

# Application for Zoning Compliance Other Than New Home

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Charter Township of  
*Augusta*  
Michigan

8021 Talladay Road, P.O. Box 100  
Whittaker, MI 48190-0100

Office: (734) 461-6117 Web: [www.augustatownship.org](http://www.augustatownship.org)

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### TOWNSHIP FILE

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### RELATED FILES

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

### PAYMENT INFORMATION

**FEE:** \$150.00 Total Amount Paid: \$\_\_\_\_\_

Paid via  Cash  Check # \_\_\_\_\_ Rec'd

By \_\_\_\_\_ Receipt # \_\_\_\_\_

G/L # \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

## GENERAL INFORMATION

Name(s) of Legal Property Owner(s) \_\_\_\_\_

Street Address (Street # & Name or P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_

Name of Petitioner (if Different from Owner) \_\_\_\_\_

Company \_\_\_\_\_ Interest in Property:  Builder  Other \_\_\_\_\_

Street Address (Street # & Name or P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_

## PROJECT INFORMATION

Address of Property: \_\_\_\_\_

Tax I.D. Number(s): \_\_\_\_\_

Proposed Action (Check Only One -- multiple applications may be required):

Home Addition  Garage  Pole Barn  Deck  Swimming Pool  Pond

ADUnit \_\_\_\_\_

The following projects do not require a building permit:

Fence  Any accessory building less than 200 square feet

Three copies of **large 24 x 36 size plans/blueprints (the county will refuse processing if print is too small and illegible)** and the following items must be submitted with this application:

Sketch Plan or Certified Survey of entire parcel, indicating (A) the location and nature of all easements, (B) the location of all existing and proposed buildings and/or structures and (C) distances to property lines

A Soil Erosion/Sedimentation Control Permit (if applicable)

A Driveway Permit (if a new driveway location is proposed)

Drain Commissioner Approval (if drain crossing/relocation/alteration is proposed)

*This application will not be processed until all of the items on the above checklist have been provided.*

**ADDITIONAL INFORMATION**

***Upon receipt of Township Zoning Compliance Approval, applicant MUST request a stake inspection from the Washtenaw County Building Department to confirm that the required front, side and rear yard setbacks will be met by the proposed house location.***

**AFFIDAVIT**

***By submitting this application, authority is given to Township representatives to physically view and inspect the property.***

The undersigned says that (s)he is the Petitioner involved in this Application, and that the foregoing answers and statements herein contained, and the information herewith submitted are, in all respects, true and correct to the best of his/her knowledge and belief.

Petitioner Signature \_\_\_\_\_ Date \_\_\_\_\_

-----  
If the Petitioner and Property Owner are *NOT* the same individual, the Property Owner, by signing below, says that they have given the Petitioner permission to submit this Application, and accepts that all obligations assumed by the Petitioner in the course of pursuing this Application will become those of the Property Owner should the Petitioner fail to satisfy them.

Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

# Zoning Compliance for New Single Family Home Appendix

The list below offers a summary of where you can obtain all permits and/or approvals necessary to receiving zoning compliance approval for a new single-family home, along with necessary contact information.

Zoning Compliance approval will not be granted unless items 1 through 4 below have been secured.

1. Well Permit  
Washtenaw County Health Department  
705 N. Zeeb Road  
734-222-3800

OR

Municipal Water Tap Fees  
Augusta Charter Township  
8021 Talladay Road  
734-461-6117

2. Soil Perc Test Approval Letter  
Washtenaw County Health Department  
705 N. Zeeb Road  
734-222-3800

OR

Septic Permit  
Washtenaw County Health Department  
705 N. Zeeb Road  
734-222-3800

OR

Municipal Sewer Tap Fees  
Augusta Charter Township  
8021 Talladay Road  
734-461-6117

3. Soil Erosion/Sedimentation Control Permit  
Washtenaw County Soil Erosion Control Dept.  
705 N. Zeeb Road  
734-222-3800

4. Driveway Permit  
Washtenaw County Road Commission  
555 N. Zeeb Road  
734-761-1500

*Once zoning Compliance approval has been issued, no construction shall commence until a building permit has been obtained from the Washtenaw County Building Dept.*

5. Building Permit  
Washtenaw County Building Dept.  
705 N. Zeeb Road  
734-222-3800

**3.6 Schedule of Dimensional Regulations.**

District	Minimum Lot Area <sup>1</sup>	Min. Lot Width <sup>2</sup>	Minimum Yard Setback <sup>3</sup>			Max. Bldg. Height <sup>4,5</sup>		Maximum Lot Coverage <sup>6</sup>	Additional Regulations
			Front Yard <sup>7</sup>	Side Yard <sup>8</sup>	Rear Yard	Feet	Stories		
C, Conservation	10 acres	300 ft.	50 ft.	30 ft.	50 ft.	35 ft.	2½	10%	See §3.7(A)
AG, Agriculture	2.5 acres	200 ft.	50 ft.	30 ft.	50 ft.	35 ft.	2½	10%	See §3.7(A)
AR, Agricultural Residential	43,560 s.f.	150 ft.	50 ft.	30 ft.	35 ft.	35 ft.	2½	15%	See §3.7(A)
RR, Rural Residential	43,560 s.f.	150 ft.	40 ft.	20 ft.	40 ft.	35 ft.	2½	15%	See §3.7(A)
SR-3, Single-Family Res.	21,780 s.f.	100 ft.	35 ft.	15 ft.	30 ft.	35 ft.	2½	20%	See §3.7(A)
SR-2, Single-Family Res.	17,000 s.f.	90 ft.	30 ft.	12.5 ft.	25 ft.	35 ft.	2½	20%	See §3.7(A)
SR-1, Single-Family Res.	13,000 s.f.	80 ft.	25 ft.	10 ft.	20 ft.	35 ft.	2½	25%	See §3.7(A)
VR, Village Single-Family Res.	9,000 s.f.	70 ft.	25 ft.	7.5 ft.	20 ft.	35 ft.	2½	30%	See §3.7(A)
MR, Multiple-Family Res.	See §3.7(B)	200 ft.	35 ft.	20 ft.	40 ft.	45 ft. <sup>9</sup>	3	30%	See §3.7(B)
MHC, Manufactured Housing	–	–	–	–	–	– <sup>9</sup>	–	–	See §3.7(C)
VMU, Village Mixed-Use	9,000 s.f.	60 ft.	15 ft.	7.5 ft.	15 ft.	35 ft.	2½	50%	See §3.7(A) & (D)
LC, Local Commercial	21,780 s.f.	100 ft.	35 ft.	20 ft.	25 ft.	35 ft.	2	30%	–
GC, General Commercial	2 acres	150 ft.	35 ft.	30 ft.	30 ft.	35 ft.	2	30%	–
O, Office	21,780 s.f.	100 ft.	35 ft.	20 ft.	25 ft.	45 ft.	3	30%	–
LI, Limited Industrial	1 acre	200 ft.	50 ft.	25 ft.	50 ft.	40 ft.	2	40%	–
GI, General Industrial	2 acres	200 ft.	75 ft.	50 ft.	75 ft.	50 ft.	2	50%	–
PUD, Planned Unit Development	–	–	–	–	–	–	–	–	See Article 12

<sup>1</sup> Net Lot Area, as defined in Section 2.2, shall be used to determine compliance with Minimum Lot Area requirements.

<sup>2</sup> Lot width shall be measured at the Minimum Front Yard Setback line to determine compliance with Minimum Lot Width requirements.

<sup>3</sup> See Section 3.7(E) for permitted yard encroachments.

<sup>4</sup> Building Height shall be measured in accordance with the definition for Building Height provided in Section 2.2.

<sup>5</sup> See Section 3.7(F) for exemptions from Maximum Building Height standards.

<sup>6</sup> Lot coverage shall be measured as the percentage of Net Lot Area covered by Building Area, as defined in Section 2.2.

<sup>7</sup> Minimum Front Yard Setback shall be measured from the Front Lot Line, as defined in Section 2.2.

<sup>8</sup> Corner lots shall maintain the Minimum Front Yard Setback from all lot lines fronting on a public or private road.

<sup>9</sup> Detached accessory buildings (clubhouses, maintenance buildings, etc.) in the MR and MHC districts shall not exceed 25 feet in height.

# ARTICLE 5

## GENERAL PROVISIONS

- 5.1 Continued Conformance with Regulations.** The maintenance of yards, open spaces, lot areas, height and bulk limitations, fences, walls, clear vision areas, parking and loading spaces, and all other requirements for a building or use specified within this Ordinance shall be a continuing obligation of the owner of such building or property on which such building or use is located.
- 5.2 Unlawful Buildings, Structures, Site Designs and Uses.** A building, structure or use which was not lawfully existing at the time of adoption of this ordinance shall not be made lawful solely by the adoption of this Ordinance. In case any building, or part thereof, is used, erected, occupied or altered contrary to the provisions of this Ordinance, such building or use shall be deemed an unlawful nuisance and may be required to be vacated, torn down or abated by any legal means, and shall not be used or occupied until it has been made to conform to the provisions of this Ordinance. Public expenditures toward abating any such nuisance shall become a lien upon the land.
- 5.3 One Lot, One Building.** In all single-family residential districts, only one (1) principal building shall be placed on a single lot of record.
- 5.4 Required Street Frontage.** Any parcel of land which is to be occupied by a use or building, other than an accessory use or building, shall have frontage on and direct access to a public or private road which meets one of the following conditions.
- A. A public road which has been accepted for maintenance by the Washtenaw County Road Commission; or
  - B. A permanent and unobstructed private road built in accordance with the provisions of Article 10.
- 5.5 Visibility at Intersections.** On any corner lot in any district having front and side yards, no fence, wall, screen, hedge, sign, or other structure or planting shall obstruct the visibility of street vehicular traffic between the heights of three (3) feet and ten (10) feet in an area measuring twenty-five (25) feet from the point of intersection of the street right-of-way lines and the tangent connecting the twenty-five (25) foot extremities of the intersecting right-of-way lines.
- 5.6 Accessory Buildings and Structures.**
- A. Use of Accessory Buildings and Structures. Attached and detached accessory buildings and structures associated with residential dwellings shall only be used for the storage of personal property and for the conduct

of a permitted home occupation, as defined in Article 2. Such buildings and structures shall not be used as dwelling units or for the conduct of any other business, profession, trade or occupation, or as storage that is offered for rent.

