



1010 Clubhouse Drive  
Lake Isabella, MI, 48893  
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**Planning Commission  
Regular Meeting Agenda**

**August 8, 2017  
7:00 PM**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Roll Call of Members:**

Robert Laraway	Bill Preuss
Angela Schofield	Farzad Tafreshi
Councilman Jeff Grey	Mike Simon
Chairman Dave McGrath	
- IV. Agenda Approval**
- V. Approval of Minutes:** July 11, 2017 Regular Meeting
- VI. Election of Officers**
- VII. Reports:**
  1. Chairman
  2. Village Manager
  3. Village Council
- VIII. Public Hearings: None**
- IX. Public Comments**
- X. Existing Business:**
  1. Proposed Ordinance 2017-02
  2. Proposed Ordinance 2017-03
  - 3.
- X. New Business:**
  1. Proposed Ordinance 2017-05
  - 2.
- XI. Public Comments**
- XII. Adjournment**

The meeting was called to order at 7 PM by Chairman Dave McGrath, the Pledge of Allegiance was recited.

**Members Present:** Laraway, Grey, Schofield, Preuss, Simon, Tafreshi, and McGrath

**Members Excused:** None

A motion was by Schofield, seconded by Laraway, to approve the Agenda as presented. VOICE VOTE: MOTION CARRIED 7-0-0.

A motion was made by Laraway, seconded by Tafreshi, to approve the minutes of the June 13<sup>th</sup> meeting as presented. VOICE VOTE: MOTION CARRIED 7-0-0.

### **Reports:**

- Chairman: None
- Village Manager: Wolff thanked everyone who supported the fireworks. He discussed the record flooding of June 23-24. He discussed permit activity and also the scheduled bid opening the following day for Crack Sealing and Pavement Marking work.

Wolff also brought to the attention of the Planning Commission a concern he has with the zoning code. Specifically, when the Baseline Septic Criteria document is approved, it will open up the ability to build houses on Channel Drive, Channel Drive West, and Northview Drive. He stated that when looking at these lots, it would appear that they are small, even by Lake Isabella standards. He suggested that an overlay district could be created to allow the lots in this area to build to the standards allowed for a single T-lot. In doing so, it would allow for smaller homes by right and need make people seek our variances. It would also reduce the needed areas for septic fields due to smaller homes.

- Village Council: Grey discussed the June Village Council meeting. He discussed the Council's approval to begin litigation against the owner of 1027 Siesta Lane as the structure has been condemned. He also discussed a request to install a speed bump on Cordoba Lane. He stated that the Council approved the 2017-18 Budget at the June meeting.

**Public Hearings:** None

**Public Comment:**

- Mike Scherba of Isabella Vista stated that he though the company who did the crack sealing last year did a good job.

**Existing Business:**

1. Proposed Ordinance 2017-02

The Planning Commission continued its review of the various uses listed in the draft. The Planning Commission reviewed the following numbered uses in the ordinance:

20: No changes were made.

21: No changes were made.

22: No changes were made.

23: No changes were made.

24: No changes were made.

25: No changes were made.

26: No changes were made.

27: No changes were made.

28: No changes were made.

29: No changes were made. A discussion was had regarding the possible need in the future to amend the time of day at which a Daycare could begin accepting children based on any future changes with school start times. Wolff suggested that if the school start time does change, the Planning Commission could enact a blanket approval for all Daycares to start earlier during the school year.

30: No changes were made. A discussion was had regarding whether to allow Duplexes in the LR-2 area. After discussing the matter, the Planning Commission did not seek out a change to the draft to allow duplexes in that zoning district.

31: No changes were made.

32: No changes were made.

33: A clause from the development standards for Asphalt Plant was included to require that noise, odors, sound, and other issues may not leave the site.

34: No changes were made.

35: The Planning Commission discussed which districts to allow Gas Stations in. After discussing where Gas Stations are the most compatible in the community, the Planning Commission listed Gas Stations as an S2 approval in the ECBD. There was discussion about allowing a convenience store in the C-1 District to sell fuel from an above ground tank. Wolff stated he would work on that using the definition of Filling Station for the Planning Commission to review next month.

Wolff also stated that he had thought about the request from Mr. Fiorillo last month and that if the Planning Commission wanted to address his request the best idea he has had so far was to call it a "Lodge" and make that an accessory use.

Schofield stated that whatever was done should not open the Village up to short-term rentals.

**Public Comment:**

- Mike Scherba of Isabella Vista stated he didn't feel duplexes would be a good option in the LR-2 area but would be along the golf course.

With no further business, the Planning Commission adjourned at 8:39 PM.

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Jeff Grey  
Village Clerk



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## **Election of Officers**

With new terms taking effect in July, the Planning Commission By-laws requires the board to elect officers. Below is the current slate of positions and who is serving in each capacity.

<b>Position</b>	<b>Currently Held By</b>
<b>Chairman</b>	Dave McGrath
<b>Vice-Chair</b>	Bob Laraway
<b>Secretary</b>	Tim Wolff
<b>Zoning Board of Appeals Member</b>	Dave McGrath



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## AUGUST VILLAGE MANAGER'S REPORT

### **Department of Public Safety:**

- No items to report.

### **Department of Public Works:**

- We are caught up on road mowing.
- Shoulder brush clearing work begin in July and will continue into the fall.
- Crack sealing work was done in late July and early August.

### **Department of Community Development:**

- Year-to-Date Code Enforcement & permit numbers attached.
- I am going to be working with Isabella County Animal Control on doing a sweep of the Village this summer and fall for unlicensed dogs.

### **Department of Community Services:**

- The new website is undergoing some testing before we launch it.



**Code Enforcement Summary Report**

**Report Criteria:**

Status	Assigned To	Census Tract	Violation	Initiation	Open Date Range	Follow up Date Range	Close Date Range
All	All		All	All	From 01/01/2017 To 08/04/2017	From To	From To

**CE Totals**

	Total	Closed Cases	Open Cases
<b>Totals</b>	<b>123</b>	<b>100</b>	<b>23</b>

**CE Cases by Employee**

Employee	Total	Closed Cases	Open Cases
Manley, Jessica	32	31	1
Wolff, Tim	91	69	22
<b>Totals</b>	<b>123</b>	<b>100</b>	<b>23</b>

**CE Cases by Violation**

Violation	Total Violations	Closed Violations	Open Violations
Animal - Dog License	5	4	1
Animal - Dog Running at Large	9	6	3
Animal - Excessive Dogs	2	1	1
Animal - Inhumane Living Conditions	0	0	0
Animal - Nuisance Barking	4	2	2
Animal - Public Nuisance Vicious Dog	1	1	0
Animal - Wild Animal	0	0	0
Blight - Accumulation of Waste	18	12	6
Blight - Animal Waste	0	0	0
Blight - Blighted Structure	0	0	0
Blight - Broken Windows	0	0	0
Blight - Building Materials	1	1	0
Blight - Dangerous/Hazardous Structure	0	0	0
Blight - Deteriorated Structure	0	0	0
Blight - Firewood	0	0	0
Blight - Graffiti	0	0	0
Blight - Junk Vehicle	2	2	0
Blight - Junk/Inoperable Vehicle	7	7	0
Blight - Long Weeds/Grass	17	9	8
Blight - Outdoor Furniture	1	1	0
Blight - Parking in Yard	3	3	0

Blight - Possible Structure Collapse	0	0	0
Blight - Stock pile of Brush	0	0	0
Blight - Uncompleted Structure	0	0	0
Blight - Unfinished Excavation	0	0	0
Blight - Unhabitable Dwelling	0	0	0
Blight - Unlicensed Vehicle	11	10	1
Blight - Vehicle Repair	0	0	0
Blight - Window Treatments	0	0	0
Fireworks - Illegal Fireworks Use	1	1	0
Incident - Fire Dpt. Assist	0	0	0
Incident - General Assist	0	0	0
Incident - Traffic Accident	0	0	0
Incident - Tree Removal	0	0	0
Misc - Burning (Trash or other prohibited items)	5	5	0
Misc - House Number Display	0	0	0
Misc - Soliciting Without a License	0	0	0
Misc - Trespassing	3	3	0
Neighborhood Watch Patrol	1	1	0
Noise - Distrubing the Peace	1	1	0
Noise - Loud Music or TV	0	0	0
Noise - Sunday or Afterhours Construction	0	0	0
Outdoor Storage - Emergency Access	0	0	0
Outdoor Storage - Not Covered	0	0	0
Outdoor Storage - Screening/Yard	0	0	0
Rental - Annual Renewal	33	32	1
Rental - Fail to apply for rental license	1	0	1
Rental - Failed Rental Inspection	1	1	0
Rental - Occupancy Exceeds Allowed	0	0	0
Rental - Scheduled Inspection	0	0	0
Rental - Suspected Rental	0	0	0
Sign - Political Sign(s)	0	0	0
Sign - Sign Attached to Tree	0	0	0
Streets - Item for Sale in ROW	0	0	0
Streets - No Parking Violation	1	1	0
Streets - No Right of Way Permit	3	2	1
Streets - Obstructing by Parking	0	0	0
Streets - Overnight Parking	1	1	0
Streets - Snow Across Roadway	0	0	0
Streets - Temporary Parking Ban	0	0	0



Streets - Utility Wires in Trees	0	0	0
Trailer/RV - Excessive Number	0	0	0
Trailer/RV - For Sale 30+ Days	0	0	0
Trailer/RV - Storage Location	1	1	0
Trailer/RV - Unlicensed	2	2	0
Trailer/RV - Vacant Lot	0	0	0
Zoning - Accessory Structure <200' Setback	0	0	0
Zoning - Accessory Structure in Street Yard	0	0	0
Zoning - Accessory Structure No Permit	1	1	0
Zoning - Dumpster	2	2	0
Zoning - Exterior Improperly Finished	0	0	0
Zoning - Fencing W/I 35' of Lake/River	0	0	0
Zoning - Fencing Without Permit	1	1	0
Zoning - Illegal Camping	0	0	0
Zoning - Keeping of Livestock or Poultry	0	0	0
Zoning - Mobile Home Skirting	1	1	0
Zoning - Multi-Family in LR-2 District	0	0	0
Zoning - Multi-Family Use in LR-1	0	0	0
Zoning - No Zoning Permit	5	3	2
Zoning - Phosphate Fertilizer	0	0	0
Zoning - Structure Completion	0	0	0
<b>Totals</b>	<b>145</b>	<b>118</b>	<b>27</b>



Village of  
Lake Isabella

**2017 Permits**

Permits in Yellow are Pending

Permit #	Last Name	First	Property Address	Purpose	Date	Plat	Type of Permit
1	Whitmore	Nick	1000 Vallado Dr.	Shed	2/2/2017	F.1.	Zoning
2	Bixman	Joe	1023 Cordoba	Shed	4/4/2017	F.2.	Zoning
3	Fitzsimmons	Joe	1011 Parkview	Fence	4/4/2017	GE2	Zoning
4	Lovejoy	Steve	1018 Siesta	Fence & Shed	4/26/2017	F1	Zoning
5	Fraizer	Wayne	1026 Clubhouse	Pool & Fence	4/27/2017	GE1	Zoning
6	Jarvis	Jerry	1011 Trebuh	New Home & Garage	5/3/2017	Whispering Pines	Zoning
7	Housner	Katie	1164 Queens Way	Shed	5/5/2017	Plat 3	Zoning
8	Davis	Al	1014 Avion	Fill-in Ditch	5/8/2017	Airpark	Right-of-Way
9	Schafour		1280 Queens Way	New Home & Garage	5/10/2017	P.P	Zoning
10	Belanger	Brad	1047 Carmen	New Home & Garage	5/30/2017	F.1.	Zoning
11	Sellon	Vickie	Bundy	Shed	5/11/2017	P.3	Zoning
12	Whittig		Barcelona	Shed	6/13/2017	Forest 2	Zoning
13	Krasun	Peter	1052 Vallado	Enclose Deck	6/20/2017	Woods 1	Zoning
14	Risdon	Ron	1008 Bundy Drive	Deck	6/20/2017	3	Zoning
15	Sousa	Robert	1004 Mini	Deck	6/26/2017	3	Zoning
16	Race	Andrew	925 Brinton	Shed & Covered Porch	7/5/2017	South	Zoning
17	Msibi	B.	Clubhouse	Driveway	7/5/2017	G.E.2	Right-of-Way
18	Spurr	Howard	1053 Isabella Vista	Driveway	7/14/2017	North	Right-of-Way
19	Moresy	Mike	1032 Birdie	Driveway	7/24/2017	G.E.2	Right-of-Way
20	Pluff	Eric	1010 Southport	Addition	7/25/2017	Plat 3	Zoning
21	Bradley	Gavin	760 Coldwater Rd	Deck	8/1/2017	Unplatted	Zoning
22	Scheer	John	1002 Carmen	Fence	8/2/2017	Forest 1	Zoning
23	Beeckman	William	1064 El Camino	New Home & Garage	8/3/2017	North	Zoning
24	Battice	Michelle	1007 Sierra Morena	Garage	8/3/2017	North	Zoning
25	Caterino	Matt	1003 Riviera	Fence	8/3/2017	Forest 1	Zoning
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The meeting was called to order at 7:01 PM by Village President Dave Torgerson. The Pledge of Allegiance was recited by those in attendance.

**Members Present:** Cueny, Kiel, Griffin, Grey, Eberhart, & Torgerson  
**Members Excused:** Shoemaker

The Agenda for the meeting was accepted as presented without objection.

A motion was made by Kiel, seconded by Grey, to approve the Consent Agenda as presented. ROLL CALL VOTE: YEAS: Cueny, Kiel, Griffin, Grey, Eberhart, & Torgerson; NAYS: None. MOTION CARRIED 6-0-0.

**Reports:**

Village President: Torgerson thought the firework display was great. The Village raised over \$8,000 in donations. There were some infraction tickets issued at party point however, all was quiet after that.

Village Manager: Discussed code enforcement and permit activity. He also discussed shoulder mowing. He also asked if there were objections from anyone on the Council to him speaking to the Sheriff about options and costs for a dedicated patrol agreement. There were no objections to him having those discussions. He also discussed the first area targeted for a dog license sweep. He also discussed Committee appointments. He stated that Bob Laraway has asked to be re-appointed to the Planning Commission. Angela Schofield stated she would continue to serve until a replacement is found.

Torgerson reappointed Laraway to Planning Commission with Council consent.

Cueny asked what happened with the Siesta Lane issue. Wolff stated legal firm will file this case by the end of this week. Also, what was the cost of the fireworks and what did we pay out. Wolff replied that the fireworks contract was for \$9,000, plus the costs for the fire department and EMS to be onsite that evening.

LIPOA: No report given

### **Public Comments:**

- Brian Roberts of York Drive stated that he attended the April Village Council meeting and appreciated the council response he received. He wanted to report that 5 additional dog-at-large incidents since his April visit has occurred. Animal control hasn't responded however Manager Wolff has. Thank you to all of you for being responsive. He looked at few different things in the draft of the update to Article VI. He asked if under public nuisance section 13: Does this section mean it can it happen once then the second time we deal with it or do we deal with it on the first occurrence? Wolff said a warning would be first and the second time a ticket would be issued. Also, when a dog bit their dog it fell through the loops because of our current wording, what is the definition of attack under the new wording and would his previous incident have fallen under the attack wording? Another question is regarding the dog at large three or more times in a year, is that a calendar year or does the date start on the first incident date? Plus, he feels it shouldn't have a year time limit. In addition to the above questions, 602.09 old letter "e" is crossed off pertaining to two neighbors complaining about the dog, does this still apply or is it covered somewhere else? Finally, can a complainant also make a case as well as the owner of the complaint animal? Meaning if the complainant does not like the outcome of the council decision can they come back and ask the Village Council to overrule the action of staff
- Bill Preuss of Crown Point Dr. asked about checking dog licenses and how it would be monitored?

### **Existing Business:**

#### 1. Cordoba Lane Speed Control:

After the June meeting, the Village mailed all properties on Cordoba Lane with dwellings a letter regarding the request for a speed bump. The Village heard back from 4 of those locations, two didn't have a problem with speed on the streets and did not want speed bumps, 1 who didn't know what solution would be and wished us luck with this problem, and another owner who thought solution might be to make a 3 way stop at Madrid and Cordoba.

Cueny asked how much a stop sign cost Wolff responded \$120.00 for the intersection. Cueny then asked if we put up the signs up would it make it worse because then everyone would want one up.

Griffin how many people complained about speed? Wolff responded that 2 people made complaints, that there are approximately twenty houses, and of the twenty houses 4 responded.

Council stated to try the stop signs on a 90-day trail. Wolff will bring a Traffic Control Order to next month's meeting for approval.

2. Lake Isabella Baseline Septic Criteria Draft:

Since the June Village Council meeting, staff has worked with Rowe PSC and legal counsel to update the draft per the meeting of June 14<sup>th</sup>. Wolff discussed the draft and the obligation to create a maintain a database under the proposal. He also provided the council with the sample deed restriction for an alternative system and discussed the restrictions with the council. This will only apply to Golf Estates 2 and Lake Isabella South properties which are developed with an alternative system.

Cueny asked if there are any fines if we do not go through with this. Wolff stated no.

Torgerson stated that there is software out there that will keep track of all this for the Village. The DEQ brought sample information regarding that to the meeting on the 14<sup>th</sup>.

Griffin if someone has a lot and wants to build a house on it who comes out to tell them what kind of system they are required to get. Council answered the Health Department.

Kiel asked what is the timeframe. Wolff stated he will send it tomorrow but there are other steps that will have to be completed before people can use these criteria.

3. July 18, 2017 Work Session Items:

A draft ordinance of a comprehensive update to Article VI was introduced by Grey and a hearing set for the August meeting. An update to the council rules was also discussed and Wolff stated he can have a resolution prepared for the August meeting to make the changes discussed at the Work Session. Wolff will put together an RFP for next month on the Single haul trash license that was discussed. Also, a definition to what a Dog Attack was found and will be added to the appropriate section.

**New Business:**

1. June 23-24 Flood Follow Up:

Wolff reviewed the issues seen in the Village during the flood of June 23-24. There were drainage issues on Baseline Road, and the intersection of Birdie Drive area and Coldwater Road. Flooding was observed at hole number 2 on the golf course, and washouts on School Road between Bonanza Lane and Campo Court.,. Wolff stated that the Village should consider the possible of additional ditching on Baseline Road. If the county would replace culvert under Coldwater Road near

the DPW driveway it would help tremendously. Wolff stated that he feels the Village should address the washout issues on Parkview Drive by moving the spillways and extending the HMA curve and pave a portion of the shoulder. The Village does not have a cost estimate yet and it must come out of the local street fund. Wolff will come back with a proposal.

2. Review and Approval of Crack Sealing Bid:

We received bids last Wednesday. Wolff reported that there were four bids he feels are worthy for consideration. Ryan Excavating came in at 94¢ per pound but estimates that they could only do 3 of the 4 areas and would take them 6 days to complete. GT Contracting came in at 98.9¢ per pound and they estimate that they can do all 4 areas and be done in 4 days. Wolverine Sealing came in at 99¢ and they estimate that they could only do 3 of the 4 areas but could also be done in 4 days. B&E Sealcoating came in at \$1.00 per pound, and they estimate that they could do all 4 areas however it would take them 6 days.

A motion was made by Cueny, seconded by Eberhart, to award the Crack Sealing bid to GT Contracting. ROLL CALL VOTE: YEAS: Cueny, Kiel, Griffin, Grey, Eberhart, & Torgerson; NAYS: None. MOTION CARRIED 6-0-0.

3. 2017 Pavement Marking:

Wolff reported that no bids were submitted. He stated that he did receive a phone call from Michigan Pavement Marking (MPM) stating that they misunderstood the mailing and thought the Village was asking them to do the markings again this year. He stated MPM has offered to do the pavement markings this year, and match last year's price.

A motion was made by Kiel, seconded by Grey, to hire Michigan Pavement Markings at last year's price, plus the cost to replace 4 crosswalks. ROLL CALL VOTE: YEAS: Cueny, Kiel, Griffin, Grey, Eberhart, & Torgerson; NAYS: None. MOTION CARRIED 6-0-0.

