

STRONACH TOWNSHIP

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Stronach Township planning commission, have proposed amendments to the 1985 Zoning Ordinances. Amendments are proposed in Ordinances and Districts.

Meeting will be conducted, August 7 2013 at 6:30pm at the Stronach Township community center at 2471 Main St. Manistee, Michigan 49660 in the Village of Stronach. Proposed Amendments can reviewed at Planning Dept. Manistee County Court House, Stronach Township Community Center and at www.stronachtownship.net

Written comments may be made in writing to secretary of planning board.

Norman Herman (Secretary)
8624 Caberfae Hwy.
Manistee, Mich. 49660

Bob Rishel
Planning Chairman

ARTICLE III

GENERAL REGULATIONS

Section 3.26 Yard and Setback Requirements

All districts shall meet the minimum setbacks

- A. Front sixty (60) feet from the center of the road way, or 30 feet from property line, whichever is greater
- B. Side Yards: The minimum setback width of either yard shall not be less than ten (10) feet; except in the case of a corner parcel where the side yard on the road or street side shall not be less than ten (10) feet, or forty (40) feet from a centerline of a road, which is greater.
- C. Rear minimum ten (10) feet from property line
- D. Waterfront Yards: The minimum setback shall not be less than one hundred (100) feet from the normal high water line.
- E. Wetland: The minimum setback shall not be less than one hundred (100) feet from the boundary of the wetland district as out lined in Section 2.04 of Definition, "Wetlands."

Section 3.27 Permitted Uses

Only the following shall be permitted, by permit, as specified in Article XIV of this Ordinance:

- 1. "Udell Residential District"; "Stronach Residential-Commercial District"; "Highway Commercial Overlay District" and" Residential Forest District"
 - A. Dwellings
 - B. Duplexes
 - C. Private Households (814)
 - D. Outdoor – Parks
 - E. Home Occupations
 - F. Signs
 - G. Professional, Scientific, and Technical Services (541) except (5417) Scientific Research and Developments Services
 - H. Other Services (81) except (8111, and Public Administration)
 - I. Construction; Residential Building Construction (2361) Nonresidential Building construction (2362)
 - J. Specialty Trade Contractors (238)

Section 3.28 Special Uses

Only by a special use permit, include, but are not limited to, the following, in conjunction with Article XV, "Special Uses."

1. Udell Residential District; Stronach Residential-Commercial District; Highway Commercial Overlay District; and Residential Forest District.
 - A. Scientific Research and Development Services (5417)
 - B. Automotive Repair and Maintenance (8111)
 - C. Retail Trade (44-45) Except Manufacture (mobile) Home Dealer
 - D. Merchant Wholesalers, Durable Goods (423)
 - E. Paper and Paper Product Merchant Wholesalers (4241)
 - F. Apparel, Piece Goods, Notions Merchant Wholesalers (4242)
 - G. Health Care and Social Assistance (62)
 - H. Sawmills and Wood Preservation (321)
 - I. Other Miscellaneous Manufacturing (3399)
 - J. Architectural and Structural Metals Manufacturing (3323)
 - K. Accommodations (721)
 - L. Civic and Social Organizations (8134)
 - M. Accessory Buildings and uses to the above
 - N. Signs associated with and on same parcel as permitted special use listed in this section which is larger than (16) square feet
 - O. Adult or Sexually Oriented Businesses See section 19.01 Sexually Oriented Businesses (permitted only in Highway Commercial Overlay District)
 - P. Wireless Communication Facilities systems provided that the same is in compliance with the Communication Tower Facilities Ordinance adopted and all subsequent amendments.
 - Q. Facilities provided that the same is in compliance with the Communication Tower Facilities Ordinance adopted and all subsequent amendments.

Section 3.29 Special Use Standards

The proposed special uses shall be located on a parcel which fronts on or has approved access to a paved state highway or country primary road, if such approved access does not include travel on a county local road. Special uses in all districts are subject to the following specific standards in addition to the general standards listed in Section 15.02(B) and 15.07 of this Ordinance.

- A. The location of a mobile home park shall front or have public access to an existing paved or blacktopped surfaced county road, existing state trunk-line, existing county primary road or the developer shall agree to provide the funds to upgrade or will upgrade an existing county or private road to a county road which is paved, black-topped, or to a county primary road.
- B. The mobile home park shall conform to all applicable regulations of the current Michigan Mobile Home Commission Rules promulgated by the Michigan Mobile Home Commission under authority of the current Michigan Mobile Home

Commission Act, Public Act 419 of 1976, and thus mobile homes which locate within said mobile home park shall be exempt from Dwelling Regulations, above.

