

CHARTER TOWNSHIP OF FENTON
Ordinance No. 726
Adopted: July 6, 2010

An ordinance to amend Article 6 and Article 11 of Zoning Ordinance No. 594 to revise provisions relating to restaurants with live entertainment and/or outdoor seating.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN, ORDAINS:

ARTICLE I. Table 6-1 (Off-street Parking Requirements) of Zoning Ordinance No. 594 is hereby amended to revise the parking requirements for restaurants as follows:

TABLE 6-1		
Table of Off-Street Parking Requirements		
Use	Required Number of Parking Spaces	Per Unit of Measure as Follows
Restaurants, conventional	1	per 4 seats up to the maximum seating capacity as determined by the fire marshal, but no less than 5 plus 1 per 2 employees
Restaurants, drive-in or drive-thru	1	per 4 seats up to the maximum seating capacity as determined by the fire marshal, but no less than 5 plus 1 per 2 employees

ARTICLE II. Section 11.63 of (Design standards for restaurants with live entertainment and/or outdoor seating) of Zoning Ordinance No. 594 is hereby amended to provide as follows:

SECTION 11.63 Restaurants with live entertainment and/or outdoor seating (not adult entertainment or dancing)

Restaurants with live entertainment and/or outdoor seating are permitted by special use permit in the C-2 and C-3 districts provided:

- A. The principal building shall be setback at least one hundred (100) feet from a residential district.
- B. A wall at least five (5) feet high shall separate the site from any adjacent residential district.

- C. Outdoor seating for 12 or fewer persons is allowed by right as an accessory use provided:
1. The establishment does not serve alcohol.
 2. The operation does not violate the Township Noise Abatement Ordinance.
 3. The seating is properly secured to the ground or heavy enough to not be a blowing hazard in high winds.
 4. The site is properly maintained free of litter.
 5. The placement of the seating does not violate barrier free requirements.

ARTICLE III. This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE IV. All ordinances and provisions of ordinances of the Charter Township of Fenton in conflict herewith are hereby repealed.

ARTICLE V. This amendatory ordinance shall be published as required by law and shall take effect 7 days after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the 6th day of July 2010.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk