

ARTICLE 5 USE STANDARDS

Section 5.001 Intent and Scope of Regulations

Each use listed in this Article, whether permitted by right or subject to approval as a special land use, shall be subject to the site and use standards specified, in addition to applicable standards and requirements for the district where the use is located. These standards are intended to:

1. Alleviate any adverse impacts of a use that is of an area, intensity or type unique or atypical for the district in which the use is allowed.
2. Mitigate the impact of a use that possesses characteristics unique or atypical for the district in which the use is allowed.
3. Ensure that such uses will be compatible with surrounding land uses.
4. Promote the orderly development of the district and the City as a whole.

Conformance with these standards shall be subject to site plan review. Unless otherwise specified, each use listed in this Article shall be subject to all applicable yard, bulk, and other standards for the district in which the use is located.

Section 5.002 Organization

For the purposes of clarity and ease of use, the provisions of this Article have been organized into the following divisions:

SECTION 5.100 RESIDENTIAL USES

SECTION 5.200 OFFICE, SERVICE, AND COMMUNITY USES

SECTION 5.300 COMMERCIAL USES

SECTION 5.400 INDUSTRIAL, RESEARCH AND LABORATORY USES

SECTION 5.500 OTHER USES

SECTION 5.100 RESIDENTIAL USES

Section 5.101 Accessory Dwelling Units.

It is the intent of this Section to permit an accessory dwelling within a principal single-family dwelling in the R (Single-Family Residential) and RM (Multiple-Family Residential) Districts; to provide for a variety of housing options in the City and accommodate the desire of some senior citizens, family groups, and other persons with special needs for private housing close to relatives or caregivers.

It is further the intent of this Section to permit dwellings accessory to COMMERCIAL USES in the NB (Neighborhood Business), CB1 and CB2 (Community Business) Districts, subject to specific standards designed to preserve the predominantly commercial character of these districts.

A. General Standards.

The standards of this Section are designed to prevent the undesirable proliferation of multiple-family buildings in predominantly single-family areas of the City and to preserve the single-family character and appearance of principal dwellings that may include an accessory dwelling unit. Construction and alteration of an accessory dwelling unit shall be subject to the following standards:

1. **Permit approval.** In addition to any special approval and building permit requirements, the creation or alteration of an accessory dwelling unit shall be subject to review and approval of a zoning permit by the Zoning Administrator per Section 1.06 (Zoning Permits).
2. **Plans.** The Planning Commission or Zoning Administrator may require submittal of floor plans, building elevation drawings, and a plot plan of the lot to verify conformance with the standards of this Ordinance.
3. **Utilities.** All principal and accessory dwellings shall be served by a publicly-owned and operated water and sanitary sewer system.

B. Accessory to Detached Single-Family Dwellings.

The following shall apply to dwelling units accessory to detached single-family dwellings in the R (Single-Family Residential), and RM (Multiple-Family Residential) Districts:

1. A maximum of one (1) accessory dwelling unit shall be permitted per principal single family detached dwelling.
2. All accessory dwelling units shall be located entirely within the principal building. Accessory dwelling units shall be prohibited in any detached accessory structures.
3. The exterior of the principal building shall remain unchanged, so that it does not give the appearance of being divided into separate units. Access to an

accessory dwelling unit shall be limited to a common front foyer or a separate entrance door on a side wall. The use of exterior stairways to provide primary access to an upper floor accessory dwelling shall be prohibited.

4. Accessory dwelling units shall have a minimum gross floor area of 400 square-feet, and shall not occupy more than thirty five percent (35%) of the principal building's gross floor area.
5. The principal building shall be the primary and permanent legal residence of the owner(s) of the property. The owner(s) of the property shall occupy a minimum of 1,200 square feet of gross floor area within the principal building. Permitted accessory dwelling units shall be clearly secondary to the use of the dwelling as a residence.

C. Accessory TO OFFICE, SERVICE, AND COMMUNITY USES or COMMERCIAL USES.

The following shall apply to dwelling units accessory to OFFICE, SERVICE, AND COMMUNITY USES or COMMERCIAL USES in the NB (Neighborhood Business), CB1 and CB2 (Community Business) Districts:

1. Accessory dwelling units shall be located within the principal building and shall not be located on the ground floor or street level of the building. Private entrances, mailbox clusters, garages, and similar service areas for the accessory dwellings may be located on the ground floor or street level of the building.
2. Each accessory dwelling unit shall have separate kitchen, bath and toilet facilities, and a private entrance. Where there is more than one (1) accessory dwelling unit in a building, such entrances may be provided from a common hallway.

Section 5.102 Bed and Breakfast Inns.

Bed and breakfast inns shall be subject to the following:

1. **Primary residence.** The principal building shall be the primary and permanent legal residence of the bed and breakfast inn operator. Meals or other services provided on the premises shall only be available to residents, employees, and overnight guests of the establishment.
2. **Structure.** Not more than twenty-five percent (25%) of the total floor area shall be used for bed and breakfast sleeping rooms.
3. **Guests.** Guests shall be restricted to overnight or weekly stays and may stay no longer than 60 days in any one (1) calendar year.
4. **Parking.** Off-street parking areas shall be provided for guests outside of any required front yard. Stacking of more than two (2) vehicles in a driveway is prohibited.

5. **Screening.** Screening shall be provided between adjacent residences and parking areas or any outdoor eating area, in compliance with Section 8.04 (Methods of Screening and Buffering).
6. **Appearance.** The exterior of the principal building shall remain unchanged. The use of exterior stairways to provide primary access to upper floor sleeping rooms shall be prohibited.
7. **Additional signs prohibited.** Signage for the bed and breakfast inn shall be limited to signs permitted for residential uses, per Article 9 (Signs).
8. **Approval.** Bed and breakfast inns shall be subject to site plan approval per Section 12.01 (Site Plan Review). The site plan application shall include floor plans with the following additional information:
 - a. Dimensions and floor areas of all rooms and areas to be used by guests (sleeping rooms, bathrooms, dining areas, etc.).
 - b. Locations of required exits, emergency exit routes, tornado protection locations, and other emergency facilities and equipment, which shall be subject to review by the Sandusky Community Fire Chief or designee.

Section 5.103 Foster Care Group Homes, Congregate Facilities, and Other Managed or State Licensed Residential Facilities.

The following regulations shall apply to all foster care small and large group homes and congregate facilities, as licensed by the State of Michigan; and to all other managed or state licensed residential facilities:

1. **Licensing.** In accordance with applicable state laws, such uses shall be registered with or licensed by the State of Michigan, and shall comply with applicable standards for such facilities.
2. **Separation requirements.** New foster care small and large group homes and congregate facilities shall be located a minimum of 1,500 feet from any other state licensed residential facility, as measured between the nearest points on the property lines of the lots in question. The Planning Commission may permit a smaller separation between such facilities upon determining that such action will not result in an excessive concentration of such facilities in a single neighborhood or in the City overall.

Section 5.104 Group Child Day Care Home.

The following regulations shall apply to group child day care homes, as licensed by the State of Michigan:

1. **Licensing.** In accordance with applicable state laws, all child day care homes shall be registered with or licensed by the State of Michigan, and shall comply with the standards outlined for such facilities.
2. **Outdoor play area.** A minimum of 150 square feet of outdoor play area shall be provided per child, at the maximum licensed capacity of the day care home, in the rear yard area of the day care home premises. The outdoor play area shall be suitably fenced and screened.
3. **Pick-up and drop-off.** Adequate areas shall be provided for employee and resident parking, and pick-up and drop-off of children or adults, in a manner that minimizes pedestrian-vehicle conflicts, and allows maneuvers without affecting traffic flow on the public street.
4. **Separation requirements.** New group child day care homes shall be located a minimum of 1,500 feet from any other state licensed residential facility, as measured between the nearest points on the property lines of the lots in question. The Planning Commission may permit a smaller separation between such facilities upon determining that such action will not result in an excessive concentration of such facilities in a single neighborhood, or in the City overall.
5. **Hours of operation.** Day care homes shall operate a maximum of 16 hours per day.

Section 5.105 Home Occupation.

Home occupations shall be subject to the following:

A. Use Standards.

1. **Intensity of use.** Home occupations must be clearly incidental and secondary to the use of the dwelling as a residence. No more than twenty five percent (25%) of the habitable floor area of the residence may be used for the home occupation. Habitable floor area of the residence does not include unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches. Home occupations may not utilize detached accessory buildings.
2. **Employment.** Other than the dwelling occupants, up to one (1) other employee may be employed in an approved home occupation.
3. **Customer or client visits.** A home occupation shall not generate more than 10 customer or client visits per day and more than 30 customer or client visits per week. No more than two (2) customers or clients may be present at any given time.
4. **Parking and deliveries.** Traffic generated by a home occupation shall not be greater in volume than that normally generated by a typical residence in the neighborhood. Home occupations shall be limited to the parking or storage of one (1) commercial vehicle on the premises not exceeding a three-quarter (3/4) ton capacity, provided such vehicle is directly related the home occupation. Delivery vehicles used to deliver goods to a home occupation are limited to

automobiles and passenger vehicles, mail carriers, and express package carriers.

5. **Hours of operation.** Customer or client visits, and deliveries associated with the home occupation shall be limited to the hours between 8:00 a.m. and 8:00 p.m.
6. **Signs.** Signage for the home occupation shall be limited to signs permitted for residential uses, per Article 9 (Signs).