- C. The mobile home park shall provide at least two (2) 'entrances/exits' to a state truck-line or county road.
- E. The application for a Zoning Special Use Permit for a mobile home park shall contain all the elements and parts which are required by the administrative rules of the current Michigan Mobile Home Commission under P.A. 419 of 1976 for an application for license to operate a mobile home park in addition to the Special Use Permit application requirements given in Articles XV and XVI
- F. The application for a Zoning Special Use Permit for a mining operation shall contain all the elements and parts listed below in addition to the special uses and site plan requirements given in Articles XV and XVI.
 - 1. A map and/or aerial photograph of the property which shall indicate:
 - a. Boundaries of the affected and adjacent lands;
 - b. Surface drainage of the affected land;
 - c. Location and names of all streams, roads, railroads, utility lines, and pipelines on or immediately adjacent to the area;
 - d. Location of all structures within one thousand (1000) feet of the outer perimeter of the area, present owners and occupants of such structures, and purposes for which each structure is used;
 - e. Proposed location, aerial extent, and depth of intended mine excavation;
 - f. Proposed location of the mine, waste dumps, tailing ponds, sediment basins, stockpiles, structures, roads, railroad lines, utilities or other permanent or temporary facilities used in mining.
 - g. Estimated depth to groundwater.
 - 2. A description of the mining and processing equipment to be used;
 - 3. A description of measures to be taken to control noise and vibrations from the operations.
 - 4. A description of measures to be taken to screen the operation from view;
 - 5. Proposed primary travel routes to be used to transport the mined material to processing plants or markets away from the property;
 - 6. A description of the plans for topsoil storage;
 - 7. A reclamation plan which shall include:
 - a. A map or plan and description of the proposed reclamation including grading, final slope angles, high-wall reduction, benching and terracing of slopes, slope stabilization and re-vegetation where applicable, and erosion control, and alternative future land uses;
 - b. Description of topsoil stripping and conservation during storage and replacement;
 - c. Plan and description of anticipated final topography, water impoundments, and artificial lakes on the property;
 - d. Description of plans for disposition of surface structures, roads, and related facilities after cessation of mining;

- e. A plan for disposal or treatment of any harmful or toxic materials found in any formations penetrated by the mining operation or produced during the processing of minerals on the affected land, and of chemicals or materials used during the mining or processing operations;
- f. The estimated cost of reclamation for the total project;
- 8. A statement in writing and adequate evidence to indicate the duration of the lease in years;
- 9. A timetable of the commencement, duration and cessation of mining operations;
- 10. Any and all mining permits held by the applicant within the state;

G. For a Special Use Permit for mining on a temporary basis, only the following is required;

- 1. As may be required by the Zoning Board, a map and/or aerial photograph of the land with any or all of the information as listed in D(f)(m)(1) of this section, relating to requirements for maps and/or aerial photographs for regular mining Special Use Permits;
- 2. As may be required by the Zoning Board, any or all of the information listed in part D(1)(m)(1) through (10) inclusive of this section, relating to requirements for information for regular mining Special Use Permits;

H. Signs – The maximum size of a sign shall be seventy-five (75) square feet in area

I. Wireless Communication Facilities provided that the same is in compliance with the Communication Tower Facilities Ordinance adopted and all subsequent amendments.

J. Communication Tower Facilities provided that the same is in compliance with the Communication Tower Facility Ordinance adopted and all subsequent amendments

Section: 3.30 Vacant Parcel Accessory Buildings and Structures

Buildings and structures shall be permitted on vacant parcels, but shall comply with the following requirements.

- A. Shall meet all set back requirements.
- B. Must meet all state and local codes
- C. No building or structure shall be hereinafter erected in all permitted districts which shall have less than two hundred (200) square feet of floor space in the first floor level.
- D. No building or structure shall be used for dwelling purposes.
- E. Shall comply with section 3.17-Size and Locations Accessory Buildings and accessory Structures, 3.08- Height, 14.01-Land Use Permits and Building Permits

Section: 3.31 Animal and Livestock

The following shall apply to keeping of animals and livestock and shall comply with the following requirements. These requirements are subject to the current, Right to Farm Act and the subsequent generally accepted Agricultural Management practices.

1. Large livestock such as horses, cattle, sheep, and swine.
 - A. Shall have a minimum of two (2) acres
 - B. Such animals shall not be housed, or fenced closer than fifty (50) feet from the required setbacks.
 - C. Shall be the minimum of fifty (50) feet from any dwelling.
 - D. Up to two (2) livestock shall require the minimum of one (1) acre of fenced area.
 - E. Shall be properly housed, fenced, maintained and controlled so as not to objectionable or offensive.
 - F. Storage of manure will not create offensive odors to adjacent uses, and so that any run-off from such manure storage or accumulation will not degrade the quality of surface water.
2. Small animals, rabbits, poultry, but not domestic pets shall comply with the following requirements.
 - A. Except for individual pets or 4-H projects, shall not be permitted on parcels less than one (1) acre
 - B. Shall be fenced and properly housed
 - C. Shall not create offensive odors.

ARTICLE IV

GENERAL ZONING DISTRICT PROVISIONS

Section 4.01 - Establishment of Districts

The Township is hereby divided into the following zoning districts as shown on the Official Zoning Map which, together with all explanatory matter shown thereon, is hereby adopted and incorporated by reference and declared to be a part of this Ordinance.

- A. Wetland Conservation District
- B. Little Manistee River Corridor District
- C. Forest Recreation District
- D. Forest Preservation District (low and medium densities)
- E. Residential Forest District
- F. Udell Residential District
- G. Stronach Residential – Commercial District
- H. Highway Commercial Overlay District
- I. Industrial District

Section 4.02 - Provision for Official Zoning Map

For the purpose of this Ordinance the zoning districts as provided in Section 4.01 of the Ordinance are bounded and defined as shown on a map entitled “Official Zoning Map of Stronach Township”, a copy of which accompanies this ordinance and which, with all explanatory matter thereon, is hereby incorporated into and made a part of this Ordinance by reference.

