

365 C-2 COMMERCIAL DISTRICT

PURPOSE

This district is designed to permit commercial uses more extensive than the retail variety, occupying greater land areas for each such use, but does not cause a nuisance, objectionable disturbance, or excessive noise.

Before construction or change of use can take place, a final Site Plan must be approved by the Planning Commission.

See Article IV, Site Plan Review Procedure.

A. PERMITTED USES

1. Indoor storage facilities for vehicles, recreational vehicles, water crafts and household furnishings and effects.
2. Nurseries, greenhouses and landscaping.
3. Retail sales businesses where no assembling, treatment or manufacturing is required.
4. Offices.
5. Restaurants.
6. Public buildings.
7. Gift Shops.
8. Accessory buildings and uses customarily incidental to any of the foregoing uses when located on the same lot or parcel of land.
9. Hotels/Motels.
10. Bed & Breakfasts. (see Rules For Multiple Housing Units, Chapter 8)
11. Condominiums. (See Rules For Multiple Housing Units, Chapter 8)
12. Bait Houses.

The minimum street frontage shall be **100 feet**. The total parcel shall consist of at least **1/2 acre**, or **21,780** square feet. **(See Special Exceptions)** Commercial enterprises that exist at the time of enactment of this Ordinance may be rebuilt on their existing footprint upon Site Plan approval by the Planning Commission as long as they conform to all other conditions of this Ordinance.

B. PERMITS REQUIRED, See Article XI, Building Permits and Certificates of Occupancy.

Exterior Completion: Once started, the exterior of a structure must be completed within **one year**. If not completed within **one year**, one extension may be granted by the Zoning Officer.

C. SETBACKS

1. The front building line of all buildings or structures which are erected after the date of enactment of this Ordinance shall be no less than **20 feet** from the front road right of way.
2. Side and rear yard, there shall be a side and rear yard setback of **at least 10 feet** from the edge of the roof to the lot line.

3. On corner lots the set back of a building, structure or part thereof from the side road right of way shall be no less than **20 feet** measured from the roof overhang. Final determination for setbacks shall be made at the time of the Site Plan Review.
4. A survey of the property shall be provided and/or the property survey stakes shall be properly identified in order to properly define setbacks.

The following:

Buffer Area / Fences*, Signs* and Lighting* shall be determined by the Planning Commission at time of Site Plan Review.

D. BUFFER AREA / FENCES*, See Article VIII, Buffer Area and Fences.

E. SIGNS See Article VII, Signs.

F. LIGHTING

1. All lighting upon any premises shall be so arranged that the intensity of the beam is directed within the boundary of said premise.
2. Intense light sources and their adjacent reflecting surfaces must be shielded from vehicular view.

G. OPEN AREA/LOT COVERAGE

To prevent overcrowding of buildings and structures on a building lot, the open area, free of all buildings and accessory structures, shall constitute at least **30%** of the building lot.

H. PARKING AREA, see Article VI, Off Street Parking.

1. There shall be accessible parking space on the lot to accommodate vehicles. The number of parking spaces required varies from business to business and can be found in Article VI in this Ordinance. In any case, the size of each parking space shall be no less than **160 square feet** with a minimum width of **9 feet and** a minimum length of **18 feet**. Parking lot ingress and egress shall be from the main road and not cause a nuisance or objectionable disturbance.
2. All off street parking facilities shall be hard surfaced and drained in accordance with the Roscommon County Drain Commission standards so as to prevent damage to abutting properties or public streets.
3. Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residential lots.
4. No parking space shall be closer than **10 feet** from the property line and **25 feet** from all road right of way.

I. DISMANTLED, NON-OPERATING or UNLICENSED VEHICLES

1. **These** regulations shall limit and restrict the outdoor storage or unreasonable accumulation of, including but not limited to, unused vehicles, stock vehicles, mobile homes, travel trailers, campers, and dilapidated non-operating vehicles upon any lot or parcel in the township unless the same is kept in a wholly enclosed structure.
2. No resident, firm or corporation shall store, place or permit to be stored or placed, allowed to remain on any parcel of land for a

period of more than **10 days**, a junk vehicle (not licensed for use upon the highways of the State of Michigan), an unused vehicle, stock vehicle, dismantled, partially dismantled or an inoperable vehicle, motor home, travel trailer, or camper unless the same is kept in a wholly enclosed structure.

3. These provisions shall not be construed as repealing any ordinance now in effect or hereafter made effective relating to rubbish, litter, garbage, refuse, trash or junk but shall be construed as supplementary to any such ordinances, as well as any statutes of the State of Michigan relating thereto.

3. MISCELLANEOUS REQUIREMENTS

1. Every commercial enterprise erected shall be provided with running water, adequate inside water closet accommodations and sewage facilities.

Incidental living quarters shall have a minimum continuous width across every dimension of **23 feet**, excluding but not limited to, porches and/or garages.

