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## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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## **ARTICLE 19: PERFORMANCE REQUIREMENTS**

### **SECTION 19.01: PURPOSE**

Traditionally, zoning ordinances have been designed to minimize land use conflicts by attempting to group compatible land uses together. These land use groups are then relegated to districts which have been pre-arranged into patterns intended to minimize the differences between adjacent districts. The districting system has not always worked efficiently in practice because when zoning ordinances are formulated, it is impossible to foresee all future development patterns. The desires of property owners also often do not conform to district regulations and conflicts invariably arise. Therefore, the purpose of this Article is to not only specify the schedule of district regulations but, also to apply minimum performance standards applicable for each individual situation. Performance requirements are intended to minimize the possible adverse impacts of new developments on adjacent land uses. The requirements will vary depending on a number of factors including the zoning district in which the parcel is located, the natural physical limitations of the site, the type and intensity of the proposed land use, the intensity of existing adjacent land use, the zoning district of adjacent land, the existing land use and/or the zoning district across the street and the size of the parcels.

### **SECTION 19.02: DEFINITIONS**

Terms used in the text and tables of this Article are defined in *Article II, Definitions*.

### **SECTION 19.03: PERFORMANCE STANDARDS**

*The Schedule of District Regulations and Minimum Performance Standards* for each of the eight (8) specific zoning districts are designated on the nomographs in *Sections 19.13 through 19.21, of this Article*, and contain the minimum standards applicable to the various uses permitted within each of the zoning districts. The nomographs summarize many requirements governing allowable land uses within each zoning district. Different zoning districts provide varying requirements depending upon the type of land use proposed.

The following formulas are to be utilized to assist the developer in estimating site adequacy for proposed development requiring a site plan.

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## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### SECTION 19.03: PERFORMANCE STANDARDS – (Cont.)

#### A. **ESTIMATING SITE ADEQUACY (ALL DEVELOPMENTS REQUIRING A SITE PLAN; FOR 5+ UNIT MULTI-FAMILY DWELLING DEVELOPMENT, See Sub-Section B., First)**

1. Total site area; ( = ) \_\_\_\_\_ sq. ft.;
2. Less the larger of any required bufferyards or setback areas ( - ) \_\_\_\_\_ sq. ft.;
- (exclude areas occupied by roadways) and less any required parking lot planting strips/open space (see Article 19, Sections 19.04 & 19.05 and Article 21, Section 21.06 A. 9 & 10);
3. Less required or planned parking area\*, whichever is greater; ( - ) \_\_\_\_\_ sq. ft.;
4. Less access roadways and aisles\*\*;
- ( - ) \_\_\_\_\_ sq. ft.;
5. Less required or planned loading area\*\*\*, whichever is greater; ( - ) \_\_\_\_\_ sq. ft.;
6. Sub-total (lines 3 through 5) ( = ) \_\_\_\_\_ sq. ft.;
- \* Number of parking spaces x 180 sf (see Article 21, Section 21.04 for Required Number of Parking Spaces).
- \*\* Number of parking spaces x 320 sf.
- \*\*\* Number of loading spaces x 400 sf (see Article 21, Section 21.08 for Required Number of Loading Spaces).
7. Required Open Space (Line 6 x applicable Open SpaceRatio ( = ) \_\_\_\_\_ sq. ft.;
- from Article 19, Section 19.13 through 19.19 x line 6);
8. Any additional open space required (If Line 7 is greater than ( - ) \_\_\_\_\_ sq. ft.;
- (line 2, additional open space is required, estimated by entering the difference between line 7 and line 2);

**NOTE:** If line 7 is less than line 2, no additional open space is required.

9. Any other miscellaneous site area, excluding actual building site; ( - ) \_\_\_\_\_ sq. ft.;
10. Total site area exclusive of building site(s) ( = ) \_\_\_\_\_ sq. ft.;
- (sum of lines 2, 6, 8 and 9);
11. Remainder of site available for building site(s) ( = ) \_\_\_\_\_ sq. ft.;
- (line 1 minus line 10);

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## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### SECTION 19.03: PERFORMANCE STANDARDS – (Cont.)

12. Planned gross floor area of proposed building(s); (=)\_\_\_\_\_sq. ft.;
13. Portion of gross floor area planned for ground floor; (=)\_\_\_\_\_sq. ft.;
14. Estimated site adequacy:
- a. Site is estimated to be adequate if line 13 is less than line 11 \_\_\_\_\_sq. ft.;
  - b. Site is estimated to be inadequate if line 13 is greater than \_\_\_\_\_sq. ft.;
  - line 11. (check here);

**NOTE:** If line 14 b is checked, (a) a different, larger site is needed, or (b) the existing site needs to be expanded if feasible, or (c) the building size needs to be reduced or, alternatively, the ground floor area has to be reduced where a 2+ story building is planned or feasible to be planned.

### B. ESTIMATING SITE ADEQUACY (5+ UNIT MULTI-FAMILY DWELLINGS)

1. Total lot area (=)\_\_\_\_\_sq. ft.;
2. Preliminary required lot area:
- a. Required lot area for first three to four units 16,000 sq. ft.;
  - b. Added lot area required for additional dwelling units:
    - (1) 4,000 sq. ft./3 BR unit (#3 BR units x 4,000 sf)=; (+)\_\_\_\_\_sq. ft.;
    - (2) 3,200 sq. ft./2 BR unit (#2 BR units x 3,200 sf)=; (+)\_\_\_\_\_sq. ft.;
    - (3) 2,400 sq. ft./1 BR unit (#1 BR units x 2,400 sf)=; (+)\_\_\_\_\_sq. ft.;
    - (4) 1,600 sq. ft./studio or eff. Unit (+)\_\_\_\_\_sq. ft.;
    - (# studio/eff. units x 1,600 sf)=;
  - c. Total (sum of lines 2a through 2b.4.) (=)\_\_\_\_\_sq. ft.;
3. Gross Site Area (=)\_\_\_\_\_sq. ft.;
- (Enter line 1 here, and on line A.1. If larger than line 2.c., above, proceed with balance of estimating procedure under Sub-section A).

**NOTE:** If line 1 is less than line 2.c., the planned number and/or mix of dwelling units is not allowable on this site. Either the size of the development has to be reduced, the site enlarged, or a different, larger site sought.

### SECTION 19.04: BUFFERYARDS

#### A. PURPOSE AND INTENT

A Bufferyard is a designated strip of land, unit of yard or open area of plantings surrounding a land use which screens or blocks vision, noise pollutants, or other negative by-products associated with that use. In the case of very intense land uses abutting considerably less intense uses, the addition of structural components such as berms, fences, or walls may also be a part of a Required Bufferyard. Bufferyards provide visual barriers which block out the glare of lights, signs, and other visual nuisances, and in addition, natural or planted Bufferyards function in two ways to block noise. Distance and plant material reduce the intensity of noise, and wooded areas introduce the background sounds of trees, wind, birds, and while these background noises do not actually reduce noise, they make it less noticeable and therefore less annoying. Bufferyards shield the source of the noise from view, which tends to distract attention from the nuisance and thereby minimizes its perceived impact. They may also serve as a protective or safety barrier insofar as they block physical passage. Heavily planted Bufferyards also reduce air pollution, dust, dirt, and litter however, the ultimate purpose of the Bufferyard is to mitigate any potentially negative impact between Adjacent Parcels which differ in Land Use Intensity (LUI).

##### 1) Bufferyards and Land Use Intensity (LUI)

*Article 15: Principal Uses Permitted in Districts*, classifies all land uses permitted within a District according to their type and degree of Land Use Intensity (LUI), or impact which they may impose on the Adjacent land use. Accordingly, all land use categories are assigned a Land Use Intensity (LUI) Number, ranging from I - VI. Greater Land Use Intensities are reflected by the higher (LUI) Numbers, and are typically the result of increased on-site activities due to additional vehicular and/or pedestrian traffic, along with the impact of associated noise, congestion, glare, larger buildings and increased storm water run-off. While the specific Zoning District controls whether a land use is permitted to locate within that District, the Land Use Intensity (LUI) Number, is the basis for determining the type and extent of the Required Bufferyard. Therefore, by utilizing a combination of distance/space, natural features, landscape manipulation, berms, fences, or walls, the Required Bufferyard is designed to create the necessary screening between varying Land Use Intensities (LUI), and to establish a transitional, land use intensity-gradient between Existing, Altered, Expanded, Proposed, or Vacant Land Uses on Adjacent parcels.

#### B. PRESERVATION OF EXISTING WOODLANDS AND VEGETATIVE COVER

Marquette Township has been endowed with beautiful woodlands and forests along with native and naturalized vegetative cover, therefore, it is strongly recommended and encouraged that these natural areas be preserved, and any pre-construction, on-site clearing and land balance be very limited in scope or completely discouraged until a detailed inventory of on-site natural features, including site topography, can first be identified.

### SECTION 19.04: BUFFERYARDS – (Cont.)

In many instances, natural woodlands and existing vegetative cover is very desirable to retain as they are already effectively buffering adjacent areas, and being native to the area, can be expected to thrive with little or low-maintenance if left in their natural state. Preservation of the existing tree and plant materials may be utilized to fulfill a part or all of the Bufferyard requirements as outlined in this Section.

#### 1) Tree Preservation

Approximately 90-95% of tree root systems are in the top 3 feet of soil with more than 50% within the top foot. Root zones, typically extend 2 to 3 times the distance from the tree trunk to the tips of the branches, and this area should also be protected from any on-site pre-construction activities. Maintaining positive drainage away from existing trees and protecting roots from drainage and compaction are also essential in preserving existing trees

### C. LOCATION OF BUFFERYARDS

Bufferyards, create screening between differing land use intensities adjacent with each other, and generally are to be located along the outer perimeter of a lot or parcel and extend to the lot or parcel boundary line. Bufferyards shall not extend into, nor be located on any part of an existing or future proposed road or dedicated public or private street Right-of-Way. It is recognized however, that the specific Bufferyards, as outlined within this Section may not always “fit” the variety of on-site scenarios which may exist, due to variations in terrain along with site specific limitations. Utilization of a Natural Bufferyard or by choosing one or a combination of the several Options A-F as shown in Table III, provides the flexibility to make cost tradeoffs in deciding which Option is best. Depending on the size of the parcel, flexibility may become extremely relevant. A narrow Bufferyard can impose a considerable developmental constraint on a small site however, on a large parcel, very little buildable land will be lost. The Zoning Administrator and/or the Planning Commission are therefore, authorized to address unforeseen and unique on-site situations and to approve the appropriate Bufferyard Required in accordance with the spirit and intent of this ordinance. Fences, berms, retaining walls, plantings, and/or hedges shall be located on the property burdened with the Bufferyard requirement, unless there is a written agreement to the contrary, with the adjacent land owner(s), and recorded in accordance with the requirements set forth in Section 19.05, F. All Required Bufferyards shall be located as close as possible to the property line(s) consistent with future maintenance requirements. When mixed, on-site, Land Use Intensities (LUI) are proposed, as in a Planned Unit Development (PUD), a line separating the different Land Use Intensities (LUI) shall be identified on the site plan and the Required Bufferyards shall be provided as detailed in this Section. When a Bufferyard is required under this Section as well as in Section 21.06, G-2a, the more restrictive requirement shall apply.

**SECTION 19.04: BUFFERYARDS – (Cont.)**

**D. BASIC ELEMENTS OF BUFFERYARD COMPOSITION**

The following four (4) Basic Elements of Bufferyard Composition are manipulated through design to create the Required Bufferyard screening and to establish the transitional, land use intensity-gradient between Land Use Intensities (LUI) for existing, altered, expanded, proposed, or vacant land uses on adjacent parcels.

