

ZONING ORDINANCE

Hudson Township
Lenawee County, Michigan

#O2014-02

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TABLE OF CONTENTS

ARTICLE I
IN GENERAL..... 1

Section 1.01. SHORT TITLE 1
Section 1.02. AUTHORITY 1
Section 1.03. PURPOSE..... 1

ARTICLE II
CONSTRUCTION OF LANGUAGE..... 2

ARTICLE III
ZONING DISTRICTS AND MAPPING INTERPRETATION 3

Section 3.01. DISTRICTS 3
Section 3.02. MAP 3
Section 3.03. INTERPRETATION OF DISTRICT BOUNDARIES..... 3
Section 3.04. AGRICULTURAL DISTRICT (A) 4
Section 3.05. RESIDENTIAL DISTRICT (R) 4
Section 3.06. LAKE RESIDENTIAL DISTRICT (LR)..... 4
Section 3.07. MANUFACTURED HOUSING DISTRICT (M)..... 5
Section 3.08. COMMERCIAL DISTRICT (C) 5
Section 3.09. COMMERCIAL RECREATION DISTRICT (CR) 5
Section 3.10. LIGHT INDUSTRIAL DISTRICT (I) 5

ARTICLE IV
ZONING DISTRICT REGULATIONS 6

Section 4.01. PERMITTED USES AND SPECIAL LAND USES(*amended 12/9/19*) 6
Section 4.02. SCHEDULE OF AREA, HEIGHT, AND BULK PLACEMENT
REGULATIONS(*amended 1/9/17*) 10
Section 4.03. FOOTNOTES TO SCHEDULE OF REGULATIONS (*amended 12/9/19*) 10

ARTICLE V
GENERAL PROVISIONS 12

Section 5.01. CONFLICTING REGULATIONS 12
Section 5.02. SCOPE..... 12
Section 5.03. ZONING OF STREET, ALLEY, AND RAILROAD RIGHTSOFF-WAY 14
Section 5.04. ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS 14

Section 5.05.	OCCUPANCY: TEMPORARY GARAGES, ACCESSORY BUILD-INGS, BASEMENT APARTMENTS PROHIBITED	14
Section 5.06.	BUILDING GRADES	14
Section 5.07.	BUILDINGS TO BE MOVED	15
Section 5.08.	EXCAVATIONS OR HOLES	15
Section 5.09.	RESTORING UNSAFE BUILDINGS	15
Section 5.10.	CONSTRUCTION BEGUN PRIOR TO ADOPTION OF ORDINANCE	15
Section 5.11.	VOTING PLACE.....	15
Section 5.12.	APPROVAL OF PLATS	15
Section 5.13.	ESSENTIAL SERVICES	15
Section 5.14.	SIGNS(<i>amended 1/9/17</i>).....	15
Section 5.15.	FENCES, WALLS, AND OTHER PROTECTIVE BARRIERS	17
Section 5.16.	FILLING OPERATIONS	17
Section 5.17.	ANIMALS	17
Section 5.18.	OUTDOOR STORAGE IN RESIDENTIAL DISTRICTS.....	17
Section 5.19.	SWIMMING POOLS	18
Section 5.20.	LANDS ABUTTING RIVERS AND LAKES	18
Section 5.21.	FUNNELING.....	18
Section 5.22.	OUTDOOR WOOD BURNERS (<i>amended 5/11/15</i>).....	18
Section 5.23.	CANALS	19
Section 5.24	SMALL SOLAR ENERGY SYSTEMS (<i>included 12/9/19</i>).....	19

ARTICLE VI

OFF-STREET PARKING AND LOADING AND PRIVATE ROAD REQUIREMENTS.....	20
---	----

Section 6.01.	PARKING REQUIREMENTS	20
Section 6.02.	OFF-STREET PARKING REQUIREMENTS	21
Section 6.03.	OFF-STREET LOADING REQUIREMENTS.....	24
Section 6.04.	OFF-STREET PARKING CONSTRUCTION AND OPERATION.....	25
Section 6.05.	PRIVATE ROADWAYS	26

ARTICLE VII

SPECIFIC USE REGULATIONS.....	30
-------------------------------	----

Section 7.01.	INTENT.	30
Section 7.02.	AIRPORTS	30
Section 7.03.	AMPITHEATERS	30
Section 7.04.	AMUSEMENT PARKS, FAIRGROUNDS, ZOOLOGICAL GARDENS, BOTANICAL GARDENS, AND ARBORETUMS	31
Section 7.05.	AUTOMOBILE CAR WASH ESTABLISHMENTS	31
Section 7.06.	AUTOMOBILE SERVICE STATIONS AND PUBLIC GARAGES.....	31
Section 7.07.	CAMPING (<i>amended 5/14/18</i>).....	32
Section 7.08.	CEMETERIES	33
Section 7.09.	PLACES OF WORSHIP.....	33
Section 7.10.	COMMERCIAL RAISING OF ANIMALS	33

Section 7.11.	CONVELESCENT AND/OR NURSING HOME.....	33
Section 7.12.	COUNTRY CLUBS, GUN CLUBS, AND SKEET-SHOOTING RANGES	33
Section 7.13.	DRIVE-IN THEATERS	34
Section 7.14.	GOLF COURSE.	34
Section 7.15.	GROUP CHILD CARE HOME.....	34
Section 7.16.	HORSE OR MOTORIZED VEHICLE RACE TRACK AND DRAG STRIPS	35
Section 7.17.	HOSPITALS	35
Section 7.18.	HOUSING FOR THE ELDERLY	35
Section 7.19.	MINIATURE GOLF COURSES, ARCADES, GO-CART TRACKS, PRIVATE MUSEUMS, AND OTHER RECREATION ENTERPISES OF A SIMILAR NATURE	36
Section 7.20.	NURSERY SCHOOLS, DAY NURSERIES, AND CHILD CARE CENTERS	36
Section 7.21.	OPEN AIR BUSINESSES.....	36
Section 7.22.	OPEN STORAGE YARDS	36
Section 7.23.	PLANNED SHOPPING CENTERS.....	37
Section 7.24.	RADIO AND TELEVISION TOWERS.....	37
Section 7.25.	SALES OF FARM MACHINERY, EQUIPMENT, AND SUPPLIES	37
Section 7.26.	SAND AND GRAVEL OPERATIONS	38
Section 7.27.	ROADSIDE STANDS.....	38
Section 7.28.	GARAGE SALES.....	39
Section 7.29.	LARGE SOLAR ENERGY SYSTEMS (<i>included 12/9/19</i>).....	39
Section 7.30.	EVENT FACILITY (<i>included 12/9/19</i>).....	43
 ARTICLE VIII		
	SITE PLAN REVIEW	44
Section 8.01.	INTENT.	44
Section 8.02.	REQUIRED SITE PLAN REVIEW APPLICATION INFORMATION.....	45
Section 8.03.	SITE PLAN REVIEW REQUIRED	47
 ARTICLE IX		
	MANUFACTURED HOUSING.....	48
Section 9.01.	MANUFACTURED HOUSING PARKS.....	48
Section 9.02.	MANUFACTURED HOUSING SUBDIVISIONS.....	48
 ARTICLE X		
	INDUSTRIAL PERFORMANCE STANDARDS.....	49
Section 10.01	SCOPE.....	49
Section 10.02.	INDUSTRIAL PERFORMANCE STANDARDS.....	50
 ARTICLE XI		
	NONCONFORMING LOTS, NONCONFORMING USES OF LAND, NONCONFORMING STRUCTURES AND NONCONFORMING USES OF STRUCTURES AND PREMISES.....	51

Section 11.01.	NONCONFORMING LOTS OF RECORD (SUBSTANDARD LOTS)	51
Section 11.02.	NONCONFORMING STRUCTURES	51
Section 11.03.	NON-CONFORMING USES OF LAND.....	52
Section 11.04.	NON-COMFORING USES OF STRUCTURES	52
Section 11.05.	REPAIRS AND MAINTENANCE.....	53
Section 11.06.	NON-CONFORMING USE – BUILDING DAMAGED BY FIRE, ETC	53
Section 11.07.	CHANGE OF TENANCY OR OWNERSHIP	53
ARTICLE XII RESERVED		54
ARTICLE XIII PLANNED UNIT DEVELOPMENT		55
Section 13.01.	INTENT	55
Section 13.02.	LANDS WHICH MAY BE ZONED PUD DISTRICT	55
Section 13.03.	ESTABLISHMENT OF A PUD DISTRICT	55
Section 13.04.	OWNERSHIP	55
Section 13.05.	PERMITTED USES	56
Section 13.06.	ELIGIBILITY CRITERIA.....	56
Section 13.07.	COHESIVE DEVELOPMENT	56
Section 13.08.	OPEN SPACE OWNERSHIP AND EASEMENTS	56
Section 13.09.	REGULATORY FLEXIBILITY	56
Section 13.10.	COMPATIBILITY WITH ADJACENT USES	57
Section 13.11.	PLANNED UNIT DEVELOPMENT PROCEDURE.	57
ARTICLE XIV RESERVED		60
ARTICLE XV ZONING ADMINISTRATION		61
Section 15.01.	ZONING ADMINISTRATION.....	61
Section 15.02.	FEES	61
Section 15.03.	ZONING PERMIT REQUIRED FOR CONSTRUCTION (<i>Amended 12/9/19</i>).....	61
Section 15.04.	EXCEPTIONS TO ZONING PERMIT REQUIREMENT (<i>Amended 12/9/19</i>).....	61
Section 15.05.	APPLICATIONS FOR ZONING PERMITS (<i>Amended 12/9/19</i>)	62
Section 15.06.	ZONING PERMIT INSURANCE, WITHOLDING, EXPIRATION, AND REVOCATION (<i>Amended 12/9/19</i>)	62
Section 15.07.	INSPECTION	63
Section 15.08.	RESPONSIBILITY	63
Section 15.09.	RECORDS	63
Section 15.10.	CERTIFICATES OF OCCUPANCY.....	63
Section 15.11.	ZONING MAP.....	64
Section 15.12.	FINAL INSPECTION.....	64

Section 15.13. AMENDMENTS	64
Section 15.14. SPECIAL LAND USES.....	65
Section 15.15. PUBLIC NOTICE.....	67

ARTICLE XVI

BOARD OF APPEALS.....	69
Section 16.01. CREATION OF BOARD OF APPEALS.....	69
Section 16.02. MEETINGS	69
Section 16.03. APPEALS	70
Section 16.04. NOTICE OF HEARING	70
Section 16.05. POWERS OF BOARD OF APPEALS CONCERNING ADMINISTRATIVE REVIEW AND VARIANCES.....	70
Section 16.06. STANDARDS.....	71
Section 16.07. BOARD OF APPEALS APPROVAL.....	72
Section 16.08. APPROVAL PERIODS.....	72

ARTICLE XVII

DEFINITIONS (<i>17.01.67 amended 5/11/15</i>) (<i>17.01.31.A, 17.01.55, 17.01.55.A, 17.01.55.B,</i> <i>17.01.55.C, 17.01.55.D, 17.01.56, 17.01.57, 17.01.82.A, 17.01.99.A amended 12/9/19</i>).....	73
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ARTICLE XVIII

REPEAL, INTERPRETATION, SEVERABILITY, PENALTIES, RIGHTS AND REMEDIES, GENERAL RESPONSIBILITY, AND ENACTMENT AND EFFECTIVE DATE	95
Section 18.01. REPEAL OF PRIOR ORDINANCES.....	95
Section 18.02. INTERPRETATION.....	95
Section 18.03. SEVERABILITY	95
Section 18.04. VIOLATION-PENALTY (<i>amended 1/9/17</i>).....	95
Section 18.05. RIGHTS AND REMEDIES	96
Section 18.06. GENERAL RESPONSIBILITY	96
Section 18.07. ENACTMENT AND EFFECTIVE DATE.....	96

ARTICLE XIX

MAP.....	97
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HUDSON TOWNSHIP ZONING
ORDINANCE LENAWEЕ COUNTY,
MICHIGAN

ARTICLE I
IN GENERAL

Section 1.01. SHORT TITLE. This Ordinance shall be known and may be cited as the Hudson Township Zoning Ordinance and will be referred to herein as “this Ordinance.”

Section 1.02 AUTHORITY. This Ordinance was adopted under the authority and intent of the Township Zoning Act (PA 184 of 1943), as amended, and is administered under the authority of the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 125.3101, *et sec*).

Section 1.03 PURPOSE. The Township of Hudson desires to provide for the orderly development of the Township, which is essential to the well-being of the community, and which will place no undue burden upon developers, industry, commerce or residents. The Township further desires to assure the provision of adequate sites for industry, commerce, and residences; to provide for the free movement of vehicles upon the proper streets and highways of the Township; to protect industry, commerce, and residences against incongruous and incompatible uses of land, and to promote the proper use of land and natural resources for the economic well-being for the Township as a whole; to assure the provision of adequate space for the parking of vehicles of customers using commercial, retail and industrial areas; and that all uses of land and buildings within the Township of Hudson be so related as to provide for economy in government and mutual support. The result of such purposes of this Ordinance will promote and protect the public health, safety, and comfort, convenience, and general welfare of the residents, merchants, and workers in the Township of Hudson.

ARTICLE II
CONSTRUCTION OF LANGUAGE

Section 2.01. The following rules of construction apply to the text of this Ordinance.

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this Resolution and any caption or illustration, the text shall control.
3. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural and singular, unless the context clearly indicates the contrary.
5. A “building” or structure includes any part thereof.
6. The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for”, or “occupied for”.
7. The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, “either...or”, the conjunction shall be interpreted as follows:
 - a. “And” indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. “Or” indicates that the connected items, conditions, or provisions, or events may apply singly or in any combination.
9. Terms not herein defined shall have the meaning customarily assigned to them.

ARTICLE III
ZONING DISTRICTS AND MAPPING INTERPRETATION

Section 3.01. DISTRICTS. The Township of Hudson is hereby divided into zones or districts as shown on the official Zoning Map and shall include the following:

- | | | |
|----|---|-----------------------|
| A | - | Agriculture |
| R | - | Residential |
| LR | - | Lake Residential |
| M | - | Manufactured Housing |
| C | - | Commercial |
| CR | - | Commercial Recreation |
| I | - | Industrial |

Section 3.02. MAP. The boundaries of these districts are shown upon the Official Zoning Map of the Township of Hudson and made a part of this Ordinance. The Zoning Map shall be maintained and kept on file with the Township Clerk, and all notifications, references, and other information shown thereon are a part of this Ordinance and have the same force and effect as if the said Zoning Map and all such notations, references and other information shown thereon were fully set forth or described herein.

Section 3.03. INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map the follow rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following corporate limits shall be construed as following corporate limits.
4. Boundaries indicated as following railroad lines shall be construed to be the midway between the main tracks.
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line: boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
7. Where physical or cultural features existing on the ground area at variance with those shown on the Official Zoning plan or in other circumstances not covered by

subsections 1 through 6 above, the Board of Appeals shall interpret the district boundaries.

Section 3.04. AGRICULTURAL DISTRICT (A). The purpose of the District is to:

1. Preserve land containing agricultural value as it is a vital resource.
2. Implement a design technique which attempts to support a town-county special relationship creating intrinsic urban-rural values.
3. Permit the timing of land allotments to urban purposes in keeping with a theory of maximizing supporting public utilities so as to achieve the greatest amount of service for each dollar of capital expenditure.
4. Discourage the indiscriminate urbanizing of agricultural lands which adversely affects the remaining owners of land pursuing agricultural endeavors by creating urban land values.

Section 3.05. RESIDENTIAL DISTRICT (R). The purpose of the District is to:

1. Encourage the construction of, and the continued use of the land for single-family dwellings.
2. Prohibit business, commercial or industrial use of the land, and to prohibit any other use that would substantially interfere with development or continuation of single-family dwellings in the district.
3. Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.
4. Discourage any land use that would generate traffic on minor or local streets other than normal traffic to serve the residences on those streets.
5. Discourage any use which, because of its character or size, would create requirements and costs for public services, such as fire and police protection, water supply, and sewerage, substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.
6. Encourage single-family development in those areas which have the possibility of being served by municipal utility systems in the future.

Section 3.06. LAKE RESIDENTIAL DISTRICT (LR). The purpose of the District is to:

1. Accommodate the compact residential development in the vicinity of Posey Lake which existed prior to the creation of the district.
2. Encourage new construction that is compatible with the existing residential character of the district.
3. Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.
4. Discourage any land use that would generate traffic on minor or local streets other than normal traffic to serve the residences on those streets.

Section 3.07. MANUFACTURED HOUSING DISTRICT (M). The purpose of the District is to:

1. Encourage a suitable environment for persons and families that, by preference, choose to live in a manufactured house rather than a conventional single-family structure.
2. Establish low density standards and permitted uses that reflect the needs of residents in the District, in keeping with the occupancy characteristics of contemporary manufactured homes.
3. Limit development to manufactured homes when located in a subdivision designed for that purpose, or a manufactured home park with recreational facilities, places of worship, schools and necessary public utility buildings.

Section 3.08. COMMERCIAL DISTRICT (C). The purpose of this District is to:

1. Permit retail business and service uses which are needed to serve the nearby residential areas.
2. Prohibit uses which would create hazards, offensive and loud noises, vibration, smoke, glare, or heavy truck traffic.
3. Encourage the concentration of business areas to the mutual advantage of both the consumers and merchants in order to:
 - a. Promote the best use of land at certain strategic locations.
 - b. Avoid the continuance of encouraging marginal strip, business development along heavily traveled roads.

Section 3.09. COMMERCIAL RECREATION DISTRICT (CR). The purpose of this District is to:

1. Promote seasonal outdoor recreation uses and preserve the natural features of the land.
2. Maintain adequate space for off-street parking facilities to serve large numbers of people
3. Permit other commercial uses only when they are in conjunction with the principal recreation use.

Section 3.10. LIGHT INDUSTRIAL DISTRICT (I). The purpose of this District is to:

1. Permit certain industries which are of a light manufacturing character to locate in planned areas of the Township.
2. Integrate those industries with nearby land uses, such as commercial and residential,
3. Place limitations upon the degree of noise, smoke, glare, waste, and other features of industrial operations so as to avoid adverse effects.
4. Permit certain commercial uses which are desirable to service the employees and visitors of the District.

ARTICLE IV
ZONING DISTRICT REGULATIONS

Section 4.01. PERMITTED USES AND SPECIAL LAND USES. The following uses are permitted by right (P) or special land uses (S) within the zoning district. *(Amended 1/9/17, 12/9/19)*

TABLE OF PERMITTED USES AND SPECIAL LAND USES

	Type of Use	Zoning District						
		A	R	LR	M	C	CR	I
	AGRICULTURAL USES							
1.	Farms, as defined by Section 17.01.36	P					P	
2.	Commercial raising of animals, subject to the standards included in Section 7.10.	P					P	
3.	Roadside stands, principally for the marketing of agricultural products produced on the premises.	P					P	
4.	Kennels, as defined by Section 17.01.54	S					S	
	RESIDENTIAL USES							
10.	One-family dwellings, as defined by Section 17.01.32b.	P	P	P			P	
11.	Two family dwellings, as defined by Section 17.01.32c	S	S					
12.	Multiple family dwellings, as defined by Section 17.01.32a.		S					
13.	Manufactured homes, as defined by Section 17.01.67 and subject to the standards included in Section 8.02 and Article XII (if located in the M district)	P	P	P	P		P	
14.	Manufactured Housing Parks, as defined by Section 17.01.68 and subject to the standards included in Section 8.02 and Section 9.01				P			
15.	Manufactured Housing Subdivisions, subject to the standards included in Section 8.02 and Section 9.02				P			
16.	Home occupations, as defined in Section 17.01.47	P	P	S			P	
17.	Reserved							
	COMMERCIAL USES							
19.	Transmission or relay antenna towers as defined by section 7.24	S				S	S	S
20.	Automobile car wash establishments, subject to standards included in Section 7.05.					S		
21.	Automobile service stations subject to standards included in Section 7.06.	S				S	S	
22.	Automobile and vehicles sales, trailer sales and rental, boat showrooms					S	S	S
23.	Banks, credit unions, savings and loan associations.					P		
24.	Decorators, furniture sales, upholsterers, and caterers					P		
25.	Drive-in theaters, subject to the standards included in Section 7.13					S		
26.	Exterminators, within a completely enclosed building and excluding outside storage yards.					P		P
27.	Funeral homes.					P		

(continued)

	Type of Use	Zoning District						
		A	R	LR	M	C	CR	I
28.	Hotels, as defined by Section 17.01.51, and motels, as defined by Section 17.01.72.					P		
29.	Laundry or dry cleaning customer outlets, coin-operated Laundromats, self-serve dry cleaning centers and the like.					P		
30.	Dry cleaning or laundry plants, limited to serving one (1) customer service outlet if located in the C district.					P		P
31.	Offices, showrooms, and workshops within a completely enclosed building and excluding outside storage.					P		
32.	Open air business uses, as defined by Section 17.01.81 and subject to the standards included in Section 7.21	P				S	P	
33.	Personal service establishments performing services on the premises such as barber and beauty shops; watch, radio, television, clothing and shoe repair, tailor shops, locksmith and similar establishments	P	P			P	P	
34.	Photographic film developing processing.					P		
35.	Planned shopping centers, subject to the standards included in Section 7.23					S		
36.	Restaurants (drive-in or fast-food), as defined by Section 17.01.31a-b					S	S	
37.	Restaurants (standard), as defined by Section 17.01.31c.					P	S	
38.	Retail establishments for the sale of alcoholic beverages, baked goods, bicycles, books, confection, drugs, flowers, groceries, hardware, hobby equipment, jewelry, music, paints, periodicals, tobacco, and similar establishments.					P	S	
39.	Sales of farm machinery, equipment and supplies (i.e., chemicals, fertilizers, grains, and feed), subject to the standards included in Section 7.26 (if located in the A district).	S				P	S	P
40.	Sales or rental of merchandise within a completely enclosed building.					P	S	
41.	Service establishments performing services on the premises such as office machine and computer repair; printing.	P	P			P	P	
42.	Taxidermists, within a completely enclosed building and excluding outside storage yards.	P				P	P	
43.	Theaters, dance halls, assembly halls or other similar places of assembly.					S		
44.	Event Facility, as defined by Section 17.01.31.A and subject to the standards included in Section 7.31.A(amended 12/9/19)	S	S				S	
	Reserved.							

	Type of Use	Zoning District						
		A	R	LR	M	C	CR	I
	LIGHT INDUSTRIAL USES							
50.	Assembly and manufacture, from prefabricated parts, of household							P
51.	Contractor's yard.							P
52.	General service and repair establishments including dyeing or cleaning					P		P
53.	Large Solar Energy System, as defined by Section 17.01.55.A and subject to the standards included in Section 7.29. <i>(amended 12/9/19)</i>	S				S	S	S
54.	Small Solar Energy System, as defined by Section 17.01.55.B and subject to the standards in Section 5.24. <i>(amended 12/9/19)</i>	P				P	P	P
53.	Industrial office buildings.							P
54.	Open storage yards of construction contractor's equipment and supplies, building materials, sand, gravel or lumber.							S
55.	Research and testing laboratories.							P
56.	Sand and gravel operations, subject to standards in 7.26	S				S	S	S
57.	Skilled trade services including plumbing, electric, heating, printing, and painting establishments (located within a completely enclosed building and excluding outside storage areas if located in the C district).	P				P	P	P
58.	Trucking terminals.					P		P
59.	Vehicle repair garages, but not including auto junk yards.	S					S	P
60.	Wholesale merchandising or storage warehouses.							P
	Reserved							
	RECREATION USES							
70.	Airports, subject to the standards included in Section 7.02.	S						
71.	Amphitheaters, for musical or theatrical performances, subject to the standards included in Section 7.03.						S	
72.	Amusement parks, as defined by Section 17.01.5 and subject to the standards included in Section 7.04.						S	
73.	Boat launching facilities, marinas, including the sale of gasoline, oils and accessory parts, service of boats and motors, docking and berthing space and supporting facilities to dry dock and store boats and motors when not in use.						P	
74.	Camping on residential lots a minimum of 0.8 acres, subject to the standards included in Section 7.07			P				
75.	Campgrounds, travel trailer parks and tent sites, subject to the standards included in Section 7.07						S	
76.	Country clubs, gun clubs and skeet-shooting ranges, subject to the standards included in Section 7.12	S					S	
77.	Golf courses, subject to the standards included in Section 7.14	S			S		S	

	Type of Use	Zoning District						
		A	R	LR	M	C	CR	I
78.	Horse or motorized vehicle race tracks and drag strips, subject to the standards included in Section 7.16						S	
79.	Indoor recreation establishments, including tennis courts, handball courts, swimming pools, ice and roller-skating rinks, gymnasiums, and	P					P	
80.	Miniature golf courses, arcades, go-cart tracks, private museums, and other recreation enterprises of similar nature, subject to the regulations						S	
81.	Parks, playfields, playgrounds, picnic areas, beaches general recreational facilities, conservation areas, museums, and libraries.	P	P				P	
	Reserved							
	INSTITUTIONAL USES							
90.	Family child care homes, as defined by Section 17.01.24a	P	P				P	
91.	Group child care homes, as defined by Section 17.01.24b, and regulated by Section 7.15	S	S				S	
92.	State licensed residential facilities, as defined by Section 17.01.100	P	P				P	
93.	Convalescent and/or nursing home, as defined by Section 17.01.28 and regulated by Section 7.11	P	S				P	
94.	Hospitals as defined by Section 17.01.48 and regulated by Section 7.17		S					
95.	Housing for the elderly, as regulated by Section 7.18	P					P	
96.	Medical or dental office, including clinics (as defined by Section 17.01.25) and medical laboratories					P		
97.	Places of worship, as regulated by Section 7.09	S	S				S	
98.	Nursery schools, day nurseries and child care centers, subject to the standards included in Section.7.20	S	S		S		S	
99.	Public, parochial or other private elementary, intermediate schools and/or high schools offering courses in general education on sites of not less than ten (10) acres.	S	S				S	
100.	Public utility buildings and uses (but not including service and storage yards) when operating requirements necessitate locating within the District to serve the immediate vicinity	P	S		S	P	P	P
101.	Cemeteries, subject to the standards included in Section 7.08	S	S					
	Reserved							
	MISCELLANEOUS USES							
110.	Accessory uses and buildings customarily incidental to the above permitted principal uses	P	P		P	P	P	
111.	Temporary buildings for use incidental to construction work for a period not to exceed one (1) year.	S	S		S		S	
	Reserved							

Section 4.02. SCHEDULE OF AREA, HEIGHT, AND BULK PLACEMENT REGULATIONS

TABLE OF AREA, HEIGHT, AND BULK PLACEMENT REGULATIONS (amended 1/9/17)

District	Minimum Lot Size Per Dwelling Unit		Maximum Building Height		Maximum Coverage of Lot by All Buildings	Minimum Yard Setback ^{1,2,3,4, 12}				Minimum Floor Area Per Dwelling Unit ⁵
	Area	Width	Stories	Feet		Front	Rear	Side		
								Least	Total	
A – Agriculture ⁹	2 acres	200 ft	2 ½	35 lf	30%	50 ft	50 ft	15 ft	40 ft	800 sf
R – Residential ¹⁰	15,000 sf	100 ft	2 ½	35 lf	30%	35 ft	50 ft	15 ft	40 ft	800 sf
LR – Lake Residential ¹¹	2 acres	200 ft	2 ½	35 lf	--	50ft	25 ft	5 ft	15 ft	800 sf
M – Manufactured Housing ¹⁰	-- ⁶	-- ⁶	1	15 lf	--	50 ft	50 ft	20 ft	50 ft	600 sf
C – Commercial	--	--	2 ½	35 lf	--	30 ft ⁸	30 ft	-- ⁷	-- ⁷	--
CR – Commercial Recreational	--	--	--	--	--	50 ft	50 ft	15 ft	40 ft	--
I – Light Industrial	--	--	2 ½	35 lf	--	50 ft ⁸	50 ft	15 ft	40 ft	--

Section 4.03. FOOTNOTES TO SCHEDULE OF REGULATIONS.