**Public Comments:**

- Mike Scherba of Isabella Vista Drive: Stated he wouldn't get excited about the 40 year rain event. He likes Tim's idea on Parkview but views that our area handled the rain well. He stated that he attended one of the sign work session had a gentleman who brought up the digital signs and the possibility of putting it up in front of his business and referred to Dar's Barn in Remus and he thinks he would be opposed to a sign of that nature. He doesn't want to stir up the pot but when whispering pines was going through development with the

health department and DEQ he thought they had to get approval for each house but wants to know if anyone is following up with that obligation and now there is a second home permit being sought. Wolff stated that for each of the homes that have been permitted, a copy of an approved permit from the CMDHD has been included.

- Brian Roberts of York Drive: Manager Wolff came up with a great definition and recapped what he wanted explanations of or questions he would like to be considered.

**Announcements:**

- Torgerson will not be here for the August 15<sup>th</sup> meeting.
- Liaison is tentatively set for August 28<sup>th</sup> and Wolff will not be in attendance on that date.

With no further business, the Council was adjourned at 8:20 PM.

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Jeff Grey, Village Clerk

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Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Work Session – July 18, 2017

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Lake Isabella President Dave Torgerson, at 4:34 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Cueny, Grey, Griffin, Kiel, & Torgerson  
**Members Absent:** Shoemaker

**Public Comments:** None

**Business/Discussion:**

- Proposed Ordinance 2017-04 Article VI Update:

Wolff presented a draft to the Council which incorporated the changes from the past two Work Sessions. In addition to the changes discussed, several typos were also corrected and the format standardized for all of the individual Chapters.

The Council reviewed the changes. There was discussion regarding whether to keep the adult dog limit at 2 dogs, with a type of special approval for locations with 3 or 4 dogs. After discussion, and concerns over some locations getting approved and others not, the Council elected to strike the limitation all together.

It was asked about prohibiting fireworks from being launched over other people's property. Wolff stated that when he researched the enabling language in statute, it stated that locals could not regulate in any manner fireworks on the day before, day of, or day after a holiday.

Cueny asked if the prohibition on tall grass applied to ornamental grass. Wolff stated that it did not.

The Council changed the wording in the draft dealing with where people could sell vehicles on their property.

Wolff reviewed the draft of the Sign code based on the feedback from the 2 Focus Group meetings. The Council struck the prohibition that digital signs could only be monochrome. Wolff reviewed the various sizes and types of signs allowed in each district.

- Village Council Rules:

The Council did a review of the adopted rules. Changes were requested to several sections, including the Roles of the Village Council & Village Manager, severance agreements, the method of requesting to be excused for a meeting, and the Election of Officers.

- Single Hauler Refuse:

Wolff presented costs on what residents are currently charged from various firms servicing the area. He stated that if the Village moved forward with an RFP or License it should identify key services the community needs and build those into the scoring used to award a License. He stated that the most common theme in the calls to the office about trash service since Dent's closure is what to do with large items. He stated that this should be included in the RFP drafted by the Village.



**Public Comments:** None

With no further business, the Village Council stood in adjournment at 6:52 PM.

x\ \_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President



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**August 8, 2017**  
**Planning Commission Meeting Agenda Memorandum**

<b>Agenda Item:</b>	<b>Existing Business #1</b>
<b>Submitted by:</b>	Tim Wolff, Village Manager
<b>Subject:</b>	Proposed Ordinance 2017-02

**Discussion**

Last month we finished our review with “Gas Stations” This month, we are at “Golf Courses” which is use number 36, located on page 35 of the draft. What I would propose is moving forward in a somewhat faster pace than we have been working at lately. The reason being I can only safely see us having four more Village Council meetings this year. Since any ordinance that is recommended by the Planning Commission also requires an introduction and hearing before the Council, this cuts down on the amount of time left on the calendar to get things done yet this year.

In addition to the working draft of proposed ordinance 2017-02, I have attached two one-page items for this agenda item. They deal with the lodging issue presented by Mike Fiorillo and the filling station issue presented by Mike Scherba.

## Mike Fiorillo Request

### Request Summary:

In conjunction with his planned Wedding Venue business, Mike Fiorillo has requested the ability to also lodge guests overnight which attend events at his property. This is a very difficult one to come up with regulations that don't also impact the Village's prohibition of short-term rentals. This is important as Mr. Fiorillo's property is zoned LR-1. As such, I struggle with suggesting a change that would allow the proposed use/definition in the LR-1 district. One possible remedy to this would be for the underlying zoning district to change. That would not only require an ordinance to amend the zoning map, but also would need to have the Future Land Use Map of the Master Plan amended as it shows the "future" use of this property as residential.

### Proposed Definition:

Lodge: A single-family dwelling containing not more than one living unit, where lodging with or without meals is provided for compensation by prearrangement for definite periods of time, for between 3 and 12 individuals and is not open to transient guests.

### Proposed Use Standards:

**Use:** Lodge

### **District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S2	-	-	-	-	S2	S2

### **Development Standards:**

- A. All sleeping rooms shall be a minimum of 100 square feet for a single occupant, 150 square feet for two occupants, and for each additional occupant an additional 50 square feet shall be provided.
- B. Public ingress and egress to the Lodge shall be through one common exterior entrance. Ingress and egress for guests shall be through common exterior entrances.
- C. Entry access to all sleeping rooms shall be through the interior of the building. No exit doors from individual sleeping rooms shall lead directly to the exterior of the building.
- D. Residents must have access on-site to shared common areas for cooking and eating. A common kitchen facility equipped for cooking meals located on-site must be available to the guests.
- E. The owner of the Lodge must obtain a certificate of occupancy and register as a

rental dwelling under the Village's Residential Rental Licenses.

- F. The use of the Lodge shall be an accessory use to another use occurring on the parcel. The use of the Lodge shall not occur independent of another use of the parcel.
- G. Prior to being approved by the Village, the owner is required to undergo a review by the local health department to review the adequacy of the on-site well and septic system.
- H. Fire extinguishers shall be provided for on all floors in clearly designated areas, each bedroom shall be equipped with a smoke detector that is either hardwired or contains a non-removable battery.

## Mike Scherba Request

### Request Summary:

Mike Scherba has requested that the Planning Commission consider regulations which would allow him, or future owners of his property at Bundy and Queens Way to sell fuel. Below is a possible draft set of regulations that the Planning Commission can review which might address his concerns.

### Proposed Amendment to Current Definition:

**Filling Station:** ~~Any place where primary petroleum products such as gasoline, motor oil or diesel fuel are sold at retail and auto repairs may be made as a secondary activity.~~ A location where flammable or combustible liquids are stored and dispersed from fixed equipment, including above ground tanks, with no more than 400 total gallons of flammable or combustible liquids stored on-site at any time.

### Proposed Use Standards (None in Ordinance Currently):

**Use:** Filling Station

#### **District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S2	S2	S2	-	S2	S2	S2

#### **Development Standards:**

- A. The sale of fuel shall be as an accessory use to another use occurring on the parcel.
- B. Above ground tanks shall have an Underwriters Listed (UL) outdoor-use designation.
- C. A secondary containment area is required and shall be able to hold the contents of the primary tank should it fail. Double-walled satisfy the secondary containment requirement and are preferred over dikes or tubs.
- D. Above ground tanks are required to be protected by bollards of at least 48 inches above grade.
- E. Above ground tanks are required to be located over an impermeable surface.
- F. All above or below ground tanks shall comply with applicable state and federal requirements.

# Village of Lake Isabella

1010 Clubhouse Drive  
Lake Isabella, MI, 48893  
989-644-8654

## **ORDINANCE 2017-02 LAND USE SITE CRITERIA**

The Village of Lake Isabella hereby ordains:

### **SECTION 1 PURPOSE**

The purpose of this ordinance is to amend the zoning code of the Village of Lake Isabella to enact a uniform method of regulating the use of parcels in the Village. This ordinance creates a centralized location for development standards for many uses allowed in the zoning code. It also identifies which districts each use may be allowed in, and what level of approval is required for a specific use in a specific district.

### **SECTION 2 CHAPTERS DELETED**

The following Chapters of the Zoning Code of the Village of Lake Isabella are hereby deleted in their entirety from the Codified Ordinances of the Village of Lake Isabella:

- Chapter 1226; Borrow Pits
- Chapter 1262; Special Land Uses
- Chapter 1276; Day Care & Child Care Centers
- Chapter 1292; Off Street Parking

### **SECTION 3 CHAPTER CREATED**

A new Chapter 1262 is hereby created in the Codified Ordinances of the Village of Lake Isabella and shall read as shown on the attached **Exhibit A**.

### **SECTION 4 CHAPTERS AMENDED**

The following Chapters of the Zoning Code of the Village of Lake Isabella are hereby amended and will read as follows in the attached Exhibits:

- **Exhibit B:** Sections 1214.03, 1214.05 and 1214.017 of Chapter 1214; Site Plans
- **Exhibit C:** Chapter 1218: Communication Towers
- **Exhibit D:** Chapter 1260; Permitted & Special Land Use Matrix

### **SECTION 5 SECTION 1220.05(4) AMENDED**

Section 1220.05(4) of the Codified Ordinances of the Village of Lake Isabella is hereby amended to read as follows:

The development and placement of Accessory Structures located across a street from the Primary Structure that such would be accessory and subordinate allowed under subsections 1, 2, 3 of this section shall be limited only to detached garages. Such detached garages must have a footprint of no less than 896 square feet and may only be approved as a Special Land Use at the S2 Level. As part of the review of the Special Land Use application, special attention shall be given to the design requirements of section 1220.13 of the zoning code.

## **SECTION ~~6~~5 SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or portion of this Ordinance is found for any reason to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

## **SECTION 6 ORDINANCES REPEALED**

All ordinances and/or parts of ordinances inconsistent with this Ordinance are hereby repealed

## **SECTION 7 EFFECTIVE DATE**

This Ordinance shall take effect and be in force upon the expiration of 7 days of the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance and attached document shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

###

We, the undersigned, President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2017-02 “*LAND USE SITE CRITERIA*” of the Village of Lake Isabella was adopted in the following manner with at least seven days elapsing between the publication of the public hearing for the Ordinance and the enactment by the Village Council at regular or special meeting of the Lake

Isabella Council, offered by councilmember \_\_\_\_\_, and seconded by councilmember \_\_\_\_\_ . Originally introduced by councilmember \_\_\_\_\_.

<b>Planning Commission Introduction</b>	<b>May 9, 2017</b>
<b>Planning Commission Public Hearing</b>	
<b>Planning Commission Recommendation →</b>	
<b>Village Council Introduction</b>	
<b>Village Council Public Hearing</b>	
<b>Village Council Enactment</b>	

The vote on this Ordinance was taken by roll-call with the “yeas” and “nays” recorded as such.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Dated at Lake Isabella, Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Village Council President  
Dave Torgerson

\_\_\_\_\_  
Village Clerk  
Jeffrey P. Grey



EXHIBIT A

Village of Lake Isabella - Codified Ordinances

Article XII – Planning & Zoning

Chapter 1262 – Development & Review Standards

Created on [redacted] by Ordinance 2017-02

Chapter 1262.01	Purpose
Chapter 1262.03	Application Procedures for Special Land Uses
Chapter 1262.05	General Review Criteria for Special Land Uses
Chapter 1262.07	Development Standards

**1262.01 PURPOSE**

This Chapter creates a centralized location for development standards for many uses allowed in the zoning code. It also identifies which districts each use may be allowed in, and what level of approval is required for a specific use in a specific district.

**1262.03 APPLICATION PROCEDURES FOR PERMITTED AND SPECIAL LAND USES**

An application for a Special Land Use Permit shall comply with the following procedures:

- Application. Applications for Special Land Use Permits shall be submitted through the Zoning Administrator ~~to the Planning Commission~~. Each application shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by the Village Council. No part of any fee shall be refundable.
- Required Information. An application for a Special Land Use Permit shall include a completed application form and required application fee, an application is not considered complete without both items ~~the following information:~~
  - ~~A completed application form, supplied by the Zoning Administrator.~~
  - ~~A site plan as required in Chapter 1214.~~
- Review Process. The process of reviewing Permitted and Special Land Uses shall be as follows:

<u>Approval Level</u>	<u>Approval Process</u>
<u>“P” = Permitted</u>	<u>Applications are received, reviewed, and approved or denied by the Zoning Administrator.</u>
<u>“S1” = Level 1 Special Use</u>	<u>Applications are received, reviewed, and may be approved or denied by the Zoning Administrator. Upon making a determination as to whether to approve or deny an application, the Zoning Administrator shall do the following.</u>

**EXHIBIT A**

	<p><u>In the case of an approval, send a notice to all owners and occupants of lands within 300 feet of the site of the approval, including any conditions, and their right to request a public hearing and appeal such to the Planning Commission within 30 days of the notice.</u></p> <p><u>In the case of a denial, send notice to the applicant stating the reasons for the denial and informing them of their right to request a hearing within 30 days of the decision before the Planning Commission to consider the application.</u></p> <p><u>Public hearings called under this section shall comply with the notification requirements of the Michigan Zoning Enabling Act.</u></p>
<u>“S2” = Level 2 Special Use</u>	<p><u>Applicants are received and reviewed by the Zoning Administrator. A public hearing is scheduled for the next regular meeting of the Planning Commission that meets the notification requirements of the Michigan Zoning Enabling Act.</u></p> <p><u>After conducting a public hearing, the Planning Commission may approve, approve with conditions, or deny the application.</u></p>
<u>“S3” = Level 3 Special Use</u>	<p><u>Applicants are received and reviewed by the Zoning Administrator. A public hearing is scheduled for the next regular meeting of the Planning Commission that meets the notification requirements of the Michigan Zoning Enabling Act.</u></p> <p><u>After conducting a public hearing, the Planning Commission shall make a recommendation to the Village Council as to whether the technical requirements of the zoning code are satisfied by the application.</u></p> <p><u>The Village Council shall receive the report and recommendation of the Planning Commission and shall then review the application and record from the Planning Commission. After review, the Village Council may approve, approve with conditions, or deny the application.</u></p>

~~3. **Hearing.** After a preliminary review of an application for a Special Land Use Permit, the Planning Commission shall hold a public hearing or hearings on the special use request in accordance with the Michigan Zoning Enabling Act, Public~~

## EXHIBIT A

~~Act 110 of 2006, as amended, and also in accordance with any other applicable statute or ordinance.~~

- ~~4. Review. Within a reasonable time following the public hearing, the Planning Commission shall make a determination on the Special Land Use Permit application. The determination shall be in accordance with the criteria for approval stated in Chapter 1262.05 and such other standards contained in this code of ordinances. The Planning Commission shall give final approval of the Special Land Use Permit.~~
- ~~5. Issuance of a Special Land Use Permit. Upon the approval by the Planning Commission, the Special Land Use Permit shall be signed by the Village Clerk and the Zoning Administrator. The permit shall include any conditions necessary to ensure conformance with this ordinance. The permit shall become valid 21 days after the date of approval.~~
4. Appeal. Within 30 days following the date of decision on any [permitted or](#) special land use permit, an applicant or an aggrieved party, including any governmental body or agency, may appeal the decision [to the Zoning Board of Appeals](#) ~~of the Planning Commission to the Village Council~~. Upon the filing of an appeal, the application, all relevant documents, testimony and the findings and decision of ~~the staff, the~~ Planning Commission [and/or Village Council](#) shall be transmitted to the [Zoning Board of Appeals](#) ~~Village Council~~.
5. Decisions. All [Special Land Use](#) decisions shall contain a statement of conclusions specifying the basis for the decision and any conditions imposed upon the special land use.
6. Inspections and Revocation. ~~The~~ [A s](#) [Special L](#) [and u](#) [Use](#) permit ~~shall~~ [may](#) be revoked if any of the conditions imposed in the granting of the permit are not met or maintained.

### **1262.05 GENERAL REVIEW CRITERIAL FOR SPECIAL LAND USES**

The general requirements for all special land uses are as follows:

1. Whether the proposed development is in general agreement with the adopted Village Master Plan.
2. Whether the density or use characteristics of the proposed development are detrimental to adjacent properties and land uses.
3. The special land use shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property due to traffic, noise, smoke, odor, fumes or glare.
4. The special land use shall be adequately served by essential public facilities and services; or it shall be demonstrated that the person responsible for the proposed special use shall be able to continually provide adequate services and facilities deemed essential to the special use under consideration.

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- 5. The special land use shall represent an improvement to the property under consideration and the surrounding area in general.
- 6. The special land use shall not place demands on public services and facilities in excess of current capacity.

**1262.07 DEVELOPMENT STANDARDS**

The development and use of land in the Village of Lake Isabella ~~for anything other than a detached single family dwelling~~ shall occur only as may be allowed in the Zoning Code. The Zoning Code contains other areas where specific requirements are listed for various projects, including single-family dwellings. In addition to any other requirements contained in the zoning code. ~~Specific~~ development standards for other specific uses defined in the Zoning Code shall be as follows:

- 1. **Use:** Adult Entertainment Business

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	S3	-	-	-	-

**Development Standards:**

A. PURPOSE

In the development of a community it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these objectionable uses is necessary to ensure that their adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood, increase crime and prostitution, or deteriorate property values. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area (i.e.; not more than one such uses within 1,320 feet of another which would create such effects) is based on no less than the following eight documented effects of such use:

- 1) Sexually oriented businesses featuring nudity and sexual activities produce negative secondary effects of increased crime rates, declining or depressed property values, and a diminished sense of safety and security in members of the general public when walking in the vicinity of these businesses;
- 2) The negative secondary effects of sexually oriented businesses can be reduced or minimized by dispersing the sexually oriented businesses and requiring minimum distances between the sexually oriented businesses;
- 3) The negative secondary effects of sexually oriented businesses are exacerbated by close proximity to bars serving alcoholic beverages by the glass;
- 4) To minimize the negative secondary effects of sexually oriented businesses on

## EXHIBIT A

- residential areas and the community at large, the sexually oriented businesses should be located a minimum distance away from any residential zoning district, school, church, or public park;
- 5) The zoning regulations allow for the location of sexually oriented businesses within specified zoning districts of the Village of Lake Isabella, and a reasonable number of sites legally are available to be acquired and used by sexually oriented businesses;
  - 6) The negative secondary effects of public nudity, live nude performances, and the combination of nudity and businesses serving alcoholic beverages by the glass, can be minimized or eradicated by a local ordinance prohibiting public nudity as authorized by Michigan Statutes;
  - 7) Requiring dancers and other performers to wear a minimal amount of clothing, such as pasties and a G-string, in order to comply with the ordinance will have little or no effect on the expressive element of the performances;
  - 8) The zoning code provisions prohibiting public nudity live nude performances, and the combination of nudity and businesses serving alcoholic beverages by the glass are narrowly drawn to apply to businesses and performers that offer nude performances on a regular basis, excluding occasional nude performances from the purview of the ordinance.