- B. Timing of Construction. No accessory building or structure shall be constructed or established on a parcel unless there is a principal building, structure or use being constructed or already established on the same parcel of land, unless otherwise approved by the Zoning Board of Appeals. The Zoning Board of Appeals shall require that a cash performance guarantee be posted to insure completion of the main building, as a condition of approval for prior construction of an accessory building.
- C. Attached Accessory Buildings and Structures. Accessory buildings or structures which are attached to the principal building (such as an attached garage, breezeway, deck, or workshop) shall be considered a part of the principal building for the purposes of determining conformance with setback, height, and lot coverage requirements.
- D. Detached Accessory Buildings and Structures
1. Setbacks. In the VR, SR-1, SR-2 and SR-3 zoning districts, side and rear setbacks shall be five (5) feet. In all other residential zoning districts side and rear setbacks of accessory structures will be ten (10) feet. Detached accessory buildings and structures in non-residential districts shall comply with the setback requirements of Section 3.6.
  2. Distance Between Buildings. Detached accessory buildings shall be located at least ten (10) feet from any building on the site.
  3. Height. Accessory buildings and structures in the VR, SR-1, SR-2 and SR-3 zoning districts shall not exceed 15 feet in height. Accessory buildings and structures in all other zones shall comply with the maximum building height requirement for the district in which they are located, as established under Section 3.6. Accessory buildings and structures associated with a legally-existing farm operation protected under the Right to Farm Act shall be exempt from the height restrictions of this Section.
  4. Lot Coverage. Accessory buildings and structures shall be included in computations to determine compliance with maximum lot coverage standards established under Section 3.6.
- E. Location. Accessory buildings and structures shall not be located within a dedicated easement or right-of-way. Additionally, all accessory structures shall be located outside of the required front setbacks as established in Section 3.6 and behind the front building line of the principal structure.

- F. Area in Relation to Principal Building. The total floor area of all attached and detached accessory buildings in VR, SR-1, SR-2 and SR-3 zoning districts shall not exceed the total floor area of the main dwelling on the same lot.
- G. Appearance. No attached or detached residential accessory building shall have exposed or uncovered tarpaper, plywood sheathing, unpainted cement block walls or similar materials. All exposed walls shall have a finished appearance by the application of face brick, wood, aluminum or composition siding, or similar materials approved by the Zoning Administrator.
- H. Non-Residential Features. In order to maintain the residential character of attached and detached accessory buildings located in the VR, SR-1, SR-2 and SR-3 zoning districts, overhead or similar doors greater than nine (9) feet in height, and similar non-residential equipment and features, shall not be permitted on the side of the accessory building facing the front lot line.
- I. Swimming Pools. Private swimming pools shall be considered as accessory structures and are subject to the following:
1. Private swimming pools shall not be permitted in the front yard.
  2. All design and construction standards contained in the Michigan Residential Code related to private swimming pools shall be adhered to.

## **5.7 Landscaping and Screening.**

- A. Intent and Scope of Requirements
1. Intent. Landscaping enhances the visual image of Augusta Charter Township, preserves natural features, improves property values, and alleviates the impact of noise, traffic, and visual distraction associated with certain uses. Screening is important to protect less intensive uses from the noise, light, traffic, litter and other impacts of more intensive, nonresidential uses. These provisions are intended to set minimum standards for the design and use of landscaping, greenbelts, and screening, and for the protection and enhancement of the Township's environment. More specifically, the intent of these provisions is to:
    - a. Improve the appearance of off-street parking areas, vehicular use areas, and property abutting public rights-of-way,
    - b. Protect and preserve the appearance, character, and value of the neighborhoods that abut non-residential areas, parking areas, and other intensive use areas, thereby protecting the public health, safety and welfare,

- c. Reduce soil erosion and sedimentation, and
  - d. Increase stormwater infiltration, thereby helping to prevent flooding.
- 2. **Scope of Application.** No site plan shall be approved unless it shows landscaping consistent with the requirements of this Section. A building permit shall not be issued until the required landscape plan is submitted and approved, and a certificate of occupancy shall not be issued unless provisions set forth in this Section have been met or a performance guarantee has been posted. The requirements in this Section shall not apply to single family detached homes, unless otherwise specifically noted.
- 3. **Minimum Requirements.** The requirements in this Section are minimum requirements, and under no circumstances shall they preclude the developer and the Township from agreeing to more extensive landscaping.
- 4. **Design Creativity.** Creativity in landscape design is encouraged. Accordingly, required trees and shrubs may be planted at uniform intervals, irregular intervals, or in groupings, depending on the designer's desired visual effect and, equally important, the intent of the Township to coordinate landscaping on adjoining properties.
- 5. **Summary of Regulations.** The following table summarizes the landscaping regulations contained in this Section:

### Summary of Minimum Landscape Requirements<sup>1</sup>

	Landscaping Island Ratio	Minimum Height	Minimum Width	Deciduous or Evergreen Trees	Ornamental Trees	Deciduous or Evergreen Shrubs
<b>General Site Landscaping</b> Sec. 5.7(C)(1)	--	--	--	1 per 3,000 sq. ft.	--	--
<b>Landscaping Adjacent to Roads</b> Sec. 5.7(C)(2)	--	--	20 ft.	1 per 30 lineal ft.	1 per 100 lineal ft.	5 per 30 lineal feet
<b>Greenbelts</b> Sec. 5.7(C)(4)	--	--	20 ft.	1 per 30 lineal ft.	--	2
<b>Greenbelts used for Screening</b> Sec. 5.7(C)(2) & (5)	--	6 ft.	20 ft.	3	--	--
<b>Berms in Front Yard</b> Sec. 5.7(C)(2)	--	4	4	1 per 30 lineal ft.	1 per 100 lineal ft.	5 per 30 lineal ft.
<b>Berms used for Screening</b> Sec. 5.7(C)(3) and (5)	--	3 ft.	4	3	--	--
<b>Parking Lot Landscaping</b> Sec. 5.7(C)(6)	20 sq. ft. per space	--	5 ft. <sup>5</sup>	1 per 300 sq. ft.	--	--

<sup>1</sup> See Sections 5.7(B) and 5.7(C) for detailed requirements.

<sup>2</sup> Five (5) shrubs may be substituted for each tree.

<sup>3</sup> Evergreens must be closely spaced (no further than fifteen (15) feet apart) to form an 80% visual barrier in summer and 60% visual barrier in winter within three (3) years.

<sup>4</sup> See Section 5.7(C)(3) for detailed requirements.

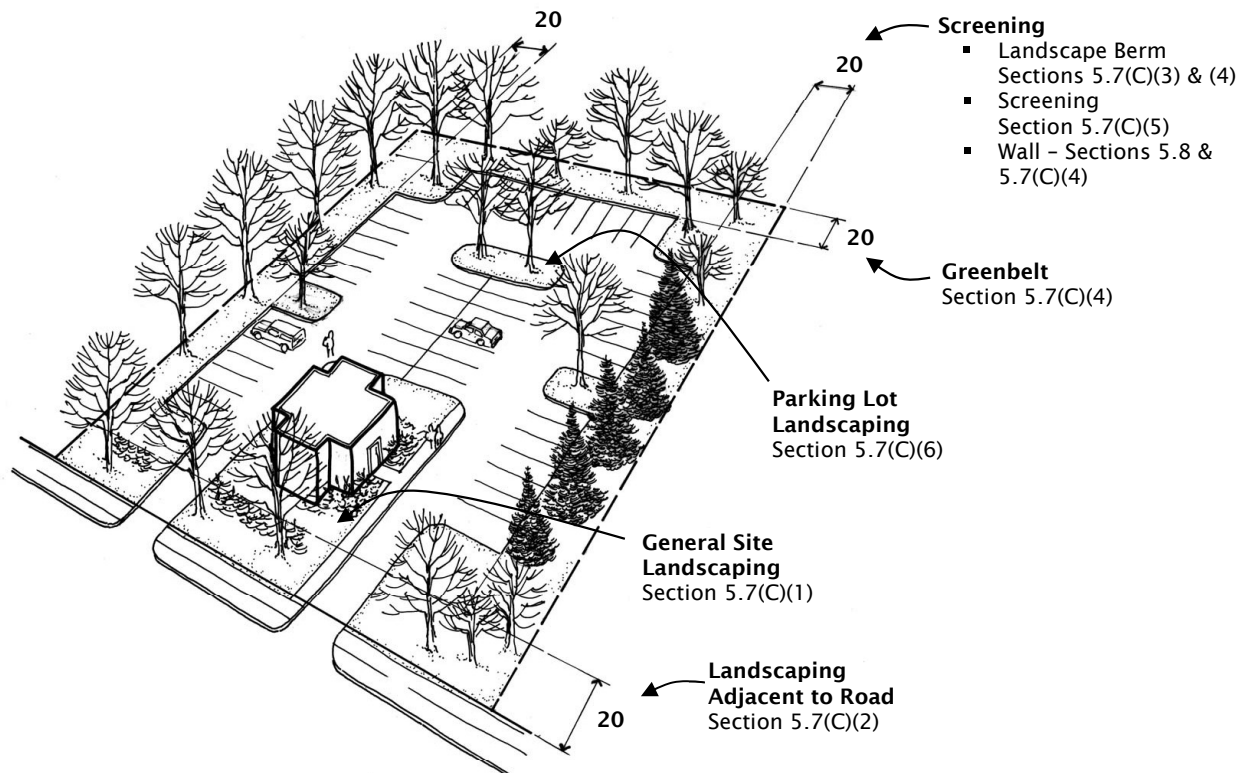
<sup>5</sup> Minimum area of each parking lot landscaped area: 200 sq. ft.

#### B. Specific Landscaping Requirements for Zoning Districts

1. Requirements for Commercial, Office, and Industrial Districts. All lots or parcels of land located in the LC, GC, VMU, O, LI and GI zoning districts shall comply with the following landscaping requirements:
  - a. General Site Landscaping. All undeveloped portions of the site not already containing specific landscape requirements shall conform to the General Site Requirements in Section 5.7(C)(1).
  - b. Landscaping Adjacent to Road. All commercial, office, and industrial developments shall comply with the requirements for landscaping adjacent to the road in Section 5.7(C)(2).

