

Chapter 4 ZONING DISTRICTS AND BOUNDARIES

SECTION 4.1 ZONE DISTRICTS

For the purposes of this Ordinance, the Village of Fowler is hereby divided into the following Zone Districts:

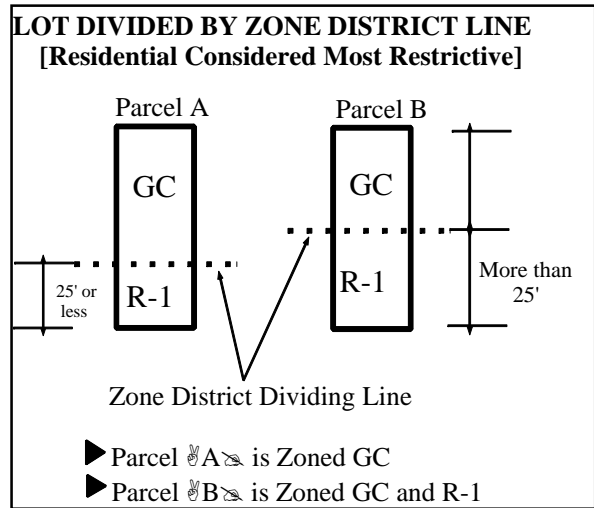
Zoning Ordinance Chapter	Zoning District Name	District Symbol
5	Single-Family Residential	R-1
6	Single, Two & Multiple Family Residential	R-2
7	Central Business District	C-1
8	General Commercial	C-2
9	Industrial	I
10	Planned Unit Development	PUD

SECTION 4.2 ZONE DISTRICT MAP

- A. **Boundaries** - The boundaries of the districts identified in this Chapter are hereby established as shown on a map entitled "The Zoning Map of the Village of Fowler, Michigan" which accompanies this Ordinance and is made a part of this Ordinance. Except where referenced on said map to a street line, water body, or other designated line by dimensions shown on said map, the district boundary lines follow lot lines or the center lines of streets or alleys or railroad rights-of-way as they existed at the time of adoption of this Ordinance.
- B. **Boundary Interpretation** - Matters of interpretation concerning the exact location of district boundary lines shall be determined by the Zoning Administrator.

SECTION 4.3 LOT DIVIDED BY ZONE DISTRICT BOUNDARY LINE

Where a district boundary line, as established in this Ordinance or as shown on the Zoning Map, divides a lot or lots in common ownership and of record at the time of enactment of this Ordinance the **least** restrictive use shall be considered as extending to the entire lot, if the more restrictive portion of such lot is entirely within twenty-five (25) feet or less of said dividing district boundary line. The use so extended shall be deemed to be conforming. If the more restrictive portion of the lot is not entirely within twenty-five (25) feet of said dividing district boundary line, the various portions of the lot shall be zoned according to the underlying zone district classifications.



SECTION 4.4 ZONING OF ANNEXED AREAS

- A. Whenever any area is annexed into the Village of Fowler, one of the following rules shall apply:
 1. Land zoned previous to annexation shall be a district of the class to which it most nearly conforms under this Ordinance. The Planning Commission shall recommend the classification to the Village Council, who shall determine by resolution the zoning classification into which the property will be placed.
 2. Land not zoned prior to annexation shall be automatically classified as a PUD in a District of the class to which it most nearly conforms under the Ordinance. This shall be determined by the Planning Commission and shall remain in effect until a Zoning Map for the area has been adopted by the Village Council. The Planning Commission shall recommend appropriate zoning districts for such area within three (3) months after Village Council has referred the matter to the Commission.

SECTION 4.5 ZONING OF VACATED AREAS

Whenever all or part of a street, alley or other public way is vacated, it shall automatically become a part of the District to which it attaches. If a vacated area is bordered by two (2) different Districts, the area is divided along a line half way between them according to the adjacent zone, unless the Village Council shall otherwise designate.

SECTION 4.6 ZONE DISTRICTS AND DISTRICT STANDARDS

Zone districts and district standards are enumerated and described in Chapters 5 through 10.

Chapter 5

R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

SECTION 5.1 INTENT

This District is intended to provide a low-density, single family residential living environment and to foster stable, high quality neighborhoods. At the same time the regulations for this district recognize the need to preserve existing housing stock, allow the full development of older subdivisions, and provide new quality housing. Certain non-residential uses are allowed to further the stability of residential neighborhoods.

SECTION 5.2 PERMITTED USES

Land and/or buildings in the R-1 District may be used for the following purposes by right:

- A. Single-family detached dwellings.
- B. Day care, family homes.
- C. State licensed residential family care facilities.
- D. Home occupations, in accordance with the General Provisions stated in Chapter 3.
- J. Public parks.
- F. Farms.
- G. Accessory buildings, structures, and uses (to the Permitted and Special Land Uses).