The above rationale is based upon numerous studies and findings of fact considered by the Village Council and Planning Commission which document a clear connection between sexually oriented businesses and a negative impact without limitation on the surrounding community. These studies and finding of fact include:

- “Report of the (Minnesota) Attorney General’s Working Group on the Regulation of Sexually Oriented Businesses;” June 6, 1989
- “Impact of Adult Entertainment Uses, Measurement of Occupancy and Assessment Trends in Adjacent Residential Neighborhoods,” City of Lansing, Michigan Planning Division; April, 1988
- “Adult Entertainment Business in Indianapolis,” Department of Metropolitan Development, Division of Planning; February, 1984
- “Report on Adult Oriented Businesses in Austin,” City of Austin, Texas Office of Land Development Services; May 19, 1986
- “Study of the Effects of the Concentration of Adult Entertainment Establishments in Los Angeles,” Department of City Planning, Los Angeles, CA; June 1977.
- “Regulation of Adult Entertainment Establishments in St. Croix County,” St. Croix County, WI, September, 1993.
- “A Report on Zoning and Other Methods of Regulating Adult Entertainment in Amarillo,” City of Amarillo, TX; September 12, 1977

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- Memorandum, “Zoning Controls for Adult Only Theaters,” City of Seattle, WA Environmental Management Division, Department of Community Development; March 11, 1976.
- “Revised Director’s Report on Adult Entertainment,” City of Seattle, WA, Department of Construction and Land Use; August, 1989
- “Adult Business Study,” City of Phoenix, AZ, Planning Department; May 25, 1979
- “Pornography, Its Effect on the Family, Community & Culture,” David Alexander Scott, Published by Child & Family Protection Institution; 1985.
- “Adult Entertainment Study,” City of New York, NY, Planning Department, 1994.
- “Final Report to the City of Garden Cove: The Relationship between Crime and Adult Business Operations on Garden Grove Boulevard,” R. McCleary and J.W. Meeker, City of Garden Grove, CA; 1991
- “Report to the American Center for Law & Justice on the Secondary Impacts of Sexually Oriented Businesses,” Environmental Research Group; 1996
- “Sexually Oriented Business, An Insider’s ‘view,’” David Sherman, Michigan House Committee on Ethics and Constitutional Law, January 12, 2000
- Myriad of state and federal court decisions have been reviewed by the Village’s legal counsel.

### B. DEFINITIONS

Definitions as used in this sub-chapter which are not set forth in Chapter 1204 of the code of ordinances are hereby defined as follows:

**Adult Bookstore:** An establishment having 20% or more of its stock in trade comprised of, books, magazines and/or other periodicals which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined in this Ordinance) or an establishment with a segment or section devoted to the sale or display of such material.

**Adult Cabaret:** Any establishment wherein food and/or beverage is sold or given away on the premises which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers.

**Adult Merchandise Store:** Any establishment having 20% or greater portion of it stock in trade sale of merchandise which is predominantly characterized by its emphasis on the matter or depicting or relating to any specified sexual activity or specified anatomical area.

**Adult Motion Picture Theater:** An establishment used for presenting material distinguished or characterized by an emphasis on matters depicting,

## EXHIBIT A

describing or relating to "specified sexual activities" or "specified anatomical areas" (as defined in this Article), for observation by patrons therein.

**Escort Agency:** Any establishment which furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

**Massage Establishments & Health Clubs:** Any establishment where massage, steam baths, shower baths, and similar are made available. This does not include:

A duly licensed medical doctor, osteopath, chiropractor, nurse, or physical therapist; or,

A person engaging in the practice of massage on his/her spouse or relative within the first degree of consanguinity; or,

A barber, manicurist, beautician or cosmetologist who is duly licensed who practices within the established limits of his/her license, and who administers massage in the normal course of her/her duties upon the face, hands, feet, or neck; or,

A masseur or masseuse who has graduated from a school of massage licensed by the state, or another state with equivalent standards of at least 500 class hours of education, and current professional membership in the American Massage Therapy Association

**Nude Model Studio:** Any establishment where a person displays any specified anatomical area as provided to be observed sketched, drawn, painted, sculptured, photographed, or similar depicted by another person. This does not include an educational institution funded, chartered, or recognized by the State of Michigan.

**Specified Anatomical Areas:** Less than completely covered (a) human genitals, pubic region, (b) buttock, and (c) female breast below a point immediately above the top of the areola. Also, human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**Specified Sexual Activities:** Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, or buttock or female breast.

### C. LOCATIONAL REGULATIONS

1. An application to establish an adult entertainment activity shall not be approved if there is already in existence 1 or more adult entertainment activities within 1,320 feet of the boundaries of the site of the proposed activities, excepting as otherwise provided for within this section.



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2. An application to establish an adult entertainment activity shall not be approved if the proposed location is within 1,320 feet of any existing single-family dwellings, or within 500 feet of any state licensed mobile home park, bar or tavern, licensed day care center, adult foster care home, senior citizens' center, K thru 12 school, public park, or church, excepting as otherwise provided for within this Article.
3. The Village Council may waive the locational standards limiting adult entertainment activities as they relate to similar uses if the following findings are made:
  - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit and intent of the article will be observed.
  - b. That the proposed use will not enlarge or encourage the development of a "skid row" area.
  - c. That the establishment of such regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal.
  - d. That all applicable regulations of the code of ordinances will be observed.
4. The Village Council may waive the locational standards limiting adult entertainment activities as they relate to residentially zoned districts, licensed day care centers, adult foster care homes, senior citizen centers, state licensed mobile, bar or tavern K thru 12 schools, public parks, or churches; provided that a validated petition requesting such a waiver, signed by the owners of record of at least 51 percent of parcels of land within 1,320 feet of the proposed location is presented to the Planning Commission during its review of the project prior to its recommendation to the Village Council. The circulated petition shall contain the following:
  - a. The circulator of the petition requesting a waiver shall subscribe to an affidavit attesting to the fact that the circulator personally witnessed the signatures on the petition and the same were affixed to the petition by the person whose name appeared thereon.
  - b. The petition will be so worded that the signers of the petition will attest to the fact that they are the owners or purchasers of the parcel of land identified by the permanent parcel number opposite their signature.
5. An applicant requesting a waiver of locational requirements shall file an application with the Zoning Administrator, however, the Zoning Administrator shall not accept an application for the waiver of locational requirements for an adult entertainment activity as they relate to residentially zoned districts, licensed day care centers, adult foster care homes, senior citizen centers, state licensed mobile home park, bar or tavern K through 12 schools, public parks, or churches without a petition as required herein. Said petition shall be



## EXHIBIT A

validated by the Village Clerk. The Zoning Administrator shall then notify the Planning Commission of the receipt of the requests and petition within 15 days of filing.

6. Prior to the granting of a waiver of locational requirements, Village Council may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operations of regulated use as may in its judgment be necessary for the protection of the public interest. Any evidence and guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

### D. OPERATIONAL REGULATIONS

1. No person under the age of 18 shall be employed by a sexually oriented business or by an adult entertainment activity.
2. No person under the age of 18 shall be allowed to enter into a sexually oriented business or adult entertainment activity, or be provided goods or services at any time.
3. At no time may any of the following be visible or audible to a person outside of the structure where the sexually oriented business or adult entertainment activity is located:
  - a. Any depiction or description in any material of any specified sexual activity or specified anatomical area.
  - b. Any novelty item or literature
  - c. Any person engaging in any specified sexual activity or specified anatomical area.
4. No sexually oriented business or adult entertainment activity shall allow for the sale or consumption of alcoholic beverages by the glass.
5. Hours of operation shall be between the hours of noon and midnight.
6. No business shall be conducted on Sundays or any federal holiday.
7. At least 2 employees, excluding entertainers, shall be on the premises at all times during operating hours.
8. The business shall be equipped with operational security cameras which shall be used at all times during operational hours.
9. No signs or other advertisements may include photographs, silhouettes, drawings, descriptions or other representations of any specified anatomical areas, or specified sexual activity.
10. All sexually oriented businesses or adult entertainment activities shall be open and available to the Village's code enforcement department, police department,

## **EXHIBIT A**

and other law enforcement officials for the purpose of ensuring compliance with the operational requirements and other applicable laws.

11. Sexually oriented business and adult entertainment activities which offer live entertainment shall provide all of the following:
  - a. A dressing room for performers, with direct access between the dressing area and the performance area or stage so that the performer may enter and exit the performance area or stage without entering the area from which patrons will view the performance.
  - b. All locations, including the dressing rooms and ingress/egress to the dressing rooms shall be ADA compliant.
  - c. The dressing area for performers shall be separate and not freely accessible from areas of the business accessible to patrons.
  - d. The dressing area shall be serviced by restroom facilities, including working toilets, sinks, and hot and cold running water.
  - e. All performances shall occur on a stage elevated at least 18 inches above the immediate floor level. There shall be a minimum of 4 feet of separation from the stage and the nearest seating location.
  - f. There shall be no physical contact between any performer and any other performer, employee, owner, independent contractor, patron, or other person during or the immediate 15 minutes following a performance.
12. All sexually oriented businesses and adult entertainment activities shall provide the Village with current contact information, including telephone and e-mail, for the manager and owner of such establishment.
13. No person shall dance, entertain, display, or otherwise engage in any exhibition of performance in such a manner as to expose to the view of any person any of the following:
  - a. Any specified anatomical areas.
  - b. Any device, costume, covering, or novelty which gives the appearance or stimulates any specified anatomical areas.
14. No person shall engage in any specified sexual activities on the premises of any sexually oriented business or adult entertainment activity.
15. Sexually oriented business and adult entertainment activities which are classified as Massage Establishments & Health Clubs shall also comply with the following regulations:
  - a. All tables, tubs, shower stalls, and floors; except for reception and administrative areas, shall be made of nonporous materials which may be readily disinfected.
  - b. Closed cabinets shall be provided and used for the storage of clean linens, towels, and other materials used in connection with administering massages.

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- c. Closed containers shall be provided for soiled linens, towels, and waste materials.
  - d. Separate toilets, lavatory facilities and shower stalls shall be supplied for patrons and personnel of the establishment. Separate toilet facilities shall be provided for male and female patrons.
  - e. Each area where massage is practiced shall be equipped with an operational hand sink with hot and cold running water.
  - f. No part of the establishment shall be used for, or connected to, any bedroom or sleeping quarter.
  - g. At least one door to the establishment which connects directly to the reception area shall remain unlocked during normal business hours.
  - h. The sexual and genital areas of patrons, clients, customers, and staff of the establishment shall be covered by towels, cloths, clothing, or other opaque garments at all times when in the presence of another person.
16. Any violation of the requirements contained in this section, or on the terms and conditions imposed by the Village for approval, shall be grounds deemed as grounds of forfeiture of the approval granted by the Village of Lake Isabella.

**2. Use:** Agricultural Labor Housing

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	-	S3	-

**Development Standards:**

- A. Agricultural labor housing shall be located upon the same parcel of land as the principal structure to which they are accessory.
- B. Minimum farm size shall be at least 40 acres within the Village of Lake Isabella where the agricultural labor housing is proposed.
- C. The rules, regulations and standards of the State of Michigan governing the licensing and operation of migrant housing shall apply where any dwelling is used to house one or more migrant workers. It is the purpose and intent of this provision to incorporate by reference such rules, regulations and standards and further to apply the same to the housing of one or more such migrant workers notwithstanding that such act provides that it applies to five or more such workers.
- D. All construction shall conform to the Building Codes adopted by the Village and other ordinances where such regulations impose greater standards than State and Federal regulations.

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- E. Conditions may be recommended by the Planning Commission during its review to ensure a desirable living environment for the migrant workers and to protect the values and desirability of adjacent properties. Such recommendations shall be forwarded to the Village Council who may include those, and/or other conditions in its approval.
- F. Agricultural Labor Housing shall be located at least 100 feet from any property line, and 500 feet from and adjacent residential dwelling.

3. **Use:** Agricultural Supply Establishment

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	S2	-	-	-	P	-

**Development Standards:**

- A. No outdoor disassembly or repair of farm machinery shall be permitted
- B. Must be located on a paved road.
- C. If pesticides, herbicides, fungicides, or other chemicals are sold on site, the operator of the store shall be responsible for providing information to the Fire Department on the type, location, and quantities of materials kept on-site.
- D. Parking areas are not required to be paved, but ingress/egress drives are required to be paved.

4. **Use:** Airplane Hangar, Commercial

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	S2	-	-	-

**Development Standards:**

- A. The allowed width to length ratio shall be equal to, or less than, a ratio of 1:2.5.
- B. A hard surfaced floor of concrete or asphalt is required.
- C. When placed on a parcel with a single-family dwelling within 100 feet, when measured as structure (hangar) to structure (dwelling), screening shall be provided and maintained in the form of trees of at least four-feet in height at the time of planting at a ratio of 1 tree for every 8 feet and fraction thereof of wall facing the single-family dwelling.
- D. The hours of operation for any commercial activity shall be regulated by the Planning Commission.
- E. On-site parking requirements for commercial activity shall be determined by the

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Planning Commission.

F. Commercial fueling activity shall be regulated by the Planning Commission during the Site Plan Review for the use.

5. **Use:** Airplane Hangar, Private

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	P/S1	-	-	-	-	P	-	-	-

**Development Standards:**

- A. The allowed width to length ratio shall be equal to, or less than, a ratio of 1:2.
- B. A hard surfaced floor of concrete or asphalt is required.
- C. When placed on a parcel with a single-family dwelling within 100 feet, when measured as structure (hangar) to structure (dwelling), screening shall be provided and maintained in the form of trees of at least four-feet in height at the time of planting at a ratio of 1 tree for every 8 feet and fraction thereof of wall facing the single-family dwelling.
- D. When located in the Airport Residential District any proposed Private Airplane Hangar with a footprint equal to, or greater than, 3,750 square feet shall be considered a Special Land Use. Any such Private Hangar may not share a property line with a parcel having a detached single-family dwelling as the primary structure at the time of the Special Land Use application.

6. **Use:** Airport

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	S3	S3	S3	-

**Development Standards:**

- A. Minimum parcel size shall be 20 acres.
- B. No airport activity shall occur within 200 feet of a property line.
- C. No airport activity, including the placement of runways, shall occur within 500 feet of an existing single-family dwelling.

7. **Use:** Airport-related Uses

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	P	-	S2	-

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**Development Standards:**

- A. Minimum parcel size shall be 1 acre.
- B. Uses shall not concentrate people in a manner which contradicts the adopted Airport Approach Plan created by MDOT.
- C. Must be located, structure to structure, at least 200 feet from any single-family dwelling.
- D. The proposed uses, activities, processes, materials, equipment, and conditions of operation will not be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, or odors.
- E. The traffic characteristics of the proposed development that can be expected do not place an extreme or undue burden on the adjacent available vehicular and/or pedestrian circulation facilities.

8. **Use:** Amusement Parks & Fairgrounds

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	S3	S3	-

**Development Standards:**

- A. Proper arrangements shall be made and the required approvals obtained from the Central Michigan District Health Department to provide necessary on-site sanitation facilities. All required county and state permits must be submitted to the Planning Commission prior to its review of the application.
- B. All uses and activities shall have prior written approval from the Village Council. Any other requirements in this code of ordinances associated with a contemplated use or activity shall be adhered to if the use or activity is approved.
- C. Minimum parcel size shall be 20 acres.
- D. Shall not be located within 500 feet when measured from the property line of the parcel to any single-family dwelling.
- E. On-site parking requirements shall be determined by the Planning Commission.
- F. Hours of operation shall be limited to 10 PM Sunday through Thursday and 11 PM on Friday and Saturday.
- G. Use of display fireworks shall occur only after obtaining a permit from the Village Council.

9. **Use:** Apartments

**District Schedule:**

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<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	S1	S2	P/S2	P/S3	-	-	-	-

**Development Standards:**

- A. The residential space shall have safe, convenient access that is independent of any other use(s) located on the parcel.
- B. A minimum of 1 hard surfaced parking space is required per bedroom.
- C. Parking areas shall be screened to prevent direct light from vehicle headlights from shining into residential structures.
- D. In the East Coldwater Business District and the West Coldwater Business District Apartments shall be considered a permitted use when located on the second floor and above of an business or office use.

**10. Use: Asphalt/Concrete Plant**

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	S3	-	-

**Development Standards:**

- A. In order to reduce the effects of dust, noise, and equipment no operation or storage shall occur within 500 feet of a road or property line, and 1,000 feet of any existing single-family dwelling.
- B. Shall only be located on a paved road.
- C. All driveways, loading areas, staging areas, and truck access areas shall be paved.
- D. An on-site stacking area of at least four single spaces deep based upon the anticipated largest truck shall be provided for trucks waiting to be loaded.
- E. Plant areas, including parking, shall be fully screened by privacy fencing or earthen berms.
- F. All trucks using the site, and equipment used at the site, shall be fitted with an automatic back-up alarm that automatically adjusts ~~to~~ so that the alarm is just slightly above the ambient noise level.
- G. A proposed emergency management plan shall be supplied as art of the Site Plan. This plan shall address a plan to contain fixants and chemical spills as well as fires.
- F. The proposed uses, activities, processes, materials, equipment, and conditions of operation will not be detrimental to any persons, property, or the general welfare by reason of smoke, fumes, glare, noise, vibration, or odors which leave the site.

**11. Use: Assisted/Independent Living Facilities**

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**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	S2	S2	-	-	-	-	S2	-

**Development Standards:**

- A. The Landscaping standards and requirements of Section 1238.09(10) shall be shall be met.
- B. Any structure with sleeping quarters shall be equipped with fire suppression sprinklers.
- C. All driveways, parking areas, sidewalks, and loading areas shall be paved.
- D. Dumpsters and recycling bins shall comply with section 1212.11 of the codified ordinances of the Village of Lake Isabella.
- E. One parking space shall be provided for every bedroom.
- F. The minimum parcel size shall be 5 acres.
- G. Privacy fencing up to six feet in height may be permitted by the Planning Commission which would not normally otherwise be permitted by the Zoning Code, provided such is located in side or non-street yards and is made of either wood or vinyl.
- H. Individual dwelling units shall be at least six hundred (600) square feet and contain ~~there own~~ [their own](#) bathroom.
- I. The development standards found in Section 1238.09(3. 6, and 12) shall also apply.
- J. A minimum of one hundred (100) square feet of outdoor common area open space shall be provided and maintained per resident, based on maximum allowed occupancy.
- K. A minimum of one hundred twenty (120) square feet of interior common area shall be provided and maintained per resident, based on maximum allowed occupancy.
- L. The facility shall not be located within 300 feet of another residential structure or use.
- M. The parcel where the use is located shall have at least one property line abutting either a Major Street or paved County Primary Road of at least 200 feet.
- N. The rear or side yard setback from any abutting residentially zoned property shall be forty feet (40'), which shall be maintained with landscaping and screening.
- O. Required yards abutting public right-of-ways shall be kept free of parking spaces.

12. **Use:** Bars & Taverns

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR



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-	-	-	-	-	S2	S2	-	-	-	-
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**Development Standards:**

- A. Bars & Taverns shall not be located within 300 feet (property line to property line) of any of the following:
  - 1. Another Bar or Tavern
  - 2. Any Licensed Child Care Center or Group Day Care.
- B. Bars & Taverns shall not be located within 500 feet (Structure to Structure) of any of the following:
  - 1. A House of Worship
  - 2. Any existing single-family dwelling.
- C. Must be located on a paved road.
- D. On-site parking must be provided for at a ratio of 1 paved space per every 150 square feet of gross floor area.
- E. Outdoor seating areas shall be located apart from main entry for the establishment.

13. **Use:** Boarding House

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	S3	-	-	-	-	-	S3	-

**Development Standards:**

- A. All sleeping rooms shall be a minimum of 100 square feet for a single occupant, 150 square feet for two occupants, and for each additional occupant an additional 50 square feet shall be provided.
- B. Public ingress and egress to the boarding house shall be through one common exterior entrance. Ingress and egress for boarders shall be through common exterior entrances.
- C. Entry access to all sleeping rooms shall be through the interior of the building. No exit doors from individual sleeping rooms shall lead directly to the exterior of the building.
- D. Residents must have access on-site to shared common areas for cooking and eating. A common kitchen facility equipped for cooking meals located on-site must be available to the residents, or daily meals must be provided on-site for the residents of the boarding house.
- E. No cooking is permitted in any sleeping room. No cooking facilities are permitted in any sleeping room.
- F. Each floor must contain at least one fully-equipped bathroom for each five

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residents that are accessible from a common hallway.

- G. Owner of the boardinghouse must obtain a certificate of occupancy and register as a rental dwelling under the Village’s Residential Rental Licenses.
- H. Shall be located at least 500 feet as measured from structure to structure, for any existing single-family dwelling.
- I. On-site paved parking spaces shall be provided as follows: one space per leased sleeping room; and one space per four employees.