B. Permitted Home Occupations.

The following uses shall be permitted as home occupations:

1. Home offices for such professionals as architects, doctors, brokers, engineers, insurance agents, lawyers, realtors, accountants, writers, salespersons, and similar occupations.
2. Personal services, including barbershops, beauty parlors, manicure and pedicure shops, grooming, catering, and chauffeuring services.
3. Home office for a massage therapist, subject to the standards of Section 5.208 (Therapeutic Massage).
4. Tutoring, and studios for artists, sculptors, musicians, and photographers.
5. Workshops for tailors, dressmakers, milliners, and craft persons; including weaving, lapidary, jewelry making, cabinetry, and woodworking.
6. Repair services for watches and clocks, small appliances, bicycles, computers, electronic devices, and similar small devices.
7. Home occupations not specifically listed in this subsection may be permitted as a special use, subject to the provisions of this Section and Section 12.02 (Special Uses).

C. Prohibited Uses.

The following uses are expressly prohibited as a home occupation:

1. Motor vehicle, recreational vehicle or small engine repair; bump and paint shops; and salvage or storage yards.
2. Kennels, animal shelters, and veterinary clinics.
3. Medical or dental clinics.
4. Retail sales of merchandise other than as an incidental use to the primary permitted home occupation.
5. Eating or drinking establishments.
6. Undertaking and funeral homes.

7. Adult entertainment uses and sexually-oriented businesses.
8. Uses similar to the above listed uses, or any use which would, in the determination of the Zoning Administrator, result in nuisance factors as defined by this Ordinance.

D. Other Prohibited Activities.

Home occupations shall not include:

1. Outdoor display or storage of materials, goods, supplies or equipment used in the home occupation. No interior display shall be visible from the exterior of a dwelling unit used for purposes of a home occupation.
2. The use of machinery, equipment or facilities not commonly incidental or accessory to a residential dwelling.
3. Changes or alterations to the character or appearance of the residence, or other visible evidence of the conduct of such home occupation.
4. Parking of vehicles on the site or within the street right-of-way in excess of the amount customarily incidental to a single-family dwelling.

E. Violations.

Failure to maintain a lawfully established home occupation in compliance with the standards of this Section or any conditions of approval shall be a violation of this Ordinance. Failure by the operator to allow a zoning inspection or provide reasonable information to the City to verify compliance with this Section shall be a violation of this Ordinance.

Section 5.106 Manufactured Housing Parks.

Manufactured housing parks shall be subject to all the rules and requirements of the Mobile Home Commission Act (P.A. 96 of 1987, as amended), the Manufactured Housing Commission General Rules, and the following minimum requirements:

A. Plan Review.

The preliminary plan for a manufactured housing park shall be submitted to the City and reviewed by the Planning Commission in accordance with the application requirements and procedures specified in Section 11 of the Mobile Home Commission Act (P.A. 96 of 1987, as amended). The Planning Commission shall take action to approve or deny the preliminary plan, or approve the preliminary plan subject to conditions, within 60 days after the City officially receives a complete and accurate application. The Planning Commission may table an application for further study, or to obtain additional information, provided that final action is taken within the 60-day review period. A copy of the state-approved final construction plan shall be submitted to the City prior to the start of construction on the site.

B. Minimum Area for a Manufactured Housing Park.

The minimum parcel size for manufactured housing parks shall be 20 acres, excluding adjacent parcels proposed for expansion.

C. Minimum Manufactured Housing Site Size.

Manufactured housing parks shall be developed with a minimum manufactured housing site size of 5,500 square feet. Individual sites may be reduced to as small as 4,400 square feet, provided that for every square foot of land gained through such reduction, at least an equal amount of land shall be dedicated as open space for the collective use and enjoyment of all manufactured housing park residents. This open space shall be in addition to the minimum open space required under Section 5.106K (Open Space), or the Manufactured Housing Commission rules.

D. Setbacks.

Manufactured houses shall comply with the following minimum setbacks:

1. For a home not sited parallel to an internal road, 20 feet from an adjacent home, including an attached structure that may be used for living purposes for the entire year.
2. For a home sited parallel to an internal road, 15 feet from an adjacent home, including an attached structure that may be used for living purposes for the entire year if the adjacent home is sited next to the home on and parallel to the same internal road or an intersecting internal road.
3. Ten (10) feet from an attached or detached structure or accessory of an adjacent home that may not be used for living purposes for the entire year.
4. 50 feet from any permanent building.
5. 100 feet from any baseball, softball or similar recreational field.
6. Seven (7) feet from the back of curb or edge of pavement for an internal road.
7. Seven (7) feet from an adjacent home site's parking space or off-site parking bay.
8. Seven (7) feet from a common sidewalk.
9. All mobile homes, accessory buildings and parking shall be set back not less than 20 feet from any manufactured housing park boundary line, except that a minimum setback of 50 feet shall be provided from the street rights-of-way of public streets abutting the park.
10. 50 feet from the edge of any railroad right-of-way.

E. Maximum Height.

The maximum height of any community or similar building in a manufactured housing park shall not exceed two (2) stories or 35 feet, whichever is less. Storage or service buildings shall not exceed one (1) story or 15 feet.

F. Roads.

Roads shall satisfy the minimum dimensional, design, and construction requirements in the Manufactured Housing Commission Rules. The main entrance to the park shall have access to a public road by a permanent easement, which shall be recorded by the developers. All roads shall be hard-surfaced.

G. Parking.

Each manufactured housing site shall be provided with two (2) parking spaces per the Manufactured Housing Commission Rules.

H. Common Storage Areas.

If boats, boat trailers and utility trailers are permitted to be parked within the manufactured housing park, adequate parking spaces for such vehicles shall be provided in a central or collective parking area. This area shall be in addition to the automobile parking requirements of this Section, and shall be adequately locked, fenced, and permanently buffered.

I. Sidewalks.

Concrete sidewalks having a minimum width of three (3) feet shall be provided on at least one (1) side of internal manufactured housing park roads. In addition, a five (5) foot wide concrete sidewalk shall be constructed along any public road abutting the manufactured housing park.

J. Accessory Structures and Facilities.

1. Accessory structures, including park management offices, storage buildings, laundry facilities or community facilities, shall be designed and operated for the exclusive use of park residents.
2. Site-built buildings and structures within a manufactured housing park, such as a management office or clubhouse, and any addition to a manufactured house that is not certified as meeting the standards of the U.S. Department of Housing and Urban Development (HUD) for manufactured houses, shall be constructed in compliance with applicable state building, electrical, and fire codes and shall be subject to approval of appropriate permits and certificates of occupancy by the City.
3. One (1) storage shed with a maximum area of 144 square feet may be placed upon any individual manufactured home site for the storage of personal property. Such structures shall be constructed in accordance with applicable standards of the State Construction Code enforced by Sanilac County.

4. Except as otherwise noted in this Section, no personal property (including tires) shall be stored outside or under any manufactured home, or within carports which are open on any side.
 - a. Bicycles and motorcycles may be parked in carports.
 - b. Seasonal outdoor storage of outdoor cooking grills is permitted, so long as they are kept on either a finished wooden deck, a concrete or asphalt patio, or equivalent type of surface associated with the home.

K. Open Space.

Any manufactured housing park containing 50 or more manufactured housing sites shall provide a minimum of 25,000 square feet of dedicated and contiguous open space, which shall be shown on the preliminary plan. Any other open space areas or recreational improvements provided at the developer's option shall also be shown on the preliminary plan. This open space may include the two percent (2%) minimum open space requirement established in the Manufactured Housing Commission General Rules.

L. Perimeter Screening.

Where a manufactured housing park abuts an existing residential development, screening shall be provided along the boundary abutting the residential development. If the manufactured housing park abuts non-residential development, screening shall not be required.

M. Screening Along Public Rights-of-Way.

A landscaped screen shall be provided along all public roads abutting the manufactured housing park. This screen shall consist of evergreen trees or shrubs at least three (3) feet in height, planted so as to provide a continuous screen at maturity.

N. Alternative Screening.

Alternative screening devices may be utilized if they conceal the manufactured housing park as effectively as the required landscaping elements described above.

O. Parking Lot Landscaping.

Landscaped planting strips and islands shall be dispersed throughout all parking lots to direct traffic flow, create shade, and break-up large expanses of pavement. Parking lot landscaping shall be subject to the following standards:

1. All landscaped areas shall be designed to ensure proper protection of the plant materials. Where adjacent to roads, driveway aisles or parking areas, landscape areas shall be protected with concrete curbing. Plant materials used shall be hardy, salt-tolerant species characterized by low maintenance requirements.
2. The size and number of planting islands and proposed plantings shall be in scale with the overall site and shall clearly define the egress/ingress points, interior

circulation system, and fire lanes. Landscaping shall not obscure traffic signs or lighting, access to fire hydrants or motorist sight-distance.

3. Planting islands shall have a minimum width of five (5) feet and a minimum area of 100 square feet. A minimum of one (1) deciduous shade tree shall be provided for each 100 square feet of planting area within the island. Ornamental trees, shrubs, mulch or groundcover shall be used to cover all unplanted areas of the island.

P. Trash Disposal.

The proposed method(s) and location(s) of trash storage and disposal shall conform to the requirements of Part 5 of the Michigan Department of Environmental Quality (MDEQ) Manufactured Home Park Standards and shall be identified on the preliminary plan.

Q. Awnings.

Awnings may be attached to any manufactured house. Awnings shall comply with the setback and distance requirements set forth in this Section and shall require a permit.

R. Sewer Service.

Publicly owned and operated sewer systems shall be required in a manufactured housing park, if available within 500 feet of the park boundaries at the time of preliminary plan approval. If a public sewer system is unavailable, the development shall connect to a state-approved sewage system.

S. Water Service and Storm Drainage Systems.

Publicly owned and operated water systems shall be required in a manufactured housing park, if available within 500 feet of the park boundaries at the time of preliminary plan approval. Water supply and drainage systems shall conform to the requirements of Part 2 – 4 of the Michigan Department of Environmental Quality (MDEQ) Manufactured Home Park Standards.