2. No outside toilet (port-a-potty) shall be erected except such as may be temporarily needed during construction on premises, temporary permit (Time Stipulated Land Use Permits) may be issued for special events, such as graduation, wedding and open houses. revised 9/13/16
3. Any accessory building erected as a garage shall in no case be occupied for dwelling purposes.
4. The keeping of more than five dogs or cats, or a combination thereof, is prohibited in this commercial district unless the commercial enterprise is a pet store or veterinary business. The keeping of pigeons having free access outside their cages, or the keeping of poultry, pigs, hogs, horses or livestock is prohibited within or upon any properties in this commercial district. Any litter of dogs or cats which causes the aforesaid limit of five to be exceeded shall not constitute a violation of this provision for a period of **four months** after birth; and provided further however, that no more than **two** such litters shall be allowed to so remain on the aforesaid premises within any consecutive **12 month** period.
5. Temporary structures shall meet all setback requirements and shall require a Land Use Permit.
6. All buildings and/or structures, including signs, shall be no greater than **32 feet** in height.
7. Grading: There shall be no excessive filling in or removal of ground on a building lot which would affect the grade at the adjacent neighbor's lot line unless proper drainage is provided.
8. **The placing, parking, or storing of any items of substance on a parcel, whether on a permanent, temporary, or seasonal basis shall conform to zoning district setbacks.**

K. SPECIAL EXCEPTIONS, See Article IV, Special Exceptions.

In order to provide flexibility and still afford protection of property values and orderly and compatible development of property within the township, the Planning Commission is authorized to approve the establishment of certain uses designated as Special Exception Uses within the various zoning classifications set forth in this ordinance.

Such Special Exception Uses have been selected because of the unique characteristics of the use which, in the particular zone involved, under certain physical circumstances and without proper controls and limitations, might cause it to be incompatible with the other uses permitted in such zoning districts and accordingly detrimental thereto.

With this in mind, such Special Exception Uses are not permitted to be engaged in within the particular zone in which they are listed unless and until the Planning Commission, in its absolute discretion, is satisfied that the same, under the conditions, controls, limitations, circumstances and safeguards proposed therefore, and imposed by said Commission, would be compatible with the other uses expressly permitted within a said district, with the natural environment and within the capacities of public services and facilities affected by the land use; such uses would not, in any manner, be detrimental or injurious thereto; would not, in any matter, be detrimental or injurious to the use or development of adjacent properties, to the occupants thereof or to the general neighborhood; would promote the public health, safety, morals and general welfare of the community; would encourage the use of lands in accordance with their character and adaptability; and that the standards required by the Commission for the allowance of such Special Exception Use can and will, in its judgement, be met at all times by the applicant or any future owner or lessee of the special exception property in question.

**L. SPECIAL EXCEPTION USES See Article IV.
(Requires a Special Land Use Permit and a Site Plan Review)**

1. RV parks.
2. Lumber yards.
3. Commercial fishing ponds.
4. Hospitals or health care services.
5. Outdoor seasonal storage.
6. Drive-in and fast food restaurant.
7. Gas station.
8. Taverns.
9. Additional accessory buildings as needed.
10. Bulk storage of flammable fuel in tanks installed above ground for other than domestic use.
11. Essential public utility service buildings, or gas or electric regulator stations or buildings.
12. A complex or development of a number of "permitted" or designated Special Exception Uses which do not comply with all conditions and limitations pertinent thereto but which still comply with the spirit of this ordinance.
13. Parks and other municipally owned or operated public recreational facilities.
14. Gaming establishments.
15. Off premise signs and signs larger or taller than permitted.
16. Building structures no taller than 55 feet.
17. Single family/two family dwelling. (Single family dwellings shall have a habitable, first floor above ground area a minimum of 960 square feet with a minimum continuous width across every dimension of 23 feet, excluding porches and/or garages.) (If a two family dwelling, each unit must meet the minimum of 960 square habitable first floor above ground area.) feet
18. Lot/parcels that are within 80% of the required lot/parcel size shall be allowed as long as all other requirements are met.
19. All multiple dwelling units: Condos, Apartments, Resorts, B&B's
See, Rules for Multiple Dwelling Units. (chapter 8);

M. PROHIBITED USES

All uses not specifically allowed in this district are prohibited.

LAKE TOWNSHIP RESOLUTION 2012-02-14
ORDINANCE 9 AMENDMENT # 2119
2012 Upon Publication
VIOLATIONS OF LAWS PROHIBITED
LAKE TOWNSHIP ZONING ORDINANCE NO. 9

Whereas, it is a recommendation from the Lake Township Planning Commission and the township legal counsel to prohibit any person engaging in an unlawful business activity; and

Whereas, Public Act 184 of 1943 of the State of Michigan authorizes said regulations for the purpose of promoting, the health, safety, morale and general welfare of the inhabitants of the Township of Lake, Roscommon County, Michigan;

It shall be unlawful for any person or business to engage in any activity, conduct, use or venture in the Township that is contrary to Federal, State or Local laws or ordinances, including violations of the Township of Lake Zoning Ordinance, and any statutes and codes adopted or utilized by the Township.

NOW, THEREFORE, BE IT RESOLVED that said Amendment, "VIOLATIONS OF LAWS PROHIBITED" is approved as presented.

The foregoing amendment: offered by Planning Commission Member
HARRY DUWE

Second: offered by Planning Commission Member
BRUCE OLSON

Upon roll call vote the following voted:

Aye: DUWE, OLSON, JACOBUS, HOSE, (MAIANI ABSENT)

Nay: _____

The Chairman (Harry Duwe) declared the resolution adopted.

I hereby certify that this is a true copy of amendment # 2119 and
Resolution 2012-02-14 (Cindy Russo, Clerk)

This Amendment will be effective upon publication