**14. Use:** Boat Launch

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	-	-	P

**Development Standards:**

- A. Areas shall be designated for the temporary parking of vehicles and watercraft during the launching or pulling of watercraft.
- B. Launches shall be physically secured by a gate or chain to prevent unauthorized watercraft launching.
- C. The overnight storage of watercraft trailers on the parcel shall not be permitted unless such has been approved as a Special Land Use by the Planning Commission.

**15. Use:** Borrow Pit

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	S3	S3	-

**Development Standards:**

- A. It shall be the responsibility of the landowner or permit holder to use ecological conservation practices for all areas used for said sand and gravel excavation.
- B. No business or industrial buildings or structures of a permanent nature shall be erected, except when such building is a permitted use within the district in which the gravel pit is located.
- C. The Village Council may require that part or all of the operation be screened.
- D. No excavation shall come within 150 feet of a residence or within 100 feet of a property line or a road right-of-way. The Village Council may allow excavation activities within this minimum set back area during the reclamation process provided no excavation is allowed within 50 feet of any property line and no activity is allowed within 25 feet of any property line. The minimum parcel size for

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any mineral extraction use shall be 80 acres.

- E. All truck operations shall be directed away from residential streets.
- F. Noise and vibration shall be minimized in their effect upon adjacent properties by the utilization of modern equipment designed to accomplish such minimization and by the proper use of berms, walls and natural planting screens. All equipment shall be maintained and operated in such a manner so as to eliminate, as far as practicable, excessive noise and vibrations which are not necessary in the operation of such equipment.
- G. Air pollution in the form of dust and dirt shall also be kept to a minimum by the use of modern equipment and methods of operation designed to avoid any excessive dust or dirt or other air pollution injurious or substantially annoying to adjoining property owners. Interior and adjoining roads used in the operations shall have their surface treated to minimize any such nuisance.
- H Reclamation and rehabilitation of mined areas shall be accomplished progressively as the area is being mined. Not more than 50% of the intended project area for projects of greater than 40 acres, or more than 75% for projects of 40 acres or less, may be completed before restoration must begin. Substantial completion of reclamation and rehabilitation shall be effected within one year after the termination of mining or excavation activity in each area. Inactivity for a 12 month consecutive period shall constitute, for this purpose, termination of mining activity.
- I. The banks of all excavations shall be sloped to the waterline in a water-producing excavation, and to the pit floor in a dry operation at a slope which shall not be steeper than 1 foot vertical to four feet horizontal.
- J. Topsoil of a quality equal to that occurring naturally in the area shall be replaced on excavated areas not covered by water, except where streets, beaches or other planned improvements are to be completed within a one-year period. Top soil shall be applied and compacted to a minimum depth of four inches sufficient to support vegetation.
- K. Vegetation similar to that which existed prior to the excavation process shall be restored by the appropriate seeding of grasses or the planting of trees and shrubs to establish a permanent vegetative cover on the land surface and to minimize erosion.
- L. Upon cessation of mining operations by abandonment or otherwise, the operation company, within a reasonable period of time not to exceed 12 months thereafter, shall remove all plant structures, foundations, buildings, stockpiles and equipment, provided that buildings and structures which have a function under the reclamation plan and which can be lawfully used under the requirements of the zoning district in which they will be located may be retained.
- M. No mineral extraction activity shall be allowed or commenced until a plan has been submitted and approved by the Planning Commission disclosing compliance with

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all of the provisions of the code of ordinances or the manner in which compliance will be secured by the applicant. Such plans include, among other things, the following:

1. A contour map of the tract of land involved in the operations, including dimensions of the same, access thereto, abutting public streets, additional roads, if any, to be constructed and the location and nature of abutting improvements on adjoining property.
  2. The number of acres and the location of the same proposed to be operated upon within the following 12 months' period after commencement of operations and the planned stages of reclamation.
  3. The type of mining or processing proposed to be conducted and the nature of the equipment to be used.
  4. The location of the principal processing plant and the distance of any proposed excavation or mining from the boundaries of the site.
  5. A reclamation map or plan disclosing the final grades and elevations to be established following the completion of the mining operations, including the proposed uses then contemplated for the land, future lakes and roads and such other matters as may evidence the bona fide nature of the reclamation and rehabilitation plans and the fact that the land will not be devastated and rendered unusable by the proposed mining activities.
- N. For the purpose of legal non-conforming mineral extraction industries, expansion shall not be permitted if the expansion exceeds 50% of the area disturbed by mining activities as of July 1, 2008. All expansion after July 1, 2008 shall be reclaimed in accordance with Chapter 1226.
- O. All permit applications for excavation must be co-signed by both the landowner and the operator.

**16. Use:** Brewery

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2/S3	-	-	S2/S3	S2/S3	-

**Development Standards:**

- A. Breweries which produce a maximum of 15,000 barrels per calendar year shall be reviewed at the S2 level, and Breweries which produce over 15,000 barrels in a calendar year reviewed at the S3 level.
- B. Up to 50% of the floor area may be allowed as a restaurant, tasting room, or retail operation (or any combination thereof).
- C. Brewery operations shall be limited to 7 AM to 7 PM Monday through Saturday, and restaurant, tasting room, retail operation, and entertainment activity (or any

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combination thereof) shall be limited to 10 AM to 10 PM Sunday through Thursday, and 10 AM to Midnight on Friday and Saturday.

- D. Parking shall be based on the combination of 1 space per every 250 square feet and fraction thereof of production area, and 1 space per every 200 square feet and fraction thereof of space used for a restaurant, tasting room, or retail operation (or any combination thereof).
- E. Loading and unloading areas shall not be visible from street where ingress/egress is permitted.
- F. Waste material from the brewing operation shall not be stored or kept outside.
- G. Shall not be located within 500 feet (Structure to Structure) of any of the following:
  - 1. Any Licensed Child Care Center or Group Day Care.
  - 2. Any existing single-family dwelling.
  - 3. A Bar or Tavern
  - 4. Any public or private school

17. **Use:** Brewpub

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	S2	-	-	-	-

**Development Standards:**

- A. Shall not be located within 500 feet (Structure to Structure) of any of the following:
  - 1. Any Licensed Child Care Center or Group Day Care.
  - 2. Any existing single-family dwelling.
  - 3. A Bar or Tavern
- B. Must be located on a paved road.
- C. On-site parking must be provided for at a ratio of 1 paved space per every 200 square feet of gross floor area.
- D. The establishment shall include an eating, drinking, and entertainment located in the same structure.
- E. The eating, drinking, and entertainment area shall be at least thirty (30) percent of the total square footage for the unit or structure, or at least one thousand five hundred (1,500) square feet, whichever is less.
- F. Maximum size for the brewery and the eating, drinking and entertainment areas shall be ten thousand (10,000) square feet.
- G. Annual on-site production shall be limited to not more than:

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1. 15,000 barrels of beer.
2. 10,000 gallons of craft distilleries.

H. Brewery operations shall be limited to 7 AM to 7 PM Monday through Saturday, and restaurant, tasting room, retail operation, and entertainment activity (or any combination thereof) shall be limited to 10 AM to 10 PM Sunday through Thursday, and 10 AM to Midnight on Friday and Saturday.

**18. Use:** Bulk Fuel Storage Center

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S2	S2	-

**Development Standards:**

- A. All facilities shall be setback at least 200 feet from all property lines and 500 feet from any residential district.
- B. The maximum lot size shall be 10 acres.
- C. Prior to approving a Site Plan, the Planning Commission shall submit the application to the local fire department and request their review and comment on the site.
- D. As part of the application an Emergency Response and Spill Containment Plan shall be included applicable to the site.
- E. Underground tanks shall not be permitted for bulk storage.
- F. Above ground tanks are required to be at an elevation of at least 2 feet above flood elevation for the site.
- G. The perimeter of the fuel storage area shall be fenced to prevent access by other than those associated with the facility.
- H. The area where bulk storage occurs shall be capable of keeping the fuel on-site in the event of a leak or structure collapse through the provisions of a dike or other containment structure adequately sized to retain the fuel.
- I. The proposed uses, activities, processes, materials, equipment, and conditions of operation will not be detrimental to any persons, property, or the general welfare by reason of smoke, fumes, glare, noise, vibration, or odors which leave the site.

**19. Use:** Business Office

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	S2	S1/S2	S1	P	-	-	-	-

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**Development Standards:**

- A. On-site paved parking shall be provided for at a ratio of one space for every 300 square feet of gross floor area.
- B. Parking areas shall incorporate screening/landscaping to prevent headlights from shining into adjacent residential properties.
- C. The placement of native trees for landscaping purposes is required at a ratio of one tree for every 500 square feet of impervious surface on-site.
- D. When located in the C-1 District the approval shall be at the S1 level when conducted in an existing structure and the S2 level when conducted as part of a new structure.
- E. When located in the LR-3 or C-1 Districts parking areas shall be landscaped and screened to prevent headlights from shining into adjacent residential uses.
- F. If located in the LR-3 or C-1 Districts the hours of operation that the office is open to walk-in or client traffic shall be limited to 8 AM to 8 PM.

**20. Use: Campground**

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	-	S2	S2

**Development Standards:**

- A. Must obtain and keep current and valid all state and county permits and licenses.
- B. There shall be one camping unit per site and limit of one family or four unrelated persons per site.
- C. Each campground must have central sanitary disposal facilities for the disposal of all sewage generated on the campground in conformance with State of Michigan and/or Central Michigan District Health Department regulations or requirements.
- D. Proper waste and trash storage and services shall be provided, on-site dumpsters shall be screened.
- E. Each site shall be a minimum of 1,200 square feet with a minimum road frontage of thirty feet with or access to a public road or highway to allow access by emergency vehicles and equipment.
- F. There shall be no permanent residents located in any campground. A person(s) shall be deemed a permanent resident if he or she occupies a recreational unit, travel trailer, camping trailer, motor home, travel camper or ~~ten~~ tent more than 200 days per calendar year.

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- H. Boundaries, as defined in the campground site plan shall be conspicuously and permanently marked with no trespassing signs and fencing or shrubbery shall restrict and permanently marked with no trespassing signs and fencing or shrubbery shall restrict camper movement off of the camping property. Any areas defined as wetlands shall be adequately fenced, buffered or otherwise restricted as to human use, protecting such wetlands and refuge areas from human encroachment.
- I. There shall be resident supervision whenever the campground is occupied.
- J. All activities directly relating to recreational or camping use may be permitted. The sale of food, merchandise and/or products directly related to the needs of campground occupants only, may also be permitted. Rental of sporting and/or camping equipment may also be permitted. No sale of alcohol will be permitted, and the use of ORVs shall be limited to the staff of the campground as needed for maintenance purposes.

**21. Use:** Child Care Center

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	S2	S2	S2	S2	-	-	-	-

**Development Standards:**

- A. A minimum of thirty-five square feet (35') of habitable indoor play area shall be provided for each child. This area shall be computed exclusive of hallways, bathrooms, office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
- B. A minimum of 125 square feet of fenced outdoor play area shall be provided for each child. The fence shall be a minimum height of four feet (4') above grade.
- C. All outdoor play equipment shall be located at least twenty feet (20') from any residential dwelling(s) on abutting properties.
- D. Applications for approval of any day care or child care facility shall include a site plan drawn to scale of both the floor plan of the structure and the parcel showing all current and proposed fences, play equipment, and parking spaces.
- E. Minimum parcel size shall be ½ acre.
- F. A Child Care Center shall not be located within 300 feet, measured parcel line to parcel line to any of the following:
  - 1. A licensed Group Day Care Home.
  - 2. A licensed Child Care Center.
  - 3. A foster family group home.
  - 4. A State licensed residential facility for adult foster care or for care and



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treatment of persons released from, or assigned to adult correctional institutions.

- 5. A facility offering substance abuse treatment and rehabilitation service to seven or more people as licensed by the State of Michigan.

G. If located in the LR-3, C-1, or WCB District, the Planning Commission may place restrictions on the hours of operation.

**22. Use:** Commercial Agricultural Enterprise

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	-	S2	-

**Development Standards:**

- A. Feedlots and commercial livestock ~~operations shall~~operations shall not be located within a subdivision, proprietor or assessor's plat or in a floodplain or regulated wetlands.
- B. The minimum size for a farm shall be ten (10) acres, except that feedlots and commercial operations for livestock and fowl shall have at least eighty (80) acres.
- C. Farms shall not be used for the disposal of garbage, rubbish, offal from rendering plants, or for the slaughtering of animals except where the animals have been raised on the premises for consumption by residents on the premises.
- D. Farm buildings used to house large animals, feedlots and livestock confinement areas shall be located at least one ~~hundred (hundred (100) feet) from feet - residentially~~from residentially used or zoned property and all road right-of-ways.
- E. Runoff from pasture feeding and watering areas shall be separated from any surface water by vegetative buffer that is at least sixty-six (66) feet in width.
- F. Pesticides shall be located in a lockable building or storage facility which ~~shall be shall -ventilated be -toventilated -dissipate to -dustdissipate -and dust - fumes and fumes~~. New pesticide storage facilities shall have a concrete floor that is sloped to a sump for containment of spills. To prevent potential contamination of the groundwater, the storage facility shall not have a floor drain. New bulk pesticide storage areas shall be located a minimum of 150 feet from any single family residential water well and a minimum of 200 feet from surface water.
- G. Manure shall be stored in a manner that minimizes odors and runoff. Consideration should be given to partial paving of confinement areas, storage ponds, and other accepted agricultural practices regarding runoff control. All

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manure shall be stored at least 100 feet from any property line.

- H. These provisions shall not apply to garden plots for single family residents, or to a collection of farm buildings that is operated for educational, demonstration, or recreational purposes.
- I. The Planning Commission shall determine on-site parking requirements.
- J. Any outside ~~raw agricultural raw products~~ agricultural processed products ~~and processed and/or stored~~ or at stored at such facility shall be locally/regionally grown and obtained from Michigan suppliers within a radius of no more than one hundred (100) miles from the facility.
- K. Such uses as developed under this section may also have on-site in an accessory manner playgrounds, petting farms, animal displays, wagon rides, hayrides, nature trails, open air picnic areas, restrooms, kitchen facilities, and gift shops.
- L. Livestock and/or horses shall be ~~limited~~ limited to one animal per full two (2) acres of parcel size. All grazing areas for such animals shall be fenced.
- M. Commonly developed businesses under this use include, but are not limited to, the following:
  1. Cider Mills
  2. Seasonal outdoor mazes of agricultural ~~origina~~ original such are straw or corn.
  3. U-pick operations.
  4. Value added agricultural operations. At least 50% of the products must be grown on-site.

**23. Use:** Commercial Excavator

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S2	S1	-

**Development Standards:**

- A. All heavy equipment used in the operation shall enter and exit the property in driveways located no less than 200 feet from an adjacent residence.
- B. All storage of equipment and materials must be inside a building or in the rear yard and behind the building in an area with a privacy fence of at least 6 feet in height.
- C. Screening or fencing shall be provided from adjacent residences.
- D. The minimum parcel size shall be 3 acres with a maximum parcel size of 6 acres.

**24. Use:** Condominium

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**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	P	-	-	S2	-	-	-	-

**Development Standards:**

- A. With the exception of requirements pertaining to attached garages, ~~Condominium~~ Condominium buildings shall be developed to the same standards as are applicable to Townhouses as detailed in the Site Development Standards of Section 1238.05 of the Zoning Code.
- B. Condominium buildings may have a shared or common entry point to the building for the dwelling units contained therein.
- C. On-site parking areas shall be paved.
- D. On-site parking shall be provided for at a minimum ratio of 1 space for every bedroom.

25. **Use:** Conservation Area

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	-	P	P

**Development Standards:**

- A. Trails and pathways shall not be located within fifty (50) feet of a wetland.
- B. Landscaping shall be done with at least 75% of plant species that are native to Michigan.
- C. Minimum parcel size shall be three (3) acres.
- D. Minimum parcel width shall be one hundred (100) feet.

26. **Use:** Consignment Store

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	-	-	-	-	-

**Development Standards:**

- A. May operate for up to 12 hours per day. The hours of operation must be specified in the special land use permit and must be approved by the Planning Commission.
- B. Collection sites must be screened and no accumulation of collections or outside storage shall be permitted; provided that a totally enclosed donation container shall be permitted to be on the site. Collections may be obtained only during the hours approved by the planning commission.

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- C. Collection and distribution areas and donation containers must not be located within 35 feet from any lot line. The drop-off box's base must not exceed 20 square feet and four feet in height, must have solid screening around it, and must be placed in a location which is approved by the planning commission.
- D. A parking plan must be approved for this use, and the parking needs for the use must not exceed the number of available parking spaces in the dedicated parking lots for the facility when taking into account the other users of the property. No overnight truck parking shall be permitted in any front yard.

**27. Use:** Convenience Store

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S2	P	P	-	-	-	-

**Development Standards:**

- A. When located in the C-1 District, hours of operation shall be within the hours of 7 AM to 10 PM.
- B. No vehicle shall be parked on-site for the ~~purpose~~ purpose of selling or renting such vehicle.
- C. Exterior lighting shall be shielded and directed downwards.

**28. Use:** Day Care Home, Family

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
P	P	P	-	P	P	-	-	-	P	-

**Development Standards:**

- A. A minimum of thirty-five square feet (35') of habitable indoor play area shall be provided for each child. This area shall be computed exclusive of hallways, bathrooms, office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
- B. A minimum of 125 square feet of fenced outdoor play area shall be provided for each child. The fence shall be a minimum height of three feet (3') above grade.
- C. All outdoor play equipment shall be located at least twenty feet (20') from any residential dwelling(s) on abutting properties.
- D. Applications for approval of any day care or child care facility shall include a site plan drawn to scale of both the floor plan of the structure and the parcel showing all current and proposed fences, play equipment, and parking spaces.
- E. A Family Day Care Home shall not be located within 300 feet, measured parcel line

**EXHIBIT A**

to parcel line to any of the following:

- 1. A foster family group home.
  - 2. A State licensed residential facility for adult foster care or for care and treatment of persons released from, or assigned to adult correctional institutions.
  - 3. A facility offering substance abuse treatment and rehabilitation service to seven or more people as licensed by the State of Michigan.
- F. Hours of operation shall be limited to 7 AM until 8 PM. If an applicant wishes to seek operating hours outside of this time frame, the matter shall be considered an S2 Level and shall be considered by the Planning Commission after holding a public hearing on the request.

**29. Use:** Day Care Home, Group

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
S2	S2	-	-	S2	S2	-	-	-	S2	-

**Development Standards:**

- A. A minimum of thirty-five square feet (35') of habitable indoor play area shall be provided for each child. This area shall be computed exclusive of hallways, bathrooms, office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
- B. A minimum of 125 square feet of fenced outdoor play area shall be provided for each child. The fence shall be a minimum height of four feet (4') above grade.
- C. All outdoor play equipment shall be located at least twenty feet (20') from any residential dwelling(s) on abutting properties.
- D. Applications for approval of any day care or child care facility shall include a site plan drawn to scale of both the floor plan of the structure and the parcel showing all current and proposed fences, play equipment, and parking spaces.
- E. A Group Day Care Home shall not be located within 300 feet, measured parcel line to parcel line to any of the following:
  - 1. A licensed Group Day Care Home.
  - 2. A licensed Child Care Center.
  - 3. A foster family group home.
  - 4. A State licensed residential facility for adult foster care or for care and treatment of persons released from, or assigned to adult correctional institutions.
  - 5. A facility offering substance abuse treatment and rehabilitation service to seven

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or more people as licensed by the State of Michigan.

F. Hours of operation shall be limited to 7 AM until 8 PM unless otherwise approved by the Planning Commission.

30. **Use:** Duplex

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	P	S1	-	-	-	-	-	-

**Development Standards:**

- A. Existing single-family dwellings shall not be converted into a duplex.
- B. The Site Development Standards of Section 1238.05 of the Zoning Code shall be adhered to regardless of district.