- c. **Berm Requirements.** A berm may be used to screen off-street parking from view of the road, in which case the berm shall be planted in accordance with Section 5.7(C)(2). The berm shall be located totally on private property, adjacent to the road right-of-way.
- d. **Screening.** Screening in the form of a landscaped berm, dense landscape screen, or wall shall be required wherever a non-residential use in a commercial, office, or industrial district abuts directly upon land zoned or used for residential purposes, and where loading areas would be visible from residential districts. Landscaped screening shall comply with the requirements in Section 5.7(C)(5). If a wall is used instead of landscaping, the requirements in Section 5.8 shall be complied with, but a landscaped greenbelt conforming to Section 5.7(C)(4) shall be required on the side of the wall facing the residential district.
- e. **Greenbelts.** Except where screening is required, a landscaped greenbelt shall be provided along side and rear property lines in accordance with Section 5.7(C)(4).
- f. **Parking Lot Landscaping.** Off-street parking areas containing greater than twenty (20) spaces shall comply with the requirements for parking lot landscaping in Section 5.7(C)(6).

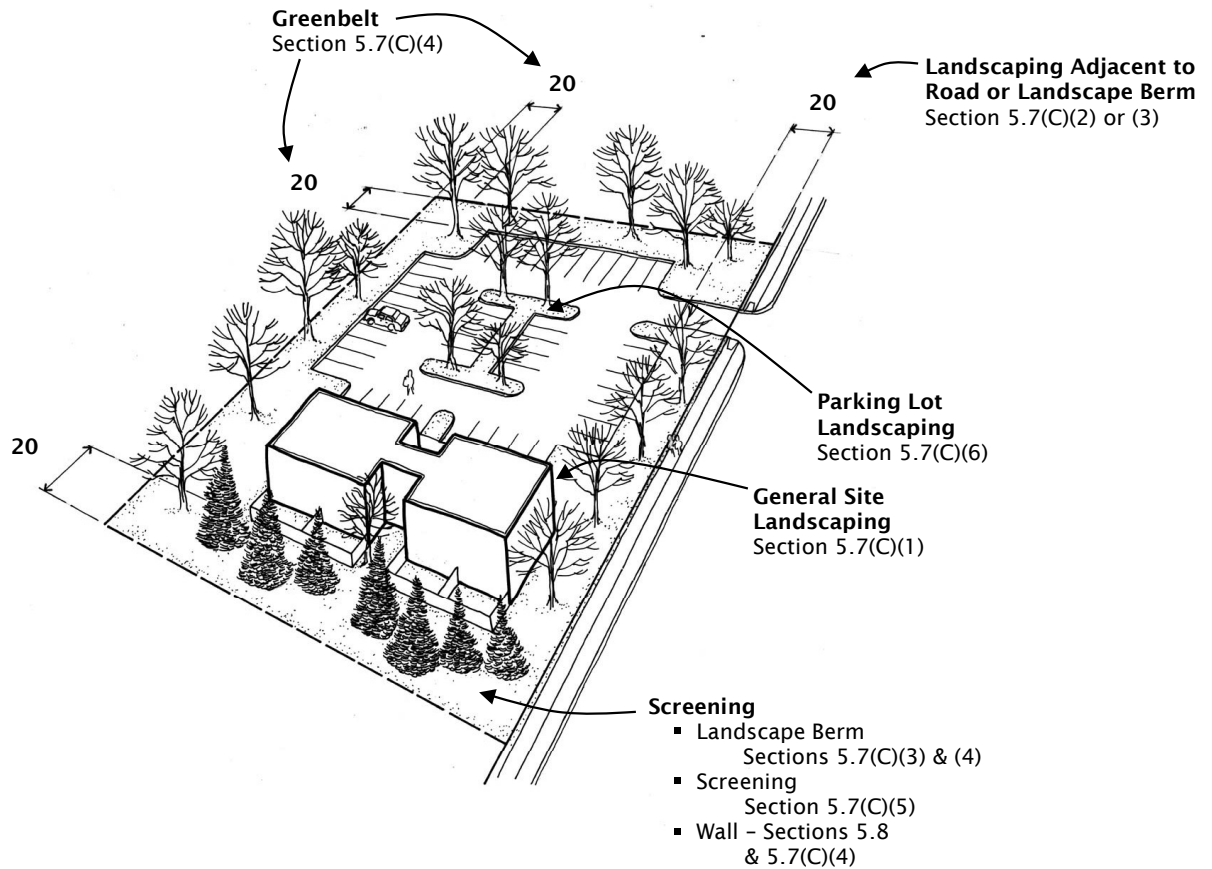
**Figure 1**  
**Landscaping Requirements for Commercial, Office and Industrial Districts**



2. Requirements for Multiple Family Districts. All lots or parcels of land located in the MR zoning district shall comply with the following landscaping requirements:
  - a. General Site Landscaping. All undeveloped portions of the site not already containing specific landscape requirements shall conform to the General Site Requirements in Section 5.7(C)(1).
  - b. Landscaping Adjacent to Road. All multiple family developments shall comply with the requirements for landscaping adjacent to the road in Section 5.7(C)(2).
  - c. Berm Requirements. A berm may be used to screen off-street parking from view of the road, in which case the berm shall be planted in accordance with Section 5.7(C)(2). The berm shall be located totally on private property, adjacent to the road right-of-way.

- d. **Screening.** Screening in the form of a landscaped berm, dense landscape screen, or wall shall be required on all sides of a multiple family development abutting land zoned or used for single family residential purposes. Landscaped screening shall comply with the requirements in Section 5.7(C)(5). A wall may be used instead of landscaping adjacent to nonresidential districts, subject to the requirements in Section 5.8. If a wall is used instead of landscaping, the requirements in Section 5.8 shall be complied with, but a landscaped greenbelt conforming to Section 5.7(C)(4) shall be required on the side of the wall facing the residential district.
- e. **Greenbelts.** Except where screening is required, a landscaped greenbelt shall be provided along side and rear property lines in accordance with Section 5.7(C)(4).
- f. **Parking Lot Landscaping.** Off-street parking areas containing greater than ten (10) spaces shall comply with the requirements for parking lot landscaping in Section 5.7(C)(6).
- g. **Privacy Screen.** Where multiple family dwellings are designed so that rear open areas or patio areas front onto a public street, a landscaped privacy screen shall be provided. The screen may consist of a combination of trees, shrubs, and berms, subject to review by the Planning Commission.

**Figure 2**  
**Landscaping Requirements for Multiple-Family Residential Districts**

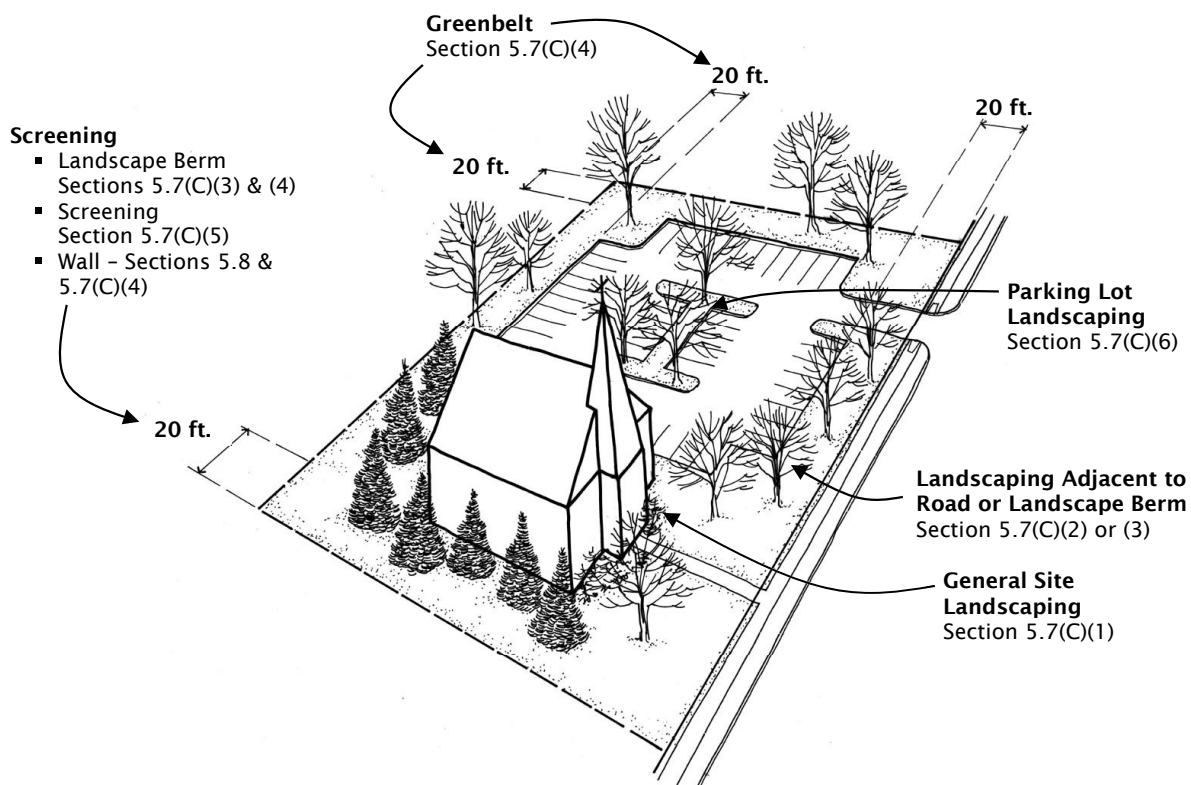


3. Requirements for Non-Residential Uses in Residential Districts. All non-residential uses developed in residential zoning districts shall comply with the following landscaping requirements:
  - a. General Site Landscaping. All undeveloped portions of the site not already containing specific landscape requirements shall conform to the General Site Requirements in Section 5.7(C)(1).
  - b. Landscaping Adjacent to Road. All non-residential developments located in residential districts shall comply with the requirements for landscaping adjacent to the road in Section 5.7(C)(2).
  - c. Berm Requirements. A berm may be used to screen off-street parking from view of the road, in which case the berm shall be planted in accordance with Section 5.7(C)(2). The berm shall be located totally on private property, adjacent to the road right-of-way.

- d. Screening. Screening in the form of a landscaped berm, dense landscape screen, or wall shall be required wherever a non-residential use abuts directly upon land zoned or used for residential purposes. Landscaped screening shall comply with the requirements in Section 5.7(C)(5). If a wall is used instead of landscaping, the requirements in Section 5.8 shall be complied with, and a landscaped greenbelt conforming to Section 5.7(C)(4) shall be provided on the side of the wall facing the residential district.
- e. Greenbelts. Except where screening is required, a landscaped greenbelt shall be provided along side and rear property lines in accordance with Section 5.7(C)(4).
- f. Parking Lot Landscaping. Off-street parking areas containing greater than ten (10) spaces shall comply with the requirements for parking lot landscaping in Section 5.7(C)(5).

Figure 3

Landscaping Requirements for Non-Residential Uses in Residential Areas



C. General Landscaping Requirements

1. General Site Requirements. All undeveloped portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as greenbelts, berms, parking lot landscaping, landscaping along roadways or screening are required:
  - a. All undeveloped portions of the site shall be planted with grass, ground cover, landscape mulch, shrubbery, landscape stone, or other suitable live plant material, which shall extend to any abutting street pavement edge. Grass areas in the front yard of all non-residential uses shall be planted with sod or hydro-seeded.
  - b. A mixture of evergreen and deciduous trees shall be planted on non-residential parcels at the rate of one (1) tree per 3,000 square feet or portion thereof of any undeveloped open area for which specific landscaping requirements do not appear elsewhere in this chapter. Required trees may be planted at uniform intervals, irregular intervals, or in groupings.

2. Landscaping Adjacent to Roads

- a. **Planting Requirements.** Where required, landscaping adjacent to public and private roads shall comply with each of the following planting requirements:

<b>Planting Type</b>	<b>Requirement</b>
Deciduous or Evergreen Trees	1 per 30 lineal feet of road frontage
Ornamental Trees	1 per 100 lineal feet of road frontage
Shrubs	5 per 30 lineal feet of road frontage

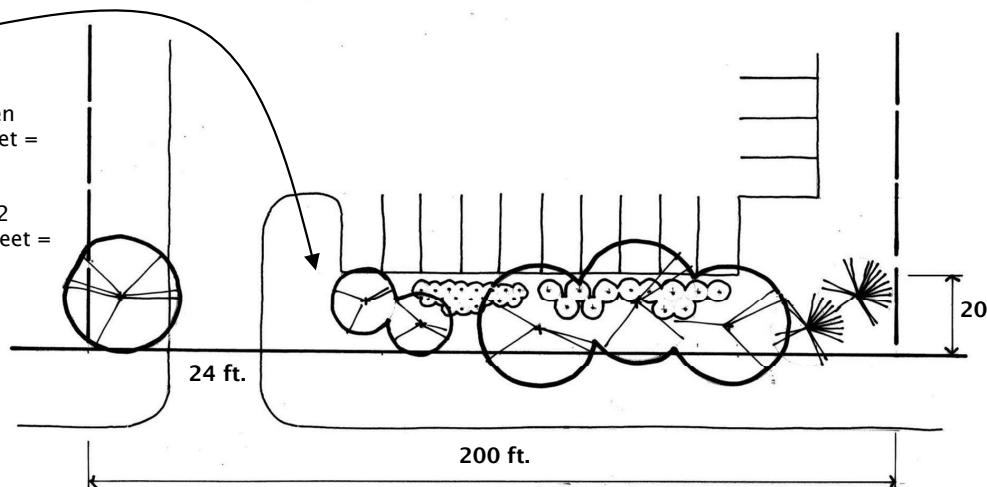
For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees and shrubs may be planted at uniform intervals, irregular intervals, or in groupings.

- b. **Location and Dimensions.** Required landscaping adjacent to public and private roads shall be located totally on private property within a planting strip adjacent to the road right-of-way, planted in accordance with the requirements for intersection visibility under Section 5.5. The minimum width of the planting strip shall be twenty (20) feet.

**Figure 4**  
**Landscaping Adjacent to Roads**

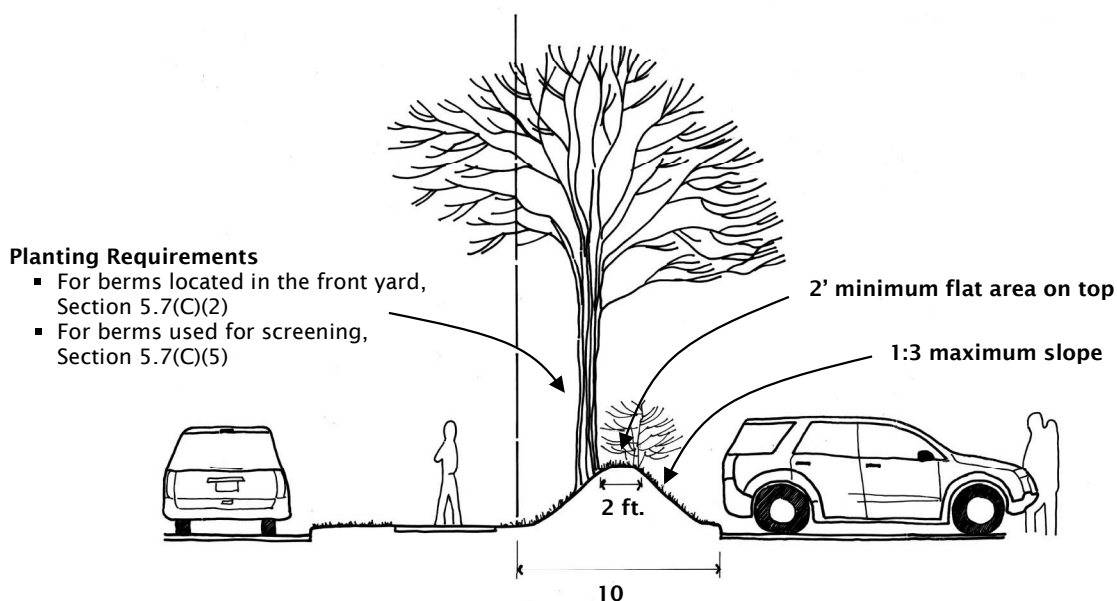
**Planting Requirements**

- Road frontage:  
200' - 24' = 176'
- Deciduous or evergreen  
trees @ 1/30 lineal feet =  
6
- Ornamental trees  
@ 1/100 lineal feet = 2
- Shrubs @ 5/30 lineal feet =  
30



3. Berms. Where required, berms shall conform to the following standards:
  - a. Dimensions. Unless otherwise indicated or appropriate, required berms shall be measured from the grade of the parking lot or flat ground adjacent to the berm, and shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal (33 percent slope), with at least a two (2) foot flat area on top. Berms may undulate in height, subject to review and approval of berm design as shown on the site plan. All berms shall conform to the requirements for intersection visibility under Section 5.5.
  - b. Protection from Erosion. Any required berm shall be planted with sod, ground cover, or other suitable live plant material to protect it from erosion so that it retains its height and shape.
  - c. Required Plantings
    - i. Berms located in the front yard of non-residential parcels shall be landscaped in accordance with the requirements for Landscaping Adjacent to Roads, Section 5.7(C)(2).
    - ii. Berms used for screening other than in the front yard shall be landscaped in accordance with the requirements for Screening, Section 5.7(C)(5).

**Figure 5  
Berms**



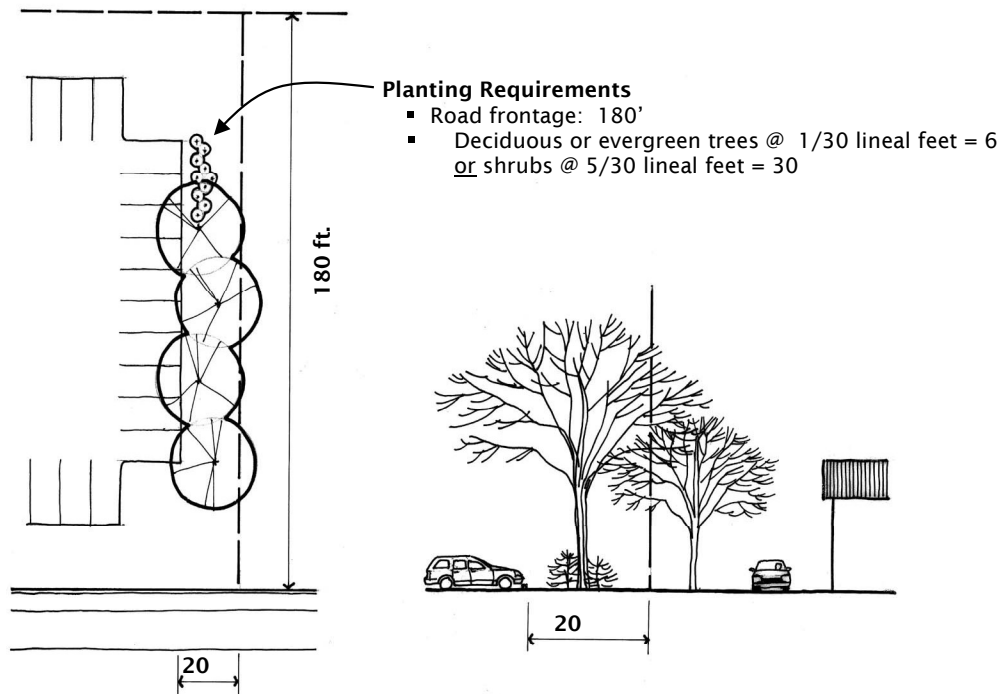
- d. **Measurement of Berm Length.** For the purposes of calculating required plant material, berm length shall be measured along the exterior edge of the berm.
4. **Greenbelts.** A twenty (20) foot greenbelt shall be required along the side and rear property lines of all nonresidential developments. Greenbelts shall conform to the following standards:
- a. **Location.** Required greenbelts shall be located between the property line and any developed or paved area, including parking areas, access drives and buildings.
  - b. **Measurement of Greenbelt Length.** For the purposes of calculating required plant material, greenbelt length shall be measured along the exterior edge of the greenbelt.
  - c. **General Planting Requirements**
    - i. **Ground Cover Requirements.** Grass, landscape mulch, landscape stone, or other suitable live plant material shall be planted over the entire greenbelt area, except where paved walkways are used.
    - ii. **Tree and Shrub Requirements.** Except where the greenbelt is used for screening, a minimum of one (1) deciduous or evergreen tree shall be planted for each

thirty (30) lineal feet or portion thereof of required greenbelt, or, alternatively, five (5) shrubs may be substituted for each required tree. Trees and shrubs may be planted at uniform intervals, irregular intervals, or in groupings.

iii. Distance from Sidewalk. Plant materials shall not be placed closer than four (4) feet to the right-of-way line where the greenbelt abuts a public sidewalk.

d. Greenbelts Used for Screening. Greenbelts used for screening shall be landscaped in accordance with the requirements for Screening, Section 5.7(C)(5).

