

**GUN PLAIN CHARTER TOWNSHIP
ORDINANCE NO. 189
AMENDMENT TO THE GUN PLAIN TOWNSHIP ZONING ORDINANCE**

**ADOPTED:
EFFECTIVE:**

**AN ORDINANCE TO AMEND THE GUN PLAIN TOWNSHIP ZONING ORDINANCE
TO AMEND CHAPTER IV, AGRICULTURAL DISTRICT, OF THE GUN PLAIN
CHARTER TOWNSHIP TO READ AS FOLLOWS:**

CHAPTER IV

AG AGRICULTURAL DISTRICT

SECTION 4.01 DESCRIPTION AND PURPOSE

This zoning district is intended to accommodate large tracts of land appropriate for or currently under cultivation, wetlands, woodlands, and other lands in an undisturbed state. Farming, crop cultivation, dairy and livestock operations, and limited amounts of single family dwellings are suitable uses in this district. The division of lots which interferes with large agricultural tracts is discouraged. The Township recognizes, however, that within the Agricultural District there are locations where farming may be impracticable due to soil constraints or previous development and divisions. Further it is recognized that a need for housing and desire of many to live within a rural area continue to put pressure upon these lands.

SECTION 4.02 PERMITTED USE REGULATIONS

Land, buildings and structures in this Zoning District may be used for the following purposes only:

- A. Farms for both general and specialized farming, together with farm dwellings, buildings and other installations necessary to such farms including temporary housing for migratory workers housing and its sanitary facilities, provided that such activities are in conformance with all requirements of the Allegan County Health Department, the State of Michigan Right to Farm Act, MDEQ and/or any other federal, state and/or local regulating agency having jurisdiction.
- B. Greenhouses, nurseries, orchards, vineyards, and apiaries
- C. Riding stables, where horses are boarded and/or rented.
- D. Single family dwellings
- E. Publicly owned and operated parks, parkways, and recreational facilities.
- F. Adult foster care family homes of six (6) or fewer persons. This subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released for or assigned to adult correctional institutions.

- G. Accessory structures and uses customarily incidental to the above permitted uses.
- H. Churches, synagogues, and other religious facilities and buildings customarily incidental thereto, subject to the provisions of Section 17.11 of this Ordinance. **(Amended 8-3-2017 Ordinance #165)**

SECTION 4.03 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be permitted by the Planning Commission, subject to the conditions specified for each use in Chapter 17; review and approval of the Planning Commission, the imposition of special conditions which, in the opinion of the Planning Commission, are necessary to fulfill the purposes of this Ordinance; and the procedures set forth in Chapter 22 of this Ordinance:

- A. Home occupations as regulated by Section 17.34 of this Ordinance..
- B. Removal and processing of topsoil, sand, gravel or other such minerals as regulated by Section 19.09 of this Ordinance.
- C. Commercial kennels and animal boarding establishments as regulated in Section 17.21 of this Ordinance.
- D. Municipal, county, regional and state owned buildings and service facilities (not including outdoor storage yards) when in character with the surrounding residential and agricultural area.
- E. Private recreation areas, uses, and facilities including country clubs, golf courses, and swimming pools.
- F. Public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, and gas regulator stations, (not including service or storage yards) when operating requirements necessitate the locating within the district in order to serve the immediate vicinity. This shall not include wireless communication facilities except as set forth in Section 17.36 of this Ordinance.
- G. Cemeteries.
- H. Essential Services
- I. Cottage Industries as Regulated by Section 17.341 (Amended 7/6/2006)

SECTION 4.04 DEVELOPMENT STANDARDS

No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

- A. **HEIGHT.** No residential building or structure shall exceed thirty-five (35) feet in height. Agricultural structures such as storage silos, barns, grain elevators and similar structures are