T. Telephone and Electric Service.

All electric, telephone, cable TV, and other lines within the park shall be underground per the Manufactured Housing Commission Rules.

U. Fuel Oil and Gas.

Any fuel oil and gas storage shall be located in underground tanks at a safe distance from all manufactured housing sites. All fuel lines leading to manufactured housing sites shall be underground and designed in conformance with the Manufactured Housing Commission Rules and other applicable local, county, and state regulations.

V. Operational Requirements.

1. **Permit.** It shall be unlawful for any person to operate a manufactured housing park unless that individual obtains a license for such operation in compliance with

the requirements of the Mobile Home Commission Act (P.A. 96 of 1987, as amended). The Zoning Administrator shall communicate recommendations regarding the issuance of such licenses to the Director of the Bureau of Construction Codes and Fire Safety, Michigan Department of Labor and Economic Growth.

2. **Violations.** Whenever, upon inspection of any manufactured housing park, the Zoning Administrator finds that conditions or practices exist which violate provisions of this Section, the Zoning Administrator shall give notice in writing by certified mail to the Director of the Bureau of Construction Codes and Fire Safety and the Michigan Department of Labor and Economic Growth, including the specific nature of the alleged violations and a description of possible remedial action necessary to effect compliance. Sections 17(2) and 36 of the Mobile Home Commission Act (P.A. 96 of 1987, as amended) shall govern this process.

The notification shall include such other information as is appropriate in order to fully describe the violations and potential hazards to the public health, safety, and welfare resulting from the violation. A copy of such notification shall be sent by certified mail to the last known address of the park owner or agent.

3. **Inspections.** The Zoning Administrator or other authorized City agent is granted the authority, as specified in the Mobile Home Commission Act, P.A. 96 of 1987, as amended, to enter upon the premises of any manufactured housing park for the purpose of determining compliance with the provisions of this Ordinance or other regulations referenced herein.
4. **License.** A manufactured housing park shall not be operated until a license has been issued by the State of Michigan.

W. Sale of Mobile Homes.

The business of street selling new or pre-owned manufactured homes as a commercial operation in connection with the operation of a manufactured housing community shall be prohibited. The operator of a manufactured housing community, or designee, who is an authorized licensed manufactured home retailer or broker, is permitted to feature and sell in-park model homes to be located on a variety of sites within the manufactured housing community.

New or pre-owned manufactured houses located on sites within the manufactured housing park, to be used and occupied on that site, may be sold by a authorized licensed manufactured home retailer or broker, or by a resident of the manufactured housing park, provided the park's regulations permit such sale.

X. Mailbox Clusters.

The United States Postal Service may require that manufactured housing parks be served by clusters of mailboxes serving several sites rather than individual mailboxes serving individual sites. If mailbox clusters are required, they shall be located at least 200 feet from any intersection of a manufactured housing park road with a public road.

Section 5.107 Multiple-Family Dwellings and Developments.

Multiple-family dwellings and developments shall be subject to the following:

1. **Building design and composition.** The following standards shall apply to all new multiple family buildings:
 - a. **Side and rear facades.** Walls visible from a street or other residential uses shall include windows and architectural features similar to the front facade of the building, including, but not limited to awnings, cornice work, edge detailing or other decorative finish materials.
 - b. **Roof.** All buildings shall have pitched roofs, which may include functional dormer windows and varying lines customary with gable or hip style roofing.
 - c. **Maximum building length.** No building shall exceed 200 feet in length.
2. **Street design and circulation.** Street design and vehicular circulation within a multiple family development shall be subject to the following:
 - a. All access drives in a multiple development shall be free of on-street parking and shall have a minimum pavement width of 24 feet.
 - b. Street connections shall be provided to adjacent neighborhoods and parcels in residential districts.
 - c. All interior streets, drives, and parking areas shall be hard surfaced with concrete curbing and stormwater drainage systems designed to contain stormwater within the site.
 - d. No dead-end street shall be more than 300 feet in length and a suitable turning space shall be provided for vehicles at the terminus of all dead-end streets.
3. **Emergency access.** Dual paved access throughout a multiple-family development shall be required. A boulevard with a minimum 25 foot wide median strip may be used for dual access. Entrances to private roadways shall not have locked gates or barricades that would impede emergency access.
4. **Pedestrian circulation.** Minimum five (5) foot wide concrete sidewalks shall be provided along both sides of interior streets and from parking areas, public sidewalks, and recreation areas to all building entrances. Public sidewalks shall be provided along abutting public streets per City standards.
5. **Parking.** The Planning Commission may give credit towards parking requirements where abutting on-street parking is available. All off-street parking spaces must be screened from abutting public streets and single-family residential uses per Section 8.04 (Methods of Screening).
6. **Outdoor recreation.** Passive or active outdoor recreation facilities shall be provided in accordance with the following standards:

- a. Recreation facilities may include outdoor seating, playgrounds, swimming pools, walking paths and other recreational elements designed for the intended residents of the development.
 - b. Outdoor recreation areas shall occupy a minimum of fifteen percent (15%) of the gross lot area. The Planning Commission may waive this requirement upon determination that adequate public or private recreation facilities are available to serve the intended residents.
 - c. Such areas shall be physically and visibly accessible to residents, and shall not be located within any required yard setbacks or building separations.
7. **Utilities.** All multiple-family dwellings shall be connected to a publicly owned and operated water and sanitary sewer systems.
8. **Storage.** Parking or storage of recreational vehicles, boats, utility trailers or similar items shall be prohibited, except in areas designated on an approved site plan. Such areas shall be screened per Section 8.04 (Methods of Screening and Buffering).
9. **Building separation.** A minimum 50 foot building setback shall be provided from the boundary of any abutting R (Single Family Residential) District. Separation distance between multiple family buildings within a development shall be subject to the following:

Building Relationship	Minimum Building Separation
Front to Front	70 feet
Front to Side	50 feet
Side to Side	20 feet
Side to Rear	50 feet
Front to Rear	70 feet
Rear to Rear	70 feet

Section 5.108 Senior and Elderly Housing.

Elderly and senior housing shall be subject to the following:

A. General Standards for all Elderly and Senior Housing.

All types of elderly and senior housing shall comply with the following:

- 1. **Common outdoor recreation space.** Common outdoor recreation space for residents shall be provided, subject to the following:
 - a. The total area shall equal or exceed ten percent (10%) of the gross lot area, and shall include areas for both passive and active recreation

appropriate for the anticipated users. If developed in phases, the recreation space improvements shall be completed in proportion to the gross floor area constructed in each phase.

- b. Off-street parking areas, street rights-of-way or street setback areas, access drives, perimeter yard setbacks, and submerged land areas under bodies of water shall not be counted as recreation space.
2. **Private outdoor living space.** Private outdoor living space shall be provided for each independent or congregate dwelling unit. Such space shall be adjacent to the unit and the total area shall equal or exceed ten percent (10%) of the gross floor area of the unit. Assisted living elderly housing shall not require private outdoor living space.
 3. **Access.** Sidewalks shall be provided from main building entrances to sidewalks along adjacent streets. All vehicular access to the site shall be from a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities. The Planning Commission may allow secondary access from local streets. Vehicles shall be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 4. **Resident facilities.** Meeting and activity facilities, dining room facilities, beauty or barbershops, laundry rooms, and similar accessory facilities for facility residents, employees, and their guests shall be permitted as accessory uses.
 5. **Building separation.** A minimum 50 foot building setback shall be provided from the boundary of any abutting R (Single Family Residential) District. Separation distance between multiple family buildings within a development shall be subject to the following:

BUILDING RELATIONSHIP	MINIMUM BUILDING SEPARATION
Front to Front	70 feet
Front to Side	50 feet
Side to Side	20 feet
Side to Rear	50 feet
Front to Rear	70 feet
Rear to Rear	70 feet

B. Independent Elderly Housing.

The following additional standards shall apply to independent elderly housing, as defined in Section 19.02 (Definitions):

1. **Minimum floor area.** All dwelling units shall meet the following minimum floor area requirements:

UNIT TYPE	MINIMUM FLOOR AREA
Studio or Efficiency	400 square feet
1 bedroom	600 square feet
2 or more bedrooms	800 square feet

2. **Maximum density.** The maximum number of independent elderly housing units shall not exceed the density permitted in the zoning district.

C. Dependent Elderly Housing.

The following additional standards shall apply to dependent elderly housing, as defined in Section 19.02 (Definitions):

1. **Maximum density.** The maximum density of the dependent elderly housing units shall not exceed a maximum of two (2) dependent elderly housing units per dwelling unit permitted in the zoning district. Each dependent elderly housing unit shall have a minimum gross floor area of 300 square feet not including kitchen and sanitary facilities.
2. **Accessory uses.** Accessory retail, restaurant, office, and service uses may be permitted within the principal residential building. No exterior signs of any type are permitted for these accessory uses.

Section 5.109 Single-Family and Two-Family Dwellings.

Detached single-family and two-family (duplex) dwellings, except manufactured houses located in an approved and licensed manufactured housing parks, shall comply with the following standards:

1. **Intent.** This Section is not intended to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling units, thereby protecting the economic welfare and property value of surrounding residential uses and the city at large.
2. **Building Orientation and Layout.**
 - a. **Exterior wall and roof configuration.** Dwelling units shall be provided with an exterior building wall, foundation, and roof configuration that are similar to dwelling units on adjacent properties or in the surrounding residential neighborhood. The minimum width across any front, side or rear elevation shall be 24 feet and the average width to depth or depth to width ratio shall not exceed three to one (3:1).
 - b. **Exterior finish materials.** Dwelling units shall be provided with exterior finish materials similar to and aesthetically compatible with the dwelling units on adjacent properties or in the surrounding residential neighborhood. Such materials shall include siding or wall materials, windows, porches, and shingles and other roofing materials.