Section 4.03 - Identification of Official Zoning Map

The Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bear the seal of the Township under the following words: “This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Stronach Township”, together with the effective date of this Ordinance.

Section 4.04 - Changes to Official Zoning Map

If, in accordance with the procedures of this Ordinance and of Public Act 110 of 2006 MCL.125.3101, a change is made in a zoning district boundary, such change shall be made by the Township Supervisor promptly after the amendment authorizing such change shall have been adopted and published.

Section 4.05 - Authority of Zoning Map

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the Stronach Township Hall shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building or structure in the Township.

Section 4.06 - Replacement of Official Zoning Map

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Township Board may by resolution authorize the transcribing and drawing of a duplicate official zoning map which shall supersede the prior Official Zoning Map. The duplicate Official Zoning Map may correct drafting or other errors or omissions on the prior Official Zoning Map, but no such correction shall have the effect of amending the Zoning Ordinance or the prior Official Zoning Map. The duplicate Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bear the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Stronach Township duplicated on _____ which replaces and supersedes the Official Zoning Map which was adopted on _____"

Section 4.07 - Rules of Interpretation ?

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules of interpretation shall apply:

- A. A boundary indicated as approximately following the centerline of a highway, road, alley or easement shall be construed as following such centerline.
- B. A boundary indicated as approximately following a recorded parcel line or a property line shall be construed as following such line.
- C. A boundary indicated as approximately following the corporate boundary line of a village, or township shall be construed as following such line.
- D. A boundary indicated as following a railroad line shall be construed as being midway between the main tracks.
- E. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
- F. A boundary indicated as following the centerline of a stream, river, canal, lake or other body of water shall be construed as following such centerline.
- G. A boundary indicated as parallel to, or an extension of, a feature indicated in Paragraphs A through F above shall be so construed.
- H. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- I. Where a physical or cultural feature existing on the ground is at variance with that shown on the Official Zoning Map, or in any other circumstance not covered by Paragraphs A through H above, or question in interpreting Paragraphs A through H above, the Board of Appeals shall interpret the zoning district boundary.

Section 4.08 - Application of Regulations

The regulations established by this Ordinance within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each class of land or building, dwellings and structures throughout each district. Where there are practical difficulties or unnecessary hardship in the way of this Ordinance, the Board of Appeals shall have power in passing upon appeals to vary or modify any rules, regulations or provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done.

ARTICLE V

WETLAND CONSERVATION DISTRICT

Section 5.01 - Purpose

The purpose of the wetland & floodplain conservation district is to protect those lands that are of significant importance as wetlands and floodplains. All development must be in compliance with all Federal and State statutes and regulations; and consistent with the goals of the District to conserve and maintain the wetland and floodplains that fall within this District.

Section 5.02 - Permitted Uses

Only following uses shall be permitted, by permit as specified in Article XIV of this Ordinance:

- A. Water and wetland habitat-dependent game rearing operations, which do not involve fill or structures within wetland areas.
- B. Dwellings and structures when located on a parcel of land which has frontage on an existing public road that is maintained year around.
 1. That the applicant demonstrate that the portion of the property that dwelling would be located upon is not a wetland, and would not violate any Federal and/or State statute and/or regulation, including, but not limited to, Wetland Statutes and Regulations. A field survey would be required to demonstrate that the proposed building site is not on wetland.
 2. That the proposed building site fully complies with section 3.22 of this ordinance

Section 5.03.1 - Special Uses

Only the following uses shall be permitted by a special use permit, as specified in Article XV of this Ordinance:

- A. Outdoor recreation parks
- B. Boat launching ramps
- C. Parking
- D. Boardwalks, paths, observation points and decks

Section 5.03.2 - Special Use Standards

Special uses in this district are subject to the following specific standards in addition to the general standards listed in sections 15.02(B) and 15.07 of this Ordinance. For consistent and uniform administration of this Ordinance and similar provisions of other municipal ordinances around Manistee Lake, the determination of compliance with the standards listed below shall be done with the advice and counsel of the Manistee County Planning Commission, except that such advice and counsel shall only be advisory and final determination shall be made by the Stronach Township Planning Commission.

- A. Any parking, camping, playground or other structures shall be located on existing dry land within portions of the districts.
- B. The proposed use shall not require fill in wetland portions of the district, but may include fill on dry land portions of the district.
- C. Prior to application for a Special Use Permit under this Ordinance, the proposed use shall be approved or tentatively approved by the U.S. Corps of Engineers; the Michigan Department of Natural Resources (inland Lakes and Streams Act., Great Lakes Submerged Lands Act and/or Water Resources Commission); the Soil and Sedimentation Control agency; the Manistee-Mason District Health Department; and any other Michigan agencies responsible for administration and enforcement of applicable state statutes.

