

Article 8

OWNERSHIP CONVERSION OF MOTELS, CABINS AND COTTAGES TO CONDOMINIUMS

Section 8.01 INTENT

It is the intent of this Article in the namesake of the public health, welfare and safety, to regulate structures being converted from what were formerly motel rooms, cabins or cottages, rented either on a daily, weekly, monthly or seasonal basis, to forms of ownership represented by a condominium project, on a co-op basis or by incorporating in having the ownership of any former motel room, cabin, or cottage, or other daily, weekly, monthly or seasonal rental, being represented by one (1) or more shares of stock. Before the conversion can be in compliance with this ordinance, such a conversion must comply with all rules and regulations concerning condominium projects as provided for within this Article.

Section 8.02 SITE PLAN

Prior to the conversion of any existing development to the condominium form of ownership, a site plan shall be submitted and approved by the Village Planning Commission in accordance with all standards and requirements of this Ordinance.

Section 8.03 INITIAL INFORMATION

Concurrently with notice required to be given, the Village of Sterling, pursuant to Section 71 of the Condominium Act, Act 59 of the Public Acts of 1978, as amended, a person, firm or corporation intending to convert existing development into the condominium form of ownership shall provide the Village Zoning Administrator with the following information:

- A. The name, address, and telephone number of:
 1. All persons, firms, or corporations with an ownership interest in the land on which the condominium project will be located and a description of the nature of each entity's interest. (For example, fee ownership, optionee, or land contract vendee).
 2. All engineers, attorneys, architects, landscape architects, or registered land surveyors associated with the condominium conversion.
 3. The developer or proprietor of the condominium conversion.
- B. The legal description of the land on which the condominium will be submitted together with any proposed expansion plans and appropriate tax identification numbers.
- C. The acreage of the land on which the condominium conversion currently occupies.
- D. Proposed project land uses (for example, private use residential, commercial, time sharing, industrial, etc.) and the number of units, parcels, or acres of each type of land use being proposed.
- E. Approximate number of condominium units to be developed on the subject parcel.
- F. Description of the water supply system that includes a diagram of the service connections to each unit.
- G. Description of sanitary waste disposal system that includes a diagram of the service connections to each unit.

Section 8.04 VILLAGE EXPENSES

The applicant shall be responsible for reimbursement to the Village of Sterling for all expenses, including but not limited to attorney fees, engineering fees, and surveying costs, before any authority is given and regardless of if the project proceeds. (See Appendix A Escrow Policy) If these expenses are not reimbursed to the Village, the Village, at its option, may apply same to the tax roll of the concerned property, and/or lien said property, or proceed with the citing of a violation of this ordinance as the law allows in Circuit Court, or proceed by way of civil infraction as more fully described in Section 8.10 herein.

Section 8.05 CERTIFICATE OF SAFE OCCUPANCY

Transient use buildings, such as motels, hotels and resort cottages that are being converted to condominium form of ownership will require that a Certificate of Occupancy be issued by the Building Department serving the Village of Sterling, and it shall be paid for their service and payment shall be received prior to the Planning Commission holding a meeting on this change of use request.

Section 8.06 SITE PLAN REQUIREMENTS FOR CONDOMINIUM CONVERSION

1. All condominium conversions shall submit a site plan and have same approved by the Village Planning Commission in accordance with all standards and requirements of this Ordinance as well as any other requirements of any other Village Ordinance and/or state of federal law.
2. A condominium conversion constitutes a change in ownership. Prior to recording the Master Deed required in compliance with relevant local, state, and federal laws the condominium conversion shall undergo site plan review and approval pursuant to the Sterling Village Zoning Ordinance, Article 6, Site Plan Review Procedures. In addition, the Village shall require appropriate safe occupancy inspections, including the issuance of any occupancy permit, and corrective engineering plans prior to the issuance of any zoning land use permit. All Plans shall bear an appropriate seal of a duly licensed engineer.
3. Lot, Building, and Yard Requirements
 - A. The square foot of the lot area needed for each residential unit of said condominium conversion, shall be calculated as follows:

<u>Number of Unit</u>	<u>Minimum Square Feet of Lot Area</u>
1-2	12,000
3-40	4,000 additional per unit
41 or greater	3,000 additional per unit

(*For example, if 40 condominium units were requested to be built, the Village would require 4,000 square feet, multiplied by 38, plus 12,000 square feet, for a total of 164,000 square feet. Paragraph 3 would be similarly computed relative to the minimum square feet of lot area).

- B. Each residential unit shall contain a minimum of seven hundred fifty (750) square feet of livable floor area.
- C. Site coverage for all structures, including all principal use and accessory buildings shall not Exceed thirty-five (35) percent.
- D. All condominium conversions shall be subject to the requirements that are established by the Village Planning Commission during site plan review procedures.
- E. Each unit shall have operable egress windows, a fire alarm system, and other fire and emergency systems, required by the fire department and building department servicing the Village of Sterling.