- c. **Foundation.** Dwelling units shall be permanently attached to a perimeter foundation and shall have the same perimeter dimensions as the dwelling.
- (1) All such dwellings shall be secured to the premises by an anchoring system or device that is in full compliance with all applicable codes and rules.
 - (2) Where a dwelling is proposed to be set on piers or other acceptable foundations not at the perimeter of the dwelling, a perimeter wall shall also be constructed of durable materials that meet all local requirements with respect to materials, construction, and necessary depth below the frost line.
3. **Utilities.** All new dwellings shall be connected to a publicly owned and operated water and sanitary sewer system.
4. **Storage.** Each dwelling unit shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which shall be equal to a minimum of ten percent (10%) of the square footage of the dwelling or 100 square feet, whichever is less.
5. **Front porch.** New dwellings shall be constructed with a primary entrance on the front façade and connected to the public sidewalk or right-of-way by a paved path, with a front porch or stoop that is at least six (6) feet in width and depth and 70 square-feet in area.
6. **Determinations.** The compatibility of design and appearance shall be determined by the Zoning Administrator, subject to appeal by an aggrieved party to the Zoning Board of Appeals. The Zoning Administrator may require the applicant to furnish such plans, elevations and similar documentation as is deemed necessary to permit a complete review and evaluation of the proposal.

Any determination of compatibility shall be based upon these standards, with a comparison to the character, design, and appearance of homes in the same neighborhood within 300 feet of the subject lot, outside of any manufactured housing parks. If the area within 300 feet does not contain any such homes, then the nearest 25 similar type dwellings shall be considered.

SECTION 5.200 OFFICE, SERVICE, AND COMMUNITY USES

Section 5.201 Catering Facilities.

In the NB (Neighborhood Business) and CB1 (Community Business) Districts, catering facilities shall only be permitted as an accessory use located entirely within a permitted restaurant use.

Section 5.202 Cemeteries.

Cemeteries and similar uses shall be subject to the following:

1. **Ingress and egress.** All access shall be provided from a public road classified as a collector street, arterial or thoroughfare by the City's Master Plan, or county or state road authorities.
2. **Screening.** The cemetery shall be screened from abutting residential districts or existing residential uses, and secured by a continuous fence or wall, per Section 8.04 (Methods of Screening and Buffering).
3. **Setback.** All crypts, mausoleums, and other buildings containing bodies or remains, other than a subterranean grave, shall be located at least 100 feet from the nearest lot boundary.
4. **Continuity.** The location of such facility shall not disrupt the convenient provision of utilities to adjacent lots, nor disrupt the continuity of the public street system.
5. **Compliance.** An approved cemetery shall comply with all federal, state and local laws, and applicable regulations of the State of Michigan.

Section 5.203 Child or Adult Day Care Center or Child Caring Institution.

The following regulations shall apply to child or adult day care centers and child caring institutions:

1. **Licensing.** In accordance with applicable state laws, such uses and facilities shall be registered with or licensed by the State of Michigan, and shall comply with the minimum standards outlined for such facilities.
2. **Outdoor recreation area for child day care centers.** A minimum of 150 square feet of outdoor recreation area shall be provided and maintained per child at the licensed capacity of the child day care center or child caring institution, provided that the overall area shall not be less than 5,000 square feet. The outdoor recreation area shall be suitably fenced, secured, and screened from abutting residential uses in accordance with Section 8.04 (Methods of Screening and Buffering). The Planning Commission may approve the use of off-site outdoor recreational facilities to satisfy this requirement.

3. **Pick-up and drop-off.** Adequate areas shall be provided for employee and resident parking and pick-up and drop-off of children or adults in a manner that minimizes pedestrian-vehicle conflicts and disruption of traffic flow on the public streets.
4. **Access and frontage.** Such uses and facilities shall have frontage on and direct vehicle access to a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Vehicle access to local streets shall be limited to secondary access where necessary for health and safety purposes.
5. **Separation Requirements.** New child or adult day care centers or child caring institutions shall be located a minimum of 1,500 feet from any other state licensed residential facility, as measured between the nearest points on the property lines of the lots in question. The Planning Commission may permit a smaller separation between facilities upon determining that such action will not result in an excessive concentration of such facilities in a single neighborhood or the City overall.
6. **Hours of Operation.** Day care facilities in residential districts or accessory to a residential use shall operate a maximum of 16 hours per day. Child caring institutions shall be permitted to operate 24 hours per day.

Section 5.204 Funeral Parlor or Mortuary.

Funeral parlors and mortuaries shall be subject to the following:

1. **Assembly area.** An adequate assembly area shall be provided off-street for funeral processions and activities. All maneuvering area and exit aprons shall be located within the site and may be incorporated into the required off-street parking. Streets and alleys shall not be used for maneuvering or parking of vehicles.
2. **Screening.** The service and loading area shall be screened from adjacent residential districts or existing residential uses per Section 8.04 (Methods of Screening and Buffering).
3. **Caretaker's residence.** A caretaker's residence shall be permitted accessory to a funeral home or mortuary, in accordance with the following:
 - a. An accessory dwelling unit within the principal building shall be subject to the requirements of Section 5.101C (Accessory Dwelling Units).
 - b. A detached single-family dwelling located on the same lot with the principal use shall be subject to the requirements of Section 5.109 (Single-Family and Two-Family Dwellings), and the area, height and bulk requirements for the R (Single-Family Residential) district specified in Article 4 (Dimensional Standards).
4. **Crematoriums.** Crematoriums are an INDUSTRIAL, RESEARCH, AND LABORATORY USE subject to the standards of Article 3 (Land Use Table) and Section 5.402 (Intensive Industrial Operations).

Section 5.205 Hospital or Urgent Care Center.

Hospitals and urgent care centers shall be subject to the following:

1. **Frontage and access.** Hospitals shall have frontage on and direct vehicle access to a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities.
2. **Accessory uses.** Accessory uses, such as a pharmacy, gift shop, cafeteria, place of worship, and similar uses shall be allowed within the principal building to serve the needs of patients, employees, and visitors.
3. **Screening.** Ambulance parking, emergency room and urgent care entrances, and loading areas shall be effectively screened from adjacent residential districts or existing residential uses per Section 8.04 (Methods of Screening and Buffering).
4. **State and federal regulations.** Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal law.

Section 5.206 Institutional Uses.

Institutional uses, as defined in Section 19.02 (Definitions), shall be subject to the following:

1. **Accessory facilities.** Accessory facilities such as rental, fellowship or social halls, gymnasiums or recreation facilities, and similar uses incidental to the principal use shall be permitted, subject to the requirements of this Ordinance. Other uses on the site, such as retreat facilities or conference centers, schools, accessory dwellings, and similar uses shall meet the requirements of this Ordinance for such uses.
2. **Frontage and access.** Such uses shall have frontage on and direct vehicle access to a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Vehicle access to local streets shall be limited to secondary access where necessary for health and safety purposes.
3. **Traffic impacts.** A traffic impact study may be required by the Planning Commission for institutional uses that have a seating capacity of over 500 persons, per Section 7.12 (Traffic Impact Studies).

Section 5.207 Recreation, Private or Restricted Access.

Private indoor and outdoor recreational facilities and uses with restricted access shall be subject to the following:

1. **Frontage and access.** Where the indoor or outdoor recreation facilities are designed or intended to serve areas beyond the immediate neighborhood, such uses shall have frontage on and direct vehicle access to a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state

road authorities. Vehicle access to local streets shall be limited to secondary access where necessary for health and safety purposes.

2. **Permitted uses.** Permitted uses may include, but shall not be limited to recreational, fitness and athletic fields, tracks or courts; roller/in-line, skateboarding, and ice-skating rinks; playgrounds; bowling alleys; swimming pools open to the general public or operated by a private non-profit organization; archery ranges; golf courses or driving ranges; and similar activities and facilities.
3. **Accessory uses.** Permitted accessory uses to the above permitted uses may include, but shall not be limited to refreshment stands, retail shops selling items related to the above uses, maintenance buildings, offices for management functions, spectator seating and service areas, including locker rooms and rest rooms. Accessory retail or commercial facilities shall be designed to serve only the patrons of the recreation facility, unless otherwise listed as a permitted use in the district where the facility is located.
4. **Use Standards.**
 - a. The location, layout, design or operation of recreation facilities shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby properties. The applicant shall provide documentation that the site area is adequate, according to national standards for the use.
 - b. A plan to control loitering and litter shall be provided, subject to City approval.
 - c. Hours of operation, maintenance, lighting, and irrigation may be restricted by the Planning Commission.
5. **Setback requirements.** No structure or spectator seating facility shall be located within 50 feet of a lot line abutting a residential zoning district boundary or lot occupied by an existing dwelling. Pools shall be at least 50 feet from any residential zoning district and shall comply with Section 15.103 (Swimming Pools, Spas, and Hot Tubs).
6. **Screening.** The Planning Commission may require screening of outdoor recreational facilities abutting a residential district per Section 8.04 (Methods of Screening and Buffering).

Section 5.208 Therapeutic Massage.

Massage therapy clinics and uses shall be subject to the following:

1. **Accessory use.** In addition to districts where therapeutic massage is permitted as a principal use, hospitals, sanitariums, nursing homes, medical clinics or the offices of physicians, chiropractors, osteopaths, psychologists, clinical social workers or family counselors licensed to practice in the state shall be permitted to provide massage therapy services as an accessory use. Beauty salons,

barbershops, and retail stores selling physical therapy supplies shall also be permitted to provide massage therapy services as an accessory use.

2. **Certification.** All massage therapists shall be licensed, where such licenses are available, and shall be certified members of the American Massage and Therapy Association or International Myomassethics Federation. Proof of such licenses or certifications shall be provided to the City.
3. **Adult massage parlors prohibited.** All activities that meet the definition of an adult entertainment use or sexually-oriented business shall be prohibited.

