

ARTICLE 4

ZONING DISTRICTS AND SCHEDULE OF REGULATIONS

SECTION 401 ESTABLISHMENT OF DISTRICTS

- A. For the purpose of this Zoning Ordinance (“Ordinance”), Fulton Township (“Township”) is hereby divided into the following zoning districts, which shall be known by the following respective titles:

A-1, Agricultural District
R-1, Residential District
C-1, Commercial District
I-1, Industrial District
MH, Manufactured Housing Community District
PUD, Planned Unit Development

SECTION 402 ZONING DISTRICT MAP

- A. The boundaries of the respective districts provided in this Ordinance are defined and established as depicted on the map entitled “OFFICIAL ZONING MAP OF FULTON TOWNSHIP, GRATIOT COUNTY, MICHIGAN” (“Zoning Map”).
1. The Zoning Map (including all notations, references and explanatory matter, is part of and shall be published as part of this Ordinance. The Zoning Map shall be of the same force and effect as if the districts shown were fully set forth herein.
 2. This Zoning Map and all amendments thereto, shall be filed with the Township Clerk for purposes of having an official Zoning Map on file with the Township. The Zoning Map held by the Township Clerk shall be the sole official Zoning Map and the final authority as to the zoning status for a lot, parcel, area or structure.
- B. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Zoning Map, such changes shall be made on the Zoning Map.

SECTION 403 INTERPRETATION OF DISTRICT BOUNDARIES

- A. Where there is an uncertainty, contradiction, or conflict as to the exact location of any zoning district boundaries shown on the Zoning Map that can not be reasonably

ascertained by the Zoning Administrator, interpretation concerning the location of district boundary lines shall be determined by the Board of Appeals.

1. The Board of Appeals, in arriving at a decision on such matters, shall apply the following standards. These same standards shall be also used by the Zoning Administrator in their review of district boundaries.
 - a. Boundaries indicated as approximately following a street or highway, the center lines of said streets or highways shall be construed to be such boundaries.
 - b. Boundaries indicated as approximately following a section line, quarter section line or other survey line shall be construed as following such lines.
 - c. Boundaries indicated as approximately following lot, parcel or property lines shall be construed as following such lines.
 - d. Boundaries indicated as approximately following a corporate boundary line shall be construed as following such lines.
 - e. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the rails of the tracks, or in the case of multiple tracks, the midway point between the outside rails.
 - f. Boundaries indicated as following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines, and in the event of change in the shorelines shall be construed as moving with the actual shorelines.
 - g. Boundaries indicated as following the center line of a stream, river, regulated drain shall be construed as following such center line.
 - h. A distance not specifically indicated shall be determined by the scale of the map.

SECTION 404 ZONING OF VACATED AREAS

Whenever any street, alley or other public right-of-way within the Township is vacated by official governmental action, the lands within that vacated area shall attach to and become a part of adjoining lands. Such vacated lands shall automatically without further action by the Township acquire and be subject to the same zoning regulations as are applicable to lands to which it is attached and shall be used for those uses as is permitted under this Ordinance.

SECTION 405 FILL/CREATED LAND

Whenever any fill is placed in any lake or stream, the land created shall automatically and without further formal action by the Township shall be subject to the same zoning regulations as are applicable to lands to which the created land shall attach or be adjacent to. No use of the surface of any lake or stream shall be permitted for any purpose not permitted on the land by which the lake or stream shares boundary with. Such fill shall require approval by appropriate governmental agencies including, but not limited to, the Drain Commissioner with jurisdiction and Michigan Department of Natural Resources and Environment.

SECTION 406 ZONING DISTRICT USES

- A. Each zoning district is established for the public, health, safety and welfare of the general public and other intents and purposes as described in Section 103 of this Ordinance. Uses are permitted by-right or by special land use approval. Regulations are to be applied uniformly for each class of land, building, structure or uses within each district.
 - 1. A permitted use shall be permitted by-right only if specifically listed as such under a particular zoning district. Being permitted by-right does not exclude the necessity of a zoning permit, site plan review or other applicable reviews and permits.
 - 2. A special land use shall be permitted only if specifically listed as such under a particular zoning district. Special land uses are subject to public hearing and requirements particular to the use to mitigate possible impacts to adjacent properties and the community. Uses permitted by special land use are subject to reasonable conditions for similar purposes.