31. **Use:** Financial Institutions

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	P	P	P	-	-	-	-

**Development Standards:**

- A. Only one (1) ingress/egress driveway shall be permitted along any street.
- B. Exit and stacking lanes shall not face directly at a single-family dwelling on an adjacent parcel unless such is landscaped to prevent headlight ~~glare.~~ glare.
- C. On-site parking shall be provided for at a minimum ratio of 1 space for every 200 feet of gross floor area.
- D. Ingress/egress to the facility shall be at ~~least~~ least one hundred (100) feet from the centerline of any intersection.
- E. Outdoor speakers for drive-thru facilities shall be located in a way that minimizes sound from leaving the site.

32. **Use:** Flea Market

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	-	S3	-

**Development Standards:**

- A. Proper arrangements shall be made and the required approvals obtained from the Central Michigan District Health Department to provide necessary sanitation facilities.

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- B. All uses and activities shall have prior written approval from the Planning Commission. Any other requirements in this code of ordinances associated with a contemplated use or activity shall be adhered to if the use or activity is approved.

**33. Use:** Food Processing Plant

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S3	S3	-

**Development Standards:**

- A. Minimum lot size shall be three (3) acres
- B. No such use shall be located within 100 feet of any property line or within 1,000 feet of any residential use or district.

**34. Use:** Funeral Parlor & Mortuaries

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	-	-	-	-	-

**Development Standards:**

- A. Minimum parcel size shall be 1 acre.
- B. An assembly area shall be provided for which can accommodate 30 vehicles.
- C. Service, loading, and parking areas shall be screened from adjacent residentially zoned properties.
- D. Must be located on a paved road.
- E. On-site parking areas, sidewalks, and drives shall be paved.
- F. Vehicular entrance to the site shall be at least five hundred (500) feet away from the intersection of Baseline Road and Coldwater Road.

**35. Use:** Gas Stations

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR

**Development Standards:**

- A. The following table shall apply to canopies and pump facilities:

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Setback	Canopy Support	Pump Island	Canopy Edge
Front	35 feet	30 feet	25 feet
Side	20 feet	20 feet	10 feet
Rear	30 feet	20 feet	20 feet

- B. Canopy structures shall be designed and constructed in a manner which is architecturally compatible with the primary structure. The Canopy structure shall be attached to, and made an integral part of the primary structure unless it can be demonstrated that the design of the structure and canopy ~~in combination~~ in combination would ~~be more~~ be more functional and aesthetically pleasing if the canopy was not physically attached to the principal building.
- C. Canopy lighting shall be recessed so that the light source is not ~~visible~~ visible from off-site.

**36. Use:** Golf Courses

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
S2	S2	-	S2	-	-	P	-	-	-	S2

**Development Standards:**

- A. All uses, operations and structures permitted herein, including fences, fronting any public road or thoroughfare used for access or exit purposes shall be landscaped in accordance with plans approved by the Planning Commission.
- B. If a country club or golf course is located in a residential district, the Planning Commission may allow the use of a dumpster if all other ordinance requirements pertaining to dumpsters is met and it would otherwise not be visible to any surrounding single-family dwellings.
- C. A minimum front yard of 100 feet shall separate all uses, operations and structures permitted herein, including fences, fronting any public street or highway used for access or exit purposes and shall be landscaped in accordance with plans approved by the Planning Commission.
- D. Golf driving ranges shall provide safety screening and orientation as deemed reasonable and necessary by the Planning Commission.
- E. No principal or accessory building shall be closer than 50 feet from any abutting residential district or within 200 feet of any existing residential dwelling.

**37. Use:** Grain Elevator

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	-	S2	-



**EXHIBIT A**

**Development Standards:**

- A. Minimum parcel size shall be 10 acres.
- B. Minimum parcel width shall be 500 feet.
- C. Shall be setback, structure to structure from any existing single-family dwelling by at least 500 feet.
- D. Shall be located on a paved road.
- E. No outdoor disassembly or repair of farm machinery shall be permitted.

**38. Use: Greenhouse**

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	S2	-	-	P	P	-

**Development Standards:**

- A. All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.
- B. On-site parking shall be provided for at a ratio of 1 space for every 250 square feet of floor area devoted to retail sales.
- C. Commercial greenhouses must use frosted glass, polycarbonates or other similar building materials. Plastic sheeting and similar materials will not be accepted.
- D. Fertilizer, waste and other odorous materials must be properly stored in sealed rodent, pest and child proof containers. Odors must not permeate beyond the property line.

**39. Use: Group Home, Large**

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	S2	S3	-	-	-	-	S3	-

**Development Standards:**

- A. The Landscaping standards and requirements of Section 1238.09(10) shall be shall be met.
- B. Any structure with sleeping quarters shall be equipped with fire suppression sprinklers.
- C. All driveways, parking areas, sidewalks, and loading areas shall be paved.
- D. Dumpsters and recycling bins shall comply with section 1212.11 of the codified ordinances of the Village of Lake Isabella.

**EXHIBIT A**

- E. One parking space shall be provided for every 3 beds and fraction thereof.
- F. The minimum parcel size shall be 4 acres.
- G. Privacy fencing up to six feet in height may be permitted by the Planning Commission which would not normally otherwise be permitted by the Zoning Code, provided such is located in side or non-street yards and is made of either wood or vinyl.
- H. Room sizes shall comply with Section 1238.09(11-B)
- I. The development standards found in Section 1238.09(3, 6, and 12) shall also apply.
- J. A minimum of 75 square feet of common area open space shall be provided and maintained per resident, based on maximum allowed occupancy.
- K. A minimum of 100 square feet of interior common area shall be provided and maintained per resident, based on maximum allowed occupancy.
- L. The rear or side yard setback from any abutting residentially zoned property shall be forty feet (40'), which shall be maintained with landscaping and screening.
- M. Required yards abutting public right-of-ways shall be kept free of parking spaces.
- N. Shall service between thirteen (13) and twenty (20) persons.

**40. Use:** Group Home, Medium

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
S2	S2	-	S1	S2	-	-	-	-	S1	-

**Development Standards:**

- A. The Landscaping standards and requirements of Section 1238.09(10) shall be shall be met.
- B. Any structure with sleeping quarters shall be equipped with fire suppression sprinklers.
- C. All driveways, parking areas, sidewalks, and loading areas shall be paved.
- D. Dumpsters and recycling bins shall comply with section 1212.11 of the codified ordinances of the Village of Lake Isabella.
- E. One parking space shall be provided for every 3 beds and fraction thereof.
- F. The minimum parcel size shall be 2 acres.
- G. Privacy fencing up to six feet in height may be permitted by the Planning Commission which would not normally otherwise be permitted by the Zoning Code, provided such is located in side or non-street yards and is made of either wood or vinyl.

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- H. Room sizes shall comply with Section 1238.09(11-B)
- I. The development standards found in Section 1238.09(3, 6, and 12) shall also apply.
- J. A minimum of 65 square feet of common area open space shall be provided and maintained per resident, based on maximum allowed occupancy.
- K. A minimum of 75 square feet of interior common area shall be provided and maintained per resident, based on maximum allowed occupancy.
- L. Required yards abutting public right-of-ways shall be kept free of parking spaces.
- M. Shall service between seven (7) and ~~twelve~~twelve (12) persons.

**41. Use:** Health Professional Offices

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S1	P	P	-	-	-	-

**Development Standards:**

- A. All suites or rental units of the site must be used by licensed medical personnel or by another permitted use.
- B. On-site paved parking shall be provided for at the ratio of 1 space for every 250 feet of gross floor area.

**42. Use:** Hotel/Motel

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR

**Development Standards:**

- A. One independent off street parking space shall be required for every rental unit, plus one additional space for each employee.
- B. Any exterior play area or swimming pool shall fenced and used only for persons staying at the hotel/motel.
- C. Each unit shall contain at least a bedroom and bathroom.
- D. Each unit shall contain at least 250 square feet.

**43. Use:** Houses of Worship

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR

**EXHIBIT A**

S2	S2	-	S2	P	P	P	-	-	P	-
----	----	---	----	---	---	---	---	---	---	---

**Development Standards:**

- A. One independent off street parking space shall be required for every 2.5 seats based on the maximum seating capacity of the main place of assembly.
- B. Must be located on a paved road.
- C. Structures and facilities shall be setback from any residentially zoned property by 50 feet, and any single-family dwelling by 100 feet.
- D. Facilities incidental to the main religious sanctuary must be used for church, worship, or religious education purposes, in a manner which is consistent with residential zoning and compatible with adjacent residential property. Associated uses on the site such as ~~recreation~~ recreation centers, retreat facilities, conference centers, ~~schools~~ school's convents, and others shall meet all requirements of this Ordinance for such uses.

**44. Use:** Indoor Recreation Center

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	-	-	-	-	-

**Development Standards:**

- A. All ~~activites~~ activities shall be contained within a fully enclosed building.
- B. ~~Minimum~~ Minimum parcel size shall be 1 acre.
- C. May not be located within one hundred (100) feet of any ~~residneitally~~ residentially zoned property.
- D. Hours of operation shall be limited to between the hours of 10 AM and 10 PM unless otherwise approved by the Planning Commission as part of an S2 Level approval.

**45. Use:** Kennel, Boarding

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	-	-	P	S1	-

**Development Standards:**

- A. No more than 15 animals over the age of 6 months are allowed to be housed at the location at any one time.
- B. The structure housing the animals shall be made adequately soundproof so that sound heard on adjacent properties does not exceed 60 dBA.

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- C. During the hours of 10:30 PM and 6:00, AM all animals shall be kept indoors.
- D. Outdoor areas where animals can exercise shall be fenced.
- E. Minimum parcel size shall be five (5) acres.

**46. Use:** Kennel, Private

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
<del>S1</del>	<del>S1</del>	S1/S2	-	-	-	-	-	-	P	-

**Development Standards:**

- A. Must be accessory to a single-family dwelling.
- B. No animal shall be allowed to run free, outdoor exercise areas shall be properly fenced and located at least 20 feet from any adjacent residential property line.
- ~~C. Minimum parcel size shall be ½ acre.~~
- C. No ~~animal~~ animal may be housed that is not the personal property of the resident, except for incidental breeding purposes.
- D. A maximum of four (4) dogs over the age of one-year may be housed on-site, unless approved at the S2 Level in the AR District.
- ~~D.E.~~ The ability to obtain or maintain an Private Kennel approval is contingent upon the applicant or parcel having no more than 1 municipal civil infraction ticket issued by either the Village of Lake Isbella or Isabella County in the pervious year for any Animal Control related offense.;

**47. Use:** Laundromat

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	-	-	-	-	-

**Development Standards:**

- A. On-site parking shall be provided for at a ratio of one (1) space for every three (3) washing machines.
- B. On-site dry cleaning operations are prohibited.

**48. Use:** Live-Work Structure

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	P	-	-	P	-

**EXHIBIT A**

**Development Standards:**

- A. Space devoted to non-residential uses shall be accessible from the dwelling area.
- B. Only residents of the dwelling shall use the non-residential space for purposes ~~fe~~<sup>of</sup> employment.
- C. The floor area of the dwelling area shall be at least eight hundred (800) square feet.

**49. Use:** Lumberyard

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	-	-	S1	-	-

**Development Standards:**

- A. The lot area used for parking, display, or storage shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.
- B. Any display materials or equipment stored or displayed outside of an enclosed building shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.
- C. Materials stored within ten feet of the property line of the use may be stacked to a height not exceeding ten feet.
- D. Lighting for parking and outdoor storage areas shall be shielded to prevent light from spilling onto any residential district or use property line.

**50. Use:** Manufacturing, Heavy

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S3	-	-

**Development Standards:**

- A. Minimum parcel size shall be 15 acres.
- B. Maximum allowed lot coverage for all impervious spaces shall be 50%.
- C. Minimum parcel width shall be 550 feet.
- D. Required front and street yards shall be landscaped to a depth of not less than 10 feet. Remaining front and street side yard areas or setbacks may be used for required off-street parking. Such landscaping shall consist predominantly of plant materials, except for necessary walks and drives.
- E. All structures on-site shall maintain a distance, measured structure from structure, of 1,000 feet to any single-family dwelling, House of Worship, Licensed Child Care

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Center, or public park.

F. On-site parking areas, loading, shipping, and ingress/egress drives shall be paved.

**51. Use:** Manufacturing, Light

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S2	-	-

**Development Standards:**

- A. Minimum parcel size shall be 5 acres.
- B. Maximum allowed lot coverage for all impervious spaces shall be 60%.
- C. Required front and street yards shall be landscaped to a depth of not less than 10 feet. Remaining front and street side yard areas or setbacks may be used for required off-street parking. Such landscaping shall consist predominantly of plant materials, except for necessary walks and drives.
- D. All structures on-site shall maintain a distance, measured structure from structure, of 800 feet to any single-family dwelling, House of Worship, Licensed Child Care Center, or public park.
- E. On-site parking areas, loading, shipping, and ingress/egress drives shall be paved.

**52. Use:** Manufacturing, Medium

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S2	-	-

**Development Standards:**

- A. Minimum parcel size shall be 10 acres.
- B. Maximum allowed lot coverage for all impervious spaces shall be 55%.
- C. Minimum parcel width shall be 450 feet.
- D. Required front and street yards shall be landscaped to a depth of not less than 10 feet. Remaining front and street side yard areas or setbacks may be used for required off-street parking. Such landscaping shall consist predominantly of plant materials, except for necessary walks and drives.
- E. All structures on-site shall maintain a distance, measured structure from structure, of 500 feet to any single-family dwelling, House of Worship, Licensed Child Care Center, or public park.
- F. On-site parking areas, loading, shipping, and ingress/egress drives shall be paved.

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**53. Use:** Marinas

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	-	-	S2

**Development Standards:**

- A. Such uses shall only be located in waters that are directly adjacent to lands zoned Open Space Recreational (OSR). [References to allowing Marinas, Yacht and Boat Clubs as special land uses in chapters 1234.05(4), 1236.05(4), 1238.05(4), and 1240.05(5) are hereby deleted.]
- B. Fences and screening may be required by the Village Planning Commission to protect adjacent property and shall be included on any site plan reviewed by the Planning Commission.
- C. All such uses shall conform to the Marine Safety Act, Inland Lake and Streams Act, and the Natural Resources Protection Act and all other county, state and federal regulations existing and amended.
- D. Nothing contained herein shall prohibit any approved Marina, Yacht and/or Boat Club from operating their administrative offices at a site located adjacent or non-adjacent to the actual marina site as long as such offices are approved within the confines of this zoning code.

**54. Use:** Motor Vehicle Repair

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	S2	-	S2	S1	-	-

**Development Standards:**

- A. Curb cuts shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than 50 feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.
- B. The minimum parcel area shall be 43,560 square feet (One acre) and arranged so that ample space is available for all motor vehicles.
- C. No principal or accessory building shall be closer than 60 feet from any residential district or within 200 feet of any existing residential dwelling.
- D. Fences and screening in accordance may be required by the Planning Commission to protect adjacent property.
- E. The Planning Commission shall limit the number of vehicles stored outdoors.



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- F. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed building.
- G. Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited.

**55. Use:** Motor Vehicle Sales

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	P	S2	-	-	-	-

**Development Standards:**

- A. These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks, and other vehicles.
- B. Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be hard surfaced with concrete or asphalt.
- C. The nearest edge of any driveway serving an outdoor vehicle sales area shall be located at least sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way line).
- D. Devices for the transmission or broadcasting of audible voice or music sounds, such as a public address system, bells or tone devices, shall be prohibited outside of any building.
- E. Any building containing repair or service operations shall comply with the use standards applicable to such use as established in this Chapter. This includes only being permitted at locations which conform to the allowed zoning districts of the Zoning Code.
- F. All outdoor sales, display, or storage areas adjacent to parcels having a single-family dwelling or residentially zoned shall be screened.

**56. Use:** Motor Vehicle Service

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	P	-	-	-	-	-

**Development Standards:**

- A. No principal or accessory building shall be closer than 60 feet from any residential district or within 200 feet of any existing residential dwelling.
- B. Fences and screening in accordance may be required by the Planning Commission to protect adjacent property.

**EXHIBIT A**

- C. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed building.
- D. Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited.

**57. Use:** Multimedia Production & Broadcast Facility

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	S1	-	P	-	-

**Development Standards:**

- A. ~~No satellite dish antenna~~ No dish satellite antenna shall be located between any ~~principal building and building the and front the lot front line lot line~~. All satellite dish antennae over twelve (12) feet in diameter and all ground mounted satellite dishes over fifteen (15) feet in overall height shall require Special Land Use approval by the Planning Commission. ~~Roof mounted~~ Roof-mounted ~~satellite dishes shall~~ satellite dishes not shall exceed not the exceed the zoning district height limit. Where placement of the satellite dish will cause it to be visible from a residential district or a public right-of-way, ~~it way, it~~ shall be ~~screened from screened view from view~~. ~~The screening The may screening consist may of consist structures of, plant structures, plant materials, earth materials, earth~~ berms and/or ~~fences or fences~~. At least seventy-five (75) percent of the antenna, to a height of six (6) feet above the average ground elevation, must be screened from view of the abutting lot or right-of-way.
- B. ~~Minimum~~ Minimum parcel size shall be 1 acre.
- C. On-site parking shall be provided for at a minimum ratio of 1 space for every 300 square feet of gross floor area.

**58. Use:** Nursery

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	-	-	P	P	-

**Development Standards:**

- A. All structures, buildings, or enclosed areas used for the operation shall be a minimum of 100 feet from any residentially-used or zoned property.
- B. On-site parking shall be provided for at a ratio of 1 space for every 250 square feet of floor area devoted to retail sales.
- C. Minimum parcel size shall be 5 acres.

**EXHIBIT A**

**59. Use:** Nursing Home

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	S2	S2	-	-	-	-	S2	-

**Development Standards:**

- A. The Landscaping standards and requirements of Section 1238.09(10) shall be shall be met.
- B. Any structure with sleeping quarters shall be equipped with fire suppression sprinklers.
- C. All driveways, parking areas, sidewalks, and loading areas shall be paved.
- D. Dumpsters and recycling bins shall comply with section 1212.11 of the codified ordinances of the Village of Lake Isabella.
- E. One parking space shall be provided for every 2 beds.
- F. The minimum parcel size shall be 5 acres.
- G. Privacy fencing up to six feet in height may be permitted by the Planning Commission which would not normally otherwise be permitted by the Zoning Code, provided such is located in side or non-street yards and is made of either wood or vinyl.
- H. Room sizes shall comply with Section 1238.09(11-B)
- I. The development standards found in Section 1238.09(3. 6, and 12) shall also apply.
- J. A minimum of 90 square feet of common area open space shall be provided and maintained per resident, based on maximum allowed occupancy.
- K. A minimum of 120 square feet of interior common area shall be provided and maintained per resident, based on maximum allowed occupancy.
- L. The facility shall not be located within 300 feet of another residential structure or use.
- M. The parcel where the use is located shall have at least one property line abutting either a Major Street or paved County Primary Road of at least 200 feet.
- N. The rear or side yard setback from any abutting residentially zoned property shall be forty feet (40'), which shall be maintained with landscaping and screening.
- O. Required yards abutting public right-of-ways shall be kept free of parking spaces.
- P. Shall service more than twenty (20) persons.

**60. Use:** Outdoor Recreation Facility

EXHIBIT A

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	-	S2	P

**Development Standards:**

- A. Minimum parcel size shall be three (3) acres.
- B. Outdoor target ranges shall be located at least two thousand six hundred forty (2,640) from any residential use or district. Such areas shall be screened and bermed as required by the Planning Commission. Firearms may only be discharged in the presence of an employee of the facility.
- C. Any area where the discharge of firearms is proposed shall be fully fenced by a ~~chainlink~~chain-link fence of at least six (6) feet in height to prevent unauthorized access to the area.
- D.
- E. No activity shall take place within one hundred (100) feet of a property line.
- F. The use of ORVs, ATVs, and RVs, shall be limited only to staff of the facility.