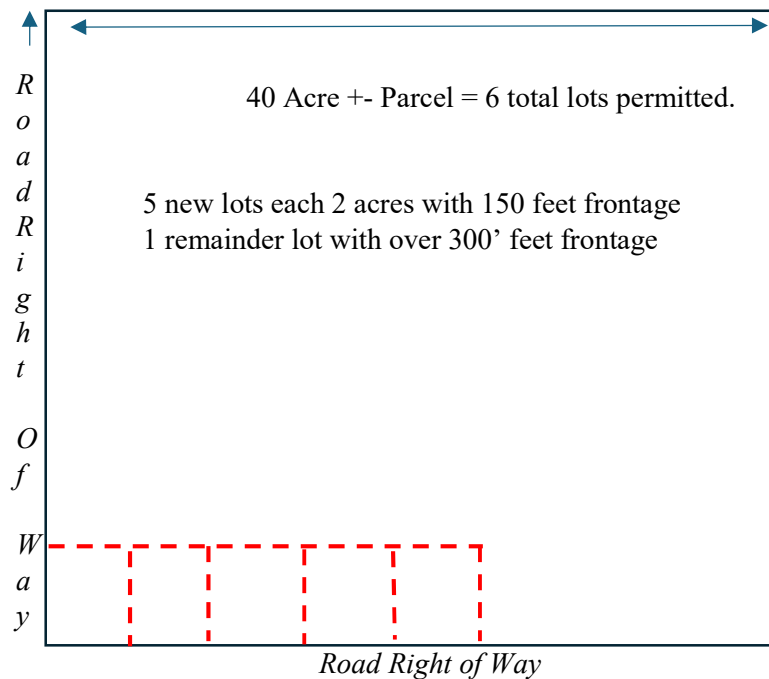
exempt from the maximum height requirements of this Ordinance.

- B. **FRONT YARD.** There shall be a front yard of not less than fifty (50) feet.
- C. **SIDE YARD.** For residential buildings and structures, there shall be total side yards of not less than twenty (20) feet; provided, however, that no side yard shall be less than seven (7) feet. For all other buildings, there shall be two (2) side yards of not less than twenty (20) feet each. **(Amended 4-6-2020 Ordinance #172)**
- D. **REAR YARD.** There shall be a rear yard of not less than ten (10) feet. **(Amended 4-6-2020 Ordinance #172)**
- E. **LOT AREA.** Newly created parcels within this district shall be not less than one acre and not more than two acres, with the following exceptions:
 - 1. Single parcels may be created larger than noted above through administrative approval provided that:
 - a. the resulting newly created lot has the equivalent of at least 200 feet of road frontage per each segment over 2 acres in lot area, and;
 - b. additional division rights shall be considered exhausted at the rate of one division per each segment over 2 acres in size of the newly created lot. (Example: a new lot proposed to comprise 2.01, 2.5, 3, 3.5 or 4 acres would require 400 feet of road frontage and would exhaust rights for 2 divisions. A new parcel of 4.1-6 acres would exhaust rights for 3 divisions and require 600 feet of road frontage).
 - 2. Newly created parcels that are larger than two acres but do not meet the requirements of subsection 1 above may be permitted as a Special Use by the Gun Plain Charter Township Planning Commission when one or more of the following conditions exist:
 - a. There exists a topographic condition such as a creek, ridge or an existing boundary line configuration that would create a portion of the remainder parcel that is impracticable to access for agricultural purposes.
 - b. A letter from the Allegan County Health Department is submitted stating that additional lot area is required to support a septic system.
- F. **LOT WIDTH.**
 - A. Newly created lots:
 - 1. shall have a minimum lot width of 150 feet.
 - 2. shall not exceed a width to depth ratio of 1:4.
 - B. Remainder lots:
 - 1. Remainder lots over two (2) acres shall have a minimum lot width of 300 feet.
 - 2. Remainder lots under two (2) acres shall have a minimum lot width of 150 feet.
- G. **MINIMUM FRONTAGE.** The minimum public street or private road frontage, unless specified elsewhere, shall be the same as the applicable minimum lot width.
- H. **MINIMUM FLOOR AREA.** Each dwelling unit, unless specified elsewhere, shall have a minimum of eight hundred sixty-four (864) square feet of useable floor area on the main floor.