1. All yards abutting upon a public street shall be considered as front yards for setback purposes.
2. Off-street parking and loading setbacks from public streets are equal to the required front yard setbacks in all residential and industrial districts and fifteen (15) feet in all commercial districts. The setback shall remain as open space unoccupied and unobstructed from the ground upward except for landscaping plant materials or vehicle access drives.
3. In determining required yard spaces for all land uses in zoning districts, the determination of such yard spaces shall be the distance from the building or structure on the lot and the nearest lot line.
4. In all residential districts, a the required side yard abutting a public street may be reduced to ten (10) feet, if no other residential lots front on the street on the same block on either side of the street.

5. Required minimum floor area for each dwelling unit shall not include area of basements, utility rooms, breezeways, porches or attached garages.
6. A manufacture housing park shall be constructed and maintained on a lot which has at least four hundred (400) feet of frontage on a County Primary Road, a minimum road area of twenty (20) acres and a minimum of eighty (80) manufactured housing sites.
7. In the Commercial district, side yards are not required, except a setback of twenty (20) feet for all buildings, parking and loading areas shall be provided from the side or rear lot line where a commercial district abuts residential district.
8. Loading space shall be provided in the side or rear yard, except when loading space is provided totally within a building or structure with four (4) enclosures not facing the front property line.
9. Neither public sanitary sewers nor public water supply need be available.
10. Public sanitary sewers and public water supply must be available.
11. Lakefront lots. The lake frontage end shall be considered the front yard and the road frontage end shall be considered the rear yard. Accessory buildings shall not be located in the required front yard. *(amended May 11, 2015)*

In the Lake Residential District (LR), all structures must be set back a minimum of twenty-five (25) feet from the nearest easement edge or right-of-way line of any private drive, private road, public road or other easement for conveyance of vehicles across property. *(amended 12/9/19)*

In the Lake Residential District (LR), as to all lots of record established before adoption of this Ordinance, such lots qualify for a remodeled or new house construction permit for a single-family dwelling, regardless of the lot size provided all setback requirements are satisfied.

Any building with indoor plumbing must be connected to a public sanitary sewer.

12. Building setbacks for lands abutting lakes, rivers, creeks, tributaries, and drainage ditches, shall be in accordance with Section 5.20.

ARTICLE V
GENERAL PROVISIONS

Section 5.01. CONFLICTING REGULATIONS. Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations that are imposed or required by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern.

Section 5.02. SCOPE. No building or structure, or part thereof, shall hereinafter be erected, constructed, reconstructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of the Ordinance.

1. Permitted Area and Placement. No building shall be erected, converted, enlarged, reconstructed or structurally altered, except in conformity with the area and placement regulations of the district in which the building is located.
2. Permitted Height. No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except that penthouses or roof structure for the housing elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts, and screens, flagpoles, chimneys, smokestacks, water tanks, or similar structures may be erected above the height limits herein prescribed. No such roof structure may be erected to exceed by more than fifteen
(15) feet the height limits of the district in which it is located; nor shall such structure have a total area greater than ten (10) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building. Accessory buildings and structures related to agriculture as well as public utility structures shall be exempt from these regulations.
3. Lot Limitations. In Agricultural and Residential Zoning Districts, only one (1) principal building shall be placed on a lot of record.
4. Lots, Yards, and Open Spaces. No space which for the purpose of a building has been counted or calculated as part of a side yard, rear yard, front yard, or other open space, including required lot area per dwelling unit, required by this Ordinance, may, by reason of change in ownership or otherwise, be counted or calculated to satisfy or comply with a yard or other open space or lot area requirements for any other building.
5. Porches, Patios, Decks and Terraces. An open, unenclosed porch, deck, paved patio, or terrace must meet the following requirements:
 - A) In Lake Residential these may project into a required front or rear yard for a distance not to exceed ten (10) feet and a height of 30" above finished

grade level.

B) In Agriculture and Residential these must meet required setbacks.

6. Projections into Yards. Architectural features, as defined not including vertical projections, may extend or project into a required side yard not more than two (2) inches for one (1) foot of width of such side yard and may extend or project into a required front yard or rear yard not more than three (3) feet.
7. Required Street Frontage. Any parcel of land which is to be occupied by a use or building, other than an accessory use or building, shall have frontage on and direct access to a public street or private easement which meets one of the following conditions:
 - a. A public street with a roadway which has been accepted for maintenance by the Lenawee County Road Commission, or
 - b. A permanent and unobstructed private easement of record having a width of at least sixty-six (66) feet, except where an access easement of record of less width existed prior to the adoption of this ordinance and a roadway meeting county standards for vehicular traffic, leading to a public street as defined under item (a) above.
8. Appearance of Buildings in Industrial Districts. Any case where a building or accessory building in an Industrial District is erected or placed within two hundred (200) feet of the front lot line of any parcel of land fronting upon any public street, the front walls of said building or accessory building within said distance of two hundred (200) feet shall not be constructed of tarred paper, tin, corrugated iron, or any form of pressed board or felt or similar material with the limits herein specified.
9. Dwellings in Non-Residential Districts. No dwelling shall be erected in the Commercial, Commercial Recreation, or Industrial Zoning Districts. However, the sleeping quarters of a watchman or a caretaker may be permitted in said districts in conformance with the specified requirements of the particular district.
10. Oil and Gas Wells. Section 205 of the Michigan Zoning Enabling Act (MCL 125.3205) prohibits Hudson Township from regulating or controlling the drilling completion, or operation of oil or gas wells or other wells drilled for oil or gas exploration purposes and has no jurisdiction with reference to the issuance of permits for the location, drilling, completion, operation, or abandonment of such wells.
11. Mining of Valuable Natural Resources. Section 205 of the Michigan Zoning Enabling Act (MCL 125.3205) also prohibits Hudson Township from preventing the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources are to be considered valuable if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

A person challenging a zoning decision has the initial burden of showing that there are valuable natural resources located on the relevant property, that there is a need for the natural resources by the person or in the market served by the person, and that no very serious consequences would result from the extraction, by mining, of the natural resources.

Section 5.03. ZONING OF STREET, ALLEY, AND RAILROAD RIGHTS-OF-WAY.

All streets, alleys, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets, alleys, or railroad right-of-ways. Where the center line of a street or alley serves as a district boundary, the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

Section 5.04. ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS. In residentially zoned districts, accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to main buildings. Detached accessory buildings shall not be erected in any required front yard.
2. An accessory building shall not exceed one (1) story or fourteen (14) feet in height.
3. No detached accessory building shall be located closer than ten (10) feet to any principal building nor shall it be located closer than six (6) feet to any side or rear lot line.

Section 5.05. OCCUPANCY: TEMPORARY GARAGES, ACCESSORY BUILDINGS, BASEMENT APARTMENTS PROHIBITED. Buildings erected after the effective date of this Ordinance as garages or accessory buildings, shall not be occupied for dwelling purposes. A basement or cellar apartment may be used as a temporary dwelling during the construction of a house over said basement or cellar for a period not to exceed one (1) year.

Section 5.06. BUILDING GRADES. Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. Whenever possible, a sloping grade, shall be maintained and established from the center of the front lot line to the finished grade line at the front of the building, and also from the rear lot line to the front, both grades sloping to the front property line. However, this shall not prevent the grading of a yard space to provide sunken or terraced areas, provided proper means are constructed and maintained to prevent the run-off of surface water from flowing on to the adjacent properties. Grade elevations shall be determined by using the elevation at the center line of the road in front of the lot as the established grade or such grade determined by the Township Engineer or Building Inspector.

When a new building is constructed on a vacant lot between two existing buildings or adjacent to an existing building, the existing established grade shall be used in

determining the grade around the new building and the yard around the new building shall be graded in such a manner as to meet existing grades and not to permit run-off surface water to flow onto the adjacent property.

Section 5.07. BUILDINGS TO BE MOVED. No permit shall be granted for the moving of buildings or structures from without or within the limits of the Township to be placed on property within said limits unless the Building Inspector shall have made an inspection of the building to be moved and has found that it is structurally safe and will not adversely affect the character of existing buildings.

Section 5.08. EXCAVATIONS OR HOLES. The construction, maintenance or existence within the Township of any unprotected, un-barricaded, open or dangerous excavations, holes, pits, or wells, which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, this section shall not prevent any excavation under a permit issued, pursuant to this Ordinance, where such excavations are properly protected and warning signs posted in such a manner as may be approved by the Building Inspector and provided further, that this section shall not apply to streams, natural bodies of water or to ditches, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan, the County, the Township, or other governmental agency.

Section 5.09. RESTORING UNSAFE BUILDINGS. Nothing in this Ordinance shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the Building Inspector, or required to comply with his lawful order.

Section 5.10. CONSTRUCTION BEGUN PRIOR TO ADOPTION OF ORDINANCE. Nothing in this Ordinance shall be deemed to require any change in the plans, construction or design use of any building upon which actual construction was lawfully begun prior to the adoption of this Ordinance and upon which building actual construction has been diligently carried on, and provided further, that such building shall be completed within two (2) years from the date of passage of this Ordinance.

Section 5.11. VOTING PLACE. The provision of the Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a Township or other public election.

Section 5.12. APPROVAL OF PLATS. No proposed plat of a new or redesigned subdivision shall hereafter be approved by the Township unless the lots within such plat equal or exceed the minimum size and width requirements set forth in the various districts of this Ordinance, and unless such a plat fully conforms with the statutes of the State of Michigan and any related ordinance of the Township as may be adopted.

Section 5.13. ESSENTIAL SERVICES. Essential services shall be permitted as authorized under any franchise or that which may be regulated by any law of the State of Michigan or any ordinance of the Township, it being the intention hereof to exempt such essential services from the application of this Ordinance.

Section 5.14. SIGNS. All signs erected or located in any Zoning District shall comply with the following regulations:

1. A building permit shall be required for the erection, construction or

alteration of any sign, except as hereinafter provided, and all such signs shall be approved by the Building Inspector as to their conforming to the requirements of the zoning district wherein said sign or signs are to be located and the requirements of this section.

2. There shall be no flashing, oscillating or intermittent, red, blue, or green illumination on any sign located in the same line of vision as a traffic control system nor interference with vision clearance along any highway, street, or road or at any intersection of two or more streets. All illuminated signs shall be so placed as to prevent the rays and illumination therefrom from being cast upon neighboring residences with a residential district and shall be located not less than one hundred (100) feet from such residential district.
3. No sign, except those placed and maintained by the Township, County or State shall be located in, overhead or encroach upon any public right-of-way.
4. Signs advertising real estate for sale, rent or lease are permitted in all districts when located on the building or land intended to be sold, rented or leased, provided they are used only during the construction of a building or buildings or the offering for sale, rent or lease of real estate. Temporary subdivision signs not exceeding one hundred (100) square feet in area may be permitted subject to their approval by the Board of Appeals for a twelve (12) month period, subject to renewal, providing such signs conform to the conditions established by said Board of Appeals to secure harmony with this Ordinance and there are buildings or home sales continuing in the subdivision being advertised.
5. The following signs are exempt from the building permit requirement:
 - a. Signs not exceeding one (1) square foot in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
 - b. One (1) non-illuminated nameplate for a home occupation, not more than two (2) square feet in area, that may be attached to the building which shall contain only the name of the occupant and the nature of the home occupation.
 - b. Flags and insignia of any government except when displayed in connection with commercial promotion.
 - c. Legal notices; identification, informational, or directional signs erected or required by governmental bodies.
 - d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
 - e. Signs directing and building traffic and parking on private property, but bearing no advertising matter.
6. No sign otherwise permitted shall exceed the maximum height limitation of the zoning district in which it is located.

7. All signs must comply with state and local regulations regarding setback from the center of the road. (amended 1/9/17)

Section 5.15. FENCES, WALLS, AND OTHER PROTECTIVE BARRIERS. All fences of any type of description shall conform to the following regulations:

1. Fences which enclose property shall not exceed six (6) feet in height, measured from the surface of the ground with the following exception: In residential districts, fences extending toward the front of the lot nearer than the front of the dwelling or the required minimum front yard, whichever is greater, shall not exceed three (3) feet in height.
2. No fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection, excepting that shade trees shall be permitted where all branches are not less than eight (8) feet above the road level. Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines or in the case of a rounded property corner from the intersection of the street property lines extended. This shall not prohibit the establishment of shrubbery thirty (30) inches or less in height.

Section 5.16. FILLING OPERATIONS. From and after the effective date of this Ordinance, it shall be unlawful for any person, firm, corporation, partnership, or other organization or entity to use land for filling with materials of any kind without approval of the Township Board and subject to requirements as may be appropriate.

Section 5.17. ANIMALS. No livestock shall be kept or maintained in any residential zoning district (R, LR, and M) on parcels of land located within a proprietary or assessor's plat or on parcels of less than five (5) acres in area, except that for each dwelling unit the occupant may keep for their personal use domestic pets provided they are not kept or used for commercial or breeding purposes and do not constitute a kennel.

Section 5.18. OUTDOOR STORAGE IN RESIDENTIAL (R) DISTRICT. The outdoor storage or parking of recreational vehicles such as an airplane, antique or racing automobile, boat, float, raft, trailer, camping or travel trailer, motorized home, demountable travel equipment of the type adaptable to light duty trucks, and other equipment or vehicles of a similar nature, shall be prohibited for a period greater than forty-eight (48) hours in the Residential (R) district, except where expressly permitted by other provisions of this Ordinance, unless the following minimum conditions are met:

1. All such vehicles or equipment shall be placed behind the front face of the principal building.
2. Storage parking shall be limited to a lot or parcel of land upon which is located an inhabited dwelling unit and the vehicle or equipment is owned by the occupant.
3. Travel trailers and other vehicles or equipment intended or adaptable for sleeping purposes shall remain unoccupied and shall not be connected to sanitary sewer facilities, or have a fixed connection to electricity, water or gas.

Section 5.19. SWIMMING POOLS. All swimming pools erected in the Township shall comply with state requirements.

Section 5.20. LANDS ABUTTING RIVERS AND LAKES. In any district, land which abuts Bean Creek, any other creek, tributary or drainage ditch, or any natural or man-made lake shall be subject to the following regulations:

1. The general setback limitations shall be based on the following minimum distances from the waters' edge:
 - a. Fifteen (15) feet from any drainage ditch.
 - b. Twenty-five (25) feet from any creek or tributary.
 - c. Fifty (50) feet from Bean Creek.
 - d. Fifty (50) feet from any natural or man-made lake.
2. Single-family detached dwellings and their accessory uses (except boat houses and docks) shall be set back according to paragraph 5.20.1.
3. Camping, outdoor recreation, and other commercial recreation activities (except boat landing facilities and marinas) shall be set back according to paragraph 5.20.1.
4. Agricultural activities shall be set back in accordance with Generally Accepted Agricultural and Management Practices (GAAMPs) determined by the Michigan Commission for Agriculture and Rural Development. Feedlots must be set back per the standards in Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Production Facilities
5. Mining extraction or any use permitted in the A District shall be set back three hundred (300) feet from the waters' edge.
6. All sanitary waste disposal fields and septic tanks must not encroach an area within fifty (50) feet of the waters' edge. The bottom of the tile field must be four (4) feet above the floodplain level.
7. All other uses not specifically covered in these regulations must be set back one hundred (100) feet from the waters' edge.

Section 5.21. FUNNELING. The funneling or use of lots to provide direct access for use of, docks and launching of water craft into to a body of water or other water significant feature of the landscape is prohibited. Funnel lots which existed prior to October 13, 2014 are legally nonconforming (i.e., grandfathered).

Section 5.22. OUTDOOR BOILERS. Outdoor boilers are permitted provided that the following standards are met:

1. A permit is obtained from the Building Inspector to place or replace an outdoor boiler.

2. The site plan must include the location of all buildings —on the parcel and adjacent parcels— within three hundred (300) feet of the final location of the outdoor boiler.
3. The outdoor boiler must be located in such a way as to satisfy the following requirements:
 - a. Be at least forty (40) feet from any property line or right-of-way.
 - b. Be at least forty (40) feet from any building on the parcel in which the outdoor boiler is located.
 - c. Be at least three hundred (300) feet from the nearest building which is not located on the same property as the outdoor boiler.
 - d. Is not located in the front of the principal structure on the property.
4. Fuel types permitted would include wood products, agriculture products and fossil fuels.

(Amended May 11, 2015)

Section 5.23. CANALS. Canals must have a minimum width of seventy-five (75) feet and a minimum depth of water at the center line of ten (10) feet. All banks must be at a minimum angle of forty-five (45) degrees and completely sodded to prevent wash or erosion thereof.

Section 5.24. SMALL SOLAR ENERGY SYSTEMS. The following requirements shall apply to all Small Solar Energy Systems:

1. A building permit and compliance with the State Building Code is required.
2. Ground-mounted small solar energy systems are subject to the Table of Permitted Uses and Special Land Uses in Section 4.01 and the Table of Area, Height, and Bulk Placement Regulations in Section 4.02.
3. Building mounted small solar energy systems are allowed as accessory uses in all zoning districts.

(added 12/9/19)

ARTICLE VI
OFF-STREET PARKING AND LOADING AND PRIVATE ROAD REQUIREMENTS

Section 6.01. PARKING REQUIREMENTS. In all zoning districts, off-street parking facilities for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, altered or extended after the effective date of this Ordinance, shall be provided as herein prescribed. Such space shall be maintained and shall not be encroached upon so long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

1. Area for Parking Space. Parking spaces and associated maneuvering lanes must be constructed to the standards contained in Section 6.04.
2. Fractional Requirements. When units of measurements determining number of required parking spaces result in requirement of a fractional space, any fraction requires one (1) parking space.
3. Distance from Property Line. All off-street parking spaces must be set back at least five (5) feet from any property line. In the C, CR, and I districts a 3-ft high wall, fence, or planting strip is required between the off-street parking spaces and the property line.
4. Location of Parking Space for Other Land Uses. The off-street parking facilities required for all other uses shall be located on the lot or within five hundred (500) feet of the permitted uses requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served. In Multiple Family and Industrial Districts, the front setback area shall remain as open space unoccupied and unobstructed from the ground upward except for landscaping, plant materials, or vehicle access drives.
5. Seating Capacity of Seats. Seats shall mean that each twenty-four (24) inches of seating facilities shall be counted as one (1) seat for the purposes of the parking requirements included in Section 6.02 of this Ordinance, except that where specifications and plans filed with the Building Inspector specify a certain seating capacity for a particular building, such specified seating capacity shall be used as the basis for required parking space.
6. Similar Uses and Requirements. In the case of a use not specifically mentioned, the requirements of off-street parking facilities for a use which is so mentioned, and which said use is similar, shall apply.
7. Existing Off-Street Parking at Effective Date of Ordinance. Off-street parking existing at the effective date of this Ordinance which serves an existing building or use, shall not be reduced in size less than that required under the terms of this Ordinance.
8. Collective Provisions. Nothing in this Section shall be construed to prevent collective provisions of off-street parking facilities for two (2) or more buildings or uses, provided such facilities collectively shall not be less than the sum of the

requirements for the various individual uses computed separately in accordance with the table under Section 6.02.

9. General Use Conditions. Except when land is used as storage space in connection with the business of a repair or service garage or in long-term parking facilities, a twenty-four (24) hour time limit for parking in off-street parking areas shall prevail, it being the purpose and intention of the foregoing that the requirements of maintaining vehicle storage or parking space is to provide for the public safety in keeping parked cars off the streets, but such requirement is not designed to or intended to provide, and it shall be unlawful to permit the storage or parking on such open land of wrecked or junked cars, or for creating a junk yard or a nuisance in such areas.
10. Restriction on Parking on Private Property. It shall be unlawful for any person, firm, or corporation to park any motor vehicle on any private property, or use of said private property for vehicle storage, or use any portion of any private property as parking space, without the expressed or implied consent, authorization, or ratification of the owner, holder, occupant, lessee, agent, or trustee of such property. Compliance for the violation of this Section shall be made by the owner, holder, occupant, lessee, agent or trustee of such property.
11. Joint Uses. Parking spaces already provided to meet off-street parking requirements for theaters, stadiums, and auditoriums, and other places of public assembly, stores, office buildings and industrial establishments, lying within five hundred (500) feet of a place of worship as measured along lines of public access, and that are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on Sundays and that are made available for other parking, may be used to meet more than fifty (50%) percent of the off-street parking requirements of a place of worship.

Section 6.02. OFF-STREET PARKING REQUIREMENTS. The amount of required off-street parking space for new uses or buildings, additions thereto, and additions to existing buildings as specified above shall be determined in accordance with the following table, and the space so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use and/or shall comply with the initial part of this Section.

TABLE OF OFF-STREET PARKING REQUIREMENTS

Use	Number of Minimum Parking Spaces Unit of Measure
A. RESIDENTIAL USES	
1. Residential, One-Family and Two-Family	Two (2) for each dwelling unit.
2. Residential, Multiple-Family	One and a half (1½) for each dwelling unit.
3. Housing for the Elderly	One (1) for each two (2) units, and one (1) for each employee. Should units revert to general occupancy, then two (2) spaces per unit shall be provided.

(continued)

Use	Number of Minimum Parking Spaces Unit of Measure
4. Manufactured Housing Park	One and a half (1½) for each manufactured housing site and one (1) for each employee at the manufactured housing park. Plus one (1) for every four (4) sites adjacent to a recreation area.
B. INSTITUTIONAL AND RECREATIONAL USES	
1. Places of worship	One (1) for each three (3) seats in the main worship space.
2. Hospitals	One (1) per six hundred (600) square feet gross floor area.
3. Homes for the Aged and Convalescent Homes	One (1) per six hundred (600) square feet gross floor area.
4. Elementary and Junior High	One (1) for each teacher and administrator, in addition to the requirements of the auditorium.
5. Senior High Schools	One (1) for each teacher and administrator and one (1) for each ten (10) students, in addition to the requirements of the auditorium.
6. Private Clubs or Lodge Halls	One (1) for each three (3) persons allowed within the maximum occupancy load as established by local, county, or state fire, building, or health codes.
7. Private Golf Clubs, Swimming Pool Clubs, Tennis Clubs, or Other Similar Uses	One (1) for each two (2) member families or individual.
8. Golf Courses Open to the General Public, Except Miniature Courses	Six (6) for each golf hole and one (1) for each employee.
9. Theaters (Indoor) and Auditoriums	One (1) for each four (4) seats plus one (1) for each two (2) employees.
10. Theaters (Drive-In)	One (1) per each vehicle plus a ten (10%) percent reservoir of the total vehicle capacity.

(continued)

Use	Number of Minimum Parking Spaces Unit of Measure
C. COMMERCIAL USES	
1. Planned Shopping Center	One (1) for each one hundred (100) square feet of gross floor area.
2. Amusement Parks and Establishments	One (1) per each one hundred (100) square feet of gross floor or lot area.
3. Auto Wash	One (1) for each employee. In addition, adequate waiting space for autos shall be provided on the premises to accommodate twenty-five (25%) percent of the hourly rate of capacity.
4. Beauty Parlor or Barber Shop	Three (3) spaces for each of the first two (2) beauty or barber chairs, and one and one-half (1½) spaces for each additional chair.
5. Dance Halls, Pool or Billiard Parlors, Roller or Ice Skating Rinks, Exhibition Halls, and Assembly Halls without Fixed seats	One (1) for every three (3) seats
6. Drive-in Establishments	One (1) for each forty (40) feet of gross floor area, with a minimum of twenty-five (25) parking spaces.
7. Restaurant	One (1) for each seventy-five (75) square feet of gross floor area.
8. Carry-out Restaurant	One (1) for each one hundred and fifty (150) square feet of gross floor area.
9. Furniture and Appliance, Household Equipment, Repair Shops, Showroom of a Plumber, Decorator, Electrician or Similar Trade, Shoe Repair and Other Similar Uses.	One (1) for each one thousand (1,000) square feet of gross floor area plus one (1) additional space for every two (2) persons employed therein).
10. Automobile Service Stations	Two (2) for each lubrication stall, rack, or pit; and one (1) for each gasoline pump.
11. Laundromats and Coin Operated Dry Cleaners	One (1) for each two (2) washing machines.
12. Miniature Golf Courses	Three (3) for each one (1) hole plus one (1) for each one (1) employee.
13. Funeral Homes	One (1) for each one hundred (100) square feet of gross floor area.

