

East Bay Charter Township # 2

**GRAND TRAVERSE COUNTY PLANNING COMMISSION  
MASTER PLAN/ZONING REVIEW**

**TOWNSHIP:** East Bay Charter Township  
**AMENDMENT #:** RZ 1-08  
**DATE RECEIVED:** 8-19-08  
**PUBLIC HEARING:** 8-12-08  
**PRELIMINARY REVIEW:**

**MASTER PLAN:**   
**ZONING ORDINANCE**   
**TEXT**  **MAP**   
**MAP ATTACHED**   
**PUBLIC HEARING MINUTES:**

**CHANGE:** Amend zoning map to change the zoning designation of parcel 28-03-226-003-00 from Low Density Residential to Natural Area.

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**TOWNSHIP PLANNING COMMISSION RECOMMENDED TO TOWNSHIP BOARD:**

Approval

**COMMENTS:**

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**COUNTY PLANNING STAFF COMMENTS:**

Please see attached staff report.

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**COUNTY PLANNING COMMISSION ACTION:**

The County Planning Commission, at their September 16, 2008 meeting, concurred with the township planning commission recommendation of approval.

**COMMENTS FROM CPC ACTION:**

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**RETURNED TO TOWNSHIP (DATE/RECOMMENDATION):**

CLERK     PLANNING COMMISSION CHAIRPERSON     LOCAL PLANNER

**TOWNSHIP BOARD (DATE/ACTION):** \_\_\_\_\_

**EFFECTIVE DATE:** \_\_\_\_\_ **PUBLISHED:** \_\_\_\_\_

## **MEMORANDUM**

**TO:** East Bay Charter Township Board of Trustees

**FROM:** Leslie Couturier  
East Bay Charter Township  
D. Zoning Administrator

**DATE:** October 3, 2008

**RE: Zoning Ordinance Amendments**

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Attached are two amendments to the East Bay Charter Township Zoning Ordinance which have been recommended by the Planning Commission and are forwarded to County Planning in accord with the Zoning Enabling Act, prior to final adoption by the Township Board.

Both amendments relate to the existing campground facility at the east end of Hammond Road and one involves a zoning map amendment (rezoning) while the second involves a text change. As explained in the attached memos to the Planning Commission from our planning consultants, these two changes are consistent with the existing uses and the Township's Master Plan. They also remove the non-conforming status from the existing use, but will treat the use and any expansion of it as a special use, subject to greater scrutiny.

# Williams & Works

## MEMORANDUM

**TO:** Planning Commission  
East Bay Charter Township

**FROM:** Michael Clark  
Jay Kilpatrick, AICP

**DATE:** May 20, 2008

**RE:** **Zoning Ordinance Text Amendment Pertaining to Camps and Campgrounds**

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Pere Marquette Recreation (dba Timber Ridge RV and Recreation Resort) at 4050 Hammond Road, has requested consideration of an amendment to the Township's Zoning Ordinance to include Campgrounds and RV Parks as a listed use in the Natural Area Districts. As directed, this matter is scheduled for public hearing at the June 6<sup>th</sup> Meeting.

Currently, the existing campground is a legal, nonconforming use located in the NA and LDR districts. Under Section 201 of the Zoning Ordinance, any extension of the existing facility requires approval of the ZBA. The applicant suggests that Campgrounds and RV Parks be included in the permitted or special uses listing for the NA district, limited to parcels of 40 acres or greater.

"Camps and Campgrounds" are a permitted use only in the Lakes Area district, however the term "Camps and Campgrounds" is not defined in the Ordinance. Additionally, if camps and campgrounds were added to the Natural Areas District as a special land use, it would offer the opportunity to establish additional standards to prevent a proliferation of the use and to mitigate impacts on neighboring properties.

We have prepared an amendment to Section 1404 to define "Camps and Campgrounds" and to remove the term "Camps, Recreational", which is not a listed use within the ordinance. We have also included the amendments to Sections 303, the Use Table and Section 407, Natural Area District. A new Section 646 is proposed to establish standards to regulate Camps and Campgrounds in the Natural Area District

c: Leslie Couturier  
Zoning Administrator

**East Bay Charter Township  
Grand Traverse County**

**Ordinance # 3-08**

**AN ORDINANCE TO AMEND SECTION 303, – LAND USE TABLE; SECTION 407 – NATURAL AREA DISTRICT; AND 1404 DEFINITIONS ‘C’; AND CREATE SECTION 646 CAMPS AND CAMPGROUNDS, OF THE EAST BAY CHARTER TOWNSHIP ZONING ORDINANCE.**

**EAST BAY CHARTER TOWNSHIP HEREBY ORDAINS:**

- 1. SECTION 303 IS HEREBY AMENDED TO READ AS FOLLOWS:**

## SECTION 303

## LAND USE TABLE

Table 3-1 Table of Land Uses summarizes the applicable regulatory standards for the land uses governed under this Zoning Ordinance. It is provided for expeditious reference. However, it should not be substituted for careful reference to the specific language of this ordinance.