- I. **SITE PLAN REVIEW.** Site Plan Review and approval is required for all uses except detached single family residential uses, accessory buildings, permitted agricultural uses in accordance with Chapter 20 of this Ordinance and adult foster care facilities with six (6) or fewer residents. (Rev. 12/5/02)
- J. **SINGLE FAMILY RESIDENTIAL DRIVEWAYS.** All driveways providing access for single family dwellings shall be constructed in such a manner as to provide year-round access from public or private roads so that emergency vehicles and services can reach such structures readily, conveniently and safely. At a minimum, driveway construction shall consist of the removal or all unsuitable soil and placement of six inches of suitable road gravel. Driveways shall be a minimum of eight (8) feet wide with sufficient clearance of vegetation and other obstructions so as to provide for the access of all types of emergency vehicles providing emergency services in the Township. No more than one driveway shall be permitted per residential parcel. No more than two (2) residences shall share a single driveway. (Rev. 12/5/02)
- K. **LOT DIVISIONS AND TRANSFERS FOR SINGLE FAMILY DWELLINGS**
1. Divisions: The following table shall govern the number of lots that may be subdivided and developed for single family dwellings according to the size of the original or “parent” parcel existing as a lot of record on the effective date of this Ordinance Amendment (**ord no. ### eff. DATE**).*(note: THIS WILL INCLUDE THE NUMBER AND EFFECTIVE DATE OF ADOPTION OF THE NEW STANDARDS IN 2025)*

Area of Lot of Record	Total Number of Lots (new and remainder)
2-19.99 acres	4
20 to 39.99 acres	5
40 to 59.99 acres	6
60 or more acres	7

1330 feet square= 40.61 acres



2. Redivision Rights: Redivision rights shall be granted to all parcels based upon the above formula that are two or more acres but less than twenty acres in size, after a period of ten years has passed since either the creation of the new parcel or the final original division being recorded from a remainder parcel.

3. Transfers:

a. No Land Transfer or Boundary Line Adjustments shall be permitted unless one of the two following circumstances are created:

1. Both parcels are under 20 acres before the proposed transfer
2. Both parcels will both be over 40 acres after the proposed transfer

Amend Chapter 5, R-1 Very Low Density (Rural) Residential District, of the Gun Plain Charter Township Zoning Ordinance to read as follows:

CHAPTER V

R-1 VERY LOW DENSITY (RURAL) RESIDENTIAL DISTRICT

SECTION 5.01 DESCRIPTION AND PURPOSES

This District is intended for single family dwellings on large parcels interspersed within tracts of agricultural uses and undeveloped open space for the purpose of maintaining rural atmosphere,

preserving open space and very low population density. Utilities are not encouraged for extension in this area and all homes must utilize on-site well and sanitary septic systems as permitted by the Allegan County Health Department.

SECTION 5.02 PERMITTED USE REGULATIONS

Land, buildings and structures in this zoning district may be used for the following purposes only:

- A. Single family dwellings.
- B. Farms for both general and specialized farming, together with farm dwelling and buildings and other installations necessary to such farms. Horses may be kept on parcels exceeding five (5) acres.
- C. Roadside stands for the sale of produce grown on the property by the resident owners.
- D. Greenhouses, nurseries, orchards, vineyards, or farms.
- E. Adult foster care family homes of six (6) or fewer persons. This subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released for or assigned to adult correctional institutions.
- F. Accessory structures and uses customarily incidental to the above permitted uses.
- G. Churches, synagogues, and other religious facilities and buildings customarily incidental thereto, subject to the provisions of Section 17.11 of this Ordinance. **(Amended 8-3-2017 Ordinance #165)**

SECTION 5.03 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be permitted by the Planning Commission, subject to the conditions specified for each use in Chapter 17; review and approval of the Planning Commission, the imposition of special conditions which, in the opinion of the Planning Commission, are necessary to fulfill the purposes of this Ordinance; and the procedures set forth in Chapter 22 of this Ordinance:

- A. Home occupations as regulated by Section 17.34 of this Ordinance.
- B. Removal and processing of topsoil, sand, gravel or other such minerals as regulated by Section 19.09. of this Ordinance.
- C. Commercial kennels and animal boarding establishments as regulated in Section 17.21 of this Ordinance.
- D. Municipal, county, regional and state owned buildings and service facilities (not including outdoor storage yards) when in character with the surrounding residential and agricultural area. **(Amended 8-23-2017 Ordinance #165)**
- F. Public, parochial, and private elementary, intermediate, and/or high schools offering courses in

general education.

