



# Columbus Township Zoning Ordinance

Effective March 8, 2017

Amended through June 1, 2022

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# Table of Contents

Table of Contents with Sections _____	ii
How to Use this Ordinance _____	v
Article 1.0 Purpose and Introduction _____	1-1
Article 2.0 Definitions _____	2-1
Article 3.0 Zoning Districts _____	3-1
Article 4.0 Use Standards _____	4-1
Article 5.0 Site Standards _____	5-1
Article 6.0 Development Procedures _____	6-1
Article 7.0 Administration, Appeals and Enforcement _____	7-1



# Table of Contents with Sections

<b>How to Use this Ordinance</b> _____	<b>v</b>
1. Content Organization and Page Layout _____	v
2. Symbols and User Notes _____	vi
3. Reading the Ordinance _____	vii
4. Use Matrix _____	viii
5. District Summary Table _____	xiii
6. Zoning Map _____	xv
<b>Article 1.0 Purpose and Introduction</b> _____	<b>1-1</b>
Sec. 1.1 Title and Purpose _____	1-3
Sec. 1.2 Statutory Authorization _____	1-3
Sec. 1.3 Enacting Clause _____	1-3
Sec. 1.4 Severability _____	1-3
Sec. 1.5 Repeal _____	1-3
Sec. 1.6 Relationship to Other Laws and Ordinances _____	1-3
Sec. 1.7 Administrative Standards _____	1-3
Sec. 1.8 Application of this Ordinance _____	1-3
Sec. 1.9 Effective Date _____	1-4
<b>Article 2.0 Definitions</b> _____	<b>2-1</b>
Sec. 2.1 Construction of Language _____	2-3
Sec. 2.2 Definitions _____	2-3
<b>Article 3.0 Zoning Districts</b> _____	<b>3-1</b>
Sec. 3.1 Districts Established _____	3-3
Sec. 3.2 Agricultural District _____	3-4
Sec. 3.3 Residential Single-Family District _____	3-6
Sec. 3.4 Residential Multiple-Family District _____	3-8
Sec. 3.5 Mobile Home District _____	3-10
Sec. 3.6 Local Commercial District _____	3-12
Sec. 3.7 General Commercial District _____	3-14
Sec. 3.8 Light Industrial District _____	3-16
Sec. 3.9 Open Space District _____	3-18
Sec. 3.10 Floodplain Conservation District _____	3-20
Sec. 3.11 Gratiot Overlay District _____	3-21
Sec. 3.12 Open Space Preservation Option _____	3-22
Sec. 3.13 Provisions for Official Zoning Map, Zoning Records, Recording of Zoning Ordinance Changes _____	3-25



# Table of Contents with Sections

Sec. 3.14	Notes to District Standards _____	3-25
Sec. 3.15	Residential Multiple-Family District Standards _____	3-27
Sec. 3.16	Mobile Home District Standards _____	3-27
Sec. 3.17	Local Commercial and General Commercial Districts _____	3-28
Sec. 3.18	Open Space District _____	3-28
<b>Article 4.0</b>	<b>Use Standards _____</b>	<b>4-1</b>
Sec. 4.1	Single-family and Two- family Dwellings _____	4-3
Sec. 4.2	Keeping of Animals _____	4-4
Sec. 4.3	Kennels, Animal Hospitals, Offices of a Veterinarian and Commercial Stables _____	4-4
Sec. 4.4	Convalescent or Rest Homes _____	4-4
Sec. 4.5	Farm Implement Dealers _____	4-5
Sec. 4.6	Golf Courses _____	4-5
Sec. 4.7	Campgrounds _____	4-5
Sec. 4.8	Large Scale Recreation _____	4-6
Sec. 4.9	Livestock Barns _____	4-6
Sec. 4.10	Meeting Halls _____	4-6
Sec. 4.11	Schools, Places of Worship, Cemeteries and Public Building _____	4-6
Sec. 4.12	Shooting Ranges _____	4-6
Sec. 4.13	Soil, Sand, Gravel Extraction _____	4-7
Sec. 4.14	Utility Structures _____	4-7
Sec. 4.15	Residential Accessory Occupations _____	4-11
Sec. 4.16	High Volume Wells or Well Systems _____	4-11
Sec. 4.17	Group Day Care Homes and Group Child Care Centers (Nursery Schools)	4-12
Sec. 4.18	Adult Foster Care Facilities _____	4-13
Sec. 4.19	Professional Offices _____	4-14
Sec. 4.20	Office Uses _____	4-15
Sec. 4.21	Drive-in Movie Theaters _____	4-15
Sec. 4.22	Auto Body and Engine Repair Establishments _____	4-15
Sec. 4.23	Radio and Television Antenna Towers and Other Similar Towers _____	4-15
Sec. 4.24	Junk Yards _____	4-16
Sec. 4.25	Sanitary Landfills _____	4-16
Sec. 4.26	Yard Waste Composting Facilities _____	4-16
Sec. 4.27	Limited Soil Removal Permits _____	4-20
Sec. 4.28	Family Day Care Home _____	4-20
Sec. 4.29	Mobile Homes _____	4-21
Sec. 4.30	Private Wastewater Treatment Facilities _____	4-21
Sec. 4.31	Wind Energy Conversion Systems (Windmills) _____	4-21



# Table of Contents with Sections

Sec. 4.32	Medical Marijuana Uses _____	4-23
Sec. 4.33	Solar Energy Systems _____	4-29
Sec. 4.34	Agribusiness/Value-Added Farming _____	4-33
<b>Article 5.0</b>	<b>Site Standards _____</b>	<b>5-1</b>
Sec. 5.1	Building Grades _____	5-3
Sec. 5.2	Building Under Construction _____	5-3
Sec. 5.3	Landscaping and Screening _____	5-3
Sec. 5.4	Off Street Loading Requirements _____	5-7
Sec. 5.5	Off Street Parking Requirements _____	5-7
Sec. 5.6	Outdoor Lighting _____	5-12
Sec. 5.7	Restoring Unsafe Buildings _____	5-12
Sec. 5.8	Road Frontage Required _____	5-12
Sec. 5.9	Sign Regulations _____	5-13
Sec. 5.10	Visual Clearance at Intersection _____	5-22
Sec. 5.11	Non-residential Driveways _____	5-23
Sec. 5.12	Repealed _____	5-23
Sec. 5.13	Repealed _____	5-24
Sec. 5.14	Repealed _____	5-24
Sec. 5.15	Access Management Standards _____	5-24
Sec. 5.16	Performance Standards _____	5-25
Sec. 5.17	Accessory Building Requirements _____	5-27
Sec. 5.18	Storage of Vehicles, Trailers, and Machinery _____	5-29
Sec. 5.19	Hazardous Materials _____	5-29
Sec. 5.20	Fences _____	5-30
Sec. 5.21	Trash Enclosures _____	5-30
<b>Article 6.0</b>	<b>Development Procedures _____</b>	<b>6-1</b>
Sec. 6.1	Special Land Use Approval _____	6-3
Sec. 6.2	Site Plan Review and Approval _____	6-6
Sec. 6.3	Condominium Subdivision Approval _____	6-8
Sec. 6.4	Certificate of Zoning Compliance _____	6-9



# Table of Contents with Sections

<b>Article 7.0</b>	<b>Administration, Appeals and Enforcement</b>	<b>7-1</b>
Sec. 7.1	Nonconformities	7-3
Sec. 7.2	Performance Guarantee	7-6
Sec. 7.3	Ordinance Enforcement	7-7
Sec. 7.4	Certificate of Occupancy	7-7
Sec. 7.5	Collection of Fees	7-7
Sec. 7.6	Violation and Penalties	7-7
Sec. 7.7	Zoning Board of Appeals	7-8
Sec. 7.8	Amendments	7-11
<b>Amendments</b>		<b>A-1</b>



# How to Use This Ordinance

## 1. CONTENT ORGANIZATION AND PAGE LAYOUT

The Zoning Ordinance is organized into seven Articles, which are further divided using standard outline hierarchy. The content and page layout are designed to promote a clear understanding of requirements, as well as quick retrieval of relevant standards, procedures and other information. The following key assists with navigating through this document.

**Article Tabs** link to the first page of each Article. Red tab indicates the Article in which the current page is located.

**User Notes** provide helpful information for digital and hard copy formats. User Notes are always highlighted in blue.

**Sections and Subsections** contain the Ordinance regulations in a hierarchical manner.

**Blue bold font** links to standards in other sections of the Ordinance.

**Graphics, figures, and tables** illustrate concepts or clarify regulations.

Link to How to Use This Ordinance.

Link to Zoning Map.

Link to Table of Contents.

Selected References list other sections or Ordinances that may pertain to a development in the district.

Pages are numbered sequentially within each Article.













# How to Use This Ordinance

## 2. SYMBOLS AND USER NOTES

The following symbols are used throughout the Zoning Ordinance:

-  indicates the term is defined in Article 2, Definitions. (Note: Not every defined term is designated with a  symbol. Consult Article 2, Definitions, for a list of all defined terms.)
-  indicates there is a graphic that illustrates the standard or requirement.
-  identifies a property line.
-  identifies the right-of-way centerline.
- R/W* identifies the right-of-way.
-  identifies a **User Note** that provides helpful information for all users.
-  identifies a **Digital User Note** that provides helpful information for users with a digital version of the Zoning Ordinance.
-  identifies sections and definitions that have been amended. The symbol and effective date(s) of the ordinances amending the Columbus Township Zoning Ordinance are listed at the end of the section. More information can be found in Appendix A—Amendments.



# How to Use This Ordinance

## 3. READING THE ORDINANCE

Rules have been established to assist with interpreting the ordinance. Below are some rules to keep in mind when reading this document:


- ☑ Sometimes there may be general and specific regulations that pertain to one particular aspect of site design. In such instances, the specific regulations must be followed.
- ☑ Discrepancies between text and an illustration (including its caption) may occur. In the case of such discrepancies, the text is considered the accurate source of information.
- ☑ The use of the word shall carries significant meaning. Shall regulations must be followed. Requirements that use the word may are discretionary, meaning that the requirement is at the discretion of the Planning Commission or Zoning Board of Appeals.
- ☑ Article 2, Definitions, contains over 80 terms. If a term is not listed in this section, it will carry the meaning customarily assigned to it.
- ☑ Conjunctions are often used and must be read accurately:
  - AND indicates that all connected items, conditions, provisions or events shall apply.
  - OR indicates that the connected items, conditions, provisions or events may apply singly or in any combination. (OR may also be read “and/or”)
  - EITHER ... OR indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.

For more rules, see [Section 2.1 Construction of Language](#).

## Digital User Note:

### What is a link?

A link allows for quick reference to a relevant section. By ‘clicking’ a link, the user is taken directly to a page in the Ordinance or another reference document. The user may return to the original page by clicking the ‘previous view’ button in Adobe Acrobat Reader.




 If you do not see the ‘previous view’ button on your Adobe Acrobat Reader screen, you can add it by turning on your ‘page navigation toolbar’. For assistance, refer to the ‘Help’ menu in your version of Acrobat Reader.

### What information is linked?

All **blue text** is linked to either another page within the Zoning Ordinance, a separate Township ordinance or document, or an external website.





In addition, several other features of the document are linked to allow users to navigate through the ordinance. Click on any of the following features to quickly locate another section:

  **Article tabs** located on the side of each page are linked to the Contents page of each Article.

   **Icons** located at the bottom of each page are linked to the ‘How to Use This Ordinance’ section, the main Table of Contents, and the Zoning Map

   **Use Matrix district headings** are linked to the corresponding district regulations page in Article 3.

### How do I calculate height?

	AGRICULTURE
	SINGLE-FAMILY
	MULTIPLE-FAMILY
	MOBILE HOME

**‘How do I calculate height’ button** located on each district regulations page is linked to the definition of building height in Article 2.

**Zoning Map Legend headings** are linked to the corresponding district regulations page in Article 3.



# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	AG	RS	RM	MH	LC	GC	LI	OS	GR
Accessory buildings and uses	P	P	P	P			P	P	
Adult foster care congregate facility <sup>☐</sup>			P						
Adult foster care family home <sup>☐</sup>	P	P	P						
Adult foster care large group home <sup>☐</sup>			P						
Adult foster care small group homes <sup>☐</sup>	S	S	P						
Agribusiness/Value-added farming	P							P	
Agricultural activities, general and specialized	P	P	P						
Agricultural activities, general and specialized (except that commercial feedlots shall not be permitted)								P	
Animal hospitals	S	S	S			S			
Automobile repair and service centers							P		
Automobile repair and service centers (excluding paint and collision shops )						S			
Banks and credit unions, commercial (excluding drive-thru facilities)						P			
Banks with drive-thru facilities					S				
Boat and canoe liveries								P	
Building material and supply dealers, except for lumber retail yards (with all activities being indoor)						P			
Businesses of a drive-in nature (but not including outdoor theaters)						S			
Camera and photographic supply stores					P	P			
Campgrounds <sup>☐</sup>	S							S	
Car washes, full and self-service						S			
Cemeteries	S	S	S	S					
Child care centers, group	S	S	S	S					
Cleaning, dyeing, and printing establishments							P		
Commercial stables	S							S	
Convalescent and rest homes	S	S	S						
Dance studios					P				
Day care, group	S	S	S	S	S	S			
Day care home, family	P	P	P	P					
Drive-in movie theatres							S		
Drive-thru facilities						S			

Continued on next page



# How to Use This Ordinance

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

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S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	AG	RS	RM	MH	LC	GC	LI	OS	GR
Dry cleaning and laundry services					S				
Dwellings, multiple-family <sup>EQ</sup>			P						
Dwellings, single-family <sup>EQ</sup>	P	P	P					P	
Dwellings, two-family	P		P					P	
Eating and drinking establishments over 5,000 square feet					S				
Eating and drinking establishments under 5,000 square feet (with drive-thru or curbside service)					S				
Eating and drinking establishments under 5,000 square feet (without drive-thru or curbside service)					P				
Electronic message centers (digital signs)	S	S	S	S	P	P	P		
Essential services <sup>EQ</sup>	P	P	P				P	P	
Farm <sup>EQ</sup> implement dealers	S								
Food and beverage stores (except grocery stores)					P	P			
Food and beverage stores (including grocery stores)						P			
Forest and game management areas, hunting preserves, wildlife refuges	P	P	P					P	
Fueling service stations						S			
Funeral homes					S				
Golf courses		S	S					P	
Hardware stores					P	P			
Health and personal care stores					P	P			
Hobby, book, and music stores					P	P			
Home occupation <sup>EQ</sup>	P	P	P					P	
Hotels <sup>EQ</sup> and motels (except bed and breakfast, casino hotels, tourist cabins and recreational vehicle campgrounds)						S			
Junk yards <sup>EQ</sup>							S		
Kennels <sup>EQ</sup>	S	S	S			S		S	
Laboratories - research or testing							P		

Continued on next page



# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	AG	RS	RM	MH	LC	GC	LI	OS	GR
Livestock barns	S								
Lumber and building supply yards							P		
Manufacturing, assembling, fabrication, processing, and treatment plants, and similar industrial operations							P		
Marketing and warehousing activities involving the receiving, storage or sale of plants and raw plant products	P								
Meeting halls	S	S	S						
Mobile home parks <sup>ca</sup>				P					
Mobile home subdivisions				P					
Nursery schools					S				
Offices, professional		S	S						S
Office uses					P	P			
Open air business uses						S			
Open-air storage yards, impound yards and similar yards for the outdoor storage of manufactured goods, supplies, and vehicles							P		
Outdoor sales lots for the sale of automobiles/motor vehicles						S			
Outdoor sales lots for the sale of manufactured homes						S			
Outdoor sales lots for the sale of new or secondhand recreational vehicles and boats						S			
Outdoor storage and display of merchandise					S				
Outdoor storage, display or sale of goods						S			
Personal and household goods repair and maintenance					P	P			
Personal care services					P				
Physical fitness facilities						P			
Places of worship	S	S	S	S	S				
Private stables <sup>ca</sup>	P								
Public buildings	S	S	S	S					
Public parks	P	P	P						
Public utility buildings					S	S			

Continued on next page



# How to Use This Ordinance

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	AG	RS	RM	MH	LC	GC	LI	OS	GR
Radio and television antenna towers and other similar towers							P		
Railroad yards and truck terminals							P		
Raising of fur bearing animals						S			
Recreation, commercial						S			
Recreation, large scale	S							S	
Recreation facilities and uses				P					
Repairing of all types of machinery and equipment, general							P		
Residential accessory occupations	S	S	S						
Restaurants, carry-out (not utilizing drive-thru facilities)					P	P			
Retail, commercial businesses						P			
Retail stores, miscellaneous					P	P			
Sale and rental of automobiles, trucks, farm implements, heavy equipment, recreation vehicles, mobile homes, and similar items							P		
Roadside stands <sup>Ⓐ</sup> for the sale of agricultural products raised and grown on the premises		P	P					P	
Sanitary landfills							S		
Schools	S	S	S	S					
Schools, private and public					S				
Schools, trade							P		
Shooting ranges	S							S	
Signs							P	P	
Skilled trade services							P		
Slaughterhouses							P		
Small service and repair establishments where all repairs and storage occur indoors						P			
Soil, sand, gravel extraction	S						S		
Solar energy system, large	S					S	P		
Solar energy system, medium	P					S	P		
Solar energy system, small	P	P	P	P	P	P	P	P	

Continued on next page



# How to Use This Ordinance

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Principal Permitted Use

S = Special Land Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	AG	RS	RM	MH	LC	GC	LI	OS	GR
Twenty-four hour facilities						S			
Urgent care facilities					S	S			
Utility structures <sup>1</sup>	S						P	S	
Utility structures, local		S	S	S					
Veterinarian offices	S	S	S						
Video/audio visual media rental (non adult orientated material)					P	P			
Warehousing, storage, and wholesaling							P		
Wells and well systems, high volume <sup>1</sup>	S			S					
Wireless communication towers	S				S	S	S	S	
Yard waste composting facilities							S		



# How to Use This Ordinance

## 5. DISTRICT SUMMARY TABLE

Below is a quick reference table that summarizes district regulations. Consult [Article 3 Zoning Districts](#) for additional requirements and exceptions to the information below.

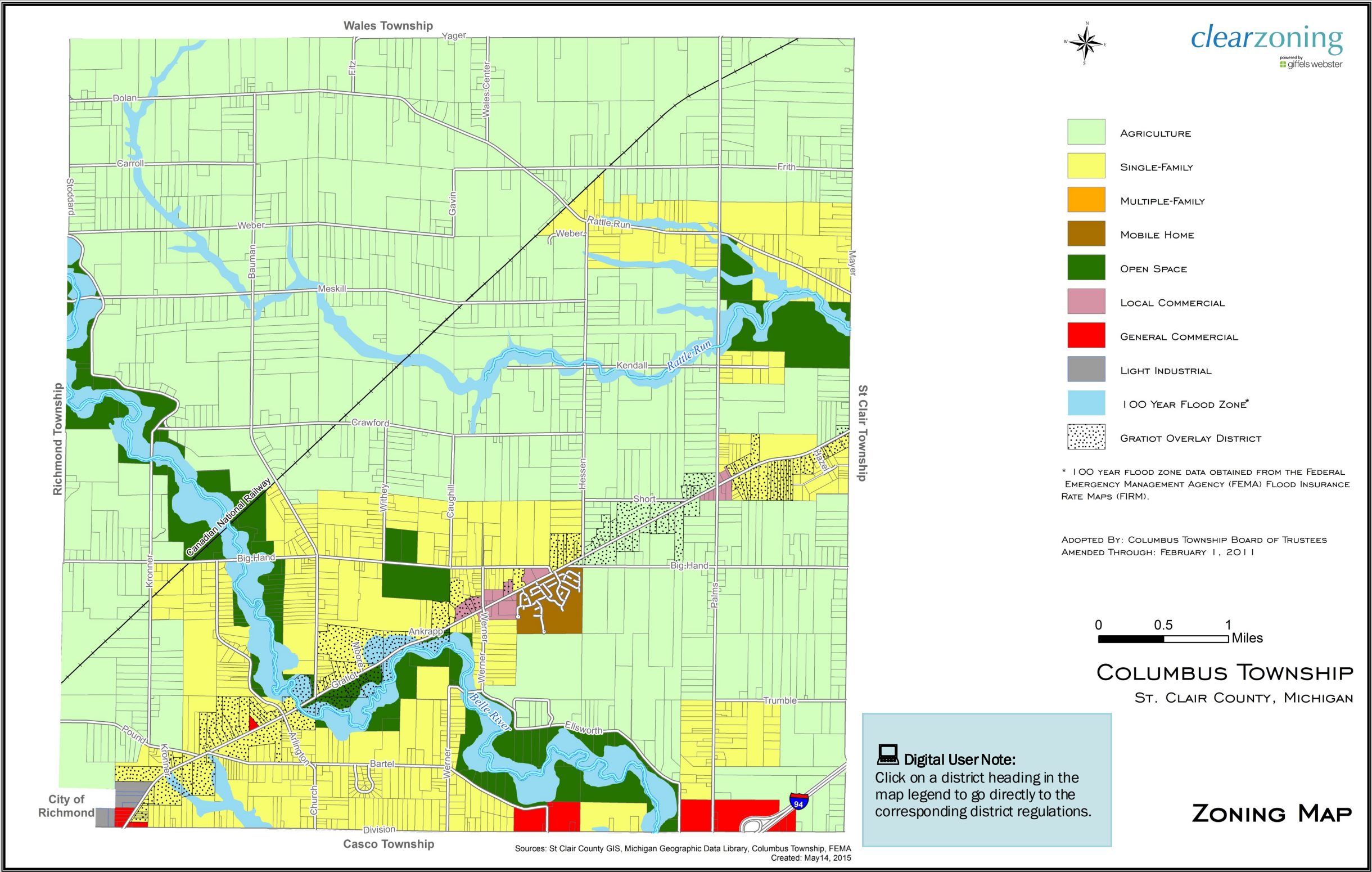
District Summary Table					
District	Minimum Lot Size	Minimum Lot Width (feet)	Setbacks		
			Front Yard (feet)	Side Yards (feet)	Rear Yard (feet)
AG Agricultural District	2 Acres	250 ft.	Regional - 150 Major or Secondary - 135 Collector - 118 Local - 108	75	75
RS Residential Single Family District	1.5 Acres	200 ft.	Regional - 125 Major or Secondary - 110 Collector - 93 Local - 83	30	30
RM Residential Multiple Family District	2.5 Acres	200 ft.	Regional - 125 Major or Secondary - 110 Collector - 93 Local - 83	30	30
MH Mobile Home Park	Refer to <a href="#">Section 3.16</a>				
MH Mobile Home Subdivision	1 Acres	200 ft.	Regional - 125 Major or Secondary - 110 Collector - 93 Local - 83	15	30
LC Local Commercial District	20,000 sq. ft.	200 ft.	Regional - 125 Major or Secondary - 110 Collector - 93 Local - 83	20	30
GC General Commercial District	20,000 sq. ft.	200 ft.	Regional - 125 Major or Secondary - 110 Collector - 93 Local - 83	20	30
LI Light Industrial District	1 Acre	200 ft.	Regional - 125 Major or Secondary - 110 Collector - 93 Local - 83	50	50
OS Open Space District	5 Acres	250 ft.	Regional - 150 Major or Secondary - 135 Collector - 118 Local - 108	75	75
GR Gratiot Road Overlay District	Refer to underlying district				





# How to Use This Ordinance

## 6. ZONING MAP



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**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 1.0 *Purpose and Introduction*



**Article 1.0 Purpose and Introduction**

- 1.1 Title and Purpose \_\_\_\_\_ 1-3
- 1.2 Statutory Authorization \_\_\_\_\_ 1-3
- 1.3 Enacting Clause \_\_\_\_\_ 1-3
- 1.4 Severability \_\_\_\_\_ 1-3
- 1.5 Repeal \_\_\_\_\_ 1-3
- 1.6 Relationship to Other Laws and Ordinances \_\_\_\_\_ 1-3
- 1.7 Administrative Standards \_\_\_\_\_ 1-3
- 1.8 Application of this Ordinance 1-3
- 1.9 Effective Date \_\_\_\_\_ 1-4



# 1.0 Purpose and Introduction

## 1.1 TITLE AND PURPOSE

An Ordinance to establish zoning districts and regulations governing the development and use of land within the Township of Columbus; to provide for regulations governing nonconforming uses, structures, and lots; to provide for a Zoning Board of Appeals and for its powers and duties; to provide for permits; to provide for the collection of fees; to provide for the administration of this Ordinance and for the official whose duty it shall be to enforce the provisions thereof; to provide penalties for the violation of this Ordinance; and to provide for conflicts with other ordinances or regulations.

## 1.2 STATUTORY AUTHORIZATION

This Ordinance is adopted pursuant to the authorization contained in State of Michigan Act 110 of the Public Acts of 2006, as amended.

## 1.3 ENACTING CLAUSE

This Ordinance shall be known and may be cited as the Columbus Township Zoning Ordinance.

## 1.4 SEVERABILITY

This Ordinance and the various parts, sections, subsections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid as applied to a particular property, building or other structure, it is hereby provided that the application of such portion of the Ordinance to other property, buildings or structures shall not be affected thereby. Whenever any condition or limitation is included in an order authorizing a special land use permit, variance, certificate of occupancy, or site plan approval, it shall be conclusively presumed that the authorizing officer or body considered such condition or limitation necessary to carry out the spirit and purpose of this Ordinance or the requirement of some provision hereby; and to protect the public health, safety, and welfare, and that the officer or board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.

## 1.5 REPEAL

The existing Zoning Ordinance of the Township of Columbus, being Columbus Township Ordinance Number 17, as amended is hereby repealed. The Adoption of this Ordinance, however, shall not affect nor prevent any pending or future prosecution of, or action to abate, any existing violation of said Ordinance Number 17, as amended, if the violation is also a violation of the provisions of this Ordinance.

## 1.6 RELATIONSHIP TO OTHER LAWS AND ORDINANCES

Whenever regulations or restrictions imposed by this Ordinance are either more or less restrictive than regulations or restrictions imposed by governmental authority through legislation, rule or regulation, the regulations, rules or restrictions which are more restrictive or which imposed higher standards or requirements shall govern. Regardless of any other provision of this Ordinance, no land shall be used and no structure erected or maintained in violation of any state or federal pollution control or environmental protection law or regulation.

## 1.7 ADMINISTRATIVE STANDARDS

Whenever, in the course of administration and enforcement of this Ordinance, it is necessary or desirable to make any administrative decision, then unless other standards are provided in this Ordinance, the decision shall be made so that the result will not be contrary to the spirit and purpose of this Ordinance or injurious to the surrounding neighborhood. Administrative decisions shall be made initially by the Zoning Administrator and shall be subject to appeal to and review by the Zoning Board of Appeals.

## 1.8 APPLICATION OF THIS ORDINANCE

No structure shall be constructed, erected, placed, or maintained, and no land use commenced or continued within Columbus Township except as specifically, or by necessary implication, authorized by this Ordinance. Special land uses are allowed only by permit by the Township Board upon finding that the specified standards have been met. Where a lot is devoted to a permitted principal use, customary accessory use and structures are authorized except as prohibited specifically or by necessary implication.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1.9 EFFECTIVE DATE

The Ordinance shall be effective thirty (30) days after publication.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# *Article 2.0*

## *Definitions*



**Article 2.0 Definitions**

2.1 Construction of Language \_\_\_\_\_ 2-3

2.2 Definitions \_\_\_\_\_ 2-3

Accessory	Lot Length or Depth
Adult Foster Care Congregate Facility	Lot Lines
Adult Foster Care Facility	Lot Line, Front
Adult Foster Care Home	Lot Line, Rear
Adult Foster Care Large Group Home	Lot Line, Side
Adult Foster Care Small Group Home	Lot Width
Agriculture	Mobile Home
Boarding House	Mobile Home Park
Building	Nonconforming Lot
Building Inspector	Nonconforming Structure
Campground	Nonconforming Use
Condominium*	Nonresidential Driveway
Dwelling, Multiple-Family	Planning Commission
Dwelling, Single-Family	Roadside Stand
Essential Services	Setback, Front
Family	Setback, Rear
Family Day Care Home	Setback, Side
Farm	Signs*
Farm, Animal	Site
Floodplain	Solar Energy System, Large
Foster Care	Solar Energy System, Medium
Group Day Care Home	Solar Energy System, Small
Group Child Care Center (Nursery School)	Stable, Commercial
High Volume Water Well or Well System	Stable, Private
Home Occupation	Structure
Hotel	Utility Distribution Facilities and Systems
Junk	Utility Structures
Junk Yard	Utility Transmission Facilities and Systems
Kennel	Wind Energy Conversion Systems (WECS)*
Lot	Yards
Lot Area	Yard, Front
Lot Coverage	Yard, Rear
Lot, Corner	Yard, Side
Lot, Interior	

\*Multiple terms are defined in this Ordinance.





# 2.0 Definitions

## 2.1 CONSTRUCTION OF LANGUAGE

For the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

1. All word used in the present tense shall include the future, all words in the singular number include the plural number, and all words in the plural number include the singular number.
2. The word "building" includes the word "structure".
3. The word "dwelling" includes "residence".
4. The word "person" includes "corporation", "copartnership", "association", as well as an "individual".
5. The word "shall" is mandatory and the word "may" is permissive.
6. The word "lot" includes the words "plot" or "parcel".
7. The words "used" or "occupied" includes the words "intended", "designed" or "arranged to be used or occupied".

## 2.2 DEFINITIONS

**Accessory** - means incidental to another use or structure on the same lot.

**Adult Foster Care Congregate Facility** - means an adult foster care facility with the approved capacity to receive more than 20 adults to be provided with foster care.

**Adult Foster Care Facility** - means a governmental or nongovernmental establishment that provides foster care to adults, excluding adults enrolled in a hospice care program, adult foster care facility includes facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care.

**Adult Foster Care Family Home** - means a private residence with the approved capacity to receive 6 or fewer adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

**Adult Foster Care Large Group Home** - means an adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults to be provided with foster care.

**Adult Foster Care Small Group Home** - means an adult foster care facility with the approved capacity to receive 12 or fewer adults to be provided with foster care.

**Agriculture** - shall mean the art or science of cultivating the ground including orchards, trees, shrubs, and/or flower nurseries, soil dependent cultivation and production of crops; the raising of farm animals or livestock; all in accordance with generally accepted agricultural management practices.

Δ June 1, 2022

**Boarding House** - means a dwelling where meals or lodging are provided for compensation to three (3) or more persons by pre- arrangement for definite periods of not less than one (1) week.

**Building** - means any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal or property of any kind, including mobile homes, tents, or vehicles situated on private property and used for the purposes of a building.

**Building Inspector** - means the Columbus Township Building Inspector.

**Campground** - means any parcel of land wherein sites are offered for the use of the public or members of an organization, either free or charge or for a fee, for the establishment of temporary living quarters for the occupants of five (5) or more tents, travel trailers, truck campers, or other similar recreational units.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



**Condominium** - The following terms are defined both in the context of the Condominium Act and in a manner intended to make comparison possible between the terms of this Zoning Ordinance and the Subdivision Control Ordinance No. 20 with the Condominium Act.

1. **Condominium act** - means Act 59 of 1978, as amended.
2. **Condominium Subdivision** - shall be equivalent to the term subdivision as used in this Zoning Ordinance and the Subdivision Control Ordinance No. 20.
3. **Condominium Subdivision Plan** - means the site, survey and utility plans; floor plans; floodplain plans; and sections, as appropriate, showing the existing and proposed structures and improvements including the location thereof on the land.
4. **Condominium Unit** - means that portion of the condominium project designed and intended for separate ownership and use, as described in the master deed.
5. **Consolidating Master Deed** - means the final amended master deed for a contractible condominium project, an expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.
6. **Contractible Condominium** - means a condominium project from which any portion of the submitted land or buildings may be withdrawn pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
7. **Conversion Condominium** - means a condominium project containing condominium units some or all of which were occupied before the establishment of the condominium project.
8. **Convertible Area** - means a unit or a portion of the common elements of the condominium project referred to in the condominium documents within which additional condominium units or general or limited common elements may be created pursuant to express provision in the condominium documents and in accordance with this Ordinance an the Condominium Act.
9. **Expendable Condominium** - means a condominium project to which additional land may be added pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.

10. **Front Yard Setback** - shall be equal to the distance between the front yard area line and the condominium dwelling.
11. **Lot** - shall mean the same as home site and condominium unit.
12. **Mobile Home Condominium Project** - means a condominium project in which mobile homes are intended to be located upon separate sites which constitute individual condominium sites.
13. **Master Deed** - means the condominium document recording the condominium project as approved by the zoning administrator to which is attached as exhibits and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the project.
14. **Rear Yard Setback** - shall be equal to the distance between the rear year area line and the condominium dwelling.
15. **Side Yard Setback** - shall be equal to the distance between the side yard area line and the condominium dwelling.

**Dwelling, Multiple-Family** - means a building designed for occupancy of three (3) or more families living independently of each other.

**Dwelling, Single-Family** - means a building designed exclusively for occupancy by one (1) family.

**Dwelling, Two-Family** - means a building designed exclusively for occupancy by two (2) families living independently of each other.

**Essential Services** - means the erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface, or overhead gas, electrical, steam, fuel, or water distribution systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarms, and police call boxes, traffic signals, hydrants and similar equipment in connection therewith, but not including buildings, which are necessary for the furnishing of adequate service to the residents of the Township by such utilities or municipal departments for the general health, safety or welfare.



**Family** - means one or more persons living in a single house-keeping unit and related by blood, marriage, or legal adoption, together with their domestic employees, gratuitous guests, foster children, and not more than two (2) boarded persons. Any group of persons not so related, shall for the purposes of this Ordinance be considered to constitute one (1) family for each four (4) persons.

**Family Day Care Home** - A private residence where care, protection, and supervision are provided, for a fee to nor more than six (6) children at one time, except children related to an adult member of the family.

**Farm** - shall mean all of the contiguous, neighboring, or associated land operated as a single unit on which agriculture is being conducted.

**Farm, Animal** - shall mean livestock, including beef and dairy cattle, goats, hogs (pigs), horses, poultry, sheep, and similar animals as determined by the Planning Commission.

**Floodplain** - means those areas designated as such on the Official Floodplain Map of Columbus Township.

**Foster Care** - means the provision of supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.

**Group Day Care Home** - A private residence were care, protection, and supervision are provided, for a fee to no more than twelve (12) children at one time, except children related to an adult member of the family.

**Group Child Care Center (Nursery School)** - A building or structure where care, protection, and supervision are provided on a regular schedule, at least twice per week, to more than twelve (12) children, or where pre-school education is offered for five (5) or more children on a regular schedule at least twice (2) per week.

**High Volume Water Well or Well System** - a well or series of wells capable of producing over 100 gallons per minute peak capacity and intended to serve a use other than one single family home.

**Home Occupation** - means an occupation or profession carried on by a member or members of a family not employing more than two (2) nonmembers of said family, carried on within the walls of the dwelling unit and not visible or noticeable in any manner or form from outside the walls of the dwelling, except for a sign as permitted herein.

**Hotel** - means a building designed, used, or offered for residential occupancy for periods of less than one (1) week, including motels.

**Junk** - means any motor vehicles, machinery, appliances, product or merchandise with parts missing, or scrap metals, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured. Specifically included are motor vehicles not movable under their own power.

**Junk Yard** - means any yard of more than 2,000 square feet in area, not to include enclosed buildings, used for the keeping of junk.

**Kennel** - means any lot on which four (4) or more adult dogs (over the age of six (6) months) are kept.

**Lot** - means a parcel of contiguous land in the same ownership which is not divided by any public road, the location and dimensions of which are shown on a deed or land contract.

**Lot Area** - means the total amount of land within the lot lines of a lot.

**Lot Coverage** - means the part or percent of a lot occupied by buildings or structures, including accessory buildings or structures.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



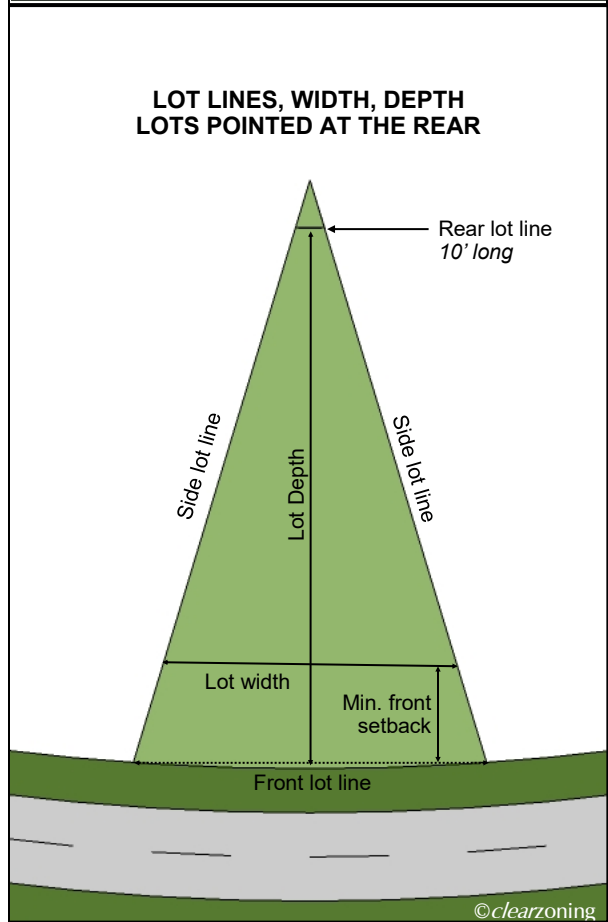
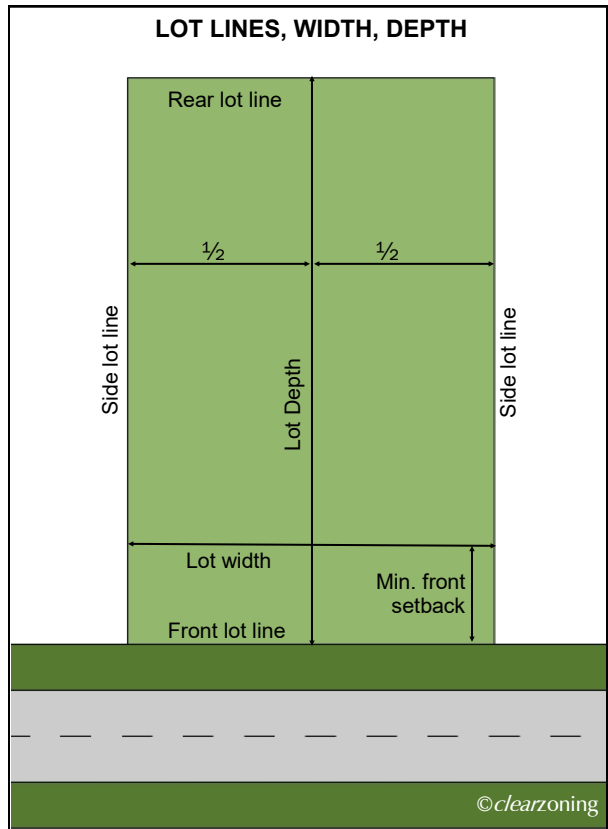
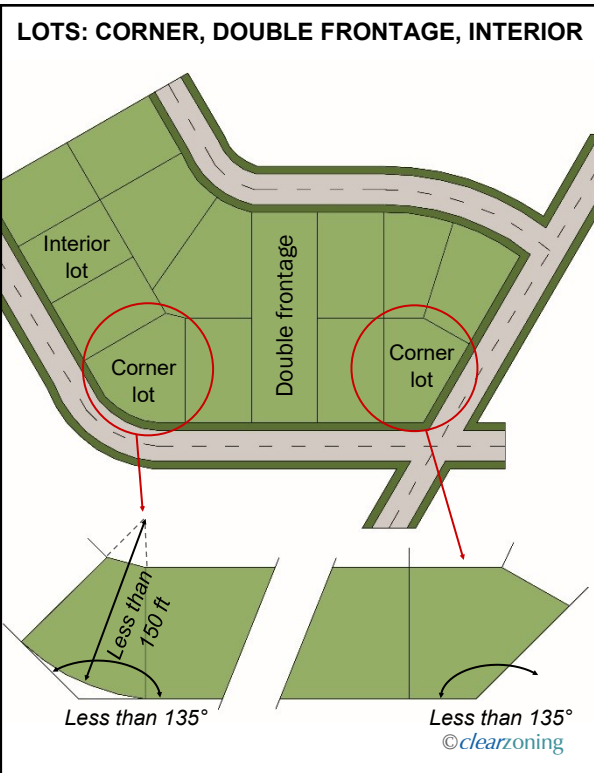
**Lot, Corner** - A lot where the interior angle of two adjacent sides at the intersection of the two streets is less than one hundred thirty-five (135) degrees.