**EAST BAY TOWNSHIP**  
**Table 3-1 Uses Permitted by Right and Special Land Use Permit**

(R=Use by Right; SLU=Use Permitted as Special Land Use; \* Indicates districts in which certain uses do not require site plan review)

USES	LDR	MDR	HDR	MHC	RR	LB	VC	RB	PO	IND	AG	LA	BR	NA
Accessory Bldg. ≤ footprint principal structure	R*		R	R	R*	R	R	R	R	R	R*	R*	R*	R*
Accessory Bldg. > footprint principal structure	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU
Accessory Uses, Rel. to uses permitted by right						R*		R*	R	R	R	R	R	R
Adult Businesses								SLU						
Agricultural Service Establishment											SLU			
Airport											SLU			
Animals					R						R			
Antique Store							R	R						
Appliance, repair and sales						R	R							
Architecture, Design & Engineering										R				
Bakery or Confectionery Shop							R							
Bank						R	R		R					
Bed & Breakfast		SLU	SLU	SLU	R		SLU				SLU	SLU		
Billboards								SLU						
Boat, Motor Sales & Repair												SLU		
Book Store							R							
Building, Electrical, Mechanical & Plumbing							SLU			R				
Cabin Courts													R	
Camps and Campgrounds													R	SLU
Car Wash, connected to public sewer						R	SLU	SLU						
Cemeteries	SLU										SLU			
Civic Club											SLU			
Combinations of Uses							SLU	R/SLU	R/SLU					
Commercial agriculture											R			

**Table 3-1 Uses Permitted by Right and Special Land Use Permit**

(R=Use by Right; SLU=Use Permitted as Special Land Use; \* Indicates districts in which certain uses do not require site plan review)

USES	LDR	MDR	HDR	MHC	RR	LB	VC	RB	PO	IND	AG	LA	BR	NA
Commercial Establishments w/ Drive-Thru						SLU		SLU						
Commercial Recreation, assoc. w/ residential														
Commercial Recreation, skiing, golf						SLU				R				
Construction Equip. Sales & Supplies								R						
Convenience Store, excluding fuel service														
Day Care, Group 7-12 children	SLU	SLU	SLU	SLU	SLU	SLU	R				SLU			
Day Care Center or Child Care Center			SLU	SLU		SLU	SLU	R						
Drug Store								R						
Dwelling, 2-fam. in Windcrest Hills, Earlington Hills and Chateau Heights Plats	R													
Dwelling, multiple		R	R	R			R	SLU						
Dwelling, single family detached	R*	R*	R*	R*	R*	SLU	R				R*	R*	R*	R*
Education Facilities	SLU	SLU	SLU	SLU	SLU	SLU	SLU			R	SLU			
Fabrication & Assembly														
Farm, operations and farm buildings							SLU	SLU			R			
Fitness Center										SLU				
Floral Shop							R							
Forestry & Wildlife Management													R	R
Foster Care, Adult (7-12 residents)		SLU	SLU	SLU	SLU						R			
Foster Care, Adult (13+ residents)			SLU	SLU		SLU					SLU			
Galleries, art, craft and hobby stores							R							
Gasoline Station						R	R							
Gift & Souvenir Shop							R	R						
Golf Courses, and related accessory uses	R													
Gravel Pit											R			
Greenhouses & Nurseries					R		R				SLU			
Grocery Store, without gasoline pump						R	R	R			R			
Grouped Housing, multi-family		R	R	R										
Hardware Store						R	R							
Home Occupation	R	R	R	R	R		R						R	R
Hotels & Motels											R	R	R	R
Industrial Clustered Sub-Division							SLU	R		R				
Jewelry Store								R						

**Table 3-1 Uses Permitted by Right and Special Land Use Permit**

(R=Use by Right; SLU=Use Permitted as Special Land Use; \* Indicates districts in which certain uses do not require site plan review)