- G. Private recreation areas, uses, and facilities including country clubs, golf courses, and swimming pools.
- H. Public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating within the district in order to serve the immediate vicinity. This shall not include wireless communication facilities except as set forth in Section 16.36 of this Ordinance.
- I. Cemeteries.
- J. Riding stables, where horses are boarded and/or rented.
- K. Essential Services
- L. Publicly owned and operated parks, parkways, and recreational facilities.

SECTION 5.04 DEVELOPMENT STANDARDS

No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

- A. **HEIGHT REGULATIONS.** No residential building or accessory structure shall exceed thirty-five (35) feet in height.
- B. **FRONT YARD.** There shall be a front yard of not less than fifty (50) feet.
- C. **SIDE YARD.** For residential buildings and structures, there shall be total side yards of not less than twenty (20) feet; provided, however, that no side yard shall be less than seven (7) feet. For all other buildings, there shall be two (2) side yards of not less than twenty (20) feet each. **(Amended 4-6-2020 Ordinance #172)**
- D. **REAR YARD.** There shall be a rear yard of not less than ten (10) feet. **(Amended 4-6-2020 Ordinance #172)**
- E. **LOT AREA.** The minimum gross lot area in this District shall be one (1) acre for all agricultural and rural (single family) residential land uses. (Rev. 12/5/02)
- F. **LOT WIDTH.** The minimum lot width in this District, unless specified elsewhere, shall be one hundred fifty (150) feet. The maximum lot width to depth ratio shall be 1:4 for all newly created lots less than 10 acres in size.
- G. **MINIMUM FRONTAGE.** The minimum public street or private road frontage, unless specified elsewhere, shall be the same as the applicable minimum lot width.

- H. **MINIMUM FLOOR AREA.** Each dwelling unit, unless specified elsewhere, shall have a minimum of eight hundred sixty-four (864) square feet of usable floor area on the main floor.
- I. **SITE PLAN REVIEW.** Site Plan Review and approval is required for all uses except detached single family residential uses in accordance with Chapter 20, accessory buildings permitted agricultural uses in accordance with Chapter 20 of this Ordinance and adult foster care facilities with six (6) or fewer residents. (Rev. 12/5/02)
- J. **SINGLE FAMILY RESIDENTIAL DRIVEWAYS.** All driveways providing access for single family dwellings shall be constructed in such a manner as to provide a year-round access from public or private roads so that emergency vehicles and services can reach such structures readily, conveniently and safely. At a minimum, driveway construction shall consist of the removal of all unsuitable soil and placement of six inches of suitable road gravel. Driveways shall be a minimum of eight (8) feet wide with sufficient clearance of vegetation and other obstructions so as to provide for the access of all types of emergency vehicles providing emergency services in the Township. No more than one driveway shall be permitted per residential parcel. No more than two (2) residences may share a single driveway. (Rev. 12/5/02)

Amend Chapter 6, R-2, Low Density (Rural) Residential District, of the Gun Plain Charter Township Zoning Ordinance to read as follows:

SECTION 6.01 DESCRIPTION AND PURPOSE

This District is intended for low density single family residential dwellings on large parcels within an improved neighborhood or residential subdivision setting. These areas will be convenient to major transportation networks and may be accessible to public water and sewer facilities. In addition to single family residential uses, desirable recreational, religious and educational facilities are also permitted. Planned Unit/Open Space Development shall be the preferred method of design and development. Standard plats, site condominiums and land divisions are permitted but at lower density than Planned Unit/Open Space Developments.

SECTION 6.02 PERMITTED USES

Land, buildings or structures in this Zoning District may be used for the following purposes only:

- A. Single family dwellings.
- B. Publicly owned and operated parks, parkways, and recreational facilities.
- C. Adult foster care family homes of six (6) or fewer persons. This subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released for or assigned to adult correctional institutions.