- 1) Distance/Space
- 2) Plant Material Type
- 3) Plant Material Density
- 4) Structural Elements or Land Forms

**E. PROCEDURE TO IDENTIFY REQUIRED BUFFERYARD TYPE**

The following procedures apply to all of Proposed, Altered and/or Expanded land uses:

- 1) ***To IDENTIFY the Type of Bufferyard required between AN EXISTING LAND USE ADJACENT WITH A PROPOSED LAND USE, follow this procedure:***
  - a) ***IDENTIFY The Land Use Intensity (LUI) Number of the Proposed Land Use: Refer to Use -vs- District Nomograph, Article 15, Principal Uses Permitted in Districts, Section 15.05, Table 15;***
  - b) ***IDENTIFY The Land Use Intensity (LUI) Number of the Existing Land Use Adjacent with the Proposed Land Use by referring to the above referenced a), Use -vs- District Nomograph in Table 15, Section 15.05;***
  - c) ***IDENTIFY the Type of Bufferyard required Along the Boundaries of the Proposed Land Use by referring to the nomograph in Table I of this Section; Proposed Land Use Intensity (LUI) No. -vs- Adjacent Land - Existing Land Use Intensity (LUI).***
- 2) ***To IDENTIFY the Type of Bufferyard required between a PROPOSED LAND USE AND ADJACENT VACANT LAND, follow this procedure:***
  - a) ***IDENTIFY The Zoning District of the Proposed Land Use and the Adjacent Vacant Land by referring to the zoning map and the nomograph in Table II of this Section; Zoning District of Adjacent Vacant Land -vs- Proposed Land Use Intensity (LUI) No.***
  - b) ***IDENTIFY the Land Use Intensity (LUI) Number of the Proposed Land Use in the first column under Proposed LUI No.***



## ARTICLE 19 – PERFORMANCE REQUIREMENTS

### SECTION 19.04: BUFFERYARDS – (Cont.)

- c) **IDENTIFY the Required Bufferyard Type** located at the intersection of the **Zoning District of Adjacent Vacant Land** with the **Proposed Land Use Intensity (LUI) Number** in the first column.

<b>Table 1</b>						
<b>PROPOSED LAND USE INTENSITY (LUI) NO. -VS- ADJACENT LAND – EXISTING LAND USE INTENSITY (LUI)</b>						
<b><u>PROPOSED</u> LUI NO.</b>	<b>ADJACENT LAND – EXISTING LAND USE INTENSITY (LUI)</b>					
	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>	<b>VI</b>
<b>I</b>	<b>*</b>	<b>A/B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>E</b>
<b>II</b>	<b>A/B</b>	<b>*/B</b>	<b>A/B</b>	<b>C</b>	<b>D</b>	<b>E</b>
<b>III</b>	<b>C</b>	<b>A/B</b>	<b>*/A</b>	<b>A/B</b>	<b>C</b>	<b>D</b>
<b>IV</b>	<b>D</b>	<b>C</b>	<b>A/B</b>	<b>*/A</b>	<b>A/B</b>	<b>C</b>
<b>V</b>	<b>E</b>	<b>D</b>	<b>C</b>	<b>A/B</b>	<b>*/A</b>	<b>A/B</b>
<b>VI</b>	<b>F</b>	<b>E</b>	<b>D</b>	<b>C</b>	<b>A/B</b>	<b>*/A</b>

<b>Table 2</b>								
<b>ZONING DISTRICT OF ADJACENT VACANT LAND -VS- PROPOSED LAND USE INTENSITY (LUI) NO.</b>								
<b><u>PROPOSED</u> LUI NO.</b>	<b>ZONING DISTRICT OF ADJACENT VACANT LAND</b>							
	<b>SR</b>	<b>RR</b>	<b>UR</b>	<b>DD</b>	<b>GB</b>	<b>SB</b>	<b>RP</b>	<b>FR</b>
<b>I</b>	<b>*/A</b>	<b>*/A</b>	<b>A/D</b>	<b>C/D</b>	<b>E</b>	<b>F</b>	<b>*/A</b>	<b>*/A</b>
<b>II</b>	<b>*/A</b>	<b>A</b>	<b>*/A</b>	<b>C/D</b>	<b>D</b>	<b>E</b>	<b>*/A</b>	<b>*/A</b>
<b>III</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>B/C</b>	<b>C</b>	<b>D</b>	<b>C</b>	<b>C</b>
<b>IV</b>	<b>D</b>	<b>D</b>	<b>D</b>	<b>A/B</b>	<b>B</b>	<b>B</b>	<b>D</b>	<b>D</b>
<b>V</b>	<b>E</b>	<b>E</b>	<b>E</b>	<b>*/A</b>	<b>A</b>	<b>A</b>	<b>E</b>	<b>E</b>
<b>VI</b>	<b>F</b>	<b>F</b>	<b>F</b>	<b>C</b>	<b>B</b>	<b>*/A</b>	<b>F</b>	<b>F</b>

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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\*No Bufferyard required.: Where two (2) Bufferyards are noted, i.e. A/B or \*/A, the Zoning Administrator and/or the Planning Commission shall make the final determination regarding Required Bufferyards. In instances where an Existing, Proposed, Altered, or Expanded, Commercial or Industrial Land Use Intensity (LUI) will have frontage on a County Primary or Local Road, if the area across the adjacent Right-of-Way is residentially zoned, the Required Bufferyard option shall be determined by the Zoning Administrator and/or the Planning Commission.

### **F. REQUIRED BUFFERYARD TYPE AND ALTERNATE OPTION**

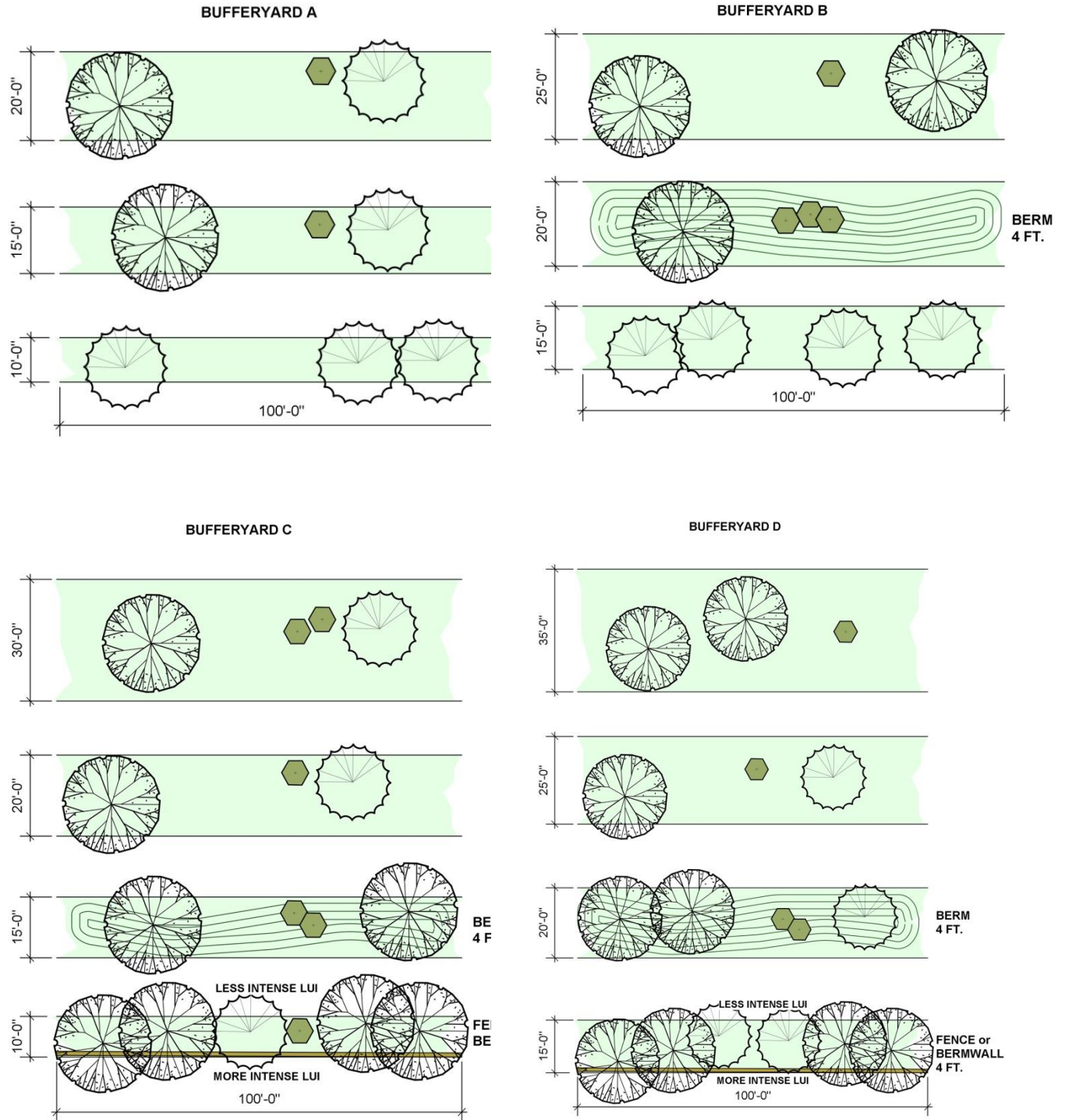
For each type of Required Bufferyard, several **Configuration Options** are illustrated in **Table III, Required Bufferyard Type, Alternate Options A thru F**, and all of the several options are designed to function as impact mitigators. At the option of the developer, an alternate approach to fulfill the Bufferyard requirements may be satisfied by compliance with either Items 1 or 2 of the following requirements:

1. The creation of any one or a combination of the illustrated **Required Bufferyard Type Options, A thru F** as outlined in **Table III**.
2. By preservation of **Natural Bufferyards**, utilizing the existing on-site, un-disturbed natural features, topography, woodlands, and native vegetative cover, with approval contingent upon fulfillment of the following requirements:
  - a) All areas to be designated as **Natural Bufferyards** shall be appropriately located as outlined in **Section 19.04 C, of this Article** and shall provide the **required** width and contain adequate **density** for screening purposes.
  - b) Assurance by the developer that adequate screening of any negative impacts will be mitigated by utilizing the Natural Bufferyard(s).
  - c) Written approval for any Natural Bufferyard(s) shall be granted by the Zoning Administrator and/or the Planning Commission and secured by the developer as a part of the requirements for Site Plan Review (SPR) as outlined in Article XVII.

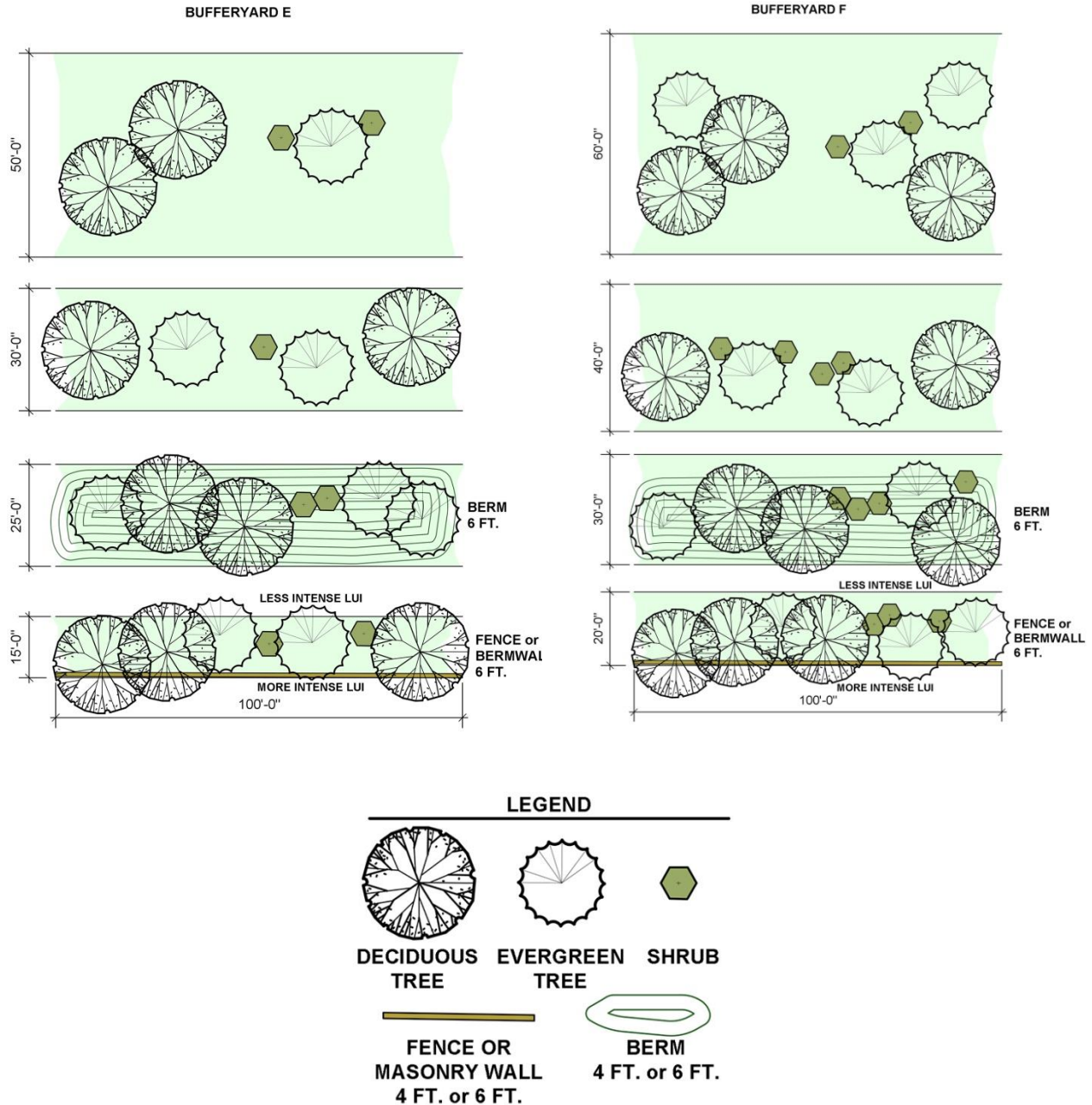
## ARTICLE 19 – PERFORMANCE REQUIREMENTS