- B. A petitioned use of land, building, or structure not specifically listed under the provisions of any of the zoning districts herein described as a permitted or special land use shall be considered by the Planning Commission for inclusion in such district based on the following:
 - 1. The Planning Commission shall assess the characteristics of the petitioned use for its nature, class, similarity and compatibility to other uses listed in the district where the petitioned use is proposed.
 - 2. The Planning Commission shall assess if the petitioned use causes no greater negative impact than the other uses listed in the district where the petitioned use is proposed.
 - 3. If the petitioned use is found not to have these characteristics as set forth above, the Planning Commission or Township Board shall schedule a public hearing to consider the use as a potential amendment to the text of the

Ordinance pursuant to the necessary provisions and requirements of this Ordinance.

SECTION 407 INTENT OF DISTRICTS

A. The intent and purpose of each district is set forth as follows:

1. A-1, Agricultural District - It is the intent and purpose of the A-1 district to provide a district in which agriculture, traditional farm homesteads, and low density single-family residential development may occur in close proximity to each other (along with other compatible uses). The prevalent use of the A-1 district is considered to be agricultural, transitional from agriculture to residential, and residential. The regulations of this district are designed to conserve and protect agricultural uses, while accommodating low-density residential uses and their related accessory uses. These regulations are also designed to exclude uses and structures that demand substantial public services, such as major thoroughfares, public sewer or water facilities and other public services.
2. R-1, Residential District - It is the intent and purpose of this district to establish and preserve low-density single family detached neighborhoods free from other uses except those that are both compatible with and convenient to the residents of such a district. It is also the intent of this district to permit by special land use higher density residential development, such as duplexes and multiple-family structures, as long as such development does not disrupt the continuity of existing single-family residential development.
3. C-1, Commercial District - It is the intent and purpose of the C-1 district to preserve and encourage commercial, office and service uses that are convenient to the residents of the community while preserving the general residential character of the community, such as provisions for urban residential opportunities above first-floor commercial and office uses. The provisions of this district are intended to encourage commercial development in planned centers that are appropriately located to serve and be accessed by both pedestrian and vehicular modes of travel.
4. I-1, Industrial District - It is the intent and purpose of the I-1 district to preserve and encourage manufacturing and fabrication uses that are convenient to the residents and businesses of the community. The provisions of this district are intended to encourage industrial development in planned centers that are appropriately located near major transportation routes.
5. MH, Manufactured Housing Community District - It is the intent and purpose of the MH district to establish standards and regulations for the location of neighborhoods comprised of manufactured homes and associated facilities.

The district is intended to be located in areas serviced by adequate public utilities and services, such as sewer, water, fire, police, etc. and where such district will not strain existing public utilities and services.

6. PUD, Planned Unit Development - It is the intent and purpose of the PUD district to: encourage the use of the land in accordance with its natural characteristics and adaptability; conserve natural features; manage the expenditure of energy; encourage innovation in land use planning to bring about compatibility in design and of use; provide for usable and functional open space; provide enhanced housing, employment, shopping, traffic circulation and recreational opportunities for the current and future citizens of the Township. In that the PUD can be utilized for the development of a variety of uses that are found in other districts, the intents and purposes of other districts are applicable given the proposed uses being presented with a PUD.