**Figure 6  
Greenbelt Along Side & Rear Property Lines**



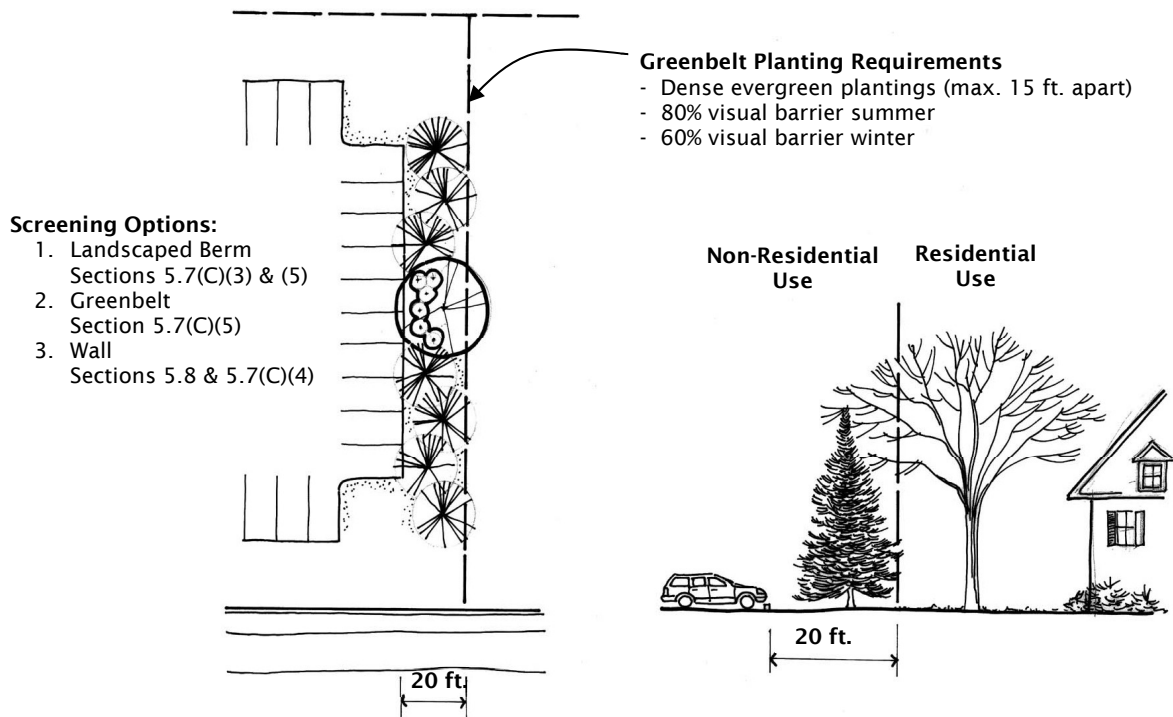
**5. Screening**

a. Landscape Screening Requirements. Unless otherwise specified, wherever an evergreen or landscaped screen is required, screening shall consist of closely-spaced evergreen plantings (i.e., no farther than fifteen (15) feet apart) which can be reasonably expected to form an eighty (80) percent visual barrier in summer and sixty (60) percent visual barrier in winter, that is at least six (6) feet above ground level within

three (3) years of planting. Deciduous plant materials may be used provided that an eighty (80) percent visual barrier in summer and sixty (60) percent visual barrier in winter is maintained. Wherever screening is required adjacent to residentially zoned or used property, the screening shall be installed as soon as practicable in relation to site grading and general construction activities.

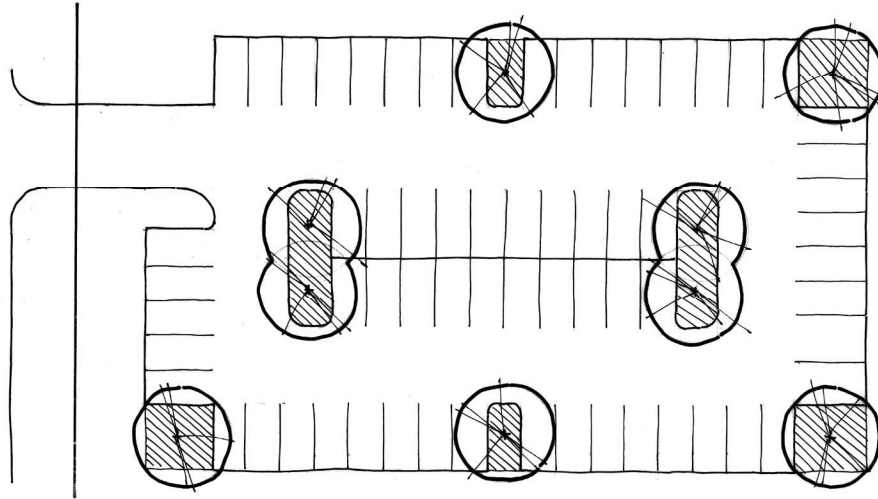
- b. **Screen Wall Requirements.** Unless otherwise specified, wherever a masonry screen wall is required, it shall measure no less than five (5) feet in height and comply with all requirements of Section 5.8.
- c. **Screening of Equipment.** Mechanical equipment, such as air compressors, pool pumps, transformers, sprinkler pumps, satellite dish antennae, and similar equipment shall be screened on at least three (3) sides. Insofar as practical, said screening shall exceed the vertical height of the equipment being screened by at least six (6) inches within two (2) years of planting.

**Figure 7  
Screening Between Conflicting Land Uses**



6. Parking Lot Landscaping. In addition to required screening, all off-street parking areas shall be landscaped as follows:
  - a. Landscaping Ratio. Off-street parking areas containing greater than twenty (20) spaces shall be provided with at least twenty (20) square feet of interior landscaping per parking space. Landscaping around the perimeter of the lot shall not satisfy this requirement. Suitable interior parking lot landscaping is illustrated below in Figure 8. Whenever possible, parking lot landscaping shall be designed to improve the safety of pedestrian and vehicular traffic, guide traffic movement, break up the expanse of pavement, create shade, and improve the appearance of the parking area.
  - b. Minimum Area. Landscaped areas in parking lots shall be no less than five (5) feet in any single dimension and no less than two hundred (200) square feet in area. Landscaped areas in or adjacent to parking lots shall be protected with curbing or other means to prevent encroachment of vehicles.
  - c. Other Landscaping. Landscaping provided to satisfy other requirements elsewhere on the parcel shall not be counted in meeting the parking lot landscaping requirements.
  - d. Required Plantings. Requirements for plant material shall be based on the location, size, and shape of the parking lot landscaped area. A minimum of one (1) tree shall be planted per three hundred (300) square feet or fraction thereof of interior landscaped area. At least fifty percent (50%) of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees. The landscape plan shall indicate the types, sizes, and quantities of plant material proposed for such area.

**Figure 8  
Parking Lot Landscaping**



**Parking Lot Requirements**

- Internal landscaping:  
@ 20 s.f./space
- Plantings: 2400 s.f. provided  
@ 1 tree/300 s.f. = 8 trees

7. Landscaping of Rights-of-Way. Public rights-of-way located adjacent to required landscaped areas and greenbelts shall be planted with grass or other suitable live ground cover, and shall be maintained by the owner or occupant of the adjacent property as if the rights-of-way were part of the required landscaped areas or greenbelts. No plantings except grass or ground cover shall be permitted closer than three (3) feet from the edge of the road pavement.
8. Maintenance of Unobstructed Visibility For Drivers. No landscaping shall be established or maintained on any parcel or in any parking lot that will cause a traffic hazard by obstructing the view of drivers. All landscaping shall be planted in accordance with the requirements for intersection visibility under Section 5.5.
9. Potential Damage to Utilities. In no case shall landscaping material be planted in a way that will interfere with or cause damage to underground utility lines, public roads, or other public facilities. Species of trees whose roots are known to cause damage to public roadways, sewers, or other utilities, such as willows and silver maples, shall not be planted closer than fifteen (15) feet from any such roadways, sewers, or utilities.
10. Landscaping of Divider Medians. Where traffic on driveways, maneuvering lanes, private roads, or similar vehicle access ways is

separated by a divider median, the median shall be curbed and have a minimum width of ten (10) feet. A minimum of one (1) deciduous or evergreen tree shall be planted for each thirty (30) lineal feet or portion thereof of median. Trees may be planted at uniform intervals, irregular intervals, or in groupings, but in no instance shall the center-to-center distance between trees exceed sixty (60) feet.

11. Irrigation. The site plan shall indicate the proposed method of watering landscaped areas. Although not required, installation of an in-ground irrigation/sprinkler system is encouraged, particularly in front yards.

D. Standards for Landscape Materials. Unless otherwise specified, all landscape materials shall comply with the following standards:

1. Plant Quality. Plant materials used in compliance with the provisions of this Ordinance shall be nursery grown, free of pests and diseases, hardy in southeastern Michigan, in conformance with the American Standards for Nursery Stock of the American Landscape and Nursery Association (formerly the American Association of Nurserymen), and shall have passed inspections required under state regulations.
2. Non-Living Plant Material. Plastic and other non-living plant materials shall not be considered acceptable to meet the landscaping requirements of this Ordinance.
3. Plant Material Specifications. The following specifications shall apply to all plant material proposed in accordance with the landscaping requirements of this Ordinance:
  - a. Deciduous shade trees shall be a minimum of two and one-half (2.5) inches in caliper measured six (6) inches above grade with the first branch a minimum of four (4) feet above grade when planted.
  - b. Deciduous ornamental trees shall be a minimum of one and one-half (1-1/2) inches in caliper measured six (6) inches above grade with a minimum height of four (4) feet above grade when planted.
  - c. Evergreen trees shall be a minimum of six (6) feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of two and one-half (2.5) feet, and the size of the burlapped root ball shall be at least ten (10) times the caliper measured six (6) inches above grade.

