the residential area. The required buffer zone shall comply with the standards of [Section 17.5-18.5](#).
- c) See [Section 17.18.2](#) for general parking area requirements.

2. The amount of required off-street parking spaces for individual uses shall be determined in accordance with the following table and shall meet the dimensional requirements of [Article 17-18](#) for lighting and landscaping.

Article 11. Commercial District

Section 11.1 Intent and Purpose

- A. The "C" Commercial District is intended to provide appropriate locations to accommodate land uses meeting the general business needs of the residents of the Township. The district is not intended to provide regional shopping opportunities but rather to be limited in design and scope for community-based businesses in addition to stimulating specialty tourist businesses. The "C" District is intended for uses that have a low impact on the environment, including water, septic, equipment, and transportation needs. The "C" District allows for residential uses as well as business uses and commercial farms.
- B. Managing access to individual properties will receive strong consideration during the review of individual sites in both districts. The use of combined drives, service drives, and well-planned access points will be stressed.

Section 11.2 Table of Uses

- A. The following abbreviations apply to the Table of Uses for the "C" Commercial District:
 - 1. **P: Permitted Use:** Land or buildings in this district may be used for the purposes listed by right. Site plan approval may be necessary.
 - 2. **SLU: Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article ~~18~~-19 are met.
- B. Per Section 3.1.B., if a use is blank or not listed in the Table below, it shall be considered prohibited.

Table of Uses	C District
Residential	
Single-Family Dwelling	P
Two-Family Dwelling (duplex)	P
Adult foster care family home	P
Adult foster care large group home	P
Adult foster care small group home	P
Adult foster care private residence	P
Elderly housing	SLU

Family childcare home	P
Foster family group home	P
Foster family home	P
Group childcare home	SLU
Migrant Housing (subject to Section 3.24)	P
Open Space Preservation	P
Residential PUD	SLU
Non-Residential	
Agricultural products retail	PSLU
Agricultural service establishment	P
Bakery, baked goods store (less than 2500 sq. ft.)	P
Bank, credit union, financial institution	P
Biofuel Production Facility less than 100,000 Gal	P
Biofuel Production Facility 100,000 to 500,000 Gal	SLU
Bowling alley, indoor amusement	SLU
Brewery, Brew Pub, Microbrewery	SLU
Broadcasting studio, without tower	P
Campground or RV park	SLU
Child Care Center	P
Cemetery	SLU
Clinics (medical, dental, lab)	P
Commercial Small Cell Communications Facility (subject to Section 3.36)	P
Commercial Storage Building	P
Contractor's office and storage yard	SLUP
Cottage industry	SLU
Daycare Center	P
Drive-through establishment	SLU
Dry cleaning, laundry (drop off only)	P
Electric, HVAC, Plumbing (supplies and service)	P
Energy Storage Facility (non-commercial)	P
Equine boarding stable and/or training facility (Section 3.32)	P
Event center	SLU
Excavating, septic, well drilling, crane services	SLU
Farm market (subject to Section 3.31)	P
Farm Operation	P
Florist (less than 2,500 sf)	P
Funeral Home or Mortuary	P
Raising of Fur Bearing Animals or Gamebirds (Section 3.33)	P
Greenhouse and nursery (commercial)	SLU
Grocery store (less than 2500 sq. ft.)	P
Health or exercise club	P
Hospitals	SLU
Kennels	SLU

Library; museum; community center; governmental, administration, or service use; similar uses owned and operated by a government or noncommercial organization	SLU
Locksmith	P
Lodging: Hotel, motel	SLU
Lumber yard, builder supply, home improvements (less than 2,500sq ft.)	SLUP
Massage, licensed therapist (subject to Section 2.15)	P
Medical office, including clinic	P
Mineral Mining	SLU
Mini-storage, commercial	SLU
Nursing or convalescent home	SLU
Off-site Battery Energy Storage Facility (subject to Section 4819.6 FF)	SLU
Office, general	P
Open air businesses	P
Park/outdoor recreation, public	SLUP
Park/outdoor recreation, private	P
Personal service establishment (e.g., barber, salon, tailor, tanning spa)	P
Pharmacy /Drug Store (less than 2500 sq. ft.)	P
Printing, retail, and convenience (less than 2500 sq. ft.)	P
Private Roads (subject to Section 3.20)	P
Professional office (e.g., law, architecture, engineering, etc.)	P
Religious Institutions	SLU
Restaurants without drive-through facilities	SLU
Retail, general (less than 2,500 sq. ft.)	P
Schools and colleges, public	P
Schools and colleges, private	SLU
Sign painting and service shop	P
Solar Energy System-noncommercial (subject to Section 3.34)	P
Solar Farm	SLU
Sports facilities, indoor and outdoor (not including racetracks and golf courses)	SLU
Studios (photography, dance, pottery, taxidermy, art, music, etc.)	P
Temporary uses or buildings (subject to Section 3.12)	P
Tool and die shop	P
Truck Maintenance Facility	SLU
Truck terminal	P
Vehicle repair, vehicle service station, vehicle wash establishment	SLU
Veterinary clinic and hospital	P
Wholesale sales/service (less than 2,500 sq. ft.)	P
Wind Energy Conversion Systems (WECS), commercial	SLU
Winery or Cider Mill	SLU
Wireless communication tower over 75 feet in height	SLU
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other structure	P
Woodworking shop/retail gallery	P
Accessory	
Accessory buildings and uses	P

