

**ARTICLE 11 - SCHEDULE OF DISTRICT REGULATIONS.**

**Section 1100. Height, Bulk, Density, Area, Setback and Lot Coverage by District:**

USE DISTRICT	MINIMUM LOT AREA (A) (I) (J)	MINIMUM LOT WIDTH (IN FEET) (K)	MAXIMUM HEIGHT OF STRUCTURES (A)		MINIMUM YARD SETBACK PER LOT (IN FEET) (A) (G)			MINIMUM FLOOR AREA PER SINGLE FAMILY UNIT (SQ. FT.)	MAXIMUM PERCENTAGE OF LOT AREA COVERED BY ALL BUILDINGS	
					FRONT	SIDES (C)				REAR
			IN STORIES	IN FEET	(H)	LEAST ONE	TOTAL OF 2 SIDES			(L) (N)
AG	3 ACRES	250	2 ½	35	75	30	60	50	1,200	16%
AG W/ new road	2.5 ACRE (F)	250	2 ½	35	50	20	40	50	1,200	35%
SF	2.5 ACRES	250	2 ½	35	75	30	60	50	1,200	20%
SF W/ new road	2 ACRE (F)	250	2 ½	35	50	20	40	50	1,200	35%
R-1 W/out Sewer and Water (D)	2 ACRE	250	2 ½	35	50	20	40	50	1,000	10%
R-1 W/ Sewer and Water (D)	1/2 ACRE	80	2 ½	30	35	10	20	35	1,000	35%
RM (M)	1 ACRE	150	2 ½	35	35	20	40	50	1,000 (E)	10%
RC	SPR (B)	SPR (B)	2 ½	35	75 (B)	50 (B)	100 (B)	50 (B)	(B)	(B) (O)
B-1	1 ACRE	150	2	30	35	10	35	35 (M)	N/A	(O)
B-2	1 ACRE	150	2	30	35	10	35	35 (M)	N / A	(O)
LI	2 ACRES	250	2	35	75	50	100	100	N / A	30%

N/A - Not Applicable; SPR - Site Plan Review; ( ) - See Footnote on following page

**FOOTNOTES TO SECTION 1100. LIMITING HEIGHT, BULK, DENSITY, AND AREA BY LAND USE**

- (A) See Section 1203 for height, bulk, density, area and setback requirements for accessory structures and uses.
- (B) A caretaker's residence shall conform to the Schedule of District Regulations for a single family home in the R-1 District.
- (C) In all districts, side yards, which abut a street or road, shall be considered a street-side side yard for purposes of this ordinance. All street-side side yards shall meet the minimum front yard setback requirements for permitted structures in the district.
- (D) Mobile home parks shall be developed in accordance with PA 96 of 1987, the Mobile Home Commission Act, as amended, and the Michigan Mobile Home Commission rules, as promulgated.
- (E) The minimum floor area per dwelling unit for multiple family dwellings in the RM District shall be as follows:

Type of Unit*	Minimum Floor Area Per Dwelling Unit
Efficiency Unit	450 s.f.
One Bedroom Unit	600 s.f.
Two Bedroom Unit	750 s.f.
Each Additional Room	150 s.f. per room

\*Based on number of bedrooms in the dwelling unit.

- (F) If only one new curb cut off of an existing public road is proposed for the entire parent parcel then lot areas may be reduced to 2.5 acres (AG district) and 2 acres (SF district) for 20% of all proposed lots. All lots shall have frontage on the access to a new public or private road. The buildable area and lot area shall be as provided for in footnote I and J below. The density permitted on the net buildable land area within the AG and SF districts is as follows:
  - AG - .33 dwelling units per acre
  - SF - .4 dwelling units per acre
- (G) Where there are two or more permitted principal buildings on the same parcel, the required minimum distance between the buildings shall be twenty (20) feet.
- (H) The required front yard and exterior side yard setback shall be measured from the right of way line or easement line for public roads, private roads, and private access easements. The required front yard setback for residential districts abutting a major thoroughfare shall have a minimum of fifty (50) feet.

- (I) Calculations for determining the minimum lot area shall not include any right of way or easement area for a public road, private road, or access easement.
- (J) Calculations for determining maximum density and the number of lots permitted shall be based upon net buildable land area (areas such as wetlands, floodplains and sub-aqueous areas shall not be included in calculations for determining maximum density and number of lots permitted). Where a single-family cluster development is proposed, designed and approved in conformance with Section 1101 - Single Family Cluster Design Standards or Section 1334 - Single Family Cluster Density Bonus Option, the Planning Commission may approve up to fifty (50) percent of wetland, floodplain and sub-aqueous areas in calculations for determining maximum density and number of lots permitted, subject to the criteria in Section 1101 or Section 1334, whichever is applicable. The minimum lot size and lot width shall not be reduced in any fashion beyond what is permitted by Sections 1100, 1101, and 1334, whichever is applicable.
- (K) Lot width to depth ratio shall not exceed 1:4.
- (L) Loading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per front foot of building, and shall be computed separately from the off-street parking requirements. Where an alley exists or is provided at the rear of buildings, the rear building setback and loading requirements may be computed from the center of said alley.
- (M) For the purpose of yard regulations, Multiple-Family dwellings shall be considered as one (1) building occupying one (1) lot. Front, side and rear yards relating to the spacing between buildings within RM Districts shall have the following minimum overall dimensions:

Building Relationship	Overall Distance Between Buildings (Exclusive of Parking Area)
Front to Side	45 feet
Front to Front	50 feet
Front to Rear	*60 feet
Rear to Rear	*60 feet
Rear to Side	45 feet
Side to Side	20 feet
Corner to Corner	15 feet

- (N) Parking may be permitted in 50% of the required rear yard provided that there shall be at least 15 feet of yard space between said parking area and the building.
- (O) The maximum percentage of lot coverage shall be determined on the basis of off-street parking, loading, screening, and yard setback requirements as set forth in this Ordinance.

## SECTION 1101 SINGLE-FAMILY CLUSTER DESIGN STANDARDS

### A. Requirement Established

All subdivisions, condominium subdivisions and lot splits, which are proposed under this Section, must conform to the following Single-Family Cluster Design Standards:

### B. Intent

The intent of these Clusters Design Standards is to encourage the long-term preservation of open space, agricultural land, unique rural character, natural features and the provision of recreation and open space areas.

### C. Required Cluster Design Standards

1. The following table details required design standards for all single-family cluster developments proposed under this Section 1101:

<b>ZONE</b>	<b>MINIMUM LOT AREA</b>	<b>MINIMUM LOT WIDTH</b>	<b>MINIMUM OPEN SPACE <sup>(a)</sup></b>	<b>DENSITY Dwelling Units/Acre</b>
<b>AG</b>	2.5 Acres	250'	10%	.4
<b>SF</b>	2 Acres	200'	10%	.5

(a) Minimum open space required as percentage of total site area excluding rights-of-way and easements

2. All lots shall be served by an internal public or private road network. No lots shall front upon the existing County road.
3. The applicant shall provide evidence of St. Clair County Health Department approval for proposed septic and well locations for all lots proposed under this Section 1101.
4. The permanent open space shall include the site's most significant natural, agricultural and/or cultural environmental features, such as:
  - a. steep slopes,
  - b. wetlands, floodplains, natural watercourses,
  - c. woodlands,
  - d. scenic views,
  - e. agricultural or equestrian components,
  - f. historical structures,
  - g. recreational pathways and facilities,

- h. similar features approved by the Planning Commission.
- 5. Individual dwellings and clusters of homes shall be visually screened from view along existing roadway corridors, in order to reduce visual impact and the appearance of a typical subdivision.
- 6. Open space areas shall be accessible to all lots in the development, either directly, from a pathway system, or from the internal road network. Where the open space is agricultural land, the open space dedication and maintenance agreement shall include limitations on physical access to the open space for non-agricultural purposes and provisions for adequate, unrestricted agricultural, farming, implement or other access necessary for agricultural uses or activities. Access to agricultural use areas shall be separate from residential access to units and open space areas.

#### D. Open Space Maintenance

- 1. All open space shall be permanent and set aside in perpetuity.
- 2. Open space shall be in single ownership and maintained by any of, but not necessarily limited to, the following:
  - a. Deed restrictions or condominium master deed restrictions with the Township named as a controlling party regarding preservation and maintenance of dedicated open space areas.
  - b. Dedication of open space to a public body or private land conservancy or trust.
  - c. Conservation easement granted to a public body or private land conservancy or trust.
- 3. All open space ownership and maintenance agreements shall be reviewed and approved as to form and content by Township legal counsel prior to approval by the Planning Commission.
- 4. All open space agreements which involve donations of land to the Township or which name the Township as a party to any agreement shall be approved by the Township Board prior to final approval of the development proposal by the Planning Commission.

#### E. Review Process

- 1. All proposed single-family cluster developments shall be reviewed in compliance with the appropriate procedure for the type of development (lot split, subdivision, site condominium, etc.) in accordance with the design criteria in this Section. The Township

Board shall approve the private road prior to final approval by the Planning Commission in accordance with the Mussey Township Private Road Ordinance.

2. The Planning Commission shall review the cluster site plan for conformance with this Section, Section 1215 - Site Plan Review, and Section 1334 where the Single-Family Cluster Density Bonus Option is sought. In addition, the Planning Commission shall determine that the site plan conforms with the following:
  - a. Preservation of streams, watercourses, wetlands, floodplains, areas of unique topography, prime agricultural or equestrian lands, woodlands or open fields.
  - b. Minimizes impact of road, utility and lot construction on the existing topography and land cover.
  - c. Minimizes necessary extensions of roads, utilities and other infrastructure.
  - d. Provides adequate access to the open space areas.

#### F. Private Roads

Where a proposed single-family cluster development includes private roads, the Planning Commission and Township Board shall approve the private road(s) in conformance with the Mussey Township Property Division Ordinance and the Mussey Township Private Road Ordinance.

#### G. Cluster Density Bonus Option

Subject to the provisions of Section 1334 - Single-Family Cluster Density Bonus Option - and after special land use approval by the Planning Commission, a density bonus may be applied for by the applicant and landowner.