- D. Requirements and changes required by the agencies listed in Section 5.03.2(C), above, shall be clearly shown on the site plan or included in material submitted with application for Special Use Permit under this Ordinance.
- E. Adequate measures shall be shown in design and site plan to insure protection of the wetland area for the purposes and intent of this district.
- F. Dwellings or structures not located on a parcel of land which shall have frontage on an existing year-round maintained public road.

Section 5.04 Regulations and Standards

The following regulations shall apply to permitted uses and special uses in the Stronach Wetland & Floodplain Conservation District.

- A. Parcel Area and Parcel Width: Shall comply to requirements in the district the wetland & floodplain reside in.
- B. Building Area: No dwelling shall be hereafter erected or altered in this district which shall have less than six hundred (600) square feet of floor space in the first floor level.

ARTICLE VI

RESIDENTIAL FOREST DISTRICT

Section 8.01 - Purpose

The purpose of the Residential Forest District is to provide a rural medium-high density zoning district. By comparison to typical residential districts, the Residential Forest District will be rather low density, and will not facilitate the development of higher density subdivisions. This district is to provide for a mixed use, including forest, agricultural and residential uses.

Section 8.04 - Regulations and Standards

The following regulations shall apply to permitted uses and special uses in residential-forest districts:

- A. Parcel Area - No building or structure shall be established on any parcel less than five (5) acres in area.
- B. Parcel Width - The minimum parcel width shall be three hundred (300) feet and it shall front on a public street or highway.
- C. Building Area - No dwelling shall be hereinafter erected, or altered in this district which shall have less than six hundred (600) square feet of floor space in the first floor level

ARTICLE VII

LITTLE MANISTEE RIVER CORRIDOR DISTRICT

Section 7.01 - Purpose

The purpose of the Little Manistee River Corridor District is to protect the free flowing waters of the Little Manistee River and the natural scenic beauty and stability of the valley in which it is located. All uses of property located within this District must be consistent with the purpose of the Little Manistee River Corridor District.

Section 7.02 - Permitted Uses

Only the following uses shall be permitted, by permit as specified in Article XIV of this Ordinance.

- A. Dwelling if on a parcel with frontage on an existing year-round maintained public road.
- B. Forestry (113) if practiced with a forest management plan which includes safeguards for erosion prevention on slopes of the river valley and does not include clear-cutting practices and is not done within one hundred (100) feet of the Little Manistee River.
- C. Accessory buildings, structures and uses to the above.
- D. Home occupations.

Section 7.03.1 - Special Uses

Uses by a special use permit, include, but are not limited to, the following, in conjunction with Article XV, "Special Uses":

- A. Agricultural Production (111 and 112).
- B. Dwelling not located on a parcel of land which has frontage on an existing year-round maintained public road.
- C. Accessory buildings, structures and uses to the above.

Section 7.03.2 - Special Use Standards

Special uses in this district are subject to the following specific standards in addition to the general standards listed in sections 15.02(B) and 15.07 of this Ordinance.

- A. The use shall be 100 feet from the Little Manistee River or further away.
- B. Any buildings constructed shall not be more than two floors or twenty (20) feet in height.
- C. Buildings constructed on a parcel of land without frontage on an existing year-round maintained public road shall have (1) an instrument establishing permanent easement to an existing year-round maintained public road and a private method to provide maintenance on the easement or (2) shall provide year-round maintenance on a public road with approval of the Manistee County Road Commission or (3) shall be a temporary dwelling or structure

Section 7.04 - Regulations and Standards

The following regulations shall apply to permitted uses and special uses in all the Little Manistee River Corridor District.

- A. Parcel Area - No building or structure shall be established on any parcel less than twenty (20) acres in area.
- B. Parcel Width - The minimum parcel width shall be Two Hundred Fifty (250) feet and it shall front on a public road.
- C. Building Area - No dwelling shall be hereinafter erected, or altered in this district

which shall have less than six hundred (600) square feet of floor space in the first floor level.

- D. Yard and Setback Requirements – The following requirements shall apply to every lot, building or structure.
 - 1. Waterfront Yard: The minimum setback shall not be less than One Hundred (100) feet from normal high water mark.
- E. Any structure, use or activity located on a parcel of land which is contiguous to the boundary of the Wetland Conservation District, Article V of this Ordinance, shall have a minimum structure setback of two hundred (200) feet, measured as the shortest distance between the Wetland Conservation District boundary and the portion of the structure closest to the Wetland Conservation District boundary. Further, there shall be maintained a fifty (50) foot buffer of undisturbed, uncut, natural vegetation running parallel to and along the Wetland Conservation District boundary.
- F. A strip one hundred (100) feet wide on each side of and parallel to the Little Manistee River shall be maintained in trees and shrubs or in its natural state, except that (1) dead, diseased, unsafe, or fallen trees, as well as noxious plants may be removed; and (2) a filtered view, in a downstream direction from the dwelling, may be made by trimming mature tree branches and selected removal of immature trees, shrubs, vegetation, to the river's edge up to one hundred (100) feet in width.