Bed and Breakfast establishment	SLU
Cottage Food Industry (subject to Section 2.4)	P
Food Truck (subject to Section 3.33)	P
Greenhouse (non-commercial)	P
Home occupation, home based business (Subject to Section 3.7)	P
Keeping Animals as an accessory use (subject to Section 3.18)	P
Noncommercial wind energy conversion systems (subject to Section 3.21)	P
Ponds (Subject to Section 3.19)	P
Roadside stand (subject to Section 3.11)	P
Semi-Truck Parking (subject to Section 3.25)	P
Truck parking (number and type as needed for agricultural purposes)	P

Section 11.3 Development Requirements

A. Lot, Yard, and Building Requirements.

<u>Requirement</u>	<u>COMM</u>
<u>Minimum Lot Area</u>	<u>1.5 acres</u>
<u>Minimum Lot Width</u>	<u>150 ft.*</u>
<u>Maximum Width-to-Depth Ratio</u>	<u>1:4</u>
<u>Maximum Lot Coverage</u>	<u>65%</u>
<u>Minimum Front Yard Setback from Road Right of Way</u>	<u>50ft.</u>
<u>Minimum Side Yard Setback</u>	<u>35 ft.</u>
<u>Minimum Rear Yard Setback</u>	<u>30 ft.</u>
<u>Maximum Height</u>	<u>35 ft.</u>
<u>Minimum Dwelling Unit Floor A (Living Area)</u>	<u>960 sq. ft.</u>

** The minimum lot width for a lot on a cul-de-sac or other irregularly shaped lot shall be measured at the front yard setback. These lots shall have a minimum frontage of fifty (50) feet at the front property line.*

Article 14

Lake Michigan Shoreline Overlay District

Based on well-established precedent in the laws of the State of Michigan, the State of Michigan enjoys a public trust doctrine that establishes a public trust interest in reasonable public access to and use of Great Lakes foreshore beaches and dunes lakeward of the ordinary high water mark and imposes a duty upon shoreland property owners not to modify their shoreland properties in such a way that would impose a nuisance upon the general public or neighboring shoreland property owners, which townships are empowered to prosecute and enjoin.

Section 14.1 Purpose and Intent

The Lake Michigan Shoreline Overlay District is established to minimize the adverse effects of development on lands adjacent to Lake Michigan and its purpose is in recognition that:

- A. The economic and environmental well-being and health, safety, and general welfare of the Township is dependent on, and connected with the preservation of, its Lake Michigan shoreline areas.
- B. The shoreline zone has unique physical, biological, economic, and social attributes.
- C. Future land development and redevelopment should not be conducted at the expense of these attributes.
- D. Property values will be enhanced when the natural features of the shoreline zone are preserved.
- E. Pollution, impairment, or destruction of the shoreline of Lake Michigan should be prevented or minimized.
- F. Development constructed without proper respect for the dynamics of waves, erosion, and shifting sands can be vulnerable to damage and destruction by natural forces.

Section 14.2 Location

The Lake Michigan Shoreline Overlay District includes every parcel along the Lake Michigan lakefront in Ganges Township and extends three hundred (300) feet landward of the Ordinary High Water Mark, as defined in this Ordinance.

Section 14.3 Definitions

- A. Bluff Line – The line which is the edge or crest of the elevated segment of the shoreline above the beach which normally has a sloping front inclining on the lakeward side. The bluff line setback distance shall be construed as running from the most landward bluff point toward the back (street side) setback line.
- B. Ordinary High Water Mark – The Ordinary High Water Mark of Lake Michigan as defined by the State of Michigan under Part 325 of the Michigan Natural Resources and Environmental Protection Act (Public Act 451 of 1994). It is an elevation above sea as determined by the International Great Lakes Datum of 1955, as amended, which at the time of the adoption of this Ordinance was 580.5 feet.
- C. Readily Moveable Structure – A structure with a total first floor size less than 3,500 square feet which is designed, sited, and constructed to allow relocation at a reasonable cost.
- D. Permanent Structure – A structure which does not meet the definition of a readily moveable structure.