**Lot, Interior** - Any lot other than a corner lot.

**Lot Length or depth** - means the distance along the longest side of the lot for regular shaped lots having four (4) sides with opposite sides parallel or nearly parallel. For all other lots, "length" shall be the distance along the longest straight line which can be drawn through the lot.

**Lot Lines** - means the property lines bounding the lot.

**Lot Line, Front** - In the case of an interior lot, the line separating said lot from the street. In the case of a corner lot, the front lot line is that line separating said lot from the street which is designated as the front street in the plat and in the application for a building permit or zoning occupancy permit. In the case of a double frontage lot, both lot lines abutting on streets shall be treated as front lot lines.



**Lot Line, Rear** - The lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary 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.

**Lot Line, Side** - Any lot lines other than the front lot line or 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 side lot line.

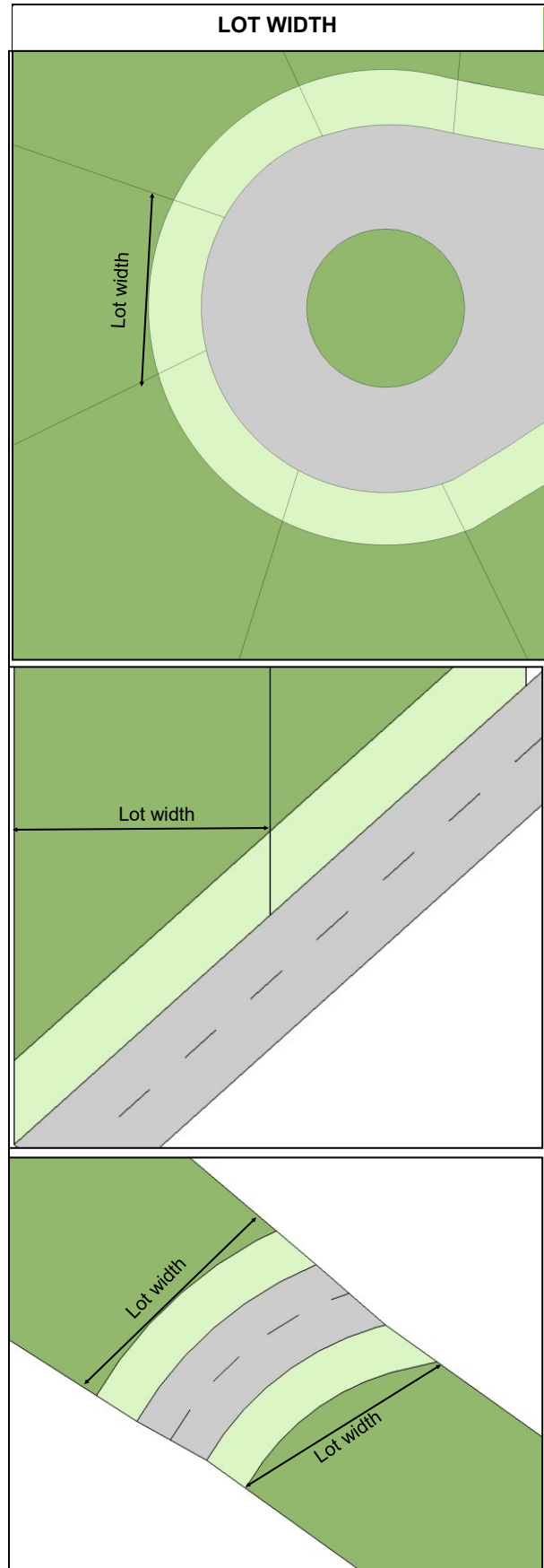
**Lot Width** - shall mean the distance measured along a straight line drawn between the points where the front setback line intersects the side lot lines, provided, however, that said straight line shall be no closer to the front lot line at any point than the minimum required front setback and provided that the length of the front lot line for any lot that fronts upon the radius of a cul- de-sac street shall not be less than one hundred (100) feet. For lots of irregular shape, lot width shall be measured according to similarity with one of the visual examples:

**Manufactured Home** - means a residential building, dwelling unit, dwelling room, or a building component which is designed for long-term occupancy as a dwelling unit or portion of a dwelling unit, and is wholly or substantially constructed at an off-site location, transported to a site and erected.

**Mobile Home** - means a one (1) family dwelling unit designed for permanent occupancy, of vehicular, portable, design, built on a chassis and designed to be moved from one site to another and to be used without permanent foundation.

**Mobile Home Park** - means any premises occupied or designed to be occupied by more than one (1) family living in mobile homes.

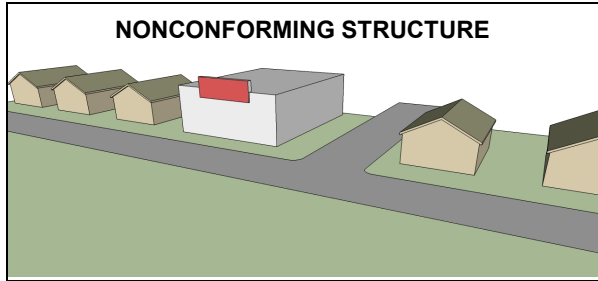
**Nonconforming Lot** - means a lot which exists as a legal lot of record and which existed as a legal lot of record at the effective date of adoption or amendment of this Ordinance, which does not conform to the lot requirements of this Ordinance.



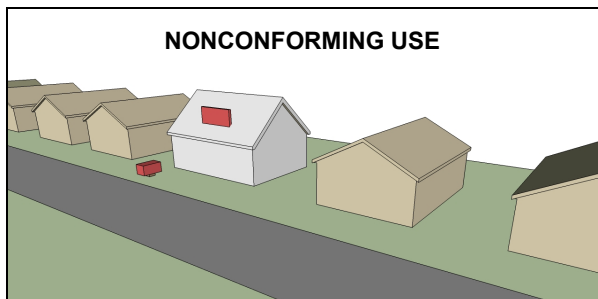
- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



**Nonconforming Structure** - means a lawful structure which existed at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, or their dimensional requirements.



**Nonconforming Use** - means a use which lawfully occupied a building or land at the effective date of adoption or amendment of this Ordinance that does not conform to the regulations of the zoning district in which it is located.



**Nonresidential Driveway** - Any driveway constructed which is not designed to provide access to the primary or accessory structure(s) located on a parcel of land occupied by a single-family residential structure. Driveways designed for the purpose of servicing agricultural properties where no residential structure exists shall not be considered a “non-residential driveway” if such driveways are not paved and less than twelve (12) feet in width.

**Planning Commission** - means the Columbus Township Planning Commission.

**Roadside Stand** - means a removable, open-front stand with no greater than 200 square feet of building floor area so designed that service to the patron does not require entering the building, and used solely for the sale of farm products or home products.

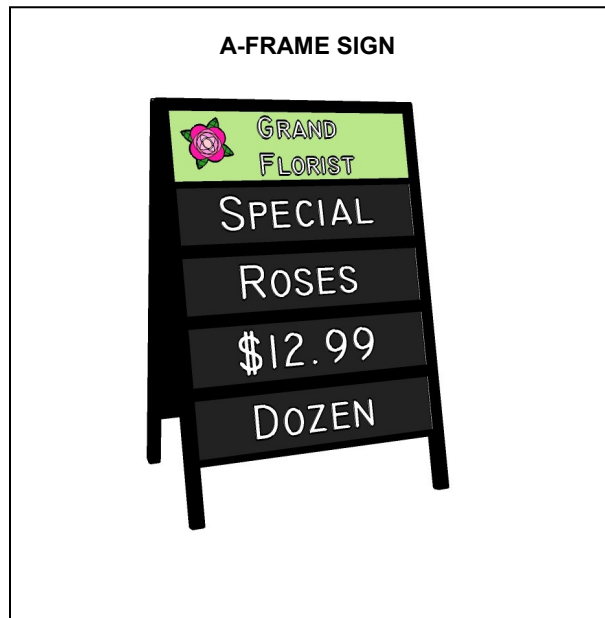
**Setback, Front** - means the required distance between any structure and the centerline of the right of way of the road(s) upon which the lot/unit fronts upon.

**Setback, Rear** - means the required distance between any structure and the rear lot line of the lot on which it is located.

**Setback, Side** - means the required distance between any structure and side lot line of the lot on which it is located.

**Signs** - The following definitions of signs shall apply to this Ordinance.

1. **Alter** - A change to the physical component of the sign, including but not limited to the structural size, height or width of the sign. Such definition shall not include resurfacing the face of an existing sign with a new sign face of equal size and shape.
2. **A-Frame** - A temporary sign with two panels attached at the top with hinges.



Δ June 1, 2022

- 3. **Animation** - means images that move.
- 4. **Awning** - A metal, wooden, fiberglass, canvas, or other fabric cover fastened to a building, which extends over a porch, patio, deck, balcony, window, door or open space.
- 5. **Awning Sign** - A sign that is printed on, or otherwise affixed to, an awning.

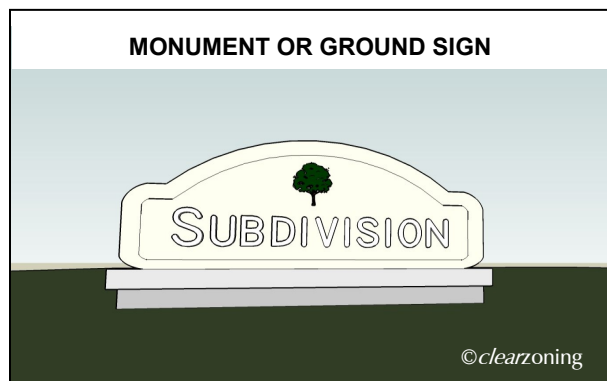


- 6. **Balloon Sign** - One or more balloons, or any other air-filled or gas-filled object used as a sign or as a means of directing attention to any business or profession, or to a commodity or service sold, offered or manufactured, or to any entertainment.
- 7. **Banner Sign** - A sign or display constructed of paper, plastic or fabric of any kind, intended to be hung, either with or without frames.
- 8. **Billboard Sign** - A sign which advertises a business use or service not conducted on the premises upon which the sign is placed .
- 9. **Canopy** - A roof-like structure providing shelter to a public access area, which is either freestanding or is projecting from a building and is supported by structural members. A canopy may be constructed of metal, wood, or any approved fire-retardant material, such as cloth, canvas, fabric, plastic, or any light flexible material which is attached to or constructed on a frame or building.
- 10. **Canopy Sign** - A sign that is printed on or otherwise affixed to a canopy.

- 11. **Directional Sign** - A sign not utilized for advertising purposes, but used to direct vehicular or pedestrian traffic to parking areas, loading areas, or to portions of a building.



- 12. **Display interval** - means the amount of time between displaying different messages or images.
- 13. **Flag** - A rectangular piece of fabric fastened to a pole on one end and free on the other. A series of flags on a single pole or pole string, or similar type of mount, shall be considered a pennant.
- 14. **Freestanding Sign** - A sign permanently attached to the ground by poles or braces and not attached to any building. Identification Sign or Nameplate - An accessory wall-mounted sign which displays only the name of a person or firm.
- 15. **Monument or Ground Sign** - A freestanding sign which is permanently fastened to the ground by upright(s), brace(s) or similar object(s), and which is not attached to a building or structure. Any on-site, permanent and freestanding sign with one (1') foot or less of clearance between the bottom of the sign and the established grade shall be a monument sign or ground sign .



1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

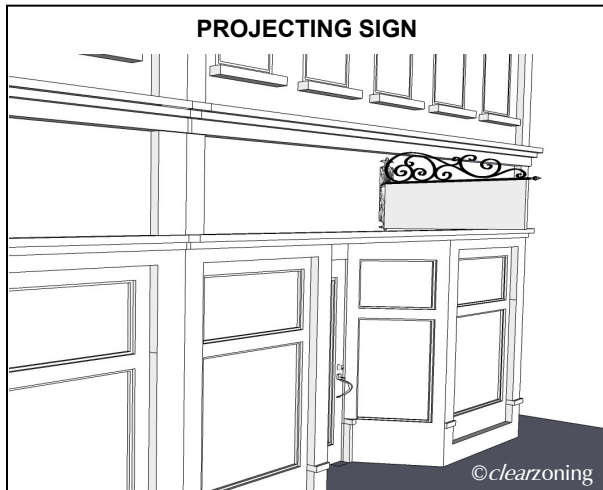
5 Site Standards

6 Development Procedures

7 Admin and Enforcement



16. **Off-Site Signs** - A sign which is not accessory to the principal use of the premises. Any card, cloth, paper, metal, painted glass, wood, plastic, stone, or other object of any kind or character whatsoever, placed for non-accessory advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in this definition shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or other fastening, affixing, or making visible in any manner whatsoever to the public.
17. **Pennant Sign** - A sign or display consisting of long, narrow, usually triangular flags.
18. **Portable Sign** - A sign which is not permanently fastened to a building, structure, or to the ground.
19. **Projecting Sign** - A sign which is permanently fastened to the surface of a wall in such a way that the sign face is perpendicular to the surface of the wall. The sign face shall consist of two (2) sides, mounted flush back-to-back.

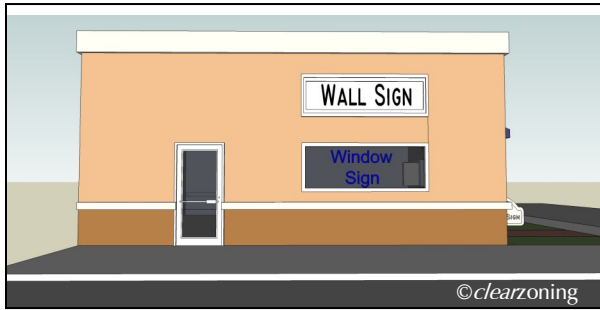


20. **Pylon Sign** - A freestanding sign which is permanently fastened to the ground by upright (s), brace(s) or similar object(s), and which is not attached to a building or structure. Any on-site, permanent and freestanding sign with more than one (1') foot of clearance between the bottom of the sign and the established grade shall be a pylon sign .

21. **Resurface** - The replacement or restoration of a previously approved sign which does not include alteration to the existing structure or brackets.
22. **Scrolling (signs)** - means having the letters or images move across the sign in any direction or pattern.
23. **Sign** - Any use of words, numbers, figures, devices, designs, logos, trademarks, letters, characters, marks, points, planes, posters, pictorials, pictures, strokes, stripes, lines, reading matter, illuminating devices or paint visible to the general public and designed to inform or attract the attention of persons, including the structure upon which such words, numbers, figures, devices, designs, logos, trademarks, letters, characters, marks, points, planes, posters, pictorials, pictures, strokes, stripes, lines, reading matter, illuminating devices or paint are or may be printed or affixed.
24. **Sign Height** - The vertical distance from the uppermost portion of a sign or sign structure to the grade at the base of the sign.
25. **Subdivision Entrance Sign** - A sign depicting the name of a residential, office/service, commercial, or industrial subdivision, and which sign is located at the entrance to said subdivision.
26. **Temporary Sign** - A sign that is intended to be displayed for a short amount of time as regulated herein, including A-frame, banners, or any other permitted sign that is not permanently affixed to a building face or to a pole, pylon, or other support that is permanently anchored to the ground .
27. **Trailer Sign** - A sign mounted on, or a part of, a trailer or wheeled vehicle.
28. **Vehicle Business Sign** - A vehicle upon which a sign is painted or attached and is parked upon a premises for the intent of advertising. Vehicle business signs shall not include licensed commercial vehicles regularly used to transport persons or property for the operation of the business.



- 29. **Wall Sign** - A sign permanently fastened to a building or structure, or a sign attached to, or placed flat against the exterior wall surface of any building, no portion of which projects more than twelve (12”) inches from the wall.
- 30. **Window Sign** - A sign which is affixed, attached, painted or otherwise placed on or adjacent to the interior of a window in such a manner as to be readily visible from the exterior of the building.



**Site** - All land in a development which is necessary or indicated as part of the development proposal to meet parking requirements, setback requirements, landscape requirements, drainage requirements (i.e., retention or detention basin), and lot coverage requirements.

**Solar Energy System, Large** - means a utility-scale solar energy conversion system consisting of many ground-mounted solar arrays in rows, and associated control or conversion electronics, occupying more than 5 acres of land, and that will be used to produce utility power to off-site customers.

**Solar Energy System, Medium** - means a private on-site or utility-scale solar energy conversion system consisting of many ground-mounted solar arrays in rows or roof panels, and associated control or conversion electronics, occupying more than one tenth of an acre and no more than 5 acres of land, and that will be used to produce utility power to on-site uses and off-site customers.

**Solar Energy System, Small** - means a single residential or small business-scale solar energy conversion system consisting of roof panels, ground-mounted solar arrays, or other solar energy fixtures, and associated control or conversion electronics, occupying no more than one tenth of an acre of land, and that will be used to produce utility power primarily to on-site users or customers.

**Stable, Commercial** - means a building with a corral (other than a stable, private) designed for the shelter, care keeping and boarding of horses for profit.

**Stable, Private** - means an accessory building, including a corral, designed for the shelter, care and keeping of horses for private use. **Structural Alterations** - means any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders, or any substantial change in the roof, or any additional floor space added to the building.

**Structure** - means anything constructed, placed or erected which requires permanent location on the ground, to include, but not limited to, all buildings. Excluded are fences, sidewalks, and paving on streets, driveways, parking areas and patios.

**Utility Distribution Facilities and Systems** - means all equipment and facilities necessary for furnishing service to individual local utility customers, ordinarily located within Columbus Township.

**Utility Structures** - means facilities related to and necessary for the operation of oil, gas, and water distribution pipelines; storm and sanitary sewers; electrical distribution lines; telephone and telegraph lines, excluding outdoor storage yards, when operating requirements necessitate the location in order to provide service to residents of Columbus Township.

**Utility Transmission Facilities and Systems** - means all equipment and facilities necessary for the utility company to introduce its product into the regional, state or interstate system or to transfer its product within the regional, state or interstate system and not designed solely to furnish service to individual local utility customers.

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



**Wind Energy Conversion Systems (hereinafter referred to as WECS)** - Any device that converts wind energy to mechanical or electrical energy.

The following terms apply to wind energy conversion systems:

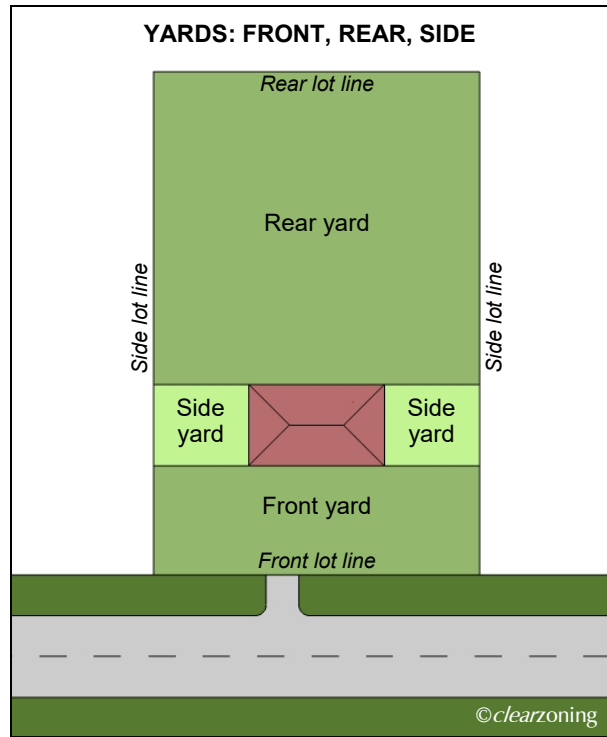
1. **Survival Wind Speed (WECS)** - The maximum wind speed a WECS in automatic, unattended operation (not necessarily producing power) can sustain without damage to structural components or loss of the ability to function normally.
2. **Tower Height (WECS)** - The height of the actual tower, plus one-half the rotor diameter on horizontal axis installations, and on vertical axis installations, the distance from the base of the tower to the top of the unit as measured from the established grade.
3. **Wind Rotor (WECS)** - The blades plus hub to which the blades are attached used to capture wind for purposes of energy conversion.

**Yards** - means the open spaces on the same lot with a main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance.

**Yard, Front** - means an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building or structure.

**Yard, Rear** - means an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building or structure.

**Yard, Side** - means an open space between a main building or structure and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# *Article 3.0*

## *Zoning Districts*



Article 3.0 Zoning Districts

3.1 Districts Established \_\_\_\_\_ 3-3

3.2 Agricultural District \_\_\_\_\_ 3-4

3.3 Residential Single-Family District \_\_\_\_\_ 3-6

3.4 Residential Multiple-Family District \_\_\_\_\_ 3-8

3.5 Mobile Home District \_\_\_\_\_ 3-10

3.6 Local Commercial District \_\_\_\_\_ 3-12

3.7 General Commercial District \_\_\_\_\_ 3-14

3.8 Light Industrial District \_\_\_\_\_ 3-16

3.9 Open Space District \_\_\_\_\_ 3-18

3.10 Floodplain Conservation District \_\_\_\_\_ 3-20

3.11 Gratiot Overlay District \_\_\_\_\_ 3-21

3.12 Open Space Preservation Option \_\_\_\_\_ 3-22

3.13 Provisions for Official Zoning Map, Zoning Records, Recording of Zoning Ordinance Changes \_\_\_\_\_ 3-25

3.14 Notes to District Standards \_\_\_\_\_ 3-25

3.15 Residential Multiple-Family District Standards \_\_\_\_\_ 3-27

3.16 Mobile Home District Standards 3-27

3.17 Local Commercial and General Commercial Districts \_\_\_\_\_ 3-28

3.18 Open Space District \_\_\_\_\_ 3-28




# 3.0 Zoning Districts

## 3.1 DISTRICTS ESTABLISHED

For the purpose of this Ordinance, the Township of Columbus is hereby divided into the following districts:

AG	Agricultural District
RS	Residential Single Family District
RM	Residential Multiple Family District
MH	Mobile Home District
LC	Local Commercial District
GC	General Commercial District
LI	Light Industrial District
	Open Space District
	Floodplain Conservation District
	Gratiot Road Overlay District

 **Digital User Note:**  
Click on a district heading to go directly to the corresponding district regulations.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement




## 3.2













## AG Agricultural

## A. INTENT

The purpose of this district is to preserve land for both commercial and agricultural use and also for recreational plant and animal husbandry. The district regulations are intended to prevent an intensity of development which would require the provision of urban services, such as public sewer and water systems, since it will not be economically feasible to provide such services until far into the future if ever. Because of the lack of urban services and because of land characteristics which are rather unfavorable for development, it is necessary to maintain a very low density of settlement in order to maintain a high quality of life.

 **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. General and specialized agricultural activities, including the raising and keeping of livestock, fowl, bees, animals raised for food, crops, trees, and shrubs, ornamental plants, grass and sod.
2. Marketing and warehousing activities involving the receiving, storage or sale of plants and raw plant products, including such things as the retailing of fresh fruits and vegetables, commercial plant nurseries and greenhouses, and grain elevators.
3. **Single-family dwellings**  §4.1
4. **Two-family dwellings**  §4.1
5. Forest and game management areas, hunting preserves, wildlife refuges, and public parks.
6. **Private stables**  §4.2
7. Home occupation 
8. Family day care home 
9. Essential services 
10. Adult foster care family home  Accessory  buildings and uses customarily incidental to the above permitted uses; and also any accessory buildings and uses customarily incidental to the special land uses, provided that a special land use permit has been obtained.
11. **Small solar energy systems**  §4.33
12. **Medium solar energy systems**  §4.33
13. Roadside stands  for the sale of agricultural products raised and grown on the premises
14. **Agribusiness/Value-added farming**  §4.34

## C. SPECIAL LAND USES

1. **Campgrounds**  §4.7
2. **Convalescent and rest homes**  §4.4
3. **Farm implement dealers**  §4.5
4. **Golf course**  §4.6
5. **Kennels** , **animal hospitals, office of a veterinarian, commercial stables**  §4.3
6. **Large scale recreation**  §4.8
7. **Livestock barns**  §4.9
8. **Meeting halls**  §4.10
9. **Schools, places of worship, cemeteries, and public buildings**  §4.11
10. **Shooting ranges**  §4.12
11. **Soil, sand, gravel extraction**  §4.13
12. **Utility structures**  §4.14
13. **Residential accessory occupations**  §4.15
14. **High volume wells and well systems**  §4.16
15. **Group day care**  and **group child care centers**  §4.17
16. **Wireless communication towers**  §4.14.B.4
17. **Adult foster care small group homes**  §4.18
18. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses  §5.9.D.2
19. **Large solar energy systems**  §4.33
20. Accessory  buildings and uses customarily incidental to the above permitted uses; and also any accessory buildings and uses customarily incidental to the special land uses, provided that a special land use permit has been obtained.

Δ June 1, 2022



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 2 Acres  
 Minimum lot width<sup>Ⓜ</sup>: 250 ft

### Lot Coverage<sup>Ⓜ</sup>

Maximum lot coverage: 25%

### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback:  
 Regional Roadway 150 ft  
 Major or Secondary Roadway 135 ft  
 Collector Roadway 118 ft  
 Local Roadway 108 ft  
 Minimum rear yard setback: 75 ft  
 Minimum side yard setback: 75 ft

### Building Height

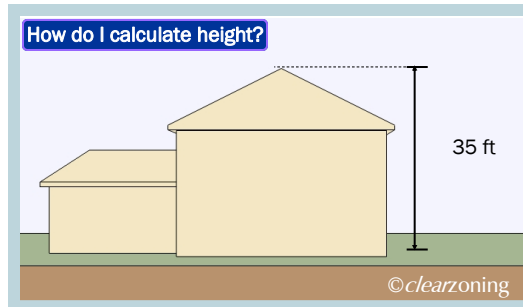
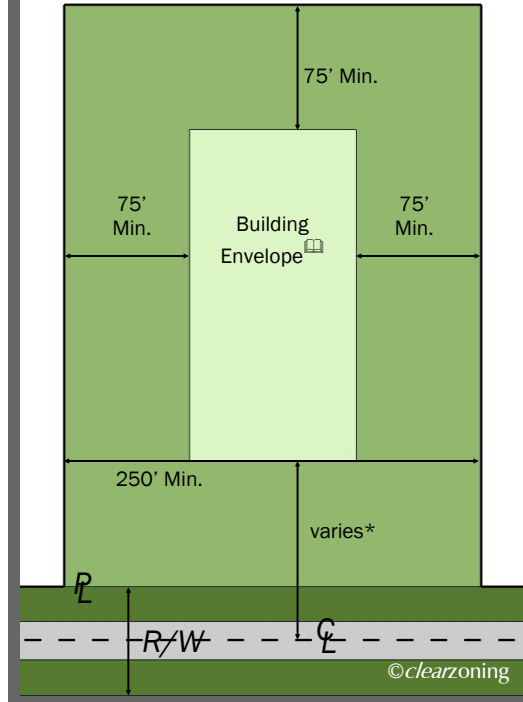
Maximum building height: 35 ft

### Floor Area

Minimum floor area per two-family dwelling<sup>Ⓜ</sup>:  
 One dwelling unit: 800 sq ft  
 Total of two dwelling units: 1,600 sq ft

Modified Rear and Side Yard Setbacks for Lots 2 Acres or Less or 250 Feet in Width or Less	
Yard	Required Setback
Rear	30 ft
Side	30 ft
Modified Rear and Side Yard Setbacks for Accessory Buildings Only on Lots 3 Acres in Size or Less or 350 Feet in Width or Less	
Yard	Required Setback
Rear	30 ft.
Side	30 ft.

\* See left for front setback by road classifications.



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6
- Restoring Unsafe Buildings §5.7

### 5. Site Standards (Continued)

- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16
- Accessory Building Requirements §5.17

### 5. Site Standards (Continued)

- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2
- Condominium Subdivision Approval §6.3

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## 3.3

## RS Residential Single-Family

## A. INTENT

The purpose of this district is to permit the establishment of rural single-family residential neighborhoods which are free from significant nuisances and uses that are substantially detrimental to the quality of residential areas, while still permitting most agricultural, open space, and recreational land use.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Single-family dwellings** <sup>§4.1</sup>
2. **General and specialized agriculture**, except that commercial feedlots shall not be permitted §4.2
3. Roadside stands <sup>§4.3</sup> for the sale of agricultural products raised and grown on the premises
4. Forest preserves, wildlife refuges, and public parks
5. Home occupations <sup>§4.4</sup>
6. Family day care home <sup>§4.5</sup>
7. Essential services <sup>§4.6</sup>
8. Adult foster care family home <sup>§4.7</sup>
9. **Small solar energy systems** <sup>§4.33</sup>
10. **Accessory** <sup>§4.8</sup> **buildings and uses customarily incidental to the above permitted uses** §5.17

## C. SPECIAL LAND USES

1. **Convalescent and rest homes** §4.4
2. **Golf courses** §4.6
3. **Meeting halls** §4.10
4. **Professional offices** §4.19
5. **Schools, places of worship, cemeteries and public buildings** §4.11
6. **Local utility structures** §4.14
7. **Kennels** <sup>§4.9</sup>, **animal hospitals, offices of a veterinarian**, but excluding commercial stables <sup>§4.3</sup>
8. **Residential accessory occupations** §4.15
9. **Group day care** <sup>§4.16</sup> **and group child care centers** <sup>§4.17</sup>
10. **Adult foster care small group homes** <sup>§4.18</sup>
11. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses §5.9.D.2
12. **Accessory** <sup>§4.8</sup> **buildings and uses customarily incidental to the above permitted uses** §5.17

Δ June 1, 2022





## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 1.5 Acres  
 Minimum lot width<sup>Ⓜ</sup>: 200 ft

### Lot Coverage

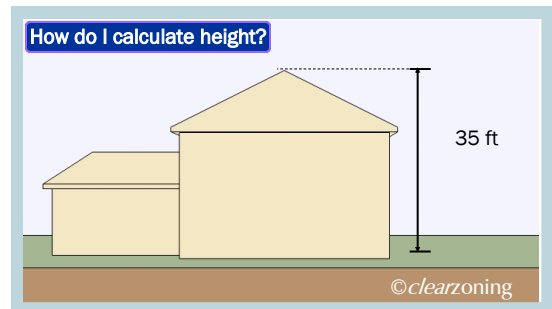
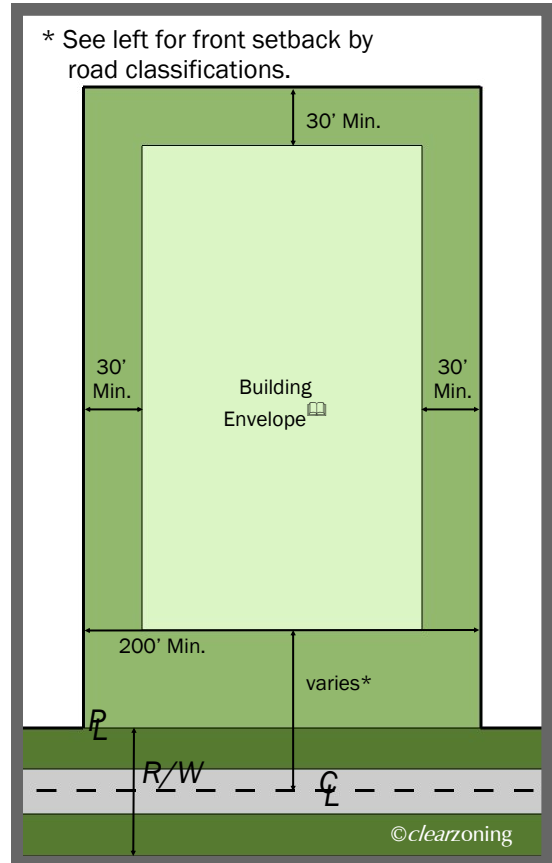
Maximum lot coverage<sup>Ⓜ</sup>: 25%

### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback:  
 Regional Roadway 125 ft  
 Major or Secondary Roadway 110 ft  
 Collector Roadway 93 ft  
 Local Roadway 83 ft  
 Minimum rear yard setback: 30 ft  
 Minimum side yard setback: 30 ft

### Building Height

Maximum building height: 35 ft



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6
- Restoring Unsafe Buildings §5.7

### 5. Site Standards (Continued)

- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16
- Accessory Building Requirements §5.17

### 5. Site Standards (Continued)

- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2
- Condominium Subdivision Approval §6.3

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## 3.4

## RM Residential Multiple-Family

## A. INTENT

This district is designed to accommodate multiple-family dwellings in areas where suitable sewage disposal can be provided and where adequate water supplies can be obtained.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Multiple-Family Dwellings<sup>ⓘ</sup>
2. **Two-family Dwellings**<sup>ⓘ</sup> §4.1
3. **Single-family dwellings**<sup>ⓘ</sup> §4.1
4. **General and specialized agriculture**, except that commercial feedlots shall not be permitted<sup>ⓘ</sup> §4.2
5. Sale of agricultural products raised and grown on the premises, including the use of roadside stands
6. Forest preserves, wildlife refuges, and public parks
7. Home occupations<sup>ⓘ</sup>
8. Family day care home<sup>ⓘ</sup>
9. Essential services<sup>ⓘ</sup>
10. Adult foster care family home<sup>ⓘ</sup>
11. **Adult foster care small group home**<sup>ⓘ</sup> §4.18
12. **Adult foster care large group home**<sup>ⓘ</sup> §4.18
13. **Adult foster congregate care facility**<sup>ⓘ</sup> §4.18
14. **Small solar energy systems**<sup>ⓘ</sup> §4.33
15. **Accessory<sup>ⓘ</sup> buildings and uses** customarily incidental to the above permitted uses §5.17

## C. SPECIAL LAND USES

1. **Convalescent and rest homes** §4.4
2. **Golf courses** §4.6
3. **Meeting halls** §4.10
4. **Professional offices** §4.19
5. **Schools, places of worship, cemeteries and public buildings** §4.11
6. **Local utility structures**<sup>ⓘ</sup> §4.14
7. **Kennels<sup>ⓘ</sup>, animal hospitals, offices of a veterinarian**, but excluding commercial stables<sup>ⓘ</sup> §4.3
8. **Residential accessory occupations** §4.15
9. **Group day care<sup>ⓘ</sup> and group child care centers**<sup>ⓘ</sup> §4.17
10. **Adult foster care small group homes**<sup>ⓘ</sup> §4.18
11. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses §5.9.D.2
12. **Accessory<sup>ⓘ</sup> buildings and uses** customarily incidental to the above permitted uses §5.17



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>sq</sup>: 2.5 Acres  
 Minimum lot width<sup>sq</sup>: 200 ft

### Lot Coverage<sup>sq</sup>

Maximum lot coverage: 30%

### Setbacks<sup>sq</sup>

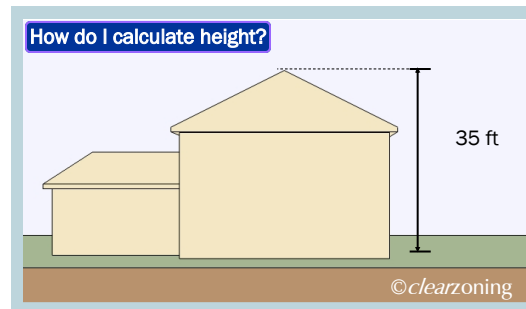
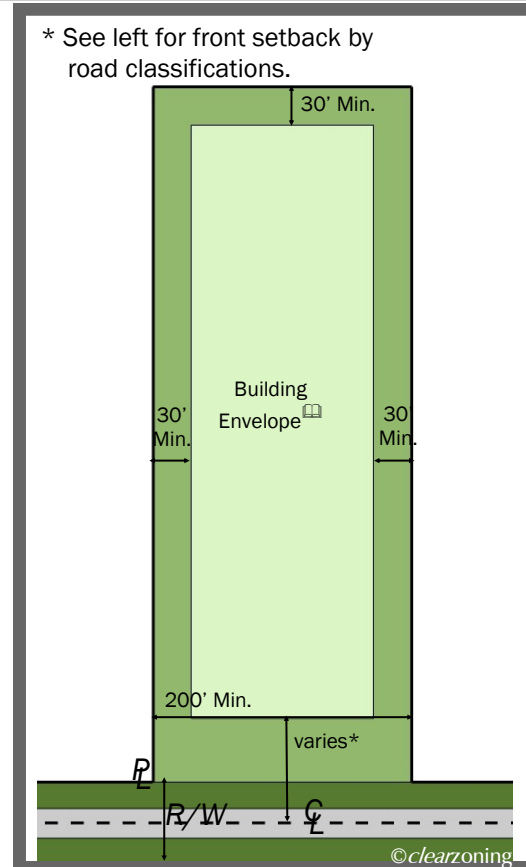
Minimum front yard setback:  
 Regional Roadway 125 ft  
 Major or Secondary Roadway 110 ft  
 Collector Roadway 93 ft  
 Local Roadway 83 ft  
 Minimum rear yard setback: 30 ft  
 Minimum side yard setback: 30 ft

### Building Height

Maximum building height: 35 ft

### Floor Area

Minimum floor area per two-family dwelling<sup>sq</sup>:  
 One dwelling unit: 800 sq ft  
 Total of two dwelling units: 1,600 sq ft



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14
- Residential Multiple-Family District Standards §3.15

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6

### 5. Site Standards (Continued)

- Restoring Unsafe Buildings §5.7
- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16

### 5. Site Standards (Continued)

- Accessory Building Requirements §5.17
- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2
- Condominium Subdivision Approval §6.3

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The Mobile Home district is designed to provide sites where mobile homes can be placed in a higher density setting than that which is permitted in the other single-family districts, while maintaining the neighborhood character that is important to many individuals and families.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. **Mobile home parks** <sup>§</sup> §3.16
2. Mobile home <sup>§</sup> subdivisions
3. Recreation facilities and uses
4. Family day care homes <sup>§</sup>
5. **Small solar energy systems** <sup>§</sup> §4.33
6. Accessory <sup>§</sup> structures customarily incidental to the above permitted uses.