### G. **TABLE III: REQUIRED BUFFERYARD TYPE ALTERNATE OPTIONS A THRU F**

**Note:** *Required Bufferyards, A thru F, are shown in terms of the **width of Bufferyard** and **number of plant units required per one hundred (100) linear feet of Bufferyard.***



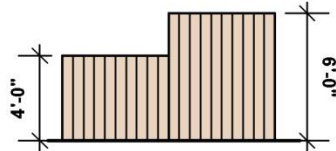
## ARTICLE 19 – PERFORMANCE REQUIREMENTS



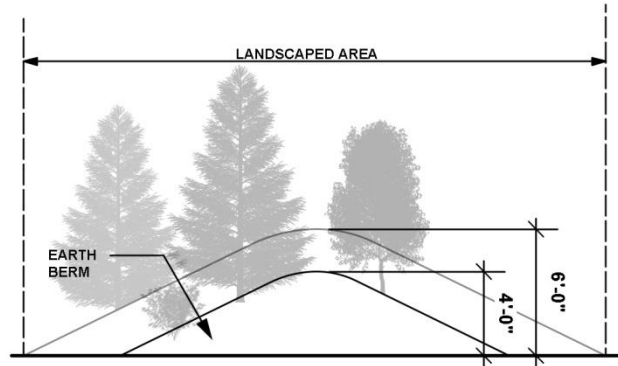
**Note:**

The total Required Bufferyard shall be located on the burdened property unless there is a written agreement, to the contrary with the adjacent land owner(s) and recorded in accordance with the requirements set forth in Section 19.04 P., Contractual Reduction.

**H. TYPICAL SCREENING OPTIONS**

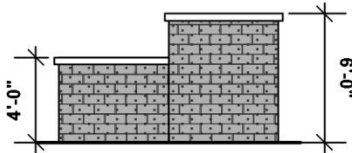


**WOOD FENCE: 4 FT. OR 6FT.**

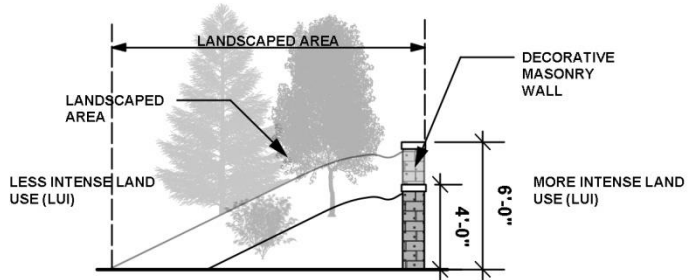


**BERM: 4 FT. OR 6FT.**

B4: 4 FT. EARTH BERM  
B6: 6 FT. EARTH BERM



**MASONRY WALL: 4 FT. OR 6FT.**



**BERM WALL: 4 FT. OR 6FT.**

BW4: 4 FT. DECORATIVE MASONRY WALL  
BW6: 6 FT. DECORATIVE MASONRY WALL

**Note**

The total Required Bufferyard shall be located on the burdened property unless there is a written agreement, to the contrary with the adjacent land owner(s) and recorded in accordance with the requirements set forth in Section 19.04 P., Contractual Reduction.

**I. SUGGESTED TREES, PLANT MATERIAL AND STRUCTURE TYPES**

1. Deciduous trees, (eight to ten feet (8' - 10') high and one and one-half (1 - 1½") caliper minimum.
2. Evergreen trees four to five feet (4' - 5') high.
3. Shrubs three to four feet (3' - 4') high and branched minimum.
4. Related considerations:

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## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### SECTION 19.04: BUFFERYARDS – (Cont.)

a) **Hardy Trees for Zones 2 & 3**

**Small to Medium (15' to 35')**

Hedge Maple  
Amur Maple  
Black Cherry  
Dolgo Crabapple  
Siberian Crabapple  
Cockspur Hawthorn  
Blackhaw Viburnum  
Nannyberry Viburnum  
Russian Olive

**Large (35' to 60')**

Sugar Maple varieties  
Red Maple varieties  
Norway Maple varieties  
Amur Cork Tree  
American Yellowwood  
Bicolor Oak  
Swamp White Oak  
Little-Leaf Linden  
Ohio Buckeye

**Evergreen Trees (Large)**

American Arbor-vitae  
Canadian Hemlock  
Eastern Red Cedar  
European Larch  
Scotch Pine

White Pine  
Black Hills Spruce  
Colorado Green Spruce  
Englemans Spruce  
Norway Spruce

b) **Marginal Trees - Zone 4**

Amur Cork Tree  
Ginkgo  
River Birch  
Red Oak  
Pin Oak

Austrian Pine  
Red Pine  
White Fir  
Sweetgum  
Tulip Tree

c) **Hardy Shrubs - Zone 2 & 3**

Arrowwood Viburnum  
Wayfaring Tree  
Nannyberry  
European Cranberry  
American Cranberry  
Burning Bush  
Redosier Dogwood  
Siberian Dogwood  
Fragrant Sumac  
Staghorn Sumac

Common Juniper  
Creeping Juniper  
Bush Cinquefoil  
Canada Yew  
Amur Privet  
Tatarian Honeysuckle  
Mugo Pine  
American Elder  
Winterberry

d) **Invasive Plants & Plants Prohibited**

Box Elder  
Tree of Heaven  
Silver Maple  
Jack Pine  
American Elm  
Catalpa

Ash (all varieties)  
Poplars  
Aspen  
Horse Chestnut  
Honeysuckle  
Multiflora Rose

**SECTION 19.04: BUFFERYARDS – (Cont.)**

e) **Wetland Invasive Plants Prohibited**

Phragmites  
Purple Loosestrife

f) **Suggested Salt Tolerant Plants**

**1) Good Salt Tolerance**

Honerlocust  
Russian Olive  
Hawthorn Species  
Red Oak  
Austrian Pine  
Norway Maple  
Sweetgum  
Mugho Pine  
Redosier Dogwood

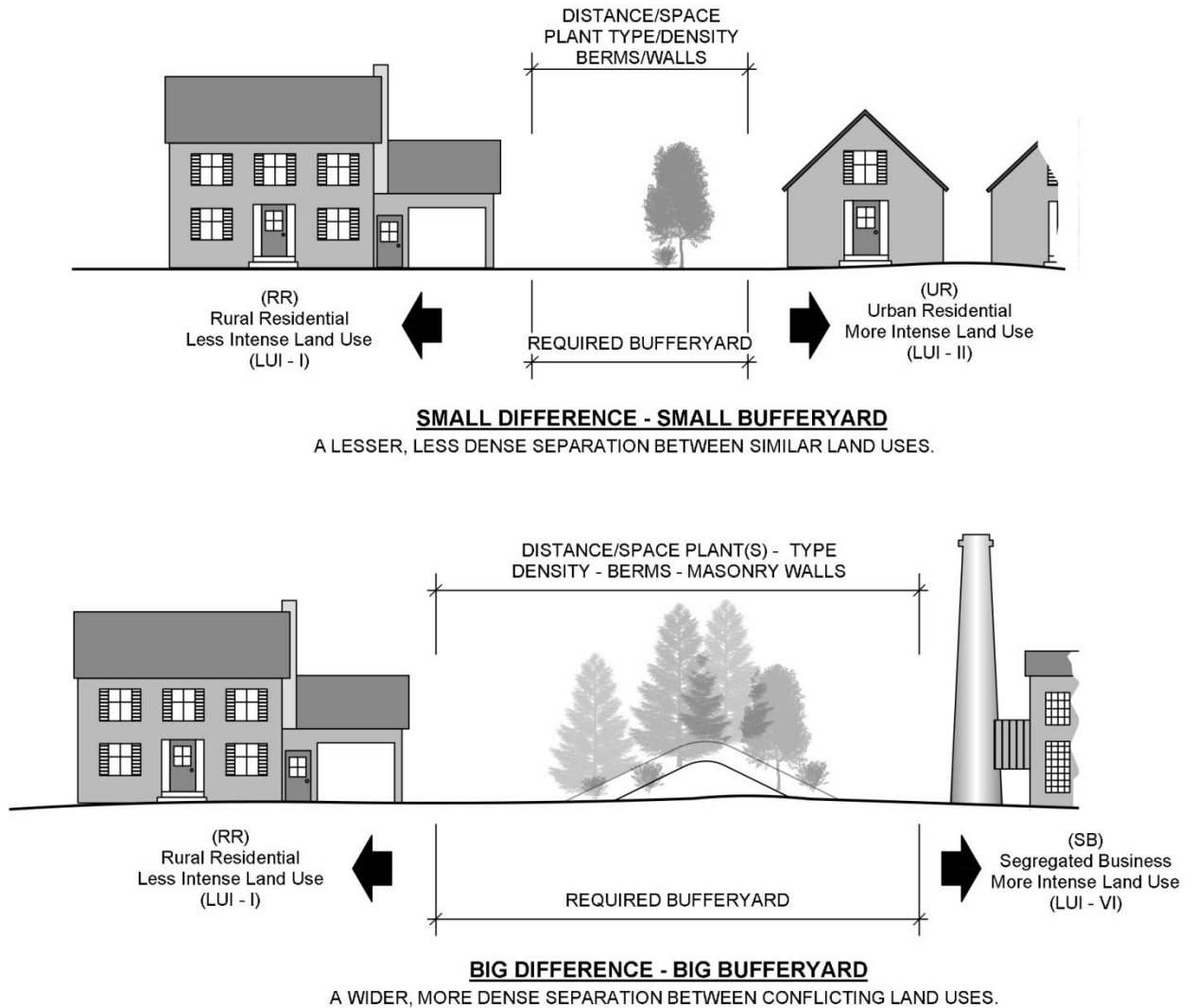
**2) Moderate Salt Tolerance**

Arborvitae  
Juniper Species  
Eastern Red Cedar  
Siberian Crabapple  
Poplar Species  
Scotch Pine  
White Fir  
Red Pine  
Tatarian Honeysuckle



SECTION 19.04: **BUFFERYARDS – (Cont.)**

J. **TRANSITIONAL LAND USE INTENSITY (LUI) GRADIENT SCHEMATIC**



**Note**

The total Required Bufferyard shall be located on the burdened property unless there is a written agreement, to the contrary with the adjacent land owner(s) and recorded in accordance with the requirements set forth in Section 19.04, P. Contractual Reduction.