Section 8.07 PARKING AND RECREATIONAL VEHICLE STORAGE REQUIREMENTS

1. Transient use buildings, such as motels, hotels and resort cottages that are being converted to condominium form of ownership will most likely require more parking areas compared to the often-single vehicle arriving for the short stay transient use. Without hindering sufficient emergency vehicle

ingress/egress routes, condominium conversion properties shall be required to provide for vehicle parking and recreational vehicle storage as follows:

2. Two (2) spaces for each residential unit, plus one (1) visitor parking space for every three (3) residential units. Spaces shall be at least ten (10) feet wide, and twenty (20) feet long. Turning radiuses shall be reasonable enough to allow for vehicles to back out of and pull into said parking spaces. Further, all handicapped parking spaces allowed by law shall also be provided.
3. When deeded restrictive covenants do not prohibit recreational vehicles from entering the property, four hundred (400) square feet of recreational vehicle storage parking will be required for each residential unit.

Section 8.08 MASTER DEED, RESTRICTIVE COVENANTS AND "AS BUILT" SURVEY TO BE FURNISHED

The condominium developer or proprietor shall furnish the Zoning Administrator with the following:

- A. One (1) copy of the recorded Master Deed, By-Laws and/or any deed restrictions.
- B. Two (2) copies of an "as built" survey. The "as built" survey shall be reviewed by the Zoning Administrator for compliance with Village Ordinances. Fees for review and hearing processes shall be estimated by resolution of the Village Council.
- C. Any provision of any other Ordinance that conflicts with the provisions of this Ordinance, shall result in the provisions of this Ordinance prevailing. Any previous Ordinances, and their provisions, not amended as a result of the provisions set forth herein, shall remain in full force and effect.

Article 9

ZONING DISTRICTS AND MAP

Section 9.01 ESTABLISHMENT OF DISTRICTS

For the purpose of this Ordinance, the Village is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names.

- A. Agricultural District
- C. Commercial District
- I. Industrial District
- M. Mobile Home District
- Rec. Recreational District
- R. Residential District
- S. School District

Section 9.02 ZONING DISTRICT MAP

Boundaries of these districts are hereby established as shown on the map and which accompanies and is hereby declared to be part of this ordinance.

District boundaries shall be constructed to follow: Corporate limits, U.S. Public highway and Railroad right-of-way.

Section 9.03 REPLACEMENT OF OFFICIAL ZONING MAP

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Village Council may, by Ordinance, adopt a new official Zoning Map, which shall supersede the prior Official Zoning Map. The New Official Zoning Map shall be identified by the signature of the Village Supervisor, attested by the Village Clerk, and bear the seal of the Village under the following words: This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of the Village dated>>>>>>. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

Section 9.04 INTERPRETATION OF DISTRICT BOUNDARIES

Where, due to the scale, lack of details, or illegibility of the Official Zoning Map, there is an uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application to the Zoning Board of Appeals. The Board, in arriving at a decision on such matters, shall apply the following standards.

- A. Boundaries indicated, as approximately following the streets or highway, the centerlines of said streets or highways shall be construed to be such boundaries.
- B. Boundaries indicated, as approximately following lot lines shall be construed as following such lot lines.
- C. Boundaries indicated, as approximately following Village boundary lines shall be construed as following such Village boundary lines.
- D. Boundaries indicated, as approximately following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Official Zoning Map.
- F. Boundaries following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines, and in the event of change in the shorelines shall be construed as moving with the actual shorelines, boundaries indicated as approximately following the thread of streams, canals, or other bodies of water shall be construed to follow such threads.
- G. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two (2) districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Zoning Board of Appeals after recommendation from the Planning Commission.

Section 9.05 SCOPE OF REGULATION

1. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of, or addition to an existing use, building and structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance, which are applicable in the Zoning District in which such use, building, or structure shall be located.
2. Any use of land not specifically permitted is prohibited, except that the Zoning Board of Appeals shall have the power to classify a use which is not specifically mentioned along with a comparable permitted or prohibited use for the purpose of clarifying the use regulations in any district, if so petitioned and in accord with the requirements of Sections 4. If the Zoning Board of Appeals finds no comparable uses based on an examination of the characteristics of the proposed use, it shall so state and the Planning Commission may be petitioned to initiate an amendment to the test of the Ordinance uses based on an examination of the characteristics of the proposed use, it shall so state will apply for that use. Once the Ordinance has been amended to include the new regulations, then an application can be processed to establish that use.
3. No part of a setback area, or other open space, or off-street parking or loading space required about or in connection with any use, building or structure, for the purpose of complying with this Ordinance, shall be included as part of a setback area, open space, or off-street parking, or loading space similarly required for any other use, building or structure.
4. No setback area or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards of lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein.
5. No portion of one (1) lot, once established and/or improved with a building or structure, shall be used in the creation of another lot unless each lot resulting from each such reduction, division, or sale, shall conform with all the requirements established herein.
6. Accessory uses are permitted as indicated for the various Zoning Districts and if such uses are clearly incidental to the permitted principal uses. (See also Section 18.08).