SECTION 5.3 SPECIAL LAND USES

Land and/or buildings in the R-1 District may be used for the following purposes when approved by the Planning Commission in accordance with the requirements of the Special Land Use Chapter:

- A. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- B. Private, non-commercial or institutional recreation parks and recreation centers.
- C. Golf courses.
- D. Schools.
- E. Bed and breakfast inns.
- F. Hospitals, including associated offices and related uses, such as pharmacies, clinics, and other similar uses integral to such use.
- G. Nursing, or convalescent homes.
- H. Churches, synagogues, temples, and other religious places of worship.
- I. Lodges, and private clubs.
- J. Governmental buildings and libraries.
- K. State licensed residential group facilities.
- L. Cemeteries.
- M. Two family dwellings when approved as a Special Land Use and developed as part of a Planned Unit Development under Chapter 10. [AMENDED 3/10/08]

SECTION 5.4 SITE DEVELOPMENT REQUIREMENTS

All Permitted Uses and Special Land Uses are subject to the following Site Development Requirements:

- A. Site Plan Review is required in accordance with Chapter 11.
- B. Landscaping and screening are required in accordance with Chapter 13.
- C. Applicable General Provision of Chapter 3.
- D. Parking is required in accordance with Chapter 14.
- E. Signs are permitted in accordance with the requirements of Chapter 15.
- F. Unless not required by any other Ordinance, sidewalks shall be constructed on all sides of the property abutting a public street, in accordance with Village standards. The Planning Commission may waive the requirement for a sidewalk when, in the opinion of the Commission, no purpose would be served by the sidewalk.
- G. Setbacks, height, area, and lot dimensions are required as noted below.

Residential Buildings	District Regulations
Minimum lot area	7,500 square feet
Minimum lot width	75 feet
Maximum height	35 feet (2-1/2 stories)
Front yard setback	25 feet
Side yard setback	10 feet (each side)
Rear yard setback	35 feet
Minimum floor area	1,200 square feet (per unit)
Minimum floor area on ground floor if greater than one story	800 square feet
Maximum lot coverage (includes accessory buildings)	35%

Non-Residential Buildings	District Regulations
Minimum lot area	10,000 square feet
Minimum lot width	75 feet
Maximum height	35 feet (2-1/2 stories)
All yard setbacks	Same as for residential buildings or equal to height of main building, whichever is greater.
Maximum lot coverage	35%

Chapter 6

R-2 SINGLE, TWO, AND MULTIPLE FAMILY RESIDENTIAL DISTRICT

SECTION 6.1 INTENT

This District is intended to provide additional variety in housing opportunities and choices. The R-2 District should also provide high-quality residential dwellings. The regulations for this district recognize the need to provide affordable housing opportunities. Non-residential uses are only allowed to the extent that they serve to improve this residential district.

SECTION 6.2 PERMITTED USES

Land and/or buildings in the R-2 District may be used for the following purposes by right:

- A. Single-family detached dwellings.
- B. Two-family dwellings, including conversions of single family dwellings to two family dwellings.
- C. Public parks.
- D. Day care, family homes.
- E. State licensed residential family care facilities.
- F. Home occupations, in accordance with the General Provisions of Chapter 3.
- G. Accessory buildings, structures, and uses (to the Permitted and Special Land Uses).
- H. Manufactured Home parks.

[AMENDED 3/10/08]

SECTION 6.3 SPECIAL LAND USES

Land and/or buildings in the R-2 District may be used for the following purposes when approved by the Planning Commission in accordance with the requirements of the Special Land Use Chapter:

- A. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- B. Private, non-commercial, institutional or community recreation parks and recreation centers.
- C. Schools.
- D. Bed and breakfast inns.
- E. Hospitals, including associated offices and related uses, such as pharmacies, clinics, and other similar uses integral to such use.
- F. Nursing or convalescent homes.
- G. Churches, synagogues, temples and other similar places of religious worship.
- H. Lodges, and private clubs.
- I. Governmental buildings and libraries.
- J. State licensed residential group facilities.