- D. Accessory structures and uses customarily incidental to the above permitted uses.
- E. Private and public schools, libraries, museums, art galleries and similar uses.
- F. Parks, playgrounds, cemeteries, community centers, governmental, administration, or service buildings which are owned and operated by a governmental agency or a noncommercial organization.
- G. Churches, synagogues, and other religious facilities and buildings customarily incidental thereto, subject to the provisions of Section 17.11 of this Ordinance.
- H. Planned Unit Developments subject to provisions of Chapter 15 of this Ordinance.
- I. Two family dwellings (“duplexes”)

SECTION 6.03 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be permitted by the Township Board, subject to the conditions specified for each use in Chapter 17; review and approval of the Planning Commission, the imposition of special conditions which, in the opinion of the Planning Commission or Township Board, are necessary to fulfill the purposes of this Ordinance; and the procedures set forth in Chapter 22 of this Ordinance:

- A. Home occupations as regulated by Section 17.34 of this Ordinance. .
- B. Municipal, county, regional and state owned buildings including libraries, art galleries, museums, offices and service facilities (not including outdoor storage yards) when in character with the surrounding residential area.
- C. Private recreation areas, uses, and facilities including country clubs, golf courses, and swimming pools.
- D. Public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating within the district in order to serve the immediate vicinity. This shall not include wireless communication facilities except as set forth in section 17.36 of this Ordinance.
- E. Cemeteries.
- F. Essential Services

SECTION 6.04 DEVELOPMENT STANDARDS

No building or structure, nor any enlargement thereof, shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

- A. **HEIGHT REGULATIONS** No building or structure shall exceed thirty-five (35) feet in height or two and one half (2 ½) stories.
- B. **FRONT YARD.** There shall be a front yard of not less than fifty (50) feet. However, front yards in subdivision plats or site condominiums approved prior to the adoption date of this ordinance may have a front yard of not less than thirty (30) feet. (Rev. 6/5/03)
- C. **SIDE YARD.** There shall be total side yards of not less than twenty (20) feet; provided, however, that no yard shall be less than seven (7) feet.
- D. **REAR YARD.** There shall be a rear yard of not less than ten (10) feet. **(Amended 4-6-2020 Ordinance #172)**

- E. **LOT AREA..** The minimum gross lot area in this District shall be:
1. Where Municipal water and sewer are available: One half (1/2) acre.
 2. Where Municipal water and sewer are not available: Not less than one half (1/2) acre, with written approval by the Allegan County Health Department.
 3. Permitted nonresidential uses shall be required to have a minimum of five (5) acres. (Rev. 12/5/02)
- F. **LOT WIDTH.** The minimum lot width in this District where municipal water and sewer are available shall be eighty (80) feet. Where municipal water and sewer are not available, the minimum lot width shall be one hundred (100) feet. The maximum lot width to depth ratio shall be 1:4 for all newly created lots less than 10 acres in size.
- G. **MINIMUM FRONTAGE.** The minimum public street or private road frontage, unless specified elsewhere, shall be the same as the minimum applicable lot width.
- H. **MINIMUM FLOOR AREA** Each single family dwelling unit shall have a minimum usable floor area of eight hundred sixty-four (864) square feet on the main floor. Duplexes shall have a minimum usable floor area of six hundred fifty (650) square feet per dwelling unit on the main floor.
- I. **SITE PLAN REVIEW.** Site Plan Review and approval is required for all uses except detached single family residential uses on individual parcels in accordance with Chapter 20, accessory buildings and adult foster care facilities with six (6) or fewer residents. (Rev. 12/5/02)
- J. **PLANNED UNIT DEVELOPMENT.** Subdivision Open Space Developments (PUD's) are permitted and encouraged in the R-2 District, subject to the standards and approval provisions as set forth in Chapter 15 of this Ordinance.
- K. **ACCESS MANAGEMENT.** All developments consisting of two or more single family dwellings shall utilize shared driveways, private roads or newly dedicated public roads to provide access to their developments in order to limit curb cuts and access to primary County roadways and State highways.
- L. **SINGLE FAMILY RESIDENTIAL DRIVEWAYS**
All driveways providing access for single family dwellings shall be constructed in such a manner as to provide a year-round access from public or private roads so that emergency vehicles and services can reach such structures readily, conveniently and safely. At a minimum, driveway construction shall consist of the removal of all unsuitable soil and placement of six inches of suitable road gravel. Driveways shall be a minimum of eight (8) feet wide with sufficient clearance of vegetation and other obstructions so as to provide for the access of all types of emergency vehicles providing emergency services in the Township. No more than one driveway shall be permitted per residential parcel. No more than two(2) residences may share a single driveway.(Rev. 12/5/02)
- M. **PUBLIC WATER AND SEWER.** Each principal building in the proposed development shall be served by public sanitary and public water supply systems if available within two hundred (200) feet of the proposed development. If not available, private sewer and water systems are

permitted when approved by the Allegan County Health Department in compliance with Chapter 22 of the Code of Ordinances of Gun Plain Township.
(Amended 10-6-2011 Ord.#153)