B. If the cost of repair is more than 60 percent of the replacement cost or if the structure is declared a total loss for insurance purposes, the provisions for new permanent or readily moveable structures, as the case may be, shall apply.

Section 14.10 Permits

A. All construction activities, including placement of elevated walkways, stairs, decks, driveways, accessory buildings, principal buildings, and retaining walls, as well as revetments and shoreline protection activities on any parcel within the Lake Michigan Overlay District requires a zoning permit and building permit from Ganges Township.

B. A grading plan signed and sealed by an engineer licensed in the State of Michigan and associated with an engineering firm licensed in the State of Michigan shall accompany any building permit using best management practices for high risk erosion areas and the soil types in the Township.

C. All other permits and approvals necessary from appropriate state and county agencies such as the State of Michigan, Army Corps of Engineers, Allegan County Drain Commission, Allegan County Health Department, and the Allegan County Road Commission shall be obtained prior to commencement of work.

Section 167.7 Site Plan Approvals

- ~~A.~~ As part of an approval to any site plan, the Planning Commission may impose any additional conditions or limitations as in its judgment may be necessary for protection of the public interest. A record of conditions shall be maintained by the Zoning Administrator. The conditions shall remain unchanged unless an amendment to the site plan is approved in accordance with this Ordinance.
- ~~A.B.~~ By signing the approved site plan, the applicant is bound by the conditions of that site plan.
- ~~B.C.~~ Conditions imposed shall be related to and ensure that the review standards of this Article are met and shall meet the requirements of the Zoning Act.
- ~~C.D.~~ Approval of a site plan, including conditions made as part of the approval, shall apply to the property described as part of the application and to all subsequent owners and occupants.
- ~~D.E.~~ The approvals of other agencies, including but not limited to the Michigan Department of Transportation, County Public Health Department, County Drain Commission, County Road Commission and Michigan Department of Environment, Great Lakes and Energy and Michigan Department of Natural Resources, may be accommodated as part of a conditional approval by the Township. If, however, input from another review agency substantially changes the layout of a site, the new site plan may have to be reviewed again by the Planning Commission.
- ~~E.F.~~ A record of the decision of the Planning Commission, the reason for the decision reached, and any conditions attached to the decision shall be kept and made a part of the minutes of the Planning Commission.
- ~~F.G.~~ The Zoning Administrator shall make periodic investigations of developments for which site plans have been approved. Failure to maintain or comply with the requirements and conditions of the approved site plan shall be considered violations of this Ordinance.
- ~~G.H.~~ Any site plan review approval may be voided by the Zoning Administrator or Planning Commission if it has been determined that a material error in the original approval has been discovered either because of inaccurate information supplied by the applicant or administrative error by a staff member or other agency. The voiding of an approved site plan shall be communicated in writing with reasons for revocation to the property owner. The Zoning Administrator and building official shall also be notified to withhold permits until a new site plan is approved.

Section 167.8 Performance Guarantees

The Planning Commission and Zoning Administrator may require a performance guarantee in accordance with Section ~~24~~22.4 to ensure compliance with the approved site plan.

Section 167.9 Appeal

Site Plan determinations may not be appealed to the Zoning Board of Appeals.

Article 189.

Special Land Uses

Section 189.1 Purpose

- A. Special land uses are those uses of land which are not essentially incompatible with uses permitted in a district but possess characteristics or location qualities which require individual review and discretion in order to avoid incompatibility with the character of the surrounding area, public services and facilities, and adjacent uses of land. Protection of surrounding property values and compatibility with existing and intended uses of the land are important considerations. The purpose of this Article is to establish equitable procedures and criteria that shall be applied in the determination of requests to establish special land uses. The criteria for decision and requirements provided for under the provisions of this Article shall be in addition to those required elsewhere in this Ordinance which are applicable to the special land use under consideration.

Section 189.2 Application and Review Procedures

- A. An application for permission to establish a special land use shall be submitted in accordance with the following procedures:
1. Applications for a special land use shall be submitted to the Planning Commission through the Zoning Administrator. The Zoning Administrator will review the application for completeness and then transmit it to the Planning Commission. Applications not meeting the requirements shall be returned to the applicant for completion.
 2. An application for a special land use shall consist of the following:
 - a) Twelve (12) copies of a 24x36 inch Site Plan bearing the seal of the engineer/surveyor preparing the Site Plan must be received by the Zoning Administrator not less than thirty-five (35) consecutive days and to the Planning Commission not less than fourteen (154) consecutive days prior to the scheduled Planning Commission meeting at which the SLU Application will be reviewed.
 - b) A completed application form, as provided by the Township.
 - c) Payment of a fee, in accordance with a fee schedule, as determined by the Township Board from time to time; to be paid when the application is determined complete and accepted by the Zoning Administrator.
 - d) A legal description of the entire property that is the subject of the special land use.