61. **Use:** Pawn Shop

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	-	-	-	-	-

**Development Standards:**

- A. Shall not be located within five hundred (500) feet as measured from property line to property line of any of the following:
  - 1. ~~Resideintially~~Residentially zoned property.
  - 2. Child Care Center
  - 3. House of Worship
  - 4. Tattoo Parlor
  - 5. Another Pawn Shop
  - 6. Single-family dwelling
  - 7. Public or private School
  - 8. Payday Loan or Check Cashing Business
- B. The Planning Commission shall determine the ~~numberof~~number of on-site parking spaces required.
- C. Hours of operation shall be between 10 AM and 10 PM.

EXHIBIT A

62. **Use:** Payday Loan & Check Cashing Services

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	S3	-	-	-	-

**Development Standards:**

- A. Only one such use shall be permitted in the Village.
- B. Shall not be located within six hundred sixty (660) feet as measured from property line to property line of any of the following:
  - 1. ~~Residentially~~ Residentially zoned property.
  - 2. Child Care Center
  - 3. House of Worship
  - 4. Tattoo Parlor
  - 5. Pawn Shop
  - 6. Single-family dwelling
  - 7. Public or private School
  - 8. Another Payday Loan or Check Cashing Business
- C. The Planning Commission shall determine the ~~number of~~ number of on-site parking spaces required.
- D. Hours of operation shall be limited to hours between 10 AM and 8 PM

63. **Use:** Personal Service Establishment

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S1	P	P	-	-	-	-

**Development Standards:**

- A. Shall be located on the ground floor.
- B. Retail business which supply service and commodities on the premises, including clothing shops, shoe shops, flower shops may be allowed provided the service component of the business remains operational.

64. **Use:** Private Cemetery

**District Schedule:**

**EXHIBIT A**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S2	-	-	-	-	S2	S2

**Development Standards:**

- A. Minimum parcel size shall be 5 acres.
- B. No portion of any Cemetery used for grave sites shall be located in a wetland or within the 100 year flood boundary.
- C. No structure containing bodies or remains shall be located closer than 100 feet to any property line.
- D. Ingress/Egress is required to occur on a paved Village Major Street or on a paved County primary road.
- E. Screening may be required along a property line which is adjacent to a single-family dwellings.
- F. Prior to the placement of a crematorium, mausoleum, or other building with remains a Cemetery Master Plan shall be submitted to, and approved by the Planning Commission.

**65. Use:** Private Parks

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
S2	S2	S2	S2	S2	-	-	-	-	S2	P

**Development Standards:**

- A. Minimum parcel size shall be 1 acre.
- B. Such use may not be operated for profit.
- C. The use shall not impair the natural appearance of the land.
- D. Minimum parcel width shall be one hundred (100) feet.
- E. Buildings shall be limited to a single-story on parcels that are less than 5 acres in size.
- F. Off-street parking may be provided for on the required front setback provided not more than 40% of the required front setback is used for parking or ingress/egress.

**66. Use:** Public Utility Facilities

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S2	S2	S2

**Development Standards:**

**EXHIBIT A**

- A. The use shall have frontage on an existing paved road, or a newly proposed paved road.
- B. Off-street parking shall be provided to meet use needs.
- C. Structures and activities shall be setback from adjacent residential properties by fifty (50) feet.
- D. The use shall be enclosed by a solid wall or fencing.

**67. Use:** Racetrack

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S3	-	-

**Development Standards:**

- A. Racetracks shall be enclosed with an obscuring screen fencing of at least 6 feet in height.
- B. All racing activates shall be located at least 1,320 feet from any parcel with a single-family dwelling.
- C. Any area where bulk storage of fuel occurs shall be capable of keeping the fuel on-site in the event of a leak or structure collapse through the provisions of a dike or other containment structure adequately sized to retain the fuel.
- D. Minimum parcel size shall be at 20 acres.
- E. The outdoor storage or repair of tires, vehicle parts, vehicle bodies, vehicle frames shall be prohibited.

**68. Use:** Recycling Drop-off Sites

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S2	S2	-

**Development Standards:**

- A. The site shall be supervised during hours of operation, or receptacles shall be provided to ensure complete containment of materials.
- B. Operations shall be conducted in such a way that will control litter and pestilence, and will not contribute to unsightliness.
- C. Areas utilizing dumpsters shall comply with the requirements of section 1212.11
- D. The Planning Commission may require a totally obscuring fence or wall around the perimeter of the area where recyclables are collected.

**EXHIBIT A**

E. The on-site storage of materials to be recycled shall be in appropriate containers.

**69. Use:** Research Facility

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	S2	-	-

**Development Standards:**

- A. These uses include only the following types of uses: which shall include only the following types of uses: scientific, industrial or business research and testing laboratories; any use charged with the principal function of educational or technical training; hospitals and clinics for the treatment of animals; the raising of animals for research purposes; and executive or administrative office buildings and accessory uses or buildings which are incidental to such research activities.
- B. All such uses and activities shall be conducted within a fully enclosed building; provided, however, that the planning commission shall have discretion, in passing upon such special exception use, to permit outdoor activities under such terms and conditions as the planning commission shall deem advisable.
- C. No unreasonable or unnecessarily loud noise or disturbance shall be created which shall be injurious to the health, peace or quiet of the residents and property owners of the village.
- D. No obnoxious, toxic, or corrosive fumes or gases shall be emitted which is injurious to the health, safety or welfare of the residents and property owners of the village.
- E. No smoke, odorous gases or other odorous matter shall be emitted in such quantities as to be offensive to the health, safety and general welfare of the residents and property owners of the village at or beyond any boundary of the use of the parcel.
- F. No dust or other particulate matter may be released that is detectable at the lot line.
- G. No physical vibrations which are detectable at the lot line shall be produced.
- H. No radioactive materials that exceed quantities established by the United States Bureau of Standards shall be discharged.
- I. No activity involving the storage, use or manufacture of materials that decompose by detonation may be carried on.
- J. No heat shall be produced at the lot line so intense as to be a public nuisance.



EXHIBIT A

70. **Use:** Restaurant

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S1	P	P	-	-	-	-

**Development Standards:**

- A. In establishments where alcoholic beverages or entertainment are allowed, no building shall be located closer than 50 feet to any residential district.
- B. In establishments where more than 50% of the gross profits from operation come from the sale of alcoholic spirits, a minimum setback of 300 feet is required from any residential district.
- C. Not more than 33% of the gross floor area open to the general public shall be used for purposes other than seating for diners consisting of tables, chairs, booths, and necessary aisle-ways. Public restroom facilities shall be considered in this determination.
- D. All restaurants where food is served must be licensed by the Michigan Department of Public Health.
- E. All drive-through windows shall be covered by an overhang or canopy of no less than three feet from the edge of the structure.

71. **Use:** Restaurant, Drive-thru

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	S2	-	-	-	-

**Development Standards:**

- A. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of ten stacking spaces for the service-ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the drive-through portion of the facility.
- B. Drive-thru lanes and drive-thru service windows shall not be located along the street frontage(s) of a building
- C. Speaker noise levels measured at the drive-thru site property line shall not exceed applicable Village noise standards.
- D. Drive-thru lanes shall be constructed with the necessary vehicle stacking capacity so that vehicles using the drive-thru lane do not overflow into the on-site parking aisles, public street right-of-way or public streets.

**EXHIBIT A**

- E. Each vehicle stacking space in a drive-thru lane shall be a minimum of twenty (20) feet in length.
- F. Vehicle stacking lanes shall not block or interfere with access to parking lot spaces, and shall function independent of parking lots aisles.
- G. Pedestrian crosswalks shall not cross drive-thru lanes.
- H. Minimum parcel size for a Drive-thru Restaurant shall be 1 acre.

**72. Use:** Retail Establishment

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	P	-	-	-	-

**Development Standards:**

- A. Any goods produced on the premises shall be sold at retail on the premises.
- B. On-site parking shall be provided for at a minimum ratio of 1 space for every 200 square feet and fraction thereof of gross floor area.

**73. Use:** Roadside Stands

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	Sl	-	-	-	P	-

**Development Standards:**

- A. Roadside stands shall be limited to a single story and a maximum footprint of 250 square feet.
- B. Roadside stands shall be of a portable construction and shall be removed during any period of time where it is not used for a period of 14 days or more.
- C. Suitable trash containers shall be placed on the premises for public use.
- D. A minimum of two (2) off-street parking sites shall be required.
- E. A parcel shall have no more than one (1) Roadside stand.
- F. Items sold at a Roadside Stand shall be limited to items grown on the premises or made from products grown on the premises.

**74. Use:** RV, Trailer, Watercraft Service & Storage

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR

**EXHIBIT A**

-	-	-	-	-	S2	-	-	S2	-	S2
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**Development Standards:**

- A. Must be located on a paved road.
- B. Storage areas must be secured with a fence of at least 6 feet in height.
- C. Screening shall be provided and maintained in the form of trees of at least four-feet in height at the time of planting at a ratio of 1 tree for every 8 feet and fraction thereof of fence facing a single-family dwelling.
- D. If done on the same parcel as a Self-Service Storage Facility, the ability to store RVs, trailers, watercraft, and similar items outside shall only occur in the Districts allowed by this sub-section.
- E. Ingress/egress drives shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than 50 feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.
- F. The minimum parcel area shall be 43,560 square feet (One acre) and arranged so that ample space is available for all motor vehicles.
- G. No principal or accessory building shall be closer than 60 feet from any residential district or within 200 feet of any existing residential dwelling.
- H. The Planning Commission shall limit the number of vehicles stored outdoors.
- I. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed building.
- J. Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited.

75. **Use:** Salvage Yards

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S3	-	-

**Development Standards:**

- A. All uses shall be established and maintained in accordance with all applicable state, county, and village, laws and ordinances.
- B. The site shall be a minimum of five acres.
- C. A solid fence or wall eight feet in height shall be provided and maintained around the periphery of the site to screen said site from surrounding property.
- D. All activities shall be confined within the enclosed area. There shall be no stocking of material above the height of the fence or wall, except that movable equipment

**EXHIBIT A**

used on the site may exceed the wall or fence height. No equipment, material, signs or lighting shall be used or stored outside the enclosed area.

- E. All enclosed areas shall be set back at least 100 feet from any front street or property line and 1,000 feet from any residential district.
- F. No open burning shall be permitted. All industrial processes involving the use of equipment for cutting, compressing or packaging shall be conducted within a completely enclosed building.

**76. Use:** Sawmill

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S3	S3	-

**Development Standards:**

- A. It shall be the responsibility of the landowner or permit holder to use ecological conservation practices for all areas used for said facilities.
- B. The Village Council may require that part or all of the operation be screened. During its review of the application, the Planning Commission shall include what sections of the site should be screened as part of its recommendation.
- C. All truck operations shall be directed away from residential areas.
- D. Noise and vibration shall be minimized in their effect upon adjacent properties by the utilization of modern equipment designed to accomplish such minimization and by the proper use of berms, walls and natural planting screens. All equipment shall be maintained and operated in such a manner so as to eliminate, as far as practicable, excessive noise and vibrations which are not necessary in the operation of such equipment.
- E. Air pollution in the form of dust and dirt shall also be kept to a minimum by the use of modern equipment and methods of operation designed to avoid any excessive dust or dirt or other air pollution injurious or substantially annoying to adjoining property owners. Interior and adjoining roads used in the operations shall have their surface treated to minimize any such nuisance.
- F. Minimum lot size shall be five acres.
- G. No such use shall be located within 100 feet of any property line or within 1,000 feet of any residential use or district.

**77. Use:** School; Public, Private, & Parochial

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR

**EXHIBIT A**

S3	S3	-	S3	S3	-	-	-	-	S3	-
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**Development Standards:**

- A. Must be licensed by the State of Michigan.
- B. Minimum parcel width shall be three hundred (300) feet.
- C. Minimum parcel size shall be ten (10) acres.
- D. Must be located on a paved road.
- E. All interior drives, parking areas, and loading areas shall be paved.
- F. On-site parking ~~requirements~~requirements shall be determined by the Planning ~~Commission~~Commission

78. **Use:** School, Vocational

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S2	S2	-	-	-	-

**Development Standards:**

- A. Must be licensed by the State of Michigan.
- B. Minimum parcel width shall be two hundred (200) feet.
- C. Minimum parcel size shall be five (5) acres.
- D. Must be located on a paved road.
- E. All interior drives, parking areas, and loading areas shall be paved.
- F. On-site parking ~~requirements~~requirements shall be determined by the Planning ~~Commission~~Commission

79. **Use:** Self-Service Storage Facility

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	S2	-	S2	S2	-	S2	S2	S2	-

**Development Standards:**

- A. All vehicular access to and from the site shall be from a paved road.
- B. Fences and screening may be required by the Planning Commission to protect adjacent property.
- C. There shall be no outside storage or stockpiling. All merchandise shall be stored within an enclosed building.

**EXHIBIT A**

- D. The area used for parking shall only be based on the main office area of the development.
- E. If located in the AR District, a site shall have at a minimum 2 full platted lots, and must screen any shared property line with a single-family dwelling with a privacy fence unless waived by the Planning Commission.
- F. If located in the AR District the setback from any structure from an adjacent property with a single-family dwelling shall be 35 feet.
- G. Exterior lighting shall be shielded and directed downwards. No exterior lighting shall shine directly into any single-family dwelling.

**80. Use:** Shopping Center

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S2	S2	S2	-	-	-	-

**Development Standards:**

- A. No row of parking spaces shall exceed ~~twent~~twenty-five (25) spaces.
- B. Loading areas shall not be visible from a right-of-way or any abutting residentially zoned properties.
- C. A sidewalk of no less than ten (10) feet in width shall run unobstructed along the façade of the building on any side which has a customer entry point.
- D. Individual units within the Shopping Center shall be at least one thousand (1,000) square feet.
- E. If located in the C-1 District, the parking and landscaping requirements of the WCB shall apply.
- F. On-site parking areas shall be paved.
- G. The Planning Commission shall determine the number of on-site parking spaces needed.

**81. Use:** Solar Energy Facility

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	P	P	-

**Development Standards:**

- A. Must be setback at least fifty (50) feet from all property lines.
- B. The applicant shall provide documentation that glare will be ~~eliminated, insofar~~eliminated, —as~~insofar~~ possible~~as possible~~. ~~This may~~This

**EXHIBIT A**

~~include~~ may include manufacture’s specifications of the ~~panels,~~ panels, ~~proficient~~ panels, proficient angling, ~~adequate~~ angling, adequate ~~screening,~~ screening, or other ~~means,~~ as means, as to not adversely affect neighboring properties.

- C. Mechanical equipment must be screened from street and neighboring residences by fencing or landscaping.
- D. Maximum lot coverage of solar panels shall be limited to 50% of the parcel.
- E. If more than two thousand (2,000) square feet of impervious surface is planned, a drainage plan shall be submitted as part of the application.
- F. The ~~maximum ground~~ maximum ground-mounted panel ~~height is~~ height ~~ten is~~ (ten (10) feet), ~~measured~~ feet, ~~from~~ measured ~~the~~ from the grade to the top of the panel.
- G. Panels shall be screened from residential districts and public rights of way by a greenbelt and/or six (6) foot high privacy fence.

**82. Use:** Solid Waste Facility

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	S3	-	-

**Development Standards:**

- A. These uses shall meet all of the requirements of the Solid Waste Management Act, Act 641 of 1978, as amended, and the Isabella County Solid Waste Management Plan.
- B. The Village Council may limit the hours of operation during which trucks may enter or leave the site.
- C. The perimeter of the site shall be fenced with a privacy fence with a minimum height of at least 6 feet.
- D. All drives used for truck traffic into or out of the site shall be paved.
- E. Minimum parcel size shall be 20 acres.

**83. Use:** State Licensed Mobile Home Park

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	S3	-	-	-	-	-	-	-	-	-

**Development Standards:**

- A. The business of selling new and/or used mobile homes as a commercial operation in connection with the operation of mobile home parks shall be prohibited. New or

## EXHIBIT A

used mobile homes located on lots within the mobile home park to be used and occupied on that site may be sold by a licensed dealer or broker. This Section shall not prohibit the sale of a used mobile home by a resident of the mobile home park provided the park's regulations permit the sale.

- B. A mobile home shall be in compliance with the following minimum distances:
1. Twenty (20) feet from any part of an attached or detached structure of an adjacent mobile home this is used for living purposes.
  2. Ten (10) feet from an on-site parking space of an adjacent site.
  3. Ten (10) feet from either of the following: An attached or detached structure or accessory of an adjacent mobile home which is not used for living purposes.
  4. Fifty (50) feet from any permanent building.
  5. Ten (10) feet from the edge of an internal street.
  6. Twenty (20) feet the right-of-way line of a dedicated public street within the mobile home park.
  7. Seven and one half (7½) feet from a parking bay.
  8. Seven (7) feet from a common pedestrian walkway.
- C. The height of an accessory structure in a Mobile Home Park shall be equal to, or less than, that of the primary structure and shall be limited to a maximum of 1 story.
- D. A minimum of two (2) parking spaces shall be provided for each mobile home site.
- E. Vehicular access to a mobile home park shall be provided by at least one (1) hard surface public road.
- F. Only streets within the mobile home park shall provide vehicular access to individual mobile home sites in the mobile home park.
- G. On-street parking is prohibited in the Mobile Home Park.
- H. Two-way streets shall be at least 22 feet wide and one-way streets at least 12 feet wide.
- I. Street names shall conform to the Village of Lake Isabella Street Naming Policy.
- J. Storm shelters shall be provided for all mobile home residential uses in conformance with the following requirements:
1. Shelters shall be located no more than six hundred (600) feet from any dwelling unit and/or occupied area served and on the same property.
  2. Shelters shall provide eight (8) square feet of floor area for every bedroom in the Mobile Home Park.
  3. Shelters shall be designed to withstand a wind speed of two hundred (200) miles per hour and in accordance with the technical guidelines recommended



EXHIBIT A

by the U.S. Federal Emergency Management Agency

84. **Use:** Studios and Workshops

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	S2	-	S2	-	-	S2	-

**Development Standards:**

- A. If done as part of new development, the architectural style of the building shall be similar with respect single-family dwellings in the area.
- B. Parking and loading areas shall be in the side or rear yard of the structure.
- C. Hours of operation shall be set by the Planning Commission.
- D. On-site parking ~~requirements~~ requirements shall be determined by the Planning Commission.
- E. The structure and parking areas shall be setback from any adjacent single-family dwelling by fifty (50) feet.
- F. The use shall not produce noise, odors, smoke, fumes, or vibration which can be observed outside of the property.
- G. If attached to a dwelling unit, the dwelling unit shall have an area of at least eight hundred (800) square feet.

85. **Use:** Supermarket

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	S3	-	-	-	-	-

**Development Standards:**

- A. The minimum front yard setback shall be sixty (60) feet.
- B. The minimum parcel size shall be five (5) acres.
- C. A sidewalk of no less than ten (10) feet in width shall run unobstructed along the façade of the building on any side which has a customer entry point.
- D. No row of parking spaces shall exceed ~~twent~~ twenty-five (25) spaces.
- E. Cart corrals shall be designed to be an ~~intregal~~ integral part of the parking area.
- F. Loading areas shall not be visible from a right-of-way or any abutting residentially zoned properties.
- G. Outdoor display and sales areas shall be shown on the Site Plan.

**EXHIBIT A**

H. A single business shall occupy at least 75% of the gross floor area of the structure.

**86. Use:** Tattoo Parlor

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	S2	-	-	-	-	-

**Development Standards:**

- A. The use shall not be located within 1,000 feet of another tattoo parlor.
- B. The use shall not be located within 500 feet of a Licensed Child Care Center or House of Worship.
- C. The use shall not be located within 1,000 feet of an Adult Entertainment Business.
- D. The use shall not be located within 500 feet of an existing detached single-family dwelling.
- E. The use shall not be located within 250 feet of any business that sell alcohol for off-site consumption.
- F. Hours of operation shall be limited to the hours of noon to 8 PM Sunday through Thursday and noon to 10 PM for Friday and Saturday.
- G. A customer waiting area of at least 200 square feet shall be provided.