Amend Chapter 7, R-3, Medium Density Residential District, of the Gun Plain Charter Township Zoning Ordinance to read as follows:

CHAPTER VII

R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 7.01 DESCRIPTION AND PURPOSE

This District is intended for a mixture of housing types including single and two family dwellings, condominium developments, multiple family structures, senior housing facilities, apartments, and similar housing alternatives. Planned Unit/Open Space Development shall be the preferred method of design and development. Standard plats, site condominiums and land divisions are permitted but shall be subject to a density penalty.

SECTION 7.02 PERMITTED USES

Land, buildings or structures in this Zoning District may be used for the following purposes only:

- A. Single and two family dwellings.
- B. Adult foster care family (six (6) or fewer persons) or group (twelve (12) or fewer persons) homes. This subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released for or assigned to adult correctional institutions.
- C. Nursing homes, senior citizen housing, retirement residences, senior apartment facilities and similar group housing.
- D. Accessory structures and uses customarily incidental to the above permitted uses, including but not limited to:
 - 1. Community garages, serving the principal residential building, containing space for no more than two (2) passenger vehicles for each dwelling unit in the principal building on the lot.
 - 2. Maintenance and management buildings to serve the multiple dwellings.
 - 3. Private swimming pool, clubhouse, or other recreational facility designed and operated only for the occupants of the principal building and their personal guests.
- E. Private and public schools (including charter schools).
- F. Parks, playgrounds, cemeteries, community centers, governmental, administration, or service

buildings which are owned and operated by a governmental agency or a not-for-profit organization.

- G. Churches, synagogues, and other religious facilities and buildings customarily incidental thereto, subject to the provisions of Section 17.11 of this Ordinance.
- H. Planned Unit Developments subject to provisions of Chapter 15 of this Ordinance.
- I. Multiple family dwellings, including but not limited to, apartments, low-rise garden apartment houses, townhouses, terraces, efficiency units, and row houses.

SECTION 7.03 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be permitted by the Planning Commission, subject to the conditions specified for each use in Chapter 17; review and approval of the Planning Commission, the imposition of special conditions which, in the opinion of the Planning Commission, are necessary to fulfill the purposes of this Ordinance; and the procedures set forth in Chapter 22 of this Ordinance:

- A. Home occupations as regulated by Section 17.34 of this Ordinance.
- B. Municipal, county, regional and state owned buildings including libraries, art galleries, museums, offices and service facilities (not including outdoor storage yards) when in character with the surrounding residential area.
- C. Private recreation areas, uses, and facilities including country clubs, golf courses, and swimming pools.
- D. Public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating within the district in order to serve the immediate vicinity. This shall not include wireless communications facilities except as set forth in Section 17.36 of this Ordinance.
- E. *(reserved)*
- F. Cemeteries.
- G. Essential Services

SECTION 7.04 DEVELOPMENT STANDARDS

No building or structure, nor any enlargement thereof, shall be hereafter erected except in conformance with the following yard, lot area and building coverage requirements:

- A. **HEIGHT REGULATIONS.** No building or structure shall exceed thirty-five (35) feet in height or two and one half (2 ½) stories in height.