ARTICLE VIII

FOREST PRESERVATION DISTRICT
(low and medium densities)

Section 8.01 - Purpose

The purpose of the Forest Preservation District is to allow for a rural use in harmony with the National Forest property for that portion of the Township that border tracts of land owned and managed by the United States Forest Service, (USFS) and/or the Department of Natural Resources (DNR). The greater forest preservation district is further divided into low and medium districts. The higher density portion of the district allows for a lower minimum lot size. This District allows for residential, recreational, agricultural and forestry uses. The District would also allow the use of the property for Home Occupations that are not contrary to the primary uses of the land of the District. It is intended that the use of this District be limited to these that are compatible with the primary uses of the District.

Section 8.02 - Permitted Uses

Only the following uses shall be permitted, by permit as specified in Article XIV of this Ordinance:

- A. Dwellings when located on a parcel of land which has frontage on an existing year-round maintained public road.
- B. Forestry (113).
- C. Fishing, Hunting, Trapping (114) but not Commercial Fishing (114111).
- D. Accessory Buildings, Structures and uses to the above.
- E. Home occupations.
- F. Animals and Live Stock as outlined in Section: 3.31 of this ordinance
- G. Signs

Section 8.03.1 - Special Uses

Only the following uses shall be permitted, by Special Use Permit as specified in Article XV of this Ordinance.

- A. Agricultural production (111 and 112)
- B. Outdoor recreation parks
- C. Dwellings not located on a parcel of land which shall have frontage on an existing year-round maintained public road.
- D. Accessory buildings, structures and uses to the above, including signs more than Sixteen (16)sq ft

Section 8.03.2 - Special Use Standards

Special uses in this district are subject to the following specific standards in addition to the general standards listed in Sections 15.02(B) and 15.07 of this Ordinance.

- A. Buildings constructed on a parcel of land without frontage on an existing year-round maintained public road shall have (1) an instrument establishing permanent easement to an existing year-round maintained public road, and a private method to provide maintenance for travel on the easement or (2) shall privately provide year-round maintenance on the public road with the approval of the Manistee Road Commission or (3) shall be a temporary dwelling or structure.
- B. Additional private of public road construction or activity does not contribute to the

further fractionalization of land to the point of being in conflict with the purposes of this Ordinance or district.

Section 8.04 - Regulations and Standards

The following regulations shall apply to permitted uses and special uses in all Forest-Preservation districts.

- A. Parcel Area - No building or structure shall be established on any parcel less than forty (40) acres in area in (low densities), and twenty (20) acres in area in (medium density).
- B. Parcel Width - The minimum parcel width shall be five hundred (500) feet in (low densities), two hundred fifty (250) feet in (medium densities) districts. And it shall front on a public road.
- C. Building Area - No dwelling shall be hereinafter erected, or altered in this district which shall have less than six hundred (600) square feet of floor space in the first floor level.

ARTICLE IX

UDELL RESIDENTIAL DISTRICT

Section 9.01 - Purpose

The purpose of the Udell Residential District is to provide for higher density residential suburban type development within the established higher density developments of the Township. Provision within this district should provide for residential use and development. Some types of home based businesses are compatible with the primary residential use of this district. It is intended that non-residential uses be limited to those that are compatible with the primary residential use

Section 9.02 - Regulations and Standards

The following regulations shall apply to permitted uses and special uses in Udell Residential District.

- A. Lot Area - No building or structure shall be established on any parcel less than twenty thousand (20,000) square feet in area.
- B. Lot Width - The minimum parcel width shall be one hundred (100) feet and it shall front on a public street or highway.
- C. Building Area - No dwelling shall be hereinafter erected, or altered in this district which shall have less than six hundred (600) square feet of floor space in the first floor level.

ARTICLE X

STRONACH RESIDENTIAL-COMMERCIAL DISTRICT

Section 10.01 - Purpose

The purpose of the Stronach Residential-Commercial District is to provide for high density residential and commercial use through a mix of uses within the "village" of Stronach. Intentions are to allow for commercial enterprises in close proximity to a higher population of residents. The provisions of the district should promote walk ability and pedestrian movement through the inclusion of walkways and paths that interconnect the residential, commercial and park spaces found within this area of the township. Forethought should be given to proper provisions which will complement the mix of residential and commercial development. Regulatory provisions should encourage good commercial design, with neighboring residential uses. (i.e, restricted lighting, good access, pedestrian improvements, parking and signage), and the use of landscaping buffering and storm water provisions to maintain higher quality natural environments

Section 10.04 - Regulations and Standards

The following regulations shall apply to permitted uses and special uses in the Stronach Residential-Commercial District.

- A. Parcel Area - No building or structure shall be established on any parcel less than fifteen thousand (15000) square feet in area.
- B. Parcel Width - The minimum parcel width shall be one hundred (100) feet and it shall front on a public street or highway.
- C. Building Area - No dwelling shall be hereinafter erected, or altered in this district which shall have less than six hundred (600) square feet of floor space in the first floor level.

ARTICLE XI

INDUSTRIAL DISTRICT

Section 11.01 - Purpose

The purpose of this District is to allow for construction, manufacturing, wholesale, transportation and public utility use, while protecting Lake Manistee and its water quality from the potential impacts of industry, and particularly the heavy metals.