## C. SPECIAL LAND USES

1. **Group day care** <sup>§</sup> and **group child care center** <sup>§</sup> §4.17
2. **Schools, places of worship, cemeteries, and public buildings** §4.11
3. **Local utility structures** <sup>§</sup> §4.14
4. **High volume wells and well systems** <sup>§</sup> §4.16
5. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses §5.9.D.2
6. Accessory <sup>§</sup> structures customarily incidental to the above permitted uses.



## D. DEVELOPMENT STANDARDS FOR MOBILE HOME SUBDIVISION\*

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 1 Acres  
 Minimum lot width<sup>Ⓜ</sup>: 200 ft

### Lot Coverage<sup>Ⓜ</sup>

Maximum lot coverage: 25%

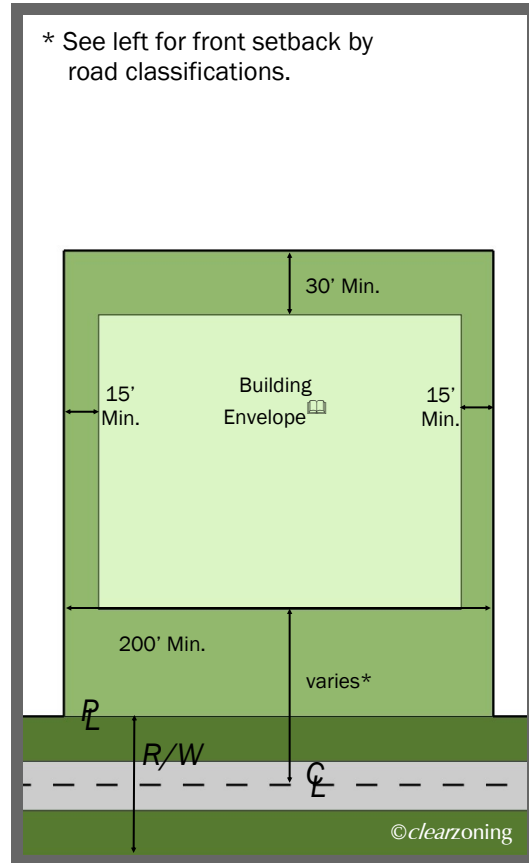
### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback:  
 Regional Roadway 125 ft  
 Major or Secondary Roadway 110 ft  
 Collector Roadway 93 ft  
 Local Roadway 83 ft  
 Minimum rear yard setback: 30 ft  
 Minimum side yard setback: 15 ft

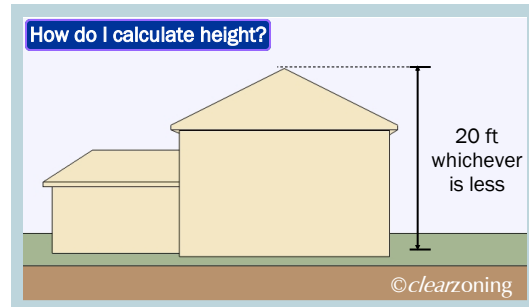
### Building Height

Maximum building height: 20 ft

\* See left for front setback by road classifications.



\*For mobile home park development standards see [Section 3.16](#)



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- [Notes to District Standards](#) §3.14
- [Mobile Home District Standards](#) §3.16

### 5. Site Standards

- [Building Grades](#) §5.1
- [Building Under Construction](#) §5.2
- [Landscaping and Screening](#) §5.3
- [Off-Street Loading Requirements](#) §5.4
- [Off-Street Parking Requirements](#) §5.5
- [Outdoor Lighting](#) §5.6

### 5. Site Standards (Continued)

- [Restoring Unsafe Buildings](#) §5.7
- [Road Frontage Required](#) §5.8
- [Sign Regulations](#) §5.9
- [Visual Clearance at Intersections](#) §5.10
- [Non-residential Driveways](#) §5.11
- [Access Management Standards](#) §5.15
- [Performance Standards](#) §5.16

### 5. Site Standards (Continued)

- [Accessory Building Requirements](#) §5.17
- [Storage of Vehicles, Trailers, and Machinery](#) §5.18
- [Hazardous Materials](#) §5.19

### 6. Development Procedures

- [Special Land Use Approval](#) §6.1
- [Site Plan Review and Approval](#) §6.2

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# LC Local Commercial

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures


7 Admin and Enforcement

## A. INTENT



The LC Local Commercial district is designed to provide for uses which meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. Protection of nearby residential districts is considered important, and thus, businesses which tend to be a nuisance to immediately surrounding residential areas are excluded, even though the goods sold or services offered might fall within the convenience classification. It is further the intent of this district to provide these goods and services in a physical setting that is compatible with surrounding residential neighborhoods and which are of a neighborhood size and character. Whenever possible, Local Commercial districts should be developed with consolidated site features to provide for a continuity of appearance and function and to minimize any negative impacts on nearby residential neighborhoods or the Township's thoroughfare system.

**i** **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Camera and photographic supply stores
2. Carry-out restaurants (not utilizing drive-thru facilities)
3. Eating and drinking establishments under 5,000 square feet (without drive-thru or curbside service)
4. Food and beverage stores except grocery stores
5. Hardware stores
6. Health and personal care stores
7. Hobby, book, and music stores
8. Miscellaneous store retailers
9. **Office uses** §4.20
10. Personal and household goods repair and maintenance
11. Personal care services
12. Video/audio visual media rental (non adult orientated material)
13. Agricultural uses in operation at the time of the adoption of this Ordinance.
14. Existing single family residences. The construction of new single family residences shall be specifically prohibited.
15. Dance studios
16. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses §5.9.D.2
17. **Small solar energy systems**  §4.33

## C. SPECIAL LAND USES

1. Outdoor storage and display of merchandise
2. Eating and drinking establishments under 5,000 square feet (with drive-thru or curbside service)
3. Eating and drinking establishments over 5,000 square feet
4. **Group day care centers**  and **nursery schools**  §4.17
5. Dry cleaning and laundry services
6. **Public utility buildings** §4.14
7. Urgent care facilities
8. Private and public schools
9. Banks with drive-thru facilities
10. Funeral homes
11. Places of worship
12. **Wireless communication towers** §4.14.B.4



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 20,000 sq ft  
 Minimum lot width<sup>Ⓜ</sup>: 200 ft

### Lot Coverage<sup>Ⓜ</sup>

Maximum lot coverage: 50%

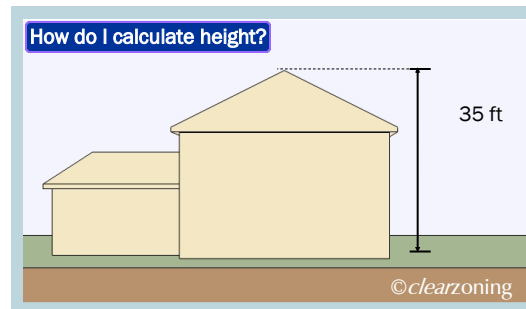
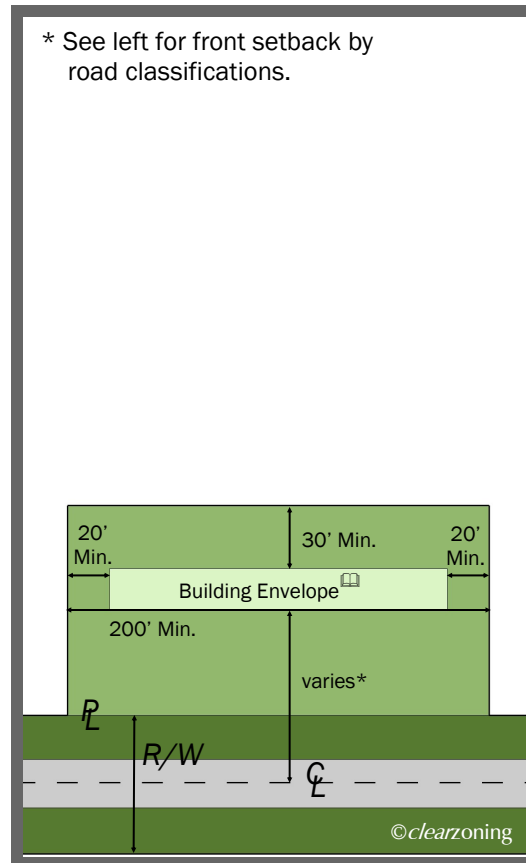
### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback:  
 Regional Roadway 125 ft  
 Major or Secondary Roadway 110 ft  
 Collector Roadway 93ft  
 Local Roadway 83 ft  
 Minimum rear yard setback: 30 ft  
 Minimum side yard setback: 20 ft

### Building Height

Maximum building height: 35 ft

\* See left for front setback by road classifications.



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14
- Local Commercial and General Commercial District §3.17

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6

### 5. Site Standards (Continued)

- Restoring Unsafe Buildings §5.7
- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16

### 5. Site Standards (Continued)

- Accessory Building Requirements §5.17
- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The GC General Commercial district is designed to provide for a wide diversity of commercial activities which are predominantly retail in character. In addition to retail uses, a number of other activities, usually requiring considerable land area and access to major thoroughfares, are permitted. Uses in this district normally must have good automobile accessibility, but should not cause congestion on adjacent thoroughfares.



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Camera and photographic supply stores
2. Carry-out restaurants (not utilizing drive-thru facilities)
3. Eating and drinking establishments under 5,000 square feet (without drive-thru or curbside service)
4. Food and beverage stores (445) except grocery stores
5. Hardware stores
6. Health and personal care stores
7. Hobby, book, and music stores
8. Miscellaneous store retailers
9. **Office uses** §4.20
10. Personal and household goods repair and maintenance
11. Personal care services
12. Video/audio visual media rental (non adult orientated material)
13. Agricultural uses in operation at the time of the adoption of this Ordinance.
14. Existing single family residences. The construction of new single family residences shall be specifically prohibited.
15. Dance Studios.
16. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses §5.9.D.2
17. Building material and supply dealers except for lumber retail yards, with all activities being indoor
18. Commercial businesses of a retail nature
19. Commercial banking and credit unions, excluding drive-thru facilities.
20. Eating and drinking establishments, excluding drive-thru facilities
21. Food and beverage stores including grocery stores
22. Home furniture, furnishings and equipment
23. Physical fitness facilities
24. Small service and repair establishments where all repairs and storage occur indoors

## B. PRINCIPAL PERMITTED USES (continued)

25. Funeral homes
26. **Small solar energy systems** <sup>☒</sup> §4.33

## C. SPECIAL LAND USES

1. Outdoor storage and display of merchandise
2. **Automobile repair and service centers** excluding paint and collision shops §4.22
3. Bowling alleys, miniature golf, and similar forms of commercial recreation
4. Businesses of a drive-in Nature, but not including outdoor theaters
5. Drive-thru facilities
6. Fueling service stations
7. Full and self-service car washes
8. Hotels and motels (except bed and breakfast, casino hotels, tourist cabins and recreational vehicle campgrounds)
9. Open air business uses, including the retail sales of plant materials, lawn furniture, playground equipment, and garden or building supplies
10. Outdoor sales lots for the sale of automobiles/motor vehicles
11. Outdoor sales lots for the sale of new or secondhand recreational vehicles and boats
12. Outdoor sales lots for the sale of manufactured homes
13. **Public utility buildings** §4.14
14. Raising of fur bearing animals, including kennels<sup>☒</sup> and animal hospitals
15. Urgent care facilities
16. Twenty four (24) hour facilities
17. Group day care<sup>☒</sup>
18. **Wireless communication towers** §4.14.B.4
19. **Medium solar energy systems** <sup>☒</sup> §4.33
20. **Large solar energy systems** <sup>☒</sup> §4.33





## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 20,000 sq ft  
 Minimum lot width<sup>Ⓜ</sup>: 200 ft

### Lot Coverage<sup>Ⓜ</sup>

Maximum lot coverage: 50%

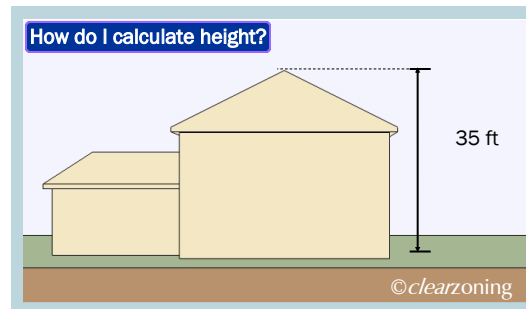
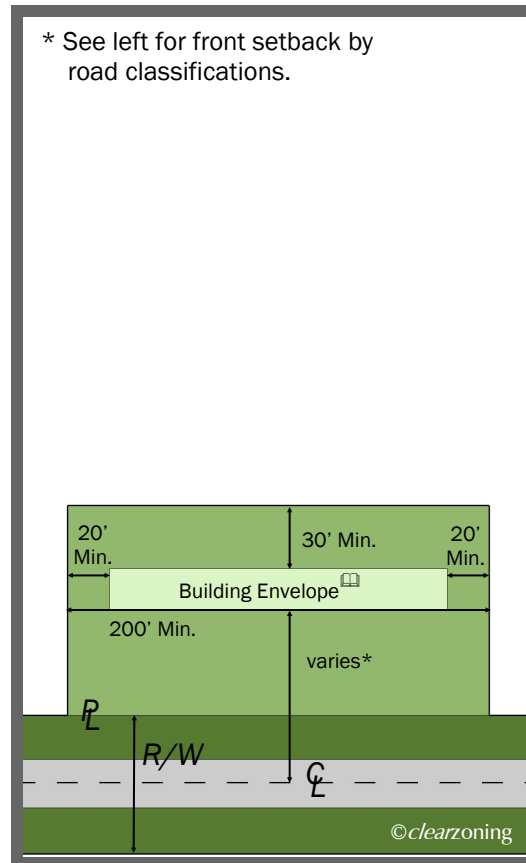
### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback:  
 Regional Roadway 125 ft  
 Major or Secondary Roadway 110 ft  
 Collector Roadway 93 ft  
 Local Roadway 83 ft  
 Minimum rear yard setback: 30 ft  
 Minimum side yard setback: 20 ft

### Building Height

Maximum building height: 35 ft

\* See left for front setback by road classifications.



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14
- Local Commercial and General Commercial District §3.17

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6

### 5. Site Standards (Continued)

- Restoring Unsafe Buildings §5.7
- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16

### 5. Site Standards (Continued)

- Accessory Building Requirements §5.17
- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



## A. INTENT

The purpose of this district is to establish and preserve areas for industrial and related uses which are not seriously incompatible with other kinds of land uses, and also to provide for certain commercial uses which are harmonious with industrial areas



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Manufacturing, assembling, fabrication, processing, and treatment plants, and similar industrial operations
2. Warehousing, storage, and wholesaling
3. Laboratories - research or testing
4. Cleaning, dyeing, and printing establishments
5. General repairing of all types of machinery and equipment
6. Skilled trade services
7. Railroad yards and truck terminals
8. Trade schools
9. Automobile repair and service centers
10. Sale and rental of automobiles, trucks, farm implements, heavy equipment, recreation vehicles, mobile homes, and similar items
11. Lumber and building supply yards
12. Essential services<sup>☒</sup> and utility structures<sup>☒</sup>
13. Radio and television antenna towers and other similar towers
14. Accessory buildings and uses customarily incidental to the above permitted uses; and also any accessory buildings and uses customarily incidental to the special land uses, provided that a special land use permit has been obtained for the use and the main structure.
15. **Signs**<sup>☒</sup> §5.9
16. Slaughterhouses
17. **Electronic message centers (digital signs)**, as accessory uses to non-residential uses §5.9.D.2
18. Open-air storage yards, impound yards and similar yards for the outdoor storage of manufactured goods, supplies, and vehicles
19. **Small solar energy systems** <sup>☒</sup> §4.33
20. **Medium solar energy systems** <sup>☒</sup> §4.33
21. **Large solar energy systems** <sup>☒</sup> §4.33

## C. SPECIAL LAND USES

1. **Drive-in movie theatres** §4.21
2. **Junk yards** <sup>☒</sup> §4.24
3. **Sanitary landfills** §4.25
4. **Soil, sand, gravel extraction** §4.13
5. **Yard waste composting facilities** §4.26
6. **Wireless communication towers** §4.14.B.4



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>Ⓜ</sup>: 1 Acres  
 Minimum lot width<sup>Ⓜ</sup>: 200 ft

### Lot Coverage<sup>Ⓜ</sup>

Maximum lot coverage: 50%

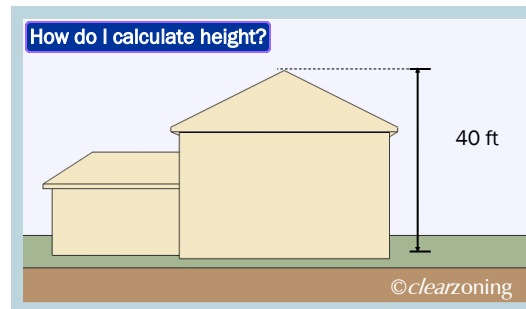
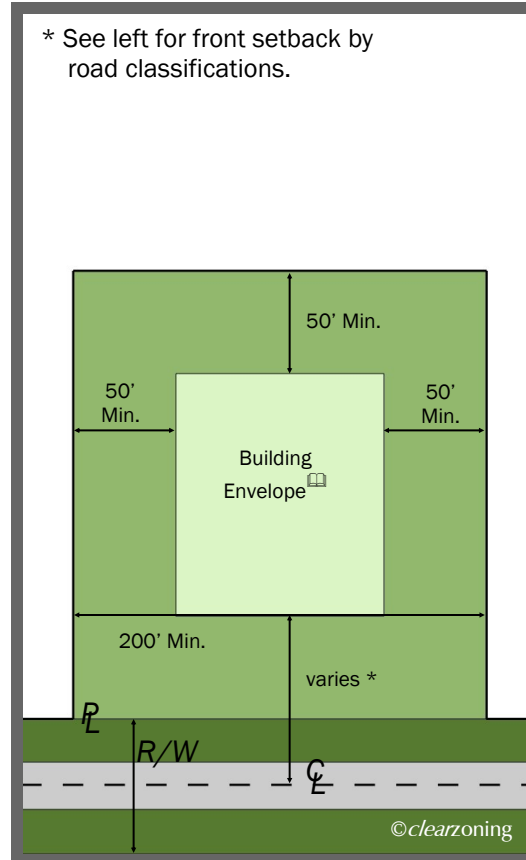
### Setbacks<sup>Ⓜ</sup>

Minimum front yard setback:  
 Regional Roadway 125 ft  
 Major or Secondary Roadway 110 ft  
 Collector Roadway 93 ft  
 Local Roadway 83 ft  
 Minimum rear yard setback: 50 ft  
 Minimum side yard setback: 50 ft

### Building Height

Maximum building height: 40 ft

\* See left for front setback by road classifications.



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6
- Restoring Unsafe Buildings §5.7

### 5. Site Standards (Continued)

- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16
- Accessory Building Requirements §5.17

### 5. Site Standards (Continued)

- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



3.9

# OS Open Space

## A. INTENT

The purpose of this district is to preserve the natural character and beauty of areas having a high degree of environmental quality, and to protect the water quality of the Belle River by minimizing bank erosion and sedimentation. The district regulations are designed to insure that land will be developed in a manner having the least possible impact upon natural resources.

**i** **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

1. Forest and game management areas, hunting preserves, wildlife refuges and public parks
2. General and specialized agriculture, except that commercial feedlots shall not be permitted
3. Roadside stands<sup>ⓘ</sup> for the sale of agricultural products raised and grown on the premises
4. Boat and canoe liveries
5. **Golf courses** §4.6
6. **Single-family dwellings**<sup>ⓘ</sup> §4.1
7. **Two-family dwellings**<sup>ⓘ</sup> §4.1
8. Home occupations<sup>ⓘ</sup>
9. Accessory<sup>ⓘ</sup> buildings and uses customarily incidental to the above permitted uses.
10. Essential services<sup>ⓘ</sup>
11. **Signs**<sup>ⓘ</sup> §5.9
12. **Small solar energy systems**<sup>ⓘ</sup> §4.33
13. **Agribusiness/Value-added farming** §4.34

## C. SPECIAL LAND USES

1. **Campgrounds**<sup>ⓘ</sup> §4.7
2. **Kennels<sup>ⓘ</sup> and commercial stables<sup>ⓘ</sup>** §4.3
3. **Large scale recreation** §4.8
4. **Shooting ranges** §4.12
5. **Utility structures**<sup>ⓘ</sup> §4.14
6. **Wireless communication towers** §4.14.B.4

Δ June 1, 2022



## D. DEVELOPMENT STANDARDS

### Lot Size

Minimum lot area<sup>☐</sup>: 5 Acres  
 Minimum lot width: 250 ft

### Lot Coverage

Maximum lot coverage: 20%

### Setbacks<sup>☐</sup>

Minimum front yard setback:  
 Regional Roadway 150 ft  
 Major or Secondary Roadway 135 ft  
 Collector Roadway 118 ft  
 Local Roadway 108 ft  
 Minimum rear yard setback: 75 ft  
 Minimum side yard setback: 75 ft

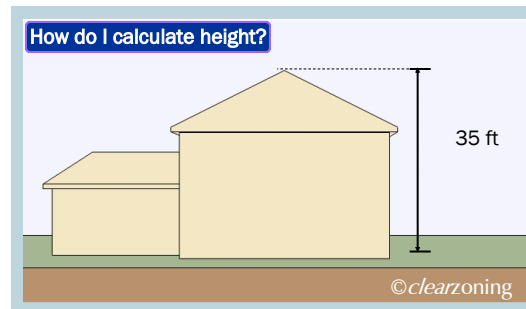
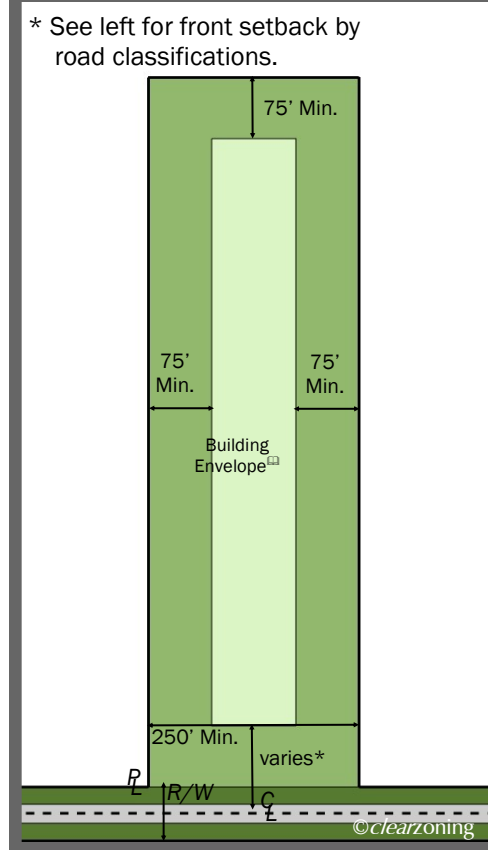
### Building Height<sup>☐</sup>

Maximum building height: 35 ft

### Floor Area<sup>☐</sup>

Minimum floor area per one-family dwelling<sup>☐</sup>:

Modified Rear and Side Yard Setbacks for Lots 2 Acres or Less or 250 Feet in Width or Less	
Yard	Required Setback
Rear	30 ft
Side	30 ft
Modified Rear and Side Yard Setbacks for Accessory Buildings Only on Lots 3 Acres in Size or Less or 350 Feet in Width or Less	
Yard	Required Setback
Rear	30 ft.
Side	30 ft.



The above drawings are not to scale.

## SELECTED REFERENCES

### 3. Zoning Districts

- Notes to District Standards §3.14
- Open Space District §3.18

### 5. Site Standards

- Building Grades §5.1
- Building Under Construction §5.2
- Landscaping and Screening §5.3
- Off-Street Loading Requirements §5.4
- Off-Street Parking Requirements §5.5
- Outdoor Lighting §5.6
- Restoring Unsafe Buildings §5.7

### 5. Site Standards (Continued)

- Road Frontage Required §5.8
- Sign Regulations §5.9
- Visual Clearance at Intersections §5.10
- Non-residential Driveways §5.11
- Access Management Standards §5.15
- Performance Standards §5.16

### 5. Site Standards (Continued)

- Accessory Building Requirements §5.17
- Storage of Vehicles, Trailers, and Machinery §5.18
- Hazardous Materials §5.19

### 6. Development Procedures

- Special Land Use Approval §6.1
- Site Plan Review and Approval §6.2

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



# FC Floodplain Conservation

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

- A. Intent. The Floodplain Conservation district overlays other zoning districts and is intended to apply special land use regulations to those areas along the Belle River and other watercourses in the Township which are subject to flooding, and therefore are generally unsuited as locations for structures, but are very suitable for recreation and conservation areas.

The purpose of the regulations are two-fold. One intent is to protect the health and safety of both the public and individuals, and to reduce the financial burden imposed upon the public and individuals by flood damage to property. To accomplish this the regulations are designed to protect the storage capacity of the floodplain and to assure retention of sufficient floodway area to convey flood flows. A second purpose is to preserve environmental quality, to include the protection of wildlife habitat, natural vegetation, and water resources.

- B. Floodplain Boundaries. Floodplain boundaries shall be determined by floodplain studies conducted by the U.S. Army Corps of Engineers, the U.S. Geological Survey, or any other federal, state, or local agencies authorized to make such studies. Such studies shall define the floodplain, within a contour line, by the limits established for a hypothetical flood having reoccurrence of once in one hundred (100) years. Until such studies are made, floodplain boundaries will be determined by the best available information. Floodplain boundaries shall be clearly shown on the Official Floodplain Map of Columbus Township and the information and standards used in determining these boundaries shall be listed on the map.

When there is a question as to the exact location of a boundary, the Zoning Board of Appeals shall determine the location after receiving a recommendation from the Planning Commission. Such determination may include assistance from the U.S. Army Corps of Engineers, the U.S. Geological Survey, the Michigan Department of Natural Resources and Environment, or other agencies.

If a petitioner disagrees with the location of a floodplain boundary as established by Columbus Township, and if the location established by the Township is not based

upon the elevation of waters of the one hundred (100) year flood, the petitioner may arrange for studies acceptable to the Federal Flood Insurance Administration, conducted at his own expense, which show the elevation of waters of the one hundred (100) year flood in the area in question, and this elevation shall be accepted as the floodplain boundary.

- C. Permitted Uses and District Regulations. Any use permitted in the district which the Floodplain Conservation district overlays shall be permitted subject to the following conditions:

1. No residential building of any type; nor any institutional building, such as a school; nor any place of assembly, such as a meeting hall or church; shall be constructed, enlarged, or moved into the Floodplain Conservation district. All other structural and additions to structures shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure, and shall utilize construction materials and utility equipment that are resistant to flood damage, and shall utilize construction methods and practices that will minimize flood damage.
2. No wall or solid screen fence shall be constructed or enlarged with the exception of walls that are parts of buildings and retaining walls designed to prevent the erosion or sliding of steep slopes.
3. No sewage disposal systems shall be constructed within the Floodplain Conservation district.
4. The commercial extraction of sand, gravel, soil, or other earth materials shall not be permitted except as approved by the Michigan Department of Natural Resources & Environment (MDNRE) and the Township Board.
5. No dumping or filling of materials which would significantly raise flood levels at any point or which would significantly alter the flow pattern of the watercourse, shall be permitted, except as required for the flood control and except as approved by the MDNRE and the Zoning Board of Appeals.



# GR Gratiot Road Overlay

- A. Intent. The Gratiot Road Overlay district overlays residential zoning districts and is intended to apply special land use regulations to the development of office uses on those properties which directly front and have access to Gratiot Road. This overlay shall not apply to any other area of the Township.

The Gratiot Road Overlay district is designed to further the goals and objectives of the Township Master Plan which supports the concept of certain properties along Gratiot Road being developed for office purposes while still limiting the amount of nonresidential development. The special land use approval process allows for the review of each individual property against the Township's adopted planning standards for special land use approval (Section 6.3).



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

- B. Special Land Uses.
  - 1. Professional office buildings
- C. Area, Width Setback and Height Regulations. All regulations of the underlying zoning district shall apply unless otherwise stated in this Section.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



3.12 OPEN SPACE PRESERVATION OPTION

- A. Intent. The intent of the Open Space Preservation Option is to encourage the long term preservation of open space and natural features and the provision of recreation and open space areas in accordance with P.A. 177 of 2001.
- B. Eligibility Requirements. In areas that are served by municipal sewers, eligible properties shall be zoned for three (3) or fewer dwelling units per acre (none existing as of December 2002). In areas which are not served by municipal sewers, eligible properties shall be zoned for two (2) or fewer dwelling units per acre (AG, OS, and RS Districts and MH Subdivision District)
- C. Density
  - 1. Land meeting the above eligibility requirements may be developed with the same number of dwelling units on a portion of the site, but not more than fifty (50) percent, that could otherwise be developed under existing ordinances, laws, and rules on the entire land area, as determined by the approving body.
  - 2. Density shall be calculated as follows: A parallel plan shall be submitted to the approving body in order to establish the maximum permitted density. A parallel plan shall identify how a parcel could be developed, including all roads and other infrastructure improvements, under the conventional development standards of the Township. All unbuildable areas and areas with limitations to development must be accurately identified on the parallel plan including but not limited to wetlands, watercourses, drains, floodplains, steep slopes, habitat areas, woodlands, and similar features. The approving body shall make the determination that a parallel plan is acceptable once it meets all applicable Township ordinance requirements and, based on the plan, determine the number of dwelling units that would be permitted under the Open Space Preservation Option. A separate review fee for the parallel plan shall be submitted with the application.

- D. Design Requirements
  - 1. A minimum of fifty (50) percent of the gross site area shall be preserved as permanent open space in an undeveloped state.
  - 2. Permanent open space shall include important natural, environmental, agricultural, and/or cultural features, such as:
    - a. steep slopes
    - b. wetlands, floodplains, natural watercourses
    - c. woodlands and wildlife habitat
    - d. scenic views
    - e. agricultural or equestrian components
    - f. historical structures, and historical or archeological sites
    - g. recreational pathways and facilities
    - h. buffers from major thoroughfares and more intensive land used, and
    - i. similar features acceptable to the approving body
  - 3. Under the Open Space Preservation Option, minimum lot size and width shall be according to the following table, unless the approving body determines that a smaller minimum lot size shall be necessary to comply with the requirements of P.A. 177 of 2001. In such cases the approving body may modify lot area and lot width requirements so as to assist in the creation of open space if the applicant can demonstrate approval of reduced lot area and width from the County Health Department. In those instances where lot sizes are reduced in accordance with the Open Space Preservation Option, yard requirements for a given lot shall be governed by that zoning district which has minimum lot area and width standards that correspond to the dimensions of the typical lot within the development.





**Table 3.12.D.3 Lot Requirements**

District	Minimum Lot Area*	Minimum Lot Width	Minimum Setback			Net Buildable Area of Lot
			Front	Each Side	Rear	
AG - Agricultural	1.0 Acre	175'	75'	50'	75'	7,350 sq. ft.
OS - Open Space	2.5 Acre	175'	75'	50'	75'	35,400 sq. ft.
RS - Residential Single Family	0.75 Acre	150'	50'	30'	30'	16,560 sq. ft.
MH - Mobile Home Subdivision	0.50 Acre	120'	50'	15'	30'	9,090 sq. ft.

\*Minimum lot area is subject to approval of on site sewage disposal by the St. Clair County Health Department

- 4. Open space areas shall be accessible to all lots in the development, either directly, from a pathway system, or from the internal road network. Where the open space is agricultural land, the open space dedication and maintenance agreement shall include limitations on physical access to the open space for non-agricultural purposes and provisions for adequate, unrestricted agricultural, farming, implement or other access necessary for agricultural uses or activities. Access to agricultural use areas shall be separate from residential access to units and open space areas.
  - 5. Preserved open space shall be connected with adjacent open space, public land, and existing or planned pedestrian/bicycle paths, where feasible, as determined by the approving body.
- E. Open Space Maintenance
- 1. All open space shall remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.
  - 2. All open space ownership and maintenance agreements shall be reviewed and approved as to form and content by the Township legal counsel prior to acceptance by the approving body.
  - 3. All open space agreements which involve donations of land to the Township or which name the Township as a party to any agreement shall be approved by the Township Board prior to final approval of the development.

- F. Review Process
- 1. All proposed Open Space Preservation Option developments shall be reviewed in compliance with the appropriate procedure for the type of development (lot split, subdivision, site condominium, etc.) and in accordance with the development standards in this Section and other applicable ordinances.
  - 2. All open space preservation option plans shall include a resource inventory that contains the following:
    - a. All floodplains, wetlands, and water bodies
    - b. A woodlands analysis identifying all significant woodlands
    - c. All wildlife habitat areas
    - d. An analysis of on-site soils and topography to identify limitations to development; and
    - e. An analysis of the cultural features of the site, such as scenic views, historic structures, patterns of original farm fields, fences or stone walls, recreational uses, archeological sites, and the like.
  - 3. The approving body shall determine that the open space preservation option plan satisfies the intent of subsection D.2 above.

- G. Active Recreation Option
- 1. The main purpose of these standards is to preserve and protect quality natural features, open spaces, greenways and agricultural lands. However, it is recognized that some areas within the



Township may not contain such features but would, through a clustered development approach, benefit the Township by way of a more efficient use of land. Where a site has limited natural features or agricultural land for preservation, the required open space area, subject to the exception noted under subsection 2 below, may be used for active recreational purposes such as golf courses. The special land use standards for the particular use as outlined in Article 4 must be met.

- 2. The applicant must provide sufficient verification to justify an active recreational use is warranted. The Planning Commission shall make a recommendation to the Township Board on whether or not sufficient justification has been provided.
- 3. A minimum of fifteen (15) percent open space must continue to meet the open space requirements of this Section and be dedicated for passive recreational uses or greenways.



### 3.13 PROVISIONS FOR OFFICIAL ZONING MAP, ZONING RECORDS, RECORDING OF ZONING ORDINANCE CHANGES

- A. Official Zoning Map and Official Floodplain Map: The boundaries of the zoning districts are hereby established as shown on the Official Zoning Map; with the exception of the Floodplain Conservation district, the boundaries of which are shown on the Official Floodplain Map. Both maps, together with the explanatory matter thereon, are hereby adopted by reference and declared to be a part of this Ordinance. The Official Zoning Map and the Official Floodplain Map shall be certified by the Township Supervisor and attested by the Township Clerk. The Official Zoning Map and the Official Floodplain Map shall be kept in the Columbus Township Hall. The dates of certification shall be listed on each map, and in the event that more than one Zoning Map or more than one Floodplain Map should exist, the most recently dated map shall be the official Map.
- B. Written Zoning Records: As an additional measure for insuring that accurate zoning records are kept, the zoning district or districts that apply to each individual parcel of land shall be recorded on the property tax assessment card for that parcel. When an individual parcel is divided by a zoning district boundary, the location of the boundary need only be described on the property tax assessment card in general terms with the Official Zoning Map being relied upon for the specific location.
- C. Recording Zoning Changes: Whenever this Ordinance is amended to provide for changes in zoning district boundaries such changes shall be recorded in the following manner:
1. The amendment shall be placed with the Zoning Ordinance in the Township Ordinance Book.
  2. The change in zoning district boundaries shall be entered on the Official Zoning Map.

### 3.14 NOTES TO DISTRICT STANDARDS

- A. Applicability. The notes contained in Section 3.14.B are additions, exceptions, and clarifications to the district standards contained in Sections 3.1 to 3.11. The applicability of individual notes to each district is provided in the tables on the following pages.
- B. Notes apply to all districts.
1. In the case of utility structures, as herein defined, the Zoning Board of Appeals may grant a variance from the minimum lot size if such size is not necessary for the facility, provided that the facility shall still comply with the minimum setback requirements of this Ordinance.
  2. Only one (1) single family dwelling or one (1) two family dwelling shall be located, erected, or moved onto a lot.
  3. For lots less than five (5) acres, the width shall not be less than one-sixth (1/6) of the length. For lots of five (5) acres or more, the width shall not be less than one-tenth (1/10) of the length. "Lot Width" and "Lot Length" shall be calculated according to the definitions contained in this Ordinance. All lots in every district shall front upon a public road for the minimum required width specified for the district in which the particular lot is located.
  4. For any side of a lot adjacent to a public road, the setback shall be measured from the centerline of the planned right of way for the road as designed on the Columbus Township Thoroughfare Plan as adopted in the Columbus Township Master Plan.



Table 3.14.B.4 Planned Road Right-of-Ways	
	Planned Right-of-Way
<b>Regional Highway</b>	
Gratiot	150'
Division	150'
Fred Moore Highway	150'
<b>Major Thoroughfare</b>	
Wales Center	120'
Rattle Run/Dolan	120'
Palms south of Rattle Run	120'
Bauman	120'
Church/Arlington south of Gratiot	120'
Mayer north of Gratiot	120'
Stoddard north of Dolan	120'
<b>Secondary Thoroughfare</b>	
Yager	120'
Stoddard	120'
Frith	120'
Meskill	120'
Crawford	120'
Ellsworth/Werner	120'
Trumble	120'
Kronner	120'
Big Hand	120'
Fitz	120'
Mayer between Trumble/Gratiot	120'
Palms north of Rattle Run	120'
Werner south of Bartel	120'
Hessen	120'

Table 3.14.B.4 Planned Road Right-of-Ways (Continued)	
	Planned Right-of-Way
<b>Collector Roads</b>	
Werner west of Belle River to Bartel	86'
Carroll	86'
Weber	86'
Gavin	86'
Withey	86'
Arlington north of Gratiot	86'
Caughill	86'
Short	86'
Pound	86'
Kendall	86'
Mayer south of Trumble	86'
Bartel	86'
<b>Local Roads</b>	
All other roads, existing and proposed, are considered Local Roads and require a right of way of 66 feet.	

