

# **INTERIOR TOWNSHIP**

## **RURAL ZONING ORDINANCE**

### **Interior Township Ontonagon County, Michigan**

<b>Adopted:</b>	<b>January 6, 1977</b>
<b>Amended:</b>	<b>March 9, 1999</b>
<b>Amended:</b>	<b>May 13, 2003</b>
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# **INTERIOR TOWNSHIP**

## **RURAL ZONING ORDINANCE**

### **Interior Township, Ontonagon County, Michigan**

#### Ordinance Number

An ordinance to establish zoning districts and regulations in the unincorporated portions of Interior Township, Ontonagon County, Michigan, in accordance with the provisions of Act No. 184 of the Public Acts of Michigan, 1943, the Township Rural Zoning Act, as amended: to provide for current and/or upgrading the future uses of land, buildings, and structures; to provide for its administration, including penalties for the violation thereof; to provide for a Board of Appeals, and for amendments.

The Township of Interior, Ontonagon County, Michigan, ordains:

#### **ARTICLE ONE -- PREAMBLE**

##### Section 1.01 Name

This Ordinance shall be known and cited as the Interior Township Rural Zoning Ordinance.

##### Section 1.02 Purpose

The fundamental purpose of this Ordinance is to protect the public health, safety, morals, and general welfare of the inhabitants of the township as authorized under the above-mentioned Act.

##### Section 1.03 General Procedure

To achieve the purpose of this Ordinance, the unincorporated portions of the township have been divided into zoning districts of varied shapes, kinds and areas; and regulations adopted for each such districts, taking into account its peculiar suitability for particular purposes, the conservation of the property values and natural resources, and the general trend and character of the land, buildings, and population development as authorized under the provisions of the above cited Act.

##### Section 1.04 Limitations of Ordinance

#### 1.04A Existing Use of Land, Buildings, and Structures.

At the discretion of the property owner the lawful use of any dwelling, building, or structure, and of any land or premises as existing and lawful on land or lot descriptions recorded in the County Register of Deeds Office on the date of enactment of this Ordinance may be continued, even though such use and/or recorded property size may not be in conformity with the provisions of this Ordinance.

#### 1.04B Exemption of Existing Undersized Land Parcels and Lots.

Parcels of land, or lots, whose descriptions are recorded in the County Register of Deed Office on the date of enactment of this Ordinance, will be exempt from minimum area and width requirements as established in Limitations Chart 9.01A. They will, however, be subject to all other regulations of the Zoning District in which they are located, and all other provisions of this Ordinance. All contiguous ownership is considered one parcel of land.

#### 1.04C Exemption of Fences.

The provisions of this Ordinance shall not apply to the erection or repair of fences, provided, however, that no fences other than one through which there shall be a clear vision, shall be erected or moved to less than twenty-five (25) feet from any abutting roadway right-of-way line. *Amended -- May 13, 2003*

## **ARTICLE TWO -- ZONING DISTRICTS**

### Section 2.01 Classification of Districts

To achieve the purpose set forth in the Preamble, the unincorporated area of Interior Township, Ontonagon County, Michigan, is hereby divided into the following zoning districts:

- (1) Commercial-Residential District One (CR-1)
- (2) Commercial-Residential District Two (CR-2)
- (3) Agriculture-Residential District (AR-1)
- (4) Agriculture-Residential District (AR-2)
- (5) Lake-Residential District (L-R)
- (6) Forestry-Recreation District (F-R)
- (7) High Density Residential District (HDR)
- (8) Industrial and Heavy Commercial District (I-HC)

### Section 2.02 Zoning Districts Map

The location of the areas included in each zoning district are depicted upon the zoning map of Interior Township, Ontonagon County, Michigan and are available for public inspection in the Township Office.

## **ARTICLE THREE: COMMERCIAL-RESIDENTIAL DISTRICT ONE (CR-1)**

### Section 3.01 Purpose

The purpose of creating Commercial and Residential District One, is to provide areas dedicated primarily for commercial and residential uses, and to require setback from the public thoroughfare to facilitate safe exit from the entrance to the premises.

The requirements are intended to protect and stabilize the basic qualities of such district, and to provide suitable and safe conditions for residential living. Such district is established in conformity with existing residential and commercial developments including areas in which it appears desirable that further development take place.

### Section 3.02 Property Uses

Except as provided by Section 10.4, no premises shall hereafter be used, and no building or structures erected, used or altered for other than the following purposes.

#### 3.02A Primary Uses (Without Special Approval)

1. One single family dwelling, other than seasonal mobile home, including a private garage.
2. Public owned parks and playgrounds.
3. Customary home occupations such as dressmaking, hairdressing, real estate and insurance sales, accounting services, or office of physician, dentist, chiropractor, osteopath, attorney, engineer, architect, and similar recognized professions.
4. Lodging, boarding and tourist facilities.
5. Retail stores and shops including antique shops, when conducted primarily within buildings having four walls and a roof.
6. Personal service shops, such as beauty parlors, barber shops, tailor shops, shoe repair, and the like.
7. Restaurants and food services.
8. Banks, show rooms, undertaking establishments.
9. Public buildings.

10. Mobile homes, which meet the requirements as residential dwellings, as set forth in Section 15.10, Mobile Home.

11. Agricultural uses, as set forth in Section 5.02,(4) &(5) which do not conflict with the primary Commercial and Residential character of this district, subject to the following restrictions: in no case will an agricultural use be allowed which is a demonstrable nuisance, or a health or safety hazard, to other property owners in the surrounding area.

3.02B Uses by Special Approval, as provided by Sec. 11.05.

1. Nursery schools, Day Nurseries and Child Care.
2. Churches and other buildings of a religious nature including tents or other temporary structures.
3. Greenhouses.
4. Civil, social, and fraternal buildings.
5. Gasoline stations, garages, motor vehicle and repair shops.
6. Parking lots. Used car lots.
7. Drive-in establishments.
8. Veterinary services and hospitals; but not including dog Kennels.
9. Dry cleaning. Self-service laundries.
10. Dance halls and bars.
11. Transformer stations or substations, including service or storage yards.
12. Warehouses. Storage buildings.
13. Primary and secondary schools.
14. Adult Foster Care Homes and Nursing Homes.
15. Planned unit developments, as defined in section 16C ACT184 as amended through 1978 being section 125.286C of the Michigan Compiled Laws.

3.02C Accessory Uses.

Accessory buildings, structures and incidental uses which do not alter the primary

character of the district, but not including any additional structure for dwelling purposes either temporarily or otherwise.

### 3.02D Vehicular Parking.

Vehicular parking regulations for this District are provided for in Appendix A.

## **ARTICLE FOUR: COMMERCIAL-RESIDENTIAL DISTRICT TWO (CR-2)**

### Section 4.01 Purpose

In all locations where public sewers are accessible and required, a 15,000 square foot minimum with 100-foot frontage will apply. This will be known as the C-R2 District.

### Section 4.02

All sections in Article Four will read the same as sections in Article Three except for the following changes:

### Section 4.03 Accessory Buildings

All attached accessory buildings and structures, including garages, open porches and breeze ways, shall be considered a part of the main building in determining yard requirements (but not floor area). All unattached buildings shall be located not less than that specified on the schedule 11.01A from the side yard lot line, and not less than the required set-back of the main building on the premises.

### Section 4.04 Use of Yard Space

No yard encompassing a dwelling shall hereafter be used for the open-air storage, wrecking, parking, dismantling, accumulation or abandonment, either temporarily or otherwise, of any disused, furniture, appliance, junk, similar property, or any vehicle remaining un-licensed for one year (unless stored in a substantial building or similar property).

## **ARTICLE FIVE: AGRICULTURE AND RESIDENTIAL DISTRICT 1 (AR-1)**

### Section 5.01 Purpose

The lands included in the AR-1 District are basically rural in character. Outside of logging in the included and surrounding forests, and the related sawmill work, the only economic activity during the early decades of settlement in this district has been farming - in the clearings made for this purpose. In recent years farming activity has declined, the need for retirement and

recreational residence has increased, and while the lands in this district retain their fundamental suitability for farming and forestry operations, the demand for residential is justified rural. As serious fluctuations of business conditions reduce opportunities for outside employment, the sustaining economic activity will depend on this farming, forestry, and retirement living.