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- P. Mini-storage, commercial
 - Q. Municipal and public service activities
 - R. Nursing or convalescent homes
 - S. Religious Institutions
 - T. Restaurants
 - U. Schools, elementary, middle, high school, ~~trade, industrial, commercial~~ (non- public)
 - V. Sexually oriented businesses
 - W. Shooting, ranges
 - X. Sports facilities, indoor and outdoor (not including golf courses and racetracks)
 - Y. Truck maintenance facilities
 - Z. Vehicle repair, vehicle service station, vehicle wash establishment
 - AA. Wind energy conversion systems (WECS) for commercial purposes
 - BB. Winery, Meadery, or Cider Mills
 - CC. Wireless communication towers over seventy-five (75) in height
 - DD. Brewery, Microbrewery, Brewpubs
 - EE. Solar Farms
 - FF. Off-Site Battery Energy Storage Facilities
 - GG. Event Center or Event Venues
 - HH. Bowling Alleys
 - II. Elderly Housing
 - III. [Agricultural Products Retail](#)
 - A. **Bed and Breakfast Establishments.**
 - 1. The use shall only be established in a single-family dwelling.
 - 2. The establishment shall contain the principal residence of the operator.
 - 3. Parking shall be located to minimize negative impacts on adjacent properties.
 - 4. The number of guest rooms in the establishment shall not exceed five (5), plus one (1) additional guest room for each ten thousand (10,000) square feet of lot area, or fraction thereof, in excess of one (1) acre of lot area, not to exceed a maximum of nine (9) guest rooms in any case.
 - 5. Exterior refuse storage facilities beyond what is normally expected for a single-family dwelling shall not be located in any front yard and shall be properly fenced in or screened from view on three sides.
 - 6. State license may be required.
 - 7. A Site Plan as described in Section 189.2 2(a) must include an interior floor plan to show all guest bedrooms and other bedrooms.
 - 8. The building occupancy numbers must comply with the building code.

- l) Transportation of biofuel or additional products resulting from biofuel production.
- m) Use or reuse of additional products resulting from biofuel production.
- n) Storage of raw materials, fuel, or additional products used.
- o) In, or resulting from, biofuel production.
- p) The biofuel production facility shall include sufficient storage for both of the following:
 - q) Raw materials and fuel.
 - r) Additional products resulting from biofuel production or the capacity to dispose of additional product through land application,
 - s) Livestock consumption, sale, or other legal use.
3. The biofuel production facility shall be located on a farm that meets the definition of farm in Article 2 of this Ordinance.
4. The biofuel production facility shall be located not less than one hundred (100) feet from the boundary of any contiguous property under different ownership than the property on which the biofuel production facility is located.
5. The biofuel production facility shall meet all applicable setback requirements of the zoning district for which it is located.

C. Campgrounds, Public or Private. Campgrounds must be licensed by the State of Michigan and must comply with the requirements for campgrounds as stated in Part 125 of Michigan's Public Health Code, Act 368 of 1978 as amended.

1. General Provisions

- a) There will be no on-site camping from November 1 through March 31. Park models, camping cabins, and resort cabins are not permitted.

2. Access and Parking

- a) Campgrounds must be on a primary road, as designated by the Allegan County Road Commission, with one main entrance/exit and one emergency exit.
- b) Entrances and exits shall be gated.
- c) Gravel drives must be treated with binding agents to minimize dust.
- d) There shall be no parking in the campground other than for employees of the campground, campers and camper's visitors, contractor's work vehicles, and emergency vehicles.

3. Use and Site Requirements

- a) Campgrounds must be on at least 10 acres.
- b) Non-campsite areas totaling at least twenty-five (25) percent of the total site area must be set aside for common use.
- c) Commercial Retail uses are permitted within the campground, subject to the following:
 - They are included in the site plan.
 - They occupy no more than two thousand (2,000) square feet in total.
 - They are set back at least one hundred (100) feet from any property line.
- d) Driveways and parking areas must be at least fifty (50) feet from any adjacent property line.

sight into the campground, except at the campground entrance.

b) All screening must be maintained in a suitable condition.