USES	LDR	MDR	HDR	MHC	RR	LB	VC	RB	PO	IND	AG	LA	BR	NA
Keeping of Horses												R	R	R
Kennels & Animal Clinic											R			
Laboratories										R				
Laundry & Dry Cleaning Establishment						SLU		SLU						
Lodging and Boarding House			R	R										
Manufactured Housing Community				R										
Manufacturing & Processing										R				
Marinas, uses incidental thereto								R						
Mini-Warehouse, Self-Store 8K sq ft, or less			SLU	SLU	SLU	SLU				R	SLU	SLU		
Mini-Warehouse, more than 8K sq ft										R				
Mortuary									SLU					
Neighborhood Local Business												SLU		
Nursing Home			R	R										
Office Clustered Sub-Division									R					
Outdoor storage, up to 4 Recreation Vehicles					R					R		R*	R*	R*
Packaging, Canning & Bottling														
Party, Drugs and Notions Store						R		R						
Permanent Docks												R		
Personal Services						R	R	R						
Personal Wireless Communication Facilities						SLU		SLU	SLU	SLU	SLU	SLU	SLU	SLU
Photographic, developing, sales & supplies								R						
Places of Public Assembly, Large and Small	SLU	SLU	SLU	SLU	SLU	R	R	R			SLU			
Planned Unit Development	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU
Printing, Publishing & Allied Industries										R				
Professional Offices						R	R	R	R	R				
Public Parks	R	R	R	R	R			R	R	R	R	R	R	R
Public Recreational Facility, excluding carnival								R						
Publicly Owned Bldgs, exchanges, util. Offices									R					
Purchase of Development Rights (PDR)					R						R		R	R
Recreation Facilities								R						
Recreation, accessory to industry										R				
Research, Development & Testing										R				



**Table 3-1 Uses Permitted by Right and Special Land Use Permit**

(R=Use by Right; SLU=Use Permitted as Special Land Use; \* Indicates districts in which certain uses do not require site plan review)

USES	LDR	MDR	HDR	MHC	RR	LB	VC	RB	PO	IND	AG	LA	BR	NA
Restaurant						R	R	R						
Retail Sales in Industrial Developments										SLU				
Roadside Stands											R			
Seasonal Merchandise Sales							R							
Shore Improvements												R*		
Shore Structures												R*		
Showroom for Office & Building Trades						R				R				
Sporting, Recreation & Bicycle Shop								R						
Studio for performing and graphic arts							R							
Subdivision, Plat or Condominium – Residential	R	R	R	R	R						R	R	R	R
Subdivision – Cluster, Plat or Condominium – Residential	R	R	R	R	R						R	R	R	R
Subdivision, Plat or Condominium – Commercial						R		R						
Subdivision - Cluster, Plat or Condominium – Commercial						R		R						
Subdivision, Plat or Condominium – Industrial										R				
Subdivision – Cluster, Plat or Condominium – Industrial										R				
Subdivision, Plat or Condominium – Office									R					
Subdivision – Cluster, Plat or Condominium – Office									R					
Temporary Docks													R	R
Township Uses	SLU						R						R	
Uses Similar to Uses Permitted by Right						R		R	R					
Utility Sub-Stations											R			
Vehicle Repair Facilities										SLU				
Video Store						R	R	R						
Walkways, elevated, open or enclosed								R						
Warehousing, products produced on premises								R		R				
Wearing Apparel, Accessory & Shoe Store						R	R	R						

**2. SECTION 407, 1, IS HEREBY AMENDED TO READ AS FOLLOWS:**

**SECTION 407 NATURAL AREA DISTRICT, NA**

1. **INTENT.** This district is intended to establish and maintain a low intensity residential and recreational environment predominantly for single family dwellings in the natural woodlands, forests and non-agricultural areas of the Township.

**PERMITTED USES**

- ◆ Accessory uses related to uses permitted by right
- ◆ Accessory buildings with floor area less than or equal to the footprint of the principal structure \*
- ◆ Dwelling, detached single family \*
- ◆ Subdivisions, and condominium subdivisions, clustered or traditional subject to Sections 226, 222 and the Subdivision Control Ordinance.
- ◆ Forestry and Wildlife Management
- ◆ Home Occupations, subject to Section 217\*
- ◆ Keeping of horses\*
- ◆ Outdoor storage of up to 4 R.V.s\*
- ◆ Public parks
- ◆ Purchase of Development Rights
- ◆ Temporary Docks\*
- ◆ Public parks

\* Denotes uses that do not require site plan review. All such uses shall, however, be subject to the requirements for the issuance of a Land Use Permit.