(continued)

Use	Number of Minimum Parking Spaces Unit of Measure
14. Motel, Hotel, or Other Commercial Lodging Establishments	One (1) for each occupancy unit plus one (1) employee, plus extra spaces for dining rooms, ball rooms, or meeting rooms.
15. Motor Vehicle Sales and Service Establishments, Trailer Sales and Rental, Boat Showrooms	One (1) for each four hundred (400) square feet of gross floor area of sales room.
16. Open Air Businesses	One (1) for each seven hundred (700) square feet of lot area.
17. Retail Stores except as Otherwise Specified Herein	One (1) for each two hundred (200) square feet of gross floor area.
18. Riding Stables or Academies	Three (3) for each employee.
19. Banks	One (1) for each two hundred (200) square feet of gross floor area.
20. Drive-in Banks	Waiting space equivalent to six (6) spaces for each drive-in window.
21. Business Offices or Professional Offices except as indicated in the following item (4).	One (1) for each four hundred (400) square feet of gross area.
22. Medical or Dental Clinics and Offices of Doctors, Dentists or Similar Professionals	One (1) for each two hundred (200) square feet of gross floor area.
E. INDUSTRIAL USES	
1. Industrial or Research Establishments	Five (5) plus one (1) for every one and one-half (1-1/2) employees in the largest working shift. Space on site shall also be provided for all construction workers during periods of plant construction.
2. Wholesale Establishments	Five (5) plus one (1) for every employee in the largest working shift, or one (1) for every two thousand (2,000) square feet of gross floor area, whichever is greater.

Section 6.03. OFF-STREET LOADING REQUIREMENTS. On the same premises with every building structure, or part thereof, erected and occupied for manufacturing, storage, dry cleaning, warehouse, goods display, department store, wholesale, market, hotel, restaurant, hospital, convalescent home, mortuary, or other uses similarly involving the receipt of distribution of vehicles, material or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets, alleys, or any required access for off-street parking areas.

Such loading and unloading space, unless adequately provided for within a building, shall be an area ten (10) feet by fifty (50) feet, with fourteen (14) feet high clearance, and shall be provided according to the following schedule:

TABLE OF OFF-STREET LOADING REQUIREMENTS

Gross Floor Area In Square Feet	Loading and Unloading Spaces Required In Terms of Square Foot of Gross Floor Area
0 – 2,000	None.
2,000 – 20,000	One (1) space.
20,000 – 100,000	One (1) space plus one (1) space for each 20,000 square feet in excess of 20,000 square feet.
100,000 – 500,000	Five (5) spaces plus one (1) space for each 40,000 square feet in excess of 100,000 square feet.
Over 500,000	Fifteen (15) spaces plus one (1) space for each 80,000 square feet in excess of 500,000 square feet.

Section 6.04. OFF-STREET PARKING CONSTRUCTION AND OPERATION. Wherever the off-street parking requirements above, require the building of an off-street parking lot shall be laid out, constructed and maintained in accordance with the following standards and regulations:

1. No parking lot shall be constructed unless and until a permit therefore is issued by the Building Inspector. Applications for a permit shall be submitted to the Building Inspector and shall be accompanied with two (2) sets of plans for the development and construction of the parking lot showing that the provisions of this section will be fully complied with.
2. Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements:

TABLE OF OFF-STREET PARKING CONSTRUCTION AND OPERATION

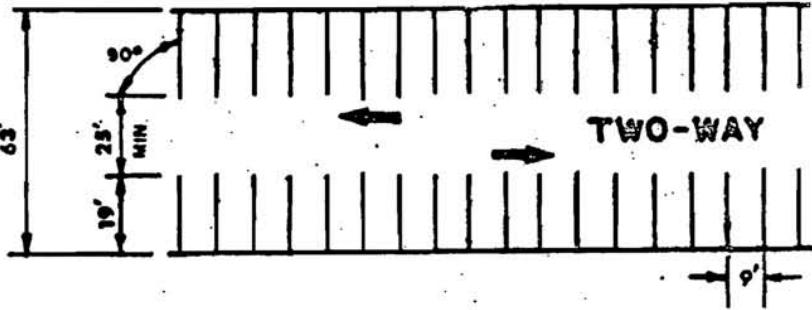
Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Total Width of One Tier of Spaces Plus Maneuvering Lane	Total Width of Two Tiers of Spaces Plus Maneuvering Lane
0° (parallel parking)	12 ft.	8 ft.	23 ft.	20 ft.	28 ft.
30° to 53°	12 ft.	9 ft.	20 ft.	32 ft.	52 ft.
54° to 74°	18 ft.	9 ft.	21 ft.	39 ft.	60 ft.
75° to 90°	25 ft.	9 ft.	19 ft.	44 ft.	63 ft.

3. All such parking lots shall be dust-free and shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area. No surface water from such parking area shall be permitted to drain on adjoining private property.
4. All illumination for or on such parking lots shall be deflected away from adjacent residential areas and shall be installed in such manner as to allow the reduction of the amount of light in other than normal parking hours each day. The source of illumination in all parking lots abutting a residential area shall not be more than thirteen (13) feet above the parking lot surface.
5. Side yard shall be maintained for a space of not less than ten (10) feet between the side lot lines of adjoining residential lots and the parking area.
6. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for vehicles.
7. Wheel chocks (i.e. bumper blocks) shall be provided, so located as to prevent any vehicle from projecting over the lot line.

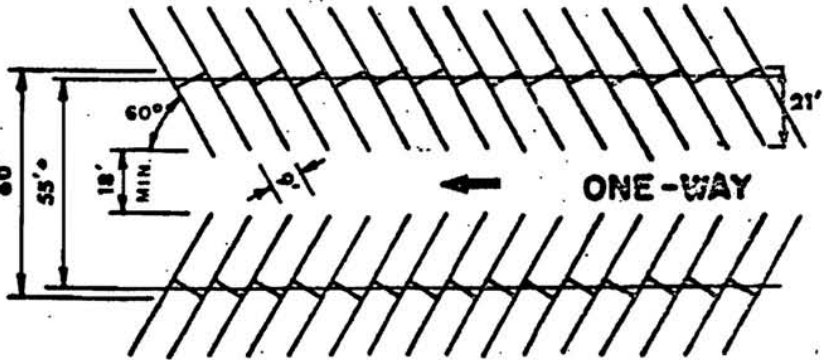
Section 6.05. PRIVATE ROADWAYS. A private roadway, as defined in Article XVII of this Ordinance, is subject to the following restrictions:

1. Any private roadway constructed after the effective date of this amendment to the Zoning Ordinance shall meet the requirements of Article XV of this Ordinance.
2. No person shall construct, alter, or extend a private roadway without compliance with this Ordinance and obtaining a permit in accordance with the requirements of Article XV of this Ordinance.
3. Applicants for private roadway approval shall provide a complete statement of all the terms and conditions of the proposed roadway easement including copies of all agreements or intended agreements regarding the maintenance and improvement including provisions in Subsection 7 (including any new development which results in the upgrade of the private roadway from one class to another as defined in Article XVII of this Ordinance). Furthermore, said maintenance agreements and roadway improvement agreements shall be in such form as to be recordable with the Lenawee County Register of Deeds and shall specifically address the liability and responsibility of the parties to said agreement to maintain and improve the private roadway pursuant to the specifications of this section including, but not limited to, the responsibility of removing snow from said private roadways. The recorded statement which runs with the land shall also inform subsequent purchasers that the roadway is private and may never be maintained or accepted by the Lenawee County Road Commission.
4. Every private roadway authorized under this ordinance shall bear a separate and distinct road or street name, approved by the Hudson Township Board and Lenawee County Road Commission.
5. Unless specifically regulated under this Section, private roadways shall meet the standards set forth in the Standards and Specification for Plat Development and Street Construction of Lenawee County.

90 DEGREE

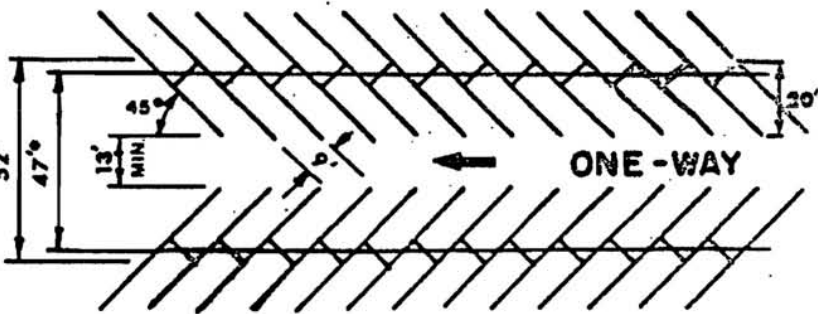


60 DEGREE



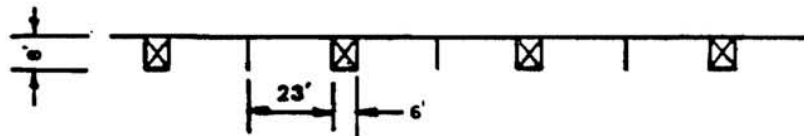
OVERLAPPING DIMENSION

45 DEGREE



OVERLAPPING DIMENSION (INCLUDING HERRINGBONE PATTERN)

PARALLEL



PARKING LAYOUTS

6. All improved private roadways and developed access easements which have been in existence prior to October 13, 2014 are exempt from the application of this section, and shall be deemed to be in conformance with the Hudson Township Zoning Ordinance.
7. Whenever new development on a private roadway results in the upgrade of the roadway from one class to another as defined in Article XVII of this Ordinance, the private roadway shall be improved according to the higher standards of the new classification. Whenever new development on a private roadway results in the upgrade of the roadway to a public roadway, the private roadway shall be improved according to the standards of the Lenawee County Road Commission.
8. All dead end private roadways and developed easements shall include a cul-de-sac at the dead end designed and built to the Lenawee County Road Commission standards. Private roadways that serve three (3) or less single-family residential lots may terminate with a T-Type turnaround with a branch leg, fifty (50) foot minimum in length.
9. Roadways exceeding 400 feet in length shall provide a developed shoulder and/or berm area, 75 feet in length and 26 feet in width inclusive of the traveled portion of the roadway, at the mid-point of the roadway developed length. There shall be one additional passing area provided for every 400 feet, or portion thereof, of additional roadway length.
10. The following schedule of minimum requirements and specifications for private roadways shall apply:

TABLE OF PRIVATE ROADWAY REQUIREMENTS

	Class I	Class II
Easement Width	Sixty-six (66) feet.	Sixty-six (66) feet.
Sub-base	Six (6) inches of sand unless the native soil is of a granular type suitable for a sub-base and spread to a minimum width sufficient to extend to the front slope of the roadside ditch.	Same as Class I.
BASE		
For Gravel Surface	Six (6) inches of 22A or 23A processed road gravel in two equal courses, each compacted twenty (20) feet wide.	Same as Class I except sixteen (16) feet wide.
TURNAROUND AREA		
Cul-De-Sac	Seventy-five (75) foot radius to the center line of the right-of-way.	Same as Class I

(continued)

TABLE OF PRIVATE ROADWAY REQUIREMENTS

	Class I	Class II
TURNAROUND AREA (cont.)		
T-Type	Not permitted.	May be substituted for a cul-de-sac on a roadway serving three (3) or less single-family residential lots, if applicant can show that it will function as well as the required turning circle.
DITCHES (See Footnote 1)		
0.5%-4.0% Grades	0.5% sod or otherwise stabilize.	Ditches shall be of sufficient width, depth, and grades to provide for adequate and positive drainage.
4.1% and Steeper Grades	Rip-rap	
Front/Back Slopes	1 on 4	
ROADWAY GRADES		
Minimum	0.5%	0.5%
Maximum	6.0%	6.0%
ROADWAY CURVES		
Horizontal-Minimum	Per Lenawee County Road Commission standards	Same as Class I
Vertical Minimum	100 feet long for changes in gradient of 2% or more	Same as Class I

Footnote 1: All surface water drainage, not retained on-site, from lots served by private roadways shall be conveyed to an approved point of discharge. Approval of the design and construction of the conveyance system shall be by the Lenawee County Road Commission, Lenawee County Drain Commission or other regulatory agency having jurisdiction.

ARTICLE VII
SPECIFIC USE REGULATIONS

Section 7.01. INTENT. . The purpose of this Article is to establish supplementary standards to guide the review of certain kinds of uses which, because of their characteristics may have a detrimental effect upon adjacent properties, the neighborhood, or the community even if all other standards within this Ordinance are met. It is the intent of these standards to provide for proper design control to assure that these uses will not cause any unanticipated problems or hazards and will be consistent with the Master Plan. It is further intended through these standards to recognize the importance of such uses by anticipating their location and site design needs and by establishing appropriate standards for their development in advance of actual proposals.

1. The provisions of this Article shall be held to be the minimum standards and requirements within each zoning district and shall not preclude the establishment of higher or more restrictive standards or requirements for the authorization of any special use permit where such higher or more restrictive standards or requirements are found necessary by the Building Inspector, Planning Commission or Township Board to obtain the intent of this Ordinance.
2. Nothing in this Article shall be construed to give rise to any permanent vested right in the continuation of any particular use, district, zoning classification, or any permissible activity therein. Furthermore, such rights as may exist through enforcement of this Ordinance are hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety and welfare.

Section 7.02. AIRPORTS. Airports, airfields, runways, hangars, beacons, and other facilities involved with aircraft operations should be subject to the following:

1. All rules and regulations of the Federal Aeronautics Administration and the Bureau of Aeronautics, of the Michigan Department of Transportation
2. Approval of the preliminary plans submitted to the Township by those agencies.

Section 7.03. AMPITHEATERS. Amphitheaters, for musical or theatrical performances.

1. Lot size shall be a minimum of ten (10) acres.
2. The site shall be so planned as to provide all ingress and egress directly onto a County Primary Road.
3. There shall be provided at least a one hundred (100) foot setback from the property line abutting the County Primary Road.
4. Such use shall be located at least three hundred (300) feet from any property line of abutting residentially zoned lands.

Section 7.04. AMUSEMENT PARKS, FAIRGROUNDS, ZOOLOGICAL GARDENS, BOTANICAL GARDENS, AND ARBORETUMS. Amusement parks, fairgrounds, zoological gardens, botanical gardens and arboretums.

1. The lot size shall be a minimum of ten (10) acres.
2. The site shall be so planned as to provide all ingress and egress directly onto a County Primary Road.
3. There shall be provided at least a one hundred (100) foot setback from the property line abutting the County Primary Road.
4. Such use shall be located at least two hundred (200) feet from any property line of abutting residentially zoned lands.

Section 7.05. AUTOMOBILE CAR WASH ESTABLISHMENTS. Automobile car wash establishments are subject to the following conditions:

1. Located within a completely enclosed building
2. Includes steam-cleaning, but excludes rustproofing
3. Provides the following off-street storage space for cars waiting to be washed per car wash lane:
 - a. At least ten (10) cars for manual or self-serve establishments
 - b. At least twenty-five (25) storage spaces for automatic establishments.

Section 7.06. AUTOMOBILE SERVICE STATIONS AND PUBLIC GARAGES. No automobile service station existing on the effective date of this Ordinance shall be structurally altered so as to provide a lesser degree of conformity with the provisions of this section that existed on the effective date of this Ordinance.

1. An automobile service station shall be located on a lot having a frontage along the principal street of not less than one hundred (100) feet, and having a minimum area of not less than fifteen thousand (15,000) square feet.
2. An automobile service station building housing an office and/or facilities for servicing, greasing and/or washing motor vehicles shall be located not less than forty (40) feet from any street lot line, and not less than twenty-five (25) feet from any side or rear lot line adjoining a residentially zoned district.
3. All driveways providing ingress to or egress from an automobile service station shall be not more than thirty (30) feet wide at the property line and shall adhere to county and state laws.
4. All lubrication equipment, motor vehicle washing equipment, hydraulic hoists and pits shall be enclosed entirely within a building. All gasoline pumps shall be located not less than fifteen (15) feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or over-hanging any public sidewalk, street or right-of-way.
5. Where an automobile service station adjoins property located in any residential

district, buffer wall of suitable material or planting strip shall be erected and maintained along the interior line. This wall or planting strip shall be at least four (4) feet but not greater than six (6) feet in height.

6. All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent property.
7. Outdoor storage or parking of wrecked or partially dismantled vehicles is prohibited.

Section 7.07. CAMPING. Camping is subject to the following requirements:

1. Camping on residential lots is allowed under the following circumstances:
 - a. The people camping on a property are the family or guests of the property owner and the camping is not a commercial enterprise.
 - b. Except if permitted below, all campers, tent and recreational vehicles may not be on the lot for a duration of more than 15 days for each site. Campers, tents or recreational vehicles must vacate the site for a minimum of three days for a new 15-day window to begin.
 - c. Camping is an allowed accessory use to a single-family residence on a residential lot. All camping structures must abide by the setbacks for the zoning districts in which the lot is located.
 - d. On lots zoned Lake Residential that are 0.8 acres or more, camping may occur as a primary use year-round if they meet the following standards: *(amended 5/14/18)*
 - i. All trash must be disposed of off-site. No curbside trash pick-up is allowed.
 - ii. Campers or recreational vehicles may not hook up to wells on-site.
 - iii. Campers or recreational vehicles may not hook up to on-site septic systems or sanitary sewer systems. The Township may ask for documentation of proper disposal of human waste.
 - iv. Up to two campers or recreational vehicles per lot may be placed on the lot for an unlimited time period. The campers or recreational vehicles may not be used as dwelling units.
2. Campgrounds, travel trailer sites and tent sites are subject to the following requirements:
 - a. Minimum lot size shall be three (3) acres. The lot shall provide direct vehicular access to a public street or road. The term "lot" shall mean a campground or travel trailer park.
 - b. Public stations, housed in all-weather structures, containing adequate water outlet, toilet, waste contained and shower facilities, shall be provided uniformly throughout the lot at a ratio of not less than one (1) such station per each twenty (20) sites.
 - c. No commercial enterprises shall be permitted to operate on the lot, except that a convenience good shopping building may be provided on a lot containing more than eighty (80) sites.

- d. Each lot shall provide a hard-surfaced, dust-free vehicle parking area for site occupants and guest parking. Such parking area shall be located within four hundred (400) feet of the site it is intended to serve (except in the case of sites specifically designated only for tent camping).
- e. Each site shall contain a minimum of fifteen hundred (1,500) square feet, except that the minimum size for sites specifically designated for tents shall be three thousand (3,000) square feet. Each site shall be set back from any right-of-way or property line at least seventy-five (75) feet.
- f. A minimum distance of fifteen (15) feet shall be provided between all travel trailers and tents.

Section 7.08. CEMETERIES. Cemeteries provided that:

1. The principal access shall be directly to a County Primary Road as identified by the Lenawee County Road Commission under the authority of the State Trunkline Highway System (PA 51 of 1951, MCL 247.651 *et sec*), as amended.
2. Minimum site size shall be ten (10) acres and the perimeter of the site shall be fenced as designated in Section 4.15.

Section 7.09. PLACES OF WORSHIP. Where places of worship are allowed, they shall meet the following requirements:

1. Minimum lot width of one hundred fifty (150) feet.
2. Minimum lot size of three (3) acres.
3. All front, side and rear yard space shall be a minimum of fifty (50) feet from each adjoining lot lines.

Section 7.10. COMMERCIAL RAISING OF ANIMALS. The commercial raising of animals is subject to the following conditions:

1. Domestic or laboratory animals such as cats, dogs, mice, rats or other similar animals shall be located on a parcel of property not less than ten (10) acres in area. All outdoor runs or breeding areas shall be enclosed on all sides by a wall or fence.

Section 7.11. CONVELESCENT AND/OR NURSING HOME. Convalescent and/or nursing home, when the following conditions are met:

1. The site shall be so developed as to create a land to building ratio on the parcel whereby for each one (1) bed in the convalescent home there shall be provided not less than fifteen hundred (1,500) square feet of land area.
2. No building shall be closer than forty (40) feet from any property line.

Section 7.12. COUNTRY CLUBS, GUN CLUBS, AND SKEET-SHOOTING RANGES. Country clubs, gun clubs and skeet-shooting ranges.

1. Lot size shall be a minimum of ten (10) acres.
2. Recreation facilities utilizing fire arms, bows and arrows, etc., shall have the site plan approved by the Lenawee County Sheriff to insure adequate safety.

Section 7.13. DRIVE-IN THEATERS. Drive-in theaters, provided that:

1. Any such site is adjacent to a County Primary Road
2. That there shall be no vehicular access to any residential street
3. That suitable screening is provided to insure that there be no vehicular access to any residential street
4. That suitable screening is provided to insure that there shall be no highlight or other illumination directed upon any residentially zoned or developed property; and so that the picture is not visible from a major thoroughfare
5. That any such drive-in theaters shall be located no closer than one thousand (1,000) feet to any residentially zoned or developed property.

Section 7.14 GOLF COURSE. A Golf course may not be operated, subject to the following conditions:

1. The site shall be so planned as to provide all ingress and egress directly onto a County Primary Road as identified by the Lenawee County Road Commission under the authority of the State Trunkline Highway system (PA 51 of 1951, MCL 247.651 *et sec*), as amended.
2. Development features including the principal and accessory buildings and structure shall be so located and related to as minimizes the possibilities of any adverse effects upon adjacent property. This shall mean that all principal or accessory buildings shall be not less than two hundred (200) feet from any property line of abutting residentially zoned lands.

Section 7.15 GROUP CHILD CARE HOME. A group child care home is allowed in a single-family home per Section 206 of the Michigan Zoning Enabling Act (MCL 125.3206), if it meets the following standards:

1. The group home is not located closer than 1,500 feet to any of the following:
 - a. Another licensed group child care home.
 - b. A state licensed residential facility, as defined by Section 17.01.xx.
 - c. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the Public Health Code (PA 368 of 1978, MCL 333.6101 *et sec*).
2. The group home has appropriate fencing for the safety of the children.
3. The group home is maintained in a manner consistent with the visible characteristics of the neighborhood.
4. The hours of operation of the group home does not exceed 16 in any 24-hour period
5. Signage for the group home is limited to one (1) non-illuminated nameplate not more than two (2) square feet in area attached to the building.
6. Additional parking associated with the group home is prohibited.

Section 7.16. HORSE OR MOTORIZED VEHICLE RACE TRACK AND DRAG STRIPS.

Horse or automobile race tracks and drag strips subject to the following requirements:

1. The minimum site size shall be ten (10) acres.
2. The sites shall have direct access to a County Primary Road.
3. There shall be provided at least a one hundred (100) foot setback from the property line that abuts the County Primary Road.
4. Such use shall be located at least three hundred (300) feet from any property line of abutting residentially zoned lands.

Section 7.17. HOSPITALS. Hospitals provided the following conditions are met:

1. All such hospitals shall be developed only on sites consisting of at least ten (10) acres in area.
2. The proposed site shall have at least one (1) property line abutting a County Primary Road. All ingress and egress to the off-street parking area, for guests, employees, staff as well as any other uses of the facilities, shall be directly onto said County Primary Road.
3. In the event one (1) or more boundaries of the proposed site lies opposite or contiguous to a residential district, the minimum distances between any hospital structure or accessory use and the residential district boundary shall be at least one hundred (100) feet for buildings containing two (2) stories, the building shall be setback from the initial one hundred (100) foot setback an additional one (1) foot for each foot of additional height above two (2) stories.
4. The minimum distance from any street line shall not be less than forty (40) feet for buildings containing two (2) stories and shall be set back an additional one (1) foot for each five (5) feet of height above two (2) stories.
5. The minimum distance from any non-residential lot line shall not be less than twenty-five (25) feet.
6. Ambulance and delivery areas shall be obscured from all residential view with a wall at least six (6) feet in height and said wall shall be further subject to the requirements of Section 4.15.
7. Development Plan shall show any future construction and projected maximum patient census.
8. Noise producing activities, such as ambulance and delivery areas shall be located not less than five hundred (500) feet from any residential area.

Section 7.18. HOUSING FOR THE ELDERLY. All housing for the elderly shall be provided as a planned development consisting of at least ten (10) acres in area and may provide for the following:

1. Cottage-type dwellings and/or apartment-type dwelling units.
2. Common services containing but not limited to central dining rooms, recreational rooms, central lounge, and workshops.

3. All dwellings shall consist of at least three hundred and fifty (350) square feet per unit (not including kitchen and sanitary facilities).
4. Total coverage of all buildings (including dwelling units and related service buildings) shall not exceed fifty (50%) percent of the total site exclusive of any dedicated public right-of-way.

Section 7.19. MINIATURE GOLF COURSES, ARCADES, GO-CART TRACKS, PRIVATE MUSEUMS, AND OTHER RECREATION ENTERPRISES OF A SIMILAR NATURE. Miniature golf courses, arcades, go-cart tracks, private museums, and other recreation enterprises of similar nature.

1. Lot size shall be a minimum of ten (10) acres.
2. The site shall be so planned as to provide all ingress and egress directly onto a County Primary Road.

Section 7.20. NURSERY SCHOOLS, DAY NURSERIES, AND CHILD CARE CENTERS. Nursery schools, day nurseries and child care centers (not including dormitories) provided that for each child so cared for:

1. There shall be provided and maintained a minimum of one hundred and fifty (150) square feet of outdoor play area.
2. Such play space shall have a total minimum area of at least five thousand (5,000) square feet and shall be screened from any adjoining lot in any residential district.

Section 7.21. OPEN AIR BUSINESSES. Open air businesses when permitted in a Commercial or Agricultural District, shall be subject to the following regulations:

1. The minimum area of the site shall be ten thousand (10,000) square feet.
2. The minimum street frontage shall be one hundred (100) feet.
3. Where the site abuts property in any residentially zoned district, a buffer wall or planting strip shall be provided along the interior line.
4. Exterior lighting shall be installed in a manner which will not create a driving hazard and shall be hooded or shielded so as to be deflected away from adjacent property.
5. All open air businesses shall comply with all applicable Township and County health regulations.
6. Christmas tree sales may be permitted in the Agricultural and Commercial Districts for a period not to exceed forty-five (45) days. Adequate off-street parking shall be provided and situated so as to not create a traffic hazard. The site shall be cleared of trees and debris ten (10) days after the last day of the sale.