Section 11.02 - Permitted and Conditional Uses

Only the following uses shall be permitted by permit as specified in Article XIV of this Ordinance:

- A. Any of the uses listed below if the activity meets the following conditions: The activity is carried on entirely within an enclosed building and if there is an accessory/ work area it is enclosed by a solid wall; further, there shall be no polluted discharge or treated polluted discharge sent to Manistee Lake or Channel, no alteration to the lakeshore is to be done, no discharge of particulate or chemical matter into the air; and the land use is of such a nature that access to take water for economic advantages (for purposes of, but not limited to, large quantities of cooling or process water, shipping-dockage access, marine, naval or coast guard, railroad access) is an integral part of the site selection for the proposed use:
 1. Construction
 2. Manufacturing
 3. Wholesale Trade
 4. Transportation and Public Utilities
 5. Accessory buildings, structures and uses to the above
- B. In addition to the general information and procedure for issuing a permit for permitted uses in Article XV of this Ordinance, permit applications for conditional uses listed in this subsection shall include a site plan and a letter confirming all conditions listed above in this subsection shall be adhered to and are normally practiced by the very nature of the normal business practices of the proposed use. The letter shall specifically address each of the conditions raised in this subsection. The letter shall become part of the application and shall be part of the conditions of the use permit. If any of the conditions, above, are not adhered to, the use permit shall be void.

Section 11.03.1 - Special Uses

Uses by a special use permit, include, but are not limited to, the following, in conjunction with Article XV, "Special Uses."

- A. Any of the uses listed in this section as a permitted use when the proposed activity involves any one of the following:
 1. The proposed use involves activity outside an enclosed building, and an accessory work area enclosed by a solid wall;
 2. Polluted discharge, treated or untreated, is sent to Manistee Lake or Channel (as used here, polluted discharge does not include cooling waters);
 3. Alteration of the lakeshore is proposed.
- B. Accessory structures to the above.
- C. Signs over Sixteen (16) sq ft

Section 11.03.2 - Special Use Standards

Special uses in this district shall be subject to the following specific standards in addition

to the general standards listed in Sections 15.02(B) and 15.07 of the Ordinance. For consistent and uniform administration of this Ordinance and similar provisions of other municipal ordinances around Manistee Lake, the determination of compliance with the standards listed below shall be done with the advice and counsel of the Manistee County Planning Commission, except that such advice and counsel shall only be advisory and final determination shall be made by Stronach Township Planning Commission.

- A. An environmental assessment and fiscal impact assessment shall be prepared. The Stronach Township Planning Commission may require an Environmental Impact Statement instead of an assessment, or upon review may waive the requirement for assessments or Statements for minor work with cause, if filling, dredging or channelization is not included in the project, or is minor in nature, and no question exists concerning the environment.
- B. A Pollution Incident Prevention Plan as specified in part V of the rules of the Michigan Water Resources Commission Act (P.A. 245, P.A. 1929, as amended), approved by the Michigan Department of Natural Resources Critical Materials Register.
- C. The proposed use shall be of such a nature that proximity and direct access to a lake for economic advantages for purposes of, but not limited to, large quantities of cooling or process water, shipping-dockage access, railroad access, discharge of treated polluted discharge, bulk storage associated with shipping, marine, naval or coast guard related uses are a necessary or an integral part of the nature of the proposed land use.
- D. Prior to Application for a Special Use Permit under this Ordinance, the proposed use shall be approved or tentatively approved by the U.S. Corps of Engineers; the Soil and Sedimentation Control Agency; the Manistee-Mason District Health Department of Natural Resources (Inland Lakes and Streams Act, Great Lakes Submerged Lands Act, and/or Water Resources Commission), if applicable; and any other Michigan agencies responsible for administration and enforcement of applicable state statutes
- E. Requirements and changes required by the agencies listed in Section 11.03.2(D), standard number four, above, shall be clearly shown on the site plan or included in material submitted with application for Special Use Permit under this Ordinance.
- F. Appropriate corrective measures shall be proposed to eliminate or minimize undesirable or negative impacts identified in an environmental assessment and/or impact statement, fiscal impact assessment, and to insure compatibility of the proposed use with the other uses of Manistee Lake, and has measures to protect Manistee Lake.
- G. Proposed uses which are identified as posing a potential threat of petroleum, hazardous chemical or other chemical spill into Manistee Lake, such as, but not limited to, bulk loading or unloading from ship to shore of petroleum or chemicals, shall be located in a bay in the middle section of the lake within the area defined as the bay at the east end of Forest Ave., Merkey Road/Twenty-First Street and the bay at the east end of Thirteenth Street.

Section 11.04 - Regulations and Standards

The following regulations shall apply to permitted uses and special uses in the Industrial District:

- A. Parcels - No building or structure shall be established on any parcel less than twenty thousand (20,000) square feet in area.
- B. Parcels Width - The minimum parcels width shall be one hundred fifty (150) feet

and it shall front on a public street or highway.