5. Minimum setback requirements shall be determined in accordance with the definition of "Front Lot Line", "Side Lot Line" and "Rear Lot Line" contained in this Ordinance. It is important to note that a front setback is required on any side of a lot line that lies adjacent to a public road.
6. Where a district boundary line divides a lot into two (2) districts, it shall be treated as a lot line for the purposes of the setback requirements of this Ordinance.
7. Building height shall be measured from the average grade where the walls or other structural elements intersect the ground to the highest point on the building, except chimneys, antennas, or church steeples. Except as otherwise provided for in this Ordinance, the height limitations of this provision do not apply to farm buildings and structures used in the operation of a farm.
8. The minimum area and width of a lot or parcel required in all zoning districts shall be exclusive of all road rights of way.



3.15 RESIDENTIAL MULTIPLE-FAMILY DISTRICT STANDARDS

- A. Screening. Where any parking lot, accessory building, private recreation facility of a development in an RM district abuts an RS or OS district, a greenbelt shall be provided along the entire common property line. Whenever possible, existing natural trees and other significant vegetation shall be retained as a part of the greenbelt. Refer to Section 5.3 for greenbelt requirements.
- B. Multiple family dwellings shall provide the following minimum floor area and lot area per unit, based on the type and mix of units in the development and shall not exceed the average number of units per acre listed for each type of unit. In addition to the following floor area standards, each multiple family dwelling unit shall have 64 square feet available as utility space for washers, dryers, work space, storage, and similar uses.
- C. In the RM district the minimum distance between any two (2) buildings shall be fifty (50) feet. Such distance being measured between the two (2) closest points at which the buildings are closest.
- D. Service drives for ingress and egress shall be a minimum of twenty four (24) feet in width, with a paved surface.

3.16 MOBILE HOME DISTRICT STANDARDS

For mobile home parks, the following standards shall apply:

- A. Height Regulations. No structure shall exceed a height of twenty five (25) feet or two (2) stories.
- B. Area Regulations. A mobile home park shall be permitted only on parcels of at least five (5) acres where sewer and water is available, and ten (10) acres where sewer and water is not available.
- C. Open Space Requirements. The following open space requirements shall apply to each unit within the park.
  - 1. Twenty (20) feet from any part of another mobile home. In order to provide mobile home park residents with more usable yard space, mobile homes may be placed directly on one of the side lot lines, provided, however, that this is accomplished on a uniform basis throughout the park.
  - 2. Ten (10) feet from any on-site parking space of an adjacent mobile home site.
  - 3. Ten (10) feet from any detached structure on an adjacent mobile home site.
  - 4. Fifty (50) feet from a permanent building within the mobile home park.

Table 3.15.B Multiple-family Dwelling Minimum Floor Area			
Type of Unit	Minimum Floor Area Per Unit	Minimum Land Area Per Unit	Minimum Average Units Per Acre
Efficiency Unit	450	5,500	8
1 Bedroom Unit	600	6,300	7
2 Bedroom Unit	800	7,200	6
3 Bedroom Unit	1,000	8,500	5
4 Bedroom Unit	1,150	10,000	4



- 5. Ten (10) feet from a pedestrian walkway or sidewalk.
- 6. Thirty five (35) feet from any public right of way and twenty (20) feet to all other property lines of the park boundary.
- D. Off-street Parking. Off-street parking shall be provided according to the requirements of Section 5.5 of this Ordinance.
- E. Sidewalks. The Township Board may require, upon recommendation of the Planning Commission, that sidewalks be installed along at least one side of all major streets within a mobile home park to insure pedestrian safety at all times. For purposes of this Section, a major street shall be defined as all streets within the mobile home park, except dead-end or cul-de-sac streets less than 150 feet long. All walks shall be concrete, sixty (60) inches wide, and provide access to all service facilities and the park entrance.
- F. Landscape Greenbelt. A landscaped greenbelt with an average width of at least fifteen (15) feet shall be provided along all perimeter boundaries of the mobile home park to insure a pleasing residential atmosphere for all park residents.

3.17 LOCAL COMMERCIAL AND GENERAL COMMERCIAL DISTRICTS

- A. No interior side yards are required in commercial districts where one commercial use abuts another property zoned commercial, provided there is access to the rear of the lot and provided all requirements of the Building Code are met regarding fire rating of the wall that will be located on the lot line.
- B. The total combined area of all buildings on any parcel of land in the LC district shall not exceed 40,000 square feet.

3.18 OPEN SPACE DISTRICT

No use shall be permitted unless the use will establish beyond a reasonable doubt that the intended use will meet the following standards:

- A. Will be harmonious with and in accordance with the intent and purpose of this Ordinance.
- B. Will be designed, constructed, operated and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# *Article 4.0*

## *Use Standards*



**Article 4.0 Use Standards**

4.1	Single-family and Two-family Dwellings _____	4-3	4.23	Radio and Television Antenna Towers and Other Similar Towers _____	4-15
4.2	Keeping of Animals _____	4-4	4.24	Junk Yards _____	4-16
4.3	Kennels, Animal Hospitals, Offices of a Veterinarian and Commercial Stables _____	4-4	4.25	Sanitary Landfills _____	4-16
4.4	Convalescent or Rest Homes _____	4-4	4.26	Yard Waste Composting Facilities _____	4-16
4.5	Farm Implement Dealers _____	4-5	4.27	Limited Soil Removal Permits _____	4-20
4.6	Golf Courses _____	4-5	4.28	Family Day Care Home _____	4-20
4.7	Campgrounds _____	4-5	4.29	Mobile Homes _____	4-21
4.8	Large Scale Recreation _____	4-6	4.30	Private Wastewater Treatment Facilities _____	4-21
4.9	Livestock Barns _____	4-6	4.31	Wind Energy Conversion Systems (Windmills) <sup>□</sup> _____	4-21
4.10	Meeting Halls _____	4-6	4.32	Medical Marijuana Uses _____	4-23
4.11	Schools, Places of Worship, Cemeteries and Public Building _____	4-6	4.33	Solar Energy Systems _____	4-29
4.12	Shooting Ranges _____	4-6	4.34	Agribusiness/Value-Added Farming _____	4-33
4.13	Soil, Sand, Gravel Extraction _____	4-7			
4.14	Utility Structures _____	4-7			
4.15	Residential Accessory Occupations _____	4-11			
4.16	High Volume Wells or Well Systems _____	4-11			
4.17	Group Day Care Homes and Group Child Care Centers (Nursery Schools) _____	4-12			
4.18	Adult Foster Care Facilities _____	4-13			
4.19	Professional Offices _____	4-14			
4.20	Office Uses _____	4-15			
4.21	Drive-in Movie Theaters _____	4-15			
4.22	Auto Body and Engine Repair Establishments _____	4-15			





# 4.0 Use Standards

## 4.1 SINGLE-FAMILY<sup>1</sup> AND TWO-FAMILY DWELLINGS<sup>2</sup>

- A. All single and two-family dwellings, including site-built units and prefabricated, manufactured or similar factory-built housing units, shall comply with the following minimum standards before placement on a lot or parcel in Columbus Township, outside of MH districts.
1. All such housing units shall comply with the provisions of the Building Code. A permit, issued by Columbus Township, is required prior to beginning any construction and/or prior to moving any dwelling unit into the Township.
  2. All such housing units and additions thereto must be fastened to a minimum six (6) inch wide masonry foundation which is continuous around the perimeter of the unit to a depth of at least forty-two (42) inches, with anchors placed a minimum of every six (6) feet. In no instance will concrete piers, cement blocks, within a proper footing, or the like be permitted as a foundation.
  3. All such housing units shall have a minimum width on the narrowest side of twenty-four (24) feet. Where the architectural style proposed includes something less than twenty-four (24) feet, a variance must be obtained from the Zoning Board of Appeals.
  4. All such housing units shall have a roof with a minimum 5-12 pitch. Where the architectural style of the unit incorporates a flat roof, or a pitch of less than 5-12, a variance must be obtained from the Zoning Board of Appeals.
  5. All single-family dwellings shall have a minimum storage area of one hundred (100) square feet, in addition to the minimum floor area required, located as part of the dwelling, in a basement area, as part of a garage or in a separate storage building constructed at the same time and of the same quality as the dwelling unit.
  6. All single-family dwellings shall meet the minimum lot area, minimum setbacks and maximum height limitations of Article 3. Off street parking shall be provided according to Section 5.5. All single-family dwellings shall have a minimum floor area of not less than one thousand fifty-six (1,056) square feet.
- B. Duplexes in the AG Agricultural and OS Open Space districts,
1. Two-family dwellings are subject to site plan approval by the Planning Commission.
  2. Where the domestic well produces a flow of less than ten (10) gallons per minute, a separate well shall be provided for each unit and approved by the County Health Department. As an alternative, the developer may add a minimum 120 gallon storage tank to a single well producing at least two (2) gallons per minute, similar in design to the County's approved system for wells that produce methane.
  3. A single sewage disposal system may be used only where the natural soils are well suited to septic tank and tile disposal fields, as determined by the Health Department and the St. Clair County Soil Survey. On heavy clay or similar soils, a separate septic tank and tile disposal field shall be provided for each unit and approved by the County Health Department. As an option, a single engineered system may also be used, only if approved by the County Health Department.
  4. There shall be no raising of animals or home occupations conducted on property with a two-family dwelling.
  5. No two-family dwelling shall be located closer than six hundred (600) feet to another two-family dwelling, as determined by the Planning Commission, to prevent a concentration of such dwellings within a particular neighborhood area.
- C. In the AG Agricultural district, the minimum site size for a two-family dwelling shall be two and one half (2.5) acres with a minimum lot width of three hundred (300) feet.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

**4.2 ANIMALS, KEEPING OF**

The keeping of animals shall be allowed in every district on a minimum of five (5) acres, except as specifically restricted in the following provisions:

- A. The raising of swine (hogs, pigs) shall be allowed only in the Agricultural (AG) and Open Space (OS) districts, and only on parcels of five (5) acres or more.
- B. In all zoning districts, no more than three (3) adult dogs may be kept on any lot, except that in a Commercial district a greater number of dogs may be kept in an animal hospital, provided that no more than three (3) adult dogs are kept outside. Any dog which is at least six (6) months of age shall be considered an adult.
- C. In all districts, the following shall apply:
  - 1. Large animals are defined as including horses, ponies, cattle, llamas, alpacas, and similar animals.
  - 2. Small hoofed animals shall be defined as sheep, goats, pigs and similar animals.
  - 3. In all districts, the minimum required area of pasture land or open space for keeping up to two (2) large animals shall be five (5) acres plus an additional acre of pasture land or open space for each additional large animal. There shall be no limit on the number of animals kept on a parcel of twenty (20) acres or more where the operator follows generally accepted agricultural management practices.
  - 4. In all districts, the minimum required area of pasture land or open space for keeping up to six (6) small hoofed animals shall be five (5) acres plus one additional half acre of pasture land or open space for each additional small hoofed animal. There shall be no limit on the number of animals kept on a parcel of twenty (20) acres or more where the operator follows generally accepted agricultural management practices (GAAMPS).
  - 5. Except for pasture land for livestock in the AG district, any enclosure, stables, or buildings for the keeping of large animals, small hoofed animals, or other mammals or birds shall be located at least seventy five (75) feet from any adjacent lot line.
  - 6. The raising of swine (hogs, pigs) shall be allowed only in the Agricultural (AG) and Open Space (OS) districts, and only on parcels of five (5) acres or more.

- 7. The keeping of all animals shall follow Generally Accepted Agricultural Management Practices (GAAMPS) as applicable. If any question arises as to how the animals are being kept or maintained onsite, the Michigan Department of Agriculture shall be consulted.
- D. The keeping of four (4) or more household animals (i.e. dogs or cats) shall be regulated under Section 4.3.

**4.3 KENNELS, ANIMAL HOSPITALS, OFFICES OF A VETERINARIAN AND COMMERCIAL STABLES**

The following conditions shall be met:

- A. All such uses shall be located on a parcel of at least ten (10) acres and three hundred (300) feet minimum width. Animal hospitals and offices of a veterinarian may be located on smaller parcels where all animals will be kept within an enclosed building.
- B. All such uses shall comply with the requirements of Section 4.2 of this Ordinance.
- C. All animals shall be adequately housed and maintained so as not to become a public or private nuisance. Any use which houses more than ten (10) animals shall provide off-street parking equal to one (1) space for each two (2) animals and one (1) space for each two (2) employees.
- D. There shall be no objectionable noise or odors beyond the property line.
- E. A chain link or similar non-climbable fence at least four (4) feet high shall be provided around the entire kennel building and all runs.
- F. There shall be a minimum setback for all buildings and animal runs of one hundred (100) feet from all property lines.
- G. Where the proposed use is adjacent to property zoned Agricultural (AG), Residential (RS), or Open Space (OS), a greenbelt shall be provided along the entire property line of at least twenty (20) feet in width.

**4.4 CONVALESCENT OR REST HOMES**

Convalescent or rest homes, convents, home for the aged or handicapped, orphanage or children's home, subject to the following:

- A. All ingress and egress shall be directly onto a public road with a planned right of way of 120 feet or more, or currently designated by St. Clair County as a County Primary Road.



- B. The maximum extent of development shall not exceed twenty (20) persons or patients per acre. c. No building shall be located closer than fifty (50) feet to any property line.
- C. There shall be one (1) parking space provided for each two (2) beds plus one (1) for every two (2) staff members.
- D. All off-street parking areas shall be separated from an adjoining residential district by a greenbelt in accordance with the requirements and standards of Section 5.3.

#### 4.5 FARM<sup>□</sup> IMPLEMENT DEALERS

The following conditions shall be met:

- A. The site shall have direct access to an existing, paved public road with a planned right of way of 120 feet or more, or currently designated by St. Clair County as a County Primary Road.
- B. Any storage yard for equipment or machinery shall be separated from an adjoining residential or Open Space district by a greenbelt in accordance with the requirements and standards of Section 5.3.

#### 4.6 GOLF COURSES

Golf Courses, not including driving ranges or miniature golf courses, subject to the following:

- A. Major accessory uses such as a restaurant and bar shall be housed in a single building with the clubhouse. Minor accessory uses strictly related to the operation of the golf course itself, such as maintenance garage and pro shop or golf shop may be located in separate structures. No structure shall be located closer than one hundred (100) feet to any property line which abuts property in a Residential or Open Space district, nor closer than seventy five (75) feet to any property line zoned Agricultural (AG)
- B. All parking areas shall be surfaced or so treated as to prevent a dust nuisance.
- C. All ingress and egress from the site shall be directly onto a public road having a planned right of way of at least 120 feet.
- D. All outdoor lighting shall be shielded to reduce glare and arranged so as to reflect the light away from abutting residential areas.

- E. Whenever included, swimming pools shall be provided with a protective fence not less than six (6) feet in height, and entry shall be provided by means of a controlled gate or turnstile.
- F. If feasible, water used for watering the golf course shall be taken from surface water bodies. If water is provided by means of wells, watering of the golf course shall be discontinued during any period in which yields decline in adjacent residential wells which existed prior to approval of the golf course.

#### 4.7 CAMPGROUNDS<sup>□</sup>

Campgrounds shall comply with the following:

- A. Campgrounds shall be entirely surrounded by a wire-mesh fence at least four (4) feet high.
- B. Whenever a campground abuts property in a Residential or Open Space district a greenbelt shall be established along the full length of the property boundary by the proprietor of the campground. Greenbelts shall be planted in accordance with Section 5.3.
- C. No tent, travel trailer, truck camper or other recreation unit shall be permitted to remain in the campground for a period in excess of 21 consecutive days.
- D. There shall be no motorized, off-road vehicles of any kind permitted to operate on any property within an approved campground. This shall not prevent the use of a motorized boat on a water recreation facility.
- E. The minimum site size for all campgrounds shall be twenty (20) acres with a minimum lot width of six hundred sixty (660) feet.
- F. All ingress and egress shall be directly onto a public road with a planned right of way of 120 feet or more, or currently designated by St. Clair County as a County Primary Road.
- G. All campgrounds shall comply fully with Act 171 of the Michigan Public Acts of 1970, as amended.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



**4.8 LARGE SCALE RECREATION**

Large scale recreation uses, including commercial outdoor recreation uses not regulated elsewhere in this Ordinance, but not including facilities for the off-road operation or racing of any type of motor vehicles, subject to the following:

- A. All such uses shall have direct access to a public road with a planned right of way of at least one hundred and twenty (120) feet.
- B. No building shall be located closer than one hundred (100) feet to any property line adjacent to property zoned Agricultural (AG), Residential (RS) or Open Space (OS).
- C. Where abutting property is zoned Agricultural (AG), Residential (RS), or Open Space (OS) no activity shall take place within thirty (30) feet of the property line. A four (4) foot high fence shall be constructed on the property line and a landscaped greenbelt planted according to Section 5.3 shall be provided.

**4.9 LIVESTOCK BARNES**

Livestock sales barns and other facilities involving the receiving or sale of livestock subject to the following:

- A. All building housing animals and all outdoor pens shall be set back at least one hundred (100) feet from all property lines.
- B. All areas used for the stockpiling or storage of animal manure shall be set back at least two hundred (200) feet from all property lines, three hundred (300) feet from an adjoining residence and be completely screened from view.
- C. All such uses shall be located on a parcel of at least twenty (20) acres were animals will be kept outside an enclosed building. Uses which contain all animals within an enclosed building may be conducted on parcels of five (5) acres or more.
- D. Sufficient off-street parking shall be provided for the maximum number of uses of the facility for such activities as livestock auctions, and the like. The parking area need not be paved but shall be kept dust free at all times to prevent any potential nuisance to surrounding properties.

**4.10 MEETING HALLS**

Meeting halls or fraternal, civic and youth organizations, or similar organizations, subject to the following:

- A. No such meeting hall may be rented to individuals or groups for private gatherings.
- B. All buildings shall be set back at least one hundred (100) feet from all property lines.
- C. The minimum site size for such uses shall be two (2) acres.

**4.11 SCHOOLS, PLACES OF WORSHIP, CEMETERIES AND PUBLIC BUILDING**

Schools, places of worship, cemeteries and public buildings, including child care and nursery schools, may be permitted in the AG, RS, and RM districts, subject to the following:

- A. All buildings of two stories or less shall be set back at least fifty (50) feet from all property lines. Buildings over two stories or thirty (30) feet, excluding church spires, steeples and the like, shall be set back an additional two (2) feet for each one (1) foot in height above thirty (30) feet.
- B. All off-street parking shall be paved and the number of spaces provided as required by Section 5.5
- C. All off-street parking areas shall be separated from the adjoining AG, RS, RM, or OS district by a fifteen (15) foot landscaped greenbelt in accordance with Section 5.3.
- D. In the case of child care centers and nursery schools, outdoor play space, properly fenced with controlled access, shall be provided in the ratio of fifty (50) square feet per child cared for. There shall also be provided sufficient off-street waiting space for parents dropping off and picking up children to prevent any automobile from having to stand in a public right of way.

**4.12 SHOOTING RANGES**

Shooting ranges and gun clubs shall comply with the following:

- A. The minimum site size for shooting ranges shall be twenty (20) acres with a minimum width of six hundred sixty (660) feet.
- B. All parking areas shall be kept dust-free at all times so as not to become a nuisance to adjoining properties.



- C. All parking areas shall be separated from an adjoining AG, RS, RM or OS district by a fifteen (15) foot landscaped greenbelt, in accordance with Section 5.3
- D. The hours when shooting is permitted shall be limited from 9 a.m. to 9 p.m. The Township Board may apply more restrictive hours where protection for adjoining residents is necessary.
- E. The design of the facility shall clearly show that safety of persons on and off the site is guaranteed. This shall mean that no projectile of any kind may be permitted to leave the site. Unless this safety requirement is clearly indicated by the design plans, a permit shall not be issued. The design of all ranges shall incorporate the recommended safety features of the National Rifle Association. (Headquarters: 1600 Rhode Island Avenue, Washington D.C. 10036)
- F. The firing range shall be fenced on all sides except the firing line, by a fence no less than eight (8) feet in height. Such fence shall be either of a chain-link type or of board construction sufficient to prevent persons from passing over or through the fence.

#### 4.13 SOIL, SAND, GRAVEL EXTRACTION

The mining of topsoil, clay, peat, sand, gravel, rock, aggregates or similar materials, in AG and LI district only and shall be subject to the provisions of the Columbus Township Soil Removal Ordinance Number 26, as amended and the following:

- A. The proposed use shall comply with all requirements of the Columbus Township Soil Removal Ordinance. In particular, the site plan, impact assessment and reuse plan required by said Ordinance shall be submitted at the time of special land use review.
- B. The proposed site shall have direct access to a public road designated as a Class A County Primary Road, or the equivalent by the St. Clair County Road Commission.
- C. Access to the site, via public roads, shall be limited to those times when weight restrictions are not in effect. There shall be no hauling of materials over any road that is not suitable for carrying Class A loadings, as defined by the St. Clair County Road Commission.
- D. The plans submitted shall show that the proposed use will be designed and operated so as not to impair the ability of adjoining landowners to use their property as permitted in the zoning district or districts in which they are located.

#### 4.14 UTILITY STRUCTURES<sup>62</sup>

- A. Utility Approval. Except as provided elsewhere in this Ordinance, the erection construction, alteration, addition to, reconstruction, or replacement by a person, partnership, corporation or public utilities of underground, surface or overhead transmission of gas, electricity, communications, steam, or water including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines or with wireless transmissions, and other similar equipment and accessories in connection therewith, except for ordinary service and repairs, shall require special land use approval by the Township Board in accordance with Section 6.1 of this Ordinance.
- B. Utility Structures. Utility structures, utility transmission systems, wireless transmission/reception relay towers: may be permitted, as specified in the individual zoning districts, subject to the following:
  - 1. Local Utility Structures. Utility structures, such as but not limited to, electric transformer stations and sub-stations, gas regulator stations, sewer lift stations, and the like, shall be permitted in all districts subject to the following standards:
    - a. Operating requirements necessitate the proposed location in order to serve the residents of the Township.
    - b. All such uses shall be completely enclosed and without storage yards.
    - c. No structure shall exceed the height limit of the district in which it is to be located.
    - d. All buildings shall be designed to be compatible in style and materials with other uses permitted in the district.
    - e. No building shall be located closer than fifty (50) feet to any property line abutting land zoned for residential use.
    - f. A minimum fifteen (15) foot landscaped greenbelt shall be provided around the entire perimeter of the utility building site.
    - g. Adequate off-street parking shall be provided for any service personnel and all drives and parking area shall be properly drained and dust-free at all times.
  - 2. Utility Transmission Systems. Utility transmission systems, such as but not

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

limited to, high voltage electric transmission lines, high pressure gas pipelines, and oil pipelines shall require special land use approval by the Township Board, after review and recommendation from the Planning Commission, subject to the following requirements and standards:

- a. All such utility lines shall follow existing utility corridors where possible, and reasonable, as determined by the Planning Commission.
- b. It is the intent of these provisions to minimize the loss of any active agricultural use on property shown as prime or unique farmland on the Soil Conservation Service's Important Farmland Map of St. Clair County. No utility use shall be designed or arranged in any manner that forces an operator to cease an existing agricultural use of such land.
- c. Selective clearing techniques shall be used throughout a utility corridor or property for installation of towers, lines, pipelines, service roads, drainage facilities, and similar facilities. Existing vegetation shall be maintained, whenever possible, throughout the remainder of the corridor not affected by the actual installation of approved facilities.
- d. An area destroyed by necessity in the construction of such approved facilities, may be subject to conditions imposed by the Township Board for its immediate restoration by replanting or similar technique.

- e. Noise levels at the property line, that is the pressure level of sounds, shall not exceed the following decibel levels when adjacent to the following types of uses.

Sound Level	Adjacent Use	Where Measured
50 dBA	Open Space / Residential	Common Lot Line
50 dBA	Residential	Common Lot Line
50 dBA	Agricultural	Common Lot Line
70 dBA	Commercial	Common Lot Line
80 dBA	Industrial	Common Lot Line

- f. During construction or repair of any facilities approved hereunder, the following shall be required.
  - (1) All internal roads shall be kept dust free by chemical treatment.
  - (2) Any damage to public or private roads, fences, structures, or facilities shall be repaired immediately.
  - (3) No wastes or spoils of any kind, such as tree stumps, construction wastes, trash and the like, shall be left after construction or repair operations are complete.
  - (4) All construction operations shall be confined to daylight hours, Monday through Saturday, unless permitted in writing by the Planning Commission.
- g. At the time a request is made for approval under this Section, the person, partnership, corporation, or public utility shall submit an estimated timetable for completion of the construction plans to the Township Board and specifications of all equipment and facilities proposed for installation. The Township Board may require an agreement to indemnify, defend and hold harmless the Township from any claims arising out of the construction or operation of a project approved herein.



- h. Noncompliance with any part of this Ordinance, or any other Township Ordinance, shall be grounds for the Township acting to withdraw its approval or conditional approval of any use regulated hereunder and to order such use to be discontinued.
  - i. Prior to commencement of construction, any approvals granted hereunder are not transferable to others or to successors in interest, without first applying for such to the Township Board.
  - j. The person or company granted privileges hereunder shall inform the Township Clerk on a continuing basis of the name, address, and phone number of its employee who is responsible for receiving complaints and communications from the Township.
  - k. The existence of one line or facility approved hereunder does not imply permission to erect any other lines or facilities other than those originally permitted.
3. Requirements for High Voltage Electric Transmission Lines of 345 kV or Greater
- a. High voltage electric transmission lines of more than 345 kV shall not be located closer than five hundred (500) feet to occupied residences. Existing 345 kV lines shall not be energized at a higher voltage level when located closer than five hundred (500) feet to occupied residences.
  - b. The electric field strength for all voltage levels shall not exceed 0.8 kV per meter, as measured at the edge of the corridor right of way.
  - c. No such lines or system shall cause radio or TV interference to residents in the Township, and if such happens, it will be considered a public nuisance subject to abatement.
  - d. "Danger - No Trespassing" signs shall be placed at all road crossings and the Township Board may require fencing at those road crossings which it determines are in need of additional protective measures.

- e. When such lines or systems interfere with a public road by crossing or paralleling the road, any person or company upon five (5) days notice, shall be required to raise such lines for necessary passage of any barn, building, house, or other object over the public ways.
  - f. If any Court or the Michigan Public Service Commission or other Governmental body finds that such lines and systems are not necessary, such shall, upon exhaustion of appeals, be dismantled under regulation by the Township Board.
  - g. Any privilege granted hereunder is subject to a continuing representation by the holder of such that such lines and systems are safe and have no chance of being detrimental to the health or safety of any person or the environment.
4. Utility Transmission Structure. Utility transmission structures, such as but not limited to, high voltage electric stations, gas compressor stations, oil well pumping/storage facilities, and wireless communications, receiving or transmitting towers, shall require special land use approval by the Township Board subject to the following requirements and standards:
- a. The following types of utility transmission structures shall be permitted in the limited districts:

Table 4.14.B.4.a Allowable Utility Transmission Structures	
Use	District
Electric Stations	AG, LI
Gas Compressor Stations	LI
Oil Storage Facilities	LI
Wireless Communications Tower	AG, OS, LC, GC, LI

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- b. In order to provide a pleasing community appearance and to prevent noise levels, odors, dust, and similar external physical effects from adversely affecting adjoining properties, all equipment shall be completely enclosed within a building, unless the setback and screening guidelines specified in subsection “c” below are followed, as approved by the Planning Commission.
- c. If the equipment proposed will not be enclosed within a building, a setback of three hundred (300) feet from all property lines shall be required. In addition, an obscuring, landscaped buffer shall be provided, based on the following guidelines, as determined by the Planning Commission after considering the type, size, height, and anticipated noise levels of all equipment being proposed.
  - (1) A landscaped earthen berm at least eight (8) feet high, along all sides of the equipment.
  - (2) A landscaped greenbelt at least twenty five (25) feet in width, along all sides of the equipment.
  - (3) An obscuring fence or a masonry wall at least six (6) feet high, completely surrounding the equipment.
  - (4) Any combination of the above requirements approved by the Planning Commission
- d. All buildings and equipment permitted under this Section shall be setback at least one hundred (100) feet from all adjoining property lines. Expansions of transmission facilities, which facilities exists prior to the effective date of this amendment, may be placed within one hundred (100) feet of an adjoining property line only after approval of the setback variance by the Zoning Board of Appeals and only when fully enclosed within a building.
- e. Where there will be employees stationed at the utility on a permanent or intermittent basis, adequate off-street parking shall be constructed with an asphalt or concrete surface.
- f. There shall be no outdoor storage of equipment and/or materials which are not necessary for daily operations of any utility building site, except those which are necessary or safety or emergency repairs at that particular utility transmission structure site.
- g. Where the utility transmission structure proposed is a wireless transmission, receiving or relay tower which exceeds the height limit of the particular zoning district in question, it shall comply with the following standards:
  - (1) No wireless transmission tower in excess of one hundred (100) feet in height shall be located closer than 2,000 feet to any other such tower.
  - (2) All wireless transmission towers not subject to the regulations of the Federal Aviation Administration shall be painted with a color designed to cause the tower to blend in with the surrounding landscape.
  - (3) No new wireless transmission tower shall be constructed where there exists another tower that could reasonably be used to carry the transmission or receiving equipment proposed. The purpose of this Section is to require the sharing of tower space by more than one company where broadcast and receiving frequencies do not prohibit such sharing of tower space.
  - (4) All new wireless communication towers shall be designed with at least two (2) additional antenna sets and future co-locations shall be permitted by the tower owner as a condition of Special Land Use Approval.
- h. Colocation of new wireless communications antennas and equipment is eligible for approval by the Zoning Administrator within fourteen (14) days of receipt of a complete application package and applicable fees, if all of the following standards are satisfied:





- (1) The wireless communications equipment will be colocated on an existing wireless communications support structure or in an existing equipment compound.
- (2) The existing wireless communications support structure or existing equipment compound is in compliance with the Columbus Township Zoning Ordinance or was approved by the Columbus Township Planning Commission.
- (3) The proposed colocation will not do any of the following:
  - (a) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original approved height, whichever is greater.
  - (b) Increase the width of the wireless communications support structure by more than the minimum necessary to permit colocation.
  - (c) Increase the area of the existing equipment compound to greater than 2,500 square feet.
  - (d) The proposed colocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the Planning Commission.

- B. The floor area devoted to the Residential Accessory Occupations shall not exceed one-half (1/2) the maximum area permitted for all accessory buildings on site. (See Section 5.17 for maximum area of all accessory buildings).
- C. No Residential Accessory Occupation shall be approved that produces noise, wastes, odors or similar side effects which, in the opinion of the Planning Commission, are not customary in a residential district.
- D. Approval of one Residential Accessory Occupation shall not be grounds to establish any other accessory occupations on the same site. All changes in such occupations shall obtain prior Township Board Approval.
- E. Approval to transfer a Residential Accessory Occupation permit from a current owner-occupant to a new owner-occupant shall be granted by the Township Board upon receipt of a request that demonstrates no changes in the use as originally approved.

4.16 HIGH VOLUME WELLS OR WELL SYSTEMS

A high volume water well or well system may be permitted by the Planning Commission in the AG and MH districts subject to the following:

- A. There must be a demonstrated need for the proposed high volume water well or system.
- B. All such uses shall be completely enclosed and without storage yards.
- C. No structure shall exceed the height limit of the district and all storage tanks shall be set back from all property lines a distance equal to at least the height of the tank.
- D. All buildings shall be designed to be compatible in style and materials with other uses and structures permitted in the district.
- E. No high volume well or well system shall be located closer than one hundred (100) feet to any property line.
- F. Adequate off street parking, screened from public view, shall be provided for any service personnel and all drives and parking areas shall be built in accordance with Township requirements.

4.15 RESIDENTIAL ACCESSORY OCCUPATIONS

Residential accessory occupation that is an occupation of a resident in an AG Agricultural or RS Residential Single Family zoning district, may be conducted within an accessory buildings subject to the following:

- A. The occupations shall be carried on only by the occupant of the dwelling located on the same property, shall employ not more than two (2) persons who do not reside in the dwelling, and shall not be visible or noticeable in any manner or form from outside the walls of the accessory building.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- G. The applicant shall submit a site plan and hydrogeologic study prepared by a registered engineer, qualified to prepare hydrogeological studies, showing the extent of the well cone of influence, the number and location of wells, the anticipated average and peak water flow on a daily and annual basis. In addition, the study shall document the location and depth of existing wells within the maximum proposed cone of influence areas or 2,000 feet, whichever is greater, and describe the anticipated impact on these wells. The study shall include a mitigation plan in the event that existing wells within the cone of influence of the proposed well or system fail after the proposed well (s) is constructed due to installation of said well. The plan shall include alternative means of addressing such an occurrence including, but not limited to, the connection of all such affected properties and uses to the well or well system, or the drilling of new or deeper wells for those affected individuals and properties. The plan shall also provide, at a minimum, for the future connection to the well or system (or drilling of new individual wells) to those properties within the cone of influence that are currently undeveloped or underdeveloped. In no way shall the construction and operation of a water well structure restrict or eliminate the availability of potable water to those residents, businesses, and property owners within the cone of influence of the well (s).
- H. The applicant shall submit an application to the Township Clerk for approval to drill a test water well for the purpose of collecting data needed to complete a full application and to determine the feasibility of establishing a permanent well or well system. The drilling of a test well may be permitted as a temporary use not requiring special land use approval. The application shall include the following information:
1. Name, address, city, zip code and phone number of applicant
  2. Location of proposed test well
  3. Purpose of proposed test well
  4. Anticipated depth and peak volume of well
  5. A scale drawing showing the location of potential contaminants, industrial uses and industrial zoning districts within 2,000 feet of the proposed well.
  6. Proposed end users of the well or well system and location of end users.

7. Number of days anticipated to complete drilling and number of days anticipated to complete testing.
8. Signature of applicant.
- I. An application for a permanent high volume water well or well system shall include all information required in Section 6.2 and all information required by this Section.
- J. No high volume water well or well system shall be constructed within 2,000 feet of any known source of soil or ground water contamination. The applicant shall provide a map, prepared by a registered engineer, land surveyor, architect, landscape architect, or planner showing the existing uses and zoning within a minimum of 2,000 foot radius of the site which shall include an inventory of all hazardous materials users, underground fuel tanks, and similar potential sources of groundwater contamination. This radius may be increased by the Planning Commission.

**4.17 GROUP DAY CARE HOMES<sup>□</sup> AND GROUP CHILD CARE CENTERS (NURSERY SCHOOLS)<sup>□</sup>**

- A. Group Day Care Homes shall be permitted in the AG, RS and MH districts subject to the following:
1. Is not located closer than 1,500 feet to another group day care home or adult foster care home.
  2. To insure child safety, all outdoor play areas are adequately fenced by a six (6) foot high privacy fence or equivalent type fence.
  3. Provides adequate off-street parking for all employees and adequate off street waiting space so that parent's or guardians cars are not required to stand in a public right of way.
  4. Does not exceed sixteen (16) hours of operation daily and provides adequate bedroom space for all children cared for overnight. This shall be construed to mean not more than three (3) children per bedroom and not less than fifty (50) square feet of bedroom space per child.
  5. There shall be an initial walk through inspection by the Township Building Inspector and Zoning Administrator.



6. A group day care home shall require no construction features or equipment not customary in a residential dwelling or district.
- B. Group Child Care Centers (nursery schools); adult day care centers and similar facilities shall be permitted in the AG, RS, RM, MH, LC and GC districts subject to the following:
1. All such uses shall provide adequate drop off and waiting space so that parents' or guardians' cars are not required to stand in a public right of way.
  2. Outdoor play space shall be provided in accordance with the standards contained herein. An outdoor recreation area is recommended, but not required for adult day care facilities.
  3. To insure child safety, all outdoor use areas shall be enclosed by a six (6) foot high privacy fence or equivalent type fence. On those sides abutting a residential zoning district or use, a six (6) foot high obscuring fence of masonry or other material approved by the Commission shall be required.
  4. The site layout shall be designed to insure pedestrian safety by separating play areas from parking and driveways.
  5. A copy of the State Fire Marshall's inspection / report shall be submitted as a part of the application package and reviewed by the Township emergency provider for a report to the Planning Commission.
- C. Outdoor play space shall be provided in the ratio of 100 square feet per child to be cared for, to a maximum required 10,000 square feet. No outdoor play area shall be less than 1,000 square feet.
- D. To insure child safety, all outdoor use areas shall be enclosed by a four (4) foot six (6) inch high chain link fence. On those sides abutting residential property, it shall be a six (6) foot high obscuring fence of masonry or pressure treated wood.
- E. The site layout, shall be designed to insure pedestrian safety by separating play areas from parking and driveways.

#### 4.18 ADULT FOSTER CARE FACILITIES<sup>18</sup>

Adult foster care facilities may be permitted in the districts noted in the table below, subject to the general standards in subsection "A" and the additional standards in subsection "B" below:

Table 4.18 Adult Foster Care Permitted Districts		
Land Use	Number of Residents Permitted	Permitted Districts
Small Group Home	7-12 Residents	AG, RS, RM
Large Group Home	13-20 Residents	AG, RS, RM
Congregate Facility	21+ Residents	RM

- A. General Standards
1. The adult foster care family home licensee shall be a member of the household, and an occupant of the residence.
  2. The use shall be registered with the Columbus Township Clerk's Office and shall continually have on file with the Township documentation of a valid license, as required by the State of Michigan.
  3. Documentation of compliance with state building and fire codes shall be provided.
  4. The applicant shall provide evidence that the facility is at least 1,500 feet from another adult foster care facility, group home, day-care home, or similar facility.
  5. All vehicular ingress and egress shall be directly onto a County Primary Road or a paved County Secondary Road, as designated by the St. Clair County Road Commission and designated as a Regional Highway or a Major Thoroughfare in Section 3.14 of this Ordinance.
  6. There shall be no more than two (2) occupants per bedroom.
  7. Outdoor recreation areas may be required to provide fencing with a secure-access gate, based upon the needs of the residents. For example, persons with dementia or closed-head injuries may require special protection.
  8. Building side setbacks shall each be a minimum of 25 feet.