**87. Use:** Telecommunication Tower

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	S3	S2	S2

**Development Standards:**

- A. The applicant shall provide evidence that there is no reasonable or suitable alternative for collocation of antennas on an existing communication tower within the service area of the proposed tower.
- B. The applicant shall provide an inventory of its existing towers, antennas, or sites approved for towers or antennas that are within 4 miles of the Village of Lake Isabella.
- C. All towers and antennas shall be located so that they do not interfere with reception in nearby residential areas. In the event a communication tower causes interference, the communication company shall take all steps necessary to correct and eliminate such interference.
- D. No new Telecommunication Tower or antenna shall be located within a ~~three~~([three](#)) (3) miles radius of an existing tower or antenna. This requirement

**EXHIBIT A**

may be waived by the Planning Commission if one of the following conditions are met:

1. The proposed communication ~~facility~~facility is located on an existing communication tower.
  2. The communication tower is to serve solely a government or educational institution.
- E. No Telecommunication Tower or antenna shall be located within six hundred sixty (660) feet of a single-family ~~dweilling~~dwelling.
- F. No Telecommunication Tower or antenna shall be in violation of the height restrictions imposed by the approved landing plan for any public or private airport.
- G. The tower or antenna shall be setback from all property lines at a minimum by a distance of one and one-half times the height of the tower or antenna.
- H. A security fence of at least 6 feet in height shall be constructed and maintained around the tower and any associated facilities.
- I. All Telecommunication Towers shall be equipped with anti-climbing devices.
- J. All Telecommunication Towers shall be equipped with aircraft warning lighting at its tallest point.
- K. Any Telecommunication Tower or antenna not in use for a period of 12 months shall be removed.

**88. Use:** Theaters & Assembly Halls

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	S2	S2	S3	-	-	-	-

**Development Standards:**

- A. Noise and or sound from the site must be at appropriate noise levels for residential neighborhoods and adjacent uses
- B. An adequate security plan must be provided.
- C. Permanent restroom facilities must be located on the site.
- D. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.
- E. For uses exceeding a seating capacity of 600 persons, a traffic impact study shall be required to be submitted by the applicant which describes internal circulation and projected impacts on traffic operations, capacity, and access on adjacent and nearby streets which are likely to provide access to the site.

**EXHIBIT A**

- F. Banquet facilities shall be limited to no more than 12 hours of operation per day.
- G. A parking plan must be approved for this use, and the parking needs for the use must not exceed the number of available parking spaces in the dedicated parking lots for the facility when taking into account the other users of the property. No overnight truck parking shall be permitted in any front yard.

**89. Use:** Townhouse

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	P	S2	-	S2	-	-	-	-

**Development Standards:**

- A. The Site Development Standards of Section 1238.05 of the Zoning Code shall be followed regardless of the Zoning District Location.

**90. Use:** Veterinary Clinic

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	P	S2	-	-	P	-

**Development Standards:**

- A. All activities shall be conducted within an enclosed building.
- B. Outdoor animal runs or exercise areas shall meet setback ~~requirements~~[requirements](#).
- C. Retail areas shall be ~~limited~~[limited](#) to 25% of the gross floor area of the business.

**91. Use:** Warehouse, Distribution

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	P	-	-

**Development Standards:**

- A. Minimum parcel size shall be three (3) acres.
- B. Minimum parcel width shall be one hundred fifty (150) feet.
- C. Shall not be located within one hundred (100) feet of a single-family dwelling.
- D. Loading and unloading areas shall not be visible from a public right-of-way or a residential use.

**EXHIBIT A**

- E. The use of back-up alarms on equipment used at the facility shall be self-adjusting to limit sound levels.

**92. Use:** Wedding Venue

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
S3	S3	-	-	S2	S2	-	-	-	-	S2

**Development Standards:**

- A. Minimum parcel size shall be 5 acres.
- B. Noise and or sound from the site must be at appropriate noise levels for residential neighborhoods and adjacent uses. The use of outdoor PA systems or speakers shall be prohibited except during a wedding ceremony.
- C. Permanent restroom facilities must be located on the site.
- D. The required landscaping must be maintained and the grounds for the facility must be policed so as to prevent paper and trash from accumulating on the site.
- E. Banquet facilities shall be limited to no more than 10 hours of operation per day.
- F. A parking plan must be approved for this use, and the parking needs for the use must not exceed the number of available parking spaces in the dedicated parking lots for the facility when taking into account the other users of the property. No overnight truck parking shall be permitted in any front yard.

**93. Use:** Winery

**District Schedule:**

<b>LR-1</b>	<b>LR-2</b>	<b>AR</b>	<b>LR-3</b>	<b>C-1</b>	<b>ECB</b>	<b>WCB</b>	<b>AC</b>	<b>RLM</b>	<b>Ag</b>	<b>OSR</b>
-	-	-	-	-	-	-	-	S2	S2	-

**Development Standards:**

- A. Minimum parcel size shall be 10 acres.
- B. Outdoor live music may only be permitted during the hours of noon until 9 PM on Friday, Saturday, and Sunday.
- C. On-site parking shall be provided for at a ratio of 1 space for every 225 feet of floor space devoted to retail or dining.
- D. Events not related to the operational and marketing aspects of the winery, such as weddings, receptions, and meetings/retreats, shall be limited to not more than three large (two hundred fifty guests maximum) and twelve small (One hundred guests maximum) events per year. Capacity is limited by building occupancy and parking limitations.

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E. Permitted Uses and Structures. Operational uses and production facilities in connection with a winery include, but are not necessarily limited to, the following:

1. Crushing or pressing of grapes outside or within a structure;
2. Fermenting wine;
3. Aging wine;
4. On-site above-ground disposal and treatment of winery process water;
5. Processing and blending wine;
6. Bottling and labeling of wine;
7. Storage of wine in vats, barrels, bottles or cases;
8. Wine caves and on-site wine cellars;
9. Laboratory and administrative offices provided that they are subordinate to the primary operation of the winery as a production facility;
10. Shipping, receiving, and distribution of wine;
11. Refrigeration systems containing acutely hazardous materials;
12. Disposal of grape byproduct solely produced by the permitted winery.
13. Storage, repair, and maintenance of agricultural and processing machinery and equipment used on the property, and truck parking, provided that they are subordinate to the primary operation of the winery as a production facility.

94. **Use:** Winery, Boutique

**District Schedule:**

LR-1	LR-2	AR	LR-3	C-1	ECB	WCB	AC	RLM	Ag	OSR
-	-	-	-	-	-	-	-	-	S2	-

**Development Standards:**

- A. Minimum parcel size shall be 5 acres.
- B. Outdoor live music may only be permitted during the hours of noon until 9 PM on Friday, Saturday, and Sunday.
- C. On-site parking shall be provided for at a ratio of 1 space for every 225 feet of floor space devoted to retail or dining.
- D. Permitted Uses and Structures. Operational uses and production facilities in connection with a winery include, but are not necessarily limited to, the following:
  1. Crushing or pressing of grapes outside or within a structure;
  2. Fermenting wine;
  3. Aging wine;

## EXHIBIT A

4. On-site above-ground disposal and treatment of winery process water;
  5. Processing and blending wine;
  6. Bottling and labeling of wine;
  7. Storage of wine in vats, barrels, bottles or cases;
  8. Wine caves and on-site wine cellars;
  9. Laboratory and administrative offices provided that they are subordinate to the primary operation of the winery as a production facility;
  10. Shipping, receiving, and distribution of wine;
  11. Refrigeration systems containing acutely hazardous materials;
  12. Disposal of grape byproduct solely produced by the permitted winery.
  13. Storage, repair, and maintenance of agricultural and processing machinery and equipment used on the property, and truck parking, provided that they are subordinate to the primary operation of the winery as a production facility.
- E. Annual on-site production shall be limited to 50,000 gallons of wine, and 10,000 gallons of craft distilleries.

## EXHIBIT B

### Proposed Changes to Sections 1214.03, 1214.05, and 1214.07

#### 1214.03 APPLICABILITY

The Village of Lake Isabella utilizes three different levels of [illustrations to identify buildings and other features during the development process. All illustrations are required to show existing and new/proposed buildings, structures, and features on the property and changes thereto impacted by the proposed project. All drawings shall be clear and legible](#) [~~Site Plan submissions. Those~~] [The three different types of illustrations](#) are as follows:

Basic Site Plan: Also known as a “plot plan,” is used for detached single-family dwellings, additions to detached single-family dwellings, and accessory structures in single-family zoned districts. A Basic Site plan must be at a minimum a sketch or superimposed drawing over an aerial photograph of the site showing distances and dimensions. It does not have to be to scale.

Medium Site Plan: A Medium Site Plan must be drawn to scale on paper of at least 8.5” x 11’, and must be presented in a manner such that the Zoning Administrator can interpret the drawing. A Medium Site Plan is required for:

1. [Any permitted use in a non-residential district.](#)
  2. [Any use listed as having an S1 Level Approval](#)
  3. [Any use listed as having an S2 Level Approval if being conducted in an existing structure.](#)
  4. [Matters before the Zoning Board of Appeals](#)
- ~~(1) Any permitted use other than a detached single family dwelling to be located in an existing structure;~~
- ~~(2) For any matter before the Zoning Board of Appeals;~~
- ~~(3) For anything not listed as needing a Basic Site Plan or a Detailed Site Plan;~~
- ~~(4) For an addition to an existing commercial structure which is equal to or less than 20% of the existing footprint of the structure;~~
- ~~(5) For an addition to an existing industrial structure which is equal to or less than 10% of the existing footprint of the structure; or~~
- ~~(6) Items as listed in the Zoning Code.—~~

Detailed Site Plan: A Detailed Site Plan is required for:

1. [Any use having an S2 Level approval being proposed in a new structure.](#)
  2. [Any use having an S3 Level approval.](#)
- ~~(1) Any new non-residential structure;~~
- ~~(2) All Special Land Uses;~~
- ~~(3.) Planned Unit Developments;~~
- ~~(4.) Private roads;~~



**EXHIBIT B**

(5) ~~Condominiums;~~

(6) 5. New Plats and/or Site Condominium projects;

(7) ~~All other items required by the Zoning Code.~~

**1214.05**      ~~[DETAILED SITE PLAN REQUIREMENTS]~~ SITE ILLUSTRATION REQUIREMENTS

***[COMMENT: I WOULD LIKE TO CONSIDER CHANGING THIS SECTION TO A TABLE THAT LISTS WHAT ITEMS ARE REQUIRED FOR EACH LEVEL OF SITE PLAN]***

<u>Requirement</u>	<u>“Basic”</u>	<u>“Medium”</u>	<u>“Detailed”</u>
<u>The name and address of the property owner and petitioner if different from the owner.</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Location of existing and proposed connections to sewer/septic systems and water/well supply systems.</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>An overhead view of all different floor levels, showing deminsions of interior rooms and spaces.</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Exterior elevations showing materials, doors and windows, and finishes.</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>The legal description of the parcel, including acreage.</u>		<u>X</u>	<u>X</u>
<u>The name and address of the individual or firm responsible for the preparation of the illustration.</u>		<u>X</u>	<u>X</u>
<u>The date, north arrow, and scale. The scale shall be not less than 1" = 20' for property under three acres and at least 1" = 100' for those three acres or more.</u>		<u>X</u>	<u>X</u>
<u>All lot and/or property lines are to be shown and dimensioned, including required setback lines.</u>		<u>X</u>	<u>X</u>
<u>The location and height of all existing and proposed structures on and within 100' of the subject property's boundary.</u>		<u>X</u>	<u>X</u>
<u>The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas (show dimensions of a typical parking space), unloading areas, recreation areas, common use areas, and areas to be conveyed for public use and purpose.</u>		<u>X</u>	<u>X</u>
<u>The location, height and types of fences, walls and landscaping.</u>		<u>X</u>	<u>X</u>
<u>Trash receptacle location and screening.</u>		<u>X</u>	<u>X</u>
<u>The location and size of all surface water drainage facilities.</u>		<u>X</u>	<u>X</u>
<u>A full color illustration of all proposed signs, including the size of the proposed sign, height of proposed signs, and location of signs on the site or structure(s).</u>		<u>X</u>	<u>X</u>
<u>Distances as measured at the closest point between structures.</u>		<u>X</u>	<u>X</u>

## EXHIBIT B

<u>Fire and emergency response routes.</u>			<u>X</u>
<u>Barrier free access locations (ramp, landings, curb cuts...)</u>			<u>X</u>
<u>Site grading elevations (if applicable)</u>			<u>X</u>
<u>The centerline location of adjacent or abutting roads, streets, alleys or ingress/egress easements and detail as to the total and improved width of the adjacent or abutting road, street, alley, or ingress/egress easement and existing and proposed surface types.</u>			<u>X</u>
<u>For multiple family and mobile home developments, contour intervals shall be shown (two foot intervals for average slopes ten percent and under, five foot intervals for slopes over ten percent). Topography, however, is encouraged to be shown on all site plans</u>			<u>X</u>
<u>Natural Features such as wetlands, high risk erosion area, slopes over 10%, or woodland areas. For the purpose of this sub-section, a woodland area is defined as any parcel which has eight or more mature trees for every quarter-acre and portion thereof with a trunk diameter of six inches or more.</u>			<u>X</u>
<u>The location and size of all existing and new utility services lines or mains.</u>			<u>X</u>

~~— Each site plan submitted shall contain the following information, unless specifically waived by the Planning Commission, in whole or in part;~~

- ~~1. — The name and address of the property owner and petitioner if different from the owner.~~
- ~~2. — The legal description of the parcel, including acreage.~~
- ~~3. — Floor Plan and Elevation drawings for all structures with a foot print greater than 200 square feet. Elevations shall include the exterior finishes of the structure, and include dimensions for all windows, door, and other pertinent features.~~
- ~~4. — A detailed plot plan of the site, including:
 
  - ~~1) — The name and address of the individual or firm responsible for the preparation of the site plan.~~
  - ~~2) — The date, north arrow, and scale. The scale shall be not less than 1" = 20' for property under three acres and at least 1" = 100' for those three acres or more.~~
  - ~~3) — All lot and/or property lines are to be shown and dimensioned, including required setback lines.~~
  - ~~4) — The location and height of all existing and proposed structures on and within 100' of the subject property's boundary.~~~~

## EXHIBIT B

- ~~5) The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas (show dimensions of a typical parking space), unloading areas, recreation areas, common use areas, and areas to be conveyed for public use and purpose.~~
- ~~6) The centerline location of adjacent or abutting roads, streets, alleys or ingress/egress easements and detail as to the total and improved width of the adjacent or abutting road, street, alley, or ingress/egress easement and existing and proposed surface types.~~
- ~~7) The respective zoning abutting the subject property.~~
- ~~8) The location, height and types of fences, walls and landscaping.~~
- ~~9) Size and location of existing and proposed utilities, including proposed connections to public sewer or water supply systems.~~
- ~~10) Trash receptacle location and screening.~~
- ~~11) The location and size of all surface water drainage facilities.~~
- ~~12) A location sketch drawn to scale, showing the location of the site within the jurisdictional boundary of the Village of Lake Isabella.~~
- ~~13) Natural Features such as wetlands, high risk erosion area, slopes over 10%, or woodland areas. For the purpose of this sub-section, a woodland area is defined as any parcel which has eight or more mature trees for every quarter acre and portion thereof with a trunk diameter of six inches or more.~~
- ~~14) A full color illustration of all proposed signs, including the size of the proposed sign, height of proposed signs, and location of signs on the site or structure(s).~~
- ~~15) For multiple family and mobile home developments, contour intervals shall be shown (two foot intervals for average slopes ten percent and under, five foot intervals for slopes over ten percent). Topography, however, is encouraged to be shown on all site plans.~~

### 1214.07 REVIEW PROCEDURE

- Step 1. Pre-Application Conference: An optional meeting is held between the developer and the Village. The Village should be represented by the Zoning Administrator and the Chair of the Planning Commission. The project shall be reviewed, and what information is needed for the preliminary Site Plan submission discussed.
- Step 2. Preliminary Site Plan Submission: The developer completes a Preliminary Site Plan and submits it to the Planning Commission for review.
- Step 3. Preliminary Site Plan Review: The Planning Commission reviews the Preliminary Site Plan. At this step in the process, the Planning Commission determines what, if any, additional studies will be required as part of its official review, as well as if the Site Plan Escrow Account will be used in the process.

## **EXHIBIT B**

- Step 4. Completed Site Plan Submission: The developer completes the needed items as detailed by the Planning Commission during its review of the Preliminary Site Plan and submits the completed document, along with the receipt of acknowledgement, to the Zoning Administrator.
- Step 5. Public Notice: The Zoning Administrator schedules a Public Hearing for the next regular meeting date of the Planning Commission that is at least 21 days from the date of receipt. Notice of the hearing is to be mailed to all property owners within 300 feet of the property subject to the Site Plan, as well as published in a paper of general circulation at least 15 days before the hearing.
- Step 6. Public Hearing: The Planning Commission holds a public hearing, prior to conducting its final review.
- Step 7. Review & Recommendation: The Planning Commission conducts its final review after the close of the public hearing. As part of its review, the Planning Commission may impose conditions on the approval, require changes to the proposed Site Plan, post-pone action for additional materials, or recommend approval or denial to the Village Council.
- Step 8. Final Approval: The developer makes any required modifications, and submits an updates Site Plan along with a Development Agreement which details the requirements imposed by the Planning Commission to the Village Council for review and approval.

## EXHIBIT C

### Village of Lake Isabella - Codified Ordinances

#### Article XII – Planning & Zoning

#### ~~Chapter 1218 – Communication Towers, Antennas, & Windmills~~

#### Chapter 1218 – Energy Systems & Antennas

Adopted August 4, 1998 – Ordinance 1998-01

Last amended on [REDACTED] by Ordinance 2017-02

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<del>Chapter 1218.01</del>	<del>Towers &amp; Windmills</del>
<del>Chapter 1218.03</del>	<del>Antennas and Dish Antennas</del>
<u>Chapter 1218.01</u>	<u>Wind Energy Systems</u>
<u>Chapter 1218.03</u>	<u>Solar Energy Systems</u>
<u>Chapter 1218.05</u>	<u>Antennas, Dish Antennas, Chimneys &amp; Vents</u>

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#### **~~1218.01 – COMMUNICATION TOWERS & WINDMILLS~~**

- ~~1. Communication Towers, Free Standing Antennas, and Windmills and their attendant facilities shall be permitted in agricultural, open space recreation, and industrial districts provided said use and structure(s) shall be located centrally on a continuous parcel of not less than one times the height of the tower measured from the base of the tower to all points on each property line. Applicants shall demonstrate a justification for the proposed height of the structure(s), and shall be required to submit an evaluation of alternative designs which might result in lower heights prior to approval by the Village of Lake Isabella.~~
- ~~2. Communication Towers, Free Standing Antennas, and Windmills located within the approved Michigan Department of Transportation or Federal Aviation Administration part 77 airport approach plan must meet the height and safety requirements contained within the MDOT and FAA regulations.~~

#### **1218.01 WIND ENERGY SYSTEMS**

1. Monopole construction shall only be permitted in the RLM, Ag, and OSR Districts.
2. The setback for a Wind Energy System shall be equal to, or greater than, the height of the Wind Energy System grade level to the peak of the blade. This setback may be waived if written permission is obtained from the adjoining owner where a lesser setback is desired. In no cases shall the Wind Energy System, including supporting cables be within 10 feet of a property line.
3. Wind Energy Systems shall be setback from the ordinary high water mark of any lake or river by 50 feet.
4. Wind Energy Systems shall be limited to a rated capacity of 10 kilowatts.

## EXHIBIT C

5. Parcels which are less than 1 acre in size shall be limited to one Wind Energy System. Parcels 1 acre in size or greater may have two Wind Energy Systems.
6. All wiring connecting a free standing Wind Energy System shall be located underground.
7. Wind Energy Systems shall not be mounted, attached, or otherwise secured to a structure.
8. Wind Energy Systems shall not be allowed within ~~500~~ 1,000 feet of a single-family dwelling.

