

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend relevant portions of Section 2.02, Article 4, Section 5.04, Section 6.04, Section 9.05, Section 10.04, Section 11.04, Section 12.04, Section 13.04, and Section 16.33 of the Dexter Township Zoning Ordinance to allow open air markets and Section 9.04, Section 9.05, Section 9.06, Section 9.07, and Section 9.08 to correct duplicative sections of the Dexter Township Zoning Ordinance.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE TOWNSHIP OF DEXTER:

**Purpose:** Dexter Township will use Open Air Markets to enhance community dynamics. These markets will play a pivotal role in fostering a sense of community, providing residents with a diverse range of local goods and produce. The initiative aligns with our commitment to developing vibrant, inclusive neighborhoods that cater to households at different life stages. Additionally, by incorporating Open Air Markets as accessory principal uses, the Township seeks to stimulate economic activity, create opportunities for local vendors, and contribute to the overall well-being of the community.

**SECTION 1. MODIFY SECTION 2.02 TO DEFINE OPEN AIR MARKETS**

**(O) 4) Open-Air Market:** an area or space situated outdoors, wherein vendors assemble to directly vend fresh produce, artisan, and other agricultural products that are not part of a roadside stand. Open-air markets include farmers markets and craft shows.

**(S) 21) Special Event:** An event of limited duration ~~within any zoning district.~~ A temporary use special event shall not be interpreted to be a continuance of a nonconforming use. Special events include, but are not limited to: carnivals, circuses, ~~farmers markets,~~ art fairs, ~~craft shows,~~ sidewalk sales, antique sales, Christmas tree sales, flower sales, and similar events. Also includes large events and seasonal events.

**SECTION 2. MODIFY ARTICLE 4 TO INCLUDE OPEN AIR MARKETS**

- P Permitted Use**                                      **S Special Land Use**
- AP Accessory Permitted Use**            **AS Accessory Special Land Use**

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Adult Entertainment									S
Banquet Hall									S
Bar or Club									S
Bed and Breakfast	S	S	S			S			
Car Wash									S

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Carry-out, drive-through, take-out, pick-up, or other form of restaurant or other food service establishment that serves food or drink for off-site consumption									S
Commercial agriculture, excluding slaughterhouses	P	P				P			
Commercial kennel	S								S
Commercial stable	P	S				P		P	
Commercial watercraft access ramp			S			S	S	S	S
Day care center	S	S				S			P
Driving range						P		S	P
Entrepreneurial kitchen	AS					AS	AP	AP	AP
Farm equipment sales and service of equipment	S								P
Food cart						S	P	P	P
Funeral home									P
Golf course or country club		S				S		S	
Health, fitness, or rehabilitation center									P
Junkyard									S
Landscape nursery and greenhouse, including sales of plant materials and supplies	P								P
Marina or yacht club			S			S		S	S
Medical office									P
Microbrewery or distillery									S
Motel or hotel									P
Motor vehicle sales									S

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COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Motor vehicle service station or maintenance and repair									S
Outdoor dining area									S
<b>Open Air Market</b>	<b>AP</b>	<b>AP</b>			<b>AP</b>	<b>AP</b>	<b>AP</b>	<b>AP</b>	<b>AP</b>
Open air sales									S
Personal service establishment that performs services on site within a completely enclosed building									P
Professional office that performs services on site within a completely enclosed building									P
Recycling collection or transfer station							P	P	S
Retail businesses that supply commodities on the premises within a completely enclosed building, such as food, drugs, alcohol, furniture, clothing, dry goods, books, flowers, jewelry, or hardware									P
Roadside stand	P	P							P
Sales of new industrial and construction equipment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food or drink for on-site consumption							S	S	
Sod farm									P
Special even facility	S	S				S			

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COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Veterinary Clinic	P	S							P
Watercraft sales, repair, or storage			S			S			P
Winery	S	S						S	P

**SECTION 3. MODIFY SECTION 5.04 TO**

**INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro and small
- Wireless communication facility, minor colocation

**SECTION 4. MODIFY SECTION 6.04 TO**

**INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 5. MODIFY SECTION 9.03 TO BE DELETED SINCE IT IS THE SAME AS SECTION 9.04**

