

ARTICLE 28.00

Schedule of Regulations

Section 28.01 -- Intent and Scope of Requirements

The purpose of this Article is to establish regulations governing lot size, required yards, setbacks, building height, and development density for each zoning district. No building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations established for the district in which the building or use is located. A portion of a lot used to comply with the regulations in this Article with respect to one building or use shall not be simultaneously used to comply with the regulations with respect to another building or use.

Section 28.02 -- Schedule of Regulations for Principal Structures

All buildings, uses, and parcels of land shall comply with the regulations set forth in the following Schedule of Regulations and footnotes thereto.

Section 28.02 - Schedule of Regulations

FOR PRINCIPAL STRUCTURES

District	Lot Minimum		Maximum Height of Structure ^b		Minimum Required Setback (In Feet) ^{d,e,j}				Min. Usable Floor Area Per Unit (Sq. Ft.)	Max. Coverage of Lot by All Buildings (%)
	Area (sq. ft) ^{a, nn}	Width (feet)	Stories	Feet	Front Yard	Each Side Yard	Rear Yard	Driveway ^c		
R-1, One Family	20,000 ^z	100 ^z	2 2	35	25 ^{f,g,z}	10 ^{g,h,i,z}	35 ^{g,z}	4	900	20%
R-1-S, Suburban Residential	40,000 ^k	120 ^k	2 2	35	25 ^{f,g}	10 ^{k,g,h,i}	35 ^g	4	900 ^k	20%
RR, Rural Residential	90,000	240	2 1/2 ^q	35 ^q	50 ^g	30 ^{g,i}	35 ^g	10 ^{aa}	900	15%
RE, Rural Estates	5 acres	300	2 1/2 ^q	35 ^q	50 ^g	30 ^{g,i}	40 ^g	10 ^{aa}	900	10%
AG-SF, Agricultural Small Farms	10 acres	300	2 1/2 ^q	35 ^q	50 ^g	30 ^{g,i}	40 ^g	10 ^{aa}	900	10%
RM-1, Multiple Family Residential	Footnote ¹	200	3	35	50 ^{m,n}	50 ^{m,n,o}	50 ^{m,n,o}	10	p	25%
AG-C, Commercial Agricultural	40 acres ^{ll}	330	2 1/2 ^q	35 ^q	50 ^g	50 ^{g,i}	50 ^g	10 ^{aa}	900	10%
OS-1, Office	20,000	100	2	35	45 ^t	10 ^{r,n}	20 ^{r,n}	10	--	--
B-1, Limited Business	40,000	200	2	35	45 ^t	20 ^{r,n,s}	20 ^{r,n}	10	--	--
B-2, Commercial Center	40,000	200	2	35	45 ^t	20 ^{i,n,r,s}	20 ^{r,n}	10	--	--
I-1, Light Industrial	90,000	300	2	40	75 ^v	40 ^{i,n,u,w}	40 ^{u,n,w}	10	--	--
PD, Planned Development	x	x	x	x	x	x	x	x	x	x
GD, Green Zone Planned Development	y	y	y	y	y	y	y	y	y	y
MU, Mixed Use Overlay	oo	oo	oo	oo	oo	oo	oo	oo	oo	oo