- C. Signs - The maximum size of a sign shall be seventy-five (75) square feet in area.
- D. Vegetation Belt - A five (5) foot wide vegetation belt along the Manistee Lake or Channel shoreline shall be maintained with woody plant material for erosion and bank stabilization, as a buffer to users of the lake and to create a margin of open space between the water and land uses wherever shoreline use is not active. As used here, active shoreline use means improved ship dockage, pump house, launching facilities, beach.
- E. Accessory buildings - An accessory building may not be larger than the principal building, provided, however, that all accessory buildings shall be subject to and must conform to height, setback, yard, landscaping, general conditions and Special Use Permit conditions applicable to principal buildings.
- F. Greenbelt Buffer - Prior to the commencement of construction of any structure or building in the Industrial District where such property abuts, adjoins, or is adjacent to a Residential Zone, a greenbelt shall be established. A greenbelt, minimum width of thirty-five (35) feet shall be completed within six (6) months from the date of issuance of a certificate of occupancy and shall thereafter be maintained with permanent plant materials.

ARTICLE XVII

BOARD OF APPEALS

Section 17.06 Appeals to the Board

A. Personnel of Board - The Board of Appeals shall consist of the following three (3) members:

1. First, second and third members shall be selected and appointed by the Township Board from among the electors residing in the unincorporated area of the Township.
2. In the case where two or more members can not hear an appeal, the Township Board may appoint alternate(s) for that appeal.

ARTICLE XVIII

AMENDMENT VALIDITY PENALTIES

Section 18.01 - Amendment

Amendments may be made to this ordinance, from time to time, in accordance with Public Act 110 of 2006, the Michigan Zoning Enabling Act.

Section 18.02 - Amendment Procedure

The procedure for making amendments to the Ordinance shall be in the manner provided by statute, with all amendment proposals being referred to the Planning Commission for statutorily required notices, hearing, review by the Manistee County Planning Commission, transmission of the proposed amendments and summary of comments made at the public hearing to the Township Board for their action with or without an additional public hearing, within fifteen (15) days notice given to a newspaper. If the Township Board holds an additional hearing, the Planning Commission members shall be required to attend. Within fifteen (15) days of adoption, a notice to that effect shall be published in a newspaper and a copy of the amendment filed with the Township Clerk.

Section 18.03 - Conformance to Court Decree

Any amendment for the purpose of conforming a provision thereof to the decree of a court of competent jurisdiction shall be adopted by the Township Board in the Manner provided by statute.

Section 18.04 - Penalties

1. Nuisance Per Se; Any building or structure which is erected, reconstructed, altered, converted, maintained, or used or any use of land or premises which is begun, maintained or changed in violation of any provisions of this Ordinance is hereby to be considered a nuisance per Se;
2. Authorized Local Official. The Township Zoning Administrator is hereby designated as the authorized local official to issue municipal civil infraction citations.
3. Violations; Civil Infractions. Any person, including, but not limited to, an individual, partnership, corporation, limited liability company, or other incorporated or unincorporated, voluntary association, who violates any provision of this Ordinance shall be guilty of a civil infraction. Violation of this Ordinance and its penalties shall be judicially enforced through the 85th Judicial District Court. Enforcement for violations of this Ordinance shall be as follows:
 - a. Unless immediate action is necessary upon the determination by the Township Zoning Administrator that there is a danger to the public health, safety, or welfare, the person violating this Ordinance shall be served personally or through first class mail with a notice of violation requiring that the violation be corrected within thirty (30) days of the notice;

- b. Upon failure to correct the violation or in cases when immediate action is necessary, a person violating this Ordinance shall be issued a citation requiring their appearance in the 85th District Court. A person who violates this Ordinance shall be guilty of a civil infraction and shall be fined not less than \$300.00 nor more than \$500.00 plus costs, including actual attorney fees;
 - c. A person who continues to violate this Ordinance, after being issued a civil infraction citation, may be subject to receiving an additional citation for the civil infraction each day that the violation continues to exist, with the penalty for each day not to exceed \$500.00 plus cost, including actual attorney fees;
 - d. In issuing the citation, one citation for each day for which the violation of the Ordinance continues to exist, may be issued to each owner of the real property. Each owner of the real property, who fails to bring the property into compliance with the Stronach Township Zoning Ordinance will be subject to a penalty of no less than \$300.00 and up to \$500.00 per citation, plus costs, including actual attorney fees.
4. Violations: Civil Action. The township Board, the Township Zoning Administrator, the Board of Appeals, the Attorney for the Township, or any owner or owners of real estate within the Land Use District in which such building, structure or land is situated, may institute a nuisance injunction, mandamus, abatement or any other appropriate action or actions, proceeding or proceedings, to prevent, enjoin, abate, or remove any building or structure or use, which has been erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance.
5. Cumulative Remedies. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law. The issuance of a municipal civil infraction citation and a finding or admission of responsibility for violation of this Ordinance in a civil infraction proceedings shall not bar a civil action seeking equitable relief beyond the jurisdiction of the 85th Judicial District Court under Section 1804. of this Ordinance, hereof, arising from the same violation.

1806. Repeal of Ordinance

This Ordinance replaces all previous Stronach Township Zoning Ordinances.