### SECTION 19.04: BUFFERYARDS – (Cont.)

#### K. USE

To provide flexibility, a larger Bufferyard may be used for passive recreation and may contain pedestrian, bike, or equestrian trails, provided however, that no plant material is eliminated, the total width of the Required Bufferyard is maintained, and all other requirements of this Ordinance are accommodated. The following are examples of recreational uses which shall not be permitted within Bufferyards:

- 1) Play Fields
- 2) Ski Hills
- 3) Stables
- 4) Swimming Pools
- 5) Tennis Courts
- 6) Trails for Motorized Vehicles
- 7) Ice Skating Rinks

#### L. INCREASE OF LAND USE INTENSITY

If an Existing Land Use is Altered or Expanded, increasing the intensity from the Existing Land Use Intensity (LUI) Number to a Higher LUI Number, the Zoning Administrator and/or the Planning Commission, during Site Plan Review (SPR) and/or the zoning compliance review process, shall determine if additional Bufferyard is required and of what type and to what extent.

#### M. OWNERSHIP OPTIONS

Required Bufferyards may remain in the ownership of the original developer, ownership may be specified within the deed restrictions and subsequently conveyed, or ownership may be transferred to any consenting grantees, such as adjacent landowners, a park authority, forest preserve district or similar entity, the Charter Township of Marquette, or an open-space or conservation group, provided that any such conveyance shall guarantee the protection and continued maintenance of the Required Bufferyards.

#### N. RESPONSIBILITY

When a Proposed Land Use is the **First** to develop on a ***Vacant Parcel***, the owner of the ***Proposed Land Use*** shall provide all necessary Bufferyard(s) in accordance with the requirements set forth in this ordinance and as specified in ***Table II, Adjacent Vacant Land - vs- Existing Zoning District***. Since the adjacent vacant land may not be developed for some time after the ***First*** Land Use Intensity (LUI) is established, this provision is intended to address the uncertainty regarding the specific responsibility for Bufferyards which would ultimately be required. (See also Item P., Contractual Reduction).

#### O. EXCESS BUFFERYARD

If the Required Bufferyard to be located **between** the ***Proposed Land Use Intensity (LUI)*** and the ***Adjacent Vacant Land*** is **Greater** than that required between the ***Proposed Land***

**SECTION 19.04: BUFFERYARDS – (Cont.)**

*Use Intensity (LUI)* and the subsequent Land Use Intensity (LUI) of the adjacent vacant land, owners may pursue one of the following options:

1. The subsequent Land Use Intensity (LUI), proposed on the **Adjacent Vacant Land** may provide one-half (1/2) of the Bufferyard required by this Section. The **First Proposed Land Use Intensity (LUI)**, may then expand its use into the original Bufferyard, provided that the resulting, total Bufferyard Required, and located between the two Land Use Intensities (LUI), also meets the requirements of this Section.
2. The owner initiating the **First Proposed Land Use** may enter into agreement with the **Adjacent Landowner(s)** to utilize the existing Bufferyard(s) to accommodate the requirements for Bufferyard Type for both Land Uses. (See also Item P., Contractual Reduction).

**P. CONTRACTUAL REDUCTION**

When an Existing Land Use is located Adjacent with Vacant Land, the owners of the affected properties may submit a contractual agreement whereby the Required Bufferyard(s) for the Existing Land Use is reduced or waived, provided that the owner of the subsequent Proposed Land Use, to be located on the **Vacant Land** sometime into the future, agrees to develop at no greater Land Use Intensity (LUI) than a specified **Land Use Intensity (LUI) Number**. If additional Bufferyard is required in the future, it shall be provided on the **Adjacent Vacant Land** by the existing or future owners of such land, and shall not be less than what was reduced or waived under the contractual agreement. The contractual agreement is intended to provide a procedural method which avoids the possibility of reserving larger than Required Bufferyards in areas where the owners of **Adjacent Vacant Land** have proposed plans for the ultimate use of their land, which do not include a **Land Use Intensity (LUI)** requiring a larger Bufferyard. The contract agreement shall be recorded with the Marquette County Register of Deeds Office and a copy of the recorded document shall be filed with the Township Zoning Administrator.

**Q. MAINTENANCE**

In the event that the owner of a Required Bufferyard fails to maintain the Required Bufferyard in accordance with the standards of this ordinance, the Charter Township of Marquette, after reasonable notice and demand that the deficiencies be corrected in accordance with the approved site plan or other Township directives, may enter upon the Bufferyard and/or Open Space and perform the necessary maintenance. The cost of such maintenance shall be charged directly to the owner(s) of the Bufferyard and/or open space. Dead or damaged planting(s) shall be replaced with acceptable materials as soon as possible barring weather related conditions.

**R. ADDITIONAL ON-SITE OPEN SPACE**

The more stringent of the Bufferyard requirements for Parking Lot Screening or Open Space Requirements as noted within Article XX - Off-Street Parking Requirements, Section 20.06: Design Standards, of this ordinance shall apply. Additional On-Site Open Space

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### SECTION 19.04: BUFFERYARDS – (Cont.)

shall be required, if application of any Required Open Space Ratio results in a greater amount of Open Space than that required by the more stringent of Bufferyard requirements for Parking Lot Planting Strips or Open Space requirements.

### SECTION 19.05: REQUIRED OPEN SPACE

#### A. **USE**

Required open space, including any required bufferyard and parking lot open spaces, may be used as either a site amenity, or for recreation, agriculture, resource protection and other purposes specified in this section. All developments which are required by this Ordinance to provide open space shall meet the following requirements:

1. *Land Designated as Open Space:* Shall be maintained as open space and may not be separately sold, subdivided, or developed except as provided by this Ordinance.
2. *Required Open Space:* Shall be designated on the site plan or plot plan and shall:
  - a. Indicate the location of all areas to be reserved as open space. The specific design of open space areas shall be sensitive to the physical constraints and design characteristics of the site.
  - b. Designate the type of open space which will be provided.
  - c. Specify the manner in which the open space shall be perpetuated, maintained, and administered.
3. *Types of Open Space:* Which may be provided to satisfy the requirements of this Ordinance, together with continued maintenance required for each type, are as follows:
  - a. *Natural Areas:* Are areas of undisturbed vegetation or areas replanted with vegetation after construction. Woodlands, woodland swamps, prairies, and wetlands are specific types of natural areas. Required maintenance shall include removal of litter, dead tree and plant materials, and brush. Natural watercourses are to be maintained as free-flowing streams devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.
  - b. *Agricultural Uses:* No specific maintenance is required for agricultural uses.
  - c. *Garden Plots:* Are the division of open space into plots for cultivation as gardens by residents. Required maintenance shall include weeding, fallowing, and/or tilling.
  - d. *Common Open Space:* Is land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the

### SECTION 19.05: REQUIRED OPEN SPACE – (Cont.)

common use or enjoyment of the residents of a development and may include such complementary structures and improvements as are necessary and appropriate.

- e. *Greenways*: Are linear green belts linking residential areas with other open space areas. Greenways may contain bicycle, bridle, or footpaths. Connecting greenways between residences and recreational areas are encouraged. Required maintenance shall include a minimum removal and avoidance of hazards, nuisances, or unhealthy conditions.
- f. *Lawns and Planting Areas*: Consist of grass with or without trees, and shrubs and other low to medium height plantings. Required maintenance shall include mowing.
- 4. *Impervious Surfaces*: In required open space areas shall be limited and supplemental. In Rural Residential Districts, impervious surfaces in common open space areas shall be limited to pedestrian, bicycle, cross-country skiing and snowshoe trails or paths.
- 5. *The Minimum Dimensions*: For open space shall be ten (10) feet, and the minimum areas shall be one hundred (100) square feet.
- 6. *Common Open Space Land*: Shall be freely accessible to all residents of a development with the exception that agricultural land uses may restrict access. This exception applies only to land actively used for agricultural purposes.

#### **B. PERPETUATION OF REQUIRED COMMON OPEN SPACE**

Open space areas shall be reserved and maintained so that their use and enjoyment as open space shall not be diminished or destroyed. Open space areas may be owned, preserved, and maintained as required by this Section utilizing the following vehicles or combinations thereof to accommodate the requirements of this Ordinance.

- 1. Dedication of open space to the Charter Township of Marquette or an appropriate public agency, provided that the Township or a public agency is willing to accept the dedication.
- 2. Common ownership of the open space by a homeowner's association which assumes full responsibility for its maintenance.
- 3. Dedication of development rights of open space may be made to an appropriate public agency with ownership remaining with the developer or homeowner's association. Maintenance responsibility shall remain with the property owner.
- 4. Deed restricted private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide for the maintenance responsibility.

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## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### **SECTION 19.05: REQUIRED OPEN SPACE – (Cont.)**

5. In the event that the owner of the required open space fails to maintain the open space areas in accordance with the standards of this Ordinance, the Charter Township of Marquette, shall, after reasonable notice and demand that deficiency of maintenance be corrected in accordance with the site plan, enter upon the open space and perform necessary maintenance. The cost of such maintenance shall be charged directly to the owners of the open space.

### **SECTION 19.06: MINIMUM FLOOR AREA FOR DETACHED SINGLE-FAMILY AND TWO-FAMILY DWELLING**

Every detached single and two-family dwelling, excluding seasonal dwellings in the UR, SR, RR & RP districts, shall have a floor area of not less than 1,000 and 1,600 square feet respectively, exclusive of unfinished basements, garages, porches and breezeways. A single-family dwelling, including mobile homes and manufactured housing, shall have a minimum exterior breadth/caliper/width of twenty (20) feet in the RR, SR, UR and DD districts (This is to imply that the minimum dimension between any two opposing exterior walls, measured at any point on the horizontal, shall be at least twenty (20) feet). Breezeways, garages, porches, and other appurtenances shall not be considered part of the required 20 feet. *(The minimum floor area and minimum exterior breadth/caliper/width dimensions provided in Section 19.06, shall not apply to Tiny Home(s), as defined in Article 2.)*

### **SECTION 19.07: SPECIAL HOUSING TYPE DEFINITIONS**

#### **A. LOT LINE HOUSE**

A dwelling type consisting of a detached single family residence, located on an individual lot. The dwelling may be situated on a side lot line and a minimum five (5) foot wide maintenance easement shall be provided for the property owner. Exterior windows are prohibited for that portion of the structure which abuts the lot line. The side yard requirements apply to the remaining undeveloped side lot area. Placement of the garage or other non-living space abutting the side lot line is encouraged.

#### **B. TWIN HOUSE**

A dwelling type consisting of an attached single family residence located on an individual lot. The dwelling is attached to another single family dwelling at a side lot line through the use of one (1) or more of the following alternatives.

1. A common party wall through the garage portion of adjacent structure.
2. An architectural wall detail which does not form interior room space between any two (2) units.
3. A common party wall that meets all fire resistance and sound transmission requirements of the building codes. The side yard requirement applies to the remaining undeveloped side lot area. The attached dwellings shall be typified insofar as possible by characteristics commonly associated with single family dwellings in the

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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Township, including the expression of individuality of each dwelling unit, privacy, and a sense of spaciousness.

### **SECTION 19.08: TWO-FAMILY AND MULTI-FAMILY DWELLINGS**

In addition to meeting the other performance criteria for two-family or multi-family uses in a specific zoning district, the following standards shall also apply:

- A. Multiple family buildings designed, erected, or used for ten (10) or more families shall not be located closer than fifty (50) feet to any Rural Residential Zoning District Boundary. If the Planning Commission determines that the adjoining property will eventually assume similar development, they may waive the fifty (50) foot minimum setback requirements.
- B. A single building or connected buildings shall not exceed two hundred (200) feet in any zoned district except the Development District with the approval of the Zoning Administrator. All buildings shall be so arranged as to permit emergency vehicle access as specified in *Article 21, Section 21.07*.
- C. The distance of separation between grouped buildings shall be minimum of twenty-five (25) feet.
- D. Entrances to a multiple family structure shall not be located closer than twenty-five (25) feet from any street intersection.
- E. The provision of required open space area shall be based upon the *Schedule of District Regulations and Minimum Performance Standards, Section 19.13 through 19.19, of this Article*. Fifty (50) percent of the common open space area as defined in *Section 19.06, Required Open Space, Item A, 3d*, shall include such complementary structures and improvements as are necessary and appropriate and shall be approved by the Zoning Administrator or, where allowable as a special use, by the Planning Commission.
- F. A two-family dwelling building shall have a minimum exterior breadth/caliper/width of twenty (20) feet in any district in which such structures are permitted (This is to imply that the minimum dimension between any two opposing exterior walls, measured at any point on the horizontal, shall be at least twenty (20) feet). Breezeways, garages, porches, and other appurtenances shall not be considered part of the required 20 feet.