- K. Day care, group homes.
- L. Funeral Homes.
- M. Cemeteries.
- N. Multiple Family Dwellings [AMENDED 3/10/08]

SECTION 6.4 SITE DEVELOPMENT REQUIREMENTS

All Permitted Uses and Special Land Uses are subject to the following Site Development Requirements:

- A. Site Plan Review is required in accordance with Chapter 11.
- B. Landscaping and screening are required in accordance with Chapter 13.
- C. Applicable General Provisions of Chapter 3.
- D. Parking is required in accordance with Chapter 14.
- E. Signs are permitted in accordance with the requirements of Chapter 15.
- F. Unless not required by any other Ordinance, sidewalks shall be constructed on all sides of the property abutting a public street, in accordance with Village standards. The Planning Commission may waive the requirement for a sidewalk when, in the opinion of the Commission, no purpose would be served by the sidewalk.
- G. Setbacks, height, area, and lot dimensions are required as noted below.

Residential Buildings - Single and Two Family Dwellings	District Regulations
Minimum lot area	7,500 square feet per dwelling unit
Minimum lot width	75 feet
Maximum height	35 feet (2-1/2 stories)
Front yard setback	25 feet
Side yard setback	10 feet (each side)
Rear yard setback	35 feet
Minimum floor area	800 square feet (per dwelling unit)
Minimum floor area on ground floor if greater than one story	720 square feet
Maximum lot coverage (includes accessory buildings)	35%

Residential Buildings - Multiple Family Dwellings	District Regulations
Minimum lot area	10,000 square feet
Maximum density*	12 dwelling units per acre*
Maximum height	35 feet (2-1/2 stories)
Front yard setback	25 feet, or equal to the height of the main building, whichever is greater
Side yard setback	15 feet (each side), or equal to the height of the main building, whichever is greater
Rear yard setback	35 feet
Minimum floor area	1 bedroom - 600 square feet 2 bedrooms - 720 square feet 3 bedrooms - 850 square feet 4 bedrooms - 1,000 square feet
Distance between buildings	25 feet, or equal to the height of the tallest building, whichever is greater
Maximum building length	120 feet
Maximum lot coverage (includes accessory buildings)	40%

* The area used for computing density shall be the total site area exclusive of any dedicated public right-of-way of either interior or abutting streets.

Non-Residential Buildings	District Regulations
Minimum lot area	10,000 square feet
Minimum lot width	80 feet
Maximum height	35 feet (2-1/2 stories)
All yard setbacks	Same as for residential buildings or equal to height of main building, whichever is greater
Maximum lot coverage (includes accessory buildings)	35%

Chapter 7

C - 1 CENTRAL BUSINESS DISTRICT

SECTION 7.1 INTENT

This District is intended to provide a wide range of goods and services to residents of Fowler as well as surrounding areas in a downtown setting. This District is characterized by a compact shopping area with on-street, municipal, and private parking areas. Emphasis is placed on pedestrian safety, convenient access, and ease of vehicular circulation.

SECTION 7.2 PERMITTED USES

Land and/or buildings in the C-1 District may be used for the following purposes by right:

- A. Office buildings for any of the following occupations:
 - 1. Executive, administrative, professional, designers, accounting, drafting, and other similar professional and service activities.
 - 2. Medical, optical, dental, and veterinary offices and clinics.
- B. Banks, credit unions, savings and loan associations, and other similar uses, excluding those with drive-through facilities.
- C. Personal service establishments conducting services on the premises, such as barber, beauty shops, shoe repair, tailoring and dry cleaning, fitness centers, travel agencies, and other similar uses.
- D. Restaurants, excluding those with drive through facilities.
- E. Coin operated laundries.
- F. Governmental buildings, libraries, and public parks.
- G. Retail businesses conducting business entirely within an enclosed building.
- H. Existing residential uses, subject to the setback requirements of the R-1 district.
- I. Bed and breakfast inns.
- J. Accessory buildings, structures, and uses (to the Permitted and Special Land Uses).

SECTION 7.3 SPECIAL LAND USES

Land and/or buildings in the C-1 District may be used for the following purposes when approved by the Planning Commission in accordance with the requirements of the Special Land Use Chapter:

- A. Open air businesses.
- B. Restaurants with drive through facilities.
- C. Banks, credit unions, savings and loan associations, and other similar uses with drive-through facilities.
- D. Vehicle service, towing, and repair facilities. [AMENDED 8/11/08]
- E. Vehicle service and repair facilities.
- F. Churches, synagogues, temples and other similar places of religious worship.
- G. Residential dwellings above retail businesses.

- H. Indoor theaters and commercial recreation centers, such as bowling alleys, skating rinks, and other similar uses.
- I. Hotels and motels.
- J. Schools.
- K. Lodges and private clubs.