Section 7.22. OPEN STORAGE YARDS. Open storage yards of construction contractor's equipment and supplies, building materials, sand, gravel or lumber.

1. Such uses shall be located at least two hundred (200) feet from any residential district.
2. If it is deemed essential by the Planning Commission to prevent loose materials from blowing into adjacent properties, a fence, tarpaulin or obscuring wall of not

less than five (5) feet shall be required around the stored material.

3. No required yard spaces shall be used for the storage of equipment or material.

Section 7.23. PLANNED SHOPPING CENTERS. Planned shopping center based upon the following criteria:

1. A planned shopping center when used in this context means a commercial development which has been designed, developed and operated as a unit and can satisfy the following criteria: a site of three (3) to six (6) acres; a supporting population of at least five (5) stores and a floor area of ten thousand (10,000) to fifty thousand (50,000) square feet in size.
2. A planting strip of at least ten (10) feet wide shall be provided around the entire perimeter of the site except for driveways onto the public street system. A wall or barrier of suitable material not less than five (5) feet high shall be constructed along those property lines which abut a residential district.
3. No main or accessory building shall be situated less than fifty (50) feet from any perimeter property line.
4. A landscape plan which includes the entire site shall be submitted for approval to determine compliance with screening and planting strips.
5. All signs shall be affixed to the face of the building and shall be a uniform design throughout except for one (1) ground pole sign advertising the name of the shopping center.
6. Because of the nature of the parking and ingress and egress to shopping centers, carry-out restaurants shall be permitted.
7. All off-street parking shall be within its own area, as specified in Article VI, and an internal system of roads and walks which will effectively separate pedestrian and vehicular traffic.

Section 7.24. RADIO AND TELEVISION TOWERS. Radio and television towers, including all commercial radio, television and other transmitting or relay antenna towers are permitted, subject to the following conditions:

1. The setbacks for all towers shall be a distance equal to the height of such tower.
2. The structural plans shall be approved by the Building Inspector.
3. The towers shall observe all state, county, and local safety and health regulations including those established by the Federal Aeronautics Administration.

Section 7.25 SALES OF FARM MACHINERY, EQUIPMENT, AND SUPPLIES. Sales of farm machinery, equipment and supplies are permitted, subject to the following conditions:

1. The site shall have direct access to a County Primary Road.
2. Such use shall be located at least fifty (50) feet away from any property line of abutting residentially zoned lands.

Section 7.26 SAND AND GRAVEL OPERATIONS. A sand and gravel operation may be operated, subject to the following:

1. The Township Board determines, upon the recommendation of the Planning Commission, that mining of sand and gravel will not result in any “very serious consequences.” The Planning Commission will consider the following factors, as applicable, in making that recommendation:
 - a. The relationship of extraction and associated activities with existing land uses.
 - b. The impact on existing land uses in the vicinity of the property.
 - c. The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.
 - d. The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.
 - e. The impact on other identifiable health, safety, and welfare interests in the local unit of government.
 - f. The overall public interest in the extraction of the specific natural resources on the property.
2. Where an excavation in excess of five (5) feet below the average grade of the property surrounding the excavation area will result from such operations, the applicant must erect a fence with warning signs completely surrounding that portion of the site where the excavation extends, said fence will be of wire mesh or other suitable material and to be not less than five (5) feet in height complete with gates, which gates must be kept locked when operations are not being carried on.
3. No excavation can be made closer than one hundred (100) feet from the nearest street or highway right-of-way line nor nearer than five hundred (500) feet to the nearest residence nor closer than one hundred (100) feet to the nearest property line; provided, however, that the Township Board may prescribe more strict requirements in order to give sub lateral support to surrounding property where soil or geographic conditions warrant it.
4. On said lot, all roads, driveways, parking lots, and loading and unloading areas within one hundred (100) feet of any lot line must be paved, oiled, watered, or chemically treated so as to limit adjoining lots and public roads the nuisance caused by wind-borne dust.
5. All areas within any single development must be rehabilitated progressively, as they are worked out or abandoned, to a condition of being entirely lacking in hazards, inconspicuous, and blended with the general surrounding ground form so as to appear reasonably natural.
6. All sand and gravel operations shall comply with applicable state laws.

Section 7.27. ROADSIDE STANDS. Roadside stands shall not be more than one (1) story high nor larger in floor area than twenty (20) feet by twenty (20) feet and must be set back from the nearest highway right-of-way line at least thirty-five (35) feet.

Section 7.28. GARAGE SALES. Garage sales may be conducted on residential premises for no more than six (6) calendar days during a given one (1) year period. Garage sales exceeding this limit shall be a commercial use and is not permitted in a residential district.

Section 7.29. LARGE SOLAR ENERGY SYSTEMS. The purpose and intent of this Section is to establish standards for the siting, installation, operation, repair, decommissioning and removal of Large Solar Energy Systems within the A, Agricultural District and the I, Industrial District, as a Special Land Use. The following requirements shall apply to all Large Solar Energy Systems:

1. Site Plan Drawing and Supporting Materials: All applications for a Large Solar Energy Systems use must be accompanied by detailed site plans, drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:
 - a. All requirements for a site plan contained in Article VIII of the Hudson Township Zoning Ordinance.
 - b. All lot lines and dimensions, including a legal description of each lot or parcel comprising the Large Solar Energy System.
 - c. Names of owners of each lot or parcel within Hudson Township that is proposed to be within the Large Solar Energy System.
 - d. Vicinity map showing the location of all surrounding land uses.
 - e. Location and height of all proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with a Large Solar Energy System.
 - f. Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property.
 - g. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Large Solar Energy System and within 100 feet of all exterior property lines of the Large Solar Energy System.
 - h. Proposed setbacks from the Solar Array(s) to all existing and proposed structures within the Large Solar Energy System.
 - i. Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within the Large Solar Energy System at a minimum of 5' contours.
 - j. Access driveways within and to the Large Solar Energy System, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Lenawee County Road Commission approval and shall be planned so as to minimize the use of lands for that purpose.
 - k. Planned security measures to prevent unauthorized trespass and access during the construction, operation, removal, maintenance or repair of the Large Solar Energy System.
 - l. A written description of the maintenance program to be used for the Solar Array and other components of the Large Solar Energy System, including decommissioning and removal. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Large Solar Energy System is decommissioned.
 - m. Planned lightning protection measures.
 - n. Additional detail(s) and information as required by the Special Land Use requirements

of the Hudson Township Zoning Ordinance, or as required by the Planning Commission.

2. Application Escrow Account: An escrow account shall be deposited with the Township by the Applicant when the Applicant applies for a Special Land Use Permit for a Large Solar Energy System. The monetary amount deposited by the Applicant in escrow with the Township shall be the amount estimated by the Township, to cover all reasonable costs and expenses associated with the Special Land Use Permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. The Applicant shall have thirty (30) days to refuse or approve of the amount estimated by the Township. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the Special Land Use Permit review process, the Township may require that the Applicant place additional funds into escrow with the Township if the existing escrow amount deposited by the Applicant is deemed insufficient by the Township. If the escrow account needs replenishing and the Applicant refuses to do so within thirty (30) days, the Special Land Use Permit process shall cease unless and until the Applicant makes the required additional escrow deposit. Any applicable zoning escrow Resolutions or other Ordinances adopted by the Township must also be complied with by the Applicant. The Township shall provide a summary of all account activity to the Applicant within a timely manner upon request. Any funds remaining within the escrow after approval of the Special Land Use Permit shall be returned in a timely manner to the Applicant. (Land not Protected by P.A. 116 Farmland Development Rights Agreements. The land proposed for erection of a Large Energy Solar System may not be protected by a Farmland Development Rights Agreement under farmland protection program under Michigan Public Act 116.)

3. Compliance with the County Building Code and the National Electric Safety Code: Construction of a Large Solar Energy System shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section. In the event of a conflict between the County Building Code and National Electric Safety Code (NESC), the NESC shall prevail.

4. Certified Solar Array Components: Components of a Solar Array shall be approved by the Institute of Electrical and Electronics Engineers (“IEEE”), Solar Rating and Certification Corporation (“SRCC”), Electronic Testing Laboratories (“EIL”), or other similar certification organization if the similar certification organization is approved by the Township, which approval shall not be unreasonably withheld.

5. Height: Maximum height of a Solar Array, other collection device, components or buildings of the Large Solar Energy System, excluding substation and electrical transmission equipment, shall not exceed fifteen (15) feet (as measured from the natural grade at the base of improvements) at any time or location on the property. Substation and electrical transmission equipment shall not exceed one hundred (100) feet.

6. Lot Size: A Large Solar Energy System shall be located on one or more parcels with an aggregate area of twenty (20) acres or greater.

7. Setbacks: A minimum setback distance of seventy-five (75) feet from all exterior property lines of the Large Solar Energy System and existing public roads and railroad rights-of-way shall be required for all buildings and Solar Arrays, provided that a setback of one hundred (100) feet shall be required adjacent to any residential use.

8. Lot Coverage: A Large Solar Energy System is exempt from maximum lot coverage limitations.

9. Security: A Large Solar Energy System shall be completely enclosed by a six (6) foot tall

perimeter security fence to restrict unauthorized access. Upon approval from the planning commission, and as indicated in Section 5.6(e), barbed wire cradles, not to exceed one (1) foot in height, may be placed on top of fence in the interests of public safety. Such fencing shall not be permitted less than twenty-five (25) feet from the property boundary of a residential use. Electric fencing is not permitted.

10. Screening: The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Large Solar Energy System from adjacent residential uses, subject to the following requirements:

- a. The evergreen or native vegetative buffer shall be composed of native or evergreen trees that at planting shall be a minimum of eight (8) feet in height, as measured from the top of the root ball, and shrubs two (2) feet in height, as measured from grade at the time of planting. The evergreen trees shall be spaced no more than fifteen (15) feet apart on center (from the central trunk of one plant to the central trunk of the next plant) and in a staggered pattern of at least two (2) rows totaling no less than twenty-five (25) feet in depth, native trees shall be placed no more than thirty (30) feet apart on center and shrubs shall be spaced no more than seven (7) feet apart on center. To obscure security fences, all plantings shall be in the area provided between the fence and the nearest perimeter property boundary; no plantings shall be located within such fence line.
- b. All unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the Applicant within one (1) year, or the next appropriate planting period, whichever occurs first.
- c. All plant materials shall be installed between March 15 and November 15. If the Applicant requests a Final Certificate of Occupancy from the Township and the Applicant is unable to plant during the installation period, the Applicant will provide the Township with a letter of credit, surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.
- d. Failure to install or continuously maintain the required vegetative buffer shall constitute a violation of this Ordinance and any Special Use Permit may be subject to revocation.

11. Signage: No advertising or non-project related graphics shall be on any part of the Solar Arrays or other components of the Large Solar Energy System. This exclusion does not apply to entrance gate signage or notifications containing points of contact or any and all other information that may be required by authorities having jurisdiction for electrical operations and the safety and welfare of the public.

12. Noise: No component of any Large Solar Energy System shall emit noise exceeding sixty-five (65) dBA as measured at the exterior property boundary or the existing ROW line.

13. Lighting: All lighting for parking lots, driveways, external illumination of buildings, or the illumination of signs shall be directed away from and be shielded from adjacent properties and shall be so arranged as to not adversely affect driver visibility on adjacent public roads.

14. Distribution, Transmission and Interconnection: All collection lines and interconnections from the Solar Array(s) to any electrical substations shall be located and maintained underground inside the Large Solar Energy System, except in areas where technical or physical constraints make it preferable to install equipment above ground. This requirement excludes transmission equipment meant to connect the project substation to the local transmission system.

15. Abandonment and Decommissioning: Following the operational life of the project, the Applicant shall perform decommissioning and removal of the Large Solar Energy System and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Special Land User Permit. Under this plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures up to three (3) feet below-grade shall be removed offsite for disposal. Any Solar Array or combination of Photovoltaic Devices that is not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be removed under the Decommissioning Plan. The ground must be restored to its original topography within three hundred sixty-five (365) days of abandonment or decommissioning.

16. General Standards: The Planning Commission shall not approve any Large Solar Energy System Special Land Use Permit unless it finds that all of the general standards for Special Land Uses contained in Section 15.14 of this Ordinance are met.

17. Approval Time Limit and Extension: Special Use and Site Plan approvals or permits under this Section shall be valid for one year but, if requested by the Applicant prior to that expiration date, shall automatically be extended for an additional one-year period.

18. Conditions and Modifications: Any conditions and modifications approved by the Planning Commission shall be recorded in the Planning Commissions' meeting minutes. The Planning Commission may, in addition to other reasonable conditions, require landscaping, walls, fences and other improvements that are reasonable in relation to and consistent with the nature of the applicable or adjacent zoning districts. After approval, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Chairperson of the Planning Commission and authorized representative of the Applicant. One copy shall be kept on file by the Township Clerk, and one copy shall be returned to the Applicant's authorized representative.

19. Inspection: The Township shall have the right at any reasonable time, to provide same-day notice to the Applicant to inspect the premises on which any Large Solar Energy System is located. The Township may hire one or more consultants, with approval from the Applicant (which shall not be unreasonably withheld), to assist with inspections at the Applicant's or project owner's expense. Inspections must be coordinated with, and escorted by, the Applicant's operations staff at the Large Solar Energy Facility to ensure compliance with the Occupational Safety and Health Administration (OSHA), NESC and all other applicable safety guidelines.

20. Maintenance and Repair: Each Large Solar Energy System must be kept and maintained in good repair and condition at all times. If the Township Zoning Administrator determines that a Large Solar Energy System fails to meet the requirements of this Ordinance and the Special Land Use Permit, or that it poses a safety hazard, the Zoning Administrator, or his or her designee, shall provide notice to the Applicant of the safety hazard. If, after a reasonable period (not to exceed 7 days), the safety hazards are not corrected, the Applicant is entitled to a hearing before the Township Board. If the Township Board determines that the safety hazard requires that the Large Solar Energy System must be shut down, Applicant shall immediately shut down the Large Solar Energy System and not operate, start or restart the Large Solar Energy System until the issues have been resolved. Applicant shall keep a maintenance log on the Solar Array(s), which shall be available for the Township's review within 48 hours of such request. Applicant shall keep all sites within the Large Solar Energy System neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.

21. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a Large Solar Energy System shall be repaired at the Applicant's expense. In addition, the Applicant shall submit to the appropriate County agency a

description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries. The Applicant shall abide by all County requirements regarding the use and/or repair of County roads.

22. Continuing Security: If any Large Solar Energy System is approved for construction under this Section, Applicant shall post decommissioning security prior to the start of construction (in a mutually agreed upon form) for an amount necessary to accomplish the work specified in the decommissioning plan as agreed upon by the Township and Applicant. The amount shall be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the Large Solar Energy System. Such financial security shall be kept in full force and effect during the entire time that the Large Solar Energy System exists or is in place, and such financial security shall be irrevocable and non-cancelable.

- a. Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Large Solar Energy System exists or is in place shall constitute a material and significant violation of the Special Land Use Permit and this Ordinance, and will subject the Large Solar Energy System Applicant, owner and operator to all remedies available to the Township, including any enforcement action, civil action, request for injunctive relief, and revocation of the Special Land Use Permit.

23. Other Requirements: Each Large Solar Energy System shall also comply with all applicable federal, state and county requirements, in addition to other applicable Township Ordinances. (*Approved 12/9/19*)

Section 7.30. EVENT FACILITY. The purpose and intent of this Section is to establish standards for the siting and operation of event venues. The following requirements shall apply to all event venues:

1. The site shall be a minimum of five (5) acres.
2. The proposed site shall have at least one (1) property line abutting a County Road.
3. All ingress and egress to any off-street parking areas shall be directly from a collector or arterial road as designated by the County Road Commission.
4. All facilities, improvements and activities shall be located outside of all road rights-of-way and required yard setbacks in the subject site's zoning district.
5. Parking must be sufficient for the number of attendees plus staff: at least one space per two (2) attendees plus one space for each employee.
6. All applicants shall comply with all safety requirements per the Building and Fire Codes for public gathering places.
7. All applicants shall have sanitary facilities as approved by the County Health Department if not on public sewer and water.
8. All serving of alcohol shall have proper licensing per the Michigan Liquor Control Commission.
9. All serving of food shall have all permits as required by the County Health Department.
10. Maximum hours of operation are 10 a.m. to midnight maximum (for music) and 1a.m. for the event. The Planning Commission may further restrict hours of operation, taking into consideration anticipated noise levels, exterior lighting, the type(s) of off-site uses impacted by the facility, and the facility's proximity to lot boundaries and adjacent dwellings.
11. The maximum number of events is two events on the weekends (Friday through Sunday) and only one event per date; no concurrent events. Events cannot exceed the maximum occupancy of the building where the event is held but in no case more than 500 persons.
12. All amplified music and entertainment related sounds shall be conducted inside a fully enclosed structure. At no time shall sound levels exceed 65 decibels at the property line. (*approved 12/9/19*)

ARTICLE VIII SITE PLAN REVIEW

Section 8.01. INTENT. Whenever required in a zoning district of this Ordinance, a site plan must be submitted to the Building Inspector and/or Planning Commission showing all buildings, parking areas, and landscaping at a scale sufficient to permit study of all elements of the plan. Typical elevations and floor plans of the building must also be provided. In addition, the proposed site plan of the development shall show all adjacent properties, including existing buildings, located within two hundred (200) feet of the proposed site in the same block. The plans shall meet the required standards and design and indicate no adverse effects which cause injury to adjoining property or the Township as a whole. Plans so approved shall regulate the development on said premises, unless modified in the same manner as the plans were originally approved. Such review is necessary to secure proper relationships between parking areas, access drives, abutting public thoroughfares, landscaping building, siting, and open space.

Notwithstanding anything to the contrary contained in the township zoning ordinance and to secure compliance with Michigan Public Act 110 of 2006 with respect to procedures contained in said ordinance pertinent to “special land uses” and/or “planned unit developments” or concepts in the ordinance under different terminology designed to accomplish similar objectives of a reviewing process, hereafter such reviewing process is delegated to the planning commission. Any site plan review required pertinent to the foregoing is also hereby similarly delegated notwithstanding any other ordinance provision to the contrary.

In addition to specific standards which may be applicable, the following set of standards shall serve as the basis for decisions involving for site plan review. Site plan approval shall be granted if the site plan meets all applicable standards below:

1. All information required by Section 8.02 has been provided.
2. The site plan is consistent with the goals, objectives and implementation strategies of the Hudson Township Master Plan.
3. The plan complies with the provisions of this Ordinance, Federal and State statutes, other applicable ordinances, rules and regulations.
4. All required improvements are provided.
5. All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted.
6. The scale and design of the proposed development shall support and not create an unreasonable burden on the ability of the township or other public agencies to adequately provide services including, but not limited to: fire and police protection, storm water management, sanitary sewage removal and treatment, traffic control, public schools and administrative services.

7. If phases are proposed, the phases of development are in logical sequence so that any phase will not depend upon a subsequent phase for adequate access, public utility service, drainage, or erosion control.
8. Outside lighting will not adversely affect adjacent or neighboring properties, or traffic on adjacent streets.
9. The means of ingress and egress to and from the site is planned with the objective of achieving recognized planning, engineering and safety standards, and shall not result in an unreasonable risk of danger to persons and/or property on the site and/or off the site. In general, this standard shall be met based upon the design of ingress and egress in terms of the number, location and design of access(es), and utilization of acceleration, deceleration and passing lanes and approaches. The Planning Commission shall review the ingress and egress proposed for the purpose of promoting and protecting traffic safety, and shall require improvements accordingly.
10. All buildings or groups of buildings are arranged so as to permit emergency vehicle access.
11. The arrangement of public or common ways for vehicular and pedestrian circulation respects the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. The width of streets and drives is appropriate for the volume of traffic they will carry, on-street parking where appropriate, and the desired character of the streetscape and neighborhood.
12. The capacity of the street system is adequate to safely and efficiently accommodate the expected traffic generated by the development.

Section 8.02. REQUIRED SITE PLAN REVIEW APPLICATION INFORMATION.

All site plan applications shall have the following information:

1. Applicant's name, street address, phone number, and e-mail address. If the applicant is the owner, then each person having a fee interest in the property must sign the application. If the applicant is a corporation, a corporate officer must sign the application. If the applicant is a limited liability company, the manager or a member must sign the application. If the applicant is a partnership, a general partner must sign the application. If the applicant is not the owner, the applicant must submit a document signed by the owner(s) of record which authorizes the applicant to submit the application and agrees to be bound by the provisions of applicable statutes, ordinances, rules and regulations.
2. If different from the applicant, developer's name, street address, phone number and e-mail address.
3. Address, tax code number(s) and legal description of the subject property.
4. Name, street address, phone number, and e-mail address of the engineer, architect, landscape architect, land planner, and/or land surveyor aiding in preparation of the site plan.
5. Project name.
6. Total size of project.

7. Zoning district in which the property is located.
8. Uses proposed and approximate size of each area.
9. Projected time frame and number of development phases.
10. Total number of existing and proposed structures, units, or offices.
11. List of all improvements proposed to be installed by the developer.
12. General statement of private roads, if applicable, in accordance with section 6.05 of this Ordinance.
13. Scaled drawing by of a scale not greater than one inch equals twenty feet (1" = 20'), nor less than one inch equals sixty feet (1" = 60'), and of such accuracy that the Planning Commission can readily interpret the plan drawn by a prepared by a professional engineer, architect, planner, landscape architect or land surveyor licensed in the State of Michigan and shall bear their seal. The scaled drawing, which may contain multiple sheets, shall contain the following:
 - a. A north arrow oriented so that north is either up or to the left.
 - b. Standard engineering scale for each sheet.
 - c. Location (vicinity map) and description of site: dimensions, area, legal description of site; dimensions and lot area; property ownership; drainage relationships; road network and utility systems. Where a metes and bounds description is used, lot line angles or bearings shall be indicated on the plan and the lot line dimensions and angles or bearings shall be based upon a boundary survey prepared by a registered surveyor, and shall correlate with the legal description.
 - d. Existing building/structures and drives, and existing natural and man-made features to be retained or removed.
 - e. Proposed and existing buildings/structures: location, outline, general dimensions, distances between, floor area, number of floors, height, and number and type of dwelling units (where applicable). This information is required regardless of lot size.
 - f. Existing zoning classification of property and abutting lands.
 - g. Proposed lot size per dwelling unit, building lot coverage expressed as a percentage, and yard setbacks.
 - h. Topographical map containing two (2') foot contour intervals at a scale not more than one inch equals twenty feet (1" = 20'), if the subject property is less two (2) acres; one inch equals forty feet (1" = 40'), if the site is less than six (6) acres; and one inch equals one hundred feet (1" = 100'), if the site is greater than six (6) acres. The map shall extend approximately two hundred (200') feet beyond the boundaries of the project.
 - i. Location of proposed and existing public or private streets/drives on and within two hundred (200') feet of the project: general alignment, right-of-way (where applicable), surface type and width, names, spot elevations of

street surfaces, including elevations at intersections with streets and drives of the proposed development.

- j. Location of proposed sidewalks and pedestrian paths: width, composition (materials), lighting and typical cross section.
 - k. Proposed exterior lighting features.
 - l. Access/egress points to and from project together with proposed improvements to existing roads leading to/from the project.
 - m. Proposed parking: location and dimension of lots, dimensions of spaces and aisles, angle of spaces, surface type, barrier free spaces and number of spaces. Include supporting calculations for parking spaces.
 - n. Location and width of easements on site
14. Further information as requested by the Building Inspector or Planning Commission which is relevant to the site and standards set forth in this Ordinance.

Section 8.03. SITE PLAN REVIEW REQUIRED. A site plan shall be submitted to the Planning Commission for review and approval in accordance with Section 8.01 for the following:

- 1. All special land uses required by Section 4.01
- 2. All uses permitted in the Manufactured Housing District
- 3. All uses permitted in the Commercial District
- 4. All uses permitted in the Commercial Recreation District
- 5. All uses permitted in the Light Industrial District

ARTICLE IX
MANUFACTURED
HOUSING

Section 9.01. MANUFACTURED HOUSING PARKS. Manufactured Housing Parks, subject to the requirements as established and regulated by the Mobile Home Commission Act (PA 96 of 1987, MCL 125.2301 *et sec*), as amended, except that the same shall conform to the following requirements:

1. Greenbelt: The park shall have a greenbelt twenty (20) feet in width at its rear and sides. The greenbelt shall be forty (40) feet at the front of the manufactured housing park. The greenbelt shall be measured from the nearest edge of the road right-of-way to the line of the closest manufactured housing site.
2. Recreation: The minimum of ten (10%) percent of the total park should be left in open space developed for recreation purposes. Such developed area shall not include roads, sidewalks, lands under water, or lands having excessive grades and shall be so graded and developed as to have adequate drainage and usability by residents of the park.
3. Site Dimensions: Each manufactured home shall have its own home site which shall be at least forty (40) feet wide and a minimum of three thousand six hundred (3,600) square feet in area. A double-wide mobile home shall have a manufactured housing site which shall be at least fifty-five (55) feet wide and a minimum of five thousand five hundred (5,500) square feet in area.
4. Manufactured homes shall be at least thirty (30) feet from the rear of the nearest manufactured home and twenty-five (25) feet from the side of the nearest manufactured home.
5. Manufactured homes shall be placed at least ten (10) feet from the pavement of the access drive.

Section 9.02. MANUFACTURED HOUSING SUBDIVISIONS. Manufactured Housing Subdivisions provided that minimum lot sizes and yard spaces shall be:

- | | | |
|----|---------------------|---|
| 1. | Lot width: | Single – 45 feet
Double wide – 60 feet |
| 2. | Lot area: | Single – 5,000 square feet
Double wide – 7,200 square feet |
| 3. | Minimum front yard: | 20 feet |
| 4. | Minimum side yard: | 10 feet |
| 5. | Minimum rear yard: | 25 feet |

ARTICLE X
INDUSTRIAL PERFORMANCE STANDARDS

Section 10.01. SCOPE. After the effective date of this Ordinance, any use established or changed to, and any buildings, structure, or tract of land developed, constructed or used for, any permitted or permissible principal or accessory use shall comply with all of the performance standards herein set forth for the District involved.