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### **SECTION 19.09: INSTITUTIONAL (PUBLIC OR QUASI-PUBLIC) USES OR STRUCTURES ALLOWABLE IN RURAL RESIDENTIAL AND URBAN RESIDENTIAL DISTRICTS**

- A. Institutional uses (schools, public buildings and similar non-residential uses, etc.) allowable in residential districts may have an adverse effect on residential properties if not properly located and designed. Therefore, the following performance standards shall be accommodated prior to the development of Institutional (public or quasi-public) Land Uses or structures in Rural Residential and Urban Residential Districts:
1. Hazardous areas, including public utility substations, must be adequately fenced and screened to avoid accidents and obscure and buffer the proposed use.
  2. All allowable institutional land uses shall front on a state trunkline or county primary road (arterial or collector) unless otherwise approved by the Zoning Administrator, or for uses under its jurisdiction, by the Planning Commission.
  3. Primary vehicular access shall be from a state trunkline or county primary road, to eliminate or minimize the impact of traffic generated by the institutional use upon the residential area.
  4. Proposed institutional sites shall be chosen which offer natural or man-made barriers that could lessen the effect of the intrusion of an institutional use into an established residential area.
  5. Institutional uses shall not be located so as to cause costly public improvements.
  6. Institutional structures shall not be located closer than fifty (50) feet to adjacent property lines of lots located in Rural Residential or Urban Residential districts.

### **SECTION 19.10: OFFICE, PUBLIC SERVICE, COMMERCIAL AND ENTERTAINMENT AND INDUSTRIAL STRUCTURES OR USES**

- A. In addition to accommodating the performance criteria for office, public service, commercial and entertainment and industrial structures or uses, the following standards shall be fulfilled prior to development of such uses:
1. Where one (1) or more lot lines abut an existing legally conforming single family residential use, an elevation drawing of the proposed structure shall be submitted to the Planning Commission for review and approval. The Planning Commission may require that office and/or commercial structures be constructed with a residential facade and be designed at a residential scale (mass) and character. The proposed structure shall not be closer to such lot line(s) than the proposed building height, as measured in feet.

**SECTION 19.11: STANDARDS OF OPERATION**

- A. In addition to meeting the other performance criteria for each type of land use, the following standards of operation shall also be accommodated:
1. *Vibration.* All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of 0.003 of one (1) inch, as measured at the property line.
  2. *Odor.* The emission of noxious odors or matter in quantities that are readily detectable at any point along lot lines when diluted in the ratio of one (1) volume of odorous air to four (4) or more volumes of clean air so as to produce a public nuisance or hazard beyond lot lines is prohibited.
  3. *Gases.* The escape or emission of any gas which is injurious, destructive, or explosive shall be unlawful and shall be abated.
  4. *Glare and Heat.* Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line, except during the period of construction of the facilities to be used and occupied.
  5. *Light.* Exterior lighting shall be installed so that the surface of the source of light shall reflect light away from any residential use. No more than one (1) foot-candle power of light shall cross a lot line five (5) feet above the ground in a Rural Residential or Urban Residential district.
  6. *Drifted and Blown Materials.* The drifting or airborne transmission to areas beyond the lot line of dust, particles, or debris from any open stockpile shall be unlawful and shall be abated.
  7. *Sewage Wastes.* All sewage discharged into the public sewers shall be subject to the *Marquette Township Ordinance for Wastewater and Wastewater Collection* as amended, and *Department of Natural Resources Standards and Limitations* or criteria set forth therein.
  8. *Outdoor Storage.* The open storage of any viewable equipment, vehicles and all viewable materials including wastes, shall be screened from public view, from public streets and from adjoining non-forested properties by an enclosure consisting of a wall or an obscuring fence of a height of not less than six (6) feet to obscure stored materials.



**SECTION 19.12: SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS**

**A. INTRODUCTION.**

The following tables set forth the various requirements applicable to each of the listed generalized land use categories, grouped by their respective land use intensities (L.U.I.'s I through VI). See *Section 15.04, Table 15*, for a detailed listing of specified principal uses allowed by zoning districts, and grouped under each of the generalized land use categories shown in the following tables. For applicable additional regulations, also see:

*Article 16*

*Article 17*

*Article 18*

*Article 19*

*Article 20*

*Article 21*

*Article 22*

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.13:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																							
Scenic Residential District [SR]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits				Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]										
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height c. Accessory Struct.		Minimum Floor Area [sq.ft./unit]	Signs Table 22	Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU /AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks			
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	One	Total of Two
IV	Real Estate Office	R			R				R	R	R	R	35'		A	R	10 Acres	250'	4:1			50'	50'	25'	25'
I	Forestry Non-Commercial	R				R					R	R	35'		A	R					50'	50'	25'	25'	
III	Ice Skating Rinks (Outdoor)	R			R																				
III	Indoor Recreation (<5,000 s.f.)	R			R				R	R	R	R	35'		A	R	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
I	Nature Areas/Open Space	R																							
II	Park, Public/Private	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Playground	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Pool, Public (Indoor/Outdoor	R			R						R	R	20'		A	R	5 Acres	250'	4:1	0.20	0.80	50'	50'	25	25'
III	Ski Areas	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Tennis Courts	R			R						R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Trails, Non-Motorized	R																							
I	Residential Rental Dwelling	R			R				R	R	R	R	35'	400a	A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Campgrounds	R			R				R	R	R	R	35'	1,000	A	A	2 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'
I	Season Residential Dwelling (cabin, camp, cottage)	R			R				R	R	R	R	35'	400a	A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'
II	Single Family Attached	R			R				R	R	R	R	35'	800a	A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'
I	Single Family Detached	R			R				R	R	R	R	35'	800a	A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Emergency Service Center	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
II	Adult Foster Care Home	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
II	Adult Foster Care Large Home	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
II	Adult Foster Care Small Home	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Bed and Breakfast - Large	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
II	Bed and Breakfast - Large	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Church/Worship Center	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
IV	Community Center - Public	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Convent/Monastery	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
IV	Schools – Public/Private	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'

a. 400 sq ft cabin, camp, cottage (seasonal) or caretaker dwelling unit, 800 sq ft/duplex dwelling unit, 1,000 sq ft/single family detached dwelling unit, except 600 sq ft/single family detached dwelling converted from a pre-existing dwelling.

b. On county primary road, minimum parcel; size may be reduced to 1 acre minimum, width of 150' (with maximum gross density of 0.92 DU/AC).

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.14:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Rural Residential District [RR]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]									
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 17.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height e. Accessory Struct.	Minimum Floor Area [sq. ft./unit] g	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks f.				
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	One	Total of Two	
I	Agriculture	R			R				R	R	R	R	30'		A	R	10 Acres	150'	4:1			35'	25'	10'	25'	
I	Forestry Non-Commercial	R				R					R	R	20'		A	R						35'	25'	10'	25'	
I	Recreation Indoor/Outdoor	R				R					R	R	20'		A	R	40,000	150'	4:1			35'	25'	10'	25'	
I	Residential Dwelling	R			R				R a	R b		R	30'	1,000 c	R		40,000	150'	4:1	1.09	.80	35'	25'	10'	25'	
II	Residential Dwelling	R			R		R	R				R	30'	1,000 c	R		20,000	120'	4:1	2.18	.80	35'	25'	10'	25'	
II	Public Service	R			R							R	R		A	R						35'	25'	10'	25'	
II	Recreation Indoor/Outdoor	R			R							R	R	20'	A	R	40,000	150'	4:1		.80	35'	25'	10'	25'	
II	Special Residential & Institutional	R			R				R a	R b	R				A	R	40,000	150'	4:1		.80	35'	25'	10'	25'	
III	Public Service	R		R					R a	R g	R	R	30'		A	R						35'	25'	10'	25'	
III	Recreation Indoor/Outdoor	R			R				R a	R b	R	R	30'		A	R	40,000	150'	4:1			35'	25'	10'	25'	
III	Special Residential & Institutional	R		R					R a	R b	R	R	30'		A	R	40,000	150'	4:1		.40	35'	25'	10'	25'	
IV	Residential Dwelling	R			R				R a	R b	R	R	30'	1,000 c	B		20,000 d	120' d	4:1		.80	35'	25'	10'	25'	
	[Model Home/Unit]																									
V	Recreation/Commercial	R				R			R a	R b	R	R	30'		A	R	40,000	150'	4:1			35'	25'	10'	25'	
VI	Public Service	R				R						R	R	30'	A	R	40,000	150'	4:1		.80	35'	25'	10'	25'	

For ALTERNATIVE ENERGY District Regulations and Performance Standards See Section 19.20.

- Except sewer where available.
- Except water where available.
- 1000 sf/single family detached dwelling, except 600 sf/single family detached dwelling converted from a pre-existing seasonal dwelling; and except 400 sf/caretaker dwelling unit.
- 20,000 sf & 120' with water & sewer, 40,000 sf & 150' without water & sewer.
- Accessory Buildings / Structures attached to the Principal Structure shall not exceed the maximum height of the Principal Structure. The maximum height of all Detached Accessory Buildings/ Structures shall not be greater than Eighteen (18) feet , as defined in Article II, Definitions, Section 2.02: Building Height. (Amend. 08-02-10)
- An Accessory Building / Structure, unless attached and structurally made a part of the Principal Building/Structure, shall not be closer than Ten (10) feet to any other Building/ Structure located on the lot or parcel.
- The total area of all Accessory Buildings/ Structures shall not exceed Sixteen Hundred (1600) sq. ft. On parcels of Three (3) acres or more, the total area of all Accessory Buildings/ Structures shall not exceed Twenty-five Hundred (2500) sq. ft. The combined area of all Accessory Buildings / Structures shall not be larger than the square footage of the Principal Structure.

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.15:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																										
Urban Residential District [UR]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]											
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height f. Accessory Struct.	Minimum Floor Area [sq.ft./unit] h.	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks g.						
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	Sides				
																								One	Total of Two			
I	Forestry Non-Commercial	R				R						R	R	20'		A							25'	25'	5'	15'		
I	Recreation Indoor/Outdoor	R				R	R						R	20'		A			120'	4:1			25'	25'	5'	15'		
I	Residential Dwelling	R				R			i.		R		R	30' f.	1,000 a.	R			40,000 i.	150' i.	4:1		.70	25'	25'	7'	14'	
II	Public Service	R				R							R	R		A	R						25'	25'	7'	14'		
II	Residential Dwelling	R a. & b.				R			R	R			R	R	30' f.	1,000 a.	A			8,000 b.	60'	4:1	5.45	.50	25'	25'	7'	14'
II	Special Residential & Institutional	R				R										A	R			12,000	90'	4:1		.50	25'	25'	5'	15'
II	Performance Subdivision	R				R			R	R			R	R	35'	800				6,000	60'	4:1		.30	20'	15'	5'	15'
III	Public Service	R				R			R	R			R	R	30'		A							25'	25'	5'	15'	
III	Recreation Indoor/Outdoor	R				R			R	R			R	R	35'		A			120'	4:1			25'	25'	5'	15'	
III	Residential Dwelling	R				R d.			R	R			R	R	35'	1,000 a.	A	R		16,000 c.	120'	4:1	10.89	.30	25'	25'	7'	14'
III	Special Residential & Institutional	R				R d.			R	R			R	R	35'		A			16,000	120'	4:1		.30	25'	25'	5'	15'