Section 5.209 Veterinary Clinics.

Veterinary clinics and hospitals shall comply with the following requirements:

1. **Setbacks.** Veterinary clinics and hospitals having boarding facilities or outdoor runs shall have all buildings and outdoor runs set back at least 100 feet from abutting residential districts.
2. **Landscaping and screening.** Outdoor enclosures or runs shall be screened from street rights-of-way and adjacent residential districts and uses per Section 8.04 (Methods of Screening and Buffering).
3. **Operating requirements.** The clinic shall be operated by a licensed or registered veterinarian and shall be subject to the following:
 - a. All boarding shall be limited to animals brought in for treatment or surgery, unless the site has also been approved as a kennel per Section 5.503 (Kennel or Animal Shelter).
 - b. Other than outdoor runs, all other activities shall be conducted within a completely enclosed building constructed to ensure that noise and odors shall not be perceptible beyond the lot boundaries.
 - c. Outdoor exercising is allowed, provided that the pet is accompanied by an employee. Animals shall not be kept or quartered outside of the buildings between 8:00 p.m. and 8:00 a.m.
4. **Other conditions.** Veterinary clinics and hospitals shall be subject to all permit and operational requirements established by appropriate regulatory agencies. The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

Section 5.210 Workshops and Studios.

Workshops, studios, showrooms or offices of photographers, skilled trades, decorators, artists, upholsterers, tailors, taxidermists and similar businesses; or for repair and service of bicycles, electronics, small appliances, furniture, shoes, and similar items shall be subject to the following standards by zoning district:

1. **Industrial (I-1 or I-2) Districts.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the use.
2. **Business (NB, CB1, and CB2) Districts.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall occupy a minimum of fifty percent (50%) of the usable floor area occupied by the use, and shall include the street level façade.
3. **Business (GB) Districts.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall occupy a minimum of thirty percent (30%) of the usable floor area occupied by the use, and shall include the street level façade.

SECTION 5.300 COMMERCIAL USES

Section 5.301 Amusement Centers.

Amusement centers and arcades that provide space for patrons to engage in the playing of mechanical amusement devices or similar activities shall be subject to the following:

1. **Access and location.** All amusement arcades shall have frontage on, and direct vehicle access to a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities.
2. **Floor area limitations.** Amusement centers and arcades located in the NB (Neighborhood Business) and CB1 and CB2 (Community Business) Districts shall not exceed a maximum usable floor area of 1,500 square feet.
3. **Outdoor amusement centers.** Outdoor amusement centers shall be subject to the standards of Section 5.311 (Open Air Businesses and Outdoor Display Areas).

Section 5.302 Bakeries.

Bakeries shall be subject to the following standards by zoning district:

1. **I-1 (Industrial-Research) District.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the use.
2. **Business (NB, CB1, CB2 or GB) Districts.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall occupy a minimum of fifty percent (50%) of the usable floor area occupied by the use, and shall include the street level façade.

Section 5.303 Big Box COMMERCIAL USES.

COMMERCIAL USES with more than 50,000 square-feet of total gross floor area (including "Big-Box" stores, supermarkets, and wholesales stores, and multi-tenant shopping centers with more than 50,000 square-feet of total gross floor area in a single building footprint) shall be subject to the following:

1. **Access and circulation.** Vehicular circulation patterns shall be designed to eliminate potential conflicts between traffic generated by the site and traffic on the adjacent streets. The number and location of curb cuts shall be the minimum necessary to provide adequate access to the site.

- a. Sites shall have frontage on a public street classified as an arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Vehicle access to local or collector streets shall be prohibited.
 - b. A traffic impact study shall be required, per Section 7.12 (Traffic Impact Studies).
2. **Outlots.** The site design, circulation, parking layout, and building architecture of any outlots shall be complementary to and fully integrated with the design of the overall site. Separate curb cuts for any outlots shall be prohibited, except where determined to be necessary by the Planning Commission.
 3. **Screening.** Screening shall be required from adjacent residential districts in accordance with Section 8.04 (Methods of Screening and Buffering), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.
 4. **Loading areas.** Loading/unloading of merchandise or equipment, and trash disposal or compaction shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. Trucks or trailers parked at a loading dock may be unloaded onto the loading dock between the hours of 10:00 p.m. and 7:00 a.m., provided that all activity occurs inside the truck or trailer or within the building.
 5. **Pedestrian access.** A six (6) foot wide concrete sidewalk shall be provided from public sidewalks to all public entrances in a manner that effectively separates pedestrians from vehicular traffic. Driveway crossings shall be clearly delineated with pavement striping.

Section 5.304 Car Wash.

Wash facilities for automobiles, trucks, recreational vehicles, and other motor vehicles shall be subject to the following:

1. **Lot size and frontage.** A self-service car wash shall have a minimum lot area of 10,000 square feet, with a minimum of 100 feet of frontage on a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities. An automatic car wash shall have a minimum lot area of 20,000 square feet, with a minimum of 150 feet of public street frontage.
2. **Setbacks.** All car washes shall have a minimum front yard setback of 30 feet. All buildings shall maintain a 50 foot setback from any residential district or use.
3. **Screening.** Such uses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 8.04 (Methods of Screening and Buffering).
4. **Access.** Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings.
 - a. Vehicle access to local streets shall be prohibited.

- b. The edge of any access drives shall be set back a minimum of 50 feet from the intersections of two (2) street right-of-way lines. No more than one access drive curb opening shall be permitted per street.
- c. Permitted curb cuts shall have a minimum width of 24 feet at the street right-of-way line and a maximum width of 30 feet.

5. **Use Standards.**

- a. All washing facilities shall be completely within the car wash building.
- b. Vacuuming facilities may be outside the building, but shall not be in the front yard and shall not be closer than 100 feet from any residential district or existing residential use.
- c. Exit lanes shall be sloped to drain water back to the wash building or to drainage grates.
- d. Automatic drying equipment shall be provided within the wash facility, or adequate drying area for at least two (2) vehicles shall be provided at the wash facility exit.
- e. Drains shall be provided at all entrances and exits to prevent surface drainage from flowing across public sidewalks or into the street right-of-way.

- 6. **Traffic Impacts.** A traffic impact study may be required by the Planning Commission, per Section 7.12 (Traffic Impact Studies).

Section 5.305 Drive-in or Drive-through Lane or Facility.

The following shall apply to all accessory drive-in or drive-through lanes, facilities or establishments, in addition to any requirements for the principal use:

- 1. **Location and minimum lot width standards.** Sites shall have a minimum of 100 feet of frontage on a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities.
- 2. **Access.** Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings.
 - a. Vehicle access to local streets shall be prohibited.
 - b. The edge of any access drives shall be set back a minimum of 50 feet from the intersections of two (2) street right-of-way lines. No more than one access drive curb opening shall be permitted per street.
 - c. Permitted curb cuts shall have a minimum width of 24 feet at the street right-of-way line, and a maximum width of 30 feet.

3. **Traffic.** A traffic impact study may be required by the Planning Commission, per Section 7.12 (Traffic Impact Studies).
4. **Use standards.**
 - a. **Bypass lane.** A bypass lane or similar means of exiting or avoiding the drive-through facility shall be provided, subject to Planning Commission approval.
 - b. **Noise.** Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.
 - c. **Prohibited uses.** Sales of alcoholic beverages shall be prohibited through any drive-in or drive-through service window or facility.
5. **Screening.** Such uses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 8.04 (Methods of Screening and Buffering).
6. **Menu boards.** Menu boards may be erected as an accessory use to a drive-through lane, subject to the following:
 - a. Such signs shall be located on the interior of the lot and shall be shielded so that they are not visible from street rights-of-way and abutting residential districts or uses.
 - b. The location, size, content, coloring or manner of illumination of a menu board shall not constitute a traffic or pedestrian hazard, or impair vehicular or pedestrian traffic flow in any manner.
 - c. Each menu board shall not exceed six (6) feet in height and 48 square-feet in sign area.

Section 5.306 Farm Market.

Farm markets and similar farm product sales shall be subject to the following:

1. **Site plan review.** Such uses shall be subject to site plan approval per Section 12.01 (Site Plan Review), and shall conform with the parking standards of Article 7.
2. **Sale of produce.** A minimum of fifty percent (50%) of the produce or products offered for sale shall be grown or produced on land in Sanilac County, or made from produce grown or material produced on land in the County.
3. **Signs.** All signs shall comply with the requirements of Article 9 (Signs).

Section 5.307 Hotel or Inn.

Hotels and inns shall be subject to the following:

1. **Caretaker's residence.** An owner's residence or accessory dwelling unit for a manager shall be permitted accessory to and located within a principal hotel building, subject to the requirements of Section 5.101C (Accessory Dwelling Units).
2. **Other accessory facilities.** A hotel may include any of the following amenities as accessory uses:
 - a. A dining room within the principal building to serve the needs of hotel patrons and employees.
 - b. Banquet facilities and meeting rooms.
 - c. Freestanding restaurants located on the same site or contiguous site, and developed simultaneously or in advance of the hotel.
 - d. A tavern or pub located within the principal hotel building to primarily serve hotel patrons and their guests.
 - e. Gift shops, convenience stores, and similar retail uses within the principal building to serve the needs of hotel patrons and employees.

Section 5.308 Motion Picture Cinemas.

Indoor or outdoor motion picture cinemas shall be subject to the following:

1. **Screening.** Screening shall be provided in accordance with Section 8.04 (Methods of Screening and Buffering) where the site abuts a residential district or use.
2. **Access.** Sites shall have frontage on a public street classified as an arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Vehicle access to local streets shall be prohibited.
3. **Traffic impacts.** A traffic impact study may be required by the Planning Commission, per Section 7.12 (Traffic Impact Studies), for facilities that have a seating capacity of over 500 persons.