**1**  
Purpose and Introduction

**2**  
Definitions

**3**  
Zoning Districts

**4**  
Use Standards

**5**  
Site Standards

**6**  
Development Procedures

**7**  
Admin and Enforcement



9. A minimum of 1,500 square feet of open space shall be provided per resident. This open space may include land, setbacks, and the required outdoor recreation area as noted in 9 below, but may not include the principal building.
  10. An outdoor recreation area shall be provided equal to five hundred (500) square feet per resident, and such recreation area shall be designed and oriented to meet any special needs of residents, as noted in 6 above.
  11. Off-street parking shall be located within a side or rear yard whenever possible, and individual parking bays shall not exceed 4 vehicles in the front yard. Parking shall be screened from the road and adjacent parcels by a greenbelt meeting the standards of Section 5.3 of the Zoning Ordinance.
  12. The building shall have an appearance that is residential in character and consistent in color, materials, roof-line and architecture with the zoning district in which it is located, as determined by the Planning Commission.
  13. One identification sign, not to exceed eight (8) square feet, shall be permitted to assist emergency services personnel and visitors in locating the site. The sign shall include only the name and street address of the Adult Foster Care facility.
  14. The site plan shall illustrate an appropriate fire lane that affords emergency services personnel unimpeded access to the building, including barrier-free access to a main door.
  15. The applicant shall submit evidence that the St. Clair County Health Department has evaluated the well and septic system for the proposed facility and found them to be adequate for the number of residents and caregivers who occupy the building(s).
- B. Additional Standards for Adult Foster Care Large-Group and Congregate Facilities:
1. The minimum site size shall be 5 acres in AG and RS and 3 acres in RM.
  2. Minimum lot width shall be two hundred (200) feet.
  3. All buildings shall be set back at least 75 feet from all property lines. All parking and service areas shall be screened from view of an adjoining residential district, as approved by the Planning Commission.

**4.19 PROFESSIONAL OFFICES**

- A. Offices such as those of doctors, dentists, lawyers architects, and the like, may be permitted in RS and RM districts, subject to the following:
1. The proposed office site shall be located on the perimeter of the RS or RM district, adjacent to a nonresidential district.
  2. No building shall be located closer than fifty (50) feet to any property line.
  3. Off-street parking shall be provided according to the requirements and standards of Section 5.5
  4. A fifteen (15) foot landscaped greenbelt shall be provided along all property lines which abut property zoned AG, RS, RM or OS according to the requirements and standards of Section 5.3.
- B. Professional office buildings are permitted as a special land use in the Gratiot Overlay district, subject to the following:
1. Such office building shall not be located closer to any property line than twenty (20) feet or the required setback for the district involved whichever is greater.
  2. Parking shall not be permitted within ten (10) feet of any property line. Such parking area shall be completely screened from any adjacent residential use by a wall, heavy landscaping or a combination of the two (2) as determined appropriate by the Township.
  3. Parking lot lighting shall be limited when adjacent to a residential use. The height of lighting fixtures shall not exceed fifteen (15) feet when adjacent to a residential use and shall be fully shielded.
  4. The land area dedicated to office land use and all associated site features and improvements shall not extend beyond a maximum of five hundred (500) feet from the centerline of Gratiot Road. Depending on surrounding land use, planned land uses, existing features, and access to thoroughfares the Township may further limit this maximum depth.



#### 4.20 OFFICE USES

Office uses with the majority of its occupancy made up of service professions such as: attorneys-at-law; doctors of medicine; dentistry; engineers; certified public accountants; real estate; clerical; drafting; executive; administrative; stenographic; insurance; and similar occupations are permitted uses in the LC Limited Commercial district. no outside storage of vehicles or equipment on the premises is permitted.

#### 4.21 DRIVE-IN MOVIE THEATERS

The following conditions shall be met:

- A. Entrance and exit drives shall lead only to paved public roads, with a planned right of way of 120 feet or more, or currently designated by St. Clair County as a County Primary Road. All entrances and exits shall be located at least 200 feet from any intersection.
- B. Off-street waiting spaces shall be provided for at least ten (10) percent of the vehicle capacity of the parking area.
- C. The motion picture screen shall be located no closer than 1,500 feet to any public road from which motion picture can be seen, nor shall it be located closer than 1,500 feet from any Residential (RS), Agricultural (AG), or Open Space (OS) district from which the motion picture can be seen.
- D. The entire site shall be completely screened with an obscuring wall or fence with a minimum height of ten (10) feet. Such wall or fence may be modified in height to not less than seven (7) feet, depending upon terrain features of the site, and adjacent uses.

#### 4.22 AUTO BODY AND ENGINE REPAIR ESTABLISHMENTS

Auto body and engine repair establishments including rust proofing, auto body repair, auto painting, and similar establishments for body and engine repairs, may be permitted in the General Commercial (GC) district subject to the following:

- A. The use shall be completely enclosed within a building. Temporary outdoor storage of vehicles being repaired or improved is permitted subject to item d. below.
- B. No vehicles awaiting repair shall remain on site for more than seventy two (72) hours.

- C. All parking areas shall be paved and screened from view of an abutting residential district by a four (4) foot six (6) inch high masonry wall of face brick, precast masonry panels with the appearance of face brick, or a six (6) foot high decorative fence of pressure treated wood, at the discretion of the Planning Commission.
- D. The storage of damaged or wrecked vehicles on the site shall be obscured from public view. At a minimum, the storage area shall be screened by a four (4) foot six (6) inch high masonry wall of face brick, precast masonry panels with the appearance of face brick, or a six (6) foot high decorative fence of pressure treated wood, at the discretion of the Planning Commission.
- E. All trash storage areas shall be screened from view by a six (6) foot high enclosure approved by the Planning Commission. Old parts such as ties, mufflers, pipes, and the like, shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one (1) week unless stored within a building.
- F. Management plans shall be submitted for the collection storage, and recycling or proper disposal of all used or waste automotive fluids resulting from repair or service operations.
- G. The applicant shall demonstrate strict compliance with Section 5.19 Hazardous Materials.
- H. Entrances and exits shall be no less than twenty five (25) feet from any street intersection or residential district.
- I. All lighting shall be shielded so as not to glare or reflect upon a residential property.
- J. No vehicles or merchandise shall be displayed within any required front yard setback area.
- K. There shall be no portable signs and no flashing illumination of any kind on any feature of the use.

#### 4.23 RADIO AND TELEVISION ANTENNA TOWERS AND OTHER SIMILAR TOWERS

Radio and television antenna towers and other similar towers are permitted, provided that towers and any accessory buildings are completely surrounded by a chain link fence at least six (6) feet high with a locked gate.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



4.24 JUNK YARDS<sup>64</sup>

- The following conditions shall be met:
- A. Such operations shall be operated in full accordance with the Columbus Township Blight Ordinance.
  - B. Junk yards shall be entirely surrounded by a solid screen fence at least seven (7) feet in height. Fences shall be of sound construction, painted or otherwise finished neatly. The same setback requirements that apply to buildings in the district shall also apply to fences around junk yards.
  - C. Wherever a junk yard abuts any property in other than a Light Industrial district, a greenbelt shall be established along the full length of the district boundary by the proprietor of the junk yard. Greenbelts shall be planted in accordance with the standards contained in Section 5.3
  - D. All junk yards shall have direct access onto a paved, public road designated as a County Primary Road by the St. Clair County Road Commission and having a planned right of way of at least one hundred and fifty (150) feet.

4.25 SANITARY LANDFILLS

Sanitary landfills may be permitted in the LI Light Industrial districts, subject to the issuance of a permit under the Columbus Township Landfill Ordinance Number 23, and subject to the following locational guidelines and site requirements.

- A. The site shall abut and have direct access to a paved Class A County Primary Road, having a proposed right of way of one hundred fifty (150) feet, and capable of carrying Class A loadings on a year-round basis.
- B. The site shall be located within the interior of the LI Light Industrial district, in order to prevent the external physical effects of the filling operations from affecting residential districts.
- C. The site shall be located in an area of natural clay soils, as shown by soil borings and the U.S. Department of Agricultural Soil Survey for St. Clair County
- D. The site of a former sand or gravel pit shall not be used for sanitary landfill operations. It is the intent of this Section to prohibit the location of such uses in areas of permeable soils where rapid underground movement of leachate off the site may be possible.

- E. The site shall not be located within two thousand (2,000) feet of the Belle River or the 100-year floodplain associated with the Belle River.

4.26 YARD WASTE COMPOSTING FACILITIES:

Yard waste composting facilities that manage the biological decomposition of organic matter under controlled, aerobic conditions, may be permitted in the LI Light Industrial districts only, subject to the issuance of a Special Land Use Permit and compliance with the following conditions and standards:

- A. Site Location and Design
  - 1. Because of the level of truck traffic associated with this use, direct access is required to a paved public roadway designated as a secondary or major thoroughfare in the Columbus Township Master Plan and capable of carrying Class A loadings on a year-round basis. As an alternative, a site may be permitted on a paved public roadway that has seasonal weight restrictions only if a plan for reduced loadings is agreed to by the St. Clair County Road Commission and approved by the Township Board.
  - 2. All internal roads and operation areas shall be kept dust free at all times. A plan describing how the roads will be kept dust free shall be provided.
  - 3. The site shall be level and well-drained with a uniform gradient of 2-3 percent. A grading and drainage plan prepared by a licensed civil engineer should be submitted as part of the site plan application package, including existing and future grades.
  - 4. A survey of soil types on site shall be submitted, demonstrating their permeability and capacity to absorb water. The plans shall illustrate all surface and subsurface artificial drainage systems required to eliminate standing water, seasonal high water tables of less than one (1) foot, and any restrictions on the ability to operate the facility's large equipment.



5. The minimum site size for a compost operation shall be twenty (20) acres. Adequate space must be provided for required setbacks, buffers, berms, and drainage systems along with room for staging areas, initial processing, windrows, screening areas, curing areas, storage of finished products, management office, general storage, internal roads, and storm water retention basins.
6. In order to avoid an undue concentration of yard waste facilities in any one neighborhood or area, a minimum spacing of 2,000 feet shall be required between individual composting operations.
7. Sites proposed to be located on lands which have been previously issued a development rights agreement, under the Farmland and Open Space Preservation Act, P.A. 116 of 1974, are prohibited from use as compost sites for the duration of the Agreement.
8. Composting operations shall not be permitted within a 100-year flood plain or within fifty (50) feet of a regulated wetland, such area shall remain undisturbed. The application and site plan shall include a statement and boundaries of the 100-year flood plain and regulated wetlands.
9. Per FAA order 5200-5A, composting operations are prohibited within 5,000 feet of any runway used by piston powered craft, and within 10,000 feet of any runway used by turbine powered craft unless FAA approval is obtained.
10. If the site abuts an existing residential site or property shown as residential on the Columbus Township Zoning Map or Master Plan, a buffer zone shall be maintained where no composting, storage, transfer or loading activities will take place equal to 250 feet from existing residences and 100 feet from all adjoining property lines. All buffer zones shall include a six (6) foot high berm that is finish graded, planted with grass and supplemented with a double row of evergreen trees, six to eight (6-8) feet in height, trees in each row planted not more than fifteen (15) feet apart. Slopes shall not exceed three to one.
11. All site access roads or drives, initial processing areas, and all areas for employee parking shall be paved with asphalt or concrete. Paving shall be provided from the exterior roadway to the processing site or a minimum of two hundred and fifty (250) feet whichever is less. Internal haul roads may be unpaved, however such areas shall be maintained in an acceptable manner to ensure emergency access. These areas shall consist of a gravel base as approved by the Township Engineer.
12. The portion of the compost site visible from a public street shall be screened from public view by a berm meeting the standards in #10 above or other similar method acceptable to the Planning Commission. At a minimum this shall consist of the entire roadway frontage.
13. The site plan submitted shall be prepared by a civil engineer licensed in the State of Michigan.
14. An "as-built" site plan shall be submitted for approval by the Township Engineer upon completion of all improvements, certified by a licensed civil engineer, demonstrating compliance with all requirements and conditions prior to release of any portion of the performance guarantee and prior to operations beginning on site.
15. A traffic impact study shall be provided which meets the standards of the Township's Land Development and Engineering Ordinance (58-1)
16. The entire area being actively composted shall be clay lined to a thickness determined by the Township Engineer based on underlying soil conditions, water table, potential for groundwater contamination, proximity to environmentally sensitive areas, etc.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

17. Test wells shall be required to be drilled prior to the commencement of any composting activity. The number and placement of such wells shall be determined by the Township Engineer subject to the size of the site. An independent agency (as agreed upon by both the applicant and the Township) shall provide the initial testing prior to the commencement of operations as well as testing on a monthly basis. Such information shall be provided in the required monthly reports.

B. Operation

1. Access to the site shall be controlled to prevent unauthorized dumping during non-business hours. The entire site being actively used for the storage or processing of compost shall be fenced. Such fencing shall be located behind the required berming. The fence shall be eight (8) feet in height and shall be vinyl coated or the equivalent. The access point(s) to the site shall be controlled by gates to prevent unauthorized entrance. The operator shall establish a procedure and mechanism for proper disposal of non-yard wastes at an approved sanitary landfill.
2. Only yard wastes shall be composted at such facilities, typically including leaves, grass clippings, brush, and tree or shrub trimmings. All yard wastes must be brought to the site loose or in biodegradable paper bags designed to degrade rapidly under aerobic conditions. All bags brought to the site shall be broken up and turned into compost windrows within five (5) days of delivery to the site. In no instance shall yard wastes be accepted in plastic bags.
3. The decomposition process shall be properly managed and maintained in an aerobic condition to prevent all unnecessary odors. Towards this end, the temperature of compost piles shall be monitored regularly during the decomposition process, and all unfinished compost piles shall be turned when the internal temperature drops below 120° F. Turnings shall be coordinated with the prevailing wind patterns.

4. Pondered water shall not be permitted to collect on a yard waste composting site. A plan for collection, retention and drainage of storm water shall be provided for review and approval. Filtration of runoff prior to discharge off site shall be accomplished by use of grass swales and detention ponds or other acceptable best management practices as deemed acceptable by the Township Engineer. Any direct discharge to a water body shall require the necessary State and County permits..
5. The operator shall provide sufficient equipment on site to properly manage the composting process. At a minimum, this shall include a front end loader or similar machinery for loading and unloading, a scarab or similar windrow machine for turning and aeration operations, a shredder for reducing new material to a smaller particle size for faster decomposition, a source of water or watering trucks, and a screen to improve the quality and marketability of the final product.
6. The volume of yard wastes handled by the facility shall not exceed 6,000 cubic yards of incoming yard wastes per acre of active composting area on site, exclusive of access roads, service areas, parking areas, required buffer zones, and similar areas. In no instance shall the volume of yard wastes accepted by any facility exceed 3,000 cubic yards per acre based on the total site area.
7. The operator shall provide a name, address, and phone number of the person responsible for operation of the site and who is also responsible for correcting all operational problems that may result in complaints being made to Columbus Township.
8. The operator understands and agrees that failure to maintain and operate the site in a responsible manner that minimizes the potential for adverse impacts on neighboring properties shall constitute grounds for enforcement action by the Township.
9. Treated yard wastes shall be actively rotated in an aerobic condition. Wastes shall not be allowed to accumulate for longer than three (3) years before being finished and removed from the site.





10. The operator shall provide plans showing all equipment maintenance and storage areas. Plans shall show the location of all fuel storage facilities and shall detail primary and secondary containment for all hazardous materials, including product-tight containers for primary containment. Fuel storage shall be above ground in vault-style systems at least equivalent to Clawson Tank Company's Liqu-Vault system.
11. The applicant shall provide a plan for the removal of unmarketable compost.
12. An annual inspection/permit fee for all yard waste composting facilities shall be established by resolution of Township Board, and the facility shall be open for inspection by the local fire inspector, County Health Department, and local building officials at all times.
13. Copies of all Federal, State and County applications/permits, if required, shall be provided to the Planning Commission as part of the application package.
14. The use must conform with the Performance Standards of this Ordinance.
15. All outside storage of equipment and vehicles shall be screened from view from public streets and adjacent residential property by a building, decorative screen wall, or landscaped buffer area.
16. The applicant shall provide a copy of the annual permit issued by the Michigan Department of Agriculture for the sale of finished compost products to the Township Board within thirty (30) days of receiving said permit.
17. One (1) non-illuminated sign shall be installed within the required front yard. The sign shall not exceed thirty-two (32) square feet in area nor six (6) feet in height and shall display the following information: the name and address of the facility, days and hours of operation, and materials accepted.

- C. Annual Operating Permit. All yard waste composting facilities shall obtain an annual operating permit from the Township Board. An annual operating permit shall be issued only after Planning Commission approval of the site plan and special land use, payment of all application, review, inspection and permit fees, and deposit of required performance guarantees. Issuance of all subsequent annual operating permits shall be on condition of conformance to all Ordinance requirements, design plan and operating features, and conditions on the special land use. In addition, as a condition of that permit, any and all costs incurred by the Township to verify compliance with this Ordinance, or as a result of the review of monthly reports, general site inspections as a result of the permit or those monthly and annual reports shall be the responsibility of the applicant. Any violation of this Ordinance shall be grounds for the denial of a license.

Further, the operator of the facility shall supply the Township with a monthly report (between the months of April and October) including, at a minimum, the following information: the amount of material brought to the site, the amount of material taken from the site, results of groundwater and surface water monitoring, any issues with rodents or other health concerns, any indications of violations or potential violations of the license or this Ordinance and actions to correct such action, and any other information cited as a condition of the annual license as granted by the Township.

- D. Performance Guarantee
  1. The Township shall require a cash deposit, certified check, irrevocable bank letter of credit, surety bond, or other means of financial guarantee acceptable to the Township Board covering the estimated cost of all improvements associated with the project and plans as a guarantee for their completion. This performance guarantee shall be returned to the developer upon completion of all required improvements and following receipt and approval of a certified, as-built site plan.



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

2. The Township shall also require a performance guarantee in the form of cash, certified check, irrevocable bank letter of credit, surety bond, or other means of financial guarantee acceptable to the Township Board to guarantee restoration in the event of default or abandonment by the operator. A minimum amount of \$100,000.00, or \$5,000.00 per acre, or an estimate established by the Township Engineer based on specific site conditions, whichever is the larger amount, shall be established and held as a performance guarantee. This performance guarantee shall be maintained in force for the entire operating life of a yard waste composting facility.
- E. Agricultural Operations. Activities conducted in accordance with the Right to Farm Act, Michigan Public Act 240 of 1987, as amended, and in accordance with generally accepted, good farming practices are exempt from the provisions of this Section.
  - F. General Comprehensive Liability Insurance
    1. Requirement Established. The applicant shall secure and file with the Township Clerk certifications of proof of insurance, insuring the applicant, his employees and/or agents or representatives, and the Township and its representatives shall be identified as an additional named and insured entity for general comprehensive liability in an amount of at least One Million Dollars (\$1,000,000.00) per person and Two Million Dollars (\$2,000,000.00) per occurrence. Further, the applicant shall also provide an umbrella policy under the same terms, no less than two million dollars (\$2,000,000) above that previously described. These policies shall have no pollution liability exclusions.
    2. Notice of Discontinuance. The certifications or renewals thereof shall provide that the Township shall be notified upon discontinuance or alteration of any such insurance coverage for any reason.

#### 4.27 LIMITED SOIL REMOVAL PERMITS

Limited Soil Removal Permits may be granted as a Special Land Use in all zoning districts, subject to the following special standards:

- A. Limited Soil Removal Permits may be issued only for an activity that is accessory to the actual and approved development of property in Columbus Township. To that end, an approved site plan, final preliminary plat, or final approval of a condominium shall be required as a prerequisite for the issuance of a Limited Soil Removal Permit.
- B. The actual removal of soil materials under a Limited Soil Removal Permit shall only proceed in conformance with the approved site plan and an engineering plan that complies with all design, information, permit, fees, inspection, operation and reuse requirements of the Columbus Township Soil Removal Ordinance, Section 300 through 307.
- C. A performance guarantee, acceptable to the Columbus Township Board, shall be required as a condition for the issuance of a Limited Soil Removal Permit.
- D. A Limited Soils Removal Permit shall be issued only after findings of fact made by the Planning Commission and approved by the Township Board, demonstrating no adverse impacts on adjoining properties beyond the phase of the approved, permanent use to which the Limited Soil Removal Permit is accessory.
- E. Any deviation from the approved site plan and or Limited Soil Removal Permit shall be grounds for immediate revocation of the Limited Soil Removal Permit and forfeiture of the performance guarantee.

#### 4.28 FAMILY DAY CARE HOME<sup>□</sup>

A family day care home shall require no construction features or equipment not customary in a residential dwelling or district.



#### 4.29 MOBILE HOMES<sup>63</sup>

Mobile or manufactured homes which do not comply with the single family dwelling standards of Section 4.1 of this Ordinance shall not be located on any lot outside a licensed mobile home park, except that the Building Inspector may issue a temporary permit for the locating of a mobile home on a lot outside a mobile home park for an initial period of six (6) months, provided that a building permit has been issued for the construction of a permanent single family dwelling on said lot and the mobile home is connected to a domestic water well and septic tank and tile field systems approved by the St. Clair County Health Department. One (1) extension of the temporary permit for an additional six (6) months may be granted if the Building Inspector finds that reasonable progress is being made on the completion of the permanent residence. To ensure removal of the temporary mobile home at the expiration of the permit, a cash performance guarantee shall be deposited with the Township in an amount established by resolution of the Township Board. If all conditions of the temporary permit are complied with, the entire sum of the performance guarantee shall be returned to the applicant upon the removal of the mobile home. In any event, the mobile home shall be removed from the site within 60 days of the issuance of a certificate of occupancy.

#### 4.30 PRIVATE WASTEWATER TREATMENT FACILITIES

Private wastewater treatment utilities, as defined by the State, shall not be permitted in any location of the Township that is serviced or is planned to be serviced by a public sanitary sewer system, as identified in the Columbus Township Master Plan and shall not directly discharge into the Belle River.

Private wastewater treatment utilities may be permitted as a special land use by the Planning Commission and Township Board in areas of the Township that are not planned for public sanitary sewer service upon a finding that the requirements of Section 6.1 have been met. Further, the Township may require that a means of secondary containment and treatment be provided to assure that any discharge or emergency discharge does not negatively impact the receiving body of water. Finally, such utilities shall be subject to the regulations of the Columbus Township Land Development and Engineering Standards Ordinance.

#### 4.31 WIND ENERGY CONVERSION SYSTEMS (WINDMILLS)<sup>64</sup>

- A. Applicable Zones. WECS may be permitted in any zoning district subject to the following Special Land Use Approval Requirements. However, the erection of one (1) windmill on a single parcel of land at a height equal to or less than eighty (80) feet shall be considered a permitted use in the AG Agricultural zoning district, RS Single-Family Residential zoning district and OS Open Space zoning district and shall not require special land use or Planning Commission approval. The approval of a windmill under this requirement shall be subject to administrative approval through the Building Department, as well as all other applicable provisions (subsections B, C, and D) of this Section of the Zoning Ordinance.
- B. Applicability of Ordinance. The standards that follow shall apply to systems intended for the provision of the electrical or mechanical power needs of the owner/operator of the system; also, such a system shall be for one main building and its accessory buildings only. For systems intended for uses other than the above, Planning Commission and special land use approval (Section 6.1) shall be required. Said approval shall cover the location of the system (shown on a site plan for the property) on the site, the noise generated by the system, assurances as to the safety features of the system, and compliance with all applicable state and federal statutes and regulations. Planning Commission approval shall specifically be required for arrays of more than one wind energy conversion system and for systems wherein one wind energy conversion system is intended to provide the electric power for more than one main building.
- Further, on-site wind energy systems including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950, MCL 259.431 et seq.), the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations.
- C. Standards for and Regulation of WECS.
1. Construction: Tower construction shall be in accordance with the latest edition of the Michigan Building Code, and any future amendments and/or revisions to it.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



2. Electric-Magnetic Interference (EMI): Wind energy conversion system generators and alternators shall be filtered and/or shielded so as to prevent the emission of radio frequency energy which would cause harmful interference with radio and/or television broadcasting or reception, and shall comply with the provisions of Title 47, Chapter 1, Part 15 of the Federal Code of Regulations and subsequent revisions governing said emissions.
  3. Setbacks: The structural design shall be signed and sealed by a professional engineer, registered in the State of Michigan, certifying that the structural design complies with all of the standards set forth for safety and stability in all applicable codes then in effect in the State of Michigan and all Sections referred to herein above. The minimum setbacks for such towers from all abutting streets or adjacent property shall be a distance equal to one and one-half (1½) times the height of the tower. Setbacks shall be measured from the property line to the center point of the windmill tower. The WECS shall be located a sufficient distance from any overhead utility lines, excluding service drops, such that a structural failure of any portion of the WECS or its supporting structure will not cause any portion of it to fall within five (5') feet of utility lines.
  4. Maximum Height: The maximum height permitted as a special land use shall be one hundred and fifty (150') feet, unless otherwise prohibited by any state or federal statutes or regulations.
  5. Minimum Blade Height: The minimum distance between the ground and any protruding blades utilized on a WECS shall be thirty five (35') feet, as measured at the lowest point of the arc of the blades.
  6. Labeling Requirements: A minimum of one sign shall be clearly posted near ground level on the tower structure warning of high voltage. In addition, the following information shall be posted on a label or labels on the generator or alternator of the WECS.
    - a. The maximum power output of the system and the wind speed at which it is achieved.
    - b. Nominal voltage and maximum current.
    - c. Manufacturer's name and address, serial number and model number.
    - d. Maximum survival wind speed and the emergency and normal shut down procedures.
  7. Utility Company Notification: The Detroit Edison Company shall be notified in writing of any proposed interface with that company's grid prior to installing such interface and shall conform with any legislated requirements governing installations of WECS so as to comply with the Utility Tariff specifications. Verification of this shall also be supplied to the Township.
  8. Safety: The WECS' manufacturers shall document that the WECS model has been tested and certified by Underwriter's Laboratory, or other such applicable independent accrediting agency, and that when installed in accordance with recommended specifications shall have a maximum survival wind speed of not less than eighty (80) miles per hour.
  9. Noise: The maximum level of noise to be generated by a WECS shall be fifty (50) decibels, as measured on the dBA scale, measured at each property line at any time. Proof of the WECS meeting this standard shall be supplied to the Township once the WECS has been constructed on site.
- D. Miscellaneous.
1. All electric line/utility wires shall be buried under ground unless otherwise approved by the Township.
  2. Any mechanical equipment associated with and necessary for operation, including a building for batteries and storage cells shall be enclosed with a six (6') foot view obscuring fence. The supporting tower shall also be enclosed with a six (6') foot view obscuring fence unless the base of the tower is not climbable for a distance of twelve (12') feet.
  3. When a building is necessary for storage of cells or related mechanical equipment, the building may not exceed one hundred forty (140) square feet in area nor eight (8') feet in height, and must be located at least the number of feet equal to the height of the tower from any property line. Such building shall not be considered an accessory building in terms of the total number or total size of accessory buildings permitted on site.



4. The tower and generating unit shall be kept in good repair and sound condition. Upon abandonment of use, the tower and related structure shall be dismantled and removed from the property within sixty (60) days.
5. Every WECS shall be insured with minimum liability insurance of five hundred thousand dollars (\$500,000) for each occurrence. Proof of insurance shall be furnished to the Township.

#### 4.32 MEDICAL MARIJUANA USES

##### A. Intent

1. Voters in the State of Michigan approved the referendum authorizing the use of marijuana for certain medical conditions.
2. The intent of the referendum was to enable certain specified persons who comply with the registration provisions of the law to legally obtain, possess, cultivate / grow, use and distribute marijuana and to assist specifically registered individuals identified in the statute without fear or criminal prosecution under limited, specific circumstances.
3. Despite the specifics of the state legislation and the activities legally allowed as set forth therein, marijuana is still a controlled substance under Michigan law and the legalization of obtaining, possession, cultivation/growth, use and distribution in specific circumstances has a potential for abuse that should be closely monitored and to the extent permissible regulated by local authorities. Further, the obtaining, possession, cultivation/growth, use and distribution of marijuana is Federally prohibited.
4. If not closely monitored or regulated, the presence of marijuana even for the purposes legally permitted by the legislation can present an increase for illegal conduct and / or activity and this threat affects the health, safety and welfare of the residents of Columbus Township.
5. It is the intention of Columbus Township that nothing in this Ordinance be construed to allow persons to engage in conduct that endangers others or causes a public nuisance, or to allow use, possession or control of marijuana for non-medical purposes or allow activity relating to the growing, distribution or consumption of marijuana that is otherwise illegal.

- B. Registered Primary Caregiver. A single, registered primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marijuana Act P.A. 2008, Initiated Law, MCL 333.26423(d) and the requirements of this Section, shall be permitted to grow marijuana as a home occupation as regulated in the Zoning Ordinance. Nothing in the Section, or in any other regulatory provision adopted in any other provision of the Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with the Act and the General Rules. Also, since Federal Law is not affected by the Act or General Rules, nothing in this chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal Law. The Michigan Medical Marijuana Act does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act. The following requirements for a registered primary caregiver shall apply:
  1. The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
  2. A registered primary caregiver must be located outside of a one-thousand (1,000) foot radius from any school (as measured from the property lines), including child care or day care facilities operated by a school, to insure community compliance with Federal "Drug-Free School Zone" requirements;
  3. A registered primary caregiver must be located outside of a one thousand (1,000) foot radius from any public or private park property or public library property (as measured from the property lines).
  4. Not more than one (1) primary caregiver shall be permitted to service qualifying patients on a single parcel or property or within an approved, livable unit;

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

5. All medical marijuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient, as reviewed by the St. Clair County Sheriffs Department;
  6. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marijuana are located;
  7. That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the appropriate Fire Department servicing that particular area of the Township, to insure compliance with the Michigan Fire Protection Code.
  8. The disposal of plant material shall be done in a safe and secure manner which does not permit those without the proper permits to access or obtain any disposed plant material. Where plant matter is burned or incinerated as a mean of disposal, smoke shall be directed upward through a stack not less than 10 feet in height. Open burning is not permitted.
- C. Home Occupations- Medical Use of Marijuana
- Home occupations are permitted in the AG, RS, RM and OS zoning districts. In addition, medical use of marijuana home occupation must also comply with this section of the Columbus Township Zoning Ordinance and the related provisions of this section.
- The acquisition, possession, cultivation, use, delivery or distribution of marijuana to treat or alleviate a debilitating medical condition is prohibited except in compliance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008 (“MMMA”), and applicable provisions of the Township Zoning Ordinance.

1. A registered primary caregiver, operating in compliance with the regulations promulgated under the MMMA (“MMMA General Rules”) the MMMA, and the requirements of this subsection, shall be permitted as a home occupation, as regulated by this subsection. The use shall be by application and zoning permit. The Township makes the following findings in support of its determination that the regulation of registered primary caregivers as a permitted home occupation is consistent with the purposes and intent of the MMMA:
  - a. The MMMA does not create a general right for individuals to use, possess, or deliver marijuana in Michigan.
  - b. The MMMA’s protections are limited to individuals suffering from serious or debilitating medical conditions or symptoms, to the extent that the individuals’ marijuana use is carried out in compliance with the provisions of the MMMA, including the provisions related to the operations of registered primary caregivers.
  - c. The MMMA’s definition of “medical use of marihuana” includes the “transfer” of marijuana “to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptoms associated with the debilitating medical condition,” but only if such “transfer” is performed by a registered primary caregiver who is connected with the same qualifying patient through the registration process established by the Michigan Department of Licensing and Regulatory Affairs (“LARA”), and who is otherwise operating in strict compliance with the MMMA and the MMMA General Rules.
  - d. The MMMA provides that a registered primary caregiver may assist no more than five qualifying patients with their medical use of marijuana.
  - e. The MMMA does not, therefore, create a new vocation for entrepreneurs or others who wish to engage in the sale of marijuana to more than five persons in a commercial setting. Instead, the MMMA is directed at improving the health and welfare of qualifying patients.



- f. The health and welfare of qualifying patients is improved by permitting the operations of registered primary caregivers as a home occupation, because this allows qualifying patients who suffer from serious or debilitating medical conditions or symptoms to obtain the benefits of the medical use of marijuana in a residential setting, without having to unnecessarily travel into commercial areas.
  - g. By permitting the operations of registered primary caregivers as a home occupation, rather than in a commercial setting, this promotes the MMMA’s purpose of ensuring that (i) a registered primary caregiver is not assisting more than five qualifying patients with their medical use of marijuana, and (ii) a registered primary caregiver does not unlawfully expand its operations beyond five qualifying patients, so as to become an illegal commercial operation, in the nature of a marijuana collective, cooperative or dispensary.
  - h. A local unit of government may provide by zoning ordinance for the regulation of land development to meet the needs of the state’s citizens for compatible land uses and ensure that the residential use of the land is situated in appropriate locations in relation to other uses of land, to limit the inappropriate overcrowding of land, and to eliminate nuisances in order to promote public health, safety, and welfare.
  - i. The Township Board has been made aware and finds there are complaints of land use, noise, smell, and dangerous structures related to growing marijuana, and this land use regulation is consistent with the MMMA’s purposes to allow caregivers to grow in enclosed facilities in a residential setting, balanced with local government’s responsibility and authority to regulate the compatible use of land under the Michigan Zoning Enabling Act, Act 110 of 2006, as amended (“Michigan Zoning Enabling Act”).
2. The following standards and requirements shall apply to the location at which the medical use of marijuana is conducted by a primary caregiver:
- a. The medical use of marijuana shall comply at all times with the MMMA and the MMMA General Rules, as amended.
  - b. Except as otherwise allowed by law, not more than one registered primary caregiver, who shall also be a full-time resident of the dwelling where marijuana is grown, shall be permitted to operate at any one parcel of property.
  - c. The medical growth of marijuana shall be conducted entirely within a locked dwelling occupied by the registered primary caregiver, or in a garage, outbuilding, accessory building, structure or enclosed facility that constitutes an “enclosed, locked facility” (as that phrase is defined by the MMMA).
  - d. The registered primary caregiver who receives a permit under this zoning ordinance (the “permittee”) may keep and cultivate up to 12 marijuana plants for each registered qualifying patient with whom the registered primary caregiver is connected through the registration process established by LARA, and up to 12 additional marijuana plants for personal use if the primary caregiver is also registered as a qualifying patient under the MMMA. In no event, shall the permittee cultivate more plants than allowed the MMMA as a caregiver.
  - e. A sign identifying the home occupation by word, image or otherwise, or indicating that the medical use of marijuana is taking place on the premises, shall not be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



- f. Except for (i) lighting, heating, watering, drying or other equipment, and (ii) fertilizers, herbicides or other chemicals directly related to the medical use of marijuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted at the enclosed, locked facility. The permittee shall provide the Fire Department a list and quantity of fertilizer and chemicals on site upon request of the Fire Department.
- g. Distribution of marijuana or use of items in the administration of marijuana (except for personal use if the primary caregiver is also registered as a qualifying patient under the MMMA) shall not occur at or on the premises of the registered primary caregiver. A qualifying patient shall not visit, come to, or be present at the residence of the registered primary caregiver to purchase, smoke, consume, obtain or receive possession of any marijuana.
- h. Except for the primary caregiver, no other person shall deliver marijuana to the qualifying patient.
- i. No one under the age of 18 years shall have access to medical marijuana.
- j. No on-site consumption or smoking of marijuana shall be permitted within the dwelling (or on the property) of a primary caregiver, except for lawful medical marijuana consumption by the primary caregiver if registered as a qualifying patient under the MMMA.
- k. Medical marijuana shall not be grown, processed, handled or possessed at the dwelling of the primary caregiver beyond that which is permitted by law.
- l. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marijuana are located.
- m. If marijuana is grown or located in a room with windows or exterior structure, all lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.
- n. Related merchandise or products shall not be sold or distributed from the dwelling or property of the primary caregiver, apart from the permitted quantity of medical marijuana.
- o. In addition to all other applicable requirements, codes and laws, any portion of a building or other structure, such as a cultivation room, or a facility including an "enclosed, locked facility," as defined by the MMMA, used for the growth or storage of marijuana, is subject to inspection and approval by the zoning administrator, code officials, or other authorized official including the Fire Chief acting on behalf of the Township.
- p. The applicant shall provide on a form approved by the Township the following information:
  - (1) Zoning Site Plan: Prior to construction, the property owner, agent or designee shall provide the zoning official a site plan which will include the location of the structure, the size of the structure, and the type of materials to be used in construction. The site plan shall include a plan for odor control.
  - (2) Plumbing, mechanical, and energy plans: The property owner, agent or designee shall provide the zoning official the plumbing, mechanical, and energy plan details of any building, facility or structure used for the growth of marijuana. The site plan shall also include the type, amount and location of stored chemicals.





- (3) Electrical Plans and specifications: An applicant shall submit a detailed set of electrical plans and specifications with the application for an electrical permit for any wiring or alteration to an electrical system if the system requires the installation of electrical equipment that has an ampacity of more than 200 amperes for the service. The electrical drawings shall include all of the following details:
  - i. Lighting layout.
  - ii. Circuiting.
  - iii. Switching.
  - iv. Conductor and raceway sizes.
  - v. Wattage schedule.
  - vi. Service location and riser diagram.
  - vii. Load calculations and available fault current calculations.
  - viii. A proposed method of construction that is drawn with symbols of a standard form.

The designer of the plan shall ensure that the plans shall include the selection of suitable disconnect and overcurrent devices to provide proper coordination and interrupting capacity for a wiring system. The Township, when approving electrical plans, does not assume responsibility for the design or for any deviations from any electrical drawings. The permit holder shall ensure that the plans and specifications approved by the enforcing agency, or a certified copy of the plans and specifications, where required, are available on the site for the use of the enforcing agency.

- (4) Exclusions: Excluded from requirements in the plans are fences, sidewalks, and paving on streets, driveways, parking areas and patios.
- q. The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the zoning administrator, building official, Fire Chief or designee, or other law enforcement official.

- r. Setbacks - Any portion of a building or other structure, such as a cultivation room or facility including an "enclosed, locked facility," as defined by the MMMA, shall meet the setback requirements from adjacent property lines as defined and stated for each district allowing the home occupation under this zoning ordinance. No growing structure or facility shall attach to any other structure or encroach upon a neighboring property or cause a nuisance onto a neighboring property.
- s. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses and interferes with the use and quiet enjoyment of neighboring parcels of land. No equipment or process shall be used that creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises, or interferes with the use and quiet enjoyment of neighboring parcels of land.
- t. There shall be no open burning of marijuana. The burning of other debris requires a burn permit.
- 3. The operations of a registered primary caregiver, as a home occupation, shall be permitted only with the prior issuance of a Township permit and the payment of a permit fee established by the Township by resolution of the Board of Trustees.

- a. A complete and accurate application shall be submitted on a form provided by the Township, and a uniform application fee in an amount determined by resolution of the Township Board shall be paid.



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

- b. The permit application shall include the name and address of the applicant; the address of the property; proof, such as a driver’s license, voter registration card or similar record showing that the dwelling is the applicant’s full-time residence; a current state registration card issued to the primary caregiver as a registered primary caregiver; a full description of the nature and types of equipment which will be used in marijuana cultivation and processing; the number of patients served, and a description of the location at which the use will take place. The zoning administrator may require additional information necessary to demonstrate compliance with all requirements. The zoning administrator shall review the application to determine compliance with this Ordinance, the MMMA and the MMMA General Rules. A permit shall be granted if the application demonstrates compliance with this Ordinance, the MMMA and the MMMA General Rules, which may include a site visit to review for compliance of any structure or facility built or to be built for the growth or storage of marijuana.
  - c. The registered primary caregiver’s operations shall be maintained in compliance with the requirements of this Ordinance, the MMMA, and the MMMA General Rules. Any departure shall be grounds to revoke the permit and take other lawful action. If a permit is revoked, the applicant shall not engage in the activity unless and until a new permit is granted.
  - d. Information treated as confidential under the MMMA, including the primary caregiver’s registry identification card and any information about qualifying patients associated with the registered primary caregiver that is received by the Township, shall be maintained separately from public information submitted in support of the application and shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act to the extent allowed by law.
4. It is unlawful to establish or operate a for-profit or nonprofit marijuana dispensary, however designated, e.g., a “collective,” “commercial use,” “cooperative,” or “provisioning center” (as that term is defined in Act 281 of 2016, the Medical Marihuana Facilities Licensing Act (“Medical Marihuana Facilities Licensing Act”)), within the Township, even if such use is intended for the medical use of marijuana. It is the intent of this Ordinance and of the permit requirements to prohibit the combining of caregivers to allow more plants and growing operations than allowed for a single primary registered caregiver serving five qualified patients on a parcel of property.
  5. The use of the dwelling or other permitted facility of a qualifying patient to cultivate medical marijuana in accordance with the MMMA, solely for personal use, does not require a permit under this subsection; however, all applicable State of Michigan requirements must be met.
  6. Marihuana Establishments: Any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the “Michigan Regulation and Taxation of Marihuana Act,” are completely prohibited in the Township, and may not be established or operated in any zoning district, by any means, including by way of a variance. Any and all types of “marihuana facilities” as described in the Medical Marihuana Facilities Licensing Act, are completely prohibited in the Township and may not be established, licensed or operated in any zoning district, by any means, including by way of a variance.
  7. Violation of this Article shall be enforced under Article 7.0, *Administrative, Appeal*.
  8. *Enforcement* as a nuisance per se pursuant to the Michigan Zoning Enabling Act. Except as otherwise provided by law, a use of land or a dwelling, building, or structure, including a facility used to grow or store marijuana in violation of a zoning ordinance is a nuisance per se pursuant to MCL 125.3407. The court shall order the nuisance abated, and the owner or agent in charge of the dwelling, building, structure, tent, recreational vehicle, or land is liable for maintaining a nuisance per se.



9. Nonuse Variance: The zoning board of appeals may grant a non-use variance in accordance with the Michigan Zoning Enabling Act and Article 7.0, *Administration, Appeals, and Enforcement*, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done.
10. Nothing in this Section shall limit any privileges, rights, immunities or defenses of a person as provided in the MMMA, Michigan Initiated Law 1 of 2008, MCL 333.26421, et seq. or other State of Michigan law.
11. Severability. Any section of this Township Zoning Ordinance being held invalid as to any person or circumstances shall not affect the application of any other section of this Township Zoning Ordinance that can be given full effect without the invalid section or application.

Δ July 2, 2021

#### 4.33 SOLAR ENERGY SYSTEMS

- A. Intent. The intent of this section is to permit and encourage the development of solar energy systems within Columbus Township while ensuring that such systems do not become a nuisance to neighbors or the community.
- B. Roof-Mounted Solar Energy Systems. Roof-Mounted Solar Energy Systems of any capacity are permitted in all districts, subject to the following:
  1. Panels may be mounted on the roof of any principal or accessory structure capable of supporting their weight.

2. The presence of solar panels on a rooftop shall not increase the overall height of a structure with a flat roof by greater than ten feet, or the height of a structure with a pitched roof by greater than five feet, as measured from the highest point of the structure to the top of the panels.
  3. Solar panels shall not project beyond the edge of the roof.
  4. Site plans shall not be required for roof-mounted panels. Such systems shall be approved administratively, subject to building, mechanical, and electrical inspections.
- C. Ground-Mounted Solar Energy Systems. Ground-Mounted Solar Energy Systems are permitted as follows:
1. General Requirements. All ground-mounted solar energy systems shall be subject to the following requirements:
    - a. Solar collection panels shall meet the setback requirements of the district in which they are placed.
    - b. Excluding solar collection panels, solar energy system equipment may be installed within the required side and rear yard, but shall be a minimum of five (5) feet from any property line.
    - c. Solar collectors shall be placed such that concentrated solar radiation or solar glare will not be directed onto nearby properties or roadways. Traffic safety and adjacent properties shall be protected from unreasonable glare and radiation.
    - d. The area beneath ground-mounted solar panels shall not be a continuous impervious surface or slab, except where the panels are part of a parking lot canopy.

Table 4.33.C Ground-Mounted Solar Installations			
System Size	Footprint	Max. Height	Permitted*
Small	0 - 0.1 acres	20 ft	PPU all districts**
Medium	0.11 - 5 acres	20 ft	PPU in AG, LI***; SLU in GC
Large	Over 5 acres	20 ft	PPU in LI***; SLU in AG, GC
Notes to Table			
* PPU = principally permitted; SLU = special approval land use			
** Subject to Planning Commission approval on lots smaller than two acres in RS and AG			
*** Subject to Planning Commission approval; special land use in AG on lots under 2 acres			

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

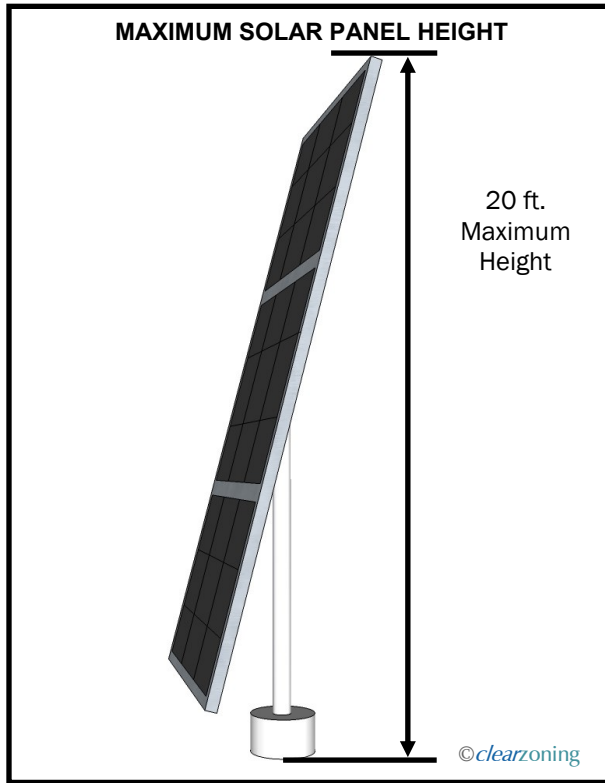
**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement





- e. The height of ground-mounted solar panels shall not exceed 20 feet from grade to the highest point of the panel. If the panel is located on a berm, height shall be measured from the base of the berm.
- f. If more than 4,000 square feet of impervious surface will be located on the site, the application shall include a drainage plan prepared by a registered civil engineer showing how stormwater runoff will be managed and demonstrating that runoff from the site will not exceed the agricultural runoff rate or otherwise cause undue flooding. Any necessary permits from outside agencies for off-site discharge shall be provided.
- g. Care shall be taken to ensure that detergents used to clean the panels do not enter stormwater collection systems.

- h. If a ground-mounted solar energy system ceases to operate or is abandoned for a period of six months or is deemed by the Building Official to be unsafe or not consistent with code, the Applicant shall repair and restore the system to good working order within a reasonable time set by the Building Official or, if no longer operating or no longer in compliance with federal, state or local codes, it shall remove the system in its entirety. This shall include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.
  - i. Solar energy systems shall not be installed in a front or side yard.
  - j. Solar energy systems shall be accessory to a principal use on the site.
2. Small Systems. Small ground-mounted solar energy systems may be installed and operated in all districts, provided the systems meet all general standards for ground-mounted solar energy systems and the following:
    - a. On lots zoned AG and RS smaller than two acres, systems occupying greater than 2,000 square feet of area shall be subject to Planning Commission approval.
    - b. In all other circumstances, small ground-mounted solar energy systems shall be approved administratively, subject to provision of a sketch plan drawn to scale on a satellite image or professional survey of the property.
  3. Medium Systems. Medium ground-mounted solar energy systems may be installed and operated as a principal permitted use in the AG and LI districts, and as a special land use in the GC district, as well as on AG lots smaller than 2 acres, subject to the general requirements for ground-mounted solar energy systems and the following:
    - a. Medium ground-mounted solar energy systems shall be subject to Planning Commission approval. A to-scale plan drawn on a professional survey of the site shall be required.

- b. Medium ground-mounted solar energy systems shall meet the setbacks of the district but in no case shall be set back less than 30 feet from any neighboring property zoned AG, RS, RM, or MH.
  - c. When a medium ground-mounted solar energy system is located adjacent to a property zoned AG, RS, RM, or MH, or a public right-of-way, a minimum 10-foot wide greenbelt shall be constructed so as to provide a buffer between the panels and the adjacent residential, agricultural or public property. The Planning Commission may waive or reduce the greenbelt requirement upon any of the following determinations:
    - (1) That the solar panels are located more than 100 feet from the adjacent AG, RS, RM, or MH property.
    - (2) The adjacent property is under cultivation and likely to remain so.
    - (3) The panels are less than eight feet in height.
    - (4) Existing fences or natural features to remain provide adequate screening.
  - d. Greenbelts shall be indicated on the to-scale plan, including the total number of plant materials by species, and shall be maintained in a healthy, growing condition to provide a screen to abutting properties. Specific planting requirements for greenbelts are as follows:
    - (1) The planting strip shall be no less than ten (10) feet in width.
    - (2) Plant materials shall not be placed closer than four (4) feet to the property line.
    - (3) A minimum of one (1) evergreen tree shall be planted at twenty (20) foot intervals (on average).
    - (4) A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.
  - e. The Applicant shall post a performance guarantee (cash, letter of credit or bond deemed suitable by the Township attorney) to cover the cost of removal of the equipment, structures and foundations related to the solar system in the event of abandonment or failure to comply with federal, state or local laws (after being given reasonable time to remedy the problem).
4. Large Systems. Large ground-mounted solar energy systems may be installed and operated as a principal permitted use in the LI district, and as a special land use in the AG and GC districts, subject to the general requirements for ground-mounted solar energy systems and the following:
- a. Large ground-mounted solar energy systems shall be subject to Planning Commission approval. A professionally prepared and stamped site plan shall be required.
  - b. Large ground-mounted solar energy systems shall meet the setbacks of the district but in no case shall be set back less than 50 feet from any neighboring property zoned AG, RS, RM, or MH.
  - c. When a large ground-mounted solar energy system is located adjacent to a property zoned AG, RS, RM, or MH, or a public right-of-way, a minimum 10-foot wide greenbelt shall be constructed so as to provide a buffer between the panels and the adjacent residential, agricultural or public property. The Planning Commission may waive or reduce the greenbelt requirement upon any of the following determinations:
    - (1) That the solar panels are located more than 100 feet from the adjacent AG, R-1, RM, or MH property.
    - (2) The adjacent property is under cultivation and likely to remain so.
    - (3) The panels are less than six feet in height.
    - (4) Existing fences or natural features to remain provide adequate screening.



- d. Greenbelts shall be indicated on the site plan, including the total number of plant materials by species, and shall be maintained in a healthy, growing condition to provide a screen to abutting properties. Specific planting requirements for greenbelts are as follows:
  - (1) The planting strip shall be no less than ten (10) feet in width.
  - (2) Plant materials shall not be placed closer than four (4) feet to the property line.
  - (3) A minimum of one (1) evergreen tree shall be planted at twenty (20) foot intervals (on average).
  - (4) A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.
- e. The Applicant shall post a performance guarantee (cash, letter of credit or bond deemed suitable by the Township attorney) to cover the cost of removal of the equipment, structures and foundations related to the solar system in the event of abandonment or failure to comply with federal, state or local laws (after being given reasonable time to remedy the problem).



#### 4.34 AGRIBUSINESS/VALUE-ADDED FARMING

##### Agri-Business (Value Added Farming Operations)

- A. Intent. The Township recognizes the need for agriculture and its ancillary uses to evolve in tandem with the broader market and economic conditions of farming. To preserve the agricultural heritage of the community and advance the goals and objectives of the Township Master Plan, it is necessary to permit certain uses connected with farming operations that may be more commercial in nature. This section is intended to permit agribusiness or value-added farming operations on existing farm facilities while protecting the long-term planning interests of Columbus Township.
- B. Acceptable Uses. The following uses shall be deemed acceptable uses as part of an overall agri-business.
1. Processing and/or sale of agricultural products grown on site, including but not limited to farm markets, you-pick farms, greenhouses, cider mills, wineries, bakeries, and nurseries. A minimum of fifty-five (55) percent of items for sale shall be items grown by the operator or be made from items grown by the operator. These operations may include the following accessory uses:
    - a. Children play areas including inflatables (not including motorized vehicles or rides), petting zoos (limited to farm animals), hayrides, and pony rides.
    - b. Small scale entertainment on a minimum of twenty (20) acres (not including permanent seating areas).
    - c. Gift shops for the sale of crafts and antiques limited to twenty-five (25) percent of all indoor retail square footage on site.
    - d. Kitchen facilities along with the sale of cider, doughnuts, fruit, etc. operation limited to eight (8) months out of the year. Kitchen facilities do not include restaurants.
  2. Uses not listed above but similar in character may be approved by the Planning Commission and Township Board, provided that the Commission and Board determine that the use is similar in impact on surrounding properties and infrastructure. The approval may include appropriate conditions to ensure the health, safety, and welfare of Township residents and visitors.
  3. Mud bogs, race tracks, tractor pulls, and the use of motor vehicles or off-road vehicles for entertainment, charitable, or for-profit purposes shall not be considered acceptable uses. This shall not include the use of tractors for hayrides or other similar events or normal farm related activities.
- C. Submission Requirements. These uses shall require a site plan, Planning Commission approval, and the appropriate permits and inspections in any instance where the general public is allowed internal access to a building. Site plan review shall also be required for any paved parking areas. Other uses not falling into these two categories shall not require a site plan and may be approved administratively by the Zoning Administrator. Where required, site plans may focus only on the area proposed for development rather than depicting the entire farm site, and shall include the following:
1. A to-scale drawing on a survey showing the location and extent of proposed uses, buildings, and/or paved areas, including north arrow and setback distances.
  2. Basic elevations showing the height and appearance of proposed building(s).
  3. An aerial image of the surrounding area to provide context (images from online mapping services are acceptable).
  4. Basic floor plans of any publicly accessible building, drawn to scale.
  5. A narrative describing the intended use of the building.
  6. The time period each year in which the use is expected to be accessible to the public.
  7. Anticipated hours of operation.
- D. Minimum Site Requirements. Uses listed in subsection B above may only be considered for farms or orchards with a minimum land area of ten (10) acres or more unless otherwise stated above.
- E. Setbacks for All New Buildings Constructed to Accommodate an Agribusiness Use.
1. Front yard: As required in the underlying district (AG or OS).
  2. Side yard: A minimum of seventy-five (75) feet.
  3. Rear yard: A minimum of seventy-five (75) feet.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

F. Pedestrian Circulation. Dedicated pedestrian walkways or pathways shall be provided from all parking areas to the designated activity or shopping area. Walkways shall incorporate some form or combination of fencing, curbing, landscaping, etc., as a method of separation.

G. Parking.

1. An improved parking area shall be provided for any buildings that are accessible to the public. Parking shall be provided at a rate of one (1) space for each five hundred (500) square feet of publicly accessible building area, up to 10,000 square feet. Improved parking may be either paved or gravel.

a. The dimensions and location of the parking area shall be shown on the site plan. 2,500 square feet of parking area shall be provided for every ten (10) parking spaces.

b. The limits of the parking area shall be clearly identified by an appropriate movable barrier (i.e., snow fencing, string line with tied ribbons, small logs, precast concrete bumpers, etc.). Overflow parking, if provided, shall also be clearly identified.

c. The topsoil in the gravel parking lot area shall be stripped. (If stockpiled, proper soil erosion control measures shall be put in place. If immediately placed on a farm field, no measures are required). No topsoil may be transported off site from one legally described parcel to another without a permit from the Township.

d. Under certain conditions, (frozen ground, saturated soil, or soft unstable soils are examples) a geotextile fabric shall be placed in the parking area where the topsoil has been stripped and the area has been graded. The grade shall be inspected by the Township to ascertain if the geotextile fabric is needed prior to placing any aggregate. When a geotextile fabric is needed, all overlapping seams and the outside border of the fabric will be adequately staked. (The purpose of the geotextile is to prevent saturated or unstable soil from migrating into the aggregate).

e. Six (6) inches of MDOT 21 AA aggregate shall be placed over the fabric and compacted in place.

2. All driveways used to access parking areas shall be paved or surfaced with gravel.

3. No parking shall occur within the road right-of-way.

4. Parking areas within one hundred (100) feet of an exterior property line shall be adequately screened from adjacent residential uses. Screening shall consist of a landscaped greenbelt consistent with the standards of this ordinance.

H. Conditions of Agri-Business Operations.

1. All proper permitting and licensing records (as required) shall be available to the Township upon request.

2. Noise emanating from such use shall meet the acceptable decibel requirements set forth in this Ordinance.

3. Lighting shall be shielded downward and away from all adjacent residences and public rights-of-way, with a maximum mounting height of 15 feet.

4. Permits or proof of review for all new access drives shall be obtained from the Road Commission of St. Clair County. For all existing drives, proof of permit or review from the Road Commission shall be provided as a part of the approval.

5. Uses shall provide an emergency action/access plan (as approved by the Fire Department) for emergency response for each aspect of the agribusiness use (if and as determined necessary by the Township).

Δ June 1, 2022





**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# *Article 5.0 Site Standards*



**Article 5.0 Site Standards**

5.1 Building Grades \_\_\_\_\_ 5-3

5.2 Building Under Construction \_ 5-3

5.3 Landscaping and Screening \_\_ 5-3

5.4 Off Street Loading  
Requirements \_\_\_\_\_ 5-7

5.5 Off Street Parking  
Requirements \_\_\_\_\_ 5-7

5.6 Outdoor Lighting \_\_\_\_\_ 5-12

5.7 Restoring Unsafe Buildings \_\_ 5-12

5.8 Road Frontage Required \_\_\_\_\_ 5-12

5.9 Sign Regulations \_\_\_\_\_ 5-13

5.10 Visual Clearance at  
Intersection \_\_\_\_\_ 5-22

5.11 Non-residential Driveways \_\_ 5-23

5.12 Repealed \_\_\_\_\_ 5-23

5.13 Repealed \_\_\_\_\_ 5-24

5.14 Repealed \_\_\_\_\_ 5-24

5.15 Access Management  
Standards \_\_\_\_\_ 5-24

5.16 Performance Standards \_\_\_\_\_ 5-25

5.17 Accessory Building  
Requirements \_\_\_\_\_ 5-27

5.18 Storage of Vehicles, Trailers,  
and Machinery \_\_\_\_\_ 5-29

5.19 Hazardous Materials \_\_\_\_\_ 5-29

5.20 Fences \_\_\_\_\_ 5-30

5.21 Trash Enclosures \_\_\_\_\_ 5-30



# 5.0 Site Standards

## 5.1 BUILDING GRADES

- A. 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. Finished grade shall slope downward from the finished grade line of the front of the building to the front lot line. However, this shall not prevent the maintenance of natural existing grades or the grading of a yard space to provide a sunken or terraced area, provided proper means are provided and maintained to prevent the run off of surface water from flowing onto 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.
- B. When a new building is constructed on a vacant lot between two existing buildings or adjacent to an existing building, the yard around the new building shall be graded in such a manner as to prevent the run-off of surface water onto the adjacent properties.
- C. In general, each lot shall drain from the front of the house or other principal structure to the road and from the rear of the house to the rear of the lot.
- D. Whenever a lot is graded toward the sides or the rear, a drainage structure must be provided across the side and/or the rear lot line to receive surface run-off. The structure shall direct the run-off water to an appropriate drainageway or a County drain.
- E. Drainage for each site must be self-contained so that drainage across adjacent sites is avoided, unless easements are provided for that purpose.
- F. Whenever drainage is required to cross an adjacent lot, an easement for this purpose must be obtained across the adjacent lot.
- G. All finished grades shall be approved by the Building Inspector, who may require the owner and/or the developer to submit a grading plan prepared and certified by a registered civil engineer or land surveyor. In general, the maximum height of finished grade shall not be greater than three (3) feet above the crown of the roadway, though the Building Inspector may approve an exception to this rule in the event that existing grades prior to the commencement of construction make this rule impractical or without good purpose.

- H. Health Department requirements for "elevated" or "engineered" septic system tile fields shall not constitute a reason for directing storm water onto adjacent properties. In no instance shall the finished grade of the lot be more than six (6) inches above the approved finished grade of the septic system.

## 5.2 BUILDING UNDER CONSTRUCTION

Any building or structure for which a building permit has been issued prior to the effective date of this Ordinance, may be completed and used in accordance with the plans and application on which the building permit was granted.

## 5.3 LANDSCAPING AND SCREENING

- A. Intent. The overall intent of the Zoning Ordinance is to preserve the health, safety, and welfare of the people who live and work in Columbus Township. Columbus Township has a primarily rural character, and the Master Plan includes preservation of rural character among its Planning Principles. In order to further this goal, the Township sets forth the following landscaping requirements to ensure that future development retains some elements of natural beauty and open space.
- B. Scope and Applicability. The standards of this section are considered the minimum necessary to achieve the intent above. Applicants are encouraged to provide additional landscaping to improve the function, appearance, value, and sustainability of their property. The standards of this section shall apply to all sites, uses, and projects requiring site plan approval in any district in the Township.
- C. Existing Sites. When an existing site is undergoing improvement, a change in use or expansion, the objective of these standards shall be to gradually bring the site into compliance with the minimum standards of this subchapter in proportion to the extent of the expansion or improvement.
- D. Distance from Property Lines. Trees and shrubs shall be placed a minimum of 4 feet from any fence line or property line.
- E. Fractions in the Calculation of Number of Trees and Shrubs. In the calculation of trees and shrubs for street frontage, greenbelts or parking landscaping, all fractions shall be rounded to the nearest whole number.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- F. Natural Resource Greenbelt. A twenty-five (25) foot undisturbed greenbelt shall be preserved around the boundary of any Federal or State regulated wetland and all other flagged wetlands which are intended to remain on site and from the ordinary high water mark (or designated flood area) of any inland lake or pond, streams, creeks, or drains (improved or unimproved). These areas shall be conspicuously noted on the site plan and before any land clearing activities are commenced, the developer shall erect and maintain a suitable barrier between such environmental feature greenbelt and lands which are intended to be cleared.
- G. Obscuring Greenbelts Between Land Uses. The purpose of this provision is to provide attractive natural screening between certain land uses which can be made more compatible with each other through improvement of visual aesthetics.
1. Locational Requirements. Wherever a Commercial (LC or GC) or Light Industrial (LI) district or use abuts a Residential (RS), Open Space (OS), Multiple Family (RM), or Mobile Home (MH) district, a greenbelt shall be provided and maintained along the entire length of the district boundary by the users of the Commercial or Industrial property. In addition, greenbelts shall be provided for the following land uses as specified below:
    - a. Wherever a mobile home park abuts property in a Residential Single-Family (RS), Residential Multiple-Family (RM), or Open Space (OS) district a greenbelt shall be established along the full length of the district boundary by the proprietor of the mobile home park. A greenbelt shall also be established wherever a mobile home park abuts a public road.
    - b. Sanitary landfills shall be completely enclosed by a greenbelt.
    - c. Wherever a junk yard abuts property in a Residential Single-Family (RS), Residential Multiple-Family (RM), or Open Space (OS), Mobile Home (MH) or Commercial district, a greenbelt shall be established along the full length of the property boundaries by the proprietor of the junk yard.
    - d. Wherever a campground abuts property in a Residential Single-Family (RS), Residential Multiple-Family (RM), or Open Space (OS) district, a greenbelt shall be established along the full length of the property boundary by the proprietor of the campground.
    - e. Any utility structures comprising a facility of more than one acre, except when all equipment is housed within buildings or when such facility is located in a Light Industrial (LI) district, a greenbelt shall be established along the full length of the property boundary by the proprietor of the campground.
  2. Time of Completion. A greenbelt shall be completed within six (6) months from the date of issuance of a certificate of occupancy, or from the date of the commencement of operations.
  3. General Design Standards.
    - a. A minimum of four (4) species of tree must be planted. At least two (2) of the species used must be evergreens.
    - b. A greenbelt shall have an average width of at least twenty (20) feet.
    - c. There shall be a minimum of eight (8) large trees per 1,000 square feet of greenbelt area. A large tree shall be considered one which is generally capable of growing to a height of at least twenty (20) feet. In all cases, there must be at least four (4) large evergreen trees per 1,000 square feet of greenbelt area.
    - d. All required evergreens shall be at least eight (8) feet high when planted and all required deciduous trees shall be at least three (3) inches in caliper as measured five (5) feet from grade. All trees shall be maintained in a healthy condition.



4. Bond. A bond or cash in an amount equal to five dollars (\$5.00) per linear foot of required greenbelt shall be deposited with the Township Clerk until such time as the greenbelt is planted. In the event that weather or seasonal conditions prevent transplanting, the petitioner shall be guaranteed six (6) months from the date of issuance of a certificate of occupancy or commencement of operations to install the greenbelt or the Township shall be authorized to use the funds to install the greenbelt.

In all cases the Township shall be authorized to withhold thirty (30) percent of the bond or cash for a period of two (2) years from the date of planting, to ensure that dead or dying nursery stock shall be replaced. Excess funds, if any, shall be returned to the depositor upon completion of the two (2) year period. It shall be the responsibility of the property owner to maintain the greenbelt for its original intent and purpose.

5. Modification of Required Greenbelt, or Fence In-Lieu-of. Where there is sufficient space for the planting of large trees, or environmental conditions are such that the required large trees cannot be expected to thrive, the Zoning Board of Appeals may permit small trees or large shrubs to be substituted, provided that the substitute species are capable of reaching a height of at least ten (10) feet.

When, because of environmental conditions, no greenbelt can be expected to thrive, or there is insufficient space to establish any type of greenbelt, the Zoning Board of Appeals may permit a weather resistant wooden fence or ornamental masonry wall at least six (6) feet in height to be substituted.

6. Waiver of Greenbelt Requirements. The greenbelt requirement may be waived by the Zoning Board of Appeals, if in the opinion of the Zoning Board of Appeals, sufficient screening is already provided by natural vegetation or topography, or if the greenbelt would serve no useful purpose.

- H. Non-obscuring Greenbelt. Non-obscuring greenbelt landscaped areas shall be provided along the entire perimeter of the development envelope of a nonresidential or multiple family site and shall comply with the following requirements.

1. The development envelope shall include all buildings, parking and maneuvering lanes, driveways, stormwater facilities and any other required site features.
2. Such greenbelts shall not be considered as a substitute for a wall or obscuring greenbelt or earth berm as required elsewhere in this Ordinance.
3. Such greenbelts shall be a minimum of ten (10) feet in width.
4. Any such greenbelt shall be improved and maintained as required and shall contain at least one (1) large deciduous or evergreen tree for each thirty (30) lineal feet of greenbelt. All such trees shall be six (6) feet in height for evergreens or a minimum caliper of three (3) inches for deciduous trees at the time of planting.
5. A minimum of three (3) shrubs per thirty (30') feet which have an average height of three (3') feet are required.
6. Greenbelts shall be so designed as to avoid creating obstacles to proper sight distance between vehicles and vehicles and pedestrians.
7. The Planning Commission may approve landscape plans which incorporate creative alternatives or existing landscaping which do not meet these exact requirements provided the intent of these requirements have been met.



- I. Street Tree Requirements. Street trees shall be provided within every zoning district. The trees shall be spaced evenly in a linear fashion parallel to the road rights-of-way. One (1) tree shall be planted for each thirty (30) feet of road frontage and shall be planted five (5') feet outside of the road right-of-way unless otherwise dictated by easement locations. In no way shall the plantings impair the clear vision triangle. The trees shall be a minimum of three (3) inch diameter at breast height (dbh) at the time of planting. These trees may not be counted toward any other landscaping requirements. The placement or clustering of street trees may be altered by the Planning Commission upon a finding that the trees will be better suited in an alternate location.
- J. Parking Lot Screening. A three-foot (3') high (as measured from the parking lot curb grade) naturally rolling berm shall be provided between the outer edge of all parking lots and the adjacent road right-of-way. The slope of such berm shall be no steeper than 3:1 (a maximum slope ratio of three (3') feet horizontal to one (1') foot vertical). This berm shall be planted with a minimum of five (5) shrubs per each thirty (30) feet of such berm creating a low level hedge. The inside slope of the berm (that which faces the parking lot) may be constructed with a retaining wall provided public safety is maintained and such is approved by the Township Engineer. The Commission may alter or waive this requirement if natural vegetation exists in the location of the proposed berm or an acceptable alternative screening is deemed appropriate.
- K. Parking Lot Islands. Where a new development requires greater than 40 parking spaces, parking lot islands shall be provided at the end of all parking rows to separate parked vehicles from maneuvering lanes. In any case, a minimum of one island shall be provided for every 40 spaces. Each island shall be planted with one large deciduous tree, and shall be a minimum of 180 square feet in area. Landscaping within these islands shall be maintained at a height of 30 inches or less to preserve clear views for drivers. In parking lots where all spaces are arranged on either side of a single maneuvering lane, two half-islands a minimum of ninety (90) square feet each shall be provide in lieu of each required island, each with one deciduous tree.

- L. Building Foundation Landscaping. Wherever a building is constructed which abuts a drive, service aisle, road, sidewalk, or other means of access or maneuvering, a minimum of seven (7) feet of landscaped area shall be provided along two thirds (2/3) of any street-facing façade of the building. These landscape areas shall not include walkways or paved service areas. One (1) small deciduous tree in addition to shrub and flower plantings shall be provided for each twenty (20') feet of building length of such street-facing façade.
- M. Maintenance. The applicant, landowner or successors in interest shall be responsible for the regular maintenance of all landscaping elements in good condition. All landscaping shall be maintained free from disease; pests, weeds and litter, and all landscape structures such as fences and walls shall be repaired and replaced periodically to maintain a structurally sound condition. Dead or missing landscape materials shall be replaced within 90 days of notice from the Township that the material in question must be replaced.
- N. Prohibited Trees. The planting of trees determined to be invasive or to harbor invasive insects or diseases shall be prohibited. The following trees shall not be permitted:



Table 5.3.N Prohibited Trees		
	Genus/Species	Common Name
1.	<i>Acer negundo</i>	Box Elder
2.	<i>Aesculus hippocastanum</i>	Common Horsechestnut (nut bearing)
3.	<i>Ailanthus altissima</i>	Tree of Heaven
4.	<i>Alnus glutinosa</i>	Black Alder
5.	<i>Carya</i> species not native to North America	Hickory
6.	<i>Elaeagnus angustifolia</i>	Russian Olive
7.	<i>Frangula alnus</i>	Glossy Buckthorn
8.	<i>Maclura pomifera</i>	Osage-orange
9.	<i>Morus</i> species, except for <i>morus rubra</i>	Mulberry
10.	<i>Paulownia tomentosa</i>	Empress Tree
11.	<i>Populus alba</i>	White Poplar
12.	<i>Populus fremontii</i>	Western Cottonwood
13.	<i>Populus nigra</i>	Black Poplar
14.	<i>Populus tremula</i>	European Aspen
15.	<i>Pyrus calleryana</i>	Callery Pear
16.	<i>Pyrus fauriei</i>	Korean Pear
17.	<i>Pyrus salicifolia</i> Willowleaf	Pear
18.	<i>Salix</i> cultivars that exceed 25' height at maturity	Willows
19.	<i>Sorbus</i> cultivars	Mountain Ash
20.	<i>Tamarix</i> species	Tamarisk
21.	<i>Tsuga</i> cultivars	Hemlock
22.	<i>Ulmus</i> cultivars susceptible to Dutch Elm Disease	Elms
23.	<i>Ulmus pumila</i>	Siberian Elm

**5.4 OFF STREET LOADING REQUIREMENTS**

- A. All retail sales facilities having over 5,000 square feet of gross floor area shall be provided with at least one (1) off street loading space. One (1) additional space shall be provided for every additional 20,000 square feet of gross floor area or fraction thereof.
- B. All industrial and wholesale commercial facilities shall provide one (1) off street loading space for each 10,000 square feet of gross floor area or fraction thereof.
- C. Off street loading spaces shall be at least fifty (50) feet long and twelve (12) feet wide.

**5.5 OFF STREET PARKING REQUIREMENTS**

- A. Number of Spaces. The number of off street parking spaces for motor vehicles shall be provided in accordance with the following schedule:

Δ June 1, 2022



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

**Table 5.5.A Off-Street Parking Requirements**

Use	Minimum Parking Spaces
<b>A. Residential</b>	
1. Single, two family and multiple family dwellings	Two (2) per dwelling unit, either in separate driveways, parking bays, or in private garages.
2. Rooming or Boarding House	Two (2) plus one (1) per sleeping room
3. Mobile Home Park	Two (2) per mobile home plus one (1) per employee
The following uses shall provide the minimum number of spaces indicated but in no case shall any of the following uses provide less than six (6) spaces	
<b>B. Office</b>	
1. Professional and general business offices	One (1) per 300 square feet
2. Service Offices, such as banks, or similar financial institutions, real estate sales office	One (1) per 200 square feet plus eight (8) off street waiting spaces for each service window
3. Medical and dental offices	One (1) per 125 square feet
<b>C. Retail and Commercial Service Uses</b>	
1. General Retail Stores	One (1) per 200 square feet
2. Furniture, appliance and similar large merchandise showrooms	One (1) per 800 square feet plus one (1) per employee
3. Supermarkets	One (1) per 150 square feet
4. Beauty and Barber Shops	Three (3) per chair
5. Funeral parlors or mortuaries	One (1) per 100 square feet
6. Motor vehicles sales and service establishments	One (1) per 800 square feet plus one (1) per service stall
7. Pool hall or club	Three (3) game table or one (1) per 100 square feet, whichever is more
8. Bowling alleys	Five (5) per bowling lane
9. Public golf course	Seven (7) per golf hole
10. Restaurants without alcoholic beverages	One (1) per 150 square feet
11. Restaurants with alcoholic beverages	One (1) per 100 square feet





Table 5.5.A Off-Street Parking Requirements (Continued)		
Use	Minimum Parking Spaces	
<b>C. Retail and Commercial Service Uses</b>		
12. Fast food restaurant without indoor seating	1 per 25 square feet plus ten (10) off street waiting spaces for each service window	
13. Fast food restaurant with indoor seating	1 per 75 square feet plus ten (10) off street waiting spaces for each service window	
14. Theaters and auditoriums (except schools)	One (1) for each three (3) seats plus one (1) per employee	
15. Laundromats	One (1) for each two (2) machines	
16. Dance halls, skating rinks and exhibition / assembly halls without fixed seats	One for each four (4) persons of legal capacity or one (1) per 100 square feet, whichever is more	
17. Hotel or motel	One (1) per rental unit plus one (1) per employee	
18. Conference Facility	One (1) per 25 square feet in conference rooms plus hotel/motel requirements	
19. Stadium / sports arena or similar place of outdoor assembly	One (1) per three (3) seats or six (6) feet of benches or bleachers	
20. Auto service center/station	Four (4) per service stall plus one (1) per fuel pump	
21. Large scale recreation	1 space for each three (3) users of the facility at maximum occupancy, plus one (1) for each employee.	
<b>D. Institutional and Other Uses</b>		
1. Churches and other places of worship	One (1) for each three (3) seats or one (1) for each three (3) persons of legal capacity, whichever is more	
2. Hospital	Three (3) per hospital bed	
3. Homes for the aged, convalescent or rest homes	One (1) for each two (2) beds	
4. Private clubs and lodges	One (1) for each three (3) person of legal capacity	
5. Golf clubs or swim pool clubs	One (1) for each two (2) members or families	
6. Fraternity or sorority	One (1) per occupant	
7. Elementary or junior high school	One (1) per employee plus ten (10) visitor spaces, in addition to the auditorium requirements	
8. Senior high school	One (1) per employee plus one (1) per four (4) students in addition to the auditorium requirements	
9. School auditorium	One (1) for each four (4) seats or eight (8) feet of bleachers	
10. Meeting Halls	One (1) space for each three (3) individual members or one (1) space for each one (1) member family,	
11. Group child care centers, adult day care centers, and similar facilities	At least one (1) drop off space shall be provided for each five (5) persons or children enrolled or cared for at the facility.	
12. Adult foster care facilities	One (1) space shall be provided for every three (3) residents, plus one space per employee in the largest working shift.	