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

### SECTION 19.15 URBAN RESIDENTIAL (UR) DISTRICT – (Cont.)

Section 19.15:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Urban Residential District [UR]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits					Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]										
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits					Max. Building Height f. Accessory Struct.		Minimum Floor Area [sq.ft./unit] h.	Signs Table 22	Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks g.			
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage	AREA sq ft. or Acres					Width	Front				Rear	One	Total of Two	
IV	Special Residential & Institutional	R		R d.			R	R			R	R			A	R	16,000	120'	4:1		.20	25'	25'	5'	15'	
IV	Residential Dwelling	R			R		R	R			R	R	35'	1,000 c.	B	R	8,000	60'	4:1		.30	25'	25'	5'	15'	
	[Model Home/Unit]																									
IV	Commercial Office	R		R e.							R	R	30'				16,000	120'	4:1		.20	25'	25'	5'	15'	
IV	Commercial & Entertainment	R		R e.			R	R			R	R	30'		A	R	16,000	120'	4:1		.20	25'	25'	5'	15'	
V	Fast Food, Road Service, Vehicle Sales & Service	R		R e.			R	R			R	R	30'		A	R	16,000	60'	4:1		.20	25'	25'	5'	15'	
V	Commercial & Entertainment	R		R e.			R	R			R	R	30'		A	R	16,000	120'	4:1		.20	25'	25'	5'	15'	
VI	Public Service	R				R					R	R	30'		A	R	16,000	120'	4:1		.20	25'	25'	5'	15'	

For ALTERNATIVE ENERGY District Regulations and Performance Standards See Section 18.20. (Amend. 08-02-10)

- a. 1,000 sq. ft./single family detached dwelling, except 600 sq. ft./single family detached dwelling converted from a pre-existing seasonal dwelling; 400 sq. ft./caretaker unit; 800 sq. ft./duplex and single attached dwelling unit (LUI II); in multi-family dwellings, 350 sq. ft. efficiency or studio unit; 600 sq. ft./1 bedroom unit, 800 sq. ft./2 bedroom unit and 1,000 sq. ft./3 bedroom unit (LUI III); 200 sq. ft. rooming unit.
- b. 8,000 sq. ft./single family detached dwelling; 12,000 sq. ft. duplex or 2 unit single family attached dwelling (7.26 max. DU's/ac.).
- c. 16,000 sq. ft./multi-family dwelling of 3 to 4 dwelling units (10.89 max. DU's/ac.) additional lot area required for additional dwelling units as follows: 4000 sq. ft./3 br DU; 3200 sq. ft./2 br DU; 2400 sq. ft./1 br DU; 1600 sq. ft./eff or studio DU (gross max DU density will vary according to number and mix of dwelling unit type).
- d. Werner St. West of Ontario and North Side of Bancroft St., West of Woodridge, for those specific uses asterisked in Section 14.05, Table XIV, the Use vs. District Nomograph.
- e. West side of Ontario St. between Fair & Beaudoin, for those specific uses so asterisked in Section 14.05, Table XIV, the Use vs. District Nomograph.
- f. Accessory Structures attached to the Principal Structure shall not exceed the maximum height of the Principal Structure. The maximum height of Detached Accessory Buildings/ Structures shall not be greater than Eighteen (18) feet , as defined in Article II, Definitions, Section 2.02: Building Height.
- g. An Accessory Building, unless attached and structurally made a part of the Principal Building/Structure, shall not be closer than Ten (10) feet to any other Building/ Structure on the lot or parcel.
- h. The total square foot area of all Accessory Buildings/ Structures located on a lot or parcel within a UR District, including an Attached or Detached Garage, shall not exceed 1000 sq. ft.
- i. Minimum Lot Size: 90'x135' = 12,150 sq. ft; required with public water and on-site sewer. Alternate septic drain field also required with approval from the MCHD. (Amend. 08-02-10)

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.16:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Development District [DD]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access e.				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]									
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 17.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height	Minimum Floor Area [sq.ft./unit]	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks				
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	One	Total of Two	
I	Forestry Non-Commercial	R				R					R	R	20'		A	R						25'	25'	5'	15'	
I	Recreation Indoor/Outdoor	R				R					R	R	20'		A	R	20,000	100'	4:1			25'	25'	5'	15'	
I	Residential Dwelling	R			R				R	R	R	R	30'	1,000 c.			40,000 f.	100'	4:1	2.18	.70	25'	25'	10'	20'	
II	Public Service	R			R						R	R	25'		B	R						25'	25'	5'	15'	
II	Recreation Indoor/Outdoor	R			R						R	R	30'		B	R	20,000	100'	4:1			25'	25'	5'	10'	
II	Residential Dwelling	R			R		R	R			R	R	30'	1,000 d.	R		8,000 g.	60'	4:1			25'	25'	5'	15'	
II	Special Residential & Institutional	R			R		R	R			R	R	30'		B	R	20,000	100'	4:1			25'	25'	5'	15'	
II	Commercial Entertainment	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
II	Commercial Office	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
III	Public Service	R			R		R	R			R	R	40'		C	R						25'	25'	5'	10'	
III	Recreation Commercial	R			R						R	R	40'		D		20,000	100'	4:1			25'	25'	5'	10'	
III	Recreation Indoor/Outdoor	R			R		R	R			R	R	40'		C	R	20,000 h.	200'	4:1			25'	25'	5'	10'	
III	Recreation Rental Dwelling	R			R		R	R			R	R	40'	400	C	R	20,000	200'	4:1		.20	25'	25'	5'	15'	
III	Residential Dwelling	R			R		R	R			R	R	40'	1,000 f.	C		16,000 h.	120'	4:1	10.89	.20	25'	25'	5'	15'	
III	Special Residential & Institutional	R			R		R	R			R	R	40'		C	R	20,000	100'	4:1		.20	25'	25'	5'	15'	

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

## SECTION 19.16 DEVELOPMENT DISTRICT (DD) – (Cont.)

Section 19.16:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Development District [DD]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access e.				Public Utilities On Site Facilities Required Permits				Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]		Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]										
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height			Minimum Floor Area [sq-ft./unit]	Signs Table 22	Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks			
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage						AREA sq ft. or Acres	Width				Front	Rear	One	Total of Two
IV	Agricultural Support	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.20	25'	25'	5'	10'	
IV	Commercial & Entertainment	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
IV	Commercial Office	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
IV	Light Industry	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
IV	Public Service	R			R		R	R			R	R	40'		D	R						25'	25'	5'	10'	
IV	Recreation & Commercial	R			R		R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
IV	Recreation Indoor/Outdoor	R			R		R	R			R	R	40'		D	R	20,000	200'	4:1		.10	25'	25'	5'	10'	
IV	Residential Dwelling Model Home/Unit	R		R	R		R	R			R	R	40'	1,000 h.	C	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
IV	Special Residential & Institutional	R			R		R	R			R	R	40'		C	R	20,000	100'	4:1		.20	25'	25'	5'	10'	
V	Agricultural Support	R			R		R	R			R	R	40'		E	R	20,000	100'	4:1		.20	25'	25'	5'	10'	
V	Commercial & Entertainment	R			R		R	R			R	R	40'		E	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
V	Heavy Industry	R			R		R	R			R	R	40'		E	R	20,000	200'	4:1		.10	25'	25'	5'	10'	
V	Light Industry & Public Service	R			R		R	R			R	R	40'		E	R	20,000	200'	4:1		.05	25'	25'	5'	10'	
V	Recreation/Commercial	R			R		R	R			R	R	40'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Recreation Indoor/Outdoor	R			R		R	R			R	R	40'		E	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
V	Regional/Other Shopping	R		R			R	R			R	R	40'		D	R	20,000	220'	4:1		.10	25'	25'	5'	10'	
V	Special Residential & Institutional	R		R			R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
V	Fast Food, Road Service, Vehicle Sales & Service	R			R		R	R			R	R	40'		E	R	20,000	100'	4:1		.20	25'	25'	5'	10'	
VI	Heavy Industry	R			R		R	R			R	R	40'		E	R	20,000	220'	4:1		.05'	25'	25'	5'	10'	
VI	Light Industry	R	R				R	R			R	R	40'		D	R	20,000	200'	4:1		.05'	25'	25'	5'	10'	
VI	Special Residential & Institutional			R			R	R			R	R	40'		D	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
VI	Public Service ()	R				R					R	R	40'		D	R	20,000	200'	4:1		.05	25'	25'	5'	10'	

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

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### SECTION 19.16 DEVELOPMENT DISTRICT (DD) – (Cont.)

For ALTERNATIVE ENERGY District Regulations and Performance Standards See Section 19.20.

- a. Except well where water is unavailable.
- b. Except septic where sewer is unavailable.
- c. 1,000 sf/single family detached dwelling; 400sf/caretaker dwelling unit.
- d. 1,000 sf/single family detached dwellings; 800 sf/duplex or single family attached dwelling unit.
- e. Access onto, or opposite to, any residentially zoned segment of a county local road is prohibited for any commercial or industrial non-residential unless a Special Use Permit is acquired. (Applies only to passenger vehicles.)
- f. In multifamily dwellings, 350 sf/efficiency or studio, 600 sf/1 br unit, 800 sf/2 br unit, and 1,000 sf/3 br unit; in rooming houses, 200 sf/rooming unit.
- g. 8,000 sf/single family detached dwelling; 12,000 or 2 unit single family attached dwelling (7.26 max DU's/ac.)
- h. 16,000 sf/multi-family dwelling of 3 to 4 dwelling units (10.89 max. DU's/ac.) additional lot area required for additional dwelling units as follows; 4,000 sf/3 br DU; 3,200 sf/2 br DU; 2,400 sf/1 br. DU; 1,600 sf/eff. or studio DU (gross max. DU) density will vary according to number and mix of dwelling unit types.



# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.17:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																							
General Business District [GB]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access c.				Public Utilities On Site Facilities Required Permits				Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]										
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height		Minimum Floor Area [sq.ft./unit]	Signs Table 22	Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks			
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	Sides	
																								One	Total of Two
I	Recreation Indoor/Outdoor	R				R					R	R	20'		A		60'	4:1			25'	25'	5'	15'	
I	Residential Dwelling	R			R		R	R				R	30'		R		8,000	60'	4:1	5.45	.20	25'	25'	5'	15'
II	Public Service	R			R						R	R			B	R					25'	25'	5'	10'	
II	Recreation Indoor/Outdoor	R			R						R	R	30'		B	R	20,000	100'	4:1		25'	25'	10'	20'	
III	Commercial & Entertainment	R			R		R	R			R	R	50'		D	R	20,000	100'	4:1		.05	25'	25'	5'	10'
III	Commercial Office	R			R		R	R			R	R	50'		D	R	20,000	100'	4:1		.05	25'	25'	5'	10'
III	Public Service	R			R		R	R			R	R	40'		C	R					25'	25'	5'	10'	
III	Recreation Indoor/Outdoor	R			R		R	R			R	R	40'		C	R	20,000	100'	4:1			25'	25'	5'	10'
III	Residential Dwelling	R			R		R	R			R	R	50'	1000 a.	C	R	16,000 b.	100'	4:1		.10	25'	25'	5'	15'
III	Special Residential & Institutional	R			R		R	R			R	R	50'		C	R	16,000	100'	4:1		.10	25'	25'	5'	15'

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

## SECTION 19.17 GENERAL BUSINESS (GB) DISTRICT – (Cont.)

Section 19.17:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
General Business District [GB]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access c.				Public Utilities On Site Facilities Required Permits				Structural Standards			Site Plan Financial Guarantee [Sec. 17.10]		Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]										
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height			Minimum Floor Area [sq.ft./unit]	Signs Table 22	Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks			
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage						AREA sq ft. or Acres	Width				Front	Rear	One	Total of Two
IV	Agricultural Support	R			R		R	R			R	R	50'		D	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
IV	Commercial & Entertainment	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
IV	Commercial Office	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
IV	Light Industry	R			R		R	R			R	R	50'		D	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
IV	Public Service	R			R		R	R			R	R	50'		D	R						25'	25'	5'	10'	
IV	Recreation/Commercial	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
IV	Recreation Indoor/Outdoor	R			R		R	R			R	R	50'		D	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
IV	Special Residential & Institutional	R			R		R	R			R	R	50'		D	R	16,000	100'	4:1		.10	25'	25'	5'	10'	
V	Agricultural Support	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Commercial & Entertainment	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Public Service	R			R		R	R			R	R	50'		E	R						25'	25'	5'	10'	
V	Light Industry	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Recreation/Commercial	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Recreation Indoor/Outdoor	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Regional/Other Shopping Center	R	R				R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
V	Special Residential & Institutional	R		R			R	R			R	R	50'		E	R	20,000	100'	4:1		.10	25'	25'	5'	10'	
V	Fast Food, Road Service	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
	Vehicle Sales & Service	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
VI	Heavy Industry	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
VI	Light Industry	R			R		R	R			R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	
VI	Public Service	R				R					R	R	50'		E	R	20,000	100'	4:1		.05	25'	25'	5'	10'	

For ALTERNATIVE ENERGY District Regulations and Performance Standards See Section 19.20.