Section 5.309 Motor Vehicle Service Centers, Repair Stations, and Fueling Stations.

Service centers, repair stations and fueling stations for automobiles, trucks, recreational vehicles, and other motor vehicles shall be subject to the following:

1. **Minimum lot size and setbacks.** The minimum lot area shall be 15,000 square feet, with a minimum of 150 feet of frontage on a public street classified as a

collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Pump island canopies shall be setback a minimum of 20 feet from any right-of-way line. Fuel pumps shall be located a minimum of 30 feet from any right-of-way line.

2. **Access.** Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings.
 - a. Vehicle access to local streets shall be prohibited.
 - b. The edge of any access drives shall be set back a minimum of 50 feet from the intersections of two (2) street right-of-way lines. No more than one access drive curb opening shall be permitted per street.
 - c. Permitted curb cuts shall have a minimum width of 24 feet at the street right-of-way line, and a maximum width of 30 feet.
3. **Overhead doors.** Overhead doors shall not face residential districts or uses. The Planning Commission may modify this requirement upon determining that there is no reasonable alternative, and that adequate screening has been provided per Section 8.04 (Methods of Screening and Buffering).
4. **Pump island canopy lighting.** All lighting fixtures under the canopy shall be fully recessed into the canopy structure. The Planning Commission may permit a maximum intensity of 20.0 footcandles for lighting under the canopy, provided that site lighting is otherwise in compliance with this Ordinance.
5. **Repair and service use limitations.** All equipment and service bays shall be entirely within an enclosed building, and all repair work shall be conducted completely within an enclosed building. Repair stations shall not be permitted on sites immediately adjacent to any residential zoning district or use.
6. **Temporary vehicle storage.** The storage, sale, rental or display of new or used cars, trucks, trailers, and any other vehicles, vehicle components and parts, materials, commodities, supplies or equipment on the premises is prohibited except in conformance with the requirements of this Section and Ordinance.
 - a. Inoperable vehicles shall not be stored or parked outside for a period exceeding 30 days for repair stations and 24 hours for service centers.
 - b. Partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts shall be stored within a completely enclosed building.
7. **Screening.** Such uses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 8.04 (Methods of Screening and Buffering).
8. **Accessory uses.** Accessory retail and restaurant uses shall conform to the standards for such uses, as specified in this Ordinance.

9. **Noise and odors.** There shall be no external evidence of service and repair operations, in the form of dust, odors or noise, beyond the interior of the service building. Buildings containing service and repair activities shall have appropriate filtering systems to prevent emission of paint odors. Building walls facing any residential districts or uses shall be of masonry construction with soundproofing.
10. **Pollution prevention.** There shall be no releasing of toxic gases, liquids or materials in any form into the atmosphere, the earth, or the public water or sewer systems. The applicant shall submit a Pollution Incidence Protection Plan (PIPP) describing measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins, and automatic shut off valves.
11. **Traffic impacts.** A traffic impact study may be required by the Planning Commission, per Section 7.12 (Traffic Impact Studies).

Section 5.310 Outdoor Cafés and Eating Areas.

Outdoor eating areas and sidewalk cafés shall be permitted as an accessory use, subject to the following:

1. **Outdoor eating areas and sidewalk cafés in the CB1 and CB2 (Community Business) Districts.** The standards of this Section shall not apply to limited outdoor eating areas and sidewalk cafés within the street right-of-way in the CB1 and CB2 (Community Business), which shall be subject to City Council approval.
2. **Site plan approval.** Creation, expansion or alteration of outdoor eating areas on a zoning lot shall be subject to site plan approval per Section 12.01 (Site Plan Review).
3. **Use standards.** The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required.
4. **Signs.** Additional signs shall not permitted beyond those allowed for the principal use.

Section 5.311 Open Air Businesses and Outdoor Display Areas.

Open air businesses, and outdoor display areas for sale, exhibition, rental or leasing or retail merchandise, motor vehicles, recreational vehicles, farm equipment, manufactured or modular housing products, trailers, boats, building supplies, hardware, plant materials not grown on the site, lawn furniture, playground equipment, lawn and garden supplies, and similar items shall be subject to the following:

1. **Temporary outdoor displays in the CB1 and CB2 (Community Business) Districts.** The standards of this Section shall not apply to limited outdoor display areas within the street right-of-way in the CB1 and CB2 (Community Business), which shall be subject to City Council approval.

2. **Site plan approval.** Creation, expansion or alteration of such open air businesses and outdoor display areas on a zoning lot shall be subject to site plan approval per Section 12.01 (Site Plan Review).
3. **Location requirements.** All sales activity and outdoor display shall be limited to the areas specified on an approved site plan.
 - a. No sales activity or display of merchandise shall be permitted within a street right-of-way or required setback area.
 - b. Open air businesses and outdoor display areas shall be set back a minimum of ten (10) feet from any parking area, driveway or access drive, and 20 feet from any residential district or use.
 - c. The proposed activity shall be located so as to ensure safe vehicular and pedestrian circulation. A minimum of five (5) feet of sidewalk width to the entrance of the establishment shall be maintained free for pedestrian circulation.
4. **Screening.** Such uses shall be screened from street rights-of-way and abutting residential districts or uses in accordance with Section 8.04 (Methods of Screening and Buffering).
5. **Use standards.** Open air businesses and outdoor display areas shall conform to the following use limitations:
 - a. Such areas shall be kept clean and litter-free, with outdoor waste receptacles provided.
 - b. Devices for the outdoor broadcasting of voice, telephone monitoring, music or any other amplified sound shall be prohibited.
 - c. The storage of any soil, fertilizer or other loose, unpacked materials shall be contained so as to prevent any effects on adjacent uses.
 - d. Operational hours for open air businesses, outdoor display area, and exterior lighting may be restricted by the Planning Commission to protect nearby residential districts.

SECTION 5.400 INDUSTRIAL, RESEARCH, AND LABORATORY USES

Section 5.401 Hazardous Materials Storage.

Hazardous materials storage facilities shall be subject to the following:

1. **Compliance with outside agency standards.** Such uses shall comply with current standards established by the U.S. Environmental Protection Agency, the U.S. Department of Agriculture, State of Michigan, county health department, and other county, state or federal agencies with jurisdiction.
2. **Application information.** The applicant shall supply the following documentation with any plan submitted for review:
 - a. Description of all planned or potential discharge of any type of wastewater to a storm sewer, drain, lake, stream, wetland, other surface water body or into the groundwater.
 - b. MSDS (Material Safety Data) sheets shall be provided to the City for all types of hazardous materials proposed to be stored on-site, including common name, name of chemical components, location, maximum quantity expected on hand at any time, type of storage containers or base material, and anticipated procedure for use and handling.
 - c. Description of any transportation, on-site treatment, cleaning of equipment, and storage or disposal of hazardous waste or related containers.
 - d. Description of any secondary containment measures, including design, construction materials and specifications, and security measures.
 - e. Description of the process for maintaining and recording of shipping manifests.
3. **Setbacks and screening.** Such uses shall be set back a minimum of 500 feet from any residential district or use. Such uses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 8.04 (Methods of Screening and Buffering).
4. **Parking and loading.** All parking, loading, and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.
5. **Impact assessment.** The proposed use may have significant impacts upon the environment, traffic, infrastructure or demands for public services that potentially exceed anticipated impacts of other uses permitted in the district. The applicant shall submit an impact assessment describing the expected odor, aesthetic, environmental, and traffic impacts associated with the use. The assessment

shall also describe procedures for managing stormwater runoff and preventing pollution of surface water bodies or groundwater.

The assessment shall include proposed mitigation measures to be employed, which shall be subject to Planning Commission approval. The City reserves the right to hire experienced professionals to evaluate the impact assessment and prepare additional analyses, with the cost borne by the applicant.

Section 5.402 Intensive Industrial Operations.

Intensive industrial operations shall be subject to the following:

1. **Setbacks and screening.** Such uses shall be set back a minimum of 500 feet from any residential district or use. Such uses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with Section 8.04 (Methods of Screening and Buffering).
2. **Parking and loading.** All parking, loading, and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.
3. **Impact assessment.** The proposed use may have significant impacts upon the environment, traffic, infrastructure or demands for public services that potentially exceed anticipated impacts of other uses permitted in the district. The applicant shall submit an impact assessment describing the expected odor, aesthetic, environmental, and traffic impacts associated with the use. The assessment shall also describe procedures for managing stormwater runoff and preventing pollution of surface water bodies or groundwater.

The assessment shall include proposed mitigation measures to be employed, which shall be subject to Planning Commission approval. The City reserves the right to hire experienced professionals to evaluate the impact assessment and prepare additional analyses, with the cost borne by the applicant.

Section 5.403 Outdoor Storage, General.

General outdoor storage (excluding junkyards) shall be subject to the following:

1. **Setbacks.** Any storage area shall comply with the minimum setback requirements for the district in which the facility is located and no storage shall be permitted in the front yard.
2. **Screening.** Storage areas shall be screened from all street rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening and Buffering). The Planning Commission may permit the use of a screen wall up to ten (10) feet or fence up to eight (8) feet in height, upon determination that the additional height is necessary to adequately screen the proposed use.
3. **Use standards.** All outdoor storage areas shall further comply with the following:

- a. No materials shall be stored above the height of the required wall or fence.
- b. No junk or junk vehicles shall be stored and no trailer, manufactured home or truck trailer shall be stored or used for storage.
- c. Stored materials shall be contained to prevent blowing of materials or dust upon adjacent properties and access by small animals. The Planning Commission may require stored materials to be covered and may impose additional conditions upon the use to minimize adverse impacts on adjacent uses.
- d. The Planning Commission may require outside storage areas to be paved or surfaced with hard surface material and may require installation of a storm water drainage system.