**~~Principal Permitted Uses~~**

~~The following are principal permitted uses in the District:~~

- ~~• Common use access lot~~
- ~~• Outdoor athletic facility or similar recreation facility of an open space and low intensity nature~~
- ~~• Public park or playground~~
- ~~• Recreation site dedicated for a platted subdivision or site condominium~~
- ~~• Polling place~~

**SECTION 6. MODIFY SECTION 9.04 TO ELIMINATE DUPLICATE SECTION, REPLACE WITH ACCESSORY PERMITTED USES, AND INCLUDE OPEN AIR MARKETS**

**Principal Permitted Uses**

~~The following are principal permitted uses in the District:~~

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- ~~• Common use access lot~~
- ~~• Outdoor athletic facility or similar recreation facility of an open space and low intensity nature~~
- ~~• Public park or playground~~
- ~~• Recreation site dedicated for a platted subdivision or site condominium~~
- ~~• Polling place~~

#### **Accessory Permitted Uses**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- **Open air markets**
- Signs
- Solar energy systems designed exclusively for on-premises consumption
- WECS, micro or small

### **SECTION 7. MODIFY SECTION 9.05 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH SPECIAL LAND USES**

#### **~~Accessory Permitted Uses~~**

- ~~• Accessory uses customarily incidental and subordinate to the permitted principal use~~
- ~~• **Open air markets**~~
- ~~• Signs~~
- ~~• Solar energy systems designed exclusively for on-premises consumption~~
- ~~• WECS, micro or small~~

#### **Special Land Uses**

The following special land uses are permitted by special approval in the District:

- Reserved

### **SECTION 8. MODIFY SECTION 9.06 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH ACCESSORY SPECIAL LAND USES**

#### **~~Special Land Uses~~**

~~The following special land uses are permitted by special approval in the District:~~

- ~~• Reserved~~

#### **Accessory Special Land Uses**

- Reserved.

### **SECTION 9. MODIFY SECTION 9.07 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH FOOTNOTES**

#### **~~Accessory Special Land Uses~~**

- ~~• Reserved.~~

**Footnotes**

- 1) 50-foot Road Setback: The required front yard setback is 50 feet for any yard abutting the following gravel (exceptions noted) roads, measured from the right-of-way or access easement:
  - Bell Road
  - Brand Road
  - Colby Road
  - Donner Road
  - Fleming Road
  - Huron River Drive (gravel portions only)
  - Island Lake Road (gravel portions only)
  - Lima Center Road
  - Madden Road
  - McGregor Road (paved road)
  - Stinchfield Woods Road
  - Quigley Road
  - Riker Road
  - McKinley Road
  - Toma Road
  - Waterloo Road
  - Wylie Road
  
- 2) 80-foot Road Setback: The required front yard setback is 80 feet for any yard abutting the following paved roads, measured from the right-of-way or access easement:
  - Dexter-Pinckney Road
  - Dexter-Townhall Road
  - North Territorial Road
  - Hankerd Road
  - Huron River Drive (paved portions only)
  - Island Lake Road (paved portions only)
  - Stofer Road
  
- 3) 25-foot Local and Private Road Setback. Exceptions, listed below, shall be set back 20 feet:
  - Silver Lake north residential area
  - Argonne Drive
  - Barrington Drive
  - Edgewater Drive
  - Plainview Drive
  - South Rainbow Drive
  - Fairway Drive
  - Noah Court
  - Hillsdale Drive
  - Parkview Drive
  - Noah Road
  - Rainbow Drive
  - Revere Drive
  - Ridgemont Lane