**SCHEDULE OF REGULATIONS FOR
ACCESSORY BUILDINGS^{bb}**

District	Maximum Height of Structure ^{b,jj}		Minimum Required Setback (In Feet) ⁱⁱ			Maximum Lot Coverage
	Stories	Feet	Front Yard ^{cc}	Each Side Yard ^{cc}	Rear Yard ^{cc}	
R-1, One Family	1	14	dd	10 ^{g,h,i,hh}	10 ^{ff}	kk
R-1-S, Suburban Residential	1	14	dd	10 ^{g,h,i,k,hh}	10 ^{ff}	kk
RR, Rural Residential	2 2 ^q	35 ^q	200 ^{ee}	30 ⁱ	10	kk
RE, Rural Estates	2 2 ^q	35 ^q	200 ^{ee}	30 ⁱ	10	kk
AG-SF, Agricultural Small Farms	2 2 ^q	35 ^q	200 ^{ee}	30 ⁱ	10	kk
RM-1, Multiple Family Residential	3	35	200 ^{ee}	50 ^{hh}	10 ^{hh}	kk
AG-C, Commercial Agricultural	2 2 ^q	35 ^q	ff	50 ^{g,i}	10	kk
OS-1, Office	2	35	45 ^{gg}	10	10	kk
B-1, Limited Business	2	35	45 ^{gg}	20 ^{r,s}	10	kk
B-2, Commercial Center	2	35	45 ^{gg}	10 ^{r,s}	10	kk
I-1, Light Industrial	2	40	75 ^{gg}	10 ^{t,u}	10	kk
PD, Planned Development	x	x	x	x	x	x
GD, Green Zone Planned Development	y	y	y	y	y	y
MU, Mixed Use Overlay	oo	oo	oo	oo	oo	oo

FOOTNOTES TO THE SCHEDULE OF REGULATIONS

[a] **Lot Area.** "Net Lot Area," as defined in Section 1.03, shall be used to determine compliance with lot area requirements. Regardless of the minimum lot size specified in the Schedule of Regulations, no new parcel shall be created unless the applicant demonstrates that the parcel has adequate usable land area, such that the parcel can be built upon or used in compliance with Zoning Ordinance standards. In determining whether this criterion has been met, issues that shall be taken into consideration include, but are not necessarily limited to the following:

- (1) Each parcel shall either be served by a public sanitary sewer and wastewater treatment system or be capable of being served by an on-site sewage disposal system, such as a septic system, approved by the Ingham County Health Department;
- (2) Each parcel shall either be served by a public water system or shall be capable of obtaining adequate potable water from an on-site well approved by the Ingham County Health Department;
- (3) Unusual topography which may prevent use of portions of a parcel;
- (4) Presence of easements or rights-of-way that restrict use of a parcel;
- (5) Wetlands, surface water, or floodplains that restrict or prevent use of portions of a parcel;
- (6) Soils that are incapable of supporting a foundation for a building; and
- (7) The shape of a parcel and/or building footprint with respect to minimum practical dwelling unit dimensions.

Nothing in items (1) and (2) in the above list shall obligate the Township to provide public sanitary sewers, wastewater treatment, or public water utilities.

A portion of each lot may be occupied by wetlands, ponds, lakes, or floodplains, provided that if such features are present, the proposed lot shall have a minimum of 40,000 square feet of contiguous, accessible, buildable area, unencumbered by such features.

[b] **Exceptions to Height Standards.** The height standards shall not apply to certain structures listed in Section 2.16.

[c] **Driveway Setbacks.** Driveway setback requirements only apply to rear and side property lines.

[d] **Setback from Water Bodies.** A minimum sixty (60) foot setback shall be maintained from any lake, pond, other open body of water, or wetland, unless a larger setback is required by the Michigan Department of Environmental Quality (MDEQ). This requirement shall apply to all principal, accessory and other structures, including roads and drainage.

[e] **Measurement of Setbacks.** Required front setbacks shall be measured from the existing right-of-way line.

[f] **Modifications to Front Setback Requirements.** Where at least forty percent (40%) of the lots within a block on the same side of the street within a subdivision are developed with buildings having an average front yard with a

variation in depth of not more than six (6) feet, the average setback of said lots shall apply to new construction on vacant lots in the block; provided, that in no instance shall a front yard greater than fifty (50) feet or less than twenty-five (25) feet be required.