Section 5.404 Outdoor Storage, Dismantling or Recycling of Motor Vehicles, Recreational Vehicles, Manufactured Houses, and Similar Items.

Outdoor storage (including junkyards), dismantling or recycling of motor vehicles, recreational vehicles, manufactured houses, and similar items shall be subject to the following:

1. **Minimum lot size and setbacks.** All outdoor storage, dismantling or recycling areas shall be set back a minimum setback of 100 feet from the front lot line or street right-of-way and a minimum of 20 feet from rear and side lot lines.
2. **Location.** Such uses shall be located not less than 1,000 feet from any residential district and not less than 300 feet distant from any other zoning district boundary.
3. **Screening.** Such storage areas shall be screened from all street rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening and Buffering). The Planning Commission may permit the use of a screen wall up to ten (10) feet or fence up to eight (8) feet in height, upon determination that the additional height is necessary to adequately screen the proposed use.
4. **Surfacing.** All roads, driveways, parking lots, and loading and unloading areas shall be paved and provided adequate drainage.
5. **Permits.** All required city, county, and state permits shall be obtained prior to establishing, expanding or altering such uses.
6. **Use standards.** The applicant must demonstrate that the activities of the salvage yard will comply with all state and federal regulations, the requirements of this Ordinance, and the following:
 - a. No junk vehicles or scrap materials shall be stored above the height of the required wall or fence. Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the wall or fence enclosing the yard.

- b. Vehicles or vehicle bodies shall be stored in rows with a minimum 20 foot wide continuous loop drive separating each row of vehicles.
- c. All batteries shall be removed and all radiator and fuel tanks drained prior to placing the vehicle in the storage yard. A licensed disposal company shall remove salvaged batteries, oil, and other hazardous substances.
- d. No vehicle, vehicle bodies, or other materials shall be stored in a manner as to be visible from any residence, business, or street.
- e. The crushing of vehicles or any part thereof shall be limited to daylight hours and all processes involving the use of equipment for cutting or compressing shall be conducted within a completely enclosed building.
- f. The use shall be subject to periodic inspection by the City to ensure continuing compliance with the above standards.
- g. There shall be no burning on site.
- h. The total lot area occupied by on-site tire storage or disposal facilities shall be limited to a maximum of five percent (5%) of the net lot area of the site. All tires stored on-site for more than 72 hours shall be cut into pieces to prevent collection of stagnant water.

Section 5.405 Recycling Collection Facilities and Composting Centers.

Recycling collection facilities and composting centers shall be subject to the following:

- 1. **Access.** Sites shall have frontage on a public street classified as an arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Vehicle access to local or collector streets shall be prohibited.
- 2. **Setbacks.** Commercial composting operations shall be at least 500 feet from any residential district or use. All composting operations shall be at least 200 feet from the boundary of any lake, stream, drain, wetland or other surface water body.
- 3. **Screening.** Outdoor facilities and composting areas shall be screened from all street rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening and Buffering).
- 4. **Use standards.**
 - a. Recycling facilities shall be limited to the collection of recyclable materials for processing at another site.
 - b. Composting centers shall have a minimum lot area of five (5) acres.

- c. Stored materials shall be contained to prevent blowing of materials or dust upon adjacent properties and access by small animals. The Planning Commission may require stored materials to be covered and may impose additional conditions upon the use to minimize adverse impacts on adjacent uses.
 - d. The Planning Commission may require outside facilities to be paved or surfaced with hard surface material and may require installation of a storm water drainage system.
5. **Impact assessment.** The proposed use may have significant impacts upon the environment, traffic, infrastructure or demands for public services that potentially exceed anticipated impacts of other uses permitted in the district. The applicant shall submit an impact assessment describing the expected odor, aesthetic, environmental, and traffic impacts associated with the use. The assessment shall also describe procedures for managing stormwater runoff and preventing pollution of surface water bodies or groundwater.

The assessment shall include proposed mitigation measures to be employed, which shall be subject to Planning Commission approval. The City reserves the right to hire experienced professionals to evaluate the impact assessment and prepare additional analyses, with the cost borne by the applicant.

Section 5.406 Self-Storage Warehouse

Self-storage warehouse facilities shall be subject to the following:

1. **Use standards.** Self-storage-warehouses shall be limited to storage of household goods and non-hazardous commercial goods. Storage of recreational vehicles and recreational equipment shall be subject to the following:
 - a. Such storage shall be incidental to the main use of enclosed storage.
 - b. Such storage shall be located to the rear of the lot and subject to any additional screening, as determined by the Planning Commission at site plan review.
 - c. All such recreational vehicle and equipment storage shall be operable and licensed to operate on the highways of the State of Michigan.
2. **Screening.** All storage facilities shall be screened from adjacent uses and street rights-of-way in accordance with Section 8.04 (Methods of Screening and Buffering).
3. **Exterior appearance.** The exterior of any self-storage-warehouse shall be of finished quality and design, subject to Planning Commission approval. Such buildings shall have pitched roofs and gables and overhead doors shall not face toward any street right-of-way unless completely screened from view.

4. **Manager or caretaker's residence.** A manager or caretaker's residence shall be permitted accessory to a self storage warehouse use, in accordance with the following:
 - a. An accessory dwelling unit within the principal building shall be subject to the requirements of Section 5.101C (Accessory Dwelling Units).
 - b. A detached single-family dwelling located on the same lot with the principal use shall be subject to the requirements of Section 5.109 (Single-Family and Two-Family Dwellings); and the area, height and bulk requirements for the R (Single-Family Residential) District as specified in Article 4 (Dimensional Standards).

Section 5.407 Slaughter House, Rendering Plant, Stockyard or Similar Facility.

Slaughterhouses, rendering plants, stockyards, and similar facilities shall be subject to the following:

1. **Access.** Vehicle access to local streets shall be prohibited.
2. **Separation requirements.** The above uses shall be located at least 500 feet from any residential district or use.
3. **Sanitation requirements.** The waste and by-products obtained from the slaughtering operations conducted on the premises may be transported to some other location to be rendered. No rendering shall be permitted on products originating outside of the slaughterhouse and only dry rendering processes shall be used. All sanitary facilities shall be approved by the county Health Department or other agency with jurisdiction and all waste and manure shall be pretreated and removed daily.
4. **Parking and loading.** All parking, loading, and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.
5. **Public utility and other impacts.** The applicant shall submit an impact assessment describing the expected odors, aesthetics, anticipated truck traffic levels and truck routes, environmental impacts, impacts on public water and sanitary sewer systems, and any other anticipated impacts associated with the use. The impact assessment shall also describe any mitigation measures to be employed, which shall be subject to City approval.

Section 5.408 Warehouses and Other Storage Facilities, Distribution Plants, Freezers and Lockers, Truck Terminals, and Distribution Facilities.

Warehouses and other storage facilities, distribution plants, freezers and lockers, truck terminals, and distribution facilities shall be subject to the following:

1. **Access.** Vehicle access to local streets shall be prohibited.
2. **Setbacks.** Terminals shall be set back a minimum of 200 feet from any residential district or use.
3. **Traffic.** A traffic impact study may be required by the Planning Commission, per Section 7.12 (Traffic Impact Studies).
4. **Parking and loading.** All parking, loading, and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.
5. **Screening.** Truck and trailer parking areas shall be screened from all street rights-of-way and abutting uses and screening shall be required on side or rear lot lines abutting a residential district or use, in accordance with Section 8.04 (Methods of Screening and Buffering).

SECTION 5.500 OTHER USES

Section 5.501 Adult Entertainment Uses and Sexually Oriented Businesses.

All adult entertainment uses and sexually oriented businesses, as defined in Section 19.02 (Definitions), shall be subject to the following:

A. Uses Specified.

Uses defined as adult entertainment uses and sexually oriented businesses and subject to these controls and regulations are as follows:

1. Adult related businesses.
2. Adult motion picture theaters/arcades or adult live stage performing theater.
3. Adult book or supply store and video stores.
4. Adult cabarets.
5. Adult model studio.
6. Massage parlors that do not meet the definition of therapeutic massage.
7. Adult motel.

B. Uses Not Interpreted as Adult Regulated Uses.

The following uses shall not be interpreted as included within the definition of entertainment uses and sexually oriented businesses:

1. Establishments that provide services, as the principal use, by a licensed physician, chiropractor, physical therapist, nurse practitioner or any similarly licensed or certified medical professional.
2. Establishments that offer massages performed exclusively by certified massage therapists.
3. Gymnasiums, fitness centers, and health clubs.
4. Electrolysis treatment by a licensed operator of electrolysis equipment.
5. Continuing instruction in martial or performing arts or in organized athletic activities.
6. Hospitals, nursing homes, medical clinics or medical offices.

7. Adult photography studios whose business activity does not include the taking of photographs of “specified anatomical areas,” as defined in Section 19.02 (Definitions).

C. Site Location.

Adult entertainment uses and sexually oriented businesses are prohibited from locating within 1,000 feet of a residential zoning district; institutional use; licensed day care facility; or amusement arcade within the City of Sandusky or surrounding townships. Measurement shall be made from the outer most boundaries of the lot upon which the proposed adult entertainment use or sexually oriented business will be situated.

An adult entertainment use or sexually oriented business shall not be permitted within a 1,000-foot radius of an existing adult entertainment use or sexually oriented business. Measurement shall be made from the outer most boundaries of the lot upon which the proposed adult entertainment use or sexually oriented business will be situated.

