

CHARTER TOWNSHIP OF CHINA  
ST. CLAIR COUNTY, MICHIGAN  
ORDINANCE # 168

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CHINA, CHAPTER 30, ZONING, FOR THE PURPOSE OF CLARIFYING THE MEASUREMENT OF FRONT SETBACKS.

THE TOWNSHIP OF CHINA ORDAINS:

**ARTICLE 1:** Amend Sec. 30-391 – Schedule of Regulations, to remove front yard setbacks from the schedule table and provide an additional table that provides for new front setbacks, consistent with road rights-of-way as follows:

Use Districts	Minimum Size Lot Per Unit(j)		Maximum Height of Structures(q)		Minimum Yard Setback (per lot in feet)				Minimum Floor Area Per Unit (sq. ft.)	Maximum Percent of Lot Area Coverage by All Buildings
	Area (acres or sq. ft.)	Width (in ft.)	Stories	Feet	Front(m)	Sides		Rear		
						Least One	Total Two			
AG agricultural	2½ acres	220'	2	25	40	20(a)	40	40	(k)	25%
RE suburban residential estates:										
Without public sewer	2½ acres	220'	2	25	40	20(a)	40	40	(k)	25%
With public sewer	19,200 sq. ft.	110'	2	25	40	10(a)	20	40	(k)	25%
RS suburban residential:										
Without public sewer	2½ acres	220'	2	25	40	20(a)	40	40	(k)	25%
With public sewer	9,600(n) sq. ft.	80'	2	25	30	10(a)	20	40		25%
RM multiple-family residential	(b), (o)	(b), (o)	2	25	30(c), (o)	30(c), (o)	60(c), (o)	30(c), (o)	(l), (o)	25%(o)
CR commercial recreation	2½ acres	330'	2	25	40	20	—	40	(k)	25%

O-1 office	15,000 sq. ft.	100'	2	25	35	25(p)	—	35	—	30%
B-1 neighborhood business	—	—	2	25	25(d)	(e)	(e)	20(f)	—	—
B-2 general business	—	—	3(g)	40(g)	40(d)	(e)	(e)	20(f)	—	—
I-1 light industrial	—	—	3	40	75(h)	20(i)	40(i)	20(i)	—	—
I-2 heavy industrial	—	—	3	40	75(h)	20(i)	40(i)	20(i)	—	—

**Total Minimum Front Yard Setback (per lot in feet) as measured from the centerline of the adjacent roadway type as established by the 2003 Master Plan Thoroughfare Plan**

Use District	Height	Major (1/2 ROW)	Secondary (1/2 ROW)	Collector (1/2 ROW)	Local (1/2 ROW)	Water Body
<b>Half of Planned ROW</b>		<b>75'</b>	<b>60'</b>	<b>43'</b>	<b>33'</b>	
AG agricultural	40	115'	100'	83'	73'	40'
RE suburban residential estates:	40	115'	100'	83'	73'	40'
<b>RS suburban residential:</b>						
Without public sewer	40	115'	100'	83'	73'	40'
With public sewer	30	105'	90'	73'	63'	30'
RM multiple-family residential	30 (c), (o)	105' (c), (o)	90' (c), (o)	33' (c), (o)	63' (c), (o)	30' (c), (o)
CR commercial recreation	40	115'	100'	83'	73'	40'
O-1 office	35	110'	95'	78'	68'	35'
B-1 neighborhood business	25 (d)	100' (d)	85' (d)	68' (d)	58' (d)	25' (d)
B-2 general business	40 (d)	115' (d)	100' (d)	83' (d)	73' (d)	40' (d)
I-1 light industrial	75 (h)	150' (h)	135' (h)	118' (h)	108' (h)	75' (h)
I-2 heavy industrial	75 (h)	150' (h)	135' (h)	118' (h)	108' (h)	75' (h)

\*As measured from the ordinary high water mark

\* In the case of a public or private easement within a front yard area outside of the minimum required front yard setback, no building or structure shall be permitted within the easement area (Sec. 30-392 a.).

\* Buildings or structures proposed along the Fred W. Moore Highway shall be required to provide a minimum

required setback with an additional 20 feet in all districts.

**ARTICLE 2:** Amend Sec. 30-392.(m) - Schedule notes, to include new language as follows:

- (m) Front setback measuring procedure. **The total minimum front yard setback per lot in feet shall be measured from the edge of the planned right-of-way as described in the official township thoroughfare plan. The centerline of the planned right-of-way shall be assumed to be the same as the centerline of the existing right-of-way, unless there are existing documents which indicate otherwise the centerline of the adjacent roadway type as established by the 2003 Master Plan Thoroughfare Plan. The centerline of the planned right-of-way shall be assumed to be the same as the centerline of the existing right-of-way, unless there are existing documents which indicate otherwise.**

**Front yards. In the case of a public or private easement within a front yard area outside of the minimum required front yard setback, no building or structure shall be permitted within the easement area.**

**Buildings or structures proposed along the Fred W. Moore Highway shall be required to provide the minimum required setback with an additional 20 feet in all districts.**

**ARTICLE 3: SEVERABILITY.** Sections of this Ordinance shall be deemed to be severable. Should any section, paragraph, or provision hereof be declared by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

**ARTICLE 4: REPEAL.** All ordinances in conflict herewith are hereby repealed.

**ARTICLE 5: EFFECTIVE DATE.** Public hearing having been held hereon, pursuant to Section 401 of Public Act 110 of 2006, as amended, the provisions of this Ordinance shall become effective upon expiration of seven (7) days after publication.

**ARTICLE 6: ADOPTION.** Made and passed by the Township Board of the Charter Township of China, St. Clair County, Michigan, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018, A.D.

1. Date of Public Hearing: \_\_\_\_\_.
2. Date of Adoption by Township Board: \_\_\_\_\_.
3. Date of Publication: \_\_\_\_\_.
4. Date and Time Ordinance Shall Take Effect: \_\_\_\_\_.

\_\_\_\_\_  
Dan Turke, Township Clerk

**Certification**

I, Dan Turke, Clerk of the Charter Township of China, do hereby certify that Ordinance No.

\_\_\_\_\_ was adopted by the Township Board at a regular meeting of the Township Board held at the Township Hall on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Vote on this Ordinance, \_\_\_\_\_ members being present, was as follows:

AYES: \_\_\_\_\_

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

I further certify that said Ordinance No. \_\_\_\_\_ adopted by the Township Board on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ was published once in The Voice,, a paper published and circulated in the Charter Township of China, County of St. Clair, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ this being the first and final day of publication of this ordinance.

\_\_\_\_\_  
Dan Turke, Clerk  
Charter Township of China