**Table 5.5.A Off-Street Parking Requirements (Continued)**

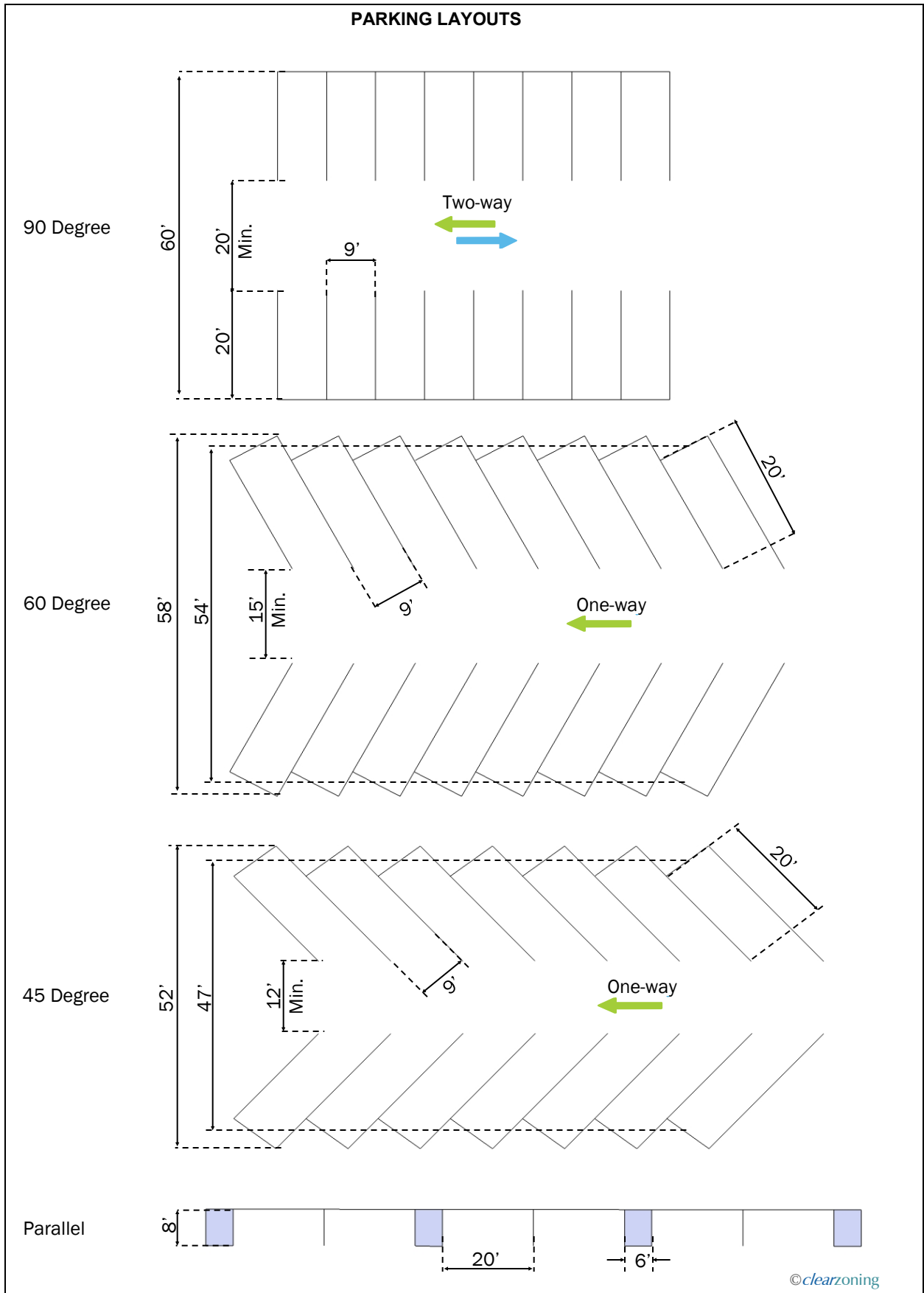
Use	Minimum Parking Spaces
<b>D. Institutional and Other Uses</b>	
13. Yard waste composting facility	A minimum of five (5) paved, off-street parking spaces shall be provided on site.
14. Shooting Ranges	One (1) space for each three (3) users at capacity.
<b>E. Industrial</b>	
1. Research and pharmaceutical manufacturing establishments	Ten (10) plus one (1) per employee in the largest potential work shift
2. General manufacturing establishments	One (1) per employee in largest potential shift or one (1) per 500 square feet, whichever is more
3. Wholesale or warehouse	One (1) per 1,700 square feet or one (1) per employee in the largest potential shift, whichever is greater
4. Self storage / mini warehouse	One (1) per ten (10) storage units
<b>F. Footnotes to Parking Requirements</b>	
<ul style="list-style-type: none"> <li>■ In cases where floor area is the unit of measurement for determining the required number of parking spaces, gross floor area shall be used, including any areas for storage, mechanical equipment, HVAC systems, and similar areas.</li> <li>■ Any calculation that results in a fractional space shall require one additional space.</li> <li>■ For individual uses not specifically listed above, the off street parking facilities shall be in accord with a use that the Planning Commission determine to be similar in type.</li> <li>■ For planned shopping centers of more than five (5) individual retail stores, the Planning Commission may substitute with prevailing national standards for such facilities.</li> </ul>	

- B. Other Requirements**
- The use of any required parking space for the storage of any motor vehicle for sale, or for any other purpose other than parking of motor vehicles, is prohibited, except in Residential Single-Family (RS) districts.
  - All required off street parking areas shall be surfaced with asphalt, concrete or dust free and property compacted limestone or similar crushed stone. Individual spaces in paved parking lots shall be marked by painted lines or by the installation of concrete bumper blocks in crushed stone parking lots.
  - A drainage and retention plan shall be submitted for all parking lots that shows proper grading and drainage of all storm water accumulated in the parking area in such a way as to prevent drainage of water onto adjacent properties or toward buildings.
  - The following minimum design standards shall be observed in laying out off street parking facilities:

**Table 5.5.B.4 Off-Street Parking Layout**

Parking Pattern (in degrees)	Lane Width	Space Width	Space Length	Total Width of Two Tiers of Spaces Plus Center Maneuvering Lane
Parallel (0)	12'	8'	23'	40'
30 to 53	12'	9'	18'	52'
54 to 74	15'	9'	18'	58'
75 to 90	20'	9'	18'	60'





**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

5. A building permit and site plan approval shall be required for the construction of an off street parking lot of more than six (6) spaces.

### 5.6 OUTDOOR LIGHTING

- A. Intent. The purpose of this Ordinance is to provide regulations for outdoor lighting that will:
  1. Permit the use of outdoor lighting for the purposes of night-time safety, utility, security, productivity, enjoyment, and commerce.
  2. Minimize adverse offsite impacts of lighting such as light trespass and obtrusive light.
  3. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy.
  4. Help protect the natural environment from the adverse effects of night lighting.
  5. Conserve energy and resources to the greatest extent possible.
  6. Promote traffic safety by minimizing glare.
  7. Promote the general health, safety, and welfare of the Township.
- B. Specific Regulations. The following regulations shall govern external site lighting for all non-single family detached residential uses:
  1. All light fixtures shall be full cut-off fixtures, shielded such that the light-emitting portion of the fixture is not visible below the plane of the bottom of the shield (see Fig. 5.6.2). This requirement may be waived by the Township Board, upon a recommendation by the Planning Commission, for ornamental or decorative luminaries, but unshielded fixtures shall minimize glare. Decorative luminaries shall be provided with an internal system to redirect light to grade. In no case shall light from a fixture shine directly onto residential property.
  2. The use of high-efficiency lighting types such as LEDs is encouraged.

- C. Lights mounted on poles or pylons shall be located no less than twenty (20) feet from any residential property line. Lights within twenty-five (25) feet of a residential property line shall not be mounted higher than fifteen (15) feet and shall be designed such that all light is directed away from the property line. The maximum mounting height for any light on a site adjacent to residential property shall be twenty-five (25) feet.

Δ June 2, 2021

### 5.7 RESTORING UNSAFE BUILDINGS

Nothing in this Ordinance shall prevent any structure or building, declared to be unsafe by the Building Inspector, from being restored to a safe condition, provided that the restoration is not contrary to the provisions of Section 7.1 of the Ordinance.

### 5.8 ROAD FRONTAGE REQUIRED

Every residence or principal building shall be located on its own lot which shall front upon a public road for the full width of the lot. The only exceptions to this requirement shall be for the following

- A. Buildings situated on a lot located on a cul de sac, which shall have a minimum frontage on the public road of sixty (60) feet and shall comply with the lot width requirement at the mandated front setback line/
- B. Individual stores or offices of a planned retail or office complex
- C. Individual apartment buildings in a separate apartment complex, and
- D. Individual home sites in a condominium development provided they obtain approval pursuant to the Columbus Township
- E. Private Road Ordinance and Section 6.3 of this Ordinance.



## 5.9 SIGN REGULATIONS

A. Intent. The intent of this Ordinance is to create a comprehensive, balanced system of regulating signs and, thereby, to facilitate an easy and pleasant communication between people and their environment, to enhance the physical appearance of the Township, to make the Township a more enjoyable and pleasing community and to create a more attractive economic and business climate. It is intended by the provisions of this Ordinance to create a more attractive and readable signage environment by reducing the overall number of sign and advertising distractions, to eliminate hazards caused by signs being too close to the public rights-of-way, to avoid the confusion of conflicting adjacent signs, to protect property values, and to eliminate obsolete, irrelevant, nonconforming and deteriorated signs. With these purposes in mind, it is the intention of this Ordinance to authorize the use of signs which are:

1. Compatible with their surroundings.
2. Appropriate to the type of activity to which they pertain.
3. Expressive of the identity of individual proprietors or of the development as a whole.
4. Legible in the circumstances in which they are seen.
5. Consistent in size and aesthetic character with other signs in the Township.

B. General Regulations. No sign may be erected, displayed or substantially altered or reconstructed, except in conformance with the regulations specified in this Ordinance. The following conditions shall apply to all signs regardless of use district, unless otherwise specified in this Ordinance:

1. Exemptions. The following signs, as defined herein, shall be exempt from procedural, review and approval requirements as specified in the following Sections. The signs shall, however, conform to all applicable regulations specified within this Ordinance
  - a. The following signs shall not require Planning Commission approval and building permits:
    - (1) Address numbers consistent with this Ordinance (Section 5.9.B(7)).
    - (2) Governmental signs.
    - (3) Handicap signs.

- (4) Historical marker signs (official).
  - (5) Identification signs or nameplates.
  - (6) Refacing an existing sign frame (shall not include any changes to the frame or structure). Such a change shall require a building permit when applicable.
  - (7) Wall signs of three (3) inches in height or less. No more than three (3) per building.
  - (8) Warning signs and other non-advertising signs.
  - (9) Temporary signs six square feet in area or less
- b. Township, County, State or Federal road or traffic control signs shall be exempt from the provisions of this Ordinance.
  - c. In all zoning districts, flags of the United States, the State of Michigan, any political subdivision of the State of Michigan, or other flags or banners specifically approved by the Township Board for general display, are permitted as long as the size and number of such flag or flags are not of a nature commonly understood to be primarily intended as a commercial advertisement to attract the attention of the general public.
2. Prohibited Signs. Unless otherwise specifically permitted under this Ordinance, the following signs and/or sign parts shall not be permitted or erected in the Township:
    - a. Cloth signs, balloon signs or displays, streamers, windblown devices, spinners, portable signs, trailer signs and pennants.
    - b. Flashing, animated, moving or bare bulb signs or displays, except as otherwise provided for in this Ordinance.
    - c. Signs affixed to or painted on street furniture, telephone or light poles, and the like.
    - d. Banner signs, A-frame signs, and any other sign not specifically authorized herein.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- e. Changeable copy signs and LED Displays, except as part of a permanent freestanding sign. No more than fifty (50%) percent of a permanent freestanding sign shall be utilized for changeable copy unless otherwise specified in this Ordinance.
  - f. Signs painted directly onto wall surfaces.
  - g. Vehicle business signs and trailer signs.
  - h. Pylon signs
  - i. Awning and canopy signs
  - j. Billboards and other off-site signs, unless otherwise permitted by federal law.
  - k. Portable signs, unless otherwise specifically permitted by this Ordinance.
3. Locational Requirements.
- a. No sign, except as otherwise permitted herein, shall be located in, project into, or overhang a public right-of-way or dedicated public easement, or be attached to a utility pole.
  - b. No sign, except those established and maintained by the Township, County, State or Federal governments, shall be located within the clear vision triangle formed by the intersection of any two road rights-of-way and/or a road right-of-way and an access drive at points twenty five (25) feet distant from the point of their intersection.
  - c. No signs shall be located so as to impede pedestrian or automobile traffic.
  - d. In no case shall a sign be closer than fifteen (15') feet to any side or rear property line. All signs shall meet the following minimum setbacks as measured in feet from the centerline of each road right-of-way (ROW) in accordance with the Township's Master Plan (see Section 3.14.B.4). The Planning Commission may approve alternate locations based on existing setbacks or lot configurations.

Road Type (See Master Plan)	Distance in Feet
Regional (150' R.O.W.)	85
Major (120' R.O.W.)	70
Secondary (120' R.O.W.)	70
Collector (86' R.O.W.)	53
Local (70' R.O.W.)	45
Local (66' R.O.W.)	40
Cul-de-sac	70
Freeway <sup>1</sup>	50
Private Roads <sup>2</sup>	20

1. Freeways shall be measured from the established right-of-way lines.  
 2. Measured from the road easement or common usage line.

- 4. Illumination.
  - a. External illumination of signs shall be positioned in a down lit manner and shall be shielded so that the light shines away from adjoining properties and the eyes of motorists or pedestrians. The light source of such illumination shall be shielded from public view.
  - b. Specialty lighting, such as neon accent lighting, may be permitted by the Planning Commission on a finding that the proposal is in character with the use and not detrimental to other uses in the vicinity. This regulation does not apply to lighted window signs.
  - c. Down shielding shall also be provided for all internally illuminated signs to reduce the escape of light upward.
- 5. Width-to-Height Ratio. In no case shall any sign exceed a maximum width-to-height ratio of six (6) feet in width to one (1) foot in height, unless otherwise provided for within this Ordinance.
- 6. Measurement of Sign Area.
  - a. Sign area, unless otherwise noted herein, shall include the total area within any circle, triangle, rectangle, or



other geometric shape or envelope enclosing the extreme limits of writing, representation, emblem, logo, graphic or any similar figure or element of the sign, together with any frame or other material forming an integral part of the display, if any, or used to differentiate such sign from the background against which it is placed.

- b. In the case of a wall sign in which there is no frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, the envelope shall be around the full perimeter of any grouping of letters, logos, emblems, figures, pictures, etc.
- c. For a single-faced sign, the area shall be computed as the total exposed exterior surface in square feet.
- d. The area of a double-faced freestanding sign shall be computed using only one face of the sign, provided that the outline and dimensions of both faces are identical and that the faces are back-to-back so that only one face is visible at any given location. In all other cases, the sum of both faces shall be computed for the sign area.
- e. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated, or from any public thoroughfare or right-of-way, shall not be counted toward the maximum number or display area of signs permitted on the subject lot or parcel. These signs shall remain subject to Planning Commission approval, permit requirements, inspections, and height and setback requirements.

7. Addresses.

- a. Addresses shall meet the following requirements and shall not be included in sign area computations:
  - (1) Numbers shall be between four (4) and six (6) inches and shall contrast strongly with their background color or material. Numbers shall be in numerical block format.

- (2) Address numbers shall be located on all store doors at the front and rear of the facility.
- (3) Addresses shall be integrated with the structure on all monument signs and shall be clearly distinguishable from the sign face. For signs advertising more than one address, the range of addresses shall be on the sign.
- (4) All sites, including residential home sites, shall display an address which is clearly visible from the road.

C. Zoning District Regulations. For the purposes of this Ordinance, the term "site" shall be defined as all land in a development which is necessary or indicated as part of the development proposal to meet parking requirements, setback requirements, landscape requirements, drainage requirements (i.e., retention or detention basin), and lot coverage requirements. Table 5.9.C summarizes permitted sign types by district.



**Table 5.9.C Sign Types Permitted by District**

	Sign Type	Location	Max. Surface Display Area per Sign	Max. Height	Number
<b>A. AG/RS/RM/MH/OS</b>					
	1. Home occupation nameplate/identification sign	On building, ground floor, <u>or</u> freestanding (see Section 5.9.B.3)	4 square feet		1
	2. Monument sign for non-residential use	See Section 5.9.B.3	24 square feet	6 feet	1
	3. Monument sign for subdivision entrance See Section 5.9.C.1	<b>Double-sided:</b> within entrance boulevard <u>or</u> <b>Single sided:</b> each side of entrance at 45-degree angle to road	24 square feet	5 feet	1 double- sided <u>or</u> 2 single- sided
	4. Signs advertising agricultural products produced and sold on site	See Section 5.9.B.3	35 square feet	6 feet	2
<b>B. LC</b>					
	1. Office nameplate/ identification sign (multi-tenant structure)	Ground floor	4 square feet		1
	2. Wall sign (general office and retail) See Section 5.9.C.2	Street-facing façade	10% of street-facing façade or storefront, up to 60 sq ft	Top of building	1
	3. Monument Sign	See Section 5.9.B.3	42 square feet	6 feet	1
<b>C. GC</b>					
	1. Monument Sign See Section 5.9.C.3	See Section 5.9.B.3	48 square feet	8 feet	1
	2. Wall Sign	Street-facing façade	10% of storefront up to 60 sq ft (200 sq ft if use over 150,000 sq ft)	Top of building	1 per tenant
	3. Additional Wall Sign	Second street-facing façade	50% of primary façade wall sign area	Top of building	1 per site
<b>D. LI</b>					
	1. Monument Sign	See Section 5.9.B.3	32 square feet	6 feet	1
	2. Wall Sign	Street-facing façade	10% of street-facing façade, up to 80 sq ft	Top of building	1
	3. Subdivision Entrance Sign (Monument)	See Section 5.9.B.3	32 square feet	6 feet	1 per entrance





1. All Residential Zoning Districts: AG Agricultural district, MH Mobile Home district, OS Open Space district, RS Residential Single-Family district, RM Residential Multi-Family district
  - a. Home Occupations.
    - (1) One (1) identification sign or nameplate, not to exceed four (4) square feet, is permitted for each dwelling unit with a permitted home occupation.
    - (2) The sign may be freestanding or wall-mounted. Freestanding signs may not be located in the public right-of-way.
    - (3) Signs shall be unlit.
  - b. Non-Residential Uses. One (1) monument sign is permitted for each approved non-residential building site not to exceed twenty-four (24) square feet or six (6) feet in height. Reader board displays are not permitted. Electronic message boards are permitted, subject to the standards of Section 5.9.D.2.
  - c. Residential Subdivisions, Mobile Home Parks and Multiple-Family Developments.
    - (1) One (1) or two (2) monument signs at the entrance, not to exceed twenty four (24) square feet or five (5) feet in height. If a single sign is placed at the entrance, it shall be perpendicular to the exterior roadway and may be double-faced. If two signs are placed at the entrance, the signs shall be single-faced and shall be placed at an angle up to forty-five (45) degrees from the exterior roadway.
    - (2) Location of signs shall be approved as part of the site plan or subdivision approval.
    - (3) A double-sided subdivision entrance sign may be located in a traffic island at the entrance of a subdivision, but shall not be placed in the clear vision triangle.
  - d. Farms. Two (2) signs, each not to exceed thirty five (35) square feet to advertise farm produce or agricultural products produced and sold on the site.
2. Local Business Zoning Districts (LC zoning district).
  - a. In General. One (1) monument sign shall be permitted for each site or overall center, not to exceed forty two (42) square feet or six (6) feet in height. See Section 5.9.D.4 for additional regulations.
  - b. Single Tenant Developments. For general office uses and retail uses in the LC district, one (1) monument sign, as regulated in 5.9.C.2.a, and one (1) wall sign, not to exceed ten percent of the total area of the store front or street-facing building façade. The minimum size of a wall sign for a single tenant use is twenty (20) square feet, and the maximum size is sixty (60) square feet.
  - c. Multiple Tenant Developments.
    - (1) In shopping centers with multiple tenants, all signage shall be coordinated as to size, location, color and character. A coordinated sign package shall be submitted for the entire complex or center prior to individual permits being granted.
    - (2) A multi-tenant shopping center is permitted one (1) monument sign, as regulated in 5.9.C.2.a, and one (1) wall sign per store front, not to exceed ten (10) percent of the total area of that store front. In those cases where multiple tenants share an entrance, one (1) wall sign shall be permitted to include all tenants. See Section 5.9.D(9) for additional regulations.
    - (3) For multi-tenant office buildings, one (1) monument sign, as regulated in 5.9.C.2.a, and one (1) identification sign or nameplate, not to exceed four (4) square feet, for each office unit within the building.
3. General Business Zoning District (GC zoning districts).



- a. In General. One (1) monument sign shall be permitted for each site not to exceed forty eight (48) square feet in sign area and eight (8) feet in height. See Section 5.9.D.4 for additional regulations.
- b. Single Tenant Developments.
  - (1) For general office uses and retail uses in the LC district, one (1) monument sign, as regulated in 5.9.C.3.a, and one (1) wall sign, not to exceed ten percent of the total area of the store front or street-facing building façade. The maximum sign size is sixty (60) square feet.
  - (2) One (1) additional wall sign shall be permitted on buildings that front on two (2) major streets. Only one (1) wall sign shall be placed on each street façade. The wall sign on the secondary façade shall not exceed fifty (50) percent of the size of the wall sign on the primary façade. For the purposes of this Section, the primary façade shall be the façade where the main entrance is located.
  - (3) Retail establishments with over 80,000 square feet of gross floor area and over 300 feet of road frontage on a single thoroughfare shall be permitted two (2) monument signs with forty (40) square feet of sign area each. The signs shall be evenly spaced along the frontage of the site and shall not in any case abut each other.
  - (4) Large, multi-department stores and big box uses with over one hundred and fifty thousand (150,000) square feet of floor area may be permitted a wall sign area equal to ten (10) percent of store frontage up to a maximum of two hundred (200) square feet.
- c. Multiple Tenant Developments.
  - (1) In shopping centers with multiple tenants, all signage shall be coordinated as to size, location, color and character. A coordinated sign package shall be submitted for the entire complex or center prior to individual permits being granted.
    - (2) A multi-tenant shopping center is permitted one (1) monument sign, as regulated in 5.9.C.3.a, and one (1) wall sign per store front, not to exceed ten (10) percent of the total area of that store front. In those cases where multiple tenants share an entrance, one (1) wall sign shall be permitted to include all tenants. See Section 5.9.D(9) for additional regulations.
    - (3) For multi-tenant office buildings, one (1) monument sign, as regulated in 5.9.C.3.a, and one (1) identification sign or nameplate, not to exceed four (4) square feet, for each office unit within the building.
- 4. Industrial Zoning Districts (LI zoning district).
  - a. One (1) monument sign shall be permitted for each site not to exceed thirty-two (32) square feet and six (6) feet in height.
  - b. One (1) wall sign not to exceed ten percent of the area of the street-facing facade (minimum of twenty (20) and maximum of sixty (80) square feet in size, shall be permitted for each tenant having an individual public entrance to a building.
  - c. One (1) subdivision entrance sign, not to exceed thirty-two (32) square feet, shall be permitted for each major road entrance to identify an industrial or technical park.
- D. Specific Regulations.
  - 1. Directional Signs.
    - a. Directional signs shall not exceed two (2) square feet in area, and shall not exceed three (3') feet in height. No more than one (1) such sign shall be located at each drive location.
    - b. At-grade directional signs painted on or adhered to the surface of paved areas are exempt from these standards.
    - c. All directional signs required for the purpose of orientation, when established by the Township, County, State or Federal government, shall be permitted.



- d. The Planning Commission may permit additional directional signs under unique circumstances to facilitate further clarity in site circulation.
2. Electronic Message Centers (Digital Signs) shall be subject to the following requirements:
- a. Digital signs are a permitted use in the LC, GC, and LI districts.
  - b. Digital signs shall be permitted, subject to site plan approval, for nonresidential uses (places of worship, schools, public buildings, etc.) on paved roadways within the Township's AG, RS, RM, and MH districts.
  - c. Where a digital sign includes a changing message, all changes shall be instant. Any electronic message shall remain unchanged for a minimum of ten (10) seconds prior to switching messages.
  - d. A digital sign shall be integrated into the freestanding sign for the site. Off-site digital signs are not permitted. In the AG, RS, RM, and MH districts, the digital display area shall constitute no greater than fifty (50) percent of the total permitted sign area. In the LC, GC, and LI districts, the digital display area shall constitute no greater than seventy-five (75) percent of the total permitted sign area, and no greater than fifty (50) percent of the total permitted sign area for uses abutting a residential lot.
  - e. All digital signs shall maintain an automatic brightness control keyed to ambient light levels.
  - f. Digital signs shall be programmed to go dark if the sign malfunctions.
  - g. Signage shall not be designed to emulate traffic safety signage.
  - h. Digital signs shall not be constructed or placed on a property so as to directly abut or shine onto an abutting residential district.

- i. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not exceed the maximum permitted intensity level:

Table 5.9.D.2.i Permitted Sign Lighting Intensity Levels		
	Daytime	Nighttime
Permitted Brightness	250 nits	125 nits

- 3. Identification Signs for Home Occupations. Signs for home occupations located in LC, GC, and LI districts shall comply with the standards in Section 5.9.C.1.a.
- 4. Monument or Ground Signs.
  - a. If the Planning Commission determines that architectural features of the sign, such as wood, rock or brick framing, are in harmony with the surrounding area and the principal structure, the architectural features of the sign shall not count as part of the sign area.
  - b. A monument sign shall be located within a landscaped area. Such landscaping shall include evergreen shrubs and other seasonal landscape amenities.
  - c. The minimum height of all letters and numbers on a monument sign shall be as follows:

Table 5.9.D.4.c Minimum Letter and Number Height on Monument Signs	
Posted Roadway Speeds	Minimum Letter and Number Height
45 mph or greater	6 inches
30-40 mph	4.5 inches
25 mph or less	3 inches

The height of letters and numbers on an incidental message or within a logo may be less than stated above, provided the primary message meets the above standards. In no case shall letters or numbers less than the above standards comprise more than ten percent of the total sign area.

- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement



- 5. Temporary Signs.
  - a. Temporary signs shall be permitted as follows:

Table 5.9.D.5 Maximum size, maximum height, and permitted type of freestanding temporary signs				
Use	Permitted Types	Maximum Area of All Temporary Signs	Maximum Area of Any Individual Sign	Maximum Height (Freestanding)
Single Family Residential	Freestanding	6 square feet	6 square feet	4 feet
Multiple Family Residential	Freestanding	6 square feet	6 square feet	4 feet
Non-Residential Uses in RA, RP, RC, MH districts	Freestanding	6 square feet	6 square feet	4 feet
Non-Residential Uses in all other districts	Freestanding	18 square feet	12 square feet	5 feet

- b. In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of forty-five (45) days prior to until ten (10) days after a township-designated election day on which there is at least one ballot item: the maximum allowable area of temporary signs shall be increased to thirty-six (36) square feet in all districts. The maximum area of an individual sign may be increased to ten (10) square feet during this period.
    - c. Freestanding temporary signs in excess of six (6) square feet shall require a permit.
    - d. Display of temporary banners and temporary signs mounted on building walls (temporary wall signs) shall be limited to a total of twenty-eight (28) days per calendar year. Such signs shall not be displayed for any continuous period greater than fourteen (14) days. The maximum size of a banner shall be twenty (20) square feet. An applicant may substitute an a-frame sign for the banner in either period or both. A-frame signs shall not exceed twelve (12) square feet in area or five (5) feet in height. Only one (1) such sign shall be permitted at the same time on a site. Signs shall include the permit number and date of issue, written in indelible ink on the face of the sign. Temporary signs shall be removed within five (5) days of the expiration of the temporary sign permit. Signs not removed shall be removed by the Township at the expense of the owner.
    - e. Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
    - f. Temporary signs shall be subject to the maintenance standards of this section.
    - g. The maximum display time of freestanding temporary signs is 64 days. After this time expires, the sign shall be removed. Once the temporary sign is removed, there shall be a gap of at least thirty (30) days prior to re-display of the same temporary sign on the same zoning lot. This maximum time period shall not apply when a property is listed for sale.
    - h. Temporary signs are subject to the General Regulations (5.9.B.7).
- 6. Wall Signs.
  - a. A wall sign shall not project more than twelve inches (12”) horizontally beyond the wall of a building.
  - b. A wall sign shall be used to display the name of the firm, the address or a symbol, or type of business.
  - c. Wall signs shall not project above the roof line (eave) of a building or structure.
  - d. Wall signs shall not exceed ten (10) percent of the storefront (in multi-tenant developments) or ten (10) percent of the street-facing façade (in single-tenant developments). In no case shall a wall sign exceed sixty (60) square feet (except as otherwise permitted in Section 5.9.C.3.).



- e. Buildings with frontage on two streets may have a second wall sign on their secondary façade. The assignment of the primary and secondary façade shall be determined by the applicant. A second sign placed on the secondary façade shall not exceed fifty (50) percent of the area of the sign on the primary façade.
7. Window Signs. Window signs may be permitted up to a maximum of twenty (20) percent of the total window area.
- E. Submission and Permit Requirements
1. Permit Required. No person shall alter, relocate, erect, re-erect or construct any sign, except those which are exempted in Section 5.9.B.1, unless a permit for same has been issued by the Township pursuant to this Ordinance. Signs which are approved as part of a site plan do not require a separate application and sign fees for Planning Commission review. This does not include building permit fees.
  2. Application for Permit.
    - a. Written application shall be made on forms provided therefore by the Township.
    - b. Such application shall be accompanied by a site plan, sign drawing and sign data presented in accordance with the following requirements and showing the information hereinafter required:
      - (1) The site plan shall generally be drawn to a scale not less than fifty (50) feet to the inch.
      - (2) The site plan shall show the location of all existing and proposed sign(s) on the site.
      - (3) The site plan shall show the location of existing and proposed streets, roadways, parking areas, entrances and exits within fifty (50) feet of the proposed sign(s). Clearly indicate the setback and clear vision triangle (refer to Section 5.9.B.3.b).
      - (4) Drawings of the proposed sign(s) to be erected or installed on the site shall be submitted with the site plan and shall include all of the following detailed information:
        - (a) Height of the sign above the ground.
        - (b) Surface of the sign (material, color and dimensions).
        - (c) Area of sign surface. Clearly outline the areas computed as sign area on an illustration.
        - (d) Lettering, drawn as it will appear on the erected sign. It need not be in the style of the finished sign, but must be neatly printed in the size and weight approximating that of the final constructed sign.
        - (e) Method and color of illumination, if any.
        - (f) Logos, emblems or additional features.
        - (g) Such additional information as the Planning Commission deems necessary and/or pertinent to the application.
        - (h) For wall signs, a drawing of the total building wall upon whose face the sign is to be displayed at a reasonable scale, preferably 3 inches = 1 foot.
    - c. Copies of the application and all plans and supplemental statements of information required shall be filed with the Township, together with the fee as established by resolution of the Township Board and which shall be sufficient to cover the cost of administration and the reasonable expenses incurred by and for inspection and review by the Township and its consultants.
  3. Granting and Issuance of Permit.
    - a. All new signs not exempt from obtaining a permit shall be reviewed by the Planning Commission. Signs are encouraged to be reviewed and approved by the Planning Commission as part of the site plan review process. The Building Inspector, at his/her discretion, may order any sign to be reviewed by the Planning Commission.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



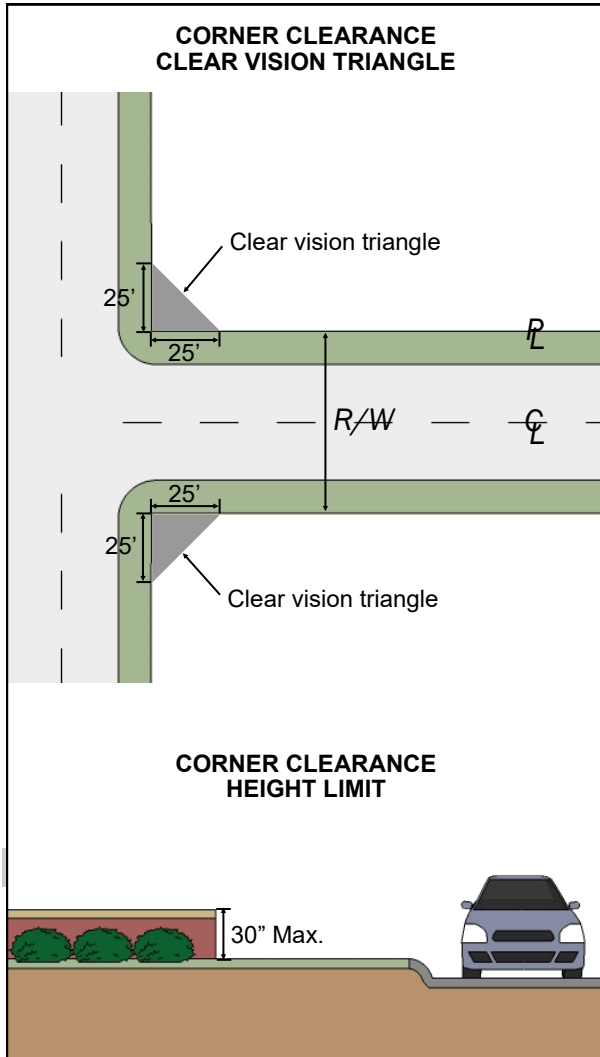
- b. Upon receipt of all necessary submissions required by this Ordinance, the Building Inspector shall forward the sign application to the Planning Commission. The Planning Commission shall either approve or disapprove the application within a reasonable time based upon the standards set forth in this Ordinance. If the application is approved by the Planning Commission and conforms to Building Code requirements, the Building Inspector shall issue a permit
- F. Nonconforming Signs. Nonconforming signs are those which do not conform to the provisions of this Ordinance but were lawfully established prior to its passage. It is the intent of this Ordinance to permit such signs to exist until they are removed, but not to encourage their survival. The following provisions shall apply to nonconforming signs:
- 1. No nonconforming sign shall be replaced by another nonconforming sign, except that the message may be changed on signs specifically designed for periodic change of message.
  - 2. No nonconforming sign shall be structurally altered, unless such alterations reduce the degree of nonconformity or are necessary for safety reasons.
  - 3. No nonconforming sign shall be re-established after the activity to which it relates has been voluntarily discontinued for 30 days or longer.
  - 4. No nonconforming sign shall be re-established after damage or destruction if the estimated expense of repair exceeds 50 percent of the total replacement cost.
- G. Maintenance of Signs
- 1. Signs, including the face, framing and all supports thereof, shall be kept and maintained in a safe condition, shall be adequately protected against corrosion and shall conform to all the provisions of this chapter.
  - 2. Signs which are broken, torn, bent or whose supports are broken, bent or damaged, and signs that are not reasonably level and plumb shall be repaired and re-installed in a manner prescribed by the Building Official or his/her designee.

- 3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code. Failure to comply with this section may result in action by the Building Official or his/her designee to rescind the permit with subsequent removal of the entire structure.
- 4. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, rippled or peeling paint, poster paper or other material for a period of more than 30 successive days.
- 5. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than 30 successive days, unless determined by the Building Official or his/her designee to pose a safety hazard, in which case immediate action may be required.
- 6. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 successive days.
- 7. An internally illuminated sign shall not be allowed to stand with only partial illumination for a period of more than 30 successive days.
- 8. Any sign erected or displayed without a permit or any sign which does not comply with the provisions of this chapter shall be deemed a hazard to the safety of the public and is declared to be a public nuisance and may be abated by removal without notice.

**5.10 VISUAL CLEARANCE AT INTERSECTION**

No fence, wall, shrubbery, sign or other obstruction to vision above a height of thirty (30) inches from the established road grades shall be permitted within the triangular area formed at the intersection of any roads by a straight line drawn between said roads at a distance along the edge of each roadway or twenty five (25) feet from the corner formed by the intersection of the roadways. Telephone, telegraph, and power transmission poles and lines, and open fences are excluded from the provision. Tree trunks shall be exempt where they are unbranched to a height sufficient to give a clear view for vehicles.





**5.11 NON-RESIDENTIAL DRIVEWAYS**

- A. Non-residential driveways, entrances and exits shall be subject to approval by the St. Clair County Road Commission, the Michigan Department of Transportation, where applicable, and by the Planning Commission after considering the effects on surrounding property, pedestrian and vehicular traffic and the movement of emergency vehicles.
- B. All non-residential sites may be permitted one (1) access drive onto the abutting public thoroughfare. Additional driveways may be permitted subject to special land use approval by the Planning Commission.

- 1. The Planning Commission shall consider the request for special land use approval after a traffic study has been submitted by the applicant which substantiates the need for additional access drives. The Planning Commission may waive such requirement if such study is deemed unnecessary and the reasons for such are noted in the minutes.
- 2. Tapers and bypass lanes shall be required, as determined by the Planning Commission. In making the determination as to whether or not additional access drives are necessary, the Planning Commission shall consider the location of driveways on adjacent sites and across the street, turning movements and traffic volumes.
- 3. In the case of a corner lot or double frontage lot, the site may be allowed the permitted number of driveways on each road frontage.
- C. Cross access easements or joint access easements shall be required for each nonresidential driveway as determined necessary by the Planning Commission.

**5.12 REPEALED**

Δ June 1, 2022

- 1** Purpose and Introduction
- 2** Definitions
- 3** Zoning Districts
- 4** Use Standards
- 5** Site Standards
- 6** Development Procedures
- 7** Admin and Enforcement



5.13 REPEALED

Δ June 1, 2022

5.14 REPEALED

Δ June 1, 2022

5.15 ACCESS MANAGEMENT STANDARDS

- A. Nonresidential driveways. The following regulations shall be applied to all nonresidential driveways throughout the Township. These regulations shall not apply to individual single family homes and farms.
1. General standard. Driveways shall be located so as to limit undue interference with the free movement of traffic, to provide the required sight distance, and to provide the most favorable driveway grade.
  2. Improvements confined to applicant's property. Driveways, including the radii, but not including right-turn lanes and tapers, shall be located entirely within the applicant's right-of-way frontage. The right-of-way frontage is determined by projecting the lot lines to the edge of the pavement of the road. The encroachment of curbs and driveway radii on adjacent property, as in the case of shared driveways, may be allowed upon written certification of

adjoining property owners, the Township, and the applicable review agency (St. Clair County Road Commission or Michigan Department of Transportation) when it has been determined that such encroachment is necessary to preserve safe road conditions.

3. Distance to intersection. No nonresidential driveway approach shall be located closer than two hundred (200) feet from an intersection of a major road, either adjacent to the site or on the opposite side of the road. This setback shall also apply to entrance and exit ramps. This distance shall be measured from the edge of the proposed driveway to the proposed right-of-way line of the intersecting street. This requirement shall apply to roads and railroads. For sites with insufficient street frontage to meet this requirement, the Planning Commission may reduce the required distance or may require the construction of the driveway along a side street, a shared driveway along the property line farthest from the intersection, or a service drive.
4. Minimum spacing between driveways. The minimum spacing between two (2) nonresidential driveways shall be based upon posted speed limits of the fronting road. The minimum spacings listed below shall be measured from centerline to centerline of each throat.

Posted Speed Limit (MPH)	Minimum Driveway Spacing (In Feet)
25	130
30	150
35	200
40	250
45	300
50 and Higher	350





In the event that a particular parcel or parcels lack sufficient arterial frontage to maintain the spacing requirements referenced above, the Planning Commission may allow for a reduction of the standards listed above. The Planning Commission may require additional driveway spacing where it is determined that the additional spacing will promote improved access and continuity of developments recommended by the Columbus Township Master Plan. The adjacent landowners may also agree to establish a common driveway. In such case, the midpoint should be the property line between the two (2) parcels. A joint easement agreement must be entered into prior to an access permit being granted.