Although some farming and forestry activity continues, the dominant land use pattern in this District under present day conditions of outside employment and income is that of rural residence. This can harmonize well with the primary goals set forth in the preceding paragraph.

The specific intent is to facilitate the proper use of lands best suited to agriculture, forestry, and residential living.

This District is also designed to prevent health hazards brought about by the placement of high residential densities in the otherwise open countryside.

Commercial and industrial development is specifically excluded from the AR-1 District.

Although the demand for other uses in this District may ultimately out-weigh its use as zoned, any such zoning changes should be made cautiously with the realization that adequate food supply is essential to the health and welfare of the township, county, state and nation.

#### Section 5.02 Property Uses.

No land or premises in the AR-1 District shall hereafter be used, and no building or structure erected, used or altered for other than the following purposes.

1. One single family dwelling, including mobile homes, as per definition, as provided by Section 15.10.
2. One single family dwelling, in addition to that provided in Section 5.02 (1) above, as living quarters for hired help or family partnership members, such as a tenant house, mobile home, apartment or room for persons employed on premises. This constitutes an exception to the provision of Section 11.01B.
3. Small family business efforts, excluding farming and other agricultural activities, in the sale of goods and services, such as would ordinarily be conducted in the home, garage, or other accessory building, but subject to the following restrictions:
  - A. No such small family business(es) shall be conducted with more than four (4) part-time employees, including immediate and extended family members.
  - B. Such businesses as gasoline stations, drive-in theaters and eating establishments, etcetera, which depend directly upon a high volume of vehicle traffic, are specifically excluded. These belong in the township's commercial districts CR-1, CR-2, and I-HC.

4. Farms, including (but not limited to) the production of all field, fruit, truck and hay crops, maple syrup operations, domestic livestock, pasture, wood lots, and farm forestry.
5. All farm buildings and structures customarily utilized in the farming operations.
6. In addition to normal family recreational pursuits, a trailer coach, as defined in Section 15.10, may be located in close proximity to any single-family dwelling, subject to the following conditions:
  - A. This trailer coach is for use as living quarters for a family member, who through circumstances of accident, health, age, or other such infirmity, requires help with his or her day to day living needs.
  - B. May be continued on a temporary basis only, while the need for such help exists.
7. Accessory buildings, structures and uses customarily incidental to any of the above, but not including any building or structure for dwelling purposes.

## **ARTICLE SIX: AGRICULTURE AND RESIDENTIAL DISTRICT 2 (AR-2)**

### Section 6.01 Purpose

The lands included in the AR-2 District are rural in character. Outside of logging in the included and surrounding forests, and the related sawmill work, the only economic activity during the early decades of settlement in this district has been farming. In recent years, farming and logging activity has declined and the need for retirement and recreational residences has increased. The purpose of the lands in district AR-2 is to promote the maintenance of farm, woodlands, and open space areas, while at the same time provide for special uses of a non-farm nature, which will not detract from the basic objectives of this district. It is therefore the objective of this district to promote orderly and harmonious development by preserving these lands from premature development and to preserve the essential characteristics and economic value of these areas as woodland and agricultural lands.

Although some farming and forestry activity continues, the dominant land use pattern in this District under present day conditions of outside employment and income is that of rural residence. This can harmonize well with the primary goals set forth in the preceding paragraph. Thus, the specific intent is to facilitate the proper use of lands best suited to agriculture, forestry, and residential living.

This District is also designed to prevent health hazards brought about by the placement of high residential densities in the otherwise open countryside.

Commercial, industrial, and small acreage development is specifically excluded from the AR-2 District.

### Section 6.02 Uses Permitted by Right

- A. Single family dwelling, including mobile homes, as per definition, as defined and provided by Section 15.10.
- B. General Farming and Forestry, including field crops and fruit farming, truck gardening, maple syrup operations, horticulture, apiaries, greenhouses, tree nurseries, and similar agricultural enterprises.
- C. Specialized Farming including the raising and keep of small animals and livestock.
- D. Public and Private Conservation Areas and agricultural land resources.
- E. Roadside stands selling products grown by the owner of the property upon which the stand is located providing that the contiguous space for the parking of customer's vehicles is furnished off the public right-of-way at the ratio of one (1) parking space for each sixty-four (64) square feet of roadside display area.

### Section 6.02.1: Accessory Uses

The following are the Accessory Uses permitted by right within the AR-2 District when all the provisional requirements specified in this Article together with all applicable overlay zone standards and ordinances are met. No land or premises in the AR-2 District shall hereafter be used, and no building or structure erected, used or altered for other than the following purposes:

- A. Single family dwelling, including mobile homes, as per definition, as provided by Section 15.10., including a private garage.
- B. One single family dwelling, in addition to that provided in Section 5.02 (1) above, as living quarters for hired help or family partnership members, such as a tenant house, mobile home, apartment or room for persons employed on premises. This constitutes an exception to the provision of Section 11.01B.
- C. Small family business efforts, excluding farming and other agricultural activities, in the sale of goods and services, such as would ordinarily be conducted in the home, garage, or other accessory building, but subject to the following restrictions:
  - 1. No such small family business(es) shall be conducted with more than four (4) part-time employees, including immediate and extended family members.
  - 2. Such businesses as gasoline stations, drive-in theaters, eating establishments, commercial storage facilities, landfills, tourist facilities, and all businesses which depend directly upon a high volume of vehicle traffic, are specifically excluded. These belong in the township's commercial districts CR-1, CR-2, and I-HC.
- D. Farms, including (but not limited to) the production of all field, fruit, truck and hay crops, maple syrup operations, domestic livestock, pasture, wood lots, and farm forestry.
- E. All farm buildings and structures customarily utilized in the farming operations.
- F. In addition to normal family recreational pursuits, a trailer coach, as defined in Section 1.11, may be near any single-family dwelling, subject to the following conditions:
  - 1. This trailer coach is for use as living quarters for a family member, who through circumstances of accident, health, age, or other such infirmity, requires help with

his or her day to day living needs.

2. May be continued on a temporary basis only, while the need for such help exists.

G. Accessory buildings, structures and uses customarily incidental to any of the above, but not including any building or structure for dwelling purposes.

H. Home Based Occupations excluding all non-permitted business enterprise, retailing, or other activities involving on-site employees, client or customers.

#### Section 6.03 Commercial Uses Permitted by Special Use Permit

The following commercial uses of land and buildings may be permitted in the AR-2 District by the application of a Special Use Permit when all the provisional requirements specified in this Article together with all applicable overlay zone standards and ordinances being met.

- A. Riding stables
- B. Cross-country Ski trails
- C. Composting Operations
- D. Firewood Operations
- E. Christmas tree sales
- F. Tree nurseries

## **ARTICLE SEVEN: LAKE RESIDENTIAL (L-R)**

#### Section 7.01 Purpose

The purpose of creating a lake residential district is to provide areas dedicated primarily for residential use surrounding Bond Lake, and to require setback from the public thoroughfare to facilitate safe exit from the premises.

These requirements are intended to protect and stabilize the basic qualities of such district, and to provide suitable and safe conditions for residential living. Such district is established in conformity with existing residential and commercial developments including areas in which it appears desirable that further development take place.

#### Section 7.01a General Requirements for All Lake Residential Dwellings

No dwelling or structure which can be used as a dwelling shall be constructed or placed in the LR district unless said dwelling or structure meets the following requirements:

1. Said dwelling shall have a minimum finished living area of no less than 500 (five hundred) square feet.
2. Said dwelling shall be permanently connected to septic and water supply system, as required and approved by the Western UP Health District and shall have an approved permanent electrical connection. Common private water and sanitary waste disposal system is permitted, if the method and location is approved by the District Health Department and/or the Michigan

Department of Environmental Quality, whichever has jurisdiction.