- d. Shrubs shall be a minimum of two (2) feet in height when planted. Low growing shrubs shall have a minimum spread of twenty-four (24) inches when planted.
- e. Hedges shall be planted and maintained so as to form a continuous, unbroken, visual screen within two (2) years after planting, barring unusual growing conditions, such as drought or disease. Hedges shall be a minimum of two (2) feet in height when planted.

**Summary of Plant Material Specifications<sup>1</sup>**

	Minimum Caliper	Minimum Height	Minimum Spread
Deciduous Trees	2 1/2 in. <sup>2</sup>	4 ft. first branch	--
Ornamental Trees	1 1/2 in. <sup>2</sup>	4 ft. first branch	--
Evergreen Trees	--	6 ft.	2 1/2 ft.
Shrubs	--	2 ft.	2 ft.
Hedges	--	2 ft.	--

<sup>1</sup> See Section 5.7(D) for detailed requirements.

<sup>2</sup> Measured six (6) inches above grade.

- f. Ground cover used in lieu of turf grasses in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season.
- g. Grass area shall be planted using species normally grown as permanent lawns in southeastern Michigan. Grass, sod, and seed shall be clean and free of weeds, pests, and diseases. Grass may be sodded, plugged, sprigged or seeded. When grass is to be established by a method other than complete sodding or seeding, nurse grass seed shall be sown for immediate effect and protection until complete coverage is otherwise achieved. Straw or other mulch shall be used to protect newly seeded areas.
- h. Mulch used around trees, shrubs, and vines shall be a minimum of three (3) inches deep, and installed in a manner as to present a finished appearance.
- i. Undesirable Plant Material. Use of plant materials that cause disruption to storm drainage or that are susceptible to pests

or disease is not encouraged. The following plant materials exhibit such characteristics, and therefore their use is not encouraged in the Township:

- Box elder
- Chinese elm
- Siberian elm
- Honey locust (with thorns)
- Black locust
- Gingko (female only)
- Tree of heaven
- European barberry
- Mulberry
- Cottonwood
- Willow
- Silver maple

E. Installation and Maintenance. The following standards shall be observed where installation and maintenance of landscape materials are required:

1. Installation. Landscaping shall be installed in a sound, workmanlike manner to ensure the continued growth of healthy plant material. Areas to be landscaped shall be provided with a minimum topsoil depth of six (6) inches. Trees, shrubs, hedges, and vines shall be generously mulched at the time of planting.
2. Installation of Perimeter Landscaping. Landscaping along the perimeter shall be installed prior to construction, except where such landscaping would be destroyed during construction.
3. Seeding or Sodding. Lots or parcels shall be seeded or sodded within ninety (90) days after occupancy.
4. Protection from Vehicles. Landscaping shall be protected from vehicles through use of curbs or wheel stops in parking lots. Landscape areas shall be elevated above the pavement to a height that is adequate to protect the plants from snow removal, salt, and other hazards.
5. Timing of installation.
  - a. Landscaping provided for nonresidential and multiple family residential projects shall generally be installed upon issuance of a Certificate of Occupancy. Where extenuating circumstances warrant (e.g., if development is completed during the off-season when plants cannot be installed), the Planning Commission or Zoning Administrator shall have the ability establish an alternative schedule for the installation of

- required landscaping. If landscaping is to be installed after the Certificate of Occupancy is granted, the developer shall provide a performance guarantee to ensure installation of required landscaping as established by the Planning Commission or Zoning Administrator, such as an irrevocable letter of credit, in an amount equal the estimated value of the proposed landscape improvements.
- b. Landscaping of all common areas associated with single-family residential developments shall generally be installed upon the occupancy of the first lot or unit of the development, or of a particular phase in the case of a phased development. Where extenuating circumstances warrant, the Planning Commission or Zoning Administrator shall have the ability establish an alternative schedule for the installation of required landscaping. To ensure that landscaping is installed according to the schedule established by the Planning Commission or Zoning Administrator, the developer may be required to provide a performance guarantee, such as an irrevocable letter of credit, in an amount equal the estimated value of the proposed landscape improvements. Notwithstanding, required street trees shall be installed within 90 days of occupancy of each lot or unit, or by June 1 for residences occupied in winter months.
6. Maintenance. Landscaping required by this Ordinance shall be maintained in a healthy, neat, and orderly appearance, free from refuse and debris. All unhealthy and dead plant material shall be replaced immediately upon notice from the Zoning Administrator, unless the season is not appropriate for planting, in which case such plant material shall be replaced at the beginning of the next planting season.
- All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained in good condition and neat appearance. Rotted, deteriorated, or damaged landscape elements shall be repaired, replaced, or removed.
7. Irrigation. All landscaped areas shall be provided with a readily available and acceptable supply of water, with at least one spigot located within three hundred (300) feet of all plant material to be established and maintained. Trees, shrubs, and other plantings and lawn areas shall be watered regularly throughout the growing season. The Planning Commission may require an irrigation system to stabilize plant materials, in particular for larger parcels (over five acres), for landscaped areas over one thousand (1,000) square feet

in area, in locations where screening considered crucial to achieve land use compatibility, and/or where more formalized plantings are proposed (as opposed to natural spacing and clustering of plant material).

F. Treatment of Existing Plant Material. The following regulations shall apply to existing plant material:

1. Consideration of Existing Elements in the Landscape Design. In instances where healthy plant material exists on a site prior to its development, the Planning Commission may permit substitution of such plant material in place of the requirements set forth previously in this Section, provided such substitution is in keeping with the spirit and intent of this Chapter and the Ordinance in general.

Existing hedges, berms, walls, or other landscape elements may be used to satisfy the requirements set forth previously, provided that such landscaping is in conformance with the requirements of this Section.

G. Modifications to Landscape Requirements. In consideration of the overall design and impact of a specific landscape plan, and in consideration of the amount of existing plant material to be retained on the site, the Planning Commission may modify the specific requirements outlined herein, provided that any such adjustment is in keeping with the intent of this chapter and Ordinance in general. In determining whether a modification is appropriate, the Planning Commission shall consider whether the following conditions exist:

1. Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
2. Parking, vehicular circulation, or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
3. The public benefit intended by the landscape regulations could be better-achieved with a plan that varies from the strict requirements of the Ordinance.

In consideration of a reduction in landscaping the Planning Commission may seek a donation to the Township's Tree Fund.

H. Landscape Plan Submission Requirements. All development proposals for which landscaping is required under Section 5.7 shall submit a landscape

plan demonstrating compliance with that Section. The required landscape plan shall include the following:

1. Location of all proposed plant material.
2. Schedule of all proposed plant materials, indicating the botanical and common name, number, size, and root type, as well as which landscaping or tree replacement requirement, if any, the plant material is intended to satisfy.
3. Calculations used for determining required number of trees and shrubs.
4. Proposed groundcover in all unpaved areas of the site.
5. Location of all landmark trees existing on site.
6. Proposed topographical contour lines.
7. Berm cross-sections, if proposed.
8. Planting details.
9. Method of irrigation.
10. Details of any proposed structures, such as retaining walls, gazebos, arbors, fences, etc.

## **5.8 Walls and Fences.**

- A. **General Requirements.** It shall be unlawful for any person, firm, or corporation to construct, or cause to be constructed, any fence on any property, lot, parcel, tract or yard within Augusta Charter Township, including land zoned or used for single-family residential purposes, except in accordance with these regulations. Violation of this Section shall be subject to the penalties set forth in Section 13.10 of this Ordinance.
- B. **Location of Fences and Walls.**
  1. All fences and walls shall be located entirely on the property, lot, parcel or tract of the owner of the fence. Adjoining property owners may jointly install a fence on the common property line.
  2. No fence or wall shall be located within a public road right-of-way or private road easement.
  3. No fence or wall shall be located within a public easement in which public utilities are located or are proposed to be located without first receiving the approval of the public utility responsible.

4. No fence or wall shall be established or maintained on any property, lot, parcel or tract that will cause a traffic hazard by obstructing the view of drivers. All fences and walls shall be installed in accordance with the requirements for intersection visibility under Section 5.5.
5. When one side of a fence or wall has a more finished appearance than another, such fence shall be installed with the finished side facing outward, toward adjacent roads and properties.

C. Height Regulations.

1. Fences and walls located on property zoned or used for residential purposes shall comply with the following regulations:
  - a. Except as provided under items i. and ii., below, fences and walls located within a required front yard setback adjoining a public or private road shall be ornamental in nature and shall not exceed four (4) feet in height. A fence or wall shall be considered "ornamental" if it is composed of wrought iron-style pickets, wood pickets, wood split rails and posts, brick, stone, or similar materials.
    - i. Walls or fences that are associated with a decorative entrance feature to a residential condominium, site condominium or subdivision development having multiple lots or units may measure up to six (6) feet in height within a required front yard setback.
    - ii. Woven wire farm fences not exceeding five (5) feet in height that are used to enclose horses or other livestock shall be permitted within the required front yard setback of lots having at least three (3) acres of area.
  - b. Fences and walls located within any required side setback not adjoining a street or in any required rear setback shall not exceed six (6) feet in height.
  - c. A zoning compliance permit shall be required to erect fences in excess of six (6) feet in height on residential property. Such fences shall only be permitted outside of required setback areas.
2. Fences and walls on property zoned or used for commercial or office purposes shall not exceed six (6) feet in height, except as required elsewhere in this Ordinance or waived by the Planning Commission. Fences in a required front setback shall not be permitted except where required by the Planning Commission.