7. Complaints

a) Campground rules must be distributed to all campers and be made available for the public to view on the campground website/online media presence.

b) A phone number and email address for complaints shall be available to designated Township officials and on the campground website/online media presence.

a)c) Complaints, whether by direct or indirect contact, shall be responded to and resolved within one (1) hour of the original complaint.

d) Township representatives must be given access upon reasonable notice to ensure the campground is operating as allowed.

G.D. Cemeteries (public and commercial).

1. Minimum lot area shall be five (5) acres and there shall be a minimum frontage of two hundred (200) feet.
2. The use shall be located on property with direct access to a public street.
3. Gravesites shall be setback a minimum of fifty (50) feet from the property line of any residential district or use.
4. Buildings, including buildings for storage of equipment, shall be set back one hundred (100) feet from the property line of any abutting residential district or use.
5. Driveways and parking areas shall be at least fifty (50) feet from any adjacent property line.
6. Allegan County Health Department approval is required as a condition of final site plan approval.
7. Screening that complies with Section 178.5 shall be provided along that property line.

D.E. Childcare center. A facility other than a private dwelling that serves one or more preschool or school age children under the age of eighteen.

1. Must be located no closer than 1,500 feet as measured along a public street or road to any of the following:
 - a) An adult foster care small group home or large group home licensed under the Adult Foster Care Licensing Act, 1979 PA218, as amended.
 - b) A facility offering substance abuse treatment and rehabilitation service to more than 7 people licensed under article 6 of the public health code, 1978 PA368, as amended.
 - c) A community correction center, resident home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the department of corrections.
2. Must have appropriate fencing for the safety of the children.
3. The property must be consistent with the visible characteristics of the neighborhood.
4. Hours of operation are less than 24 hours per day.
5. Signage must comply with Section 3.27 of the zoning ordinance.
6. For corner lots must comply with Section 3.13 CLEAR VISION of the zoning ordinance.
7. Must provide off street parking of one space per three persons allowed within the maximum occupancy load.

26. The applicant shall maintain a current general liability insurance policy covering bodily injury and property damage with limits of at least \$5 million dollars per occurrence and \$20 million dollars in the aggregate and provide proof that it meets the insurance requirement to the Zoning Administrator prior to approval of the SLU. The applicant shall also maintain a performance bond made out to Ganges Township sufficient to cover 125% of the estimated cost of removal of the abandoned or decommissioned WECS facility and the restoration of the property to its original condition before construction can begin. This bond must be indexed to the Federal Consumer Price Index and the bond company shall notify Ganges Township if the bond is about to expire or be terminated.

~~AA-BB.~~ **Winery, Meadery, or Cider Mill.**

1. Minimal lot size for the facility shall be ten (10) acres if located in the Res/Ag or Ag Districts and two (2) acres if located in the Commercial District. Meaderies are only allowed in the Commercial District and require a minimal lot size of two (2) acres.
2. ~~These facilities require a Special Land Use.~~ Up to two (2) food trucks are allowed as accessory uses.
3. Facilities located in the Res/Ag or Ag Districts must be located on the farm from which the fruit is grown for wine production. This is not required of facilities located in the Commercial Districts.
4. In the Res/Ag and Ag Districts the facility shall be located no closer than two Hundred (200) feet from any lot line that abuts a residential district or use. In the Commercial District the side and front yard setbacks shall be fifty (50) feet and the rear yard setback shall be thirty (30) feet.
5. Activities may include functions associated with the winery, meadery or cider mill products including but not necessarily limited to tours and a retail area for products not made at the winery, meadery or cider mill. No more than five thousand (5,000) square feet shall be devoted to these activities.
6. No activity or structure shall be located within fifty (50) feet of the public street right-of-way.
7. One parking space shall be provided for each three (3) persons permitted under the maximum building occupancy code.
8. The access drive shall be wide enough to accommodate two (2) vehicles side-by-side. Two (2) access drives may be required by the Township where a facility is large enough to need additional access points.
9. Access to the lot shall be located according to County or State road requirements as applicable.
10. Hours of operation shall be limited to between the hours of 7:00 a.m. and 9:00 p.m.

~~BB-CC.~~ **Wireless communication towers over 75 feet.**

1. The applicant shall provide evidence that there is no reasonable or suitable alternative for collocation of antennas on an existing communication tower or building within the service area of the proposed tower.
2. The applicant shall offer collocation to other vendors and shall provide evidence of such offer in addition to an inventory of its existing towers, antennas, or sites approved for towers or antennas that are either within the Township or within one (1) mile of the border thereof, including specific information about the location, height and design of each tower.
3. All towers and antennas shall be located so that they do not interfere with reception in nearby residential areas. In the event a communication tower causes interference, the communication company shall take all steps necessary to correct and eliminate such interference.