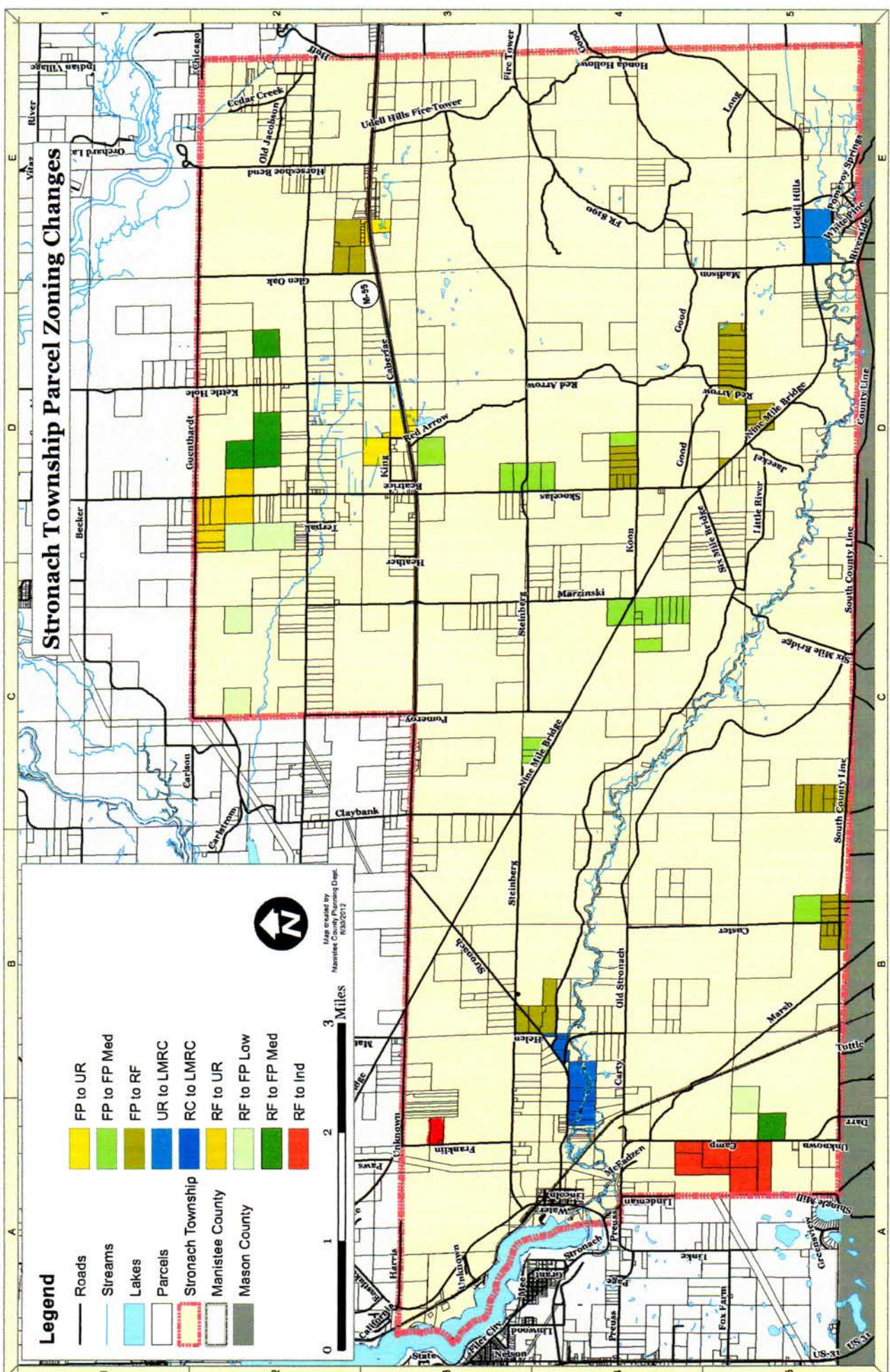
1807. Repeal of Ordinance.

The Stronach Township Zoning Ordinance of October 1986, including any amendments thereto is hereby repealed in its entirety. All other resolutions or Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict, hereby repealed. Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions limitations that are imposed or required by the provisions of any other law or Ordinance, the provisions of this Ordinance shall govern.

1808. Validity and Severability Clause.

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in ruling. If any court of this jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular land, parcel lot district, use, building or structure, such ruling shall not affect the application of the provision to any other land, parcel, lot, district, use, building, or structure not specifically included in the ruling.

Stronach Township Parcel Zoning Changes



Legend

- Roads
- Streams
- Lakes
- Parcels
- Stronach Township
- Manistee County
- Mason County
- FP to UR
- FP to FP Med
- FP to RF
- UR to LMRC
- RC to LMRC
- RF to UR
- RF to FP Low
- RF to FP Med
- RF to Ind

Map created by
Manistee County Planning Dept.
11/03/2012



0 1 2 3 Miles

Stronach Township Environmental Inventory

Legend

- Highways
- Roads
- Railroad
- 50' Contour
- Streams
- Lakes
- 100 Year Floodplain
- Wetlands
- Stonach Township
- Village of Eastlake
- Mason County

Watersheds

- Big Sable River below Freeman Creek
- Gurney Creek
- Little Manistee River at Manistee Lake
- Manistee River Outlet-Manistee Lake
- Manistee River above Bear Creek
- Manistee River above Pine Creek
- Manistee River below Clay Bank Creek
- Manistee River below Fletcher Creek

Map produced by Manistee County Planning Dept.

0 0.5 1 2 3 Miles