3. Outdoor storage of garbage and refuse will be contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.
4. Exterior lighting will be of low wattage, with motion activation where possible.
5. Fencing will be allowed provided the fencing is consistent with the surrounding rustic scenic area.
6. Boardwalks will be allowed in wet areas where a walking trail is located.
7. Neighborhood Monument-style Entry Signs will be aesthetic to landscaping and lighting that point toward the ground/sign and away from any residence, buildings, or right-of-way.

#### Section 7.01b. Lakeshore Access

None of the lands covered by this ordinance border on Bond Lake, but are rather adjacent to privately owned lands, with uses of said land being regulated by agreement between the private landowner and the Federal Energy Regulatory Commission (FERC). This land is hereinafter referred to as "Project Land". Consequently, the Township recognizes that all use of said Project Land is subject to existing agreements between the landowner and FERC.

1. Public access to the Project Land shall be maintained on non-project land via various access points as approved by the Review Committee\* ("Approved Public Access Points").
2. New roads built for public use will be built to County Road Commission standards and inspected and approved by the County Road Commission with any fees to be paid by the developer. This does not constitute an automatic acceptance of the road by the County Road Commission.
3. No restriction of public access to the Project Land shall be imposed by the permanent or temporary closing of roadways (except as may be required for public safety, construction or maintenance of such roadways) to Approved Public Access Points.
4. Each Approved Public Access Point shall have a minimum of 3600 square feet devoted to parking area and shall include at least one handicapped parking space.
5. No permanent structure, including storage buildings for private property (piers, watercraft, etc) is permitted on Project Land.
6. Seasonal docks will be allowed, not to exceed the requirements set forth in Appendix H, number 2, page 68 of the Standard Land Use article, UPPCO license.

\*--All layout plans, type of structures, permits, and land use will be reviewed for approval,

approval with conditions, or denial by the township committee consisting of the Zoning Administrator, one member of the Planning Commission, one member of the Township Board, and the local Township Assessor. This committee is hereinafter referred to as "Review Committee".

- a) The Review Committee will provide for a public viewing of the Reviewed Site Development.
- b) Appeal on a decision by the Review Committee may be taken to Circuit Court.

### Section 7.02 Property Uses

Except as provided by Section 1.04, no premises shall hereafter be used, and no building or structures erected, used or altered for other than the following purposes.

#### 7.02A Primary Uses (without special approval)

1. One single family dwelling including a private garage.
2. Public-owned parks and playgrounds including customary buildings and structures.
3. Customary home occupations such as dressmaking, hairdressing, real estate and insurance sales, accounting services, computer consulting or office of physician, dentist, chiropractor, osteopath, attorney, engineer, architect and similar professions shall be limited to within the residential dwelling, and shall not be pursued in an accessory building on the premises. Said activities shall show no external indication of such use nor change the external appearance of the primary dwelling.
4. Public buildings.
5. Mobile homes, which meet the requirements as residential dwellings.
6. Agricultural uses, as set forth in Section 5.02, 4 and 5 which do not conflict with the primary residential character of this district, subject to the following restrictions: in no case will an agricultural use be allowed which is a demonstrable nuisance, or a health or safety hazard, to other property owners in the surrounding area.

#### 7.02B Uses by special approval, as provided by Section 11.05 or the Review Committee

1. Nursery schools, day nurseries and childcare.
2. Churches and other buildings of a religious nature, not including tents or other temporary structures.
3. Greenhouses

4. Civil, social and fraternal buildings.
5. Parking lots.
6. Drive-in establishments, restaurants and other retail stores and shops, when conducted primarily within buildings having four walls and a roof.
7. Dog kennels.
8. Bars and dance halls.
9. Transformer stations or substations, including service or storage yards.
10. Warehouses and storage buildings.
11. Primary and secondary schools.
12. Adult foster care homes and nursing homes.
13. Caretaker or guesthouse.
14. Planned unit developments, as defined in section 16C ACT184 as amended through 1978 being section 125.286C of the Michigan Compiled Laws. Encourage conservation layout design that accommodates single family dwellings while protecting and buffering sensitive lands such as wetlands, flood plains, sand dunes, steep slopes, lakes, rivers, and streams, and using trees, other vegetations, hills, and other open space to buffer the new residential site from the contiguous public road, and any development on abutting property. In addition, all lots or separately described areas created shall have sufficient area to meet District Health Department requirements for septic waste disposal, unless the site is served by an approved neighborhood sewer system and/or water system  
All new lots created for residential, commercial, or other use, must be buildable, and must meet the requirements of the Land Division Act PA 288 of 1967, as amended.
15. All separately described areas of land to be used under the Condominium Act, PA 59 of 1978 shall meet the requirements of that act, as amended. In addition, all lots or separately described areas created shall have sufficient area to meet District Health Department requirements for septic waste disposal, unless the site is served by an approved neighborhood sewer system and/or water system.

#### 7.02C Accessory Uses

1. Accessory buildings, structures and incidental uses which do not alter the primary character of the district but not including any additional structure for dwelling purposes either temporary or otherwise.
2. Keeping of domestic pets in reasonable numbers. No animal or animals shall constitute a

nuisance to the neighborhood by reason of noise, odor, sanitary conditions or trespass.

3. Storage of not more than one unoccupied trailer coach or one boat and trailer parked in a rear yard with due regard to yard requirements. The one boat and trailer restriction does not apply to small fishing craft normally used on small inland lakes.

#### 7.02D Vehicular Parking

Vehicular parking regulations for this district are provided for in Appendix B.

## **ARTICLE EIGHT: FORESTRY AND RECREATIONAL DISTRICT (F-R)**

### Section 8.01 Purpose

The purpose of this district is to promote the proper use, enjoyment, and conservation of the water, land, topographic and forest land resources of the Township of Interior, particularly adapted to recreational and forest uses.

### Section 8.02 Property Uses

No land or premises in the F-R District shall hereafter be used, and no building or structure erected, used or altered for other than the following purposes:

#### 8.02A Primary Uses (Without Special Approval)

1. Forest production and forest harvesting operations.
2. Hunting and fishing cabins, and single-family dwellings, provided:
  - (a) No public utilities or access roads will be provided by the township.
3. Trailer coaches, for seasonal use.
4. Accessory buildings and uses customarily incident to any of the above permitted uses, but no use of such accessory buildings for dwelling purposes shall be permitted.

#### 8.02B Uses by Special Approval

1. Forest industries, such as sawmills, peeling operations, and veneer-mill operations.
2. Quarries, sand and gravel pits, provided they are screened from view of public access roads by year-round vegetation, and provided that no use of such quarries, or pits shall be permitted unless the banks thereof are sloped at an angle not greater than 30 degrees from level surface. It is further required that developers

and proprietors make a commitment to plant vegetation on the premises upon the abandonment of such enterprises to restore the area as nearly as practicable to its original condition. Neighboring lands must be protected from erosion caused by gravel pit excavations and deposits of gravel pit run-offs.

3. Hydro-electric plants, dams, and flowage areas.

4. Seasonal or single-family dwelling on reduced acreage (2.5 minimum acres, and 300-foot frontage minimum).

#### 8.02C Accessory Uses

Access buildings and uses customarily incident to any of the above uses, except that no use shall be made of the accessory buildings for dwelling purposes.

#### 8.02D Setback Requirements

1. Buildings or structures: Fifty (50) feet from any stream or existing roadway.

## **ARTICLE NINE: HIGH DENSITY RESIDENTIAL DISTRICT (HDR)**

### Section 9.01 Purpose

The High-Density Residential District is established to provide for, and regulate, the development of Mobile Home Parks, Multi-family housing units, and single-family dwellings. It is not anticipated that in a township of such pronounced rural character as Interior, that any substantial demand for this type of development will arise. Yet the thrust of Michigan court decisions indicates clearly that, if legitimate and lawful township interests are to be protected, then such development must be specifically provided for. Accordingly, the regulations herein established are designed to minimize the cost of, and provide the maximum efficiency in, necessary public services; to promote the public health, safety and welfare; and to lay out a zone where family values, youth values, and the blessings of quiet seclusions and clean air make the area sanctuary for people.