- B. **FRONT YARD.** There shall be a front yard of not less than twenty five (25) feet.
- C. **SIDE YARD.** There shall be total side yards as follows:
1. For single and two family dwellings, the total side yards shall be not less than twenty (20) feet; provided, however, that no side yard shall be less than seven (7) feet.
 2. For multi-family dwellings and all other permitted uses, each side yard shall be not less than twenty-five (25) feet, except that when a principal structure exceeds twenty-five feet in height, it shall be set back a distance equal to the overall height of the building.
- D. **REAR YARD.** There shall be a rear yard of not less than ten (10) feet. Multiple family structures over the height of twenty-five (25) feet shall have a rear yard equal to the total height of the proposed structure. **(Amended 4-6-2020 Ordinance #172)**
- E. **LOT AREA AND WIDTH.** The minimum gross lot area and width in this District, unless specified elsewhere, shall be:
1. For Single and Two Family Dwellings
 - a. with public sewer: ¼ acre, with not less than 80 feet of lot width
 - b. without public sewer: ¼ acre with not less than 100 feet of lot width, however septic system approval shall be required to be submitted with land division application.
 2. Multiple Family Dwellings (only permitted when connected to sewer and water): 5,000 square feet per dwelling unit. There is no set minimum width, however the property must be wide enough to accommodate the required setbacks for the proposed development.
 3. Non-Residential and other permitted uses: There shall be no set minimum lot size or width, however the property must be wide enough to accommodate the required bulk development standards for the proposed use.
- F. **LOT WIDTH TO DEPTH RATIO.** The maximum lot width to depth ratio shall be 1:4 for all newly created lots less than 10 acres in size.
- G. **MINIMUM FRONTAGE.** The minimum public street or private road frontage, unless specified elsewhere, shall be the same minimum applicable lot width.
- H. **MINIMUM FLOOR AREA.**
1. Single and Two Family Dwellings shall have the minimal usable floor area as is required in the "R-2" zoning district classification. Each multi family dwelling shall have minimum usable floor area as follows: one bedroom unit, six hundred fifty (650) square feet per unit; two bedroom unit, seven hundred fifty (750) square feet per unit; three bedroom unit, nine hundred (900) square feet per unit; additional bedrooms shall require an additional one hundred (100) square feet of usable floor area for each additional bedroom.
- I. **SITE PLAN REVIEW.** Site Plan Review and approval is required for all uses except detached single and two-family residential uses located on individual parcels in accordance

with Chapter 20, accessory buildings and adult foster care facilities with six (6) or fewer residents.

- J. **PLANNED UNIT DEVELOPMENT.** Subdivision Open Space Developments are permitted and encouraged in the R-3 District where public water and sewer is available, subject to the standards and approval provisions as set forth in Chapter 15 of this Ordinance.
- K. **PUBLIC WATER AND SEWER.** All multiple family developments within the R-3 District shall be served by public sanitary and public water supply systems if available within two hundred (200) feet of the proposed development. If not available, private sewer and water systems are permitted when approved by the Allegan County Health Department in compliance with Chapter 22 of the Code of Ordinances of Gun Plain Township.
(Amended 10-6-2011 Ord.#153)
- L. **ACCESS MANAGEMENT.** All developments consisting of two or more residential dwellings shall utilize private roads or newly dedicated public roads to provide access to their developments in order to limit curb cuts and manage access to primary County roadways and State highways.
- M. **SINGLE FAMILY RESIDENTIAL DRIVEWAYS.** All driveways providing access for single family dwellings shall be constructed in such a manner as to provide a year-round access from public or private roads so that emergency vehicles and services can reach such structures readily, conveniently and safely. At a minimum, driveway construction shall consist of the removal of all unsuitable soil and placement of six inches of suitable road gravel. Driveways shall be a minimum of eight (8) feet wide with sufficient clearance of vegetation and other obstructions so as to provide for the access of all types of emergency vehicles providing emergency services in the Township. No more than one driveway shall be permitted per residential parcel or use. No more than two (2) residences may share a single driveway. (Rev. 12/5/02)

Amend Chapter 8, LR, Lake Residential District, of the Gun Plain Charter Township Zoning Ordinance to read as follows:

CHAPTER VIII

LR LAKE RESIDENTIAL DISTRICT

SECTION 8.01 DESCRIPTION AND PURPOSES

This zoning district is intended to provide suitable regulations for residential developments occurring adjacent to lake waterfronts within the Township and to control new development in an orderly manner to avoid degradation of the surface water quality and associated natural lake environment.

SECTION 8.02 PERMITTED USE REGULATIONS

Land, buildings or structures in this Zoning District may be used for the following purposes only:

- A. Single family dwellings.
- B. Publicly owned and operated parks, parkways, and recreational facilities.
- C. Adult foster care family homes of six (6) or fewer persons. This subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released for or assigned to adult correctional institutions.
- D. Accessory structures and uses customarily incidental to the above permitted uses.
- E. Private and public schools, libraries, museums, art galleries and similar uses.
- F. Parks, playgrounds, cemeteries, community centers, governmental, administration, or service buildings which are owned and operated by a governmental agency or a non commercial organization.
- G. Churches, synagogues, and other religious facilities and buildings customarily incidental thereto, subject to the provisions of Section 17.11 of this Ordinance.
- H. Planned Unit Developments subject to provisions of Chapter 15 of this Ordinance.