SECTION 7.4 SITE DEVELOPMENT REQUIREMENTS

All Permitted Uses and Special Land Uses are subject to the following Site Development Requirements:

- A. Site Plan Review is required in accordance with Chapter 11.
- B. Landscaping and screening are required in accordance with Chapter 13.
- C. Applicable General Provisions of Chapter 3.
- D. Parking is required in accordance with Chapter 14. No parking or material storage shall be permitted in the front yard unless approved by the Planning Commission as part of a site plan review. [AMENDED 8/11/08]
- E. Signs are permitted in accordance with the requirements of Chapter 15.
- F. Unless not required by any other Ordinance, sidewalks shall be constructed on all sides of the property abutting a public street, in accordance with Village standards.
- G. Setbacks, height, area, and lot dimensions are required as noted below unless greater setbacks are required by the Landscape Chapter.

C-1 DISTRICT REGULATIONS	
Minimum lot size	Commercial uses - 2,000 square feet; Mixed residential uses - 2,000 square feet; Residential uses - 7,500 square feet.
Minimum lot width	None required
Maximum height	35 feet
Front setback	None except for corner lots (see general provisions) and existing residential uses (use R-1 standards)
Side setback	None required - see Landscape Chapter
Rear setback	25 feet
Maximum lot coverage (includes accessory buildings)	Residential uses - 35%

Chapter 8

C - 2 GENERAL COMMERCIAL DISTRICT

SECTION 8.1 INTENT

This District is intended to provide a wide range of goods and services to the residents of Fowler as well as surrounding areas. These uses will generally be more intensive and less compatible with residential uses. These uses will have appropriate signs, adequate lighting levels, attractive landscaping, and convenient parking areas. Special attention will be given to the location of access points and other traffic and pedestrian conditions to ensure that such businesses are operated in a safe and efficient manner. Where possible, access points, parking areas, and other common features will be combined to serve more than one business.

SECTION 8.2 PERMITTED USES

Land and/or buildings in the C-2 District may be used for the following purposes by right:

- A. All permitted uses in the C-1, including accessory buildings, structures and uses.
- B. Existing residential uses, subject to the setback requirements of the R-1 district.

SECTION 8.3 SPECIAL LAND USES

Land and/or buildings in the C-2 District may be used for the following purposes when approved by the Planning Commission in accordance with the requirements of Chapter 16:

- A. All special land uses allowed in the C-1 District and:
- B. Open air businesses, including building materials, supplies, and similar uses.
- C. Vehicle wash establishments.
- D. Commercial storage warehouse.
- E. State licensed residential group facility.
- F. Nursing or convalescent homes.
- G. Veterinary hospital, clinic & indoor kennels.
- H. Day care, group or commercial.
- I. Greenhouses or nurseries.

SECTION 8.4 SITE DEVELOPMENT REQUIREMENTS

All Permitted Uses and Special Land Uses are subject to the following Site Development Requirements:

- A. Site Plan Review is required in accordance with Chapter 11.
- B. Landscaping and screening are required in accordance with Chapter 13.
- C. Applicable General Provisions of Chapter 3.
- D. Parking is required in accordance with Chapter 14. No parking or material storage shall be permitted in the front yard unless approved by the Planning Commission as part of a site plan review. [AMENDED 8/11/08]

- E. Signs are permitted in accordance with the requirements of Chapter 15.
- F. Unless not required by any other Ordinance, sidewalks shall be constructed on all sides of the property abutting a public street, in accordance with Village standards. The Planning Commission may waive the requirement for a sidewalk when, in the opinion of the Commission, no purpose would be served by the sidewalk.
- G. Setbacks, height, area, and lot dimensions are required as noted below unless greater setbacks are required by the Landscape Chapter.

C-2 DISTRICT REGULATIONS	
Minimum lot area	10,000 square feet
Minimum lot width	100 feet
Maximum height	35 feet (2-1/2 stories)
Front yard setback	25 feet - see Landscape Chapter
Side yard setback	15 feet (each side) see Landscape Chapter
Rear yard setback	25 feet - see Landscape Chapter
Maximum lot coverage	40% - does not include parking and landscaping

Chapter 9

I - INDUSTRIAL DISTRICT

SECTION 9.1 INTENT

This District is intended to provide exclusive areas for industrial uses in areas served by adequate infrastructure. Uses in this District are to provide for various types of light industrial and manufacturing uses, wholesale businesses, warehouses, and other uses compatible with one another and with surrounding land uses and with an absence of objectionable external effects. These uses are characterized by moderate lot coverage, adequate setbacks, environmental sensitivity, and creative site design. The regulations are defined to exclude uses which would have a detrimental effect upon the orderly development and functioning of the District, as well as surrounding land uses.