- [g] **Minimum Setbacks for Non-Residential Uses.** Permitted non-residential uses shall comply with the setback requirements set forth in Article 8.00 for specific uses. Where setback requirements are not specified in Article 8.00, permitted nonresidential uses shall comply with the minimum setback requirements set forth in the Schedule of Regulations, except that the side yard shall not be less than twenty (20) feet.
- [h] **Existing Lots Having a Width of Less Than 70 Feet.** For existing lots of less than seventy (70) feet in width, each side yard may be reduced to not less than ten (10) percent of the width of the lot, provided that no side yard shall be less than five (5) feet in width.
- [i] **Setback on Side Yards Facing a Street.** On corner lots there shall be maintained a front yard along each street frontage.
- [j] **Parking Setbacks.** Off-street parking shall comply with the requirements in Section 4.01, sub-section B.
- [k] **Minimum Requirements for Two-Family Dwellings.** Two-family dwellings in the R-1-S district shall comply with the following requirements:
 - Minimum Lot Area: 60,000 sq. ft.
 - Minimum Lot Width: 180 ft.
 - Minimum Floor Area: 700 sq. ft.
 - Minimum Side Yard Setback: 15 ft.
- [l] **Minimum Lot Area in Multiple-Family Districts.** Sufficient lot area shall be provided to comply with the standards in Section 8.03, sub-section B.
- [m] **Building Setbacks in Multiple-Family Districts.** The minimum distance between any two multiple-family structures erected on the same lot or parcel shall be determined in accordance with Section 8.03, sub-section B.
- [n] **Parking Setback Adjacent to a Residential District.** Off-street parking shall be set back a minimum of twenty (20) feet from any residential district boundary.
- [o] **Parking Setback in Multiple-Family Districts.** Off-street parking lots in the RM-1 District shall comply with the requirements in Section 4.01, sub-section B.
- [p] **Minimum Floor Area in the RM-1 District.**

Number of Bedrooms	Required Floor Area (sq. ft.)
0	500
1	500
2	700
3	900
4	1,000
Each additional	100

- [q] **Exceptions to Height Standards for Agricultural Uses.** The maximum height of permitted accessory farm buildings that are essential and customarily used in agricultural operations associated with a bona-fide farm (as defined in Section 1.03) shall be forty-five (45) feet, except that the maximum height of silos shall be one-hundred (100) feet, provided that all such accessory farm buildings shall be located at least one-hundred (100) feet from any residential dwelling other than the dwelling on the lot or parcel where the accessory farm buildings are located.
- [r] **Minimum Setback Adjacent to a Residential Use.** Buildings in commercial and office districts shall be set back a minimum of thirty (30) feet from any residential district boundary.
- [s] **Side Yard Setback in Certain Commercial Areas.** The interior side yard may be reduced to zero (0) where there is party wall construction if such party wall is composed of fireproof materials and provided further that such party wall contains no windows, doors, or other openings. However, if the adjoining property is used for residential purposes, a thirty (30) foot wide side yard setback shall be provided.
- [t] **Front Setback Where a Service Drive is Required.** The front yard setback shall be a minimum of fifty-two (52) feet on parcels where a front service drive is required.