Section 9.06 ZONING OF VACATED AREAS

Whenever any street, alley or other public way within the Village shall have been vacated by official governmental action and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, alley or public way, such lands shall automatically acquire and become subject to those uses as is permitted under this Ordinance for such adjoining lands.

Section 9.06 CATEGORIES WITHIN ZONING DISTRICTS

In order to ensure all possible benefits and protection for the zoning districts in this Ordinance, land uses have been classified into two (2) categories:

- A. **Uses Permitted by Right:** The primary uses, and structures specified for which the zoning district has been established.
- B. **Special Land Uses Permitted by Special Land Use Approval:** Uses and structures which have been generally accepted as reasonably compatible with the primary uses and structures within the zoning district, but could present potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole, and regulation so they do not interfere with surrounding properties.

Section 9.09 CONFLICTING REGULATIONS

Wherever any provision of the Ordinance imposes more stringent requirements, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

Section 9.10 SCHEDULE OF REGULATIONS

The requirements in the following table entitled "Schedule of Regulations" apply to all principal land uses and buildings permitted by right within each zoning district, except as otherwise specified in the schedules or established in this Ordinance. In the event of any conflict between the provisions of the written text and the content of the schedule, the provisions of the text shall apply. Owners of nonconforming lots of record should refer to Article 19.02 as well. Variances may be granted by the Zoning Board of Appeals only upon a showing of practical difficulty or unnecessary hardship, related to a unique characteristic of the land and not to self-created hardships of the owner. See Section 4.04(A-B).



Schedule of Regulations for Uses Permitted by Right

See following page for explanation of footnotes.

Zoning District	Minimum Lot Area	Minimum Lot Width & Frontage (In feet)	Maximum Building Height		Minimum Yard Setback in Feet				Minimum Floor Area per Dwelling Unit (In square feet)	Maximum Lot Coverage (%)
			Stories	Feet	Front Yard	One Side Yard	Total of Side Yards	Rear Yard		
R-NR: Residential – Natural Resource	10 acres	330	2	30	50 ^g	20	40	35	1,050	10%
R-1: Low Density Residential	20,000 sq. ft.	100	2	30	35 ^g	10	20	40	1,250	35%
R-2: Medium Density Residential	9,600 sq. ft.	80	2	30	25 ^g	5	15	35	1,050	35%
R-3: High Density Residential	6,000 sq. ft.	50	2	30	25 ^g	3	12	35	750	35%
R-4: Residential - Resort	7,200 sq. ft.	50	2	30	25 ^{g,h}	3	12	35	750	35%
R-5: Multiple Family Residential	20,000 sq. ft.	80	2	30	25	10 ^e	20 ^e	30	See footnote "G"	35%
R-6: Mobile Home Park	10 acres	330 feet	See Section 11.06							
C-1: Central Business	No Requirement	No Requirement	3	40	0	5 ^c	12 ^b	20	Not Applicable	No Requirement
C-2: General Business	No Requirement	No Requirement	2	30	25 ^h	5 ^c	5 ^b	10	Not Applicable	No Requirement
C-3: Waterfront Mixed-Use	No Requirement	No Requirement	3	40	25 ^h	5 ^c	10 ^b	20	Not Applicable	No Requirement
I: Industrial	No Requirement	No Requirement	4	40	30	20 ^c	40 ^c	40	Not Applicable	No Requirement

FOOTNOTES
For Schedule of Regulations

- a. This schedule summarizes basic site development standards. The specific district regulations and other regulations should be consulted to identify additional standards and regulations, and clarifications of the above standards, and all other applicable site development provisions. Where this Schedule contradicts the next of the Ordinance, the Ordinance text shall rule. See Article 17 for site development standards regarding planned unit developments.
- b. There is no side yard setback requirement along an interior lot line. A side yard abutting a residential district shall be a minimum of ten (10) feet.
- c. A forty (40) foot side yard setback shall be required on the street side of a corner lot or where the side yard abuts a residential district.
- d. Ten thousand (10,000) square feet for two-family dwellings.
- e. Multiple family dwellings shall be set back an additional one (1) foot for every ten (10) feet the multiple family dwelling exceeds an overall length of forty (40) feet, as measured along the side yard.
- f. Minimum floor area per dwelling unit.
 - A. Two family dwellings: Seven hundred fifty (750) square feet.
 - B. Multiple family dwellings:
 - 1. One Bedroom unit: Four hundred fifty (450) square feet.
 - 2. Two-bedroom unit: Five hundred fifty (550) square feet.
 - 3. Three or more-bedroom units: Six hundred fifty (650) feet.
- g. Where a lot abuts a water body other than a man-made canal, the lot shall be treated as a through lot and shall comply with the required front yard setback on both the road and waterfront sides of the lot.
- h. See Article 10 for cluster option.