16. The applicant shall submit details of communication tower lighting approved by the Federal Aviation Administration. All lights shall be restricted to the extent that is required for compliance with Federal Aviation Administration regulations and on- site security.
17. All communication tower permits issued by the Township shall be contingent upon any necessary approval of the Federal Aviation Administration, Federal Communication Commission, State Bureau of Aeronautics – Tall Structures Act and any other applicable State or Federal acts.
18. The applicant shall submit a report or letter from the Federal Aviation Administration that the proposed tower complies with all airport safety requirements for all public and private airports in or within four (4) miles of the Township.
19. Communication towers and antennas shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as essential services, public utilities, or private utilities.
20. Any communication tower that is abandoned or its use discontinued for a period of twelve (12) months shall be required to be removed immediately by the owner or lessee. Abandonment or discontinuance shall be determined when any of the following conditions are evident: disconnection of electricity; property, buildings, or grounds have fallen into disrepair; or the removal of all antennas or support structures.
21. The application shall include a description of security to be posted at the time of receiving a building permit for the communication tower to ensure removal of the communication tower when it has been abandoned or is no longer needed.

~~CC-DD.~~ **Brewery, Microbrewery, or Brewpub.**

1. These facilities are allowed by Special Land Use in the Commercial Districts. Minimal lot size shall be two (2) acres with fifty (50) feet side and front yard setbacks and thirty (30) feet back yard setbacks.
2. Facilities must be licensed by the Michigan Liquor Control Commission.
3. An appropriate food establishment license must be obtained from the Michigan Department of Agriculture and Rural Development and/or the Allegan County Health Department.
4. Activities may include functions associated with the brewery products including but not limited to brewery tours and a retail area for products not made at the brewery. No more than five thousand (5,000) square feet shall be devoted to these activities. [Up to two\(2\) food trucks are allowed as accessory uses.](#)
5. One parking space shall be provided for each three (3) persons permitted under the maximum building occupancy load.
6. The access drive shall be wide enough to accommodate two (2) vehicles side-by-side. Two access drives may be required by the Township where a facility is large enough to need additional access points.
7. Access to the lot shall be located according to County or State road requirements as applicable.
8. Hours of operation shall be limited to between the hours of 7:00 a.m. and 9:00 p.m. for breweries and microbreweries.
9. Free samples may be offered to consumers and sales for on or off premises consumption is allowed.
10. For brewpubs, hours of operation shall be between 11:30 a.m. and 11:00 p.m. Not less than 25% of the gross sales of the brewpub shall be derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises annually.

character, materials and landscaping. Elderly Housing does not include adult foster care homes.

10. The required parking shall include one (1) off-street parking space per each residential unit. There shall be additional off-street parking space area for designated guest parking, with a minimum of one (1) guest parking space for every five (5) residential units.
11. The total open space required shall be a minimum of fifteen (15) percent of the site.

JJ. Agricultural Products Retail.

1. Access driveways shall be located a sufficient distance away from any intersection, street, and from other driveways, to avoid adverse traffic conditions.
2. Outdoor storage areas shall be adequately screened from view from adjacent properties.

Article 201. Zoning Board of Appeals

Section 201.1 Membership and Procedures

- A. The Zoning Board of Appeals (ZBA) shall consist of three (3) to five (5) members appointed in compliance with the Zoning Act, who shall serve terms of three (3) years, except for members who are also on the Planning Commission or Township Board, who shall serve only as long as they are members of those bodies.
- B. A member of the Planning Commission shall be a member of the ZBA, while a member of the Township Board may be a member of the ZBA. The remaining members shall be selected from the electors of the Township. A Township Board member may not be chairperson of the ZBA.
- C. Meetings shall be held at the call of the Chairperson, and at other times as the ZBA in its rules of procedure may specify. The Chairperson, or in the Chairperson's absence, the acting Chairman, may administer oaths and compel the attendance of witnesses.
- D. All meetings of the ZBA shall be open to the public. The ZBA shall maintain a record of its proceedings, which shall be filed in the office of the Township Clerk and shall be a public record.
- E. **Alternates.**
 - 1. The Township Board may appoint up to two (2) alternate members for the same term as regular members of the ZBA.
 - 2. An alternate member may be called to sit as a regular member of the ZBA to serve in place of a regular member for the purpose of reaching a decision in a case where the regular member has abstained for reasons of conflict of interest.
 - 3. An alternate member may be called to sit as a regular member if a regular member is absent from one (1) or more meetings.
 - 4. An alternate member called to serve on a case shall serve on that case until a final decision has been made. The alternate member shall have the same voting rights as a regular member.
 - 5. The records maintained by the Board of Appeals shall reflect the attendance and participation of an alternate member when applicable.