3. Fences and walls on any industrial property, lot, parcel or tract shall not exceed eight (8) feet in height.
4. Fences erected in conjunction with a farm operation (as defined by the Right to Farm Act, P.A. 93 of 1981) shall be exempt from the regulations of this subsection.
5. In determining the height of a fence or wall, the maximum height at any point shall be measured from the average grade within two (2) feet of that point, measured perpendicularly from the fence. The deposition of fill or other land-contouring activities shall not be undertaken merely to circumvent the fence height limitations contained in this Section.

D. Safety.

1. No spikes, nails, barbed wire, or other pointed objects or sharp protrusions shall be placed on, attached to, or permitted to remain on, any fence or wall below the height of 10 feet, except in the case of fences that enclose farmland, in which case barbed wire may be permitted at any height of the fence.
2. Fences shall not contain any electric charge or current, except fences that enclose land used for agricultural purposes, in which case electrically charged fence wires shall be permitted, provided such wires shall be attached to the inside face of the fence posts. All electrically charged fences shall be of a type and make approved by Underwriters Laboratories.
3. Fences and walls may be constructed of woven wire, metal, wood, plastic, or masonry. Masonry walls shall require a foundation equal to the depth of the frost line, or forty-two (42) inches.

E. Retaining Walls.

1. A retaining wall shall be regulated as a fence if the wall projects more than eighteen (18) inches above the grade of the ground being retained.
2. No retaining wall shall be built within the public road right-of-way without prior approval of the Washtenaw County Road Commission.
3. Any retaining wall that retains greater than thirty-six (36) inches of earth shall maintain a ten (10) foot setback from side and rear lot lines, unless the following can be demonstrated:
  - a. The proposed retaining wall is the only option available to reasonably manage changes in grade on the subject site.



be restored to a safe and healthy condition with all debris removed from the site within one-hundred and eighty (180) days from the occurrence of such damage.

#### **5.11 Buildings to be Moved or Demolished.**

- A. No building permit shall be granted for the moving or demolishing of buildings or structures from without or within the limits of the Township to be placed on property within said limits unless the Building Official shall have made an inspection of the building to be moved and has found that it is structurally safe, will not adversely affect the character of existing buildings in the neighborhood of the new location and will fully comply with the Building Code and other codes regulating the health, safety, and general welfare of the Township. A performance guarantee as established by the Township Board of sufficient amount to ensure cost of completing building for occupancy within a period of not less than six (6) months from date of permit shall be furnished before permit is issued.
- B. Any building moved within a district and placed upon a foundation or any building moved into a district from without shall be considered a new building and be subject to all the limitations and requirements herein set forth relating to uses, construction, permits, and certificates.
- C. The Building Official shall approve in writing the route to be used to move the building(s).
- D. All debris from any demolished building or structure shall be properly disposed of. The foundation materials shall be removed and disposed of, and backfilled with clean earth materials devoid of all debris, large stones and organic materials. The site shall be graded to a smooth, even surface and seeded to grass.

**5.12 Dwellings in Non-Residential Districts.** No dwelling shall be erected in a non-residential zoning district. However, the sleeping quarters of a watchman or caretaker may be permitted by the Planning Commission as a special approval use.

**5.13 Temporary Dwellings.** No cabin, trailer, motor home, mobile home, or other temporary structure, whether of a fixed or movable nature, may be erected, moved, or used for dwelling purposes, except as permitted under Section 7.4(B). However, if a permanent dwelling is destroyed or is damaged by a natural or man-made event, such as fire, flood, windstorm, or tornado, to an extent that it is uninhabitable, self-contained living units (e.g. mobile homes) may be permitted as indicated in the following sections:

- A. The location shall not be injurious to the surrounding property or neighborhood and meet all applicable setbacks for a principal structure in the district in which it is located.

- B. The water supply and toilet facilities serving the temporary dwelling shall conform to the minimum requirements as set forth by the Washtenaw County Health Department.
- C. An application for a zoning compliance permit for the construction, erection, or movement of a temporary dwelling shall be made to the Zoning Administrator. The application shall be accompanied by a drawing, showing the location of the proposed temporary structure, and the proposed water supply and toilet facilities.
- D. After due consideration, the Building Official shall approve or deny a building permit for the same, and shall clearly set forth on the permit that the structure is intended as a temporary dwelling while the principal structure is rehabilitated or reconstructed. The applicant must apply for applicable building and trade permits to rehabilitate or reconstruct within 60-days of the event that caused the principal structure to be uninhabitable. Said temporary dwelling is to be vacated upon the expiration of 1-year from the issuance of building and trade permits for the rehabilitation or reconstruction of the principal structure, or 60-days following the issuance of a certificate of occupancy from the Building Official, whichever comes first. Longer time periods may be allowed, at the discretion of the Building Official, provided that the applicant continues to pursue rehabilitation and/or reconstruction activities diligently.
- E. A permit for a temporary dwelling shall not be transferable to any other owner or occupant.

#### **5.14 Temporary Construction.**

- A. Structures and activities associated with temporary construction shall be allowed in any zoning district for a period of one (1) year following the issuance of applicable building, trade and zoning compliance permits. Extensions may be allowed, at the discretion of the Zoning Administrator, if the temporary structure and/or activity is considered a necessity for an on-going development.
- B. For the purposes of this Section, temporary construction activities, with or without temporary structures, shall be defined as construction activities other than actual construction of buildings approved pursuant to a building and zoning compliance permit. They include, but are not limited to, a construction yard for the development of a subdivision or multiple family project, a cement or asphalt making operation for street and/or road construction, and other similar activities.
- C. The Zoning Administrator shall determine, before issuing a zoning compliance permit, whether the proposed temporary construction building and/or construction activity is necessary and if it is necessary that it should

be located at the proposed location. The Zoning Administrator shall also find that the proposed activity does not place excessive burden on the septic, sanitary sewer and/or water system, nor create a hazardous fire condition. In granting the approval, the Zoning Administrator may set such conditions as appear necessary to minimize disturbance to the area and the surrounding land uses. As a condition of approval, the Zoning Administrator may require the posting of a cash bond, corporate surety bond, or letter of credit to guarantee compliance with this Ordinance and all other applicable Township ordinances, standards, rules, and regulations, and a proper clean-up of the site at a time indicated on the building and zoning/land use permit.

- D. Activities allowed pursuant to this Section shall conform to the following requirements.
1. All roads used for ingress or egress, on or off the site, shall be kept dust free by oiling, chemical substances, or water and/or by hard-topping with cement or bituminous substance.
  2. Work areas shall be kept clean and clear.
  3. Work areas shall be posted with the owner's and operator's name and phone numbers.
  4. Work yards shall be fenced or otherwise made safe.
  5. Truck crossings and other means of ingress and egress shall be posted two hundred (200) feet there from in either direction to warn motorists.
  6. Working hours shall be between 7 am and 8 pm, Monday through Friday and 8 am to 7 pm Saturday. No work shall be permitted on Sundays or holidays except by special permission of the Zoning Administrator.

**5.15 Seasonal Sales.** The sale of Christmas trees, pumpkins, bedding plants, locally-grown produce, and other items deemed "in season" shall be considered temporary accessory uses within the AG, RR and all non-residential zoning districts subject to the following conditions:

- A. A temporary zoning compliance permit renewable on an annual basis shall be secured from the Zoning Administrator.
- B. All such sales shall be conducted in a manner so as not to create a traffic hazard or a nuisance to neighboring properties.
- C. Adequate parking and ingress and egress to the premises shall be provided.

- D. Upon discontinuance of the seasonal use, any temporary structures and signage shall be removed.
- E. Signs shall conform to the provisions of the district in which the seasonal use is located.
- F. Any lighting shall be directed and controlled to not create a nuisance to neighboring property owners.

**5.16 Garage Sales, Rummage Sales and Similar Activities.** Garage sales, rummage sales, yard sales, moving sales, and similar activities shall be considered temporary accessory uses within any residential zoning district subject to the following conditions.

- A. Any garage sale, rummage sale, or similar activity shall be allowed without a building and land use permit for a period not to exceed four (4) days within a six (6) month period. Such activities in operation for a period of time in excess of four (4) days shall require a zoning compliance permit from the Zoning Administrator. In no instance shall more than two (2) garage sales, rummage sales, or similar activities be held in any one location within any twelve (12) month period.
- B. All such sales shall be conducted in a manner so as not to create a traffic hazard or a nuisance to neighboring properties.
- C. All such sales shall be conducted a minimum of twenty (20) feet from the front lot line of the premises of such sale.
- D. Outdoor storage of goods or merchandise offered at such a sale shall not occur longer than the sale itself.
- E. Signage shall conform to the standards of Article 8.

**5.17 Home Occupations.** Home occupations which are clearly incidental to the principal residential use are permitted in any residential district. The following conditions for home occupations shall be met.

- A. The occupation shall utilize no more than twenty-five (25) percent of the total floor area of any one story of the residential structure so used.
- B. The home occupation shall involve no employees other than members of the immediate family residing on the premises.
- C. All home occupation activities shall be conducted indoors, except gardening.
- D. No structural alterations or additions which will alter the residential character of the structure shall be permitted to accommodate a home occupation.

- E. Only customary domestic or household equipment, or equipment judged by the Administrator not to be injurious or a nuisance to the surrounding neighborhood shall be permitted.
- F. There shall be no external evidence of such occupations except a small announcement sign not exceeding two (2) square feet and conforming to provisions for signage contained in Article 8.
- G. No unrelated commodity shall be sold on the premises in connection with a home occupation.
- H. No home occupation shall be permitted which is injurious to the general character of the residential district and which creates a congested or otherwise hazardous traffic or parking condition.

**5.18 Essential Services.** Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township. The construction of buildings associated with essential services shall be subject to the provisions of Article 11, Site Plan Review. Otherwise, the construction, maintenance, and alteration of essential services shall be exempt from the provisions of this Ordinance.