Article 10 ZONING DISTRICTS

Section 10.00 SUMMARY OF USES PERMITTED BY ZONING DISTRICT

A.

Residential Districts										
	A	R	C	I	M	Rec	S			
Agriculture	P	S								
Single Family Dwelling		P								
Two Family Dwelling										
Multiple family development										
Day care, Family home										
Day care, group home										
Day care center										
Foster care, Family home										
Foster care, group home										
Nursing Home										
Home occupation										
Outdoor public and commercial recreation										
Commercial recreation, limited to campgrounds										
Communication towers										
Kennels										
Private Stables										
Commercial Stables										
Golf Course/Country Clubs										
Extraction operations										
Public facilities substation and yards, etc.										
Private Landing Strips										
Public facilities, administration, schools, parks, etc.										
Churches										
Planned unit development										
Hotels and motels										
Bed and Breakfast										
Retail businesses, except drive-in										
Standard restaurants and clubs										
Mobile Home parks										
Shooting Ranges										
Accessory use and structures										

PERMITTED USE - P
SPECIAL USE - S

B.

Business Districts			
	C		
Retail Businesses, except drive-in	P	P	
Personal Services	P	P	
Offices	P	P	
Theatres and Assembly Halls	P	P	
Office and Showrooms	P	P	
Newspaper office and Printing	P	P	
Standard restaurants	P	P	P
Public Facilities, Schools, Parks, Utilities, etc.	S	S	
Hotels and Motels	S	P	P
Bed and Breakfast	S	P	S
Churches	S	S	
Drive-in and Drive-through	S	S	
Outdoor Cafes	S	S	
Planned Unit Development	S	S	S
Auto Dealerships		P	
Auto Car wash		P	
Indoor recreation, theatre, bowling, etc.		P	
Wholesale businesses		P	
Building supply		P	
Private Clubs		P	
Veterinarian Clinics		P	
Storage of materials for retail sale		P	
Open air businesses		S	
Auto service station		S	
Funeral Homes		S	
Mini storage facilities		S	
Hospitals and Clinics		S	
Outdoor Commercial Recreation		S	
Private Trade Schools		S	
Marinas			P
Boat Sales			P
Boat Storage			P
Retail-primarily boating and marine			P
Existing Campground			P
Public Parks			S
Boat fuel station			S
Waterfront Manufacturing			S
Accessory Uses and Structures	P	P	P

C.

Industrial Districts	
	I-1
Tool and die manufacturing	P
Plastic molding	P
Central dry-cleaning plant	P
Monument and art stone production	P
Printing and Publishing	P
Building material sales yard	P
Commercial uses, not retail	P
Manufacturing drugs, pharmaceuticals, etc.	P
Manufacturing from previously prepared materials	P
assembling of appliances, etc.	P
Research and testing	P
Public Utility service yards	P
Painting, upholstering, etc.	P
Auto salvage and junk yards	S
Communication towers	S
Retail requiring outdoor storage	S
Auto and machinery assembly	S
Metal plating and buffering	S
Production or storage of goods	S
Blast furnaces, manufacturing, etc.	S
Residence for caretaker	S
Private trade schools	S
Mini storage facilities	S
Adult entertainment facilities	S
Private landing strips	S
Accessory uses and structures	P

<p>PERMITTED USE - P</p> <p>SPECIAL USE - S</p>

Article 11

RESIDENTIAL DISTRICTS

Section 10.01 R: RESIDENTIAL

1. **Intent:** It is the intent of the Residential –District to encourage thoughtfully planned and environmentally sound residential development. Residential development within this district is intended to provide property owners the ability to concentrate.

2. **Uses Permitted by Right:**

- A. Single-family dwellings.
- B. Day care, family home.
- C. Foster care facility, family home, provided it is not located within one thousand five hundred (1,500) feet of another such facility. (State licensed residential facility.)
- D. Home occupations in accordance with the provisions of Section 11.01, 2.E.
- E. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.