- [u] **Minimum Setback Adjacent to a Residential Use.** Buildings in industrial districts shall be set back a minimum of seventy-five (75) feet from any residential district boundary.
- [v] **Front Yard Setback in Industrial Parks.** In industrial park subdivisions that are designed so that lots face each other or both sides of an internal road, the minimum front yard setback shall be forty (40) feet, provided that the required front yard is landscaped in accordance with Section 5.03, and does not contain any parking or loading facilities.
- [w] **Setback Requirements for Outside Storage.** If permitted, outside storage in an industrial district shall comply with the requirements in Section 22.03.
- [x] **Planned Development Regulations.** See Article 25.00 and Section 29.04 for development standards in the PD, Planned Development District.
- [y] **Green Zone Planned Development Regulations.** See Article 29.00 for development standards in the GD, Green Zone Planned Development District.
- [z] In the absence of public sanitary sewer service and waste water treatment, development in the R-1 District shall comply with the minimum lot area, lot width, and setback requirements specified for the R-1-S District.
- [aa] Driveways shall be set back 4 feet in residential developments developed under the Open Space Preservation Option.
- [bb] **Accessory Building Standards.** See Section 2.03 for additional regulations regarding accessory buildings and structures.
- [cc] **Attached Accessory Buildings.** Unless otherwise specified, accessory buildings that are attached to the principal building shall be considered a part of the principal building for the purposes of determining conformance with dimensional requirements [see Section 2.03(B)].
- [dd] **Detached Accessory Buildings in Front Yard.** Detached accessory buildings are not permitted in the front yard of the R-1 and R-1-S districts.
- [ee] **Detached Accessory Buildings in Front Yard.** Detached garages, pole barns, and other accessory buildings may be permitted in the front yard of single family residences in the RM-1 district and in the front yard of RR, RE, and AG-SF districts, subject to Section 2.03(C)(1).
- [ff] **Accessory Farm Buildings.** The provisions concerning size, height, and location shall not apply to accessory farm buildings, subject to Section 2.03(A)(8) and Section 8.02(N)(4).
- [gg] **Permitted Accessory Buildings in Commercial and Industrial Districts.** Buildings for parking attendants, guard shelters, gate houses, and transformer pads may be permitted in the front and side yards of commercial and industrial districts, subject to Planning Commission approval.
- [hh] **Setback Increase Based on Height.** The side and rear yard setbacks shall be increased by one (1) foot for every foot in height that an accessory building exceeds fourteen (14) feet in the R-1 and R-1-S districts and for single family detached housing in the RM-1 district
- [ii] **Distance from Other Buildings.** Detached accessory buildings shall be located at least ten (10) feet from any building on the site
- [jj] **Exceptions to Height Standards.** Antennae and wind generators shall comply with the height standards specified in Sections 2.16 and 2.22.
- [kk] **Maximum Lot Coverage - Accessory Buildings.** Accessory buildings and structures shall be included in computations to determine compliance with maximum lot coverage standards. In addition, detached accessory buildings shall comply with the requirements in Section 2.03(C)(3).
- [ll] **Lot Size in AG-C District.** Creation of lots or parcels that are less than forty (40) acres may be permitted in the following instances:
- a. When the lot or parcel that is less than forty (40) acres is an entire quarter-quarter section or a half of a half of a quarter section, or

- b. When the land division creating the new lot or parcel would permit use of the land in accordance with the purposes of the Commercial Agricultural district (see Section 18.01) and with the Township Master Plan, and where the existing parent parcel being divided is between seventy-four (74) and eighty (80) acres. In this instance, a lot or parcel being created through land division may be as small as thirty-five (35) acres.

[mm] Dwelling units on lots created after adoption of this regulation shall be set back a minimum of one hundred seventy five (175) feet from any railroad right-of-way.

[nn] The purposes of the minimum lot area standards are to achieve adequate open space around and between dwelling units, achieve building development that is proportional to the size of the lot, provide adequate land on each lot to allow development without the need for variances, preserve the character of the neighborhood and surrounding area, and maintain privacy on each building lot. This can be accomplished on lots meeting the minimum area standards that are nearly rectangular in shape, but is more difficult to accomplish on irregularly-shaped lots such as those with more than four sides and/or those where a portion of the required lot area is located in one or more appendages or extensions off of the main buildable portion of the lot (such as T-shaped or L-shaped lots).

Consequently, any proposal to create a new lot ten (10) acres or smaller in area shall not be permitted if the lot (a) has more than four sides, and (b) is irregularly shaped as a result of an appendage or extension and (c) has less than the minimum lot area required if the area of the appendage or extension is not included in the lot area calculation.

[oo] **Mixed Use Overlay District Regulations.** See Article 27.00 for development standards in the MU, Mixed Use Overlay District.