Section 201.2 Interpretations

The Zoning Board of Appeals shall have the power to hear and decide, in accordance with the provisions of this Ordinance, applications for interpretations of this Ordinance, and may make decisions on any other questions on which the ZBA is authorized to pass. In exercising all of its powers, the ZBA shall apply the standards of this Section.

- A. **Text Interpretations:** The ZBA may hear and decide upon requests for the interpretation of the provisions of this Ordinance. In deciding text interpretations, the ZBA shall be governed by the following rules.
1. Text interpretations shall be narrow and address only the situation to be interpreted, be based on a thorough reading of this Ordinance and not have the effect of amending this Ordinance.
 2. Interpretations shall give weight to practical interpretations by the Zoning Administrator if applied consistently over a long period of time.
 3. The Zoning Administrator shall keep a Records ~~shall be kept~~ of all interpretations.
 4. Where the intent of this Ordinance is unclear and the facts cannot be read to support only one (1) interpretation, the benefit of doubt shall go to the property owner.
 5. Nothing contained in this Section shall be construed to give or grant to the ZBA the power or authority to alter or change the language of this Ordinance.
- B. **Map Interpretations:** When there is any question as to the location of any boundary line between districts, upon a request for an interpretation of the Official Zoning Map, the ZBA shall establish the boundary based upon the map and all available information relating thereto and shall establish the boundaries to carry out the intent and purposes of this Ordinance and the Master Plan.

Section 201.3 Appeals

- A. Upon application, the ZBA shall hear and decide appeals from and review any order, requirements, decision or determination made by the Zoning Administrator or other official or body charged with the administration of this Ordinance. Any person aggrieved, or any officer, department or board of the Township may make an appeal to the ZBA. The grounds of every appeal shall be stated in writing as part of the application. Appeals of decisions made pertaining to Site Plan Reviews, Planned Unit Developments, Site Condominiums or Special Land Uses cannot be appealed to the Zoning Board of Appeals.
- B. An application for appeal shall be filed within twenty-one (21) days after the date of the decision that is the basis of the appeal, as demonstrated by the approval of the minutes of the meeting at which the action was taken. The appellant must file a notice of appeal and a fee with the Zoning Administrator. The notice shall specify the nature and grounds of the appeal and the application fee shall be submitted in an amount as established by the Township Board from time to time.
- C. The Zoning Administrator shall transmit to the ZBA all the papers constituting the record upon which the action being appealed was taken.
- D. An appeal stays all proceedings from furthering the action being appealed unless the Zoning Administrator certifies to the ZBA that a stay would, in the Zoning Administrator's opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed other than by a restraining order which may be granted by the ZBA or by the Circuit Court.

- E. The ZBA shall fix a reasonable time for the hearing of the appeal and give due notice to all property owners and occupants within three hundred (300) feet of the subject property via a letter sent first class mail fifteen (15) days before the public hearing, giving the time and place of the hearing. Any party may appear in person or by agent. A public hearing shall also be published in a newspaper of general circulation not less than fifteen (15) days before the public hearing. Notices shall comply with the Zoning Act.
- F. Following the public hearing, the ZBA shall decide the matter within a reasonable time. The ZBA may reverse or affirm, wholly or partly, or may modify the order requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have the authority to direct the Zoning Administrator to issue a permit.

Section 210.4 Variances

A. Applications: Applications for variances shall be submitted to the Zoning Administrator who will review the application for completeness and validity, then transmit the application to the Zoning Board of Appeals. Applications not meeting the requirements shall be returned to the applicant for completion.

1. A valid application for a variance shall consist of the following:

- a) Six (6) copies of a site plan drawn to scale, which is sufficient to describe the nature of the request.
- b) A completed application form as provided by the Township.
- c) Payment of a fee, in accordance with a fee schedule, as determined by the Township Board from time to time.
- d) A legal description and parcel number of the entire property that is the subject of the request, including a staked land survey of the parcel bearing the seal of the licensed professional surveyor preparing the land survey, must accompany the variance application along with appropriate property markings on site to indicate the location of the variance request.
- e) A statement with regard to compliance with the standards of Section 18.4, as applicable; and
- f) Other materials as may be required by the ZBA.

A.B. Non-Use (Dimensional) Variances: The ZBA may authorize upon written application in specific cases variances from the terms of this Ordinance where, owing to special conditions related to the applicant's property, a literal enforcement of the provisions of this Ordinance would result in a practical difficulty to the applicant. A variance from the terms of this Ordinance shall not be granted by the ZBA unless ~~and until~~ a written application for a variance is submitted and the ZBA finds all of the following standards are met.

