

**CHARTER TOWNSHIP OF MONITOR  
BAY COUNTY, MICHIGAN  
ORDINANCE NO. 67-K**

**AN AMENDMENT TO ORDINANCE 67, THE MONITOR CHARTER TOWNSHIP ZONING ORDINANCE, IN ORDER TO DELETE ALL OF CHAPTER 12, WHICH IS ENTITLED THE FP FLOOD PLAIN OVERLAY DISTRICT TO AVOID ANY CONFLICT OR CONFUSION BETWEEN THE ZONING ORDINANCE AND THE MONITOR CHARTER TOWNSHIP FLOOD DAMAGE PREVENTION ORDINANCE RECENTLY ENACTED BY THE TOWNSHIP AS ORDINANCE 59-A.**

NOTE: Additions are underlined and deletions look like this. Only the proposed amendment to the Ordinance and the portion of the Ordinance to be amended are shown below.

THE CHARTER TOWNSHIP OF MONITOR ORDAINS:

**SECTION I**

**Chapter 12: FP FLOODPLAIN OVERLAY DISTRICT**

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**~~Section 12.01 DESCRIPTION AND PURPOSE~~**

~~This zoning district is a special overlay district intended to control the use of land in areas subject to periodic inundation. The floodplain overlay district is an area that is determined by the appropriate federal or state agency (currently FEMA Federal Emergency Management Agency). In order to protect the public health, safety and welfare, development in these areas is regulated to reduce flood hazard potential. The Township shall permit~~

**~~Section 12.02 PERMITTED USES~~**

~~Agricultural uses permitted in the AG Agricultural District, except for Farming Specialized as defined by Section 2.39, but not including any residential structures. Nonresidential development including substantial improvement to existing structures shall be permitted only as provided in Section 12.04.~~

~~Residential supportive uses such as lawns, gardens, parking areas or play areas, but not including residential structures.~~

~~Boat landing or docks for pleasure use.~~

~~Parks, athletic grounds, playgrounds and community centers.~~

~~Parking lots, loading areas and storage areas for equipment and machinery easily moved or not subject to flood damage.~~

~~Golf courses.~~

Forestry operations.

Signs as regulated in Chapter 15.

### **~~Section 12.03 USES PERMITTED WITH SPECIAL LAND USE APPROVAL~~**

~~Removal and/or processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources including composting except composting done for single family sites for the property owners own purposes, in accordance with the provisions of Section 5.03(k).~~

~~Uses permitted in underlying zoning districts not included in Section 12.02.~~

### **~~Section 12.04 NONRESIDENTIAL DEVELOPMENT~~**

~~Nonresidential development, including the erection of new structures as well as the repair or alteration of any existing structures which exceed twenty five percent (25%) of the value thereof, shall not occur within the floodplain districts except upon the issuance of a Floodplain Development Permit by the Township Building Inspector.~~

~~No such Floodplain Development Permit shall be issued by the Building Inspector unless the following requirements are met:~~

~~All necessary development permits as required by other local, state and federal authorities shall have first been issued by such other authorities. Such permit specifically include a floodplain permit, approval or letter of no authority from the Michigan Department of National Resources under authority of Act 245, Public Acts 1929, as amended by Act 167, Public Acts of 1968. When a necessary permit cannot be issued prior to the issuance of Floodplain Development Permit by the Township, a letter from such other issuing agency indicating its intent to issue contingent only upon Township approval shall be acceptable.~~

~~The lowest floor, including basements, shall be elevated at or above the base flood level; OR all portions of the structure below base flood level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards specified herein are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with a abase flood in the location of the structure. Such certification as herein required shall indicate the elevation to which the structure is flood-proofed.~~

~~No building or structure shall exceed thirty five (35) feet in height.~~

~~Minimum yard and lot requirements as specified in Section 5.05.~~

~~Off-street parking requirements as specified in Chapter 14.~~

~~All buildings and structures shall be designed and anchored to prevent flotation, collapse or lateral movement.~~

~~All buildings and structures shall be designed and constructed with materials and utility equipment resistant to flood damage, and, shall be designed and constructed so as to generally minimize flood damage and so as not to impede or interfere with the flow of flood waters.~~

~~All new and replacement water supply systems shall minimize or eliminate infiltration of flood waters into the systems.~~

~~All new and replacement sanitary sewage systems shall minimize or eliminate infiltration of flood waters into the systems and discharge from systems into flood waters. On-site water disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.~~

~~Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~

~~All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.~~

~~Adequate drainage shall be provided to reduce exposure to flood hazards.~~

~~Land shall not be divided in a manner creating parcels or lots which cannot be used in conformance with the requirements of this Article.~~

~~The flood-carrying capacity of any altered or relocated watercourse not subject to state or federal regulations designed to insure flood-carrying capacity shall be maintained.~~

The Building Inspector shall utilize available flood hazard data from federal, state or other sources to determine whether or not the above specified requirements have been met. Data furnished by the Federal Emergency Management Agency shall take precedence over data from other sources. Further, the Building Inspector may require certification by a registered professional engineer or architect that the applicable standards have been met.

~~Section 12.05 ADDITIONAL REGULATIONS~~

~~No private oxidation pond or private lagoon type sewage disposal system or sanitary landfill is permitted in the FP District.~~

**Section II – SEVERABILITY**

If any provision or part of this ordinance is declared by any court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity or enforceability of any other provision or part, which shall remain in full force and effect.

**Section III – REPEAL**

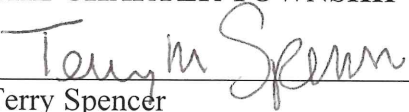
Ordinance 67, and all amendments thereto including 67-A through 67-J in their entirety, and all resolutions, ordinances, orders or parts thereof in conflict in whole or in part with any provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**Section IV – EFFECTIVE DATE**

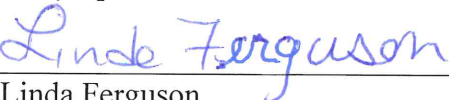
This Ordinance shall after its adoption, be published in a newspaper circulated within the Charter Township of Monitor, Bay County, Michigan and shall become effective upon the date of publication.

**THE CHARTER TOWNSHIP OF MONITOR**

Date of 1<sup>st</sup> Reading:  
June 10th, 2024

  
\_\_\_\_\_  
Terry Spencer

Date of 2<sup>nd</sup> Reading:  
July 8<sup>th</sup>, 2024

  
\_\_\_\_\_  
Linda Ferguson

Date of Publication:  
July 17<sup>th</sup>, 2024

Effective Date: July 17<sup>th</sup>, 2024