SECTION 408

A-1, AGRICULTURAL DISTRICT

A. Permitted Uses

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|---|---------------------------------------|
| 1. Agricultural Production | 6. Family Day Care Home |
| 2. Accessory Use | 7. Home Occupation |
| 3. Adult Foster Care Home | 8. Nursery and Greenhouse |
| 4. Commercial Recreation (Outdoor) | 9. Single-Family Detached Residential |
| 5. Essential Services and/or Structures | |

B. Special Land Uses

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|-----------------------------------|---|
| 1. Duplex | 10. Group Home/Group Day Care |
| 2. Campground | 11. Mineral Extraction |
| 3. Golf Course/Country Club | 12. Veterinary Clinic (Large Animal) |
| 4. Church/Religious Institution | 13. Junk Yard |
| 5. Communication Tower | 14. Accessory Apartment |
| 6. Private Road | 15. Utility-Scale Wind Energy Conversion System/Wind Farm |
| 7. Home Based Business | |
| 8. Commercial Recreation (Indoor) | |
| 9. Commercial Kennel | |

C. Dimensional Requirements

SCHEDULE OF REGULATIONS AND DIMENSIONAL REQUIREMENTS	Minimum Lot Size by Zoning District		Maximum Height of Structures		Minimum Yard Setback Per Lot/Parcel in Feet from the Road Right-of-Way or Property Line			Maximum Percentage of Lot Area Coverage	Maximum Ratio of Lot Depth/Width.
	Area in Sq. Ft.	Width in Feet	In Stories	In Feet	Front	Each Side	Rear	For All Structures	For All Parcels/Lots Less Than 10-Acres In Size
A-1, Agricultural District	20,000-sf.	100	2	35	50	30	50	25%	4 to 1

DISTRICT USES AND REGULATIONS MAY ALSO BE SUBJECT TO SECTIONS 414 & 415.

SECTION 409

R-1, RESIDENTIAL DISTRICT

A. Permitted Uses

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|---------------------------|---|
| 1. Accessory Use | 5. Essential Services and/or Structures |
| 2. Duplex | 6. Home Occupation |
| 3. Adult Foster Care Home | 7. Single-Family Detached Dwelling |
| 4. Family Day Care Home | |

B. Special Land Uses

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|---|-------------------------------|
| 1. Church/Religious Institution | 7. Group Home/ Group Day Care |
| 2. Adult Congregate Convalescent | 8. Multiple-Family Dwellings |
| 3. Accessory Apartment | 9. Private Road |
| 4. Bed & Breakfast | 10. Accessory Apartment |
| 5. Duplex | |
| 6. Private nursery, primary or secondary school | |

C. Dimensional Requirements

SCHEDULE OF REGULATIONS AND DIMENSIONAL REQUIREMENTS	Minimum Lot Size by Zoning District		Maximum Height of Structures		Minimum Yard Setback Per Lot/Parcel in Feet from the Road Right-of-Way or Property Line			Maximum Percentage of Lot Area Coverage	Maximum Ratio of Lot Depth/Width.
	Area in Sq. Ft. or Acres	Width in Feet	In Stories	In Feet	Front	Each Side	Rear	For All Structures	For All Parcels/Lots Less Than 10-Acres
R-1, Residential District	8,000-sf.	100	2.5	35	10	6	10	50%	4 to 1

DISTRICT USES AND REGULATIONS MAY ALSO BE SUBJECT TO SECTIONS 414 & 415.

SECTION 410

C-1, COMMERCIAL DISTRICT

A. Permitted Uses

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| <ul style="list-style-type: none"> 1. Accessory Use 2. Financial and Business Service Establishment (Banks, Credit Unions, Insurance Offices, Etc.) 3. Government Facilities/ Structures 4. Personal Service (Salon, Barber, Fitness, Tailor, Etc.) 5. Professional Offices (Doctors, Attorneys, Engineers, Etc.) | <ul style="list-style-type: none"> 6. Church/Religious Institution 7. Food Services (Grocery, bakery, Restaurant, Deli, Eatery, etc.) 8. Retail (Commodity Based Sales) 9. Funeral Homes 10. Essential Services and/or Structures |
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B. Special Land Uses

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| <ul style="list-style-type: none"> 1. Amusement Center 2. Adult Use 3. Adult Congregate Convalescent 4. Commercial Recreation (Indoor) 5. Bar/Tavern/Club/Lodge 6. Day Care Center 7. Drive-Thru in Association with a Permitted or Special Land Use 8. Open Air Business/Equipment Rental 9. Contractor's Establishment With Outside Storage | <ul style="list-style-type: none"> 10. Vehicle Repair and Service; Sales and Rental; & Fueling Station/Vehicle Wash 11. Mini-Storage Facility 12. Planned Shopping Center 13. Communication Tower 14. Veterinarian Clinic (Small Animal) 15. Recycling Facility 16. Commercial & Residential Mixed-Use 17. Agricultural Processing/Distribution |
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C. Dimensional Requirements