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include any of the following:
 - a) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance; or
 - b) Exceptional topographic conditions or other extraordinary situations on the land, building or structure; or

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- c) Any other physical situation on the land, building or structure deemed by the ZBA to be extraordinary.
 2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
 3. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.
 4. The variance will not impair the intent and purpose of this Ordinance.
 5. The immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant.
 6. The reasons set forth in the application ~~justifies~~ justify the granting of the variance and the variance is the minimum variance necessary.

C. **Use Variances:** Use variances are prohibited.

D. **Period of Validity:** A variance granted by the ZBA is valid for twelve (12) months from the date of its issuance, and will be invalidated if it is not acted upon in that time. However, an applicant may, upon written request to the ZBA, seek up to one (1) twelve (12) month extension of the variance. The ZBA may grant an extension provided that the original circumstances authorizing the variance have not changed and that the circumstances creating the need for the extension were reasonably beyond the control of the applicant.

E. **Resubmission:** No variance request which has been decided by the ZBA shall be submitted for reconsideration within one (1) year from the date of the original application unless the ZBA finds that at least one (1) of the following conditions exists:

1. That the conditions involving all of the reasons for the original denial have been significantly altered; or
2. That new conditions or circumstances exist which change the nature of the original request.

Section 20.5—Applications and Hearings

- ~~A. Applications for variances shall be submitted to the Zoning Administrator who will review the application for completeness and validity, then transmit it to the Zoning Board of Appeals. Applications not meeting the requirements shall be returned to the applicant for completion.~~
- ~~B. A valid application for a variance to the ZBA shall consist of the following:~~
- ~~1. Six (6) copies of a site plan drawn to scale, which is sufficient to describe the nature of the request.~~
 - ~~2. A completed application form as provided by the Township.~~
 - ~~3. Payment of a fee, in accordance with a fee schedule, as determined by the Township Board from time to time.~~
 - ~~4. A legal description and parcel number of the entire property that is the subject of the request, including a staked land survey of the parcel bearing the seal of the licensed professional surveyor preparing the land survey, must accompany the variance application along with appropriate property markings on site to indicate the location of the variance request.~~
 - ~~5. A statement with regard to compliance with the standards of Section 16.04, as applicable; and~~
 - ~~6. Other materials as may be required by the ZBA.~~

Section 201.65 Decisions of the ZBA

- A. The concurring vote of a majority of the members of the ZBA shall be necessary to reverse or affirm or modify any order, requirement, decision, or determination of any administrative official or body or to decide in favor of the appellant on any matter. The ZBA shall render its decision upon any appeal or application submitted to it within a reasonable time after the hearing thereon.
- B. The ZBA may require a performance guarantee or impose reasonable conditions in conjunction with approval of an appeal, variance, or any other decision that it is required to make. Conditions shall be imposed in a manner in accordance with the Zoning Act and be related to the standards by which the decision is reached.
- C. All decisions of the ZBA shall become final at the entry of an order, or at the adoption of the minutes, unless the ZBA shall find, and so certify on the record, that it is necessary to cause the order to have immediate effect, in order to preserve property or personal rights.
- D. For each decision of the ZBA a record shall be prepared including at a minimum, the following items:
1. Description of the applicant's request.
 2. The ZBA's motion and vote.
 3. A summary or transcription of all competent material and evidence presented at hearing; and
 4. Any conditions attached to an affirmative decision.
- E. The decision of the ZBA shall be final. However, a person having an interest affected by the decision of the ZBA may appeal to the Circuit Court. Upon appeal, the Circuit Court shall review the record in accordance with the requirements of the Zoning Act. The court may affirm, reverse, or modify the decision of the ZBA, or may remand the decision to the ZBA for further hearings or action.

~~F. **Period of Validity.** No variance granted by the ZBA shall be valid for a period longer than twelve (12) months, from the date of its issuance if not used. However, the applicant may upon written request, seek up to one (1) twelve (12) month extension of the variance from the ZBA. The ZBA may grant an extension provided that the original circumstances authorizing the variance have not changed and that the circumstances creating the need for the extension were reasonably beyond the control of the applicant.~~

~~Section 20.7 Re-Submission~~

- ~~A. No variance request which has been decided by the ZBA shall be submitted for reconsideration within a one (1) year period from the date of the original application unless the ZBA finds that at least one (1) of the following conditions exists:~~
- ~~1. That the conditions involving all of the reasons for the original denial have been significantly altered;
or~~
 - ~~2. That new conditions or circumstances exist which change the nature of the original request.~~