### **1218.03 SOLAR ENERGY SYSTEMS**

1. If mounted on the roof or walls of a structure, they shall be considered part of the structure and the structure must be in compliance with height and setback regulations.
2. Ground mounted Solar Panels shall not be located between a structure and the street, and shall meet a 10 foot setback from any part of the panel to a property line.
3. Solar Panels shall be setback from the ordinary high water mark of any lake or river by 50 feet, and shall not be located in any area designated as a flood zone.
4. In residential districts free standing Solar Panels shall be limited to a total area of 60 square feet per parcel.
5. All wiring used to connect a Solar Panel shall be located underground.
6. In residential districts the maximum allowed height for a free standing Solar Panel shall be five feet.

### **1218.05 ANTENNAS, DISH ANTENNAS, CHIMNEYS & VENTS**

1. Antennas and Dish Antennas for personal use may be erected and used in conjunction with an established use in any district.
2. Dish Antennas may not exceed one meter in diameter (39.37”).
3. Antennas and Dish Antennas may not be located more than 12 feet above the roofline of the structure it is attached to, but in no circumstance shall any antenna, dish antenna, chimney, stack, or vent exceed the maximum allowed height in its respective zoning district. In cases where there are topographical features or established trees on the parcel, the antenna or dish antenna may exceed the peak of the roofline by not more than 18 feet, only where it is physically attached to such roofline at the base.
4. When due to topographical features or interference from established trees on a parcel where the Antenna or Dish Antenna is to be located, the Antenna or Dish Antenna may be located elsewhere on the parcel, but shall not exceed a total height from grade to peak of 8 feet. The location of any such Antenna or Dish Antenna shall not be in any required yard setback.

## EXHIBIT C

5. The number of Antenna or Dish Antenna shall be limited to the least number required to receive service.



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**August 8, 2017**  
**Planning Commission Meeting Agenda Memorandum**

<b>Agenda Item:</b>	<b>Existing Business #2</b>
<b>Submitted by:</b>	Tim Wolff, Village Manager
<b>Subject:</b>	Proposed Ordinance 2017-03

**Discussion**

At last month's meeting we discussed a concern about applying the LR-1 waterfront standards to several lots in Golf Estates 2 which are presently unbuildable. As we near the finish line with the State of Michigan on lifting the restrictions in Golf Estates #2, this is an item I feel we should tackle. I have drafted an Overlay District which replaces five items pertaining to the development of new single-family dwellings in this area. All other conditions in the zoning code remain in place and regulate development with the exception of the five items listed in the draft.



## Village of Lake Isabella

1010 Clubhouse Drive  
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### **ORDINANCE 2017 – 03**

#### ***LAKE ISABELLA GOLF ESTATES #2 CHALET OVERLAY DISTRICT***

The Village of Lake Isabella hereby ordains:

#### **SECTION 1 PURPOSE**

The purpose of this Ordinance is to amend the zoning code by creating Chapter 1258 of the Zoning Code titled “Chalet Overlay District.” The Chalet Overlay District is hereby established to accommodate the development of detached single-family dwellings in an area of the Village where the combination of small lot sizes and challenging conditions which impact the development of on-site wells and septic systems exist. The intent of the Chalet Overlay District is to allow for future residential development which enhances the character of the existing neighbor by allowing future development of homes that preserve the quality of life presently enjoyed in the area by lessening the impact of new homes on existing vistas of the lake. By allowing smaller homes to be built, it is also the goal of this district to provide greater flexibility for property owners to develop on-site well and septic systems within the limited space available to them, and do so in manner that is not injurious to development on adjacent parcels. This overlay district shall only apply to the Site Development Standards and Setbacks for the lots in the District. The Permitted and Special Land Uses of the underlying LR-1 Zoning District are not replaced or superseded by this Overlay District.

#### **SECTION 2 CHALET OVERLAY DISTRICT CREATED**

Chapter 1258 of the Codified Ordinances of the Village of Lake Isabella is hereby created and is to read as shown in the attached **EXHIBIT A**.

#### **SECTION 3 SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or portion of this Ordinance is found for any reason to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

#### **SECTION 4 ORDINANCES REPEALED**

All ordinances and/or parts of ordinances inconsistent with this Ordinance are hereby repealed

**SECTION 5 EFFECTIVE DATE**

This Ordinance shall take effect and be in force upon the expiration of 7 days of the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance and attached document shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

###

We, the undersigned, President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2017-03 **“LAKE ISABELLA GOLF ESTATES #2 CHALET OVERLAY DISTRICT”** of the Village of Lake Isabella was adopted in the following manner with at least seven days elapsing between the publication of the public hearing for the Ordinance and the enactment by the Village Council at regular or special meeting of the Lake Isabella Council, offered by councilmember \_\_\_\_\_, and seconded by councilmember \_\_\_\_\_. Originally introduced by councilmember \_\_\_\_\_.

<b>Planning Commission Introduction</b>	<b>August 8, 2017</b>
<b>Planning Commission Public Hearing</b>	
<b>Planning Commission Recommendation →</b>	
<b>Village Council Introduction</b>	
<b>Village Council Public Hearing</b>	
<b>Village Council Enactment</b>	

The vote on this Ordinance was taken by roll-call with the “yeas” and “nays” recorded as such.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Dated at Lake Isabella, Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Village Council President  
Dave Torgerson

\_\_\_\_\_  
Village Clerk  
Jeffrey P. Grey

Exhibit A

Village of Lake Isabella - Codified Ordinances

Article XII – Planning & Zoning

**Chapter 1258 – Chalet Overlay District**

Adopted on \_\_\_\_\_, 2017 via Ordinance 2014-03

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Chapter 1258.01	Purpose
Chapter 1258.03	Overlay District Boundaries
Chapter 1258.05	Site Development Standards

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**1258.01 Purpose**

The Chalet Overlay District is hereby established to accommodate the development of detached single-family dwellings in an area of the Village where the combination of small lot sizes and challenging conditions which impact the development of on-site wells and septic systems exist. The intent of the Chalet Overlay District is to allow for future residential development which enhances the character of the existing neighbor by allowing future development of homes that preserve the quality of life presently enjoyed in the area by lessening the impact of new homes on existing vistas of the lake. By allowing smaller homes to be built, it is also the goal of this district to provide greater flexibility for property owners to develop on-site well and septic systems within the limited space available to them, and do so in manner that is not injurious to development on adjacent parcels. This overlay district shall only apply to the Site Development Standards and Setbacks for the lots in the District. The Permitted and Special Land Uses of the underlying LR-1 Zoning District are not replaced or superseded by this Overlay District.

**1258.03 Overlay District Boundaries**

The Chalet Overlay District shall be comprised of lots 490 through 547 in the recorded plat of Lake Isabella Golf Estates #2.

**1258.05 Site Development Standards**

The Site Development Standards below are intended to replace only areas applicable to the LR-1 District which are in conflict with these standards. All other standards and regulations applicable in the LR-1 District remain in place and in effect. Detached single-family dwellings built under the standards of

## Exhibit A

this overlay district shall comply with the following size and placement standards:

<b>Condition</b>	<b>Requirement</b>
Minimum Ground Floor Dwelling Area	840 ft <sup>2</sup>
Maximum Allowed Width to Length Ratio	1 : 2.5
Minimum Required Garage	Option of either: A. 288 ft <sup>2</sup> attached B. 484 ft <sup>2</sup> detached
Minimum Street Yard Setback	20 ft., except along Clubhouse Drive which shall be 25 ft.
Maximum Height	2 stories, which shall not exceed a maximum height at peak of 26 feet.



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**August 8, 2017**  
**Planning Commission Meeting Agenda Memorandum**

<b>Agenda Item:</b>	<b>New Business #1</b>
<b>Submitted by:</b>	Tim Wolff, Village Manager
<b>Subject:</b>	Proposed Ordinance 2017-05

**Discussion**

In reviewing the zoning code an item came to my attention that I believe should be clarified. That is, where Manufactured Homes may be allowed, and also the difference between Manufactured Homes and Modular Homes. It has been my understanding that the ordinance was intended to only allow Manufactured Homes in the LR-2 and Ag districts. However, it really does not come out and say that. As such, I would like to proposed this ordinance for the Planning Commission's consideration to address that issue.

## Village of Lake Isabella

1010 Clubhouse Drive  
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989-644-8654

### ORDINANCE 2017 – 05 *MANUFACTURED & MODULAR HOMES*

The Village of Lake Isabella hereby ordains:

#### SECTION 1 PURPOSE

The purpose of this Ordinance is to amend the zoning code to clarify the difference between Manufactured Homes and Modular Homes. It is further the intent of this ordinance to clarify the regulation of both, including which zoning districts each type of home may be permitted in.

#### SECTION 2 CHAPTER 1204 AMENDED

The following definitions in Chapter 1204 of the Codified Ordinances of the Village of Lake Isabella are hereby amended to read as follows:

Mobile Manufactured Home: A factory-built, single-family dwelling that is manufactured under the authority of the National Mobile Home Construction and Safety Standards Act, as amended and enforced by the federal Department of Housing and Urban Development. A Manufactured Home is transportable in one or more sections, is built on a permanent chassis; is, or can be, titled by the State of Michigan as a “mobile home”; and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.  
~~A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and that includes the plumbing, heating, air conditioning and electrical systems contained in the structure. Mobile home does not include a recreational vehicle. All mobile homes must conform to the U.S. Department of Housing and Urban Development's Code for Mobile Homes.~~

Modular Home: A factory-built, single-family dwelling other than a Manufactured Home, which meets all of the following requirements: is designed only for erection or installation on a site-built permanent foundation; is not designed to be moved once so erected or installed; is designed and built to comply with State of Michigan Residential Building Code  
~~A sectional prefabricated structure or dwelling that consist of multiple modules or sections which are manufactured in a remote facility off site and then delivered to their intended site of use.~~

### SECTION 3 SECTION 1212. AMENDED

Section 1212.13 of the Codified Ordinances of the Village of Lake Isabella is hereby created and is to read as shown in the attached **EXHIBIT A**.

### SECTION 4 REFERENCES AMENDED

The following references to “mobile home(s)” are hereby amended as follows:

#### Section 1212.31:

No structure or vehicle of a temporary character such as a trailer, ~~mobile home~~recreational vehicle, basement, tent, shack, ice shanty, garage barn, barn, boat, houseboat or other outbuilding shall be used or occupied anywhere within the Village of Lake Isabella, excluding the Lake Isabella Property Owners Association (LIPOA) campground, at any time as a residence, either temporarily or permanently.

#### Section 1214.05(15):

For multiple family and ~~mobile~~ Manufactured hHHome developments, contour intervals shall be shown (~~two-foot~~two-foot intervals for average slopes ten percent and under, ~~five-foot~~five-foot intervals for slopes over ten percent). Topography, however, is encouraged to be shown on all site plans.

#### Section 1236.01:

The Lake Residential District 2 is intended primarily for single-family residential development, including ~~mobile~~ Manufactured hHHome development.

#### Section 1256.01(4):

No ~~mobile home~~recreational vehicle or trailer, truck trailer, railroad car, or storage pod shall be utilized as an accessory structure.

#### Chapter 1260 Matrix:

State Licensed ~~Mobile~~ Manufactured Home Park

#### Section 1262.09 (1-C-D):

An application to establish an adult entertainment activity shall not be approved if the proposed location is within 1,320 feet of any existing single-family dwellings, or within 500 feet of any state licensed ~~mobile~~ Manufactured hHHome park, bar or tavern, licensed day care center, adult foster care home, senior citizens' center, K thru 12 school, public park, or church, excepting as otherwise provided for within this Article.

#### Section 1262.09 (1-C-F):

The Planning Commission may waive the locational standards limiting adult entertainment activities as they relate to residentially zoned districts, licensed day care centers, adult foster care homes, senior citizen centers, state licensed ~~mobile~~ Manufactured Home park, bar or tavern K thru 12 schools, public parks, or churches;

Section 1262.09 (1-C-G):

An applicant requesting a waiver of locational requirements shall file an application with the Zoning Administrator, however, the Zoning Administrator shall not accept an application for the waiver of locational requirements for an adult entertainment activity as they relate to residentially zoned districts, licensed day care centers, adult foster care homes, senior citizen centers, state licensed ~~mobile~~-Manufactured hHome park, bar or tavern K through 12 schools, public parks, or churches without a petition as required herein.

**SECTION 5 SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or portion of this Ordinance is found for any reason to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 6 ORDINANCES REPEALED**

All ordinances and/or parts of ordinances inconsistent with this Ordinance are hereby repealed

**SECTION 7 EFFECTIVE DATE**

This Ordinance shall take effect and be in force upon the expiration of 7 days of the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance and attached document shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

###



We, the undersigned, President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2017-05 “*MANUFACTURED & MODULAR HOMES*” of the Village of Lake Isabella was adopted in the following manner with at least seven days elapsing between the publication of the public hearing for the Ordinance and the enactment by the Village Council at regular or special meeting of the Lake Isabella Council, offered by councilmember \_\_\_\_\_, and seconded by councilmember \_\_\_\_\_. Originally introduced by councilmember \_\_\_\_\_.

<b>Planning Commission Introduction</b>	<b>August 8, 2017</b>
<b>Planning Commission Public Hearing</b>	
<b>Planning Commission Recommendation →</b>	
<b>Village Council Introduction</b>	
<b>Village Council Public Hearing</b>	
<b>Village Council Enactment</b>	

The vote on this Ordinance was taken by roll-call with the “yeas” and “nays” recorded as such.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Dated at Lake Isabella, Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Village Council President  
Dave Torgerson

\_\_\_\_\_  
Village Clerk  
Jeffrey P. Grey

**Exhibit A**

**1212.13 DETACHED SINGLE-FAMILY DWELLINGS**

All detached single-family dwellings located outside of a state licensed ~~mobile~~ Manufactured home park shall comply with the following requirements and conditions:

1. The development of detached single-family dwellings shall comply with the following schedule of size and proportion:

<b>Zoning District(s)</b>	<b>Minimum Dwelling Area (All Floors)</b>	<b>Minimum Ground Floor Dwelling Area</b>	<b>Maximum Width to Length Ratio</b>	<b>Minimum Required Attached Garage Size</b>
<b>LR-1</b>				
Waterfront	1,400	1,000	1:2.5	1
Back-lot	1,200	1,000	1:2.5	1
Single T-Lot	840	840	1:2.5	2
<b>Ag.</b>	1,000	1,000	1:2.5	2
<b>Airport Res.</b>	1,000	800	1:2.5	2
<b>LR-2</b>	800	800	1:4	3
<b>LR-3</b>	1,200	1,000	1:2.5	1
<b>WCBD</b>	1,000	1,000	1:2.5	2
<b>Com.</b>	1,000	1,000	1:2.5	2

Required Garage Sizes:

1. 35% of the ground floor Dwelling Area, up to a maximum “minimum size” of 484 ft<sup>2</sup>.
  2. 30% of the ground floor Dwelling Area, up to a maximum “minimum size” of 288 ft<sup>2</sup>.
  3. 35% of the ground floor Dwelling Area, up to a maximum “minimum size” of 288 ft<sup>2</sup>; or, a detached garage of at least 484 ft<sup>2</sup>.
2. All detached single-family dwellings shall have a minimum width across any front, rear, or side elevation of no less than 20 feet. Breezeways, porches, decks, and other appurtenances shall not be considered part of the 20 feet minimum requirement.
  3. All wheels, towing mechanisms, and tongues of ~~mobile~~ Manufactured hHomes shall be removed, and none of the undercarriage shall be visible from the exterior of the ~~mobile~~ Manufactured hHome. Manufactured Homes may only be allowed in the LR-2 District and Agricultural District. Modular Homes may be allowed in all zoning districts where the development of detached single-family dwellings is allowed.

## Exhibit A

4. Manufactured housing shall comply with all regulations normally required for site-built dwellings in the zoning district in which it is located. ~~All manufactured homes must meet the standards for manufactured home construction contained in the HUD regulations entitled "Manufactured Home Construction and Safety Standards," effective June 15, 1976, as amended.~~
5. All single-family dwelling structures shall be placed on a permanent foundation to form a complete enclosure under the exterior walls. The foundation shall be constructed in accordance with the adopted building code of the Village of Lake Isabella. Manufactured housing shall be securely anchored to its foundation in order to prevent displacement during windstorms.
6. All dwellings shall be connected to a public sewer system and water supply system and/or a well or septic system approved by the local Health Department. At no point may any part of the foundation of a primary or accessory structure be closer than 10 feet to the nearest point on any septic tank or field.
7. All dwellings shall be provided with adequate steps or porch areas, which may be permanently attached to the foundation where there exists an elevation differential of more than one foot between any door and the surrounding grade. All dwellings shall be provided with at a minimum of two points of ingress and egress. The orientation of the dwelling's front entrance-way shall be similar to the orientation of homes in the neighborhood in which it is located.
8. All additions to dwellings shall meet all of the requirements of this ordinance including the required width to length ratio.
9. The use of any basement as a dwelling is prohibited. Any dwelling without a full floor above grade level shall be considered a basement dwelling.
10. Attached garages are required for all new single-family dwellings, and all new and existing attached garages shall comply with the following requirements:
  - A. Attached garages larger than what is required in any zoning district may be permitted when either of the following requirements are met:
    1. The footprint of the attached garage is equal to, or less than, 1,008 square feet.
    2. For detached single-family dwellings located on parcels which are equal to or greater than 1 acre in size an attached garage in excess of 1,008 square feet may be permitted if the footprint of the attached garage is equal to, or less than, 60% of the ground floor habitable space of the detached single-family dwelling.
  - B. The highest point on the roof over the attached garage may at no point be higher than the highest point on the roof over the rest of the structure, unless there is habitable space located above the garage area.
  - C. All exterior lighting shall be directed downward to reduce light pollution.
  - D. Single-family dwellings in existence or permitted at the date of adoption of this

## Exhibit A

zoning code which lack an attached garage are allowed to remain and be expanded without the construction of an attached garage.

- E. Detached single-family dwellings located in either the Lake Residential-1 (LR-1) or Lake Residential-2 (LR-2) district which were permitted or built prior to 2008 may convert an attached garage of 484 square feet or less into habitable floor space without being required to replace the attached garage space with either an attached or detached garage.
11. The required minimum dimensions shall be determined as follows:
- A. Dwelling Area: shall be computed using the area on all stories enclosed by the structure's foundation and walls, as measured from the exterior edges; excluding those foundation and walls areas required by porches, breezeways, attached garages, and the like. Area for manufactured housing units shall be computed using the manufacturer's length and width designations for that unit.
  - B. Average Dwelling Length: shall be the average measured distance from the exterior edges of a structural foundation; excluding those foundation areas required by porches, breezeways, attached garages, and the like.
  - C. Average Dwelling Width: shall be defined as the dwelling area divided by the average dwelling length.
  - D. Dwelling Proportion "Width to Length Ratio": Dwelling proportion shall be a number computed as average dwelling length divided by average dwelling width. This dwelling proportion must not exceed the value established for the zoning district in which the dwelling unit is located.
12. The development of detached single-family homes shall conform to the district regulations contained in the zoning code, and all applicable overlay districts.
13. All new detached single-family dwellings built after the effective date of this ordinance shall conform to the following minimum design requirements:

Condition		All Districts	Only LR-1 District
A.	A minimum dwelling width of 20 feet	*	
B.	A minimum dwelling length of 20 feet	*	
C.	At least one window on all sides	*	
D.	At least one door which opens into the street-side yard	*	
E.	At least a 4 x 12 roof pitch	*	
F.	Pick 1		*
	Must have a cover porch; or, Must have an offset in the front façade of at least 4 feet in depth and 8 feet in length. <sup>1</sup>		
G.	Pick 1		*
	Must have either 1 dormer for every 20 feet of width, and fraction thereof; or, <sup>2</sup> Must have a gable end facing the right of		

## Exhibit A

		way for all or part of the roof. <sup>3 &amp; 4</sup>		
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### Footnotes to Design Requirements:

1. An uncovered deck does not satisfy this condition.
2. Dormers may be faux.
3. Only a portion of the roof must have a gable, which may be only over the attached garage area.
4. If the dwelling is a two-story home, a gambrel roof may be substituted for the gable end requirement.