SCHEDULE OF REGULATIONS AND DIMENSIONAL REQUIREMENTS	Minimum Lot Size by Zoning District		Maximum Height of Structures		Minimum Yard Setback Per Lot/Parcel in Feet from the Road Right-of-Way or Property Line			Maximum Percentage of Lot Area Coverage	Maximum Ratio of Lot Depth/Width.
	Area in Sq. Ft. or Acres	Width in Feet	In Stories	In Feet	Front	Each Side	Rear	For All Structures	For All Parcels/Lots
C-1, Commercial District	21,780-sf.	40	3	35	50	30	40	70%	4 to 1

DISTRICT USES AND REGULATIONS MAY ALSO BE SUBJECT TO SECTIONS 414 & 415.

SECTION 411

I-1, INDUSTRIAL DISTRICT

A. Permitted Uses

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| 1. Accessory Use | 4. Light Manufacturing/Fabrication |
| 2. Government Facilities/
Structures | 5. Essential Services and/or
Structures |
| 3. Warehousing | 6. Mini-Storage Facility |

B. Special Land Uses

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|---|--|
| 1. Commercial Recreation (Indoor) | 6. Heavy
Manufacturing/Fabrication |
| 2. Open Air Business/Equipment
Rental | 7. Veterinarian Clinic (Small
Animal) |
| 3. Contractor's Establishment With
Outside Storage | 8. Recycling Facility |
| 4. Vehicle Repair and Service;
Sales and Rental; & Fueling
Station/Vehicle Wash | 9. Agricultural
Processing/Distribution |
| 5. Communication Tower | |

C. Dimensional Requirements

SCHEDULE OF REGULATIONS AND DIMENSIONAL REQUIREMENTS	Minimum Lot Size by Zoning District		Maximum Height of Structures		Minimum Yard Setback Per Lot/Parcel in Feet from the Road Right-of-Way or Property Line			Maximum Percentage of Lot Area Coverage	Maximum Ratio of Lot Depth/Width.
	Area in Sq. Ft. or Acres	Width in Feet	In Stories	In Feet	Front	Each Side	Rear	For All Structures	For All Parcels/Lots
I-1, Industrial District	21,780-sf.	40	3	35	50	30	40	70%	4 to 1

DISTRICT USES AND REGULATIONS MAY ALSO BE SUBJECT TO SECTIONS 414 & 415.

SECTION 412

MH, MANUFACTURED HOUSING COMMUNITY DISTRICT

A. Permitted Uses

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| 1. Accessory Use | 4. Public and Private Recreation |
| 2. Community/Association Building/Office | 5. Essential Services and/or Structures |
| 3. Manufactured Housing Park | |

B. Special Land Uses

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|----------------------------------|--|
| 1. Adult Congregate Convalescent | 3. Recycling Facility (Small Collection) |
| 2. Day Care Center | |

C. Dimensional Requirements

SCHEDULE OF REGULATIONS AND DIMENSIONAL REQUIREMENTS	Minimum Lot Size by Zoning District		Maximum Height of Structures		Minimum Yard Setback Per Lot/Parcel in Feet from the Road Right-of-Way or Property Line			Maximum Percentage of Lot Area Coverage	Maximum Ratio of Lot Depth/Width.
	Area in Sq. Ft. or Acres	Width in Feet	In Stories	In Feet	Front	Each Side	Rear	For All Structures	For All Parcels/Lots
MH, Manufactured Housing Community District	20-acres per district	200-ft. per dist.	*	*	*	*	*	*	4 to 1 per district.

DISTRICT USES AND REGULATIONS MAY ALSO BE SUBJECT TO SECTIONS 414 & 415.