If any existing use or building or other structure is extended, enlarged, moved, structurally altered, or reconstructed, or any existing use of land is enlarged or moved, the performance standards for the District involved shall apply with respect to such extended, enlarged, moved, structurally altered or reconstructed building or other structure or portion thereof, and with respect to land use which is enlarged or moved.

Any use established in the I – Light Industrial District shall not be permitted to carry on any activity, operation, use of land, building or equipment that produces irritants to the sensory perceptions greater than the measures therein established which are hereby determined to be the maximum permissible hazard to humans or human activity.

1. Hot forgings, steam or board hammers: Not permitted.
2. Noise: Shall be muffled so as not to become objectionable due to intermittence, beat frequency, or shrillness. Noise as measured at the street or property line may not exceed eighty (80) decibels with a center frequency of one hundred and twenty-five (125) cycles per second.
3. Gases, smoke, dust, dirt and fly ash: The emission of gases, smoke, dust, dirt and fly ash shall in no manner be unclean, destructive, unhealthful, hazardous or deleterious to the general welfare. Such emission shall be in strict conformance with all applicable State and County health laws as pertaining to air pollution and smoke abatement.
4. Glare and heat: Arc welding, acetylene torch cutting or similar processes causing glare and heat shall be performed behind solid walls or frosted glass not less than fifteen (15) feet high as measured from the ground level adjacent to the structure concerned.
5. Fire and safety hazards: The storage and handling of flammable liquids, liquefied petroleum gases, and explosives shall comply with all State rules and regulations, and as established by the Fire Prevention Code (PA 207 of 1941, MCL 29.1 *et sec*), as amended. Further, all storage tanks of liquid materials above ground shall be located not less than one hundred and fifty (150) feet from all property lines, and shall be completely surrounded by earth embankments, dikes, or other types of retaining walls which will contain the total capacity of all tanks so enclosed.
6. Vibration: Machines or operations which cause vibration shall be permitted, but no operation shall cause a displacement exceeding .003 of one (1) inch as measured at the property line with a frequency of ten (10) cycles per second.

Section 10.02. INDUSTRIAL PERFORMANCE STANDARDS. Uses in the Light Industrial District shall conform to the performance standards established in Section 10.01.

ARTICLE XI
NONCONFORMING LOTS, NONCONFORMING USES OF LAND,
NONCONFORMING STRUCTURES AND NONCONFORMING
USES OF STRUCTURES AND PREMISES

Within the districts established by this Ordinance, should there exist lots, structures and uses of land and structures which were lawful prior to adoption of this Ordinance but were made unlawful by regulations imposed by this Ordinance, they shall be termed nonconforming. It is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance to permit no enlargement or extension of nonconforming uses, including the addition of other structures or uses prohibited elsewhere in the same district.

Section 11.01. NONCONFORMING LOTS OF RECORD (SUBSTANDARD LOTS). In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory building may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area or width or both, of the lot shall conform to the regulations for the district in which such lot is located. Yard requirement variances may be obtained through approval of the Board of Appeals.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this resolution, and if all or part of the lots do not meet the requirements for lot width and areas as established by this Ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or occupied which does not meet lot width and area requirements established by this Ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Ordinance.

Section 11.02. NONCONFORMING STRUCTURES. Where a lawful structure exists at the effective date of adoption of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming structure may be enlarged or altered in a way which increases its non-conformity, unless otherwise specified by the Board of Appeals.
2. Should such nonconforming structure, or nonconforming portion of structure, be destroyed by any means, it may not be reconstructed except in conformity with the provisions of this Ordinance.
3. Should structure be moved for any reason whatever, it shall hereafter conform to the regulations for the district in which it is located after it is moved.

Section 11.03. NON-CONFORMING USES OF LAND. Where at the time of passage of this Ordinance lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, the use may be continued so long as it remains otherwise lawful, provided:

1. No such non-conforming structure may be enlarged or increased, nor extended to occupy a greater area of land that was occupied at the effective date of adoption or amendment of this Ordinance.
2. No such non-conforming use shall be moved in a whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
3. If any such non-conforming use of land abandoned, any subsequent use of land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
4. Only those additional structures which are in conformance to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.

Section 11.04. NON-COMFORING USES OF STRUCTURES. If lawful use involving individual structures or of structure and premises exists at the effective date of adoption of this Ordinance, that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that approval is secured from the Planning Commission and that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. Whenever a non-conforming use has been changed to a conforming use, or to a use permitted in a district of greater restriction, it shall not thereafter be changed back to a non-conforming use.
4. When a non-conforming use of a structure, or structure and premises in combination, is abandoned, the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

5. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this section is defined as damaged to an extent of more than one hundred (100%) of State Equalized Valuation at time of destruction.

Section 11.05. REPAIRS AND MAINTENANCE. On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding twenty (20%) percent of the current State Equalized Valuation of the non-conforming structure or non-conforming portion of the structure as the case may be, provided that the cubic content existing when it became non-conforming shall not be increased.

If a non-conforming structure or portion of a structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by the Building Inspector to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulation of the district in which it is located.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by the Building Inspector.

Section 11.06. NON-CONFORMING USE – BUILDING DAMAGED BY FIRE, ETC. Any non-conforming use or non-conforming building which has been destroyed or damaged by fire, explosion, Act of God, or by public enemy to the extent of one hundred (100%) percent of its State Equalized Valuation, exclusive of the foundation at the time such damage occurred, shall thereafter be made to conform with the provisions of this Ordinance. Where such destruction or damage has occurred, removal of the non-conforming use of a building also shall eliminate the non-conforming use status of the land on which said building is located. If such damage is less than one hundred (100%) percent of its State Equalized Valuation before said damage occurred, exclusive of the foundation, then such structure may be restored to the same nonconforming use or non-conforming building as existed before such damage, provided that such restoration shall be subject to the approval of the Board of Appeals. Said restoration shall be commenced within one (1) year of the date of such partial destruction and shall be diligently carried on to completion.

Section 11.07. CHANGE OF TENANCY OR OWNERSHIP. There may be a change in tenancy, ownership or management of an existing non-conforming use, provided there is no change in the nature or character of such non-conforming use.

ARTICLE XII
RESERVED

ARTICLE XIII
PLANNED UNIT DEVELOPMENT

Section 13.01. INTENT. It is the intent of this Article to offer an alternative to traditional developments through the use of Planned Unit Development legislation, pursuant to Section 503 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, for the purpose of:

1. Permitting flexibility in the regulation of land development;
2. Encouraging the use of land in accordance with its character and adaptability;
3. Encouraging innovation in land use and variety in design, layout and type of structures constructed;
4. Achieving economy and efficiency in the use of land, preservation of natural resources, energy, and the provision of public services and utilities;
5. Encouraging the provision of useable open space and conservation of natural features;
6. Providing adequate employment opportunities suited to the needs of the residents of the Township;
7. Encouraging the use, reuse, and improvement of existing sites and buildings when developed in a compatible way with surrounding uses and when the uniform regulations contained in other zoning districts do not provide the adequate protection and safeguards of the site or surrounding area; and
8. Ensuring compatibility of design and use between neighboring properties.

The district is intended to accommodate developments with mixed or varied uses, sites with unusual topography or unique settings within the community or on land which exhibits difficult or costly development problems. This Section is intended to supplement and reinforce the zoning regulations adopted by the Township, other applicable statutes, ordinances, rules, and regulations, and to further the goals and objectives in the Master Plan.

Section 13.02. LANDS WHICH MAY BE ZONED PUD DISTRICT. An application to rezone lands to a Planned Unit Development District (PUD) may be submitted for the geographical areas intended for such districts in the Master Plan or areas zoned Lake Residential, Commercial Recreation or Industrial. A PUD shall not be allowed in those geographical areas intended in the Master Plan to be zoned Agriculture District (AG).

Section 13.03. ESTABLISHMENT OF A PUD DISTRICT. An application to establish a PUD District, together with an application for site plan review, shall be submitted in accordance with Article VIII, herein. The Planning Commission shall review and make recommendations to the Township Board of Trustees. The Township Board shall approve (with or without conditions), deny such application or take such other action as provided by law. If the application to rezone is approved, then the geographical area being the subject of the application shall be designated "Planned Unit Development District" on the Official Zoning Map.

Section 13.04. OWNERSHIP. The entire parcel for which application is made must be under one ownership, or the application must be made with the written authorization of all parties claiming

legal or equitable ownership of the property.

Section 13.05. PERMITTED USES. Allowable uses in a PUD District include those permitted and special uses in the Residential, Lake Residential and Commercial Recreation districts. Commercial, office, limited industrial and/or research uses may be allowed in a PUD District in the Commercial Recreation and Industrial districts, provided the use is compatible with the site, will not adversely impact surrounding areas and is located in an area intended for PUD District in the Master Plan. The raising of crops in areas designated open spaces on the site plan is allowed provided the use is specified on the approved site plan.

Section 13.06. ELIGIBILITY CRITERIA. In considering an application for a PUD District the Planning Commission and Township Board of Trustees shall consider the following factors:

1. Odd shaped parcel(s) which negates ease of subdivision;
2. Proposal for mixed uses on a site;
3. Significant natural assets, including:
4. Woodlands or individual trees over twelve (12") inch diameter when measured at a height of four (4') feet;
5. Rolling topography with grades exceeding fifteen (15%) percent;
6. Significant views;
7. Natural drainage ways, water bodies, or floodplains;
8. Groundwater recharge areas;
9. Regulated or non-regulated wetlands
10. Natural corridors that connect quality wildlife habitats which would be in the best interest of the Township to preserve and which might be negatively impacted by conventional residential development.
11. Other unusual conditions which the Planning Commission deems that application of the PUD District would be appropriate.

Section 13.07. COHESIVE DEVELOPMENT. The proposed project shall be designed to create a cohesive development through innovative design, architecture, and smooth interaction between the project components and uses. Open space areas may also be used to provide cohesion among the project components.

Section 13.08. OPEN SPACE OWNERSHIP AND EASEMENTS. The dedicated open space, primary conservation areas, other undivided common areas and associated facilities may be held in common ownership by a property owners association, a public entity, or the original land owner. The ownership of and any easements through open space shall be recorded as part of the title of the property.

Section 13.09. REGULATORY FLEXIBILITY. Unless specifically waived or modified by the Planning Commission, all Zoning Ordinance requirements for the zoning district that most closely corresponds to the proposed uses in the PUD and all other Hudson Township regulations shall remain in full force. The Township Board may waive or modify any Zoning Ordinance requirement for the underlying zoning district. Minimum lot size, yard, lot width, and bulk standards may be modified, provided that such modifications results in an improved design or enhanced

preservation of open space and natural features.

Any regulatory modification shall be approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards. Only those regulatory modifications consistent with the intent of this Section shall be considered.

Section 13.10. COMPATIBILITY WITH ADJACENT USES. The proposed location of uses and structures shall be compatible with the character and land uses of surrounding properties, particularly residential uses. Accessory uses or structures that are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, loading areas, solid waste pick-up points and facilities of a similar nature shall not be located along the boundary of the development or so as to negatively impact the residential use of adjacent lands.

Section 13.11. PLANNED UNIT DEVELOPMENT PROCEDURE. The Township Board may, upon recommendation from the Planning Commission, approve or approve with conditions planned unit developments, pursuant to the authority and according to the procedure set forth in the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 125.3101 *et sec*), as amended. The petitioner of a planned unit development request must be the fee holder owner of the premises concerned or else have the written permission of the fee holder(s), and must submit an application for rezoning to the Township Clerk.

1. Fees. Any applicant desiring a planned unit development must deposit the required fee, as established by resolution by the Township Board, with the Township Clerk at the time their application is filed to cover the publication and other miscellaneous costs for said change.
2. Procedure. The procedure for a planned unit development application shall be as follows:
 - a. Each petition for a planned unit development must be submitted to the Township Clerk who will:
 - (1) Refer the petition for recommendation to the Planning Commission and
 - (2) Report the receipt of the requested planned unit development to the Township Board at its next meeting.
 - b. The Planning Commission must hold a public hearing on the requested zoning change. After said hearing, the Planning Commission will make a recommendation to the Township Board on the requested planned unit development. A summary of comments received at the public hearing shall be sent to the Township Board with the recommendation.
 - c. Notice of public hearings on any petition for planned unit development must be made in accordance with Sec. 15.15 of this Ordinance.
 - d. The petition shall be submitted to the Lenawee County Planning Commission for review in accordance with the Michigan Zoning Enabling Act.

- e. Upon receipt of the recommendation from the Planning Commission, the Township Board shall make a decision in regard to the zoning text or map amendment.
- f. The Planning Commission and Township Board shall review each case individually as to its applicability to each of the following standards:
 - 1) Conformance with the Master Plan. The proposed development shall be compatible with the goals and objectives of the Master Plan.
 - 2) Recognizable Benefits. A PUD shall result in a recognizable and substantial benefit, both to the occupants of the property and to the overall quality of life in Hudson Township. The benefits can be provided through site design elements in excess of the requirements of this Section, such as high quality architectural design, extensive landscaping, provision of transition areas from adjacent residential land uses, inclusion of recreation areas, street improvements, unique site design features, unified access, preservation of woodlands and open space, particularly along major thoroughfares, and buffering development from lakes, rivers, streams, and wetlands.
 - 3) Compliance with the PUD Concept. The overall design and land uses proposed in connection with a PUD shall be consistent with the intent of the PUD concept, as well as with specific design standards set forth herein.
 - 4) Unified Control. The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project.
 - 5) Compatibility with Adjacent Uses. The proposed PUD plan shall be compatible with surrounding properties, the character of the site, and the land uses. In determining whether this requirement has been met, consideration shall be given to:
 - a) The bulk, placement, and materials of construction of proposal structures;
 - b) Pedestrian and vehicular circulation;
 - c) The location and screening of vehicular use, parking areas or loading zones;
 - d) The provision of landscaping and other site amenities;
 - e) Exterior lighting plan.
 - 6) Impact on Public Services and Infrastructure. The proposed density/intensity and arrangement of use shall not result in an unreasonable increase in the need for or impact to public facilities or services, such as police and fire service, schools, recreation, traffic operations and utilities beyond the expected impacts associated with

development permitted by the underlying zoning classification, unless such impacts are mitigated. An unreasonable increase or impact shall be considered an unacceptable significant adverse effect on the quality of the surrounding community and the natural environment in comparison to the impacts associated with conventional development.

- 7) Impact of Traffic. The PUD shall be designed to minimize the impact of traffic generated by the proposed development on surrounding uses.
 - 8) Circulation. Vehicular and pedestrian circulation, allowing safe, convenient, uncontested, and well-defined circulation within and to the district shall be provided.
 - 9) Environmental Impact. The proposed PUD is designed to minimize adverse consequences to wildlife habitat or compensate in such a manner as to provide for that habitat in some other manner.
 - 10) Scenic Views and Vistas. To the greatest extent feasible, the proposed PUD shall protect all scenic views and vistas, with an emphasis on those visible from any public road.
3. If conditions are imposed, the conditions imposed must be recorded in the record of the approval action (i.e., a report and detailed motion contained in the minutes of the meeting) and remain unchanged except upon the mutual consent of the Township Board and the landowner. The Township Clerk must maintain a record of the conditions which are changed.

ARTICLE XIV
RESERVED

ARTICLE XV
ZONING ADMINISTRATION

Section 15.01. ZONING ADMINISTRATION. It is hereby provided that the provisions of this Ordinance shall be administered and enforced by the Township Building Inspector or other Township official so designated by the Township Board or deputies of same being delegated to enforce the provision of this Ordinance.

Section 15.02. FEES. Except as may be provided otherwise in this Ordinance, the Township Board will, by Resolution, determine and set the fees to be charged for all permits, certificates and copies thereof, and fees for appeals to the Board of Appeals. The Board may revise said fees from time to time by Resolution, provided, however, that a public notice of any such revision shall be published in the newspaper having general circulation in the Township at least thirty (30) days in advance of the effective date thereof. Such fees will be collected by the Township Clerk or Building Inspector or prior to issuance of said permit or certificates.

Section 15.03. ZONING PERMIT/BUILDING PERMIT REQUIRED FOR CONSTRUCTION. No excavation shall be initiated, no building or structure, effective *December 9, 2019* shall be erected, altered, moved or structural alterations initiated, including but not limited to porches, decks, or similar fixtures with a permanent location, and no building permit shall be issued, until a Zoning Permit has been issued by the Zoning Administrator and where required by the Stille-Derossett-Hale Single State Construction Code Act (PA 230 of 1972, MCL 125.1501 - 125.1531), a Building Permit has been issued by the Building Inspector. No building permit may be issued without a zoning permit, except as an exception to the zoning permit requirement in Section 15.04.

No Zoning Permit shall be issued for any building or use of land where the construction, addition, alteration, or use thereof would be in violation of this Ordinance, except for the following instances:

1. Upon written order of the Zoning Board of Appeals (ZBA); or
2. By order of a court of competent jurisdiction.

Section 15.04. EXCEPTIONS TO ZONING PERMIT REQUIREMENT. Exceptions to the zoning permit requirement are limited to the following circumstances: (*amended 12/9/19*)

1. A building incidental to the use for agricultural purposes, as defined by the Stille-Derossett-Hale Single State Construction Code Act (PA 230 of 1972, MCL 125.1501 - 125.1531) not used for the business of retail trade, per the requirements of the Michigan Right to Farm Act (PA 93 of 1981, MCL 286.471 - 286.474). For instance, a barn or silo used for storage of farm equipment or crops does not require a zoning permit, but a farm stand does require a zoning permit.
2. Minor alterations or repairs to existing structures costing three hundred (\$300) dollars or less.
3. Wrecking of buildings or structures of less than one thousand (1,000) cubic feet capacity.

Section 15.05. APPLICATIONS FOR ZONING PERMITS. Applications for Building Permits shall be filed in quadruplicate with the Zoning Administrator upon forms furnished and approved by the Township Board. The application shall be accompanied either by a plot plan as required in this Section, or by a site plan as required under Article VIII, whichever applies. If a site plan is not required under Article VIII, a plot plan shall be submitted, with the following information: *(amended 12/9/19)*

1. Scale, date, and north directional arrow.
2. Location map showing major intersections, and dimensioned diagram of the parcel.
3. Dimensioned location, outline, and dimensions of all existing and proposed structures, and the location and extent of all uses not involving structures.
4. A clear description of existing and intended uses of all structures, including documentation of any legal non-conforming uses and structures.
5. Additional information as required by the Zoning Administrator for the purposes of determining compliance with the provisions of this Ordinance, including such details as existing and/or proposed topography, proposed method of storm water management, etc.

Section 15.06. ZONING PERMIT ISSUANCE, WITHHOLDING, EXPIRATION, AND REVOCATION. *(amended 12/9/19)*

1. Issuance: Whenever the buildings, structures, and uses as set forth in any application are in conformity with the provisions of this Ordinance, or a variance granted by the ZBA, the Zoning Administrator shall issue the appropriate permit. In any case where a permit is refused, the reasons shall be stated in writing to the applicant.
2. Withholding Permit: The Zoning Administrator may withhold any Zoning Permit pending verification that an applicant has received required county, state or federal permits including but not limited to septic and water well permits; soil erosion and sedimentation control permits; wetlands permits; flood plain and culvert permits; and driveway permits. Likewise, wherever this Ordinance authorizes permit approval by the Planning Commission or Township Board, the Planning Commission or Township Board may condition final approval of the requested development activity upon the receipt of any of the above mentioned county, state or federal approvals and/or direct the Zoning Administrator not to issue a Zoning Permit until said permits from other agencies have been obtained.
3. Expiration of Permit: A permit shall become null and void after one (1) year from the date of granting such permit unless the development proposed or activity authorized shall have passed its first building inspection by the Building Inspector. Upon expiration, the permit shall be renewable only upon reapplication, subject to the provisions of all ordinances in effect at the time of renewal. This subsection shall apply to all permits issued pursuant to this Ordinance.
4. Revocation: The Zoning Administrator shall have the power to revoke or cancel any Zoning Permit in case of failure or neglect to comply with any provisions of this Ordinance, or in the case of any false statement or misrepresentation made in the

application. The owner or his agent shall be notified of such revocation in writing. Upon such revocation, all further construction activities and usage shall cease upon the site, other than for the purpose of correcting the violation. The Zoning Administrator may issue a stop work order to halt all construction activities and usage pending a decision on revocation of said permit. Failure to terminate the use for which the permit was revoked, other than for the purpose of correcting the violation is declared to be a nuisance per se and a violation of this Ordinance. Revocation of a permit issued for a special land use or variance shall not occur until a hearing has been held by the body which granted the permit.

Section 15.07. INSPECTION. The Building Inspector shall have the power to issue permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building Inspector to approve any plans or any permits for any excavation or construction until he has inspected such plans in detail and found them in conformity with this Ordinance.

Section 15.08. RESPONSIBILITY. It shall be the duty of all architects, contractors, subcontractors, builders and other persons having charge of the establishment of any use of land or the erecting, altering, changing, or remodeling of any building or structure, before beginning or undertaking any such work to see that a proper Building Permit has been granted therefore and that such work and land use is in conformity with the provisions of this Ordinance.

Section 15.09. RECORDS. A complete record and copy of each application for each certificate or permit issued pursuant to the provisions of this Ordinance, shall be filed with the Township Clerk and be a part of the Township Records. Copies of all applications and permits shall be furnished to any person having a proprietary or tenancy interest on the payment to the Township Clerk of a fee of one (\$1.00) dollar for each copy.

Section 15.10. CERTIFICATES OF OCCUPANCY. It shall be unlawful to use or permit the occupancy of any land, building, or structure for which a Building Permit is required, and to use any building or structure hereafter altered, extended, erected, repaired, or moved, until the Building Inspector shall have issued a Certificate of Occupancy stating that the provisions of this Ordinance have been complied with.

1. Certificates of Occupancy shall be issued for existing buildings, structures, or parts thereof, of existing uses of land if, after inspection, it is found that same is in conformity with the provisions of this Ordinance.
2. Certificates of Occupancy may be issued for part of a building or structure prior to the occupancy of the entire building and prior to it being completed, to be in force not more than thirty (30) days, nor more than five (5) days after the building or structure is fully completed and ready for occupancy; and provided further than such portions of the building or structure are in conformity with the provisions of this Ordinance.
3. Buildings or street uses accessory to dwellings shall not require separate Certificates of Occupancy but may be included in the Certificate of Occupancy for the dwelling when shown correctly on the plot plan and when completed at the same time as said dwelling.
4. Applications or Certificates of Occupancy shall be made in writing to the Building Inspector on forms furnished by the Township and said certificates shall be issued within seven (7) days after receipt, if it is found in

compliance with paragraph one (1) above. If such certificate is refused for cause, the applicant shall be notified of such action and cause within the same seven (7) day period.

Section 15.11. ZONING MAP. The Official Zoning Map shall be identified by the signature of the Township Supervisor, as attested by the Township Clerk. One (1) copy of the Official Zoning Map and above mentioned record shall be maintained and kept up to date by the Township Clerk's office, accessible to the general public, and same shall be the final authority as to the current zoning status of all lands and buildings in the Township.

Section 15.12. FINAL INSPECTION. The recipient of any building permit for the erection, construction, alteration, and repair and moving of any building, structure, or part thereof, shall notify the Building Inspector immediately upon the completion of the work authorized by such permit for a final inspection.

Section 15.13. AMENDMENTS. The Township Board may, upon recommendation from the Planning Commission, amend, supplement or change the regulations (text amendments) or the district boundaries of this Ordinance (re-zonings), pursuant to the authority and according to the procedure set forth in the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 125.3101 *et seq*), as amended. The petitioner of a rezoning request must be the fee holder owner of the premises concerned or else have the written permission of the fee holder(s), and must submit an application for rezoning to the Township Clerk.

1. Fees. Any applicant desiring to amend this Ordinance must deposit the required fee, as established by resolution by the Township Board, with the Township Clerk at the time their application is filed to cover the publication and other miscellaneous costs for said change.
2. Procedure. The procedure for amending this Ordinance shall be as follows:
 - a. Each petition for amendment of this Ordinance must be submitted to the Township Clerk who will:
 - i. Refer the petition for recommendation to the Planning Commission and
 - ii. Report the receipt of the requested zoning change to the Township Board at its next meeting.
 - b. The Planning Commission must hold a public hearing on the requested zoning change. After said hearing, the Planning Commission will make a recommendation to the Township Board on the requested zoning change. A summary of comments received at the public hearing shall be sent to the Township Board with the recommendation.
 - c. Notice of public hearings on any petition for amendment of this Ordinance must be made in accordance with Sec. 15.15 of this Ordinance.
 - d. The petition shall be submitted to the Lenawee County Planning Commission for review in accordance with the Michigan Zoning Enabling Act.
 - e. Upon receipt of the recommendation from the Planning Commission, the Township Board shall make a decision in regard to the zoning text or map amendment.
 - f. The Planning Commission and Township Board shall review each case

individually as to its applicability to each of the following standards:

- i. Will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the zoning district in which it is to be located.
 - ii. Will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking.
 - iii. Will be located to eliminate any nuisance emanating from any such proposed use which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
 - iv. Will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
 - v. Will relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shipping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
 - vi. Is necessary for the public convenience at that location.
 - vii. Is so located and proposed to be operated that the public health, safety and welfare will be protected.
 - viii. Will not cause injury to the value of other property in the area in which it is to be located.
3. In addition to specific standards which may be applicable, the following set of standards shall serve as the basis for decisions involving rezonings and text amendments, and other discretionary decisions contained in this ordinance:

The proposed change shall:

- a. be compatible with adjacent uses of land;
- b. be consistent with, and promote the intent and purpose of this ordinance;
- c. be compatible with the natural environments;
- d. be consistent with the capacities of public services and facilities affected by the proposed use; and,
- e. protect the public health, safety and welfare.

Section 15.14. SPECIAL LAND USE. The Township Board shall, upon recommendation from the Planning Commission, make decisions regarding approvals of special land uses listed in the table of permitted uses and special land uses in Section 4.01, pursuant to the authority and according to the procedure set forth in the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 125.3101 *et seq*), as amended. The petitioner of a

special land use must be the fee holder owner of the premises concerned or else have the written permission of the fee holder(s), and must submit an application for rezoning to the Township Clerk.