**5.19 Keeping of Animals.**

- A. Household Pets. Household pets may be kept on private property in accordance with the following standards:
  - 1. The keeping of up to four (4) household pets of more than six (6) months of age shall be permitted on any residentially-zoned or used lot or unit. However, small household pets kept within the residence, and small animals (such as small birds, frogs, toads, fish, gerbils, hamsters, mice, and the like) shall not be limited in number. All household pets shall be maintained and accommodated in a manner so as to not pose a nuisance to adjoining property or a hazard to water quality and the public health, safety and welfare.
  - 2. Private Kennels. The keeping of greater than four (4) household pets of more than six (6) months of age, belonging to the owner, shall constitute a private kennel, and shall be subject to the following standards:
    - a. Allowable Zoning Districts. Private kennels are allowed on property zoned C, AG, AR and RR, subject to special land use review pursuant to Article 4.
    - b. Lot Size. The lot or parcel shall be adequate in size to provide a distance of not less than one hundred and fifty (150) feet to

- any dwelling on adjoining property and twenty (20) feet to a side or rear lot line, from the care or pen housing the animals.
- c. Number of Animals Allowed. Private kennels shall in no case exceed eight (8) household pets of more than six (6) months of age.
  - d. County Licensing. Private kennels shall maintain a valid kennel license, when required by Washtenaw County.
  - e. Incidental Uses. The sale of animals or pet/veterinary products, training or grooming of animals, and providing veterinary care shall be incidental to the private kennel use, and shall not be available to the general public.
3. Commercial Kennels. Commercial kennels include any establishment animals are confined and kept for sale, boarding, breeding or training, or remuneration. The purpose of regulating kennels is to maintain adequate health standards, and to protect the general public. A commercial kennel shall be subject to the following conditions:
- a. Licensing and Other Requirements. Commercial kennels shall have a valid kennel license from Washtenaw County, and shall comply with all applicable local, county and state requirements for such facilities.
  - b. Minimum Lot Area. A minimum lot area shall be provided on not less than five (5) acres, with a minimum lot width of not less than five hundred (500) feet.
  - c. Enclosure. All animals shall be kept in an enclosed structure, or within a securely fenced area complying with Section 5.8. The Special Use Permit may limit the time during which the animals are permitted out of the kennel building(s).
  - d. Setbacks. Structures in which animals are kept, as well as animal runs and exercise areas, shall not be less than one hundred and fifty (150) feet from any adjacent property lines.
  - e. Animal Waste. Animal waste shall be collected and disposed of on a regular basis so as not constitute a nuisance to adjacent properties.
  - f. Odor Control. Properties on which commercial kennels are kept shall be maintained in a sanitary condition. Such

properties shall not emit unreasonable objectionable odors onto adjacent or nearby properties.

- g. Grooming. Pet grooming (including bathing, fur and nail trimming, brushing, flea and tick treatment, and similar treatment) shall be permitted for animals being boarded; for animals not being boarded, pet grooming shall be permitted if specifically authorized in the Special Use Permit.
  - h. Sale of Products. The sale of pet and veterinary products shall be incidental to the kennel unless specifically authorized in the Special Use Permit.
  - i. Veterinary Care. Veterinary care shall be incidental to the kennel unless specifically authorized in the Special Use Permit.
  - j. Sale of Animals. The sale of animals shall be permitted only if specifically authorized in the Special Use Permit.
  - k. Training. Training of pets and owners shall be permitted only if specifically authorized in the Special Use Permit.
  - l. Breeding. In districts other than AG, the kennel shall not be operated for breeding purposes, unless specifically authorized in the Special Use Permit.
  - m. Number of Animals Allowed. The Special Use Permit shall establish a limit on the number of animals that may be boarded at one time.
- B. Farm Animals. Farm animals may be kept on property zoned C, AG, AR and RR, pursuant to the following standards:
- 1. Applicability. The regulations of this sub-section shall apply to all properties upon which farm animals are kept, with the exception of bona fide farm operations protected in accordance with the Right to Farm Act (P.A. 93 of 1981).
  - 2. Minimum Lot Size Required. The minimum lot size required for the keeping of farm animals shall be two and one-half (2½) acres.
  - 3. Density of Animals Allowed. The aggregate number of farm animals that may be kept on a property other than a farm protected under the Right to Farm Act shall not exceed one (1) animal unit per acre, in accordance with Animal Unit Equivalency table provided below.

### Animal Unit Equivalency

Animal Type	No. of Animal Units per Animal
Slaughter and Feeder Cattle	1.0
Dairy Cattle	1.4
Swine	0.4
Sheep and Lambs	0.1
Horses	2.0
Turkeys	0.02
Chickens	0.01

The animal unit equivalency for all other animal classes, types or sizes not included in this table, but defined in the Michigan Right to Farm Act or described in Michigan Commission of Agriculture Policy, shall be calculated on the basis of one thousand (1,000) pounds live weight equaling one (1) animal unit.

4. Fencing. All areas in which farm animals are kept shall be securely fenced. Such fencing shall conform to the requirements of Section 5.8.
  5. Setbacks. No building or confined feeding area in which farm animals are kept or fed shall be located in the front yard of a lot, nor shall they be located closer than sixty (60) feet to any property line or road right-of-way line.
  6. Animal Waste. Manure or other animal waste shall not accumulate or be stored within one hundred (100) feet of any property line or road right-of-way line.
  7. Odor Control. Properties on which farm animals are kept shall be maintained in a sanitary condition. Such properties shall not emit unreasonable objectionable odors onto adjacent or nearby properties.
  8. Animals shall be maintained and accommodated in a manner so as to not pose a nuisance.
- C. Wild or Exotic Animals. It shall be unlawful for wild or exotic animals to be kept, bred, exchanged, bought or sold in Augusta Charter Township, except by the following facilities and organizations: zoological parks and aquariums accredited by the American Association of Zoological Parks and

Aquariums; wildlife sanctuaries; nature preserves; circuses; and bona fide scientific, medical, or educational research facilities.

### **5.20 Trash.**

- A. Dumpsters or other trash receptacles shall be screened in accordance with Section 5.8(H).
- B. A temporary trash and construction debris storage area shall be required to be located on the site of all construction and renovation projects for the duration of the project. All trash and debris shall be removed from the property and disposed of properly.

### **5.21 Traffic Impact Studies.**

- A. Intent. The Township requires traffic impact studies in certain cases to identify the anticipated traffic impacts and to assist in decision making. The intent of this section is to provide specific direction for the preparation of traffic impact studies where such studies are required by this Zoning Ordinance. The requirements of this section are also intended to help Township staff and officials determine the appropriateness of certain uses at proposed locations in terms of traffic impacts and the adequacy of proposed access design.
- B. Applicability. A traffic impact study may be required by the Planning Commission for any use which, in the Township Engineer's preliminary analysis, is expected to potentially generate over one hundred (100) directional trips in any peak hour or over seven hundred fifty (750) directional trips in an average day, or for projects at locations that currently experience traffic operational problems.
- C. Submittal Procedures. The traffic impact study shall be submitted with the site plan or other material required to be submitted.
- D. Qualifications of Preparer. The person responsible for the preparation of the study shall have a degree or specific professional training in the preparation of traffic impact studies. The preparer shall have at least three (3) years of recent experience in the preparation of traffic impact studies, shall provide evidence of ongoing experience and familiarity with the Highway Capacity Manual and other traffic operation evaluation techniques, shall be an associate (or higher) member of one or more professional transportation-related organizations and shall be either a registered engineer (PE) or a planner with AICP or PCP certification. Any study involving roadway or traffic signal design work shall be prepared by or under the supervision of a registered engineer (PE) with specific training in traffic engineering.
- E. Contents. The extent of information to be provided depends upon the

expected trip generation of the proposed project. The information provided in the traffic impact study shall include:

1. A description of the site, surroundings and study area. Illustrations and a narrative should describe the characteristics of the site and adjacent roadway system (functional classification, lanes, speed limits, etc.). This description should include surrounding land uses, expected development in the vicinity which could influence future traffic conditions, special site features and a description of any committed roadway improvements. The study should define and justify the study area selected for analysis.
2. A description of the requested use which relates to traffic generation, such as the number and types of dwellings units, the gross and usable floor area, the number of employees and shift change factors. Intended phasing or future expansion should also be noted.
3. A description of existing peak-hour traffic volumes (and daily volumes if applicable) at intersections and on street(s) adjacent to the site. The existing level of service analysis shall be provided for intersections in the vicinity which are expected to experience an increase in traffic of at least five percent due to the proposed project. Existing traffic counts shall not be over two years old from the date of submittal of the report.
4. Roadway characteristics, described and illustrated, as appropriate. Features to be addressed include existing rights-of-way, lane configurations, geometrics, signal timing, traffic control devices, posted speed limits, average running speeds, sight distance information, existing driveways and potential turning movement conflicts in the vicinity of the site.
5. For projects that will be completed and occupied within one year of a traffic impact statement submittal, an analysis of background traffic (i.e. the expected increase in traffic volumes related to approved projects and historic annual percentage increases).
6. Forecasted trip generation of the proposed use for the a.m. (if applicable), the p.m. peak hour and an average weekday. For commercial uses that are expected to generate significant weekend traffic, a weekend forecast shall also be required. -The forecasts shall be based on one standard deviation above the average rate, outlined in the most recent edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). For rezoning requests, the study shall contrast the traffic impacts of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by

the Building Department or Planning Commission. Any trip reduction for pass-by trips, transit, ride-sharing, other modes, internal capture rates, etc., shall be based both on ITE findings and documented survey results acceptable to the agency reviewers. The community may accept in whole or in part the trip reduction rates used. For projects intended to be developed in phases, the trip generation by phase shall be described.

- F. **Distribution of Traffic.** The projected traffic generated shall be distributed (inbound vs. outbound; left turn vs. right turn) onto the existing street network to project turning movements at site access points and nearby intersections where required. Projected peak hour turning movement volumes shall be illustrated in the report. A description of the application of standard engineering procedures for determining the distribution should also be attached.
- G. **Capacity Analysis.** A before and after level of service or "capacity" analysis at the proposed access points and nearby intersections shall be completed using the procedures outlined in the most recent edition of the Highway Capacity Manual, published by the Transportation Research Board.
- H. **Mitigation Alternatives.** The study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques or a reduction in the proposed intensity of use.
- I. **Waiver of Study Requirements.** The requirement for a traffic impact study or the study elements listed herein may be waived or modified by the Planning Commission. Reasons for the waiver or modification shall be documented, and the following factors may be considered:
  - 1. Roadway improvements are already scheduled which are expected to mitigate any impacts associated with the proposed project.
  - 2. The existing level of service is not expected to be significantly impacted by the proposed project due to specific conditions at this location.
  - 3. A similar traffic study was previously prepared for the site and is still considered applicable.