### Section 9.02 Mobile Home Parks

Regulations governing the establishment and operation of Mobile Home Parks are provided in the MOBILE HOME COMMISSION RULES dated October 1985 by the Corporation and Securities Bureau of Michigan, Department of Commerce, P.O. Box 30222, Lansing, Michigan, 48909. These rules are adopted in their entirety.

### Section 9.03 Multi-family Housing Units

Multi-family housing units are defined as all those designed to provide living quarters for two or more families.

9.03A Permitted Uses

by Special Approval, as Provided by Section 11.05

1. Multi-family housing units, together with accessory equipment and structures.
2. The construction, and operation, of Multi-family housing units will conform to all applicable State, County, and Township Building Codes and Laws.
3. Single family dwellings.

**ARTICLE TEN: INDUSTRIAL AND HEAVY COMMERCIAL DISTRICT  
(I-HC)**

Section 10.01 Purpose

The Industrial-Heavy Commercial District is established in different Zone areas, which are the sites of present and past installations in the township. They are the most desirable location in the township from the standpoint of any user, containing direct access to M-28 Highway, the nearby electric power line, public water supply and the existing public sanitary sewer. These locations are also the most desirable from the public standpoints of providing services, and traffic flow patterns. Accordingly, they are hereby placed in the Industrial-Heavy Commercial District and protected from all other types of development. Any sound industrial or heavy commercial development is considered to be an asset to the community, adding to its tax base and providing employment to community residents. It is intended that these areas will enable the community to benefit from chances for development that may arise.

Section 10.2 Regulation

The establishment and operation of industrial and heavy commercial enterprises will be regulated by all applicable State, County and Township Building Codes and Laws.

Section 10.3 Permitted Use

Telecommunication towers; landfills; commercial storage facilities; manufacturing, and power substations.

**ARTICLE ELEVEN: GENERAL PROVISIONS**

(Appendix A: Limitations Chart)

Section 11.01 Land, Yard, and Floor Requirements

11.01A Lots of Record

Every dwelling, including permanent mobile homes hereafter placed, erected, or altered

shall be located on a lot or premises, the description of the boundaries of which are on record at the office of the County Register of Deeds, or in the case of a land contract, on file and satisfactory to the Zoning Administrator as identifying the location of the premises.

#### 11.01B Area and Yard Limitations

No more than one dwelling shall be erected on any lot of record, and in conforming to land and yard requirements, no area shall be counted as accessory to more than one dwelling.

### Section 11.02 Non-Conforming Buildings and Structures

#### 11.02A Minor Repairs

Nothing in this Ordinance shall prevent such repairs of a non-conforming building existing on the date of enactment of this Ordinance as may be reasonably necessary to secure advantageous use thereof during its natural life, provided, that no such repair shall result in change or enlargement of use, and provided further, that the owner obtain a Certificate of Approval therefore as hereinafter provided.

#### 11.02B Reconstruction of Damaged Non-Conforming Buildings

Nothing in this Section shall be construed to prohibit rebuilding or improving of structures on substandard size lots.

### Section 11.03 Commercially Operated Junkyards

#### 11.03A Minimum Land Area

No junkyard shall contain less than forty (40) acres, nor shall it be visible from other property in the vicinity of the junkyard, nor from the rights-of-way such as roads, streets, highways, and waterways.

#### 11.03B Fencing

Except for gates and main buildings, the entire premises shall be completely enclosed by a tight, uniformly finished wood, brick, or metal wall not less than eight (8) feet in height, or by an evergreen hedge, not less than fifteen (15) feet wide to the same height, maintained in good condition at all times. All access gates to the premises shall swing inward and shall be closed when the premises are not open for business.

#### 11.03C Setback

All buildings, fences, and green strips shall be set back not less than one hundred (100) feet from the front property line, or highway right-of-way line, as the case may be, and fifty (50) feet from any other property line.

#### 11.03D Glare

Glare from any process, such as acetylene torch cutting, shall not be visible or constitute a hazard or nuisance beyond property lines of the premises.

#### 11.03E Burning

All burning, including emission of smoke or offensive odor beyond the boundaries of the premises shall at all times be limited.

#### 11.03F Application

Application for location of a junkyard shall be accompanied by written statement bearing the approval signatures of all owners of property located within thirteen hundred twenty (1320) feet of the perimeter of the premises.

### Section 11.04 Outdoor Signs

The erection and use of all outdoor advertising, announcement and informational signs and media shall be subject to the following conditions, except as hereinafter provided.

#### 11.04A Location

No sign shall be located in a position constituting a traffic hazard. Cluttering of signs is prohibited. The erection, posting, painting, or otherwise affixing signs to walls, trees, fences, or similar support is prohibited. The limitations in the use of walls shall not apply to commercial or industrial buildings, or to other buildings such as hospitals, schools, churches, libraries, community-center buildings and similar structures. Such exemptions shall not apply to dwellings, tourist lodgings, boarding homes, summer cottages, and the like, including applicable accessory buildings.

#### 11.04B Use of Light

The use of all flashing, rotating, and oscillating signs shall be allowed only by special approval.

#### 11.04C Setback

No sign shall be located within less than seventy-five (75) percent of the required setback for buildings on the premises and may be less with the approval of the Zoning Administrator.

#### 11.04D Size Limitations

The maximum area of signs shall be limited as follows:

1. Advertising, lodging, boarding, or tourist homes, home occupations, professional offices; four (4) square feet may be approved by the Zoning Administrator.
2. Bulletin boards, announcement signs for religious institutions, signs pertaining to time of services, lease or sale of building or premises; twenty (20) square feet.
3. Commercial signs: fifty (50) square feet, provided, however, that signs exceeding fifty (50) square feet may be approved by the Zoning Administrator.

#### 11.04E Non-Conforming Signs

No non-conforming signs shall hereafter be substantially altered or replaced without the approval of the Zoning Administrator.

### Section 11.05 Uses by Special Approval

#### 11.05A General Requirements

Uses by Special Approval, where required, shall be subject to the provisions of the Zoning District wherein located in addition to the provisions of the Section to prevent conflict with or impairment of the primary uses of the District. Each such use shall be considered as an individual case.

#### 11.05B Specific Requirements

1. Written applications addressed to the Township Planning Commission shall be made through the office of the Zoning Administrator, and shall include the following:
  - (a) Name of applicant and owner of premises.
  - (b) Legally recorded description of premises.
  - (c) Description of proposal use, including parking facilities, if required; and any exceptional traffic situation that the use may occasion.
  - (d) Sketch drawn to scale or site plan, when required, showing size of building(s) or structure(s) and location of premises.
  - (e) Sewage and waste disposal and water supply facilities, existent or proposed for installation.
  - (f) Use of Premises on all adjacent properties.
  - (g) A statement by applicant appraising the effect of proposed use on adjacent properties and general development of the neighborhood.
2. The Zoning Administrator shall file his recommendations with the Planning Commission which shall then make determination. The Commission may hold a

public hearing upon the application. In reaching its determination, the Commission shall consider among other things:

- (a) Whether the sewage disposal facilities and water supply will be safe and adequate.
- (b) Whether the location, use, and nature of the operation will be in conflict with the primary permitted uses of District of neighborhood.
- (c) Whether the use will be objectionable to adjacent or nearby properties and not compatible with the primary uses of the District.
- (d) Whether the use will discourage, hinder, or down-grade the development and use of adjacent premises and neighborhood.
- (e) Whether the use will create a major traffic problem or hazard.

#### Section 11.06 Essential Services

The erection, construction, alteration, or maintenance of facilities including railroads, municipal departments, and commissions necessary for the furnishings of adequate service for the public health, safety or general welfare, shall be permitted as authorized and regulated by law and other ordinance of the Township of Interior, Ontonagon County, State of Michigan, in any use of district, it being the intention thereof to exempt such erection, construction, alteration, and maintenance from the application of the Ordinances.

#### Section 11.07 Public Utility Building and Public Buildings

The Township Planning Commission Board shall have the power to permit the erection and use in any zoning district of a publicly owned building or public utility building, if the Board finds such building and use reasonably necessary for public convenience and service.