1. Fees. Any applicant desiring to amend this Ordinance must deposit the required fee, as established by resolution by the Township Board, with the Township Clerk at the time their application is filed to cover the publication and other miscellaneous costs for said change.
2. Procedure. The procedure for a special land decision shall be as follows:
 - a. Each petition for amendment of this Ordinance must be submitted to the Township Clerk who will:
 - (1) Refer the petition for recommendation to the Planning Commission and
 - (2) Report the receipt of the special land use request to the Township Board at its next meeting.
 - b. The Planning Commission must hold a public hearing on the requested special land use. After said hearing, the Planning Commission will make a recommendation to the Township Board on the requested special land use. The Planning Commission may recommend approval, approval with conditions or denial to the Township Board.
 - c. Notice of public hearings on any petition for amendment of this Ordinance must be made in accordance with Sec. 15.15 of this Ordinance.
 - d. The Township Board, upon receipt of the recommendation of the Planning Commission, shall approve, approve with conditions or deny the special land use. A statement of findings and conclusions relative to the decision specifying the basis of the decision and any conditions imposed must be made and recorded in the minutes of the Township Board meeting.
3. In addition to specific standards which may be applicable, the following set of standards shall serve as the basis for decisions involving special land uses:

The proposed use shall:

 - a. be compatible with adjacent uses of land;
 - b. be consistent with, and promote the intent and purpose of this ordinance;
 - c. be compatible with the natural environments;
 - d. be consistent with the capacities of public services and facilities affected by the proposed use; and,
 - e. protect the public health, safety and welfare.
4. The conditions imposed must be recorded in the record of the approval action (i.e., a report and detailed motion contained in the minutes of the

meeting) and remain unchanged except upon the mutual consent of the Township Board and the landowner. The Township Clerk must maintain a record of the conditions which are changed.

Section 15.15. PUBLIC NOTICE. All zoning applications requiring a public hearing must comply with the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 125.3101 *et sec*), as amended, and the other provisions of this Section with regard to public notification.

1. Responsibility: When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Township Clerk is responsible for preparing the content of the notice, having it published in a newspaper of general circulation in Hudson Township and mailed or delivered as provided in this Section.
2. Content: All mail, personal, and newspaper notices for public hearings must:
 - a. Describe the nature of the request: Identify whether the request is for a rezoning, text amendment, special land use, variance, appeal, ordinance interpretation, or other purpose.
 - b. Location: Indicate the property that is the subject of the request. The notice must include a listing of all street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property. No street addresses are required when eleven (11) or more adjacent properties are proposed for rezoning, or when the request does not involve a specific property.
 - c. When and where the request will be considered: Indicate the date, time, and place of the public hearing(s).
 - d. Written comments: Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear in person or by counsel.
 - e. Handicap access: Information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.
3. Personal and mailed notice:
 - a. General: When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that personal or mailed notice be provided, notice must be provided to:
 - (1) The owners of property for which approval is being considered, and the applicant, if different than the owner(s) of the property.
 - (2) Except for rezoning requests involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; to all owners and occupants of property located within three hundred (300) feet of the boundary of the property subject to the request, regardless if whether the property is located within the boundaries of Hudson Township. If

the name of the occupant is not known, the term “Occupant” may be used in making notification.

Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organization, one (1) occupant of each unit or spatial area must receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who will be requested to post the notice at the primary entrance to the structure.

- (3) All neighborhood organizations, public utility companies, railroads and other persons which have requested to receive notice pursuant to Subsection 5, “Registration to receive notice by mail,” of this Section.
 - (4) Other governmental units or infrastructure agencies within 300 feet of the property involved in the application.
 - b. Notice by mail and affidavit: Notice will be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The Township Clerk must prepare an affidavit containing a list of property owners, occupants, and registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered.
4. Timing of notice: Unless otherwise provided in the Michigan Zoning Enabling Act or this Ordinance, where applicable, notice of public hearing must be provided not less than fifteen (15) days before the date the application will be considered for approval
5. Registration to receive notice by mail:
 - a. General: Any neighborhood organization, public utility company, railroad, or any other person may register with the Township Clerk to receive written notice of all applications for development approval, pursuant to Subsection 3.a.(3) of this Section, within the zoning district in which they are located. The Township Clerk is responsible for providing this notification. Fees may be assessed for the provision of this notice, as established by the Township Board. Personal and mailed notice, or written notice of all applications for development approval in which they are located.
 - b. Requirements: The requesting party must provide the Township Clerk information on an official form to ensure notification can be made. All registered persons must re-register bi-annually to continue to receive notification pursuant to this Section.

ARTICLE XVI
BOARD OF APPEALS

Section 16.01. CREATION OF BOARD OF APPEALS. There is hereby established a Board of Appeals, which shall perform its duties and exercise its powers as provided by the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 3101 *et sec*), as amended, in such a way that the objectives of this Ordinance shall be observed, public safety, morals and general welfare assured, and substantial justice done. The Board of Appeals shall consist of three (3) members as follows:

1. The first member must be the member of the Planning Commission appointed by the Commission. The term of office is limited to the time he or she is a member of the Commission. This member is prohibited from participating in a public hearing or voting on the same matter he or she voted on as a Planning Commissioner. However, he or she can vote on other unrelated matters involving the same property
2. The second and third members must be selected and appointed by the Township Board from among the electors residing in the unincorporated area of the Township for a period of three (3) years. An elected officer of the Township or any employee of the Township Board may not serve simultaneously as the third member of, or as an employee of the Township Board of Appeals.
3. A vacancy of the Board of Appeals must be filled for the remainder of an unexpired term in the same manner as the original appointment. A vacancy on the Board must be appointed within one (1) month.
4. The Township Board of Trustees may appoint not more than one (1) alternate members for the same term as regular members to the board of appeals. An alternate member shall be called to service by the Chairperson (or in the absences of the Chairperson by the Vice Chairperson) to serve as a member of Board of Appeals in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which a member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the Board of Appeals.
5. Members of the Board of Appeals shall be removed by the Township Board upon written charges and after public hearing, for misfeasance, malfeasance, or nonfeasance in office. A member must disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

Section 16.02. MEETINGS. All special meetings of the Board of Appeals shall be held at the call of the Chairman, and regular meetings at such times as the Township Board may determine. All meetings of the Board of Appeals shall be open to the public. Business cannot be conducted unless a majority, at least two (2), of the regular members are present. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member on each question, or is absent or failing to vote, indicating such fact, and shall keep records of its findings, proceedings at hearings, and other official

actions, all of which shall be immediately filed in the Office of the Township Clerk and shall be a public record.

Section 16.03. APPEALS. An appeal may be taken to the Board of Appeals by any person aggrieved by an officer, department, board or bureau of the state or local unit of government. Such appeals shall be taken within such times as shall be prescribed by the Township Board by resolution by filing with the Building Inspector an application for appeal, specifying the grounds thereof and the payment of a fee established by the Township Board.

The Building Inspector must forthwith transmit to the Board of Appeals the application and all documents constituting the record upon which the action appealed from was taken. An application will stay all proceedings in furtherance of the action appealed from unless the Building Inspector certifies to the Board of Appeals that a stay would, in his or her opinion, cause imminent peril to life or property. In such a case the proceedings will not be stayed except by a restraining order which may be granted by the circuit Court.

The power or authority to alter or change the Zoning Ordinance or Zoning Map is reserved to the Township Board, as is provided by law. Therefore, the Board of Appeals is prohibited from considering use variance requests.

The Board of Appeals shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the parties and shall render a decision on the appeal without unreasonable delay. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.

Section 16.04. NOTICE OF HEARING. Notice of the hearing on the appeal will be given in accordance with Section 15.15 of this Ordinance.

Section 16.05. POWERS OF BOARD OF APPEALS CONCERNING ADMINISTRATIVE REVIEW AND VARIANCES. The Board of Appeals as herein created, is a body of limited powers. The Board of Appeals shall have the following specified powers and duties:

1. Purpose. To hear and decide appeals where it is alleged there is an error of law in any order, requirement, decision or determination made by Township officials in the enforcement of this Ordinance, and to hear and decide appeals where there are practical difficulties in the way of carrying out the strict letter of this Ordinance so that the spirit of the Ordinance shall be observed, public health and safety secured, and substantial justice done.
2. Authorization. In hearing and deciding appeals, the Board of Appeals shall have the authority to grant such variances as may be in harmony with the general purpose and intent of this Ordinance, so that public health, safety and welfare secured, and substantial justice done, including the following:
 - a. Interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the Zoning Map fixing the use districts, accompanying this Ordinance where street layout actually on the ground varies from the street layout as shown on the map aforesaid. In case of any question as to location of any boundary line between zoning districts, the Board of Appeals shall interpret the Zoning Map after recommendation from the Planning Commission.
 - b. Permit the erection and use of a building, or an addition to an existing building, or a public service corporation or for public utility purposes, in

any zoning district to a greater height or of a larger area than the district requirements herein established and permit the location in any district of a public utility building or structure if the Board of Appeals shall find such use, height, area, building or structure reasonably necessary for the public convenience and service.

- c. Permit the modification of the off-street motor vehicle parking space or loading space requirements where, in the particular instance, such modifications will not be inconsistent with the purpose and intent of such requirements, after recommendation from the Planning Commission.
 - d. Permit such modification of the height, lot area, yard setback, floor area and lot width regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape or size, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be appropriately improved without such modification, provided that modification of lot area regulations shall be permitted only in instances where the nature of the soil and drainage is such that there is sufficient area for safe water supply distribution and/or sanitary sewage are provided. Whenever the Board of Appeals determines that the same are necessary in order to render a decision, it may require the appellant to submit a topographical survey or the results of percolation tests certified by a registered engineer or land surveyor.
3. Conditions. The Board of Appeals, by majority vote, may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determinations as ought to be made and to that end shall have all the powers of the Building Inspector from whom the appeal is taken.
 4. Decisions are final. The decisions of the Board of Appeals are final. A party aggrieved by a decision may appeal to the Lenawee County Circuit Court as provided for in Section 606 of the Michigan Zoning Enabling Act (MCL 125.3606).

Section 16.06. STANDARDS. In consideration of all appeals for variances, the Board of Appeals shall review each case individually and not grant a nonuse variance unless all of the following standards are met:

1. All required information has been provided and fees paid.
2. The difficulty or hardship is unique to the property in question and is not generally shared by other properties classified in the same zoning district and/or used for the same purposes.
3. The particular physical conditions, shape, or surroundings of the property would impose upon the owner a practical difficulty or particular hardship, as opposed to a mere inconvenience, if the requirements of the Zoning Ordinance were strictly enforced.
4. The special conditions and circumstances do not result from the actions of the applicant.
5. The difficulty or hardship resulting from the application of the Zoning Ordinance would prevent the owner from making a reasonable use of the property; however, the fact the property could be utilized more advantageously with the variance

than without the variance, shall not be considered as grounds for granting the variance.

6. The proposed variance will not impair an adequate supply of light and air to adjacent properties or otherwise injure other property or its use, will not substantially increase the danger of fire, flood and similar dangers or otherwise endanger the public health, safety and welfare, and will not substantially diminish or impair property values within the neighborhood or surrounding properties.
7. The variance, if granted, will not alter the essential character of the neighborhood or surrounding properties and will be consistent with the goals, objectives and policies set forth in this Zoning Ordinance.
8. Granting the variance as requested will not bestow upon the applicant any special privilege that is denied by this ordinance to other lands, structures or buildings in the same district.
9. The existence of non-conforming uses of neighboring lands, structures or buildings in the same district; permitted or non-conforming uses of land, structures or buildings in other districts; and non-conforming structures; shall not be grounds for granting a variance.
10. The variance granted shall be the minimum variance that will permit a reasonable utilization of the land, building or structure.

Section 16.07. BOARD OF APPEALS APPROVAL. The Board of Appeals may require the appellant to submit all necessary surveys, plans, or other information necessary for the Board of Appeals to investigate thoroughly the matter before it. The Board of Appeals may impose such conditions or limitations in granting a variance as it may deem necessary to comply with the spirit and purposes of this Ordinance.

Should a hardship exist requiring a deviation from Section 5.02.3 for the purposes of placing an additional manufactured home on a lot in an agriculturally zoned area having an existing single-family dwelling, the manufactured home shall not be placed on a foundation and shall remain portable to allow for removal at such time as the hardship ceases to exist.

Section 16.08. APPROVAL PERIODS. No order of the Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than six (6) months, unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board of Appeals, permitting the use of a building or premise shall be valid for a period longer than six (6) months unless such use is established within such period; provided, however, that such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with such permit.

ARTICLE XVII **DEFINITIONS**

Section 17.01. For the purpose of enforcing the provisions of this Ordinance, certain terms and words used herein are defined as follows:

Section 17.01.1. **ACCESSORY BUILDING.** A supplementary building or a portion of a main building, the use of which is incidental to that of the main building and which is located on the same lot as the main building, but such use shall not include any buildings used for dwelling, lodging, or sleeping quarters for human beings.

Section 17.01.2. **AGRICULTURE.** The act or business of cultivating land or using land for a farm operation.

Section 17.01.3. **ALLEY.** A public way not more than thirty (30) feet in width and which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

Section 17.01.4. **ALTERATIONS.** Any change in the location or use of a building, or any change or modification in the supporting members of a building such as bearing walls, columns, beams, hoists, girders and similar components, or any substantial changes in the roof or exterior walls, or any change in the type of occupancy, the consummated act of which may also be referred to herein as “altered” or “reconstructed.”

Section 17.01.5. **AMUSEMENT PARK.** A parcel of land used for swimming, boating, dancing, skating, merry-go-rounds, roller coasters, theaters, arcades, fun houses, carnivals, fairs, zoological gardens, botanical gardens, and arboretums, and other similar uses and their facilities, but not shooting galleries, race tracks, , stables, riding academies.

Section 17.01.6. **APPEAL.** An entreaty or demand for hearing or review of facts and/or actions in connection with the public enforcement of this Ordinance.

Section 17.01.7. **ARCHITECTURAL FEATURES.** Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.

Section 17.01.8. **AUTOMOBILE FILLING STATION.** A building designed or used for the retail sale of fuel (stored in underground tanks), lubricants, air, water, and other minor operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicle.

Section 17.01.9. **AUTOMOBILE SERVICE STATION.** A building or structure designed or used for the retail sale of fuel (stored only in underground tanks), lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for facilities for the storage, minor repair, or servicing, but not including bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rustproofing, where the primary use of the premises is such, or high-speed washing thereof, or sales of used cars, new cars, used trucks, new trucks, motorcycles, or other land vehicle type, or sale unrelated to service station use.

Section 17.01.10. **AUTOMOBILE WASH ESTABLISHMENT.** A building, or portion thereof, the primary purpose of which is that of washing vehicles.

Section 17.01.11. RESERVED.

Section 17.01.12. BASEMENT. That portion of a building wholly or partly below grade, but so constructed that the vertical distance from the average grade to the basement floor is greater than the vertical distance from the average grade to the basement ceiling. A basement shall not be included as a story for height measurement (see illustration entitled “Basement and Story Definitions”).

Section 17.01.13. BLOCK. The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, crossing or terminating; or between the nearest such street and railroad right-of-way; un-subdivided acreage, lake, or river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

Section 17.01.14. BOARD OF APPEALS. The term “Board of Appeals” shall mean the Hudson Township, Lenawee County, State of Michigan, Zoning Board of Appeals.

Section 17.01.15. BUILDING. An independent structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion thereof is completely separated from every other part by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building. This refers to both temporary and permanent structures and includes tents, sheds, garages, stables, greenhouses, or other accessory structures.

Section 17.01.16. BUILDING INSPECTOR. This term shall refer to the Building Inspector of Hudson Township, or his authorized representative.

Section 17.01.17. BUILDING SETBACK LINE. The line which pertains to and defines those minimum (building) setback lines which are established parallel to the front street or right of-way line and within which setback area no part of a building shall project or be located, except as otherwise provided for by this Ordinance. Such line when adjacent to a building is normally formed by the junction of the outer surface of the building or enclosure wall with the finish grade or surface of the adjoining ground.

Sections 17.10.18 - 17.01.20. RESERVED.

Section 17.01.21. BUILDING, MAIN OR PRINCIPAL. A building in which is conducted the principal use of the lot upon which it is situated.

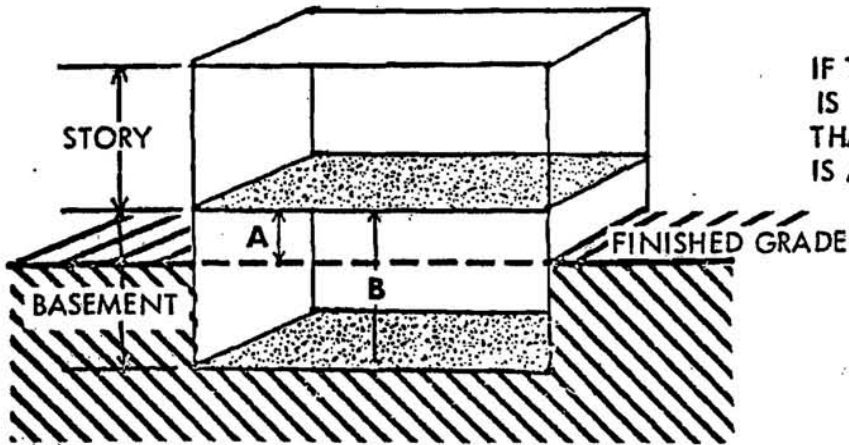
Section 17.01.22. BUILDING PERMITS. A building permit is the written authority issued by the Building Inspector of the Township permitting the construction, removal, moving, alteration, or use of a building in conformity with the provisions of this Ordinance.

Section 17.01.23. CANAL. An artificially constructed or excavated channel intended to connect two (2) bodies of water; used for navigation purposes of boat docks; and as a means of ingress or egress to other bodies of water; or for building lot on the banks thereof.

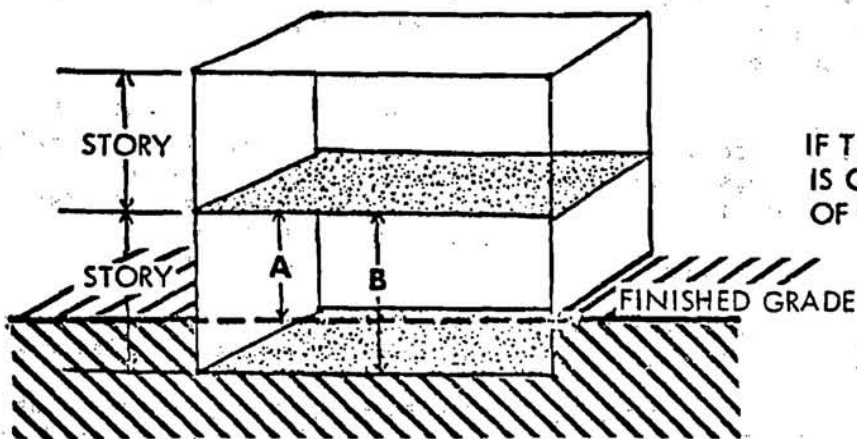
Section 17.01.24. CHILD CARE HOMES. Child care facilities licensed by the state under the Child Care Licensing Act (PA 116 of 1973, MCL 722.111). There are two (2) types of child care homes:

- a. FAMILY CHILD CARE HOMES. A private home in which 1 but fewer than 7 minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

BASEMENT & STORY DEFINITION



IF THE AVERAGE OF "A" IS EQUAL TO OR LESS THAN $1/2$ OF "B", THIS IS A BASEMENT.



IF THE AVERAGE OF "A" IS GREATER THAN $1/2$ OF "B", THIS IS A STORY.

- b. **GROUP CHILD CARE HOMES.** A private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

Section 17.01.25. **CLINIC.** A building or group of buildings where human patients are admitted, but not lodged overnight, for examination and treatment by more than one (1) professional, such as a physician, dentist, or the like.

Section 17.01.26. **COMMERCIAL USE.** A commercial use relates to the use of property in connection with the purchase, sale, barter, display, or exchange of goods, wares, merchandise or personal services or the maintenance of offices or recreational or amusement enterprises.

Section 17.01.27. **COMMISSION.** This term, and the term “Planning Commission”, shall mean the Hudson Township Planning Commission.

Section 17.01.28. **CONVALESCENT OR NURSING HOME.** A convalescent home or nursing home is a home for the care of children or the aged or the infirm, or a place of rest for those suffering serious bodily disorders, wherein three (3) or more persons are cared for. Said home shall also conform to, and qualify for license under, applicable State laws (even though State law may provide for different size regulations).

Section 17.01.29. **DISTRICT.** A portion of the Township within which certain uses of land and/or buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

Section 17.01.30. **RESERVED.**

Section 17.01.31. **DRIVE-IN ESTABLISHMENTS.** A business establishment so developed that its principal retail or service character is dependent on providing a drive-way approach or parking spaces for motor vehicles so as to serve patrons while in, or momentarily stepped away from, their motor vehicle (such as banks, laundry or dry-cleaning pick-up establishments).

- a. **DRIVE-IN RESTAURANT.** A drive-in restaurant is any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state, and whose design, method of operation, or any portion of whose business includes one (1) or both of the following characteristics:
 - 1. Foods, frozen desserts, or beverages are served directly to the customer in a motor vehicle either by a car-hop or by other means which eliminates the need for the customer to exist the motor vehicle.
 - 2. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premise, or at other facilities on the premises outside the restaurant building, is allowed, encouraged, or permitted.
- b. **FAST-FOOD RESTAURANT.** A fast-food restaurant is any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation includes both of the following characteristics:

1. Foods, frozen desserts, or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.
 2. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building, is posted as being prohibited and such prohibition is strictly enforced by the restaurateur.
- c. **STANDARD RESTAURANT (FOR COMPARISON).** A standard restaurant is any establishment whose principal business is the sale of foods, frozen desserts, or beverages as to the customer in a ready-to-consume state, and whose design or principal method of operation includes one (1) or both of the following characteristics:
1. Customers, normally provided with an individual menu, are served their foods, frozen desserts, or beverages by a restaurant employee at the same table or counter at which said items are consumed.
 2. A cafeteria-type operation where foods, frozen desserts, or beverages generally are consumed within the restaurant building.

Section 17.01.31.A EVENT FACILITIES. Wedding barns or other facilities that host parties, receptions or Special events. *(amended 12/9/19)*

Section 17.01.32. DWELLING. A house or building, or portion thereof, which is occupied wholly as the home, residence or sleeping place by one (1) or more human beings, either permanently or transiently, but in no case shall a trailer coach, automobile chassis, tent or portable building be considered as a dwelling. In case of mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for the purpose of this Ordinance and shall comply with the provisions hereof relative to dwellings. Garage space, whether in an attached or detached garage, shall not be deemed a part of a dwelling for area requirements.

- a. **DWELLING, MULTIPLE-FAMILY.** A multiple-family dwelling is a building used as a residence for three (3) or more families living independently of each other and each having their own cooking facilities therein, including townhouses (single-family attached dwellings), apartments and row or terrace dwellings, but not including manufactured homes.
- b. **DWELLING, ONE-FAMILY.** A detached building occupied by one (1) family and so designed and arranged as to provide living, cooking and kitchen accommodations for one (1) family only. Also known as a single-family dwelling.
- c. **DWELLING, TWO-FAMILY.** A detached two-family dwelling is that occupied by two (2) families, each provided with separate facilities for each family for living accommodations. Also known as a duplex dwelling.
- d. **DWELLING UNIT.** A dwelling unit is any building or portion thereof having cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall a travel trailer, manufactured home, motor home, automobile chassis, tent or other portable building be considered a dwelling in a single-family, two-family or multiple family residential areas. In cases of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a

dwelling unit for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings.

Section 17.01.33. ERECTED. Includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like shall be considered a part of erection.

Section 17.01.34. ESSENTIAL SERVICES. The erection, construction, alteration or maintenance by public utilities or municipal departments or commission, of overhead, surface or underground gas, electrical, steam, or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical substations, gas regulator stations and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission or for the public health or safety or general welfare, shall be permitted as authorized or regulated by law and other ordinances of the Township of Hudson in any use district, it being the intention hereof to except such erection, construction, alteration, and maintenance from the application of this Ordinance.

Section 17.01.35. FAMILY. One (1) or more persons living together in one (1) dwelling unit and interrelated by bonds of marriage, blood, or legal adoption (additionally may include up to a total of three (3) persons not so related who are either domestic servants or gratuitous guests), comprising a single housekeeping unit (sharing one (1) kitchen facility for normal meal preparation – sink, oven, refrigerator); as distinguished from a group occupying a hotel, motel, boarding house, club, fraternity or sorority house, or tourist home. Every additional person or group of two (2) or more persons not related or included in the family as herein defined, shall be considered a separate family for the purpose of this Ordinance.

Section 17.01.36. FARM OPERATION. The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to: (i) Marketing produce at roadside stands or farm markets. (ii) The generation of noise, odors, dust, fumes, and other associated conditions. (iii) The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws. (iv) Field preparation and ground and aerial seeding and spraying. (v) The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides. (vi) Use of alternative pest management techniques. (vii) The fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals. (viii) The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes. (ix) The conversion from a farm operation activity to other farm operation activities. (x) The employment and use of labor.

Section 17.01.37. FARM BUILDINGS. Any building or structure other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for the pursuit of their agricultural activities.

Section 17.01.38. FARM PRODUCTS. Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, Cervidae, livestock, including breeding and grazing, equine, fish, and other aquaculture products, bees and bee

products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan commission of agriculture.

Section 17.01.39. FILLING. Shall mean the depositing or dumping of any matter onto or into the ground, except common household gardening and general farm care.

Section 17.01.40. FLOOR AREA.