3. **Special Land Uses Permitted by Special Approval:**

- A. Public facilities, including public administration buildings, parking lots, cemeteries, parks, schools, libraries, and similar uses and activities, excluding substations or structures associated with public utilities and enclosures or shelters for service equipment and maintenance depots.
- B. Churches and religious institutions, including housing for religious personnel affiliated with the Church or religious institution.
- C. Day care, group home.
- D. Foster care facility, group home.
- E. Day care center.
- F. Golf course/county club.
- G. Private stables.
- H. Planned Unit Development.
- I. Home occupations that are not permitted by right or specifically prohibited as indicated by Section 11.01

4. **Site Development Requirements:**

The following minimum and maximum standards shall apply to all uses and structures in the Low-Density Residential District unless otherwise modified by the provisions of Article 16, Standards for Special Land Uses; Article 17, Standards for Planned Unit Developments, Article 18, General Provisions, or as varied pursuant to Article 4, Zoning Board of Appeals.

- A. **Minimum Lot Area:** Twelve thousand (12,000) square feet.
- B. **Minimum Lot Frontage and Lot Width:** Sixty (60) feet.

- C. **Yard and Setback Requirements:**
 - 1. **Front Yard:** Thirty (30) feet.
 - 2. **Rear Yard:** Ten (10) feet.
- D. **Maximum Lot Coverage:** Thirty-five (35) percent.
- E. **Maximum Height:** Two (2) stories but not to exceed thirty (30) feet.
- F. **Minimum Floor Area per Single Family Dwelling Unit:** Five hundred Seventy-six (576) square feet.
- G. **Dwelling Unit Review:** in accord with Section 18.21 Dwellings
- H. **Applicable provisions of Article 19:** Nonconforming Uses, Article 20: Access Controls, Article 21: Off-Street Parking and Loading; Article 22, Signs, Article 23: Landscaping and Screening, Article 24: Environmental Standards, and other provisions of this Ordinance as may be applicable.

Section 10.02 M: MOBILE HOME PARK DISTRICT

- 1. **Intent:** It is the intent of the Mobile Home Park Residential District to provide opportunities for the development of mobile home parks to meet the varied housing needs of the Village's present and future residents while similarly limiting excessive public costs and demands placed upon public facilities and services, which may be associated with such housing developments. It is the intent of this district that all mobile home parks be adequately served by public facilities and services and provide for a healthy residential environment.
- 2. **Uses Permitted by Right:**
 - A. Mobile home parks.
 - B. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.
 - C. Home occupations in accordance with the provision of Section 11.01, 2. E.
- 3. **Site Development Requirements:**
The following minimum and maximum standards shall apply to all uses and structures in the Mobile Home Park District.
 - A. **Minimum Lot Area:** Ten (10) acres.
 - B. **Minimum Lot Frontage and Lot Width:** One Thousand Three hundred twenty (1320) feet.
 - C. **Maximum Height:** Two (2) stories, but not to exceed twenty-five (25) feet, subject to Public Act 243 of 1959.
 - D. **Mobile Home Park Open Space Requirements:** All mobile home parks having fifty (50) or more mobile home sites shall include dedicated open space. The total amount of land dedicated for open space shall not be less than two (2) percent of the park's gross acreage, except that at least twenty-five thousand (25,000) square feet of open space shall be provided.
 - E. **Mobile Home Site Area:** All mobile home parks shall be developed with sites averaging five thousand five hundred (5,500) square feet per mobile home unit. These five thousand five hundred (5,500) square feet for anyone (1) site may be reduced by twenty (20) percent provided that the individual site shall be equal to at least four thousand four hundred (4,400) square feet. For each square foot of land gained through the reduction of a site below five thousand five

hundred (5,500) square feet, at least an equal amount of land shall be dedicated as open space above and beyond the minimum required two (2) percent open space area required. In no case shall the open space and distance requirements be less than that required by the Michigan Department of Labor & Economic Growth's Manufactured Housing General Rules.

Mobile Home Construction: All mobile homes shall comply with the National Manufactured Housing Construction and Safety Standards Act of 1974.

- F. **Mobile Home Park; Nonresidential Uses:** No portion of any mobile home park shall be used for non-residential purposes, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the mobile home park.
- G. **Home Occupations:** Home occupations involving any accessory structure shall be prohibited in mobile home parks.
- H. **Skirting:** Skirting shall be installed around the entire periphery of a mobile home.
- I. **Applicable provisions of Article 19:** Nonconforming Uses; Article 20: Access Control and Private Roads; Article 21: Off-Street Parking and Loading; Article 22 Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards, and other provisions of this Ordinance as may be applicable.
- J. **Other Site Development Requirements:** All mobile home parks shall be constructed and maintained in accordance with P.A. 96 of 1987, the Mobile Home Commission Act, and the rules and regulations promulgated by the Mobile Home Commission pursuant to the authority vested in the Mobile Home Commission by such Act. The construction of a mobile home park shall not be initiated, nor shall a mobile home park be inhabited or operated until all necessary permits have been acquired from the Michigan Department of Public Health, Michigan Department of Commerce, and all other agencies pursuant to the Mobile Home Commission Act.