#### Section 11.08 Building Codes

The State of Michigan building code as adopted. *Amended -- May 13, 2003*

#### Section 11.09 MEDICAL MARIHUANA

Subject to review and approval by the Planning Commission, medical marihuana dispensaries may be allowed along the major thoroughfare of Highway M-28 that portion which passes through Interior Township from Mile West Road, west in direction to the Interior Township line in those areas Zoned Agricultural-Residential provided they meet the conditions set forth in this section, all sections applicable to areas Zoned Agricultural-Residential and all other provisions of the Zoning Ordinance.

##### Section 11.09A Definitions

1. *"Debilitating medical condition"* means one or more of the following:
  - a. Cancer, glaucoma, positive status for human immunodeficiency virus,

- acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, agitation of Alzheimer's disease, nail-patella syndrome (NPS) or the treatment of these conditions
- b. A chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: cachexia, or wasting syndrome; severe and chronic pain; severe nausea; seizures, including, but not limited to, those characteristic of epilepsy; or severe and persistent muscle spasm, including, but not limited to those characteristics of multiple sclerosis.
  - c. Any other medical condition or its treatment approved by the Department, as provided for the MCL 333.26425.
1. "*Department*" means the state department of community health.
  2. "*Drug paraphernalia*" means all equipment, products and materials of any kind, which is used, intended for use, or designed for the use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body, a controlled substance as defined in Section 7104 of the Michigan Public Health Code (MCL 333.7104), in violation of the laws of the State of Michigan.
  3. "*Enclosed, locked facility*" means a closet, room or other enclosed area equipped with locks or other security devices that permit access only by a registered primary caregiver or registered qualifying patient.
  4. "*Marihuana*" means that term as defined in Section 7104 of the Michigan Public Health Code (MCL 333.7104).
  5. "*Medical marihuana dispensary*" means any retail store, store front, office building or other structure of any type of mobile unit or entity that dispenses, facilitates, assists or provides, in any manner, marihuana or cannabis or any product containing marihuana or cannabis, and it also means the location where a primary caregiver assists a qualifying patient.
  6. "*Medical use*" means the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.
  7. "*Physician*" means an individual licensed as a physician under Part 170 of the Public Health Code, (MCL 333.17001-333.17084), or an osteopathic physician under Part 175 of the Public Health Code, (MCL 333.17501-333.17556).

8. *“Primary caregiver”* means a person who is at least 21 years of age and who has agreed to assist with a patient’s medical use of marihuana and who has never been convicted of a felony involving illegal drugs.
9. *“Qualifying patient”* means a person who has been diagnosed by a physician as having a debilitating medical condition.
10. *“Registry identification card”* means a document issued by the Department that identifies a person as a registered qualifying patient or registered primary caregiver.

Section 11.09B Conditions and Standards.

1. No use, which purports to have distributed marihuana prior to the enactment of this section, shall be deemed to have been a legally established use under the provisions of the zoning ordinance and such use shall not be entitled to claim legal nonconforming status.
2. No medical marihuana dispensaries shall be allowed within 1000 feet of any other medical marihuana dispensary nor within 1000 feet of any of the following:
  - a. Any area Zoned Commercial Residential 1 or Commercial Residential 2.
  - b. Any school, public or private having a curriculum including Kindergarten or any one or more grades of one through 12.
  - c. Any Drug free School Zone
  - d. Any Day Care.
3. The site of the dispensary shall about the Highway M-28 right of way and all ingress and egress to and from the site shall be via Highway M-28.
4. Medical marihuana dispensaries shall not be allowed as home occupations nor shall they be allowed in any other Zoning district than that stated in this Article.
5. All activity related to a medical marihuana dispensary including, but not limited to, growing and dispensing shall be done indoors.
6. Medical marihuana dispensaries shall be operated in compliance with the provisions of the State Department of Community Health.
7. Smoking or consumption of medical marihuana shall not be allowed on the site of the dispensary.
8. No persons under the age of 18 shall be permitted in the dispensary at any

time except if a qualifying patient accompanied by his/her parent or guardian.

9. No retail sales of drug paraphernalia are permitted anywhere within the Township or at the dispensary.
10. The dispensary shall be operated in compliance with regulations the Township Board may issue regarding security measures, record keeping, proper identification for qualifying patients, delivery of medical marihuana by primary caregivers, storage of marihuana of the site, on-site cultivation and the maximum amount that may be dispensed in any single transaction. Such regulations may be modified from time to time, as the Township Board deems appropriate.
11. Each dispensary shall display in a manner legible and visible to its clientele:
  - e. Notice that qualifying patients under the age of 18 are not allowed in the dispensary except in the presence of his/her parent or guardian;
  - f. No consumption of medical marihuana shall occur within the vicinity of the dispensary.
12. Only qualifying patients, parents or guardians of qualifying patients under 18 years of age, and the primary caregiver may be permitted to enter a medical marihuana dispensary for the purpose of obtaining medical marihuana.
13. Medical marihuana dispensaries may only possess marihuana in accordance with the Medical Marihuana Act (MCL 333.26421, et seq.), Department regulations and Township ordinances and regulations.

#### Section 11.09C Civil Forfeiture.

Any drug paraphernalia used, sold, possessed with intent to use or sell, or manufactured with intent to sell violation of this ordinance shall be seized and forfeited to the Township. Any marihuana, a/k/a marijuana, sold or possessed with intent to sell in violation of this ordinance shall be seized and forfeited to the Township.

#### Section 11.09D Compliance Required.

Those individuals within the Township who are “qualifying patients” or “primary caregivers,” as those terms are used in the Michigan Medical Marihuana Act, shall comply with the requirements wet forth herein for qualifying patients in section 9.09E and for primary caregivers in section 9.09F.

#### Section 11.09E Requirements for Qualifying Patient.

A person within the Township who has been issued and possesses a registry identification card as a qualifying patient shall comply with the following requirements:

1. Consumption of marihuana shall not occur in any public place.
2. Cultivation of marihuana shall only be allowed inside of an enclosed structure

of building with walls and roof and secured with locks to prevent unintended or uninvited access and the marihuana must be kept in an enclosed, locked facility within said structure or building.

Section 11.09F Requirements for Primary Caregiver. A person within the Township who has been issued and possesses a registry identification card as a primary caregiver shall comply with the following requirements:

1. Cultivation of marihuana shall only be allowed inside of an enclosed structure of building with walls and roof and secured with locks to prevent unintended or uninvited access and the marihuana must be kept in an enclosed, locked facility within said structure or building.
2. The location from which a primary caregiver provides services to a qualifying patient shall be under the control, through written lease, contract or deed, in favor of the primary caregiver.
3. The location, from which a primary caregiver grows, cultivates or otherwise provides services to a qualifying patient shall not be used by another primary caregiver, for that primary caregiver's services as allowed under the Michigan Medical Marihuana Act.
4. The location from which a primary caregiver provides services to a qualifying patient shall only occur as set forth in the zoning ordinance of the Township, including section 11.9B.
5. Cultivation/growing or distribution of marihuana shall not occur in connection with or at a location at which any other commodity, product or service is also available.
6. No consumption of marihuana shall occur at a primary caregiver's location for cultivation/growing, or a primary caregiver's legal residence address, unless the primary caregiver is a qualifying patient and then such consumption shall only be by the qualifying patient/ primary caregiver.

Section 11.09G: Violations and Penalties.

Any person who violates a provision of this Article shall be guilty of a misdemeanor punishable by the costs of prosecution plus a fine not to exceed \$500.00 and/or imprisonment in the county jail for a period not to exceed 90 days. Further, a person who violates the provisions of this Article, in addition to penalties set forth herein, shall be presumed to be operating a nuisance per se and shall be subject to suit or injunction to enjoin further conduct.

## **ARTICLE TWELVE: ADMINISTRATION**

Section 12.01 Zoning Administrator

The Provision of this Ordinance shall be administered by a Zoning Administrator who shall be appointed by the Township Board for such term and subject to such conditions as the Township Board deems desirable to carry out the provisions of the Ordinance. He shall hold office at the pleasure of the Board and receive some compensations as shall be determined by the Board.