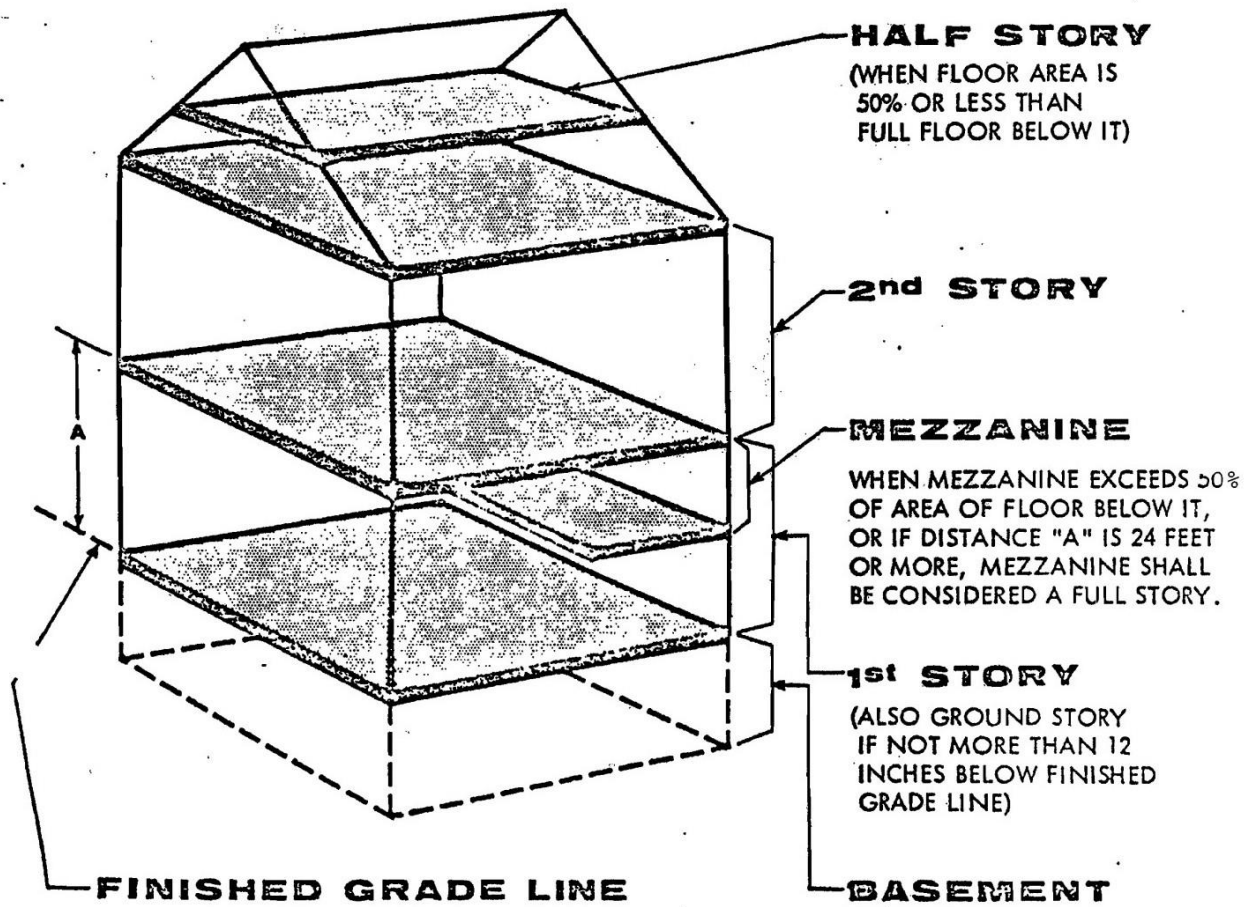
- a. FLOOR AREA, GROSS. The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. The “floor area” of a building which is what this normally is referred to as, shall include the basement floor area when more than one-half (1/2) of the basement height is above the established curb level or finished lot grade, whichever is higher (see Basement definition). Any space devoted to off-street parking or loading shall not be included in “floor area”. Areas of basements, utility rooms, breezeways, unfinished attics, porches (enclosed or unenclosed) or attached garages are not included.
- b. FLOOR AREA, USABLE. The measurement of usable floor area shall include that portion of the floor area, measured from the interior face of the exterior walls, used for or intended to be used for services to the public or customers, patrons, clients, or patients; including areas occupied by fixtures or equipment used for display or sale of goods or merchandise, but not including areas used or intended to be used for storage of merchandise, utility or mechanical equipment rooms, or sanitary facilities. In the case of a half (1/2) story, the usable floor area shall be considered to be only that portion having a clear height above it of four (4) feet or more (see illustrations entitled “Basic Structural Terms” and Floor Area Terminology”).

Section 17.01.41. FOOD. For purposes of this Ordinance, the word “food” used in connection with restaurant facilities shall include frozen desserts and non-alcoholic beverages.

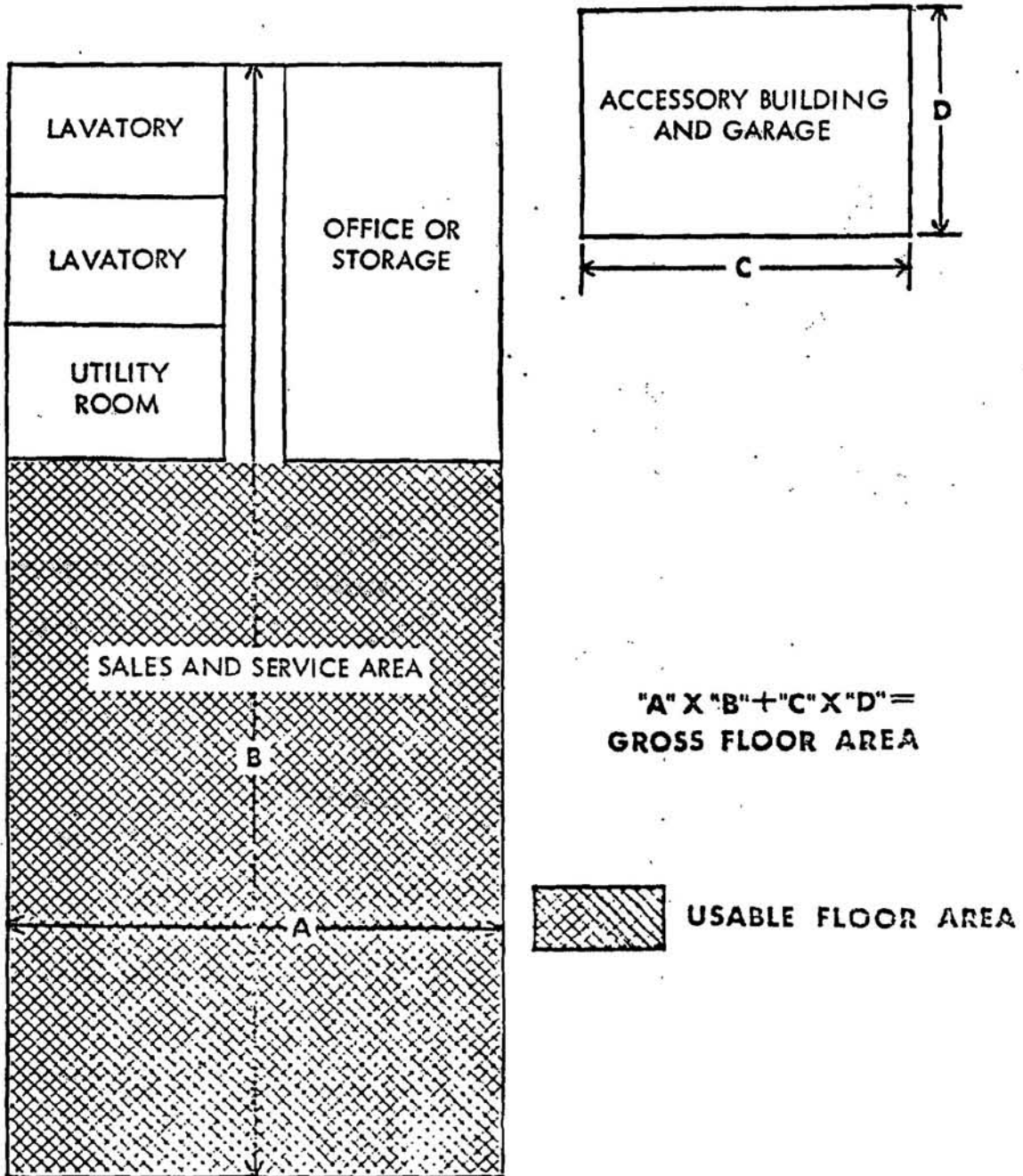
Section 17.01.42. GARAGE

- a. GARAGE, COMMUNITY. A community garage is a space or structure or series of structures for the storage of motor vehicles having no public shop or service operated in connection therewith, for the use of two (2) or more owners or occupants of property in the vicinity.
- b. GARAGE, PRIVATE. A space or structure suitable for the storage of motor vehicles having no public shop or service in connection therewith, for the use solely of the owner or occupant of the principal building on a lot, or of his family or domestic employees, and with a capacity of not more than three (3) motor vehicles. This shall also be construed to permit the storage on any one lot; for the occupants thereof, not more than one (1) commercial vehicle not exceeding a rated capacity of three-fourths (3/4) of a ton.
- c. GARAGE, PUBLIC. A space or structure other than a private garage for the storage, care, repair or refinishing of motor vehicles; provided, however, that a structure or room used solely for the display and sale of such vehicles in which they are not operated under their own power, and in connection with which there is no repair, maintenance, or refinishing service or storage of vehicles other than those displayed, shall not be considered as a public garage for the purpose of this

BASIC STRUCTURAL TERMS



FLOOR AREA TERMINOLOGY



Section 17.01.43. GRADE. The building grade shall, in the case of fairly level ground conditions, be the level of the ground adjacent to the walls. For substantially unlevel ground conditions, the grade shall be the average elevation of the ground adjacent to the walls.

Section 17.01.44. GREENBELT. A strip of land not less than fifteen (15) feet in width which is planted with trees or shrubs acceptable in species and caliber to the Planning Commission and Building Inspector.

Section 17.01.45. HEIGHT, BUILDING. The vertical distance measured from the grade of the building to the highest point of the roof for flat roofs; to the deck line for mansard roofs; and to the mean height level (between eaves and ridges) for gable, hip and gambrel roofs. Where a building is located upon a terrace, the height may be measured from the average ground level of the terrace at the building wall (see illustration entitled "Building Height Requirements").

Section 17.01.46. HIGHWAY. A public thoroughfare or street, except alleys, but including Federal, State, County and Township roads and those appearing upon plats recorded in the office of the Register of Deeds for Lenawee County, Michigan.

Section 17.01.47. HOME OCCUPATION. Any use customarily conducted entirely within the dwelling and carried on principally by the inhabitants thereof, not involving employees other than members of the immediate family residing on the premises, and one additional person which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, carried on entirely within the dwelling does not change the character thereof, and which does not endanger the health, safety, and welfare of any other persons residing in that area by reason of noise, noxious odors, unsanitary or unsightly conditions, fire hazards and the like, involved in or resulting from such occupation, professions or hobby. Provided further, that no article or service is sold or offered for sale on the premises, except as such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customarily in residential areas. Day care centers, veterinarian's office, tourist home, animal hospitals, kennels, among others shall not be deemed to be home occupations. Home occupations include such uses as hairdressers, real estate and insurance offices, dressmakers, watch repairmen, the instruction of a craft or fine art, and similar types of uses.

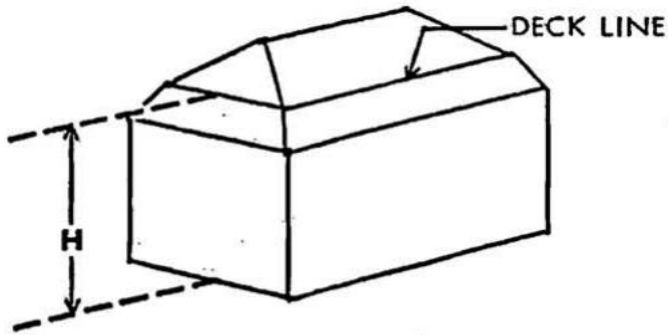
Section 17.01.48. HOSPITAL. A building, structure or institution in which sick, or injured persons, primarily in-patients, are given medical or surgical treatment and operating under license by the Health Department of the State of Michigan.

Sections 17.10.49 - 17.01.50. RESERVED.

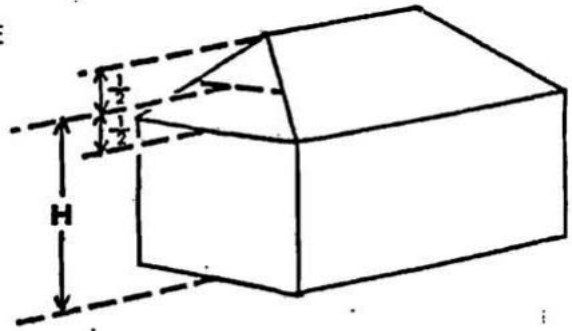
Section 17.01.51. HOTEL. A building occupied as a more or less temporary abiding place for individuals, who are lodged with or without meals in rooms occupied singly for hire, in which provision is not made for cooking on any individual plan and in which there are more than ten (10) sleeping rooms.

Section 17.01.52. JUNK. For the purpose of this Ordinance, the term junk shall mean any motor vehicles, machinery, appliances, product, merchandise with parts missing or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured.

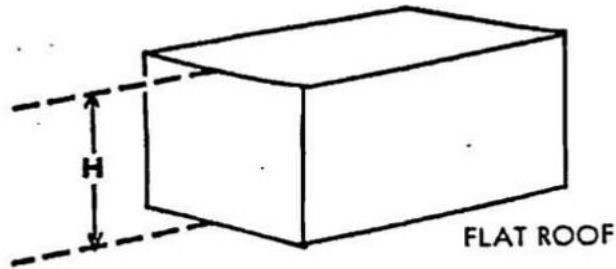
BUILDING HEIGHT REQUIREMENTS



MANSARD ROOF

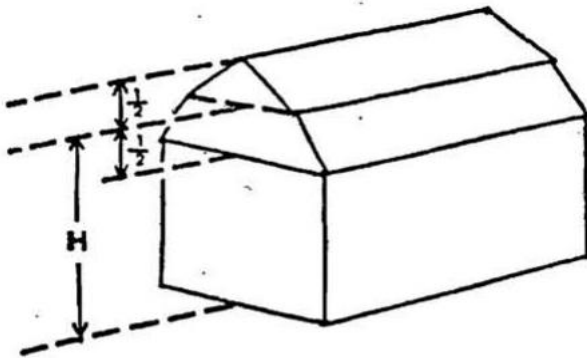


HIP ROOF

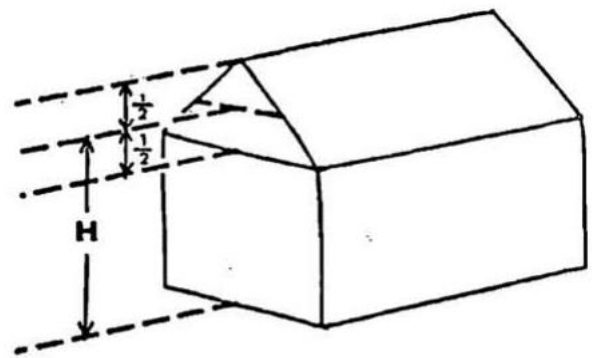


FLAT ROOF

GAMBREL ROOF



GABLE ROOF



H = HEIGHT OF BUILDING

PARKINS, ROGERS, & ASSOCIATES, INC. PLANNING & URBAN RENEWAL CONSULTANTS

Section 17.01.53. JUNK YARD. For the purpose of this Ordinance, junk yard shall mean any place where the storing, dismantling, wrecking, and disposition of junk is carried on, but does not include uses established entirely within enclosed buildings in conformance with all other provisions of the Zoning Ordinance. The term includes automobile wrecking yards and salvage areas and any area of more than two hundred (200) square feet for the storage, keeping, or abandonment of junk and scrap metals.

Section 17.01.54. KENNEL. Any lot or premises on which three (3) or more dogs or cats are kept either permanently or temporarily boarded. All kennels shall comply with all applicable Township, County and State regulations.

Section 17.01.55. SOLAR ENERGY SYSTEM. All exterior and above ground parts of a panel or other solar energy device including legs/braces and/or supporting devices, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating. *(amended 12/9/19)*

Section 17.01.55.A LARGE SOLAR ENERGY SYSTEM. A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, for the sale, delivery or consumption of the generated energy with a capacity greater than 25,000 watts. *(amended 12/9/19)*

Section 17.01.55.B SMALL SOLAR ENERGY SYSTEM. A single residential use or small business-scale solar energy conversion system with a capacity of 25,000 watts or less consisting of roof panels, ground-mounted solar arrays, or other solar energy fixtures, and associated control or conversion electronics, that will be used to produce utility power primarily to on-site users or customers. *(amended 12/9/19)*

Section 17.01.55.C BUILDING MOUNTED SMALL SOLAR ENERGY SYSTEM. A small solar energy system affixed to a permanent principal and/or accessory building (i.e. roof or wall). *(amended 12/9/19)*

Section 17.01.55.D GROUND-MOUNTED SMALL SOLAR ENERGY SYSTEM. A free-standing small solar energy system that is not attached to and is separate from any principal or accessory building on the parcel of land on which the solar energy system is located. *(amended 12/9/19)*

Section 17.01.56. LOADING SPACE. An off-street space on the same lot with a building or group of buildings, for temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

Sections 17.01.57 - 17.01.60. RESERVED.

Section 17.01.61. LOT. A lot is a piece of parcel of land occupied or intended to be occupied by a building and any accessory buildings or by any other use or activity permitted thereon and including the open spaces and yards required under this Ordinance, and having its frontage upon a public street or road either dedicated to the public or designated on a recorded subdivision.

Provided that the owner of any number of contiguous lots may have as many of said contiguous lots considered as a single lot for the purpose of this Ordinance as he so elects, and in such case the outside perimeter of said group of lots shall constitute the front, rear, and side lot lines thereof. This latter parcel is then often referred to as a “zoning lot”.

- a. **LOT, DEPTH.** The depth of a lot is the mean horizontal distance from the center of the front street line to the center of the rear lot line. In the case of a lakefront lot, it is from the lake frontage line to the street frontage line. In the case of an acreage parcel, it is from the front right-of-way line to the rear lot line.

- b. LOT, DOUBLE FRONTAGE. A lot other than a corner lot having frontage on two (2) more or less parallel streets. In the case of a row of double frontage lots, one (1) street will be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing buildings in the same block fronting on one (1) or both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front.
- c. LOT, INTERIOR. An interior lot is a lot other than a corner lot with only one (1) lot line fronting on a street.
- d. LOT, LAKE. A lot having frontage directly upon a lake, natural or man-made, river, pond, or other artificial impoundment of water. The portion adjacent to the water shall be designated the lake frontage of the lot, and the opposite side shall be designated the street frontage of the lot.
- e. LOT, WIDTH. The horizontal distance between the side lot lines, measured at the two (2) points where the building line, or setback line, intersects the side lot lines.

Section 17.01.62. LOT LINES. Any line dividing one (1) lot from another or from the right-of-way, and thus constitute property lines bounding a lot.

- a. LOT LINE, FRONT. In the case of an interior lot abutting on one (1) public or private street, the front lot line shall mean the line separating the lot from such street right-of-way. In the case of a corner or double frontage lot, the front lot line shall be that line separating said lot from the street which is designated as the front street in the plat and/or in the request for a zoning compliance permit.
- b. LOT LINE, REAR. The rear lot line is that boundary which is opposite and most distance from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be that assumed line parallel to the front lot line not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot. In any case, when this definition does not apply, the Planning Commission shall designate the rear lot line.
- c. LOT LINE, SIDE. Any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior lot line.

Section 17.01.63. LOT OF RECORD. A lot of record is a lot the dimension and configuration of which are shown on a map recorded in the office of the Register of Deeds for Lenawee County, or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a Professional Engineer or Land Surveyor (so registered and licensed in the State of Michigan) and likewise so recorded on a file with the County.

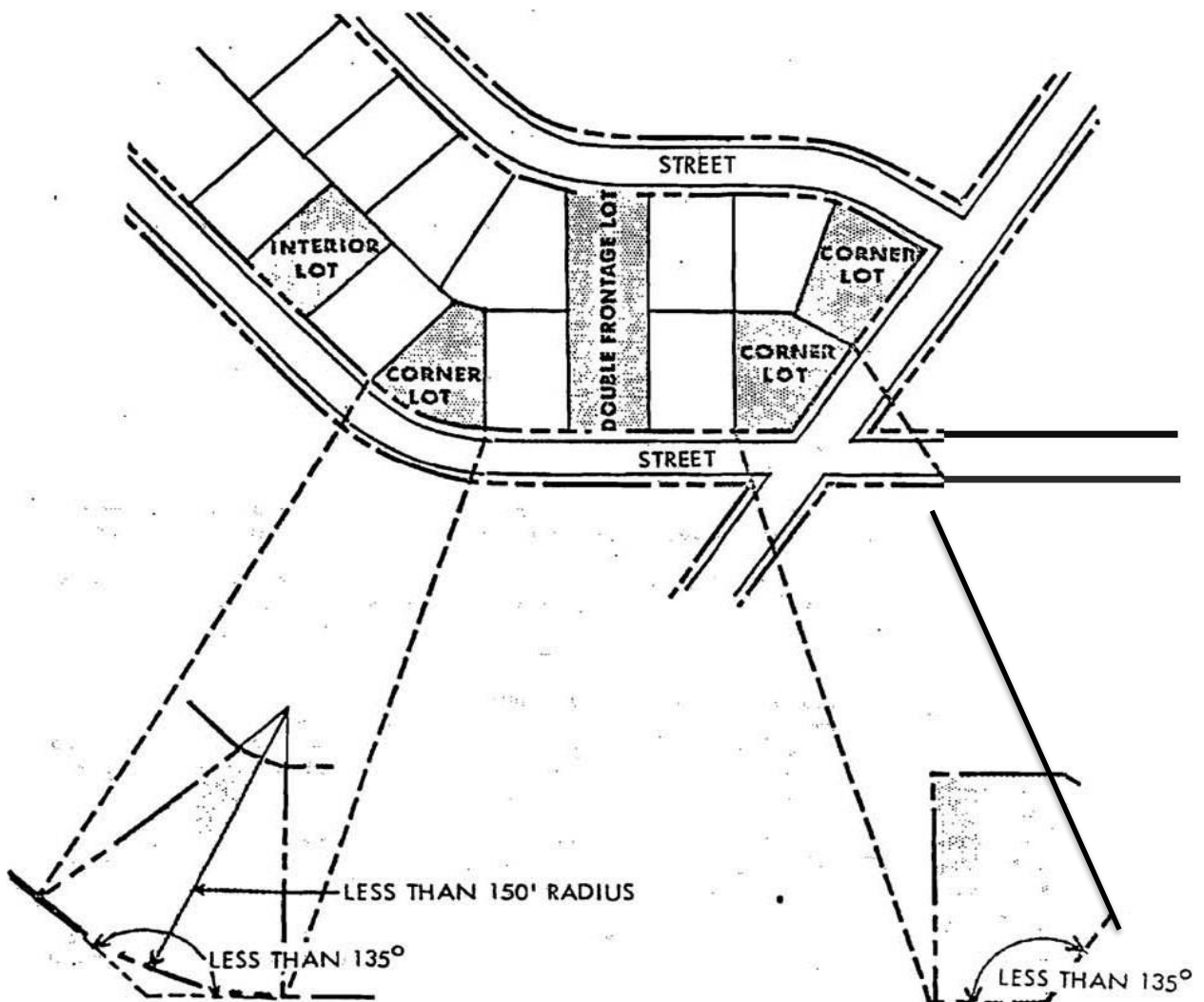
Section 17.01.64. LOT AREA, NET. The total horizontal area within the lot lines of a lot.

Section 17.01.65. LOT AREA, GROSS. The net lot area plus one-half (1/2) of the area

of that right-of-way directly adjacent to or abutting any side of the lot, plus any portion of adjoining public lands deemed proper to be included by the Planning Commission.

Section 17.01.66. LOT CORNER. A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) streets is less than one hundred and thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred fifty (150) feet and the tangents to the curve, at the two (2) points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than one hundred and thirty-five (135) degrees (see illustration below entitled "Corner, Interior and Double Frontage Lots").

CORNER, INTERIOR and DOUBLE FRONTAGE LOTS



Section 17.01.67. MANUFACTURED HOME. A portable vehicular unit primarily designed for year-round dwelling purposes, built upon a chassis, equals or exceeds twelve (12) feet in width and fifty (50) feet in length, and not motorized or self-propelled. Also known as a trailer coach or house trailer. A unit which requires being transported to the site separately in two (2) or more sections, and to which such major elements as the heating system or a substantial portion of the siding are installed after transport, shall not be considered a manufactured home. All manufactured homes moved into or within the township must meet current HUD requirements. *(Amended May 11, 2015)*

Section 17.01.68. MANUFACTURED HOUSING PARK. For the purpose of this Ordinance, is a specifically designed parcel of land designed and developed to accommodate two (2) or more manufactured home sites for residential use. Also known as a trailer court or trailer coach park.

Section 17.01.69. MANUFACTURED HOME SITE. For the purpose of this Ordinance is a plot of ground within a manufactured housing park designed to accommodate and support one (1) manufactured home. It is not the same as a building lot.

Section 17.01.70. RESERVED.

Section 17.01.71. MOTOR HOME. A motorized vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for overnight lodging. This term does not apply to manufactured homes.

Section 17.01.72. MOTOR COURTS – MOTELS. A building or group of buildings in which overnight lodging is provided and offered to the public for compensation and catering primarily to the public traveling by motor vehicles.

Section 17.01.73. MUNICIPAL PARK. A parcel of land that is used as a park and is operated under the supervision of the Township Board.

Section 17.01.74. NON-CONFORMING USE OR BUILDING.

- a. Non-conforming Use. A non-conforming use is a use which lawfully occupied a building or land at the effective date of this Ordinance or amendments thereto, and that does not conform to the use regulations of the zoning district in which it is located.
- b. Non-Conforming Building. A non-conforming building is a building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions (e.g., setbacks, height, lot coverage, parking) of this Ordinance in the zoning district in which it is located (see illustration entitled “Non-Conforming Use”).