Article 11 Commercial DISTRICT

Section 11.01 C: COMMERCIAL DISTRICT

1. **Intent:** The Central Business District is intended to provide for central business areas where the presence of retail stores and service establishments address the day-to-day retail and service needs of tourists and local residents. This District is intended to provide for a more pedestrian-oriented commercial area than provided for in other commercial districts and promote convenient pedestrian shopping and stability of retail development by encouraging a contiguous retail frontage and by prohibiting automotive related highway service, and non-retail uses which tend to break up such continuity and the character intended for this District. The Central Business District is intended to implement the General Commercial Area component of the Village of Sterling Future Land Use Plan.

2. Uses Permitted by Right:

- A. Any generally recognized retail business, except a drive-in business, which supplies commodities on the premises within a completely enclosed building including, but not limited to foods, drugs, liquor, furniture, clothing, dry goods, notions, books, flowers, jewelry, or hardware.
- B. Personal service establishments, except drive-in businesses which perform services on the premises within a completely enclosed building, such as, but not limited to, repair shops, barber and beauty shops, photographic studios, and dry cleaners.
- C. Office establishments, except drive-in businesses, which perform services on the premises including but not limited to: financial institutions, insurance offices, real estate offices, artist offices and galleries, professional offices for accountants, doctors, lawyers, engineers, and architects, and similar office uses.
- D. Theaters, assembly halls, concert halls, or similar places of assembly when conducted completely within an enclosed building, including private clubs and lodges.
- E. Offices and showrooms of plumbers, electricians, decorator, or similar trades in connection with which not more than twenty-five (25) percent of the floor area of the building or part of the building occupied by said establishment is used for making, assembling, remodeling, repairing, altering, finishing, or refinishing its products or merchandise, and provided that the ground floor premises facing upon, and visible from any abutting street shall be used only for entrances, offices, or display.
- F. Newspaper offices and printing facilities.
- G. Standard restaurants, clubs, and other establishments which provide food or drink for consumption by persons seated within a building that is not part of a drive-in and may also provide dancing and entertainment.
- H. Other uses similar to the above uses provided the Planning Commission finds such use to be compatible with uses in the surrounding area.
- I. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.

3. Special Land Uses Permitted by Special Use Approval:

- A. Public facilities, including parking lots, cemeteries, parks, schools, libraries, and similar uses and activities including administrative buildings, but excluding storage yards, substations or structures associated with public utilities, and enclosures or shelters for service equipment and maintenance depots.

Article 11 ZONING DISTRICTS

Section 11.00 SUMMARY OF USES PERMITTED BY ZONING DISTRICT

A.

Residential Districts	R-N	R-1	R-2	R-3	R-4	R-5	R-6	B-2	B-3	C-1	I-1
Agriculture	P										
Single Family Dwelling	P	P	P	P	P						
Two Family Dwelling						P					
Multiple family development				S		PS					
Day care, Family home		P	P	P	P	P					
Day care, group home		S	S	S	S	S					
Day care center		S	S	S		S					
Foster care, Family home		P	P	P	P	P					
Foster care, group home		S	S	S	S	S					
Nursing Home						S					
Home occupation		PS	PS	PS	PS	PS					
Outdoor public and commercial recreation	P										
Commercial recreation, limited to campgrounds	S										
Communication towers	S										
Kennels	S										
Private Stables	S	S									
Commercial Stables	S										
Golf Course/Country Clubs	S	S	S	S	S						
Extraction operations	S										
Public facilities substation and yards, etc.	S	S	S	S	S	S					
Private Landing Strips	S										
Public facilities, administration, schools, parks, etc.		S	S	S	S	S					
Churches		S	S	S	S	S					
Planned unit development		S	S	S	S	S					
Hotels and motels					S						
Bed and Breakfast					S						
Retail businesses, except drive-in					S						
Standard restaurants and clubs					S						
Mobile Home parks							P				
Shooting Ranges	S										
Accessory use and structures	P	P	P	P	P	P	P				

PERMITTED USE - P
SPECIAL USE - S

B.

Business Districts			
	C-1	C-2	C-3
Retail Businesses, except drive-in	P	P	
Personal Services	P	P	
Offices	P	P	
Theatres and Assembly Halls	P	P	
Office and Showrooms	P	P	
Newspaper office and Printing	P	P	
Standard restaurants	P	P	P
Public Facilities, Schools, Parks, Utilities, etc.	S	S	
Hotels and Motels	S	P	P
Bed and Breakfast	S	P	S
Churches	S	S	
Drive-in and Drive-through	S	S	
Outdoor Cafes	S	S	
Planned Unit Development	S	S	S
Auto Dealerships		P	
Auto Car wash		P	
Indoor recreation, theatre, bowling, etc.		P	
Wholesale businesses		P	
Building supply		P	
Private Clubs		P	
Veterinarian Clinics		P	
Storage of materials for retail sale		P	
Open air businesses		S	
Auto service station		S	
Funeral Homes		S	
Mini storage facilities		S	
Hospitals and Clinics		S	
Outdoor Commercial Recreation		S	
Private Trade Schools		S	
Marinas			P
Boat Sales			P
Boat Storage			P
Retail-primarily boating and marine			P
Existing Campground			P
Public Parks			S
Boat fuel station			S
Waterfront Manufacturing			S
Accessory Uses and Structures	P	P	P

C.