**SPECIAL LAND USES**

- ◆ Accessory buildings with floor area greater than the footprint of the principal structure
- ◆ Personal Wireless Communication Facilities
- ◆ Planned Unit Developments, subject to Section 637
- ◆ Camps and Campgrounds, subject to Section 646

**ADDITIONAL STANDARDS**

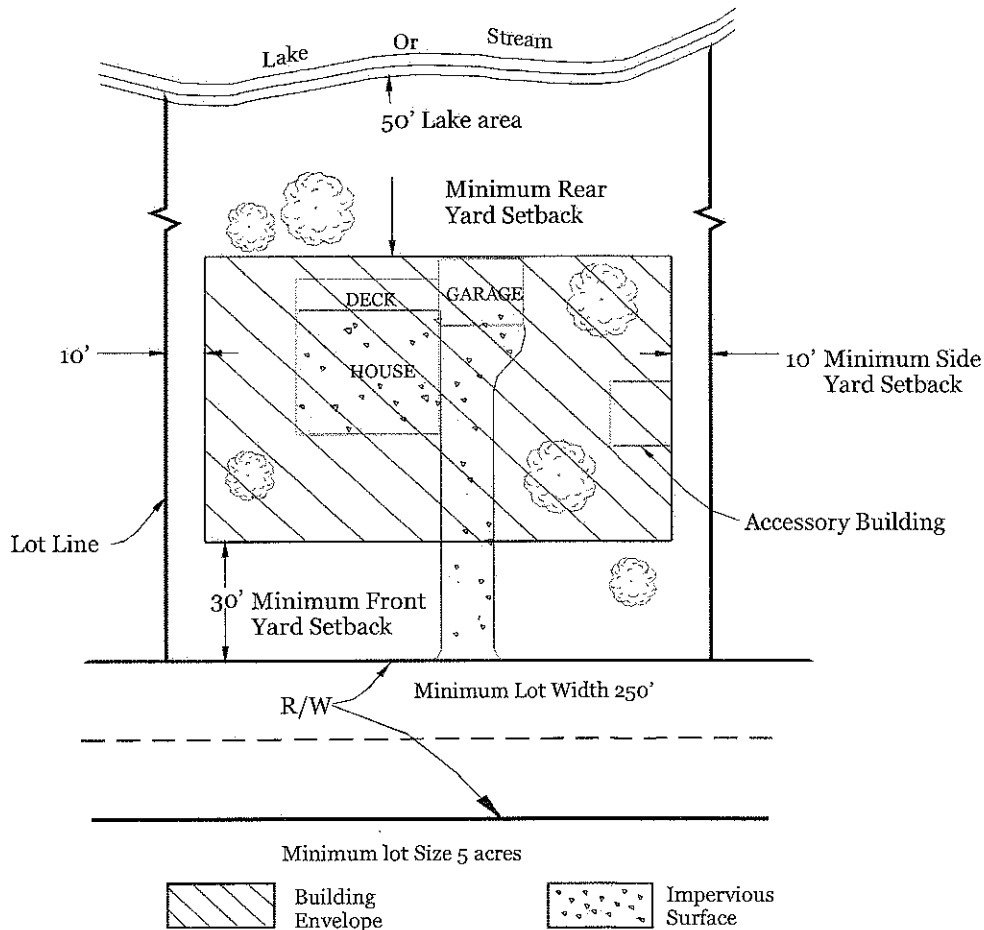
- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory buildings with floor area less than or equal to the footprint of the principal structure, detached single family dwellings, keeping of horses, outdoor storage of up to 4 R.V.s and temporary docks.
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229

## DISTRICT REGULATIONS

<b>Minimum Lot Area:</b>	5 acres	<b>Minimum Lot Width:</b>	250 ft
<b>Maximum Dwelling Units/Acre</b>	0.2	<b>Maximum Building Height</b>	2½ stories,
	or 35'		
<b>Minimum Building Setbacks (a)</b>		<b>Maximum Lot Coverage</b>	N/A
Front	30 ft.	<b>Minimum Living Space Dimensions</b>	
24' x 24'			
Side	10 ft. (each side)	<b>Minimum Floor Area</b>	768 sq. ft. One
family			
Rear	35 ft. (b)		

- (a) Where a lot adjoins or is intersected by a lake, stream, drainage way or other body of water, any structure located thereon shall be set back a minimum of 50 feet from said water, except on the Boardman River where the minimum setback shall be 150 feet on those portions of the river upstream from the Brown Bridge Dam and 100 feet on those portions of the river downstream from the Brown Bridge Dam and on Mitchell and Baker Creeks where the minimum setback shall be 100 feet.
- (b) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay.