## Section 12.02 Zoning Permit

### 12.02A Application for Zoning Permit

Before proceeding with the erection, moving, razing, or use of any building, or premises subject to provisions of this Ordinance, the owner of the premises shall first apply for a Zoning Permit from the Zoning Administrator. Application shall be made upon forms provided by the Township and shall be accompanied by a legal description of the location of the premises, by evidence of ownership of all property to be covered by the Zoning Permit, and by a blueprint or pen-and-ink sketch to approximate scale showing:

1. The shape, area, dimensions, location of road(s), waterways and intended use of the premises.
2. The kind, dimensions, height and location of the building or structure to be erected or moved on the premises, including all yard dimensions and accessory buildings if any.
3. The location and type of sewage disposal system and water supply facilities, as approved by the Western Upper Peninsula Health Department.

### 12.02B Issuance and Limitation of Zoning Permit

1. If the Zoning Administrator finds the application conforms to the requirements of the Ordinance and other applicable laws, he shall mark the form approved with his signature, including the date. Copies shall be filed in the Zoning Administrator's office, Township office and two copies given to the applicant, one of which must be displayed and remain on the premises during the progress of any construction authorized.
2. Any Zoning Permit under which no work has been done within twelve (12) months of issue shall expire by limitation but shall be renewable upon re-application and payment of the minimum fee, subject, however, to provisions of any Ordinance then in effect.
3. The Zoning Administrator shall have the power to revoke or cancel any zoning Permit in case of failure or neglect to comply with the provisions of the Ordinance, or in the case of false statement of misrepresentation made in the

application.

#### 12.02C Inspection

The erection of every building or structure may be subject to two inspections: (1) when excavation for foundation is complete, and building lines established; and (2) on completion of the construction. Failure of owner or builder to give proper notification shall automatically cancel the Zoning Permit and requires issue of a new Zoning Permit before construction may proceed or occupancy be permitted.

#### 12.02D Fees

For each permit application a fee shall be paid to the Township Treasurer who shall place the same in a Zoning Fund to be used solely for the costs of administering this Ordinance, as directed by the Township Board. No permit application shall be valid until the required fee is paid. The schedule for all fees required by this ordinance shall be established from time to time by the Township Board.

### **ARTICLE THIRTEEN: ZONING BOARD OF APPEALS**

#### Section 13.01 Creation and Membership

There is hereby established a Zoning Board of Appeals from electors of the Township as provided by Section 18 of the Township, Rural Zoning Act, Public Act 184, 1943, as amended. The Zoning Board of Appeals shall be composed of not less than three regular members and not more than five regular members as determined by the Township Board.

#### Section 13.02 Powers

The duties and powers of the Board of Appeals shall include the following:

##### 13.02A Review

Hear and decide upon appeals made from determination of the Zoning Administrator or other agent acting under the terms of the Ordinance.

##### 13.02B Interpret

Hear and decide upon request for interpretation of provisions of the Ordinance.

##### 13.02C Variances

Grant variance on appeal respecting any provision of the Ordinance if the same cause practical difficulties or undue hardship in conforming to the strict letter of the Ordinance, to the end that the spirit of the Ordinance is observed, equity achieved and

substantial justice done; provided, however, that his provision shall not be construed as permitting the Board of Appeals to amend the Ordinance or exchange any use of property under the guise of a variance.

### Section 13.03 Proceedings

#### 13.03A Adoption

The Board of Appeals shall adopt procedures in accordance with the provisions of Section 20 to 23 inclusive of the Township Rural Zoning Act, Public Act 184, 1943 as amended.

#### 13.03B Written Requests

All requests for variances, appeals or special exceptions shall be filed on an approved form with the Zoning Administrator, (accompanied by a fee to be deposited in the Zoning Fund, which fee shall be fixed by the Township Board).

#### 13.03C Limitations

All appeals shall be made to the Board of Appeals within thirty (30) days after the date of any decision constituting the basis for appeal. The Board of Appeals shall return a decision within thirty (30) days after a request or appeal has been filed and heard unless additional time is agreed upon by all parties concerned.

#### 13.03D Re-Submissions

No application for variance or special exceptions which have been denied shall be re-submitted within twelve (12) months from the last date of denial, except on grounds of newly discovered evidence or proof of changed conditions found to be valid.

## **ARTICLE FOURTEEN: VIOLATIONS AND ENFORCEMENT**

### Section 14.01 Violations

Buildings and structures erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provisions of this Ordinance are declared to be a nuisance per se. The Zoning Administrator shall inspect each alleged violation and shall order correction in writing to the owner of the premises of all conditions found to be in violation.

### Section 14.02 Correction

All violations shall be corrected within sixty (60) days following issuance of written notice to correct. If not corrected, they shall be remanded to the District Court for prosecution.

### Section 14.03 Penalties

14.03A: This ordinance shall be administered and enforced by the Zoning Administrator and the Interior Township Board.

14.03B: Any person, firm or corporation who violates, neglects, omits or refuses to comply with any provision of this Ordinance, or who causes, allows, or consents to any of the same shall be deemed responsible for violation of this ordinance. permit or exception granted hereunder, or any lawful requirement of the Zoning Administrator, shall be fined on conviction not less than one hundred (100) dollars nor more than five hundred (500) dollars plus the cost of prosecution, or by imprisonment in the county jail for not more than thirty (30) days, or both, in the discretion of the court. To promote compliance with the provisions of the Interior Township Ordinance, each day during which any violation continues shall be deemed a separate offense. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

### Section 14.04 Proceedings

The Zoning Administrator or any owner of real estate may institute injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove any unlawful erection, alteration, maintenance, or violation. The rights and remedies provided herein are cumulative in addition to all other remedies provided by law.

## **ARTICLE FIFTEEN: DEFINITIONS**

### Section 15.01 Accessory Building or Structures

A supplement building or structure on the same premises as the main building occupied by or devoted exclusively to an accessory use but not including dwelling, garages, lodges, or sleeping quarters.

### Section 15.02 Dwelling

Any building or part thereof occupied as the home, residence or sleeping place of one or more persons either permanently or temporarily.

### Section 15.03 Erected

Includes built, constructed, re-constructed, moved upon or any physical operation on the premises intended or required for a building or structure. Excavation, fill drainage, land-clearing, and general property improvements shall not be considered as an erection.

### Section 15.04 Highway

Any public thoroughfare, including roads and streets, but not alleys.

### Section 15.05 Junk

Any personal property which is or may be salvaged for reuse, resale, reduction, or similar use or disposition, or which is accumulated, dismantled, or assorted for any such reasons. Without limiting the definition of junk, the term shall include used or salvaged metals, used or salvaged rope, bags, paper, glass, rubber and similar articles, and motor vehicles which are parked, or possessed for the purpose of dismantling or salvaging any part thereof.

### Section 15.06 Junkyard

Any place at which a person engages in the handling, purchase, exchange, accumulation, storage, sale or disposition of any article which may reasonable be defined as junk, except this definition does not apply to retail merchants who repossess their own merchandise sold on a title retaining contract or chattel mortgage basis.

### Section 15.07 Lot or Premises

The parcel of land occupied or to be occupied by a building and its accessory building or structures together with such open spaces, minimum area, and width required by this Ordinance for the District in which located.

### Section 15.08 Sign

Any construction, device, or portion thereof upon which words, numerals, terms, figures, trade-marks, or similar representations are employed for the purpose of conveying information to the public, includes outdoor advertising media, bulletin boards, sale and rental signs, and the like.

### Section 15.09 Structures

Anything constructed, the use of which requires permanent location on the ground or attachment to an object having permanent location on the ground. The term shall include fences, advertising devices, tents, trailer coaches, and similar structures.

### Section 15.10 Mobile Home

For the purpose of this zoning Ordinance, a mobile home is defined as a single-family dwelling unit suitable for year-round occupancy or occasional dwelling which, if occupied outside a mobile home park, shall be placed on a foundation and connected to utilities and assessable as Real Property.