Industrial Districts	
	I-1
Tool and die manufacturing	P
Plastic molding	P
Central dry-cleaning plant	P
Monument and art stone production	P
Printing and Publishing	P
Building material sales yard	P
Commercial uses, not retail	P
Manufacturing drugs, pharmaceuticals, etc.	P
Manufacturing from previously prepared materials	P
assembling of appliances, etc.	P
Research and testing	P
Public Utility service yards	P
Painting, upholstering, etc.	P
Auto salvage and junk yards	S
Communication towers	S
Retail requiring outdoor storage	S
Auto and machinery assembly	S
Metal plating and buffering	S
Production or storage of goods	S
Blast furnaces, manufacturing, etc.	S
Residence for caretaker	S
Private trade schools	S
Mini storage facilities	S
Adult entertainment facilities	S
Private landing strips	S
Accessory uses and structures	P

PERMITTED USE - P
SPECIAL USE - S

- B. Hotels and motels.
- C. Bed and Breakfasts.
- D. Churches and religious institutions, including housing for religious personnel affiliated with the church or religious institution.
- E. Drive-in, drive-through, take-out, pick-up, and other forms of in-vehicle retail or service establishments including restaurants, financial institutions, dry cleaning businesses and similar facilities.
- F. Outdoor cafes and Standard Restaurants.
- G. Planned Unit Development.
- H. Automobile dealerships.
- I. Automobile car wash.
- J. Indoor commercial recreation facilities such as indoor theaters, bowling alleys, skating rinks, or similar uses.
- K. Offices and showrooms of plumbers, electricians, decorator, or similar trades in connection with which not more than twenty-five (25) percent of the floor area of the building or part of the building occupied by said establishment is used for making, assembling, remodeling, repairing, altering, finishing, or refinishing its products or merchandise, and provided that the ground floor premises facing upon, and visible from any abutting street shall be used only for entrances, offices, or display.
- L. Wholesale businesses handling candy, drugs, jewelry, novelties, professional barber and beauty supplies, office supplies, radio and television parts, tobacco, and similar products.
- M. Building supply and equipment, predominantly for retail sales.
- N. Private clubs and meeting halls.
- O. Veterinarian clinics.
- P. Standard Restaurants.
- Q. Storage of materials or goods for subsequent retail sale provided such storage is contained within a completely enclosed building or otherwise enclosed so as not to be visible to the public from a street.
- R. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.
- S. Open-air businesses including automobile, truck, and boat sales; nursery and landscape suppliesales; sale of lawn furniture, farm equipment, and playground equipment, and similar outdoor businesses.
- T. Automobile service stations minor and major.
- U. Funeral homes and mortuaries.
- V. Mini storage facilities.

- W. Hospitals and clinics.
 - X. Outdoor commercial recreation such as miniature golf courses and amusement parks but excluding golf courses and country clubs. Accessory uses to the above permitted uses such as refreshment stands, retail shops selling items related to the above uses, maintenance buildings, offices for management functions, spectator seating and service areas, and locker rooms and rest rooms.
 - Y. Private trade or commercial schools including, but not limited to dance studios, music and art Schools, and voice schools.
 - Z. Pet shop and sales.
 - AA. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.
 - BB. Other uses similar to the above uses provided the Planning Commission finds such use to be compatible with uses in the surrounding area.
4. **Site Development Requirements:** The following minimum and maximum standards shall apply to all uses and structures in the Central Business District unless otherwise modified by the provisions of Article 16, Specific Standards of Special Land Uses, Article 18, General Conditions, or as varied pursuant to Article 4, Zoning Board of Appeals.
- A. **Minimum Lot Area: No minimum requirement.**
 - B. **Minimum Lot Frontage and Lot Width:** No minimum requirement.
 - C. **Yard and Setback Requirements:**
 - 1. **Front Yard:** No minimum requirement.
 - 2. **Side Yard:** No side yard is required along an interior side lot line, otherwise five (5) feet minimum per yard and a combined total of twelve (12) feet, except those ten (10) feet shall be required on the street side of a corner lot or where a side yard abuts a residential zoning district.
 - 3. **Rear Yard:** Twenty (20) feet.
 - D. **Maximum Height:** Three (3) stories but not to exceed forty (40) feet.
 - E. **Maximum Lot Coverage:** No maximum requirement.
 - F. Applicable provisions of Article 19: Nonconforming Uses; Article 20: Access Control; Article 21: Off-Street Parking and Loading; Article 22: Signs; Article 23: Landscaping and Screening; Article 24: Environmental Standards, and other provisions of this Ordinance as may be applicable.