D. Site Development Requirements.

1. The site layout, setbacks, structures, function, and overall appearance shall be compatible with adjacent uses and structures.
2. Windows, displays, signs, and decorative structural elements of buildings shall not include or convey examples of a sexual nature. All such displays and signs shall be in conformance with this Ordinance.
3. All building entries, windows, and other such openings shall be located, covered, or screened in such a manner as to prevent viewing into the interior from any public or semi-public area as determined by the Planning Commission.
4. No loud speakers or sound equipment shall be permitted to project sound outside of the adult only business.
5. An adult entertainment use or sexually oriented business shall clearly post notification at the entrance to the business, or any portion of the business utilized for adult only use, that minors are excluded.
6. An adult entertainment use or sexually oriented business shall be located in a freestanding building. A shared or common wall structure or shopping center is not considered to be a freestanding building.
7. “Adult cabarets” [as defined in Section 19.02 (Definitions)] are required to include a stage raised at least three (3) feet from the viewing floor, with a barrier of at least two (2) feet at the edge of the stage. A person is in violation of the Ordinance if he or she permits an entertainer off of the stage or permits a customer on the stage.
8. “Mainstream media outlets” carrying less than a “substantial portion” of “adult media” [all as defined in Section 19.02 (Definitions)] are not subject to the standards for entertainment uses and sexually oriented businesses. Adult media

in a shop to which this Section is applicable shall be kept in a separate room or section of the shop, which room or section shall:

- a. Restrict access to any person under the age of 18;
- b. Shall be physically and visually separated from the rest of the store by an opaque wall of durable material, reaching at least eight (8) feet high or to the ceiling, whichever is less;
- c. Shall be located so that the main entrance is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children;
- d. Shall have access controlled by electronic or other means to ensure that persons under age 18 will not gain admission and that the general public will not accidentally enter such room or section or provide continuous video or window surveillance of the room by store personnel; and
- e. Shall provide notification at all entrances stipulating that persons under 18 are not permitted inside.

E. Use Regulations.

1. No person shall reside in or permit a person to reside in the premises of an adult entertainment use or sexually oriented business.
2. No person shall operate an adult entertainment use or sexually oriented business unless there is conspicuously placed in a room where such business is carried on, a notice indicating the process for all services performed therein. No person operating or working at such a place of business shall solicit or accept any fees except those indicated on any posted notice.
3. The owners, operators, or persons in charge of an adult entertainment use or sexually oriented business shall not allow entrance into such building or any portion of a building used for such use, to any minors as defined by MCL 722.51 et seq., as amended.
4. No adult entertainment use or sexually oriented business shall possess, disseminate or permit persons therein to possess or disseminate on the premises any obscene materials as defined by MCL 752.361 et seq., as amended.
5. No person shall operate an adult entertainment use or sexually oriented business without obtaining a current zoning and building occupancy permit. Such licenses shall be issued by the City following an inspection to determine compliance with the relevant ordinances of the City of Sandusky. Such license shall be subject to all regulations of federal, state, and local governments.
6. No person shall lease or sublease, nor shall anyone become the lessee or sub-lessee of any property for the purpose of using said property for an adult entertainment use or sexually oriented business without the express written permission of the owner of the property for such use and only upon having

obtained the appropriate licenses and permits from the City, the county, and the State of Michigan.

F. Limit on Reapplication.

No application for an adult entertainment use or sexually oriented business that has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of the order of denial, except on the grounds of new evidence not previously considered or proof of a change in conditions from the original request.

Section 5.502 Airports, Heliports, and Related Uses.

Airports shall be consistent with the previous of the Airport Zoning Act (Act 23, P.A. of 1950 as amended). Airports, private landing strips, heliports, hangars, masts and related facilities shall meet the following standards:

1. **Plan approval.** The plans for such facilities shall have received approval by the Federal Aviation Agency (FAA) and the Michigan Department of Aeronautics, based on airport classification, prior to submittal to the Planning Commission for their review and approval.
2. **Minimum standards.** The airport site and design shall comply with the standards established by the FAA and the Michigan Department of Aeronautics concerning obstruction to air navigation.
3. **Clear zones and approaches.** All required “clear zones” (as defined by the FAA) shall be owned by the airport facility. The location and approached shall be in areas along the route with the lowest density residential or non-residential zoning and development.
4. **Aircraft and vehicle parking.** Sufficient parking shall be provided for aircraft storage. Additional vehicular parking shall be provided for airport users, and for accessory offices, restaurants, sales rooms, and other uses associated with the airport.
5. **Heliport standards.** Heliports shall be clearly defined areas. Heliport surfaces shall be paved and remain clear to prevent debris or other matter from blowing onto adjacent properties. Outdoor routine maintenance of helicopters shall be prohibited from dusk to dawn. Heliport landing approaches shall be clearly illustrated as being clear of vertical obstructions on the site plan. Heliports shall be screened in accordance with Section 8.04 (Methods of Screening and Buffering). Rooftop heliports shall demonstrate compliance with all appropriate construction and fire codes.

Section 5.503 Kennel or Animal Shelter.

Commercial kennels and animal shelters for animal breeding or boarding (keeping) shall be subject to the following:

1. **Screening.** Structures where animals are kept, outdoor runs, and exercise areas shall be screened in accordance with Section 8.04 (Methods of Screening and Buffering), and shall have impervious surfaces and an approved system for runoff, waste collection, and disposal.
2. **Use standards.** Animals shall not be kept or quartered outside of the buildings between 8:00 p.m. and 8:00 a.m. All structures and ventilation systems used for kennel purposes shall be constructed to prevent noise and odors from reaching the building exterior. Kennels shall be kept clean and waste shall be treated and handled in such a manner as to control odor and flies.
3. **Setbacks.** Structures where animals are kept, outdoor runs, and exercise areas shall not be located in any required yard setback areas, and shall also be set back at least 100 feet from abutting residential districts and existing residential uses.
4. **Other conditions.** Kennels and animal shelters shall be subject to all permit and operational requirements established by appropriate regulatory agencies. The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

Section 5.504 Produce Stands.

Produce stands and similar on-site farm product sales shall be subject to the following:

1. Roadside stands shall have a maximum gross floor area of 400 square feet.
2. Roadside stands shall not be located within any required yard setback area for the zoning district, as specified in Article 4 (Dimensional Standards).
3. A minimum of one (1) parking space shall be provided outside of the street right-of-way for each 100 square feet of space in the stand.
4. Such stands shall be portable, and shall be removed from view from abutting street rights-of-way during seasons when it will not be in use. All permitted signs accessory to the produce stand shall be temporary, and shall be removed when the stand is not in use.
5. All produce or products for sale shall be grown or produced on the premises or made from produce grown or material produced on the premises.

Section 5.505 Temporary Construction Structures and Uses.

Installation of temporary buildings, construction trailers or temporary sales offices associated with construction or development projects shall be subject to the following:

1. Installation of temporary buildings, construction trailers or temporary sales offices associated with construction or development project shall be subject to zoning permit approval per Section 1.06 (Zoning Permits).

2. Adequate provisions shall be made for emergency vehicle access, off-street parking and loading, drainage, and soil erosion.
3. Such buildings shall not be erected for more than 90 calendar days in any district unless a site plan has been approved by the City for the project. Such buildings shall be removed from the site before a final certificate of occupancy is issued for the primary building, or upon final completion of the development project as determined by the Zoning Administrator.
4. The applicant may be required to furnish a performance guarantee, per Section 1.06 (Performance Guarantees), in an amount equal to the estimated cost of removing and disposing of the temporary buildings, construction trailers or temporary sales offices (\$500.00 minimum). The guarantee shall be returned upon verification by the Zoning Administrator that the temporary construction facilities have been removed from the premises.

Section 5.506 Topsoil Removal or Stockpiling.

The removal or temporary stockpiling of topsoil on a site in the City of Sandusky shall comply with all applicable federal, state, and local laws, regulations, codes, and ordinances; and shall be subject to the following:

1. **Site plan approval.** Removal or temporary stockpiling of topsoil on a site in the City shall be prohibited, except where a site plan for development of the site has received final approval from the City per Section 12.01 (Site Plan Review).
2. **Zoning permit.** Approval of a zoning permit per Section 1.06 (Zoning Permits) shall be required for removal or temporary stockpiling of topsoil from any site in the City. The permit application shall include a plan showing the following:
 - a. Areas of temporary topsoil stockpiling and proposed methods of containment.
 - b. Proposed truck route(s) for any removal of topsoil from the site.
 - c. Calculations of the volume of existing topsoil on the site, the minimum volume required to support the planned development of the site, and any volume anticipated to be removed from the site.
3. **Setbacks.** Topsoil stockpiling areas shall comply with the minimum setback requirements for the district, and shall be set back a minimum of 100 feet from the boundary of any residential zoning district or any lot boundary abutting an existing residential use.
4. **Use standards.** Removal or stockpiling of topsoil shall be further subject to the following:
 - a. **Access.** All truck access to the site for removal of topsoil shall be from a public street classified as a collector, arterial or thoroughfare by the City's Master Plan, or county or state road authorities. Removal of topsoil using local streets shall be prohibited.

- b. **Containment and screening.** Stockpiled topsoil shall be contained to prevent blowing of materials or dust upon adjacent properties. Such stockpiled areas shall be screened from abutting street rights-of-way and residential districts or uses per Section 8.04 (Methods of Screening and Buffering).
 - c. **Limitation on removal.** Removal of topsoil from the site shall be limited only to that determined not to be needed for the planned development on the site, as demonstrated on a plan submitted for zoning permit approval.
- 5. **Expiration.** Expiration of site plan approval shall also cause any zoning permit for removal or temporary stockpiling of topsoil to immediately expire. No topsoil removal or stockpiling shall take place on a zoning lot except under an approved site plan and approved zoning permit.
- 6. **Other conditions.** The Planning Commission may require stockpiled topsoil to be covered, and may impose additional conditions upon the use to minimize adverse impacts on adjacent uses.