- In multi-family dwellings, 350 sq ft/efficiency or studio unit, 600 sq ft/1 bedroom, 800 sq ft/2 bedroom, 1000 sq ft/3 bedroom unit; in rooming houses, 200 sq ft/unit.
- 16,000 sq ft/multi-family dwelling of 3 to 4 dwelling units [10.89 max. DU's/AC] additional lot area required for additional dwelling units as follows:  
4,000 sq ft/3 br DU; 3200 sq ft/2 br DU; 2400 sq ft/1 br DU; 1600 sq ft/eff or studio DU [gross max DU density will vary according to number and mix of dwelling unit type].

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

- c. Access onto, or opposite to, any residentially zoned segment of a county local road is prohibited for any commercial or industrial non-residential unless a Special Use Permit is acquired. (Applies only to passenger vehicles.)

Section 19.18:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Segregated Business District [SB]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]									
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height	Minimum Floor Area [sq.ft./unit]	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks				
							Water	Sewer	Septic System	Water Wall	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	Sides		
																								One	Total of Two	
I	Residential Dwelling	R			R				R	R		R	30'	400	A		40,000	150'	4:1		.70	30'	25'	10'	20'	
I	Forestry Non-Commercial	R				R					R	R	20'		A	R						30'	25'	10'	20'	
II	Public Service	R			R				R	R	R	R	40'		B	R						30'	25'	10'	20'	
III	Public Service	R			R				R	R	R	R	40'		C	R						30'	25'	10'	20'	
III	Recreation Indoor/Outdoor	R			R				R	R	R	R	40'		C	R	40,000	150'	4:1			30'	25'	10'	20'	
IV	Agricultural Support	R			R				R	R	R	R	40'		D	R	40,000	150'	4:1			30'	25'	10'	20'	
IV	Commercial Office	R			R				R	R	R	R	40'		D	R	40,000	150'	4:1		.10	30'	25'	10'	20'	
IV	Public Service	R			R				R	R	R	R	40'		D	R					.10	30'	25'	10'	20'	
IV	Light Industry (Amend. 03-18-97)	R			R				R	R	R	R	40'		D	R	40,000	150'	4:1			30'	25'	10'	20'	
V	Agricultural Support	R			R				R	R	R	1	40'		E	R	40,000	150'	4:1			30'	25'	10'	20'	
V	Commercial & Entertainment	R			R				R	R	R	R	40'		E	R	40,000	150'	4:1		.10	30'	25'	10'	20'	
V	Heavy Industry	R			R				R	R	R	R	40'		E	R	40,000	150'	4:1			30'	25'	10'	20'	
V	Public Service	R			R				R	R	R	R	40'		E	R						30'	25'	10'	20'	
V	Light Industry	R			R				R	R	R	R	40'		E	R	40,000	150'	4:1			30'	25'	10'	20'	
V	Recreation/Commercial (Amend. 02-19-02)	R							R	R	R	R	40'		E	R	40,000	150'	4:1			30'	25'	10'	20'	
VI	Heavy Industry	R			R				R	R	R	R	50'		E	R	40,000	150'	4:1			30'	25'	10'	20'	
VI	Light Industry	R			R				R	R	R	R	50'		E	R	40,000	150'	4:1			30'	25'	10'	20'	
VI	Public Service	R				R					R	R	50'		E	R	40,000	150'	4:1			30'	25'	10'	20'	

For ALTERNATIVE ENERGY District Regulations and Performance Standards See Section 19.20.

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.19		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Resource Production District [RP]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]									
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height	Minimum Floor Area [sq.ft./unit]	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks				
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	Sides		
																								One	Total of Two	
I	Agriculture	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
I	Forestry Commercial	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
I	Forestry Non-Commercial	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
I	Recreation Indoor/Outdoor	R			R							R	30'		A	R	40 Acres					50'	25'	15'	30'	
1	Recreational Rental Dwelling	R				R			R	R	R	R	30'	400	A	R	40 Acres					50'	25'	15'	30'	
1	Residential Dwelling	R			R				R	R	R	R	30'	400 a.	R	R	40 Acres	600	4:1	0.02		50'	25'	15'	30'	
II	Public Service	R			R							R	R	30'		A	R					50'	25'	15'	30'	
II	Recreation Indoor/Outdoor	R			R							R	R	20'		A	R	40 Acres				50'	25'	15'	30'	
II	Residential & Institutional	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
III	Public Service	R		R					R	R	R	R	30'		A	R						50'	25'	15'	30'	
III	Recreation/Commercial	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
III	Recreation Indoor/Outdoor	R			R				R	R	R	R	30'		A	R						50'	25'	15'	30'	
III	Recreational Rental Dwelling	R			R				R	R	R	R	30'	400	A	R	40 Acres					50'	25'	15'	30'	
III	Special Residential & Institutional	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

## Section 19.19 RESOURCE PRODUCTION (RP) DISTRICT – (Cont.)

Section 19.19		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Resource Production District [RP]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]									
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 17.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height	Minimum Floor Area [sq.ft./unit]	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks				
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	Sides		
																								One	Total of Two	
IV	Agricultural Support	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
IV	Commercial & Entertainment	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
IV	Light Industry	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
IV	Recreation/Commercial	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
IV	Special Residential & Institutional	R		R					R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
V	Agricultural Support	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
V	Commercial & Entertainment	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
V	Recreation & Commercial	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
V	Road Service, Vehicle Sales & Service and Fast Food	R			R				R	R	R	R	30'		A	R	40 Acres					50'	25'	15'	30'	
V	Public Service	R			R				R	R	R	R	30'		B	R						50'	25'	15'	30'	
V	Light Industry	R			R				R	R	R	R	30'		B	R	40 Acres					50'	25'	15'	30'	
VI	Heavy Industry	R			R				R	R	R	R	40'		B	R	40 Acres					50'	25'	15'	30'	
VI	Light Industry	R			R				R	R	R	R	40'		B	R	40 Acres					50'	25'	15'	30'	
VI	Public Service	R				R					R	R	40'		B	R	40 Acres					50'	25'	15'	30'	

For ALTERNATIVE ENERGY District Regulations and Performance Standards See Section 19.20.

- a. 400 sf/cabin, camp cottage (seasonal), mobile home or caretaker dwelling unit; 1000 sf/single family detached dwelling, except 600 sf/single family detached dwelling converted from a pre-existing, seasonal dwelling.

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.20:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																							
Forest Recreation District [FR]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]								
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity  See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height c. Accessory Struct.	Minimum Floor Area [sq.ft./unit]	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks			
							Water	Sewer	Septic System	Water Well	Soil Erosion	Surf. Drainage					AREA sq ft. or Acres	Width				Front	Rear	Sides	
																								One	Total of Two
II	Fish Hatchery	R		R					R	R	R	R	35'		A	R	5 Acre	250'	4:1			50'	50'	25'	25'
I	Forestry - Commercial	R			R																				
I	Forestry – Non-Commercial	R				R					R	R	35''								50'	50'	25'	25'	
IV	Saw Mill	R		R					R	R	R	R	35'		A	A	5 acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
IV	Firewood Sales	R			R				R	R	R	R	35'		A	A	5 acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
V	Logging, Contractor Operations, equipment sheds, outdoor storage, office, yard, decking area	R		R					R	R	R	R	30'		A	A	5 acres	250'	4:1			50'	50'	25'	25'
V	Scientific Research Facilities	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
V	Veterinary Clinic	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Emergency Service Center	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
V	Carnival/Circus	R		R					R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'
IV	Tennis Courts, Outdoor, private	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
V	Trails - ATV - private	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
V	Trails - Snowmobile- private	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Arboretums	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Boat Launching Facilities	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Ice Skating Rinks, Outdoor	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Indoor Recreation (>5,000 s.f.)	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
I	Nature Areas/Open Space	R																							
II	Park, (Public/Private)	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Playground	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Ski Areas	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Tennis Courts – Public, outdoor	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'
III	Trails, Non-Motorized	R																							
III	Campgrounds	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'
V	Amphitheaters	R		R					R	R	R	R	35'		A	A	5 acres	250'	4:1	0.20	0.80	50'	50'	25'	25'

# ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.20:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS																								
Forest Recreation District [FR]		Plan Review Req'd [Art. 18]	Minimum Requirements for Public Road Access				Public Utilities On Site Facilities Required Permits						Structural Standards			Site Plan Financial Guarantee [Sec. 18.10]	Detailed Use Regulations Area & Open Space Requirements [See Sec. 19.04, 19.05 & 19.06]									
General L.U.I. [Sec. 15.02]	Generalized Land Use Category and Intensity	Site/Plot Plan [Sec. 18.03]	State Trunkline	Co. Primary Road	Local	Seasonal	Public Utilities		On-Site Permits				Max. Building Height c. Accessory Struct.	Minimum Floor Area [sq.ft./unit]	Signs Table 22		Minimum Lot Size		Maximum Depth : Width	Maximum Gross Density (DU/AC)	Min. Open Space Ratio [O.S.R.]	Minimum Yard Setbacks				
	See Table 15 to determine the intensity of the specific principal use and whether it is allowed by Right [Y] or Special Use [S]						Water	Sewer	Septic System	Water Well	Erosion	Drainage					AREA sq ft. or Acres	Width				Front	Rear	One	Total of Two	
V	Sporting Goods Sales, Rental	R			R				R	R	R	R	35'		A	A	5 acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
VI	Extraction of Earth Products	R		R					R	R	R	R	30'		A	A	5 acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	Emergency Services Center	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Park and Ride	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
II	Utility Facilities, (Local or Minor)	R			R				R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Utility Facilities, (Regional or Major)	R		R					R	R	R	R	35'		A	A	5 Acres.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
IV	Utility Service Centers	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
IV	Wireless Communication Facility	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Archery Range, Indoor	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Archery Range, Outdoor	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Concerts, Outdoor	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Fairground	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Firearm Shooting Range (indoor)	R		R					R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	State or County Recreation Bldg	R																								
V	Firearm Shooting Range (outdoor)	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	Horse Stable (Recreation)	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	Gold Course, Disc Course	R			R				R	R	R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	Pool, Public (Indoor, Outdoor)	R		R							R	R	35'		A	A	5 Acres	250'	4:1	0.20	0.80	50'	50'	25'	25'	
I	Cabin, Camp, Cottage (Seasonal)	R			R																					
IV	Camp, Day or Youth	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	Cultural and Education Center	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	Solar Energy System	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	(SWES) Small Wind Energy System	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
V	(MWES) Medium Wind Energy System	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
VI	(LWES) Large Wind Energy System	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	
III	(MET) Meteorological Towner	R			R				R	R	R	R	35'		A	A	5 Acres b.	250'	4:1	0.20	0.80	50'	50'	25'	25'	

## ARTICLE 19 – PERFORMANCE REQUIREMENTS

Section 19.21:		SCHEDULE OF DISTRICT REGULATIONS AND MINIMUM PERFORMANCE STANDARDS							
Alternative Energy Covers SR, RR, UR, DD, GB, SB & RP Zoning Districts		Plan Review Req'd (Art. XVII)	Public Road Access		On Site Required Permits		Max. Tower Height	Site Plan Financial Guarantee (Sec. 17.10)	Minimum Setbacks (Front, Rear, & Sideyards)
General L.U.I (Sec. 14.02)	Generalized Land Use Category and Intensity See Table XIV, Page 20, to determine the intensity of the specific use and whether it is allowed by Special Use (S) or at all.	Site / Plot Plan (Sec 17.03)	Local	Seasonal	Soil Erosion	Surface Drainage			
III	MET Tower a.	R	R				c.		e.
III	Solar Energy	R	R				d.		f.
III	Small WES g.	R	R				Less than 100'		e.
V	Medium WES g.	R	R		R	R	Less than 164'	R	e.
VI	Large WES g.	R	R		R	R	More than 164'	R	g.

