

2. **Height.**

- a. Fences and walls shall not exceed six feet in height in any district. However, the Planning Commission may approve a greater height in the C-1, C-2 or D-1 Districts if the increased height will better screen a use from the roadway or adjacent residential uses.
- b. Decorative fences shall not exceed four feet in height as measured from the grade to the top of the highest horizontal rail.
- c. **Design and Type:**
  - i. All fences shall be constructed with the finished side exposed toward the outside of the fenced area. The support posts shall be placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area, except in cases where the Zoning Administrator deems it impractical.
  - ii. Fences in the front yard of the C-1, C-2, and D-1 Districts shall be at least 90 percent transparent. Fencing shall not create any traffic visibility obstructions.
  - iii. Decorative fences shall be constructed, by way of illustration, in a style similar to split rail or wrought iron fences. Decorative fences must be designed so that they are neither solid fences nor opaque screens. Openings in decorative fences, including gates, when closed, shall exceed 50 percent of any one square foot of vertical fence surface area.

**4.38 Yards.** Every lot must provide front, rear and side yards as required within its zone district. All front yards must face upon a public or private street or road, unless the lot or parcel is located on a lake or stream, in which case the rear yard must face upon a public or private street or road.

**4.39 Street Access.** Any lot created after the effective date of this Ordinance shall front upon a public street or an approved private road right-of-way meeting the minimum width requirements of the zone district in which the lot is located.

**4.40 Reserved.**

**4.41 Attached Garages.** The gross floor area of an attached garage shall not exceed 60 percent of the ground floor area of the single family dwelling to which it is attached. The attached garage, in any case, shall not be larger than 1,000 square feet.

*[Section 4.41 eff. 7/26/2015]*

4. **Maintenance.** All stalls and corrals shall be consistently cleaned of manure, soiled bedding and other materials and maintained with preservatives so as to maintain appearance and prevent deterioration, insects and odors.
5. **Containment Devices.** Substantial and acceptable locking or latching devices shall be provided and installed on all gates and doors to horse areas located in such a manner so as to be inaccessible to animals and small children for the prevention of animal escape and unauthorized entry.
6. **Site Drainage.** All areas adjacent to any housing, stall, corral, or other building structures and areas where horses are kept and maintained shall be graded to drain away from such facilities so as to prevent ponding and insect harborage.
7. **Compliance with Health Regulations.** The keeping of horses as provided for in this section shall comply with all regulations and provisions of the Muskegon County Health Department and the United States Department of Agriculture.

#### **4.37 Landscaping, Buffering, and Fences.**

- A. **General Regulations.** The landscape and natural features shall be preserved, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site.
- B. **Fences, Walls, and Decorative Fences.** Fences, walls, and decorative fences shall comply with the following regulations and requirements:

1. **Location.**

- a. Fences, walls and decorative fences shall not be located outside or beyond the property or lot lines of the lot upon which said improvement shall be placed.
- b. Fences and walls shall be placed no closer to the front lot line than the front yard setback line, unless four feet or less in height with 90 percent visibility (i.e.: chain link, split rail, wrought iron, etc.).

*[Section 4.37.B.1.b amended 12/08/2008]*

- c. Fences and walls shall be located no closer to the side lot line than the side yard setback line for residential corner lots that front or face onto the side street. Fences and walls may be located nearer the side yard line when said side yard is not on a street.

**4.42 Outdoor Storage.** Yards for storage of heavy machinery, supplies and materials generally used by road builders, earth movers, and construction contractors, or unused motor vehicles, trailers or boats, or parts thereof, which may or may not be wholly owned by the property owner, shall be located only in the zone districts in which such outdoor storage yards are permitted. Such storage yards shall be entirely enclosed and maintained with a solid fence not less than six feet high. Any such fence for the purpose of screening such outdoor storage shall comply with all of the following requirements:

- A. The fence shall be constructed of such materials and of shall be of such design as to reasonably prevent trespassers from entering the premises.
- B. The fence shall be constructed of materials which totally obstruct the view of the premises enclosed.
- C. The fence shall be maintained in an attractive manner; no sign shall be placed, drawn or painted on the fence.

**4.43 Principal Use Per Lot; Combinations of Uses.** A lot or parcel shall not be devoted to more than one principal use, or contain more than one principal building; except for groups of apartments, retail, industrial or agricultural buildings, or multi-tenant commercial buildings or complexes, each of which use or building is permitted within the zoning district, and which collectively meet all provisions of this Ordinance related to parking, landscaping, setback, access, and all other restrictions.

*[Section 4.43 amended 9/9/2013; eff. 9/29/2013.]*

**4.44 Wireless Communication Facilities.**

**A. Definitions.**

- 1. A wireless communication facility shall be defined as an antenna used for the transmission and/or reception of signals for radio, television, cellular telephone, microwave, enhanced mobile radio, personal communication, pagers and similar devices. A wireless communication facility shall not be deemed to be essential public services as that term is used in this zoning ordinance.
- 2. A wireless communication facility support structure shall be a lattice framework or monopole tower or any existing structure suitable for the support of wireless communication facilities, but excluding structures with a total height of less than 30 feet.
- 3. Attached wireless communications facilities shall be wireless communication facilities proposed to be attached to an existing structure.

**B. Types of Facilities and Approvals.** A new wireless communication facility and wireless communication facility support structure shall be permitted only as a special land use, upon approval by the Planning Commission, and only in the