### Section 15.11 Trailer Coach

Any structure designed and constructed for sleeping, living, business, or storage purposes

having no foundation other than wheels, blocks, skids, jacks, horses, or skirting, and which may be equipped with wheels or other devices for transporting the structure from place to place, whether by its own motive power or other means and licensable by the State to travel upon highways.

### Section 15.12 Yard

The balance of the lot not covered by dwellings or accessory structures within property lines.

#### 15.12A Yard -- Front

A yard across the full width of the lot or parcel of land extending from the front line of the principal building to the rear lot line.

#### 15.12B Yard -- Rear

A yard extending across the full width of the lot or parcel of land extending from the rear line of the principal building to the rear lot line.

#### 15.12C Yard -- Side

A yard extending between the side lot line and the nearest side line of any building.

### Section 15.13 Farm

- A. AR-1: All associated land operated as a single unit on which bona fide agricultural operations are carried on directly by the owner-operator, manager, or tenant farmer by his own labor or with the assistance of members of his household or hired employees, provided, however, that land to be considered as a farm hereunder shall include a contiguous, unplotted parcel of not less than two and one-half (2.5) acres in area; provided further that greenhouses, nurseries, orchards, apiaries, chicken hatcheries, poultry farms and similar specialized agricultural enterprises may be considered as farms, but establishments keeping or operating game preserves, fish hatcheries, dog kennels, stockyards, shall not be considered as farms hereunder, nor shall premises operated as fertilizer works, bone yards, or for the reduction of animal matter, or for the disposal of garbage, sewage, rubbish, offal, or junk, constitute a farm hereunder.
- B. AR-2: All associated land operated as a single unit on which bona fide agricultural operations are carried on directly by the owner-operator, manager, or tenant farmer by his own labor or with the assistance of members of his household or hired employees, provided, however, that land to be considered as a farm hereunder shall include a contiguous, unplotted parcel of not less than ten (10) acres in area; provided further that greenhouses, nurseries, orchards, apiaries, chicken hatcheries, poultry farms and similar specialized agricultural enterprises may be considered as farms, but

establishments keeping or operating game preserves, fish hatcheries, dog kennels, stockyards, shall not be considered as farms hereunder, nor shall premises operated as fertilizer works, bone yards, or for the reduction of animal matter, or for the disposal of garbage, sewage, rubbish, offal, or junk, constitute a farm hereunder.

#### Section 15.14 Telecommunication Towers

“Telecommunication tower” shall mean and include all structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, cell phone towers, television towers, microwave relay facilities, and private and commercial radio facilities. Not included withing this definition are citizen band radio facilities; short-wave receiving facilities; radio and television broadcast reception facilities; federally licensed amateur (ham) radio facilities; satellite dishes, and government facilities which are subject to state and federal law or regulations that pre-empt municipal authority.

#### Section 15.15 Zones or Zoning District Boundaries

Where uncertainty exists as to the boundaries of any of the districts or zones shown on the zoning map, the following rules shall apply:

1. Zone boundary lines are intended to be parallel or perpendicular to street, alley, or lot lines, unless such zone boundary lines are fixed by dimensions, as shown on said zoning map.
2. Where zone boundaries are indicated as approximately following street or alley lines or proposed street lines, such lines shall be construed to be such boundaries.
3. Where zone boundaries are so indicated that they approximately follow lot lines and are not more than 25 feet distant there from, such lot lines shall be such boundaries.
4. If unsubdivided property or where a zone boundary divides a lot, the location of any such boundary, unless the same as indicated by dimensions shown on such maps, or described in the text of the ordinance, shall be determined by the use of the map scale shown thereon, and scaled to the nearest foot.
5. If all or any portion of any public street, alley, right-of-way, easement or land which is not included in any zone shall ever revert to or come into private ownership or shall ever be used for any purpose other than a public purpose, said land shall be subject to all of these regulations which apply within the zone immediately adjacent thereto, or within the most restricted of the immediately adjacent zones, if there be more than one.

## **ARTICLE SIXTEEN: AMENDMENTS**

Amendments or supplements to this Ordinance may be adopted from time to time in the same manner as provided by the Township Rural Zoning Act, Public Act 184, 1943 as amended.

Section 16.01 Initiation

Proposal for amendment or supplements may originate with the Township Board, the Interior Township Planning Commission, or by written petition signed by no less than six (6) property owners in the Township. Petition by property owners shall show the address of each signer and the location of his property in the Township, including the Zoning District wherein located.

Section 16.02 Action of the Township Planning Commission

All amendments or supplements shall be referred to the Township Planning Commission for study, recommendation, and such action as provided by Sections 11 and 14 of the Township Rural Zoning Act, Public Act 184, 1943 as amended. Only the Township Board shall have power to amend or supplement any provisions of the Ordinance.

Section 16.03 Publication and Effective Date

This Ordinance shall take effect immediately upon its publication as provided by law:

ADOPTED AND APPROVED BY THE TOWNSHIP  
BOARD OF THE TOWNSHIP OF INTERIOR  
ONTONAGON COUNTY, MICHIGAN  
THE 9th DAY OF March 19 99

Mikki Pinar  
Township Clerk  
Interior Township, Michigan

Shirley Zimmer  
Township Supervisor  
Interior Township, Michigan

## APPENDIX A

### LIMITATIONS CHART 11.1A

Zoning Dist	Minimum Area	Minimum Width Feet	Minimum Setback Feet	Minimum Width Side yard Feet	Minimum Depth Rear yard Feet	Min. Floor area sq ft
(C-R)1 Acces. Bldgs	2.5 acres	300	50	7 7	25 25	500
(C-R)2 Minimum Lot Size Acces. Bldgs	15,000 100 by 150	100	25 25	7 7	25 25	500
A-R 1 Acces. Bldgs	2.5 acres	300	50	7 7	25 25	500
A-R 2 Acces. Bldgs	10 acres	500	50	7 7	25 25	500
F-R Acces. Bldgs	40 acres	1,300	50	7 7	25 25	500
L-R	1.03 acre	150 feet*	58**	15	25***	500

\*--minimum depth of lot 300 feet

\*\*--from the middle of the roadway.

\*\*\*--Rear yard depth must be at least 50 feet from shoreline ordinary high water mark (OHWM) by state and federal statute, so in cases where the FERC-regulated project land is narrower than 25 feet, the rear yard depth must be greater than 25 feet in order to meet that requirement.

A minimum setback of fifty feet for waterways is required in all Districts.

## **APPENDIX B: VEHICULAR PARKING**

Off-street parking space with adequate access to all such spaces shall hereafter be provided in all Districts at the time of erection or enlargement of any main building or structure for the parking, loading, and unloading of vehicles in proportions no less than shown in the following table. Approval of each exit and entrance shall be obtained from the Ontonagon County Road Commission. Adequate space shall be included in the parking area to facilitate turning of vehicles so that entry upon the highway may be accomplished in a forward manner. All businesses and Public buildings must adhere to the American Disabilities Act provisions in the regard to parking spaces.

1. Banks, business offices and professional offices of architects, engineers, lawyers, and similar professions -- One for each four hundred (400) square feet of usable space.
2. Barber shops and beauty parlors -- Two for each beauty and barber shop chair.
3. Bowling Alleys -- Four for each bowling lane.
4. Churches, theaters, auditoria -- One for each three seats.
5. Community Clubs, dance halls, fraternal or organizations, private clubs -- One for each hundred (100) square feet of usable floor space.
6. Dwellings -- One for each family.
7. Hospitals, clinics, and similar establishments -- One for each four (4) beds, and one for each two (2) employees and/or staff members.
8. Laundromats -- One for each two (2) wash machines.
9. Professional offices -- Doctors, dentists, and similar professions -- One for each two hundred (200) square feet of usable floor area and not less than 4 spaces, whichever is greater.
10. Restaurants and similar establishments for sale and service of food and drinks, except drive-ins -- One for each hundred (100) square feet of usable floor space.
11. Retail stores -- One for each one hundred fifty (150) square feet of usable floor space.
12. Tourist boarding and lodging homes -- One for each guest room.

Every building or structure, the use of which requires loading and unloading goods, shall provide space on the premises in addition to that required for parking to avoid undue interferences with public use of the public highway.