**SECTION 10. MODIFY SECTION 9.08 TO ELIMINATE THE DUPLICATE SECTION**

**Footnotes**

- ~~4) 50-foot Road Setback: The required front yard setback is 50 feet for any yard abutting the following gravel (exceptions noted) roads, measured from the right-of-way or access easement:
  - ~~• Bell Road~~
  - ~~• Brand Road~~
  - ~~• Colby Road~~
  - ~~• Donner Road~~
  - ~~• Fleming Road~~
  - ~~• Huron River Drive (gravel portions only)~~
  - ~~• Island Lake Road (gravel portions only)~~
  - ~~• Lima Center Road~~
  - ~~• Madden Road~~
  - ~~• McGregor Road (paved road)~~
  - ~~• Stinchfield Woods Road~~
  - ~~• Quigley Road~~
  - ~~• Riker Road~~
  - ~~• McKinley Road~~
  - ~~• Toma Road~~
  - ~~• Waterloo Road~~
  - ~~• Wylie Road~~~~
  
- ~~5) 80-foot Road Setback: The required front yard setback is 80 feet for any yard abutting the following paved roads, measured from the right-of-way or access easement:
  - ~~• Dexter-Pinckney Road~~
  - ~~• Dexter-Townhall Road~~
  - ~~• North Territorial Road~~
  - ~~• Hankerd Road~~
  - ~~• Huron River Drive (paved portions only)~~
  - ~~• Island Lake Road (paved portions only)~~
  - ~~• Stofer Road~~~~
  
- ~~6) 25-foot Local and Private Road Setback. Exceptions, listed below, shall be set back 20 feet:
  - ~~• Silver Lake north residential area~~
  - ~~• Fairway Drive~~
  - ~~• Noah Court~~~~

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- ~~• Argonne Drive~~ • ~~Barrington Drive~~ • ~~Hillsdale Drive~~ • ~~Parkview Drive~~
- ~~• Edgewater Drive~~ • ~~Noah Road~~
- ~~• Plainview Drive~~ • ~~Rainbow Drive~~
- ~~• South Rainbow Drive~~ • ~~Revere Drive~~ • ~~Ridgemont Lane~~

**SECTION 11. MODIFY SECTION 10.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Signs
- WECS, micro and small
- Wireless communication facility, minor colocation
- Solar energy systems

**SECTION 7. MODIFY SECTION 11.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen
- **Open Air Markets**
- Signs
- Solar energy system
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 8. MODIFY SECTION 12.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen
- **Open Air Markets**
- Signs
- Solar energy system
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 9. MODIFY SECTION 13.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen
- **Open Air Markets**
- Signs
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Solar energy systems
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 10. MODIFY SECTION 16.33 TO INCLUDE OPEN AIR MARKETS**

**A. The Following Location and Duration requirements shall apply:**

**Table 16.4: Temporary Structures and Uses**

USE	ZONING DISTRICT	LOCATION	DURATION
Construction and Repairs	All	Principal building setbacks	6 months for repair; 12 months for construction
Schools and Religious Institutions	All	Principal building setbacks	6 months
Special Events	All	n/a	7 days
Real estate sales office	All	Principal building setbacks	12 months
Plant Sales	C, AG, RC	Principal building setbacks	6 months
Christmas Tree Sales	C, AG, RC	Principal building setbacks	3 months
Carnivals	C, PI, PL	Principal building setbacks and at least 200 feet from dwelling units	May 1 through September 30
Film Production	All	n/a	3 months
Cell on Wheels	C, PI, PL	n/a	30 days
Motor Home Parking	LR	n/a	30 days
Roadside Stand	C, AG, RR	n/a	9 months per calendar year
<b>Open Air Markets</b>	C, AG, RC, RR, PI, PR, CU	35 feet from front lot lines and 20 feet from side lot lines	No more than a single 4 hour event on a weekly basis for 9 months per calendar year

**SECTION 11. MODIFY SECTION 17.03 TO INCLUDE OPEN AIR MARKETS AS SUB-SECTION (M)**

**(M) Open Air Markets:**

**1) Hours of Operation:** The hours of operation for open air markets not located in commercial districts shall be limited to the hours between 7:00 am and 8:00 pm.

**2) Signs:** An open air market is a commercial service and the time period for temporary signs is defined by Section 19.05(A)(1)c.

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**3) Parking Regulations:** 1 space per 200 square feet of interior retail space and “open air” retail space under cover such as canopy or tent; plus 1 space per vendor is required.

**4) Animal Sales Prohibited:** The sale of live animals is not allowed in open air markets.