**As a matter of Public Safety, no variances are permitted to reduce any yard setbacks, in feet, from a minimum of 1.1 multiplied by the total extended height of the proposed WES.**

- a. MET (Meteorological) Tower.
- b. WES - Wind Energy System.
- c. Height is not to exceed the tower height of the proposed WES.
- d. Solar height is not to exceed the maximum building height of a Residential Dwelling, L.U.I. I, located in the zoning district of the application.
- e. Setback for all yards, in feet, is a minimum of 1.1 multiplied by the total extended height of the proposed WES.
- f. Setbacks are a minimum of the front, rear, or sideyard setbacks of a Residential Dwelling, L.U.I. I, located in the zoning district of the application.
- g. Reference is made to situation specific setbacks specified in Article 16, Section 16.10 Alternative Energy D. (LWES) (1)( c ).



**SECTION 19.22: OUTDOOR LIGHTING**

**A. PURPOSE**

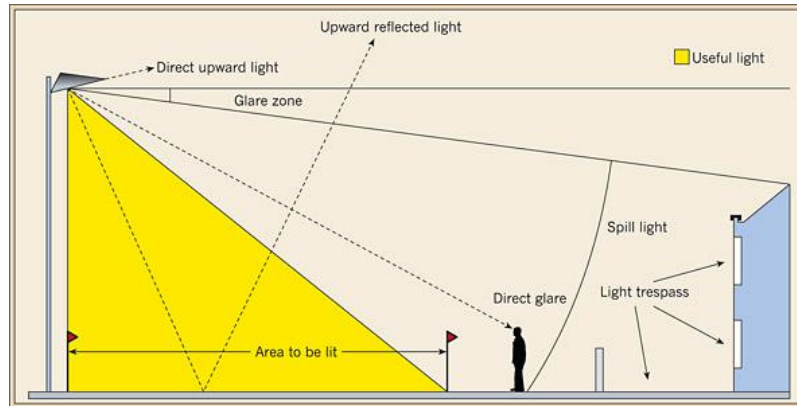
This section of the ordinance is intended to:

- 1) Promote energy-efficient and sustainable lighting practices and luminaries;
- 2) Protect residents and the surrounding environment from the adverse effects of light pollution;
- 3) Minimize adverse off-site impacts from new and existing lighting installations;
- 4) Permit reasonable uses of outdoor lighting for safety, security, productivity, commerce and enjoyment;
- 5) Protect the existing, unique qualities of Marquette Charter Township's dark sky for astronomy and enjoyment purposes and to continue to attract tourism and commerce.
- 6) Pertains to commercial, multi-family, subdivision and street lighting only.
- 7) Comply with the ***Energy Independence and Security Act of 2007***, as amended.

**B. APPLICABILITY**

Exterior lighting shall be installed in such a manner that the light source will be sufficiently obscured to prevent glare on public roads, and light trespass in commercial or residential areas. Exterior lighting shall be comprised of a light source and reflector so that, acting together, the light beam is controlled, directed downward, not aimed up or across a property line and is compatible with the surrounding environment. Sodium vapor lighting shall not be permitted.

- 1) New Installations. All exterior lighting installed after the effective date of this ordinance shall conform to the standards set forth herein.
- 2) Existing Installations. All outdoor lighting installed prior to the effective date of this ordinance shall be considered grand-fathered. All exterior light fixtures must be replaced or retrofitted to bring it into compliance with the applicable standards of this ordinance upon the application of zoning compliance or a building permit for any modification, repair, improvement and/or alteration to a structure, fixture, building, property and/or use.
  - a) When more than 50% of existing, on-site lamp fixtures are to be replaced, repaired or modified; all existing, on-site lamp fixtures shall result in full-compliance of this ordinance.
  - b) Any fixture which provides a mean of aiming or glare control shall be re-aimed or retrofitted to bring it into compliance immediately.
  - c) Owners of grand-fathered fixtures and installations may be asked to bring said fixtures and installations into compliance at any time if subject fixture is deemed to be a nuisance.



### C. GENERAL STANDARDS

With the exception of a residential dwelling used exclusively for single-family occupancy, all new, retrofitted and/or modified outdoor lighting that is installed in Marquette Township shall be the minimum necessary, in both number of luminaries and intensity of light, to achieve the intended purpose of the lighting, and shall meet the following standards, as relevant:

- 1) All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:
  - a) Prevent glare or light trespass; and
  - b) Be shielded to the extent possible so as to confine the light within the target area.
- 2) In all areas adjacent to residential property, no externally mounted, direct light source shall cause light trespass (*as defined in Section C*) at the property line.
- 3) To reduce off-site glare, lighting fixtures for all parking and pedestrian areas shall be:
  - a) Full cut-off type fixtures, or
  - b) Fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.
- 4) Lighting fixtures for building security or aesthetics and any display purposes shall be:
  - a) Top downward (not upward or sideways), and
  - b) Full cut off or fully shielded/recessed.
- 5) Lighting for site security shall be configured for motion or infrared sensor operation, except in the case of lighting required by state or federal safety standards.

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- 6) Where outdoor playing fields or other special outdoor activity areas are to be illuminated, lighting fixtures shall be specified, mounted and aimed so that:
  - a) The lighting fixture's beams fall within the primary playing area, immediate surroundings, or other site amenities.
- 7) The height of luminaries, except streetlights in public rights-of-way, shall be the minimum necessary to provide adequate illumination. Luminaries attached to the building shall be limited to the height necessary for illumination of entrances or locations not served by pole lighting.
- 8) All non-security exterior lighting shall be controlled by either a timer or photoelectric switch to be turned off during hours when a business is unoccupied.

### **D. WATERFRONT LIGHTING**

Outdoor lighting in and around the ponds, lakes, rivers, and other waters of Marquette Township, with the exception of lighting located below the mean high water mark of coastal areas, shall not be installed or maintained so as to create a hazard or nuisance to other property owners and shall comply with the following:

- 1) Lights on docks shall be no more than three (3) feet above the dock, shall be directed downward and be full cut off fixtures.
- 2) Lights illuminating paths, stairs, decks, etc. shall not be directed towards the water and shall not direct light upwards.
- 3) All exterior lighting shall be located, mounted and shielded, so that direct illumination is not focused towards the water surface more than twenty (20) feet from shore.

### **E. ARCHITECTURAL & LANDSCAPE LIGHTING**

- 1) All fixtures shall be aimed and/or shielded to illuminate only the target area such that no stray light from the luminaire passes above the horizontal plane.
- 2) Upward aimed facade and building lighting shall be fully shielded and fully confined from projecting into the sky by the building eaves, roofs, overhangs or structures and shall be mounted as flush with the illuminated wall as possible.
- 3) All lighting not required for safety or by the Marquette County Building Code shall be controlled by either a timer or photoelectric switch to be turned off during the hours when a business is unoccupied.

**F. CANOPY & SERVICE LIGHTING**

Outdoor sales and gas station service canopy lighting shall be aimed downward and installed such that the center of the fixture's luminous opening is flush with or recessed into the canopy ceiling. All lighting from the canopy must be substantially confined to the ground area directly beneath the perimeter of the canopy. All exterior lighting for canopies and/or service areas shall be of an indirect nature, emanating only from fixtures located under canopies, under eaves on the principal building or at ground level in the landscaping. Exterior lighting shall be arranged and shielded so there shall be no glare or reflections onto adjacent properties or street rights-of-way.

**G. SIGNAGE LIGHTING**

In addition to the requirements of this ordinance, all signs shall also comply with the provisions of Article XXI of the Zoning Ordinance, as applicable. The Zoning Administrator or designated official shall determine compliance with the provisions of this ordinance.

- 1) Lighting used for sign illumination may be mounted at any height to a maximum of fifteen (15) feet.
- 2) Illuminated signs shall not cause glare distracting to drivers, nor shall they be in such a position or such color as will hamper the readability of traffic lights or traffic signs.
- 3) Signs may be illuminated externally by a downward-directed stationary light. Sign lighting shall not be directed upwards unless the sign is affixed to the side of the building and is fully shielded and fully confined from projecting into the sky.
- 4) The requirements of this section are for the lighting of signs only. Article XXI of the Marquette Township Zoning Ordinance regulates signs and should be used in conjunction with this section.

**H. FLAGPOLE LIGHTING**

Flagpole lighting may be utilized as up-lighting but shall be shielded.

**I. PUBLIC ROAD & SUBDIVISION LIGHTING**

Marquette Township shall ensure that the installation, operation and maintenance of public road and subdivision lighting within the municipal boundaries of the Township occur in the following manner, or as determined by the Zoning Administrator. (Note: Annually, the Township Board will review and approve a street lighting plan as part of the Marquette Township Capital Improvement Plan.)

- 1) Public Road Lighting
  - a) At the intersection of two or more public roads, and at the entrance to a public cul-de-sac from a public road.

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- b) At the apex or apogee of any curve on a public road estimated to be greater than forty (40) degrees. *This requirement may be waived by the Township if the curve is within two hundred (200) feet of a lighted intersection.*
  - c) At hills or short-sight distances and near land forms on a public road that may limit vision, as may be determined by the Township.
  - d) Half way between platted blocks or as close to half way, as determined by the Marquette Board of Light & Power and/or Zoning Administrator; regarding the utilization of existing utility poles. At no time shall a light fixture be installed in the platted area with a distance greater than 300 feet between fixtures.
  - e) At the terminus of dead-end streets.
  - f) The final location of the public road light will be determined by the Township in conjunction with the supplying power utility, the County Road Commission and/or the Michigan Department of Transportation in regards to the availability of service and set-back requirements, respectively.
- 2) Standard Lamp and Fixture
- a) Each designated public local road light location shall have a downcast, shielded LED fixture on a pole.
  - b) The light fixture shall be a shielded, LED style unit with the optics flush to the fixture, as provided by the Marquette Board of Light and Power or other designated lighting contractor. At an intersection, the arm fixture shall be aimed towards that intersection point.
- 3) Existing Public Road Lights
- a) Existing street lights operated by the Township that do not meet the standards as set forth within this document will be “grand-fathered” into the requirements provided herein and may be replaced by shielded, downcast LED fixtures at such time as may be determined by the Township.
- 4) Subdivision Street Lighting
- a) The proprietor-developer of a subdivision shall, at the time of submitting the final plat to the Township Board for approval, submit a street lighting plan and cost estimate prepared by a professional engineer for the area proposed to be subdivided. The street lighting plan shall have the minimum lighting requirements as set forth by the Township for public streets, including the same standards for lamps, fixtures, attachments, poles and their placement.
  - b) The proprietor/developer shall deposit with the Township, at the time the final plat is submitted, a cash or other security acceptable to the Township in an amount equal to the estimated cost of construction of such street lighting plan. Costs shall be obtained from the Board of Light and Power or other approved lighting contractor or supplier.
  - c) Upon completion of the street lighting by the proprietor/developer, in accordance with the plan submitted as approved by the Township, and

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upon the assignment of such lighting to the Township, the cash deposit or other security shall be refunded to the proprietor/developer.

### **J. ENFORCEMENT**

This ordinance shall be enforced by the Marquette Township Zoning Administrator or designated official, per the provisions in Article XXV – Administration & Enforcement of this Zoning Ordinance. The Zoning Administrator or designated official shall investigate suspected violations and issue notices of violation requiring corrective action, and shall have the ability to assign penalties for non-compliance. The Zoning Administrator or designated official shall also have the ability to use the services of an outside expert or lighting consultant to determine if a light fixture or lighting array is in compliance with the provisions of this ordinance; in the event of a violation of the ordinance, the cost of the expert who undertook the lighting evaluation shall be passed onto the owner of the property determined to be in violation.

### **K. ORDINANCE INTERPRETATION & APPEALS**

An individual aggrieved by an action of the Zoning Administrator may appeal any interpretations of this Ordinance to the Township Zoning Board of Appeals for their review and final determination. The factual basis for the appeal must be specific, in writing and filed with the Township Clerk within seven (7) days after the date of the decision of the Zoning Administrator. An appeal shall stay action on the issue in question.