Section 17.01.75. OCCUPANCY LOAD. The number of individuals normally occupying the building or part thereof, or for which the existing facilities have been designed.

Section 17.01.76. OCCUPIED. The word “occupied” includes the terms arranged, designed, built, altered, converted to, rented, leased, or intended to be inhabited; not necessarily for dwelling purposes.

Section 17.01.77. OFF-STREET PARKING LOT. A facility providing vehicular parking spaces along with adequate drives and aisles. Adequate maneuvering space shall be

provided which allows unrestricted access and egress plus on-site storage space for at least two (2) vehicles.

Section 17.01.79. OFF-STREET PARKING LOT. A facility providing vehicular parking spaces along with adequate drives and aisles. Adequate maneuvering space shall be provided which allows unrestricted access and egress plus on-site storage space for at least two (2) vehicles.

Section 17.01.80. RESERVED.

Section 17.01.81. OPEN AIR BUSINESS USES. Open air business uses shall include the following business uses:

- a. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
- b. Retail sale of fruit and vegetables.
- c. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park and/or similar recreation uses.
- d. Bicycle, utility truck or trailer, motor vehicle, boats or home equipment sale; rental or repair services.
- e. Outdoor display and sale of garages, swimming pools, motor homes, manufactured homes, snowmobiles, farm implements, and similar products.

Section 17.01.82. PARKING SPACE. An area for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances, or exits, and being fully accessible for the storage or parking of self-propelled vehicles.

Section 17.01.82.A. PHOTOVOLTAIC DEVICE. A system of components that generates electric energy from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the electric energy produced for later use. *(approved 12/9/19)*

Section 17.01.83. PORCH, ENCLOSED. A covered entrance to a building or structure which is totally enclosed, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Section 17.01.84. PORCH, OPEN. A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Section 17.01.85. ROADWAYS AND DRIVEWAYS:

- a. PRIVATE ROADWAY. An area of land which is privately owned, has not been dedicated to public use other than access by emergency and public safety vehicles, is maintained by its private owners, and vehicular access to more than two (2) lots, unless otherwise specified herein.
- b. PUBLIC ROADWAY, STREET OR RIGHT-OF-WAY. A public or dedicated right-of-way, which affords the principal means of vehicular access to abutting property, and which is under public ownership or control.
- c. DRIVEWAY. An area of land which is privately owned and maintained by its private owners, which provides vehicular access to one (1) or two (2) single

family residential lots which have the minimum lot width frontage, required by Article IV of this Ordinance, on a public roadway, street or right-of-way.

- d. A public roadway shall be required whenever any of the following conditions exist.
 1. A proposed roadway that serves ten (10) or more single-family residential lots.
 2. A proposed roadway that connects two or more public or private roadways.
 3. A proposed roadway that serves more than one non-residential use, not including farm uses and farm buildings.
 4. Public roadways and streets shall be constructed to the standards of, and maintained by, the Lenawee County Road Commission.
- e. PRIVATE ROADWAY, CLASS I. A roadway that does not meet any of the criteria for a public roadway or street, as defined above, but which does exceed the criteria for a Class II roadway as defined below.
- f. PRIVATE ROADWAY, CLASS II. A roadway that serves three (3) or four (4) single-family residential lots.
 1. A roadway that serves one (1) or two (2) single-family residential lots that do NOT have the minimum lot width frontage, required by Article XVI, on a public roadway, street or right-of-way, shall be a Class II private roadway.

Section 17.01.86. PUBLIC NOTICE. A notice of a public hearing prepared and delivered in accordance with Section 15.15 of this Ordinance.

Section 17.01.90. RESERVED.

Section 17.01.91. PUBLIC UTILITY. Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under municipal or state regulation to the public; transportation, water, gas, electricity, telephone, steam, telegraph, or sewage disposal.

Section 17.01.92. QUARRY EXCAVATION. Shall mean any breaking of the ground to hollow out by cutting or digging or removing any soil matter, except common household gardening and general farm care.

Section 17.01.93. RETAINING WALL. A permanent solid barrier of brick, stone, wood or other opaque material approved by the Building Inspector intended to enclose an area. For the purpose of this Ordinance all supporting members, posts, stringers, braces, pilasters or other construction features of a retaining wall shall be located and placed on the inside of the wall away from public view. All retaining walls, moreover, shall be constructed and/or painted, tinted or colored in one (1) color only for their exterior surface, and no sign or advertising shall be placed, affixed, painted, or designed thereon.

Section 17.01.94. ROADSIDE STANDS. A roadside stand is a temporary or permanent building operated for the purpose of selling only produce raised on said premises by the proprietor of the stand or his family, and its use shall not make into a commercial district land which would otherwise be an agricultural district, nor shall its use be deemed a commercial activity,

Section 17.01.95. SEPARATE OWNERSHIP. Ownership of a parcel of property wherein the owner does not own adjoining vacant property. Owner of a property may include dual or multiple ownership by a partnership, corporation, or other group. Provided, that the owner of any number of contiguous lots of record considered as a single lot of record for the purpose of this Ordinance as he so elects, and in such case the outside perimeter of said group of lots of record shall constitute the front, rear and side lot lines thereof.

Section 17.01.96. SETBACK. The minimum horizontal distance required to exist between the front line of the building, excluding steps or unenclosed porches and the front street or right-of-way line. The required setback area is that area encompassed by the respective lot lines and setback lines (see illustration "Lot Terms").

Section 17.01.97. SIGN. Any device using words, numerals, figures, designs or trademarks designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

- a. NUMBER. For the purpose of determining the permitted number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of element shall be considered to be a single sign.
- b. SURFACE AREA. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- c. SIGN, ACCESSORY. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises.

Section 17.01.98. SNOWMOBILE. Any motorized vehicle designed or travel primarily on snow or ice, steered by means of wheels, skis or runners.

Section 17.01.99. SOIL REMOVAL. Shall mean removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay or similar materials, or combination thereof, except common household gardening and general farm care.

Section 17.01.99.A. SOLAR ARRAY. Any number of Photovoltaic Devices connected to provide a single output of electric energy or other energy. (*approved 12/9/19*)

Section 17.01.100. RESERVED.

Section 17.101. STATE LICENSED RESIDENTIAL FACILITY. A structure constructed for residential purposes that is licensed by the state under the Adult Foster Care Facility Licensing Act, (PA 218 of 1979, MCL 400.710 *et sec*) or Child Care Licensing Act (PA 116 of 1973, MCL 722.111 *et sec*) and provides residential services for 6 or fewer individuals under 24hour supervision or care.

Section 17.01.102. STORY. That portion of a building, other than a mezzanine, included between the surface of any floor and the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

- a. MEZZANINE. A “Mezzanine” floor may be used in this definition of a full story when it covers more than fifty (50%) percent of the area of the story underneath said mezzanine, or, if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more.
- b. BASEMENT. For the purpose of this Ordinance, a basement shall be counted as a story if over fifty (50%) percent of its height is above the level from which the height of the building is measured or if it is used for business purposes, or if it is used for dwelling purposes by other than a janitor or domestic servants employed in the same building, including the family of the same.
- c. HALF. A half story is that part of a building between a pitched roof and the uppermost full story, said part having a floor area which does not exceed one-half (1/2) the floor area of said full story, provided the area contains at least two hundred (200) square feet with a clear height of at least seven (7) feet and six (6) inches.

Section 17.01.103. STREET. The public thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and other thoroughfare, except an alley.

Section 17.01.104. SWIMMING POOL. The term “swimming pool” shall mean any structure or container located whether above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing. A swimming pool shall be considered as an accessory building for the purpose of determining required yard spaces and maximum lot coverage.

Section 17.01.105. TENTS. Tents as used in this Ordinance shall mean a shelter of canvas or the like supported by poles and fastened by cords or pegs driven into the ground and shall not include those types of tents used solely for children’s recreational purposes.

Section 17.01.106. TOWNSHIP BOARD. Whenever in this Ordinance appear the words “Township Board”, it shall mean the Township Board of Hudson Township.

Section 17.01.107. TRAVEL TRAILER. A portable vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for overnight lodging, but which does not exceed eight (8) feet in width or thirty-two (32) feet in length. This term also includes folding campers and truck mounted campers but not manufactured homes.

Section 17.01.108. TRAVEL TRAILER PARK. A family recreation-oriented facility for the overnight or short-term (not to exceed fifteen (15) days consecutively) parking of travel trailers or tents. May also be known as a campground.

Section 17.01.109. USE. The purpose for which land or premises of a building thereon is designed, arranged, intended, or for which it is occupied, maintained, let, or leased.

- a. ACCESSORY. A use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the premises.
- b. LEGAL NON-CONFORMING. An existing use of land and/or structures as of the effective date of this Ordinance which does not conform to the uses specified as permitted in a district, but which is not construed by this Ordinance as a nuisance, or damaging to abutting property, or hazardous to persons.
- c. ILLEGAL NON-CONFORMING. An existing use of land and structures as of the effective date of this Ordinance as a nuisance, or damaging to abutting property

or hazardous to persons; such uses to be discontinued and abated (see illustration entitled “Non-Conforming Use”).

Section 17.01.110. RESERVED.

Section 17.01.111. UTILITY ROOM. A utility room is a room in a dwelling, not located in the basement, the use of which is primarily for storage or for housing a heating unit, or for laundry purposes.

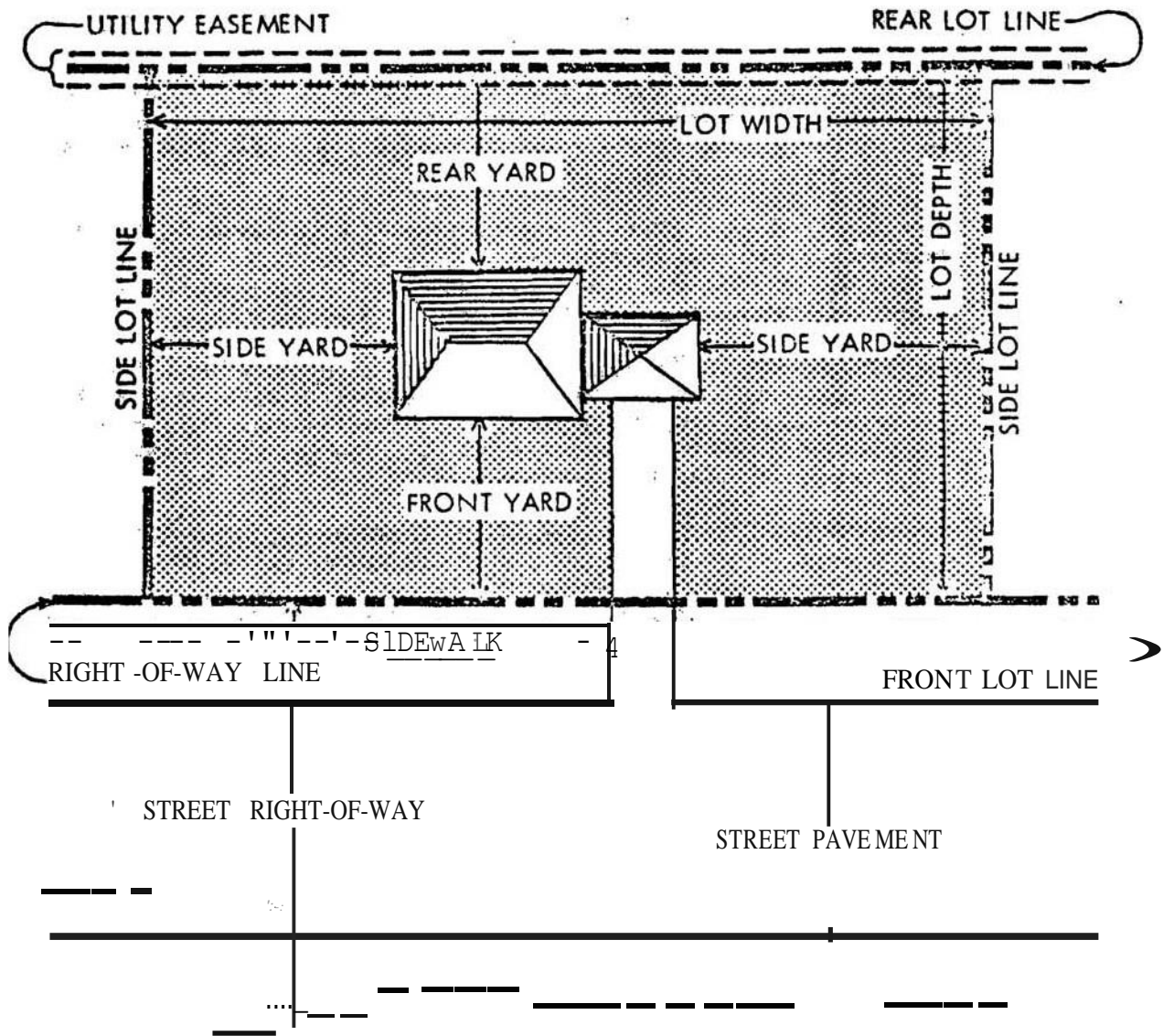
Section 17.01.112. VARIANCE. A variance is a modification of the literal provisions of the Zoning Ordinance which is granted when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Section 17.01.113. YARD, REQUIRED SIDE-REAR-FRONT. An open space of prescribed width or depth, adjacent to a lot or property line, on the same land with a building or group of buildings, which open space lies in the area between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein. This regulation shall not exclude eaves provided that an eight (8) foot height clearance is provided above the adjacent ground level (see illustration entitled “Lot Terms”).

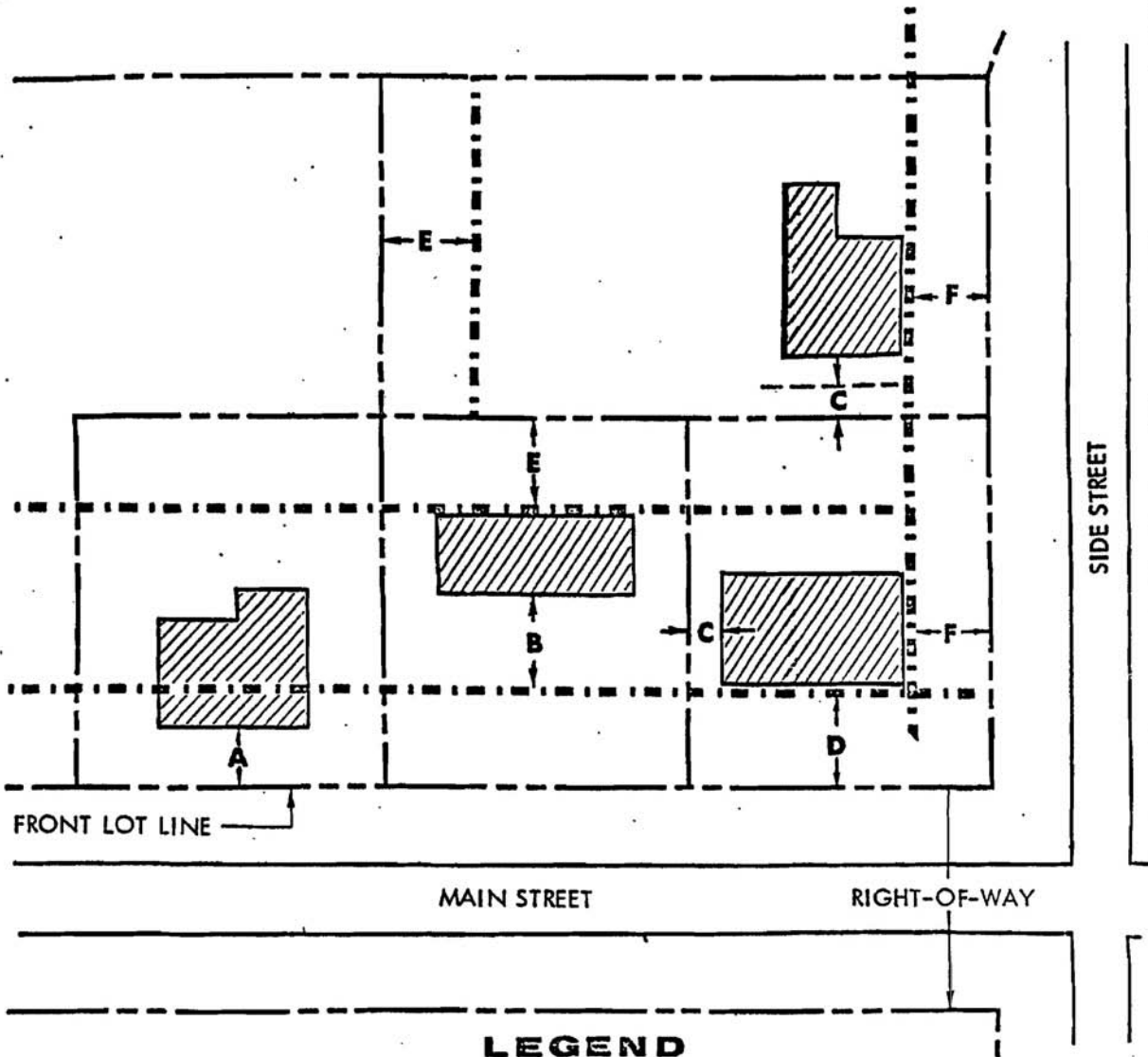
- a. FRONT. An open space extending the full width of a lot and of a depth measured horizontally at right angles to the front property line, lot line, or right-of-way.
- b. REAR. An open space extending the full width of a lot and of a depth measured horizontally at right angles to the front property line, lot line, or right-of-way.
- c. SIDE. An open space extending on each side of the lot from the required front yard to the required rear yard, and of a width measured horizontally at right angles to the respective side property line, lot line, or right-of-way

Section 17.01.114. YARD, SIDE-REAR-FRONT. A general term applied to the space on a lot or parcel, which lot or parcel contains a building or group of buildings, lying between the building or group of buildings and the nearest respective lot or property line facing each building (see illustration entitled “Lot Terms”).

LOT TERMS



YARD REQUIREMENTS



LEGEND

- | | |
|--|---|
| A — DEFICIENT FRONT YARD | D — MINIMUM FRONT YARD REQUIRED ALSO BUILDING SETBACK LINE |
| B — FRONT YARD IN EXCESS OF MINIMUM FRONT YARD REQUIRED | E — MINIMUM REAR YARD REQUIRED |
| C — MINIMUM SIDE YARD REQUIRED | F — MINIMUM YARD REQUIRED ON SIDE STREET WHEREON HOMES FRONT |

ARTICLE XVIII
REPEAL, INTERPRETATION, SEVERABILITY, PENALTIES, RIGHTS
AND REMEDIES, GENERAL RESPONSIBILITY, AND ENACTMENT
AND EFFECTIVE DATE

Section 18.01. REPEAL OF PRIOR ORDINANCES. The Zoning Ordinance previously adopted by the Township of Hudson, and all amendments thereto, are, on the effective date of this Ordinance, hereby repealed. The repeal of the above Ordinances and their amendments does not affect or impair any act done, offense committed or right accruing, or accrued, or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

Section 18.02. INTERPRETATION. In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, or general welfare. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision of law or ordinance other than the above-described Zoning Ordinance, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises; provided, however, that where this Ordinance imposes a greater restriction than is required by existing ordinances or by rules, regulations or permits, the provisions of this Ordinance shall control. Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

Section 18.03. SEVERABILITY. This Ordinance and the various parts, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance, and each section, subsection, phrase, sentence and clause thereof, irrespective of the fact that any one or more sections, subsections, phrases, sentences or clauses be declared invalid.

Section 18.04. VIOLATION-PENALTY. Any person, firm or corporation, including but not by way of limitation, builders and contractors who shall violate, neglect, or refuse to comply with or who resists the enforcement of any of the provisions of this Ordinance or conditions of the Board of Appeals or Township Board adopted pursuant thereto shall be responsible for a Municipal Civil Infraction as provided in Ordinance #O2016-01, entitled the Municipal Civil Infraction. The fines for municipal civil infractions are also set forth in that Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

The imposition of any municipal civil infraction violation shall not exempt the offender from compliance with the requirements of this Ordinance. Uses of land, and dwellings, buildings, or structures, including tents, trailer coaches and manufactured homes, used, erected, altered, razed or converted in violation of any provision of this Ordinance, are declared to be a nuisance per se. The Court may order such nuisance abated and the owner and/or agent in charge of such dwelling or building, structure, tent, trailer coach, manufactured home, or land may be adjudged guilty of maintaining a nuisance per se, and same may be abated by order of any Court of competent jurisdiction. (*amended 1/9/17*)










Section 18.05. RIGHTS AND REMEDIES. The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

Section 18.06. GENERAL RESPONSIBILITY. The Township Board or its duly authorized representative is hereby charged with the duty of enforcing the Ordinance and said Board is hereby empowered, in the name of said Hudson Township to commence and pursue any and all necessary and appropriate actions and/or proceedings in the Circuit Court of Lenawee County, Michigan, or any other court having jurisdiction, to restrain and/or prevent any non-compliance or violation. And it is further provided that any person aggrieved or adversely affected by such a non-compliance or violation may institute suite and/or join the Township Board in such suit to abate the same.

Section 18.07. ENACTMENT AND EFFECTIVE DATE. The foregoing Zoning Ordinance and Zoning Map were adopted at a regular meeting of the Hudson Township Board, held at the Hudson Township Hall in said Township on October 13, 2014, after approval of the same by the Hudson Planning Commission following a public hearing. Said Ordinance was ordered published in the Hudson Post-Gazette newspaper having general circulation in Hudson Township, Lenawee County, Michigan, pursuant to the requirements of The Township Zoning Act (PA 184 of 1943, MCL 125.271 *et sec*), as amended. This Ordinance shall become effective thirty (30) days after the date of such publication.

HUDSON TOWNSHIP LENAWEE COUNTY, MICHIGAN DRAFT ZONING MAP

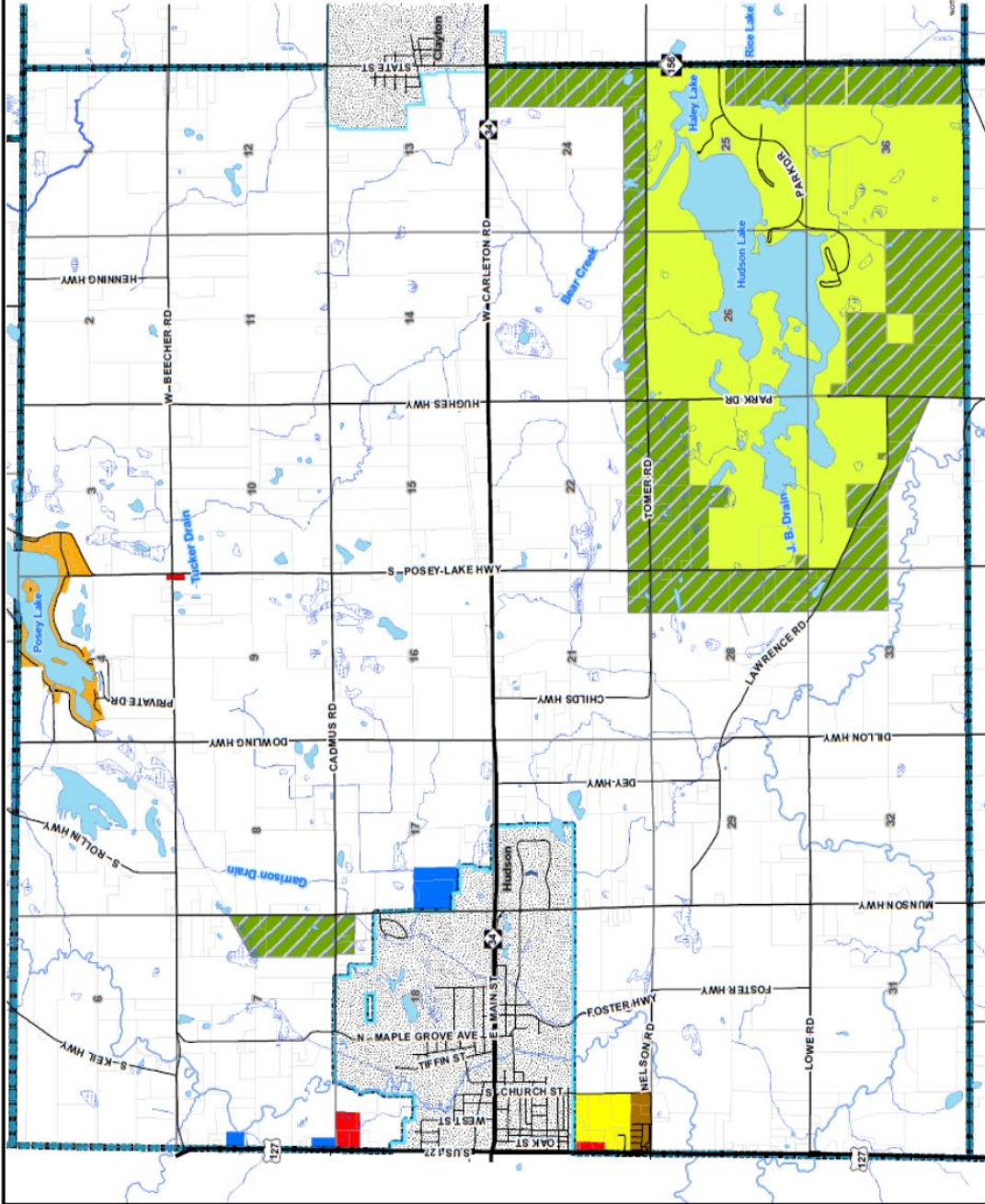
Zoning Districts

-  Agricultural
-  Residential
-  Lake Residential
-  Manufactured Housing
-  Commercial
-  Commercial Recreation
-  Industrial
-  Lake Hudson Recreation Area
-  Incorporated Areas

Adopted: October 13, 2014
Amended: May 11, 2015
January 9, 2017



1 inch = 3,100 feet



NOTE: THIS MAP IS A DIGITAL REPRODUCTION OF THE ORIGINAL ZONING MAP. THE ORIGINAL ZONING MAP IS THE AUTHORITY. THIS MAP IS NOT TO BE USED AS A SUBSTITUTE FOR THE ORIGINAL ZONING MAP.

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