SECTION 9.2 PERMITTED USES

Land and/or buildings in the I District may be used for the following purposes by right:

- A. Industrial plants manufacturing, compounding, processing, packaging, treating, or assembling the following:
 - 1. Agricultural products, including but not limited to, the production in greenhouses of flowers, plants, shrubs, trees, or other similar living products.
 - 2. Food and kindred products including meat, dairy, fruit, vegetable, seafood, bakery, confectionery, beverage, and similar products (but not including slaughtering of animals, or rendering or refining of fats and oils).
 - 3. Furniture and fixtures.
 - 4. Printing, publishing, and allied industries.
 - 5. Electrical machinery, equipment and supplies, electronic components and accessories.
 - 6. Engineering, measuring, optical, medical, scientific, photographic, and similar instruments and goods.
 - 7. Cut stone and stone products related to monuments.

- B. Industrial plants manufacturing, compounding, processing, packaging, treating, or assembling materials or products from previously prepared materials including the following:
 - 1. Textile mill products, including woven fabric, knit goods, dyeing and finishing, floor coverings, yard and thread, and other similar products.
 - 2. Apparel and other finished products including clothing, leather goods, furnishing and canvas products.
 - 3. Lumber and wood products including mill work, prefabricated structural work products and containers.
 - 4. Paper and paperboard containers and products.
 - 5. Biological products, drugs, medicinal chemicals and pharmaceutical preparations.

6. Glass products.
 7. Jewelry, silverware and plated ware, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils, and other office and artist supplies and materials, notions, signs, and advertising displays.
 8. Pottery, figurines, and other ceramic products using only previously pulverized clay.
 9. Fabricated metal products, except heavy machinery and transportation equipment.
- C. Wholesale businesses, including automotive equipment, drugs, chemicals, dry goods, apparel, food, farm products, electrical goods, hardware, machinery, equipment, metals, paper products and lumber.
 - D. Warehousing, refrigerated and general storage.
 - E. Laundries, laundry services, and dry cleaning and dyeing plants, excluding retail/service outlets serving the general public.
 - F. Office buildings for executive, administrative, professional, accounting, drafting, and other similar professional activities.
 - G. Research and development facilities, including production activities, which shall be limited to fifty percent (50%) of the floor area of the main building.
 - H. Trade or industrial schools.
 - I. New building materials sales and storage, outdoor storage yards, including building trade contractors, and related storage yards.
 - J. Body shops.
 - K. Utilities and communications installations such as electrical receiving or transforming stations, microwave towers, and television and radio towers.
 - L. Utility and public service buildings, including storage yards, but not including essential public services such as poles, wires, and underground utility systems.
 - M. Banks, credit unions, savings and loan associations, and other similar uses as determined by the Zoning Administrator, including those with drive-through facilities.
 - N. Accessory buildings, structures, and uses (to the Permitted and Special Land Uses).

SECTION 9.3 SPECIAL LAND USES

Land and/or buildings in the I District may be used for the following purposes when approved by the Planning Commission in accordance with the requirements of the Special Land Use Chapter:

- A. Truck and freight terminals, including truck/trailer storage and maintenance.
- B. Bulk oil, propane, and gasoline storage and distribution.
- C. Junkyards.
- D. Adult uses.
- K. Slaughtering of animals.
- L. Stamping plants.
- M. Heavy machinery.
- N. Fiberglass fabricating.
- O. Composting centers.

SECTION 9.4 SITE DEVELOPMENT REQUIREMENTS

All Permitted Uses and Special Land Uses are subject to the following Site Development Requirements:

- A. Site Plan Review is required in accordance with Chapter 11.
- B. Landscaping and screening are required in accordance with Chapter 13.
- D. Applicable General Provisions of Chapter 3.
- D. Parking is required in accordance with Chapter 14. No parking shall be permitted in the required front yard.
- E. Signs are permitted in accordance with the requirements of Chapter 15.
- F. Unless not required by any other Ordinance, sidewalks shall be constructed on all sides of the property abutting a public street, in accordance with Village standards. The Planning Commission may waive the requirement for a sidewalk when, in the opinion of the Commission, no purpose would be served by the sidewalk.
- G. Setbacks, height, area, and lot dimensions are required as noted below unless greater setbacks are required by the Landscape Chapter.

I DISTRICT REGULATIONS	
Minimum lot area	1 acre (43,560 square feet)
Minimum lot width	100 feet
Maximum height	40 feet + 1 foot additional height for each 1 foot of additional setback (all yards) beyond the setback required by this Section
Front yard setback	25 feet - see Landscape Chapter
Side yard setback	10 feet (each side) see Landscape Chapter
Rear yard setback	20 feet - see Landscape Chapter
Maximum lot coverage	70%