Article 12 INDUSTRIAL DISTRICT

Section 12.01 I: INDUSTRIAL DISTRICT

1. **Intent:** It is the intent of the industrial District to provide for a variety of manufacturing and other industrial uses that can be generally characterized as being of low intensity, including the absence of objectionable external affects such as noise and fumes. This district is also intended to accommodate commercial establishments not engaging primarily in retail sales. Such industrial areas should be free of incompatible uses and designed to avoid negatively impacting adjacent conforming uses. The Industrial District is intended to implement the Industrial Area component of the Village of Sterling Land Use Plan.

2. **Uses Permitted by Right:** The following are uses permitted by right when conducted in a permanent, fully enclosed building or an area enclosed and screened from external visibility beyond the lot lines of the parcel upon which the use is located:
 - A. Tool and die manufacturing establishments.

 - B. Plastic molding and extrusion.

 - C. Central dry-cleaning establishments.

 - D. Monument and art stone production.

 - E. Printing and publishing.

 - F. Building material sales yard, including retail lumber yards and incidental millwork; storage facilities for building materials, sand, gravel, stone, lumber, and contractor's equipment, warehousing, and wholesale establishments; storage and transfer establishments; distribution plants; parcel delivery service; and ice and cold storage plants.

 - G. Commercial uses not primarily involved in retail sales as a primary use, including but not limited to building material suppliers.

 - H. The manufacturing, compounding, processing, and packaging of drugs, perfumes, pharmaceuticals, toiletries, and condiments.

 - I. The manufacturing, compounding assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, zinc and aluminum pressure die casing, shell, textiles, tobacco, wood, yarns, and paint not requiring a boiling process.

 - J. Assembly of electrical appliances, electronic instruments and devices, radios, and phonographs, including the manufacture of small parts such as condensers, transformers, crystal holders, and the like.

 - K. Research offices and experimental, film or testing laboratories.

 - L. Public utility service yards, buildings, storage areas, and electrical receiving transforming station.

 - M. Painting, upholstering, rebuilding, conditioning, body, and fender work, repairing, tire recapping or retreading, and battery manufacture.

 - N. Uses similar to the above uses provided the Planning Commission finds such use to be compatible with uses in the surrounding area.

- O. Accessory uses and structures customarily incidental to and subordinate to the permitted principal use.

3. Special Land Uses Permitted by Special Approval:

- A. Automobile salvage and junkyards.
- B. Communication towers.
- C. Retail uses requiring outdoor storage areas such as lumber yards, building materials outlets, upholstery and cabinet making, and outdoor mobile home and motor vehicle sales.
- D. Automobile and other machinery assembly plants.
- E. Metal plating, buffing, and polishing.
- F. Production, processing, cleaning, servicing, testing, repair, or storage of materials, goods, or products.
- G. Any of the following uses provided that they shall be located not less than eight hundred (800) feet distant from any residential district and three hundred (300) feet distant from any other district: blast furnaces, steel furnaces, blooming and rolling mills, manufacturing of corrosive acid of alkali, cement, lime gypsum, or similar materials, and smelting.
- H. Residential quarters for a caretaker/security personnel, provided it is clearly accessory to the principal use, does not occupy more than four hundred (400) square feet of space, and does not violate any setbacks.
- I. Private trade or commercial schools including, but not limited to dance studios, music and art schools, and voice schools.
- J. Adult entertainment facilities.
- K. Mini storage facilities.

4. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the Industrial District unless otherwise modified by the provisions of Article 16, Standards for Special Land Uses; Article 18, General Conditions, or as varied pursuant to Article 4, Zoning Board of Appeals.

- A. **Minimum Lot Area:** No minimum requirement.
- B. **Minimum Lot Frontage and Lot Width:** No minimum requirement.
- C. **Yard and Setback Requirements:**
 - 1. **Front Yard:** Twenty-Five (25) feet.
 - 2. **Side Yards:** Ten (10) feet minimum for one (1) yard, and a minimum total of twenty (20) feet for both yards, except those twenty (20) feet shall be required on the street side of a corner lot or where a side yard abuts a residential zoning district.
 - 3. **Rear Yard:** Forty (40) feet.
- D. **Maximum Height:** Forty (40) feet.
- E. **Maximum Lot Coverage:** No maximum requirement.
- F. **Applicable provisions of Article 19:** Nonconforming Uses: Article 20: Access Control: Article 21: Off-Street Parking and Loading: Article 22: Signs: Article 23: Landscaping and Screening; Article 24: Environmental Standards, and other provisions of this Ordinance as may be applicable.