SECTION 8.03 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be permitted by the Township Board, subject to the conditions specified for each use in Chapter 17; review and approval of the Planning Commission, the imposition of special conditions which, in the opinion of the Planning Commission or Township Board, are necessary to fulfill the purposes of this Ordinance; and the procedures set forth in Chapter 22 of this Ordinance:

- A. Home occupations as regulated by Section 17.34 of this Ordinance.
- B. Municipal, county, regional and state owned buildings including libraries, art galleries, museums, offices and service facilities (not including outdoor storage yards) when in character with the surrounding residential area.
- C. Private recreation areas, uses, and facilities including country clubs, golf courses, and swimming pools.
- D. Public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating within the district in order to serve the immediate vicinity. This shall not include wireless communication facilities except as set forth in section 17.36 of this Ordinance.
- E. Cemeteries.
- F. Essential Services

SECTION 8.04 DEVELOPMENT STANDARDS

No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

- A. **HEIGHT REGULATIONS.** No residential building or accessory structure shall exceed thirty-five (35) feet in height.
- B. **FRONT YARD.** There shall be a front yard of not less than thirty (30) feet.
- C. **SIDE YARD.** There shall be total side yards of not less than twenty (20) feet; provided, however, that no side yard shall be less than seven (7) feet.
- D. **REAR YARD.** There shall be a rear yard of not less than ten (10) feet; provided, however, that in the case of lakefront lots, the rear yard shall be not less than fifty (50) feet from the water's edge. **(Amended 4-6-2020 Ordinance #172)**
- E. **LOT AREA.** The minimum gross lot area in this District shall be: 1) with public water and sewer, twelve thousand five hundred (12,500) square feet; 2) without public water and sewer, twenty two thousand (22,000) square feet. (Rev. 12/5/02)
- F. **LOT WIDTH.** The minimum lot width in this District shall be: 1) with public water and sewer, a minimum width of eighty five (85) feet; 2) without public water and sewer, one hundred (100) feet. The maximum lot width to depth ratio shall be 1:4 for all newly created lots.
- G. **MINIMUM FRONTAGE.** The minimum public street or private road frontage, unless specified elsewhere, shall be the same as the applicable minimum lot width.
- H. **MINIMUM FLOOR AREA.** Each dwelling unit, unless specified elsewhere, shall have a minimum of eight hundred sixty-four (864) square feet of usable floor area on the main floor.
- I. **SITE PLAN REVIEW.** Site Plan Review and approval is required for all uses except detached single family residential uses in accordance with Chapter 20, accessory buildings and adult foster care facilities with six (6) or fewer residents. (Rev. 12/5/02)
- J. **PLANNED UNIT DEVELOPMENT.** Residential Open Space Developments are permitted and encouraged in the LR District where public water and sewer is available, subject to the standards and approval provisions as set forth in Chapter 15 of this Ordinance.
- K. **SINGLE FAMILY RESIDENTIAL DRIVEWAYS.** All driveways providing access for single family dwellings shall be constructed in such a manner as to provide a year-round access from public or private roads so that emergency vehicles and services can reach such structures readily, conveniently and safely. At a minimum, driveway construction shall consist of the removal of all unsuitable soil and placement of six inches of suitable road gravel. Driveways shall be a minimum of eight (8) feet wide with sufficient clearance of vegetation and other obstructions so as to provide for the access of all types of emergency vehicles

providing emergency services in the Township. No more than one driveway shall be permitted per residential parcel. No more than two (2) residences may share a single driveway. (Rev. 12/5/02)

- L. **PUBLIC WATER AND SEWER.** Each principal building in the proposed development shall be served by public sanitary and public water supply systems if available within two hundred (200) feet of the proposed development. If not available, private sewer and water systems are permitted when approved by the Allegan County Health Department in compliance with Chapter 22 of the Code of Ordinances of Gun Plain Township. **(Amended 10-6-2011 Ord.#153)**