SECTION 413

PUD, PLANNED UNIT DEVELOPMENT

A. Permitted Uses

1. All uses permitted in this Ordinance herein and subject to the provisions, processes and procedures outlined in Article 9.

B. Special Land Uses

1. All special land uses permitted in this Ordinance herein and subject to the provisions, processes and procedures outlined in Article 9.

C. Dimensional Requirements

SCHEDULE OF REGULATIONS AND DIMENSIONAL REQUIREMENTS	Minimum Lot Size by Zoning District		Maximum Height of Structures		Minimum Yard Setback Per Lot/Parcel in Feet from the Road Right-of-Way or Property Line			Maximum Percentage of Lot Area Coverage	Maximum Ratio of Lot Depth/Width.
	Area in Sq. Ft. or Acres	Width in Feet	In Stories	In Feet	Front	Each Side	Rear	For All Structures	For All Parcels/Lots
PUD, Planned Unit Development District	*	*	*	*	*	*	*	*	4 to 1

* To be determined in the PUD Review and Approval Process

DISTRICT USES AND REGULATIONS MAY ALSO BE SUBJECT TO SECTIONS 414 & 415 .

SECTION 414 ADDITIONAL GENERAL REQUIREMENTS

- A. The following are additional general requirements per individual zoning district or for all districts.
1. All structures in any district that are required to have bathroom facilities by the State Construction Code are required to be served by public sanitary sewer or a private sanitary treatment facility approved by the Michigan Department of Environmental Quality (“MDEQ”) or Gratiot County Health Department (“Health Department”) depending on number of dwelling units served.
 2. Minimum required frontage is measured along only one street right-of-way and along a contiguous frontage along that street right-of-way.
 3. Where curvilinear street patterns or cul-de-sacs result in irregularly shaped lots with non-parallel side lot lines, no less than eighty (80) percent of the minimum lot width shall be required at the street right-of-way provided one hundred (100) percent of the minimum lot width is met at the required front yard setback.
 4. Minimum lot size excludes portion of lot within the right-of-way.
 5. For properties with frontage on a lake or river, the front yard may be that boundary of the property having frontage on the lake or river.
 6. For development or redevelopment of established lots in the R-1 district for single or two-family purposes, the minimum required front yard setback shall be the average of the existing structures immediately to the left and right of the proposed lot development or as can be reasonably assumed as applicable to the intent of this section.
 - a. In the case of a corner lot where a front yard is required from each street, the minimum required front yard setback shall be no less than the nearest structure on each street where a front yard is required.
 - b. In no case shall any structure be located closer than ten (10) feet from the road right-of-way.
 7. For the use of existing structures or the redevelopment of lots in the C-1 or I-1 district for commercial and industrial purposes, the minimum required front yard setback shall be the average of the existing structures immediately to the left and right of the proposed lot development or as can be reasonably assumed as applicable to the intent of this section.
 8. Excepting parcels ten (10) acres or more, all parcels created within the zoning jurisdiction of the Township shall meet the minimum depth to width ratio of four (4) to one (1).

**SECTION 415 ADDITIONAL REQUIREMENTS FOR TWO-FAMILY &
MULTIPLE FAMILY USES**

- A. The following are additional requirements and standards for two-family and multiple-family dwellings where permitted in the underlying district.
1. Two-family dwellings (duplex) shall have a minimum lot size one and a half (1 ½) times the minimum lot area required in the district.
 2. Multiple-family dwellings, which are served by public sanitary sewers or private community systems/facilities as approved by MDEQ, shall comply with the following lot area requirements per dwelling unit in addition to the minimum required lot area as set forth under district where permitted:
 - a. Efficiency unit =
 - b. One bedroom unit = 1,500 square feet
 - c. Two bedroom unit = 2,000 square feet
 - d. Three bedroom unit = 2,500 square feet
 3. Where two (2) or more multiple, row or terrace dwelling structures are erected on the same lot or parcel, a minimum distance between any two (2) structures shall be equal to the height of the highest structure. Maximum building length shall not exceed one hundred (100) feet.
 4. Multiple dwelling structures shall have a twenty-five (25) foot setback between the structure and a perimeter property line that abuts a single-family residential district.

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