**AMENDMENT TO ZONING ORDINANCE  
SECTIONS 1.04 C AND 9.08 [1.04 AND 11.08: 2020]**

The Interior Township Board resolves that the following amendment be made to the Zoning Ordinance Section 1.04 [1.04]C and section 9.08 [11.08]as follows:

The provision of the ordinance shall not apply to the erection or repair of fences, provided, however, that no fence other than one through which there shall be clear vision, shall be erected or moved to less than twenty five (25) feet from any abutting roadway right of way line.

Section 9.08 BUILDING CODES.

Current: The B.O.C.A. Basic Building Current Edition as published by the Building Officials and Code Administrators International, Inc., and as approved by the State of Michigan, and as adopted.

Change: The State of Michigan building code as adopted.

Motion made by Trustee McLaughlin, seconded by Supervisor Zimmer. Roll call vote was as follows:

Trustee Knivila-Yes

Treasurer Niemi-Yes

Trustee McLaughlin-Yes

Supervisor Zimmer-Yes

Clerk DeWitt-Yes

Supervisor Zimmer declares this amendment adopted at the regular township board meeting on May 13, 2003.

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Mikki DeWitt, Interior Township Clerk

**AMENDMENT TO ZONING ORDINANCE  
LAKE - RESIDENTIAL DISTRICT (L-R)**

At a regular meeting of the Interior Township Board of Trustees on March 14, 2006, the following amendment was offered by Bill Besonen and seconded by Eugene Hautamaki.

The Interior Township Board resolves that the following amendment be made to the Zoning Ordinance Section **Article 5A. Lake Residential District (L-R)** as follows:

The purpose of creating a lake residential district is to provide areas dedicated primarily for residential use surrounding Bond Lake, and to require setback from the public thoroughfare to facilitate safe exit from the premises.

THEREFORE BE IT RESOLVED, that the Interior Township Board amends the Interior Township Zoning Ordinance by inserting Section Article 5A. Lake Residential District (L-R), and this ordinance shall take effect upon publication following its adoption.

Upon a roll call vote the following voted:

    AYE: Eugene Hautamaki, Bill Besonen, Mikki DeWitt

    NAY: None

Absent: Robert Knivila, Dolores Peltola

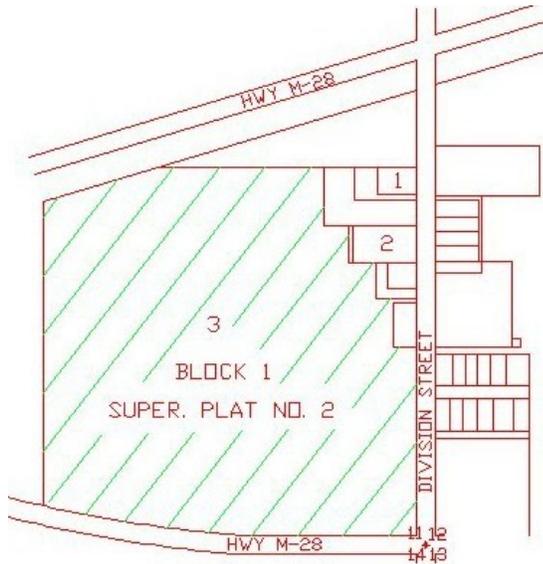
The Supervisor declared the motion carried and the resolution duly adopted on the 14<sup>th</sup> day of March 2006.

---

Mikki DeWitt, Township Clerk

**INTERIOR TOWNSHIP ZONING ORDINANCE  
REZONING AMENDMENT 2010-01**

REZONING OF PROPERTY # 6606 601 003 00  
(FORMER ABBOTT-FOX MILL AREA)  
from I-HC (Industrial & Heavy Commercial) to  
CR2 (Commercial-Residential 2)



**Parcel Description:**

LOT 3 BLK 1 OF SUPERVISORS PLAT NO 2,  
EXC COM AT PT 115 FT S OF NE COR OF LOT 1  
BLK 1 OF SD PLAT, TH W 215 FT, TH N 115 FT,  
TH E 80 FT TO NW COR OF SD LOT 1 BLK 1, TH  
S 94.9 FT TO SW COR OF SD LOT 1 BLK 1, TH E  
135 FT ALG S LN OF SD LOT 1 BLK 1 TO SE  
COR THEREOF, TH S 20.1 FT M/L TO POB;  
ALSO EXC COM AT A PT 115 FT S OF NE COR  
OF LOT 1 BLK 1, TH W 215 FT, TH N 115 FT, TH  
W 100 FT, TH S 203.5 FT, TH E 315 FT, TH N 88.5  
FT TO POB; ALSO EXC BEG @ A PT 986 FT N &  
33 FT W OF SEC CORNER COMMON TO SECS  
11-12-13 & 14; THIS BEING THE SE COR OF LOT  
2 BLOCK 1 SUPERVISORS PLAT #2, TH W 100  
FT ALG S LN OF SD LOT 2, TH S 90 FT, TH E 100  
FT, TH N 90 FT TO POB; ALSO EXC BEG @ A PT  
896 FT N & 33 FT W OF SEC COR COMMON TO

SECS 11-12-13 & 14, TH W 100 FT, TH N 90 FT, TH W 40 FT, TH S 127.5 FT, TH E 140 FT,  
TH N 37.5 FT TO POB; ALSO EXC COM 843 FT N & 33 FT W OF CORNER COMMON TO  
SECS 11-12-13 & 14, TH W 79 FT, TH S 154 FT, TH E 79 FT, TH N 154 FT TO POB; ALSO  
EXC COM 986 FT N & 251 FT W OF SEC CORNER COMMON TO SECS 11-12-13 & 14,  
THIS BEING THE SW COR OF LOT 2 BLK 1, TH W 13 FT, TH N 100 FT, TH E 13 FT, TH S  
100 FT TO POB.

This rezoning amendment shall take effect 7 days after the publication.

Upon a roll call vote, the following voted:

AYE: Bill Besonen, Eugene Hautamaki, Paul Besonen, Mariann Besonen

NAY: none

ABSENT: Dolores Peltola

Adopted and approved by the Interior Township Board, Ontonagon County, Michigan, on the 15th day of November 2010.

\_\_\_\_\_  
Bill Besonen  
Township Supervisor

STATE OF MICHIGAN        )  
  ) ss  
COUNTY OF ONTONAGON)

I hereby certify that the above Amendment, amending the Interior Township Zoning Ordinance, Ontonagon County, Michigan, was duly adopted by the Interior Township Board at a regular meeting of the Board held on the 15th day of November 2010.

\_\_\_\_\_  
Mariann Besonen  
Township Clerk

**INTERIOR TOWNSHIP ZONING ORDINANCE AMENDMENT 2020-03**

At a regular meeting of the Interior Township Board of Trustees on March 9, 2020, the following amendment was offered by Andrew Aho and seconded by Paul Besonen:

The Interior Township Board resolves that the amendments be made to the Zoning Ordinance in Sections Article Six: Agriculture and Residential District 2 (AR-2); Section 10.3 Permitted Use, and Section 15.14 Telecommunication Towers.

THEREFORE, BE IT RESOLVED, that the Interior Township Board adopts and approves the amendments the Interior Township Zoning Ordinance, and this ordinance shall take effect upon the publication following its adoption.

Upon a roll call vote the following voted:

AYE: Andy Aho, Melanie Pelkola, Paul Besonen, Mariann Besonen

NAY: None

Absent: Patsy Walls

Adopted and approved by the Interior Township Board, Ontonagon County, Michigan, on the 9th day of March, 2020.

\_\_\_\_\_  
Andrew Aho  
Township Supervisor

STATE OF MICHIGAN        )  
  ) ss  
COUNTY OF ONTONAGON)

I hereby certify that the above Amendment, amending the Interior Township Zoning Ordinance, Ontonagon County, Michigan, was duly adopted by the Interior Township Board at a regular meeting of the Board held on the 9th day of March 2020.

\_\_\_\_\_  
Mariann Besonen  
Township Clerk