## NA DISTRICT



**3. SECTION 407, 3, IS HEREBY AMENDED TO READ AS FOLLOWS:**

3. SPECIAL LAND USES and ACTIVITIES ELIGIBLE for APPROVAL CONSIDERATION in accord with the provisions of Article VI of this Zoning Ordinance and subject to the requirements of Section 820 Site Plan Review.
  - a. Accessory buildings where the area of the footprint of the accessory building is greater than that of the principal structure on the parcel, subject to the provisions of Section 603.
  - b. Personal wireless communication facilities, subject to the provisions of Section 634.
  - c. Planned unit developments subject to the provisions of Section 637
  - d. Camps and Campgrounds subject to the provisions of Section 646

**4. SECTION 646 IS HEREBY ADDED TO READ AS FOLLOWS:**

**SECTION 646 CAMPS AND CAMPGROUNDS**

1. DEFINITION: An area or establishment intended to contain temporary or permanent buildings, tents, recreational vehicles such as motor homes or camper trailers, or other structures established or maintained as temporary living quarters, usually operated during the summer for recreation, religious, education, or vacation purposes.
2. REGULATIONS AND CONDITIONS.
  - a. Camps and campgrounds shall only be placed on parcels of 40 acres or greater.
  - b. Individual camp sites, accessory buildings and similar features shall be isolated from surrounding single-family residential uses or similar camps and campground uses.
  - c. Camps and campgrounds shall comply with site design standards set forth by the Michigan Department of Environmental Quality.
  - d. Campgrounds shall obtain and maintain any required state licensing.
  - e. When applicable, camps and campgrounds shall comply with all requirements of the Grand Traverse County Health Department.

**5. SECTION 1404 IS HEREBY AMENDED TO READ AS FOLLOWS:**

**SECTION 1404 C**

CAMPS AND CAMPGROUNDS: An area or establishment intended to contain temporary or permanent buildings, tents, recreational vehicles such as motor homes or camper trailers, or other structures established or maintained as temporary living

quarters, usually operated during the summer for recreation, religious, education, or vacation purposes.

CAR WASH. A building and equipment used for the commercial washing, waxing, detailed cleaning of the interior and exterior of automobiles and trucks for the general public. Such facilities shall include self-wash, automated and hand wash facilities, as well as any combination thereof.

CEMETERIES. Privately owned property which guarantees perpetual care of grounds used solely for the interment of deceased human beings or customary household pets.

CENTRAL SEWER SYSTEM: A sewer system designed to East Bay Township's specifications and approved by the appropriate health department that provides service, or which will provide service to all structures within a specific development.

CENTRAL WATER SYSTEM: A water system designed to East Bay Township's specifications and approved by the appropriate health department that provides service, or which will provide service to all structures within a specific development.

CLINIC: An establishment where patients who are not lodged overnight are admitted for examination and treatment by a physician or a group of physicians practicing medicine, osteopathy, dentistry, or chiropractic.

COMMERCIAL AGRICULTURE: The use of land and/or structures for the growing and/or production of farm products for income.

COMMERCIAL ESTABLISHMENT WITH DRIVE THROUGH. A commercial business or establishment, other than a Car Wash as defined herein, which offers any goods or services dispensed through a window, doorway or opening of any kind to patrons that remain in their personal vehicles while the transaction is taking place.

COMPREHENSIVE PLAN: The Comprehensive Plan of East Bay Township as amended from time to time, prepared in accord with Act 168 of the Public Acts of 1959, as amended.

CONDOMINIUM PROJECT: A plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act (Act 59, 1978).

CONDOMINIUM SUBDIVISION: A division of land on the basis of condominium ownership, which is not subject to the provisions of the Subdivision Control Act of 1967 (P.A. 288 of 1967, as amended) but is subject to the requirements of the Condominium Act, Act 59 of 1978, as amended.

CONDOMINIUM SUBDIVISION PLAN: The drawings attached to the master deed for a condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location and size of common elements.

CONDOMINIUM UNIT: That portion of a condominium project or site condominium subdivision which is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a "condominium unit" also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot". for purposes of determining compliance of a condominium subdivision with provisions of this Ordinance pertaining

to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.

CONSTRUCTION EQUIPMENT SALES AND SERVICE. Buildings and outdoor storage areas associated with the operation of a business storing and marketing materials and equipment to the general public and to construction companies, including the outdoor storage of equipment, vehicles, trailers, materials and machinery.

- 6. **SEVERABILITY:** If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.
  
- 7. **EFFECTIVE DATE:** This ordinance shall be effective eight (8) days after its publication in a newspaper of general circulation within East Bay Township.

***CHARTER TOWNSHIP OF EAST BAY***

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Glen Lile, Supervisor

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Susanne Courtade, Clerk

Published Date: \_\_\_\_\_, 2008

Effective Date: \_\_\_\_\_, 2008