5. Driveway offsets. To reduce left-turn conflicts, new driveways shall be aligned with those across the roadway, where possible. If alignment is not possible, driveways should be offset a minimum of one hundred and fifty (150) feet (where possible) from those on the opposite side roadway. Longer offsets may be required depending on the expected left-turn volumes of the driveway.
6. Number of driveways. The number of nonresidential driveways serving a parcel shall be the minimum necessary to provide access for passenger cars and trucks, delivery vehicles and emergency vehicles, while preserving traffic operations and safety along the public roadway. Not more than one (1) driveway may be provided for each separately owned parcel with less than three hundred (300) feet of road frontage. This access may be an individual driveway, shared driveway or via a service drive. For the purposes of this Ordinance, a one-way-in/one-way-out drive shall be considered the same as one driveway. The Township may permit one (1) additional driveway for parcels with a continuous road frontage of at least three hundred (300) feet or for a corner lot which maintains frontage on two (2) roads.

Additional drives beyond what is permitted in the above text may be permitted only after special land use approval. In allowing for the second driveway, the Planning Commission shall determine that the additional driveway is justified without compromising traffic operations along the public street.

7. Driveway design. All nonresidential driveways shall be designed accordingly to the standards of the St. Clair County Road Commission or the Michigan Department of Transportation, as appropriate. For high traffic generators, or for commercial driveways along roadways experiencing or expected to experience congestion, the Planning Commission may require two (2) egress lanes.
8. Boulevard entrances. Where a boulevard entrance is desired by the applicant or the Planning Commission, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges of the island shall be designed to accommodate the largest vehicles that will normally use the driveway. The minimum area of the island shall be one hundred eighty (180) square feet. The Planning Commission may require landscaping on the section outside of the public right-of-way. Such landscaping shall be tolerant of roadway conditions.
9. Setbacks. Driveway pavement shall be set back at least ten (10) feet from the adjoining property line to help control stormwater runoff. Driveways designed to be shared may encroach into the required setback. A greater setback may be required by the Township Engineer if necessary for drainage purposes.

#### 5.16 PERFORMANCE STANDARDS

- A. General Regulations and Limitations on Uses. The following regulations shall apply to the Open Space, Commercial, and Industrial districts as well as all special land uses and shall not apply to residential and agricultural uses as well as bona fide farming operations following Generally Accepted Agricultural Management Practices.



1. Sound Levels. Sound pressure levels resulting from any use of a site which exceed the maximum sound pressure levels established by this Section for the designated land use districts shall be prohibited.
  - a. The maximum A scale (slow response) average sound pressure levels as measured in accordance with this subsection, of any site shall be as follows:

Table 5.16.A.1.a Maximum A -Scale Average Sound Pressure Levels	
Abutting Zoning District	Maximum Sound Pressure Level [dB(A)]
Agricultural, Residential, and Commercial	50 (At District Boundary)
L-1 Light Industrial	62 (Along District Boundary)

- b. Sound pressure levels shall be measured along the property line of the site.
2. Maximum average sound pressure levels for all land use districts between the hours of 10:00 p.m. and 7:00 a.m. shall be 7 dB (A) lower than the levels set forth above. Sound pressure level measurements shall be made with a sound level meter and an octave band analyzer conforming to the specifications of the American National Standards Institute.
3. Odors and gases. No obnoxious odors or gases shall be emitted which may be harmful to public health and/or safety.
4. Glare and heat. Glare and heat from arc welding, acetylene torch cutting or similar processes shall be deflected in such a manner as to prevent any danger to persons outside of any building where such operation is being conducted.
5. Exterior Lighting. Any lights used for exterior illumination shall comply with the requirements of this Ordinance.
6. Vibration. Shall not cause a ground displacement exceeding .003 inch as measured at any property line of the premises.

7. Smoke. Emission of smoke shall not exceed the number 2 standard as established by the Ringelmann Chart for periods aggregating three (3) minutes in any fifteen (15) minutes when starting a new fire.
8. Dirt, dust and fly ash. The emission of dirt, dust and fly ash shall not exceed .3 grains per cubic foot of flue gas as measured at stack temperature of 500 degrees Fahrenheit with not to exceed fifty percent (50%) excess air. No haze shall be caused by such emission which would impair visibility.
9. Radioactive materials. No radioactive materials shall be emitted in excess of standards established by the U.S. Bureau of Standards for human safety.
10. Power. Power utilized in any industrial activity shall be derived only from electrical energy or smokeless fuels containing less than twenty percent (20%) volatile content on a dry basis. Bituminous coal shall be fired only by mechanical equipment.
11. Electrical Radiation. Electrical radiation shall not adversely affect at any point any operations or any equipment other than those of the creator of the radiation. Avoidance of adverse effects from electrical radiation by appropriate single or mutual scheduling of operations is permitted.
12. Waste. All sewage and industrial wastes shall be handled, stored, treated, and/or disposed of in compliance with all Federal, State of Michigan and Township laws and regulations.
13. Air Borne Material General. There shall not be discharged from any source whatsoever such quantities of air contaminants or other materials which cause injury, irritation, detriment, or nuisance to the public, or which endanger the comfort, repose, health or safety of persons, or which cause injury or damage to business or property.
  - a. Storage of flammable liquids, liquefied petroleum gases, explosives and other hazardous substances. All facilities shall be installed, operated and maintained in accordance with the requirements of the Fire Department, the Michigan State Police, the Fire Marshall's office and all other appropriate State agencies.



(1) Above ground. Bulk storage of such substances shall not be permitted in the L-1 district unless a special land use approval is obtained under this Ordinance. Further, primary containment of the substances shall be product tight, secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the operator to recover any released substance or as otherwise required by the appropriate State or Federal Agency.

(2) Underground bulk storage is permitted in the L-1 district as an accessory use to the principal use provided that storage tanks shall be located not less than one hundred (100) feet from any site line on the premises. Further, all existing and new facilities shall be registered with the Township as well as the appropriate State agencies.

14. Storage in the L-1 District.

- a. Inside and underground storage, other than junk, is permitted provided compliance is made with all applicable fire and safety and health regulations.
- b. Outside storage, other than junk, is permitted in connection with or part of any industrial use. Such storage shall be stored, located or deposited in a manner so as not to obstruct or interfere with any roadway or maneuvering lane the premises which could be used as a means of access for fire-fighting equipment.
- c. Outside storage of junk and/or industrial waste incident to an industrial use shall not exceed ten (10) days and shall be completely enclosed within a tight, unpermed masonry, wood or metal fence and shall comply with the requirements of this Ordinance.

B. Requirements For and Limitations on Equipment and Machinery.

1. Automatic screw machines. Such machines must be equipped with noise silencers or other sound absorbing devices and must not be located closer than two hundred (200) feet to any residential zoned district.

2. Stamping machines, punch presses, press breaks and hydraulic presses shall not be located closer than two hundred (200) feet to any district zoned for residential use nor closer than two hundred (200) feet to any one- family, two-family, or multiple-family dwelling or mobile home or other structure for permanent residential use.

All such machines shall be placed on shock absorbing mountings located on suitable reinforced concrete footings.

3. Hammers, steam or board and hot forgings in the L-1 district. No such machine or operation permitted closer than one thousand (1,000) feet to any residential zoned district. Such machine or operation is otherwise permitted when placed on shock absorbing mountings located on a suitable reinforced concrete footing, all of which shall be completely enclosed within a masonry type building.

C. The site plan shall contain a signed certified statement by the owner of the property indicating compliance with all performance standards.

5.17 ACCESSORY BUILDING REQUIREMENTS

All accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. Where the accessory building is structurally attached to the main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to the main building.
- B. No accessory building shall be erected within any required yard setback.
- C. Where a building in a non-residential district is accessory to a use of land, it shall comply with all setback requirements for a main building.
- D. Accessory buildings on corner lots shall maintain the specified front setback from both streets, as required for main buildings in the same zoning district.



- E. No accessory building shall be erected prior to the construction of the main building, except as provided in Section 5.17.C above, unless approved by the Zoning Board of Appeals. The Zoning Board of Appeals may only permit the prior construction of a building accessory to a single-family dwelling. The applicant shall be required to first obtain a building permit for the main building and shall also require that a cash performance guarantee be posted to insure completion of the main building, as a condition of approval for prior construction of a residential accessory building.
- F. Buildings accessory to residential buildings in AG, RS, OS, MH, and RM districts or any other districts with existing residential uses shall comply with the following:
1. No residential accessory building shall have exposed or uncovered walls, tarpaper, plywood sheathing, or similar materials. All exposed walls shall have a finished appearance by the application of face brick, wood, aluminum or composition siding, or similar materials approved by the Building Inspector.
  2. Detached residential accessory buildings shall not be located closer than fifteen (15) feet to the principal structure.
  3. Detached residential accessory buildings shall not be located in the front yard of the principal residence, unless the accessory building is set back at least five hundred (500) feet from the front lot line.
- G. Buildings accessory to residential buildings in AG, RS, and OS districts or any other districts with existing residential uses shall also comply with the following:
1. The maximum allowable size for the total of all accessory buildings on an individual home site shall be determined according to the following table:

**Table 5.17.G.1 Total Allowable Accessory Building Area**

Parcel Size	Allowable Area	Maximum Building Height
2.0 acres or less	1,800 sq. ft.	28'
2.01 - 3.5 acres	2,400 sq. ft.	28'
3.51 - 4.5 acres	3,000 sq. ft.	30'
4.51 - 7.0 acres	3,600 sq. ft.	30'
7.01 acres or larger	7,500 sq. ft. *	30'

\*Any accessory building on a parcel of land of 7.0 acres or more and exceeding 7,500 square feet in size shall be subject to Special Land Use review as described in Section 6.1.

- Maximum building size shall be calculated by total square footage of all footprints. Square footage within a loft or additional story shall not be counted toward allowable square footage.
- Accessory building requirements shall not affect any working farms.

2. Attached or detached garage square footage over 720 square feet shall count toward maximum allowable accessory building square footage.
3. All detached accessory buildings shall maintain the front, side and rear setback requirements in the particular zoning district. No detached accessory building shall be located closer than fifty (50) feet to a residence on an adjoining parcel.
4. Lot size is determined by gross area of lot.



5. The total square footage of all accessory buildings may limit future division of the lot or parcel.
  6. On parcels of land 3.5 acres or less, a total of two (2) accessory buildings may be permitted provided the total square footage provided above is not exceeded. On parcels 3.51 acres or more, a total of three (3) accessory buildings may be permitted, again, provided the total square footage provided above is not exceeded.
  7. All accessory buildings shall have a minimum roof pitch in accordance with the Michigan Building Code, except that in no case shall the pitch be less than 2:12.
  8. Accessory buildings not fully enclosed by walls shall be considered part of total accessory building square footage.
- H. Over the road truck trailers, shipping containers, other enclosed trailers, and similar vehicles, trailers, and containers shall not be used as accessory buildings in any zoning district, except that the Zoning Board of Appeals may permit the use of such vehicles, trailers, and containers as a temporary use, subject to Section 7.7.B.2.c.

#### 5.18 STORAGE OF VEHICLES, TRAILERS, AND MACHINERY

- A. No automotive vehicles, travel trailers, utility trailers, motorized or non-motorized watercraft and or other recreational vehicle(s), whether or not they are registered with the Michigan Secretary of State, shall be parked or stored on any vacant lot in any district. A mobile home being utilized while a permanent home is being constructed shall be permitted as regulated by Section 4.29. For the purposes of Section 5.18, a vacant lot shall refer to any lot upon which no dwelling unit or other building or approved principal use exists.
- B. Over the road truck trailers, shipping containers, and similar vehicles and containers shall not be stored on any lot in any zoning district except as follows:
  1. Commercially leased mobile storage units may be kept on a site for up to one hundred twenty (120) days; such units may be kept on a site during construction provided that a valid building permit for said construction has been issued by the Township.

2. Such vehicles and containers may be kept on the lots of working farms and businesses provided that they are customary and integral to the operation of the farm or business and properly registered for such use.

#### 5.19 HAZARDOUS MATERIALS

All business and facilities which use, store, or generate hazardous substances in quantities greater than 100 kilograms per month (equal to approximately 25 gallons or 220 pounds) shall comply with the following requirements:

- A. Aboveground Storage
  1. Primary containment of hazardous substances shall be product tight.
  2. Secondary containment of hazardous substances shall be provided for all facilities. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the operator to recover any released substance.
  3. Outdoor storage of hazardous substance is hereby prohibited except in product tight containers which are protected from weather, leakage, accidental damage, and vandalism. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the operator to recover any released substance, including an allowance for the expected accumulation of precipitation.
  4. At a minimum, State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport, and disposal shall be met.
- B. Underground Storage
  1. Existing and new underground storage tanks shall be registered with the Michigan Department of Natural Resources in accordance with Federal and State requirements
  2. Installation, operation, and maintenance of underground tanks shall be in accordance with the requirements of the Fire Department, the Michigan State Police, Fire Marshall Division, and the Michigan Department of Natural Resources.

**1**  
Purpose and Introduction

**2**  
Definitions

**3**  
Zoning Districts

**4**  
Use Standards

**5**  
Site Standards

**6**  
Development Procedures

**7**  
Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

3. Out of service and/or abandoned underground tanks shall be emptied and removed from the ground if they have been out of service for more than nine (9) months, unless an extension is approved by the Township Board, after consultation with the Fire Chief.

- B. New construction on all sites other than single family homes shall include, at a minimum, the installation of a concrete pad capable of supporting a trash enclosure meeting the standards of item A above, regardless of whether the proposed use intends to have an outdoor trash receptacle or area for storage of waste.

Δ June 2, 2021

**5.20 FENCES**

All fences in the township shall be installed in accordance with Chapter 16 Fences of the Columbus Township Code of Ordinances.

**5.21 TRASH ENCLOSURES**

- A. For all uses other than single family homes, all outdoor trash receptacles and areas used for the storage of waste products shall be enclosed and screened from the view of public rights-of-way and adjacent residential properties as follows:
  1. The receptacle or storage area shall be enclosed within a fully obscuring fence or wall not less than five (5) feet in height and not more than eight (8) feet in height.
  2. The fence or wall shall be constructed of durable materials and designed to match the exterior finish of the principal building on the site.
  3. The enclosure shall be accessed by a gate. The gate shall be obscuring and shall remain closed when the enclosure is not being accessed.
  4. The enclosure shall be set back no less than fifteen (15) feet from any residential property line.
  5. No trash enclosure shall be located in a front yard.
  6. All trash enclosures shall be mounted on a base of concrete, graded so as to ensure proper drainage of the enclosure. The pad shall extend 12 feet outside the enclosure in front of the gate. The route of access to the trash enclosure shall be fully paved.
  7. All trash enclosures and trash receptacles shall be kept in good repair and maintained in a clean and orderly manner.
  8. On all sides of a pad that do not abut pavement, a turndown/rat wall shall be installed.



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 6.0 Development Procedures



**Article 6.0 Development Procedures**

6.1 Special Land Use Approval \_\_\_ 6-3

6.2 Site Plan Review and Approval \_\_\_\_\_ 6-6

6.3 Condominium Subdivision Approval \_\_\_\_\_ 6-8

6.4 Certificate of Zoning Compliance \_\_\_\_\_ 6-9





# 6.0 Development Procedures

## 6.1 SPECIAL LAND USE APPROVAL

- A. Purpose. It is recognized that in addition to the compatible uses which are permitted in a particular district as a matter of right, there are certain other uses which may be necessary or desirable to allow in certain locations in the district, but because of their actual or potential impact on neighboring uses or public facilities, there is a need to carefully regulate them in respect to their location, design, and operation. Therefore, it may be necessary to impose special requirements upon such uses as a condition for permitting their establishment.
- B. Special Land Use Permit Required. Uses which are identified as “special land uses” in this Ordinance shall be established only after the issuance of a special land use permit by the Township Board. The Township Board shall approve or deny a request for a special land use permit only after the Planning Commission has held a public hearing as described in subsection C. below and forwarded a recommendation to the Board.
- C. Public Hearing and Notice. The Planning Commission shall hold a public hearing on any request for special land use approval. Once notice that a request for special land use approval has been received, it shall be published in a newspaper which circulates in the Township, and delivered by U.S. Mail to the owners of the property being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than fifteen (15) days prior to the hearing. The notice shall describe the nature of the special land use request, indicate the property which is subject to the request, state the time, date and place of the public hearing, and indicate where written comments will be received concerning the request.
- D. Standards for Making Determination. No proposed use shall be permitted unless the facts of the case establish beyond a reasonable doubt that the use will meet the following standards:
1. Will be served adequately by essential facilities and services such as roads, police and fire protection, drainage facilities, refuse disposal, sewage disposal, and water supply.
  2. Shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
  3. Shall 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 and provisions for pedestrian traffic, with particular attention to minimizing potential child vehicle interfacing.
  4. Shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
  5. Shall be such that the proposed location, nature and height of walls, fences, and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonable affect their value.
  6. Shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development and need for particular services and facilities in specific areas of the Township.
  7. Is necessary for the public convenience at the proposed location.
  8. Is so designed, located, planned and to be operated that the public health, safety and welfare will be protected.
  9. Shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

If it is determined that a proposed use will comply with these standards provided that certain features of design or methods of operation are implemented, the Township Board shall set such requirements for design or operation as may be necessary to achieve compliance with the above listed standards. In determining requirements for a particular use, the Board shall consider all the aspects of that use which have impact that fall within the scope of regulation of this Ordinance, and the Board shall be guided by the requirements specified in this Ordinance for similar aspects of other uses.

- E. Site Plan Requirements. For all special land uses, a site plan shall be submitted for review by the Planning Commission and Township Board which conforms to all requirements and procedures for site plan review set forth in Section 6.2
- F. Approval. If the Township Board determines that the particular special land use should be allowed, it shall endorse its approval thereof on the written application and clearly set forth in writing thereon the particular use(s) which have been allowed. Thereafter, the enforcing officer may issue a building permit in conformity with the particular special land use so approved. In all cases where a particular special land use has been granted as provided herein, application for a building permit in pursuance thereof must be made and received by the Township not later than one hundred and twenty (120) days thereafter, or such approval shall automatically be revoked, provided, however, the Township Board may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six (6) months as it shall determine to be necessary and appropriate.
- G. Denial. If the Township Board shall determine that the particular special land use(s) requested does not meet the standards of this Ordinance or otherwise will tend to be injurious to the public health, safety, welfare, or orderly development of the Township, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial. The decision to deny the special land use may be appealed before the Columbus Township Zoning Board of Appeals. The Zoning Board of Appeals shall prepare a transcript of the proceeding of any such appeal which shall constitute the official record of the appeal.

- H. Record. The decision on a special land use shall be incorporated in a statement of conclusions relative to the special land use under consideration. The decision shall specify the basis for the decision, and any conditions imposed.
- I. Conditions. The Township Board may impose such conditions or limitations in granting approval as may be permitted by State Law and this Ordinance which it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include, conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent land uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall do all of the following:
  - 1. Be designed to protect the natural resources, the health, safety, and welfare, as well as the social and economic well-being of those who will use the land use activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
  - 2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
  - 3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to insure compliance with those standards.

The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the approving authority and the landowner.

The Township Board shall maintain a record of changes granted in conditions.



J. Revocation

1. In all cases where a particular special land use has been granted as provided herein, application for a building permit in pursuance thereof must be made and received by the Township not later than one hundred twenty (120) days thereafter, or such approval shall automatically be revoked; provided, however, the Planning Commission may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six (6) months as it shall determine to be necessary and appropriate.
2. A special land use permit shall be valid for a period of twelve (12) months after the date of issuance of the building permit. If construction has not commenced and proceeded meaningfully toward completion by the end of this 12-month period, the Building Official shall notify the applicant in writing of the expiration of said permit; provided, however, that the Planning Commission may extend the permit for a period of time not exceeding six (6) months if it is satisfied that the owner or developer is maintaining a good faith intention to proceed with construction. Once the special land use is established and the conditions of the permit fulfilled, the special land use permit shall be valid until such time that there is a change of conditions or use related to the permit. The Planning Commission reserves the right to review, with the applicant and the Township Zoning Administrator, the status of Special Use Permits on an annual basis.
3. If any special land use fails to conform to the specific standards for the particular use, any conditions imposed as part of the special land use permit, the Performance Standards of Section 5.16, any other provisions of this Zoning Ordinance, or any federal, state and local statutes governing the particular land use allowed under the permit, then the Township Board shall have the authority to revoke the special land use permit based on a site inspection by the Ordinance Enforcement Officer and its own findings of fact. Prior to revoking the special land use permit, the Township shall:

- i. Have its Ordinance Enforcement Officer inspect the site and use under consideration and issue a written notice of the violation(s) found to the current permit holder by Regular US Mail.
- ii. Offer the permit holder thirty (30) days to correct all violations, without penalty.
- iii. If all violations are not corrected within thirty (30) days, the Township Board shall hold a revocation hearing as follows:
  - (1) The Township Board shall notify the permit holder by Regular U.S. Mail of the date, time and place of a hearing concerning the proposed revocation of the special land use permit.
    - (a) Public notice of the revocation hearing shall be given in the manner required by the Michigan Zoning Enabling Act.
    - (b) During the hearing, the permit holder shall be afforded an opportunity to present any reasons for why the standards of the permit and/or this Ordinance are not being met.
    - (c) Following the hearing, the Township Board may revoke the special land use permit, based upon findings made in the specific case and testimony received during the hearing, and shall notify the permit holder of the findings and decision in writing.



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

**6.2 SITE PLAN REVIEW AND APPROVAL**

A site plan shall be submitted for all new construction, structural alteration, or substantial change in use, as determined by the Planning Commission, for all principal permitted uses in RM, MH, LC, GC and LI districts, for all special land uses in every district, and for any other use which requires an off street parking lot. Prior to the issuance of a building permit or a certificate of occupancy, all required information shall be shown on a site plan drawing filed with the application form provided by the Township Clerk. If the required number of copies of the application and the site plan drawing are received at least fifteen (15) days prior to a regular meeting, the site plan will be forwarded to the Township Planner, Township Engineer, Township Attorney (where necessary) and placed on the Planning Commission’s meeting agenda.

6.2 Site Plan Requirements	
A. Application Form Contents	
	1. Applicant's Name and Address
	2. Name of the Proposed Development
	3. Common Description of the Property and Complete Legal Description
	4. Dimensions of the land, width, length, acreage and frontage
	5. Existing zoning and zoning of adjacent properties
	6. Proposed Use of land
	7. Name, address, city and phone number of:
	a. Firm or individual who prepared the site plan
	b. Legal owner of the property
	c. Applicant (including basis of representation)
	8. Signature of legal owner if not the applicant
B. Site Plan Drawings - Required Content	
	1. Location map showing the site in relation to nearest major intersection
	2. A scale of not less than 1"=30' if the developed portion of the subject property is five (5) acres or less, and 1"=100' if over five (5) acres
	3. Date and north point
	4. Location of all existing and proposed structures and uses
	5. All aisle, drives and parking areas (include number of spaces in each)
	6. Screening and/or protective walls
	7. Principal and accessory buildings
	8. Location of existing and proposed rights of way, widths of all abutting streets, alleys and easements
	9. Types of facing materials to be used on structures.
	10. Elevations (front, side, and rear) of all sides of the building(s)
	11. A floor plan drawing showing the specific use areas of all existing and proposed buildings onsite.



**6.2 Site Plan Requirements (Continued)**

**B. Site Plan Drawings - Required Content (Continued)**

	12. Seal of registered architect, landscape architect, land surveyor, professional community planner, or civil engineer who prepared the plan. In case of minor structural alterations where professional services are not required, additions of three hundred (300) square feet or less, or for changes in the use of existing buildings, the Planning Commission may waive this requirement
	13. Density calculations (for multiple family projects)
	14. Existing buildings or improvements on the site and on all property adjacent to the site that are within one hundred (100) feet.
	15. Designation of units by type of buildings
	16. Interior sidewalks and sidewalks within the right of way
	17. Exterior lighting locations and methods of shielding them from projecting onto adjoining property
	18. Trash receptacle location and method of screening
	19. Landscape plan
	20. Drive or street approaches including acceleration, deceleration and passing lanes, if appropriate
	21. All utilities located on or serving the site
	22. Loading and unloading area
	23. Total floor area
	24. Designation of fire lanes
	25. Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimension, noise, vibration, and emission levels, and other data of all such equipment or machinery
	26. Location and extent of development of recreation areas, when necessary
	27. Existing and proposed contours shall be provided at an interval of one (1) foot. These shall clearly indicate the proposed grading and drainage plan and shall identify any areas of reclaimed or filled land.

**C. Sign Information**

Separate drawings of the proposed sign(s) to be erected on the site may be submitted at the time of site plan review or at a later date. The location of all signs shall be shown on the site plan but the following detailed information may be deferred until later, if the applicant chooses:

	1. Height of the sign above the ground
	2. Surface of the sign (materials and dimensions)
	3. Area of sign surface
	4. Lettering of the sign, drawn as it will appear on the erected sign, need not be in the style of the finished sign but must be neatly printed in the size and of a weight approximately that of the final constructed sign
	4. Method of illumination, if any



- D. Procedures. The petition will be placed on the agenda of a meeting of the Planning Commission and a decision for acceptance, revision or disapproval will be made after the Commission has received a report from all Township departments, Community Planner, Township Engineer and/or Township Attorney, where necessary.
  - A. Upon determination of the Planning Commission that a site plan is in compliance with the Zoning Ordinance as amended, and other plans, or regulations, it will be so indicated on the site plan.
  - B. Upon determination of the Planning Commission that a site plan is in compliance except with minor revisions, said changes shall be so indicated. When these changes have been adequately provided, the petitioner may resubmit the site plan to the Planning Commission for approval, or.
  - C. If extensive revisions to the site plan are necessary to meet the Ordinance requirements and standards, the site plan shall be disapproved and the applicant requested to prepare an alternative site plan. In this case "DISAPPROVAL" shall be written on the plan and the reason for disapproval indicated. If the applicant desires to prepare an alternative plan, the same procedure as outlined above must be met.
  - E. Approval Valid for One (1) Year. Upon approval of a site plan by the Planning Commission a building permit shall be requested by the petitioner within twelve (12) months or the site plan shall be declared to be invalid. Upon receipt of a building permit, reasonable construction shall be commenced within six (6) months, and reasonably continued, or the site plan and building permit shall be declared to be invalid, unless the petitioner requests an extension and obtains a renewed building permit from the Building Inspector.

### 6.3 CONDOMINIUM SUBDIVISION APPROVAL

Pursuant to authority conferred by Section 141 of the Condominium act, Act 59 or 1978, as amended, all condominium subdivision plans must be approved by the Planning Commission. In determining whether to approve a condominium subdivision plan, the Planning Commission shall consult with the Township Attorney, Township Engineer, and Township Planner regarding the adequacy of the master deed, deed restrictions, utility systems and streets, subdivision layout and design, and compliance with all requirements of the Condominium Act.

- A. Condominium Subdivision land - Required Content. All condominium subdivision plans shall include the information required by Section 66 of the Condominium Act and the following:
  1. A survey plan of the condominium subdivision.
  2. A flood plain plan, where appropriate.
  3. A site plan showing the location, size, shape, area and width of all condominium units.
  4. A utility plan showing all sanitary sewer, water, and storm sewer lines and easements granted to the Township for installation, repair and maintenance of all utilities.
  5. A street construction and paving plan for all streets within the proposed condominium subdivision.
  6. A storm drainage and stormwater management plan, including all lines, swales, drains, basins, and other facilities.
  7. The condominium subdivision plan shall show the size, location, area and horizontal boundaries and volume for each unit comprised of enclosed air space. A number shall be assigned to each condominium unit. The condominium subdivision plan shall include the nature, location, and approximate size of common elements.



- B. Easement for Utilities. The condominium subdivision plan shall include all necessary easements granted to Columbus Township for the purpose of constructing, operating, inspecting, maintaining, repairing, altering, replacing and/or removing pipelines, mains, conduits, and other installations of a similar character (hereinafter collectively call “public structures”) for the purpose of providing public utilities, including conveyance of sewage, water and storm water runoff across, through and under the property subject to said easement, and excavating and refilling ditches and trenches necessary for the location of said structures.
- C. Streets. All condominium subdivision shall have public streets constructed according to the standards of the Columbus Township General Development Ordinance 58 and approved by the St. Clair County Road Commission.
- D. Encroachment Prohibited. Encroachment of one condominium unit upon another, as described in Section 40 of the Condominium Act, shall be prohibited by the condominium bylaws and recorded as part of the master deed.
- E. Relocation of Boundaries. The relocation of boundaries, as described in Section 48 of the Condominium Act, shall conform to all setback requirements of this Ordinance for the district in which the project is located, shall be approved by the Planning Commission, and this requirement shall be made a part of the bylaws and recorded as part of the master deed.
- F. Subdivision of condominium Units. All subdivisions of individual condominium units shall conform to the requirements of this Ordinance for minimum lot width, lot area, and building setback requirements, shall be approved by the Planning Commission, and these requirements shall be made part of the bylaws and recorded as part of the master deed.
- G. Mobile Home Condominium Project. Mobile home condominium projects shall conform to all requirements of this Ordinance and shall be located only in a MH Mobile Home Park district.
- H. Condominium Subdivision Layout, Design and Approval. All Condominium Subdivision Plans shall conform to the plan preparation requirements; review and approval procedures; design, layout and improvements standards of Section 301 and 400 through 503 of the Columbus Township Subdivision Regulations Ordinance No. 20, as amended. The

requirements for final plat approval in Section 302 of Ordinance No. 20 shall not apply to condominium subdivision plans, except that a deposit in the form of cash, certified check, or irrevocable bank letter of credit shall be made with the Township of Columbus to guarantee the installation and completion of any required public sanitary sewer, water supply, and drainage facilities, within a length of time agreed upon from the date of final approval of the condominium subdivision plan by the Planning Commission. Nothing in this Section shall be construed as requiring a condominium subdivision to obtain plat approval under Ordinance No. 20 or the Subdivision Control Act.

#### 6.4 CERTIFICATE OF ZONING COMPLIANCE

- A. A certificate of zoning compliance shall be required for any non-residential, non-agricultural use in Columbus Township established on or after [DATE OF ADOPTION]. Application for the certificate shall be made on an application provided by the township, and shall include a fee, as established by a resolution of the Township Board. Zoning compliance certificates are required in the following circumstances:
  - 1. Establishment of any new non-residential, non-agricultural use, excluding home occupations as defined in this ordinance.
  - 2. A change of use or re-occupancy in any existing non-residential, non-agricultural building or on any existing non-residential, non-agricultural parcel.
  - 3. The conversion of a residential structure or parcel to a non-residential, non-agricultural use.
  - 4. The conversion of an agricultural structure or parcel to a non-agricultural or non-residential use.
- B. For any use requiring special land use or site plan approval, a certificate of zoning compliance shall be issued as part of the final approval for said site plan or special land use.
- C. No building, plumbing, electrical, mechanical, or other permit shall be issued for a non-residential, non-agricultural use unless a certificate of zoning compliance has been obtained. Existing businesses applying for such a permit shall also apply for a zoning compliance certificate at the time of application.

**1**  
Purpose and  
Introduction

**2**  
Definitions

**3**  
Zoning  
Districts

**4**  
Use  
Standards

**5**  
Site  
Standards

**6**  
Development  
Procedures

**7**  
Admin and  
Enforcement



**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

(Intentionally Blank)





**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement

# Article 7.0 Administration, Appeals and Enforcement



**Article 7.0 Administration, Appeals and Enforcement**

7.1 Nonconformities \_\_\_\_\_ 7-3

7.2 Performance Guarantee \_\_\_\_\_ 7-6

7.3 Ordinance Enforcement \_\_\_\_\_ 7-7

7.4 Certificate of Occupancy \_\_\_\_\_ 7-7

7.5 Collection of Fees \_\_\_\_\_ 7-7

7.6 Violation and Penalties \_\_\_\_\_ 7-7

7.7 Zoning Board of Appeals \_\_\_\_\_ 7-8

7.8 Ordinance Amendments, including Rezoning \_\_\_\_\_ 7-11



# 7.0 Administration, Appeals, and Enforcement

## 7.1 NONCONFORMITIES

- A. Intent. It is the intent of this Ordinance to permit nonconforming lots, structures, or uses to continue until they are removed but not to encourage their survival.

It is recognized that there exists within the districts established by this Ordinance and subsequent amendments, uses which were lawful before this Ordinance was passed or amended which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendments. Such uses are declared by this Ordinance to be incompatible permitted uses in the districts involved. It is further the intent of this Ordinance that non conformities shall not be enlarged up, expanded or extended, not be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this Ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises or by the addition of other uses of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction is hereby defined to include the placing of construction material in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such as demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

### B. Nonconforming Lots

1. 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 buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. This provision shall conform to the regulations for the district in which such lot is located. Yard requirements variances may be obtained through approval of the Zoning Board of Appeals.
2. 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 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, not shall any decision of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Ordinance.

- C. Nonconforming Uses of Land. Where, at the effective date of adoption or amendment of this Ordinance, lawful use of land exists that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued, so long as it remains lawful, subject to the following provisions:

1. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance.
3. If such nonconforming use of land ceases for any reasons for a period of more than ninety (90) days, any subsequent use of this land shall conform to the regulations specified by this Ordinance for the district in which such land is located.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

D. Nonconforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reasons of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such structure may be enlarged, or altered in a way which increases its nonconformity; for example, existing residences on lots of a width less than required herein may add a rear porch provided that other requirements relative to yard space and land coverage are met.
2. Except as permitted in item 4 below, should such a structure be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost, at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations of the district in which it is located after it is moved.
4. Repair or replacement of nonconforming single family dwellings. A nonconforming single family dwelling and its accessory structures may be continued, replaced, repaired or remodeled if damaged by flood, fire, tornado or other natural events, accidents or vandalism, subject to approval of a permit issued by the Building Department. Such approval requires a finding that the resulting building footprint will be within 20 percent of the size of the building before such change. Replacement of such nonconforming single family building shall commence within one (1) year of the date of damage and work shall be diligently pursued toward completion. Failure to complete replacement or diligently work toward completion shall result in the loss of legal, nonconforming status unless good cause for the delay is accepted at a hearing before the Zoning Board of Appeals.

E. Nonconforming Uses of Structures and Land. If a lawful use of a structure, or of structures and land in combination, exists at the effective date of adoption or amendment 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, 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 nonconforming structure use may be extended throughout any parts of a building which were manifestly arranged or designed for such use, and which existed 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. In any district, if no structural alterations are made, any nonconforming use of a structure, or structure and premises may be changed to another nonconforming use of the same or a more restricted classification provided that the Zoning Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Zoning Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this Ordinance. Where a nonconforming is hereafter changed to a more restrictive classification, it shall not thereafter be changed to a less restricted classification.
4. Any structure, or structure and land in combination, in or on which a nonconforming use is superceded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.



5. When a nonconforming use of a structure and premises in combination, is discontinued or ceases to exist for twelve (12) consecutive months, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located. Structures occupied by seasonal uses shall be excepted from this provision.
  6. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
- F. Repairs and Maintenance. On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non bearing walls, fixtures, wiring or plumbing to an extent not exceeding fifty (50) percent of the assessed value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this Ordinance shall not be increased.
- 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 any official charged with protecting public safety, upon order of such official.
- G. Uses Allowed as Special Land Uses Not Deemed Nonconforming Uses. Any use which is permitted as a special land use as provided in this Ordinance shall not be deemed a nonconforming use but shall without further action be deemed as a conforming use in such district.
- H. Change of Tenancy or Ownership. There may be a change of tenancy, ownership or management of any existing nonconforming uses of land, structures and premises provided there is no change in the nature or character of such nonconforming uses.
- I. Classification of Nonconforming Uses

1. Class A and Class B Nonconforming Uses: Class A nonconforming uses and structures are those which have been so designated by the Zoning Board of Appeals after application by any interested person or the Building Inspector upon findings that (1) continuance thereof would not be contrary to the public health, safety or welfare, (2) that the use or structure does not and is not likely significantly depress the value of nearby properties, (3) that the use or structure was lawful at the time of its inception, and (4) that no useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structure does not conform.
 

All nonconforming uses, buildings or structures not designated as Class A are Class B nonconforming uses, buildings or structures.
2. Procedures for Obtaining Class A Designation, Conditions: A written application shall be filed with the Township Clerk setting forth the name and address of the applicant, giving a legal description of the property to which the application pertains and including such other information as may be necessary to enable the Zoning Board of Appeals to make a determination of the matter. The Zoning Board of Appeals may require the furnishing of such additional information as it considers necessary. The notice and hearing procedures before the Zoning Board of Appeals shall be the same as in the case of an application for a variance. The decision shall be in writing and shall set forth the findings and reasons on which it is based.
 

Conditions may be attached, including any time limits, where necessary to assure that the use, building or structure does not become contrary to the public health, safety or welfare or the spirit and purpose of this Ordinance.

No vested interest shall arise out of a Class A designation.
3. Revocation of Class A Designation: Any Class A designation shall be revoked, following the same procedure required for designation, upon a finding that as a result of any change of conditions or circumstances the use or structure no longer qualifies for Class A designation.

- 1**  
Purpose and Introduction
- 2**  
Definitions
- 3**  
Zoning Districts
- 4**  
Use Standards
- 5**  
Site Standards
- 6**  
Development Procedures
- 7**  
Admin and Enforcement



4. Regulations Pertaining to Class A Nonconforming Uses and Structures
  - a. No Class A nonconforming use of land, building or structure shall be resumed if it has been, for any reason, discontinued for a continuous period of at least twelve (12) months or if it has been changed to a conforming use for any period.
  - b. An individual Class A use or structure may be used, altered or enlarged provided that it does not violate any condition imposed by the Zoning Board of Appeals at the time of its designation.
  - c. The expansion of all Class A nonconforming uses, except those used as single family dwellings, shall require site plan approval by the Planning Commission prior to the issuance of a building permit.
5. Regulations Pertaining to Class B Nonconforming Uses and Structures
  - a. Intent - it is the purpose of this Ordinance to eliminate Class B nonconforming uses and structures as rapidly as is permitted by law without payment or compensation.
  - b. No Class B nonconforming use shall be resumed if it has been discontinued for a continuous period of at least twelve (12) months or if it has been changed to a conforming use for any period.
  - c. No Class B nonconforming structure shall be enlarged or structurally altered, nor shall it be repaired or reconstructed if damaged by fire or other casualty to the extent that the cost of reconstruction or repair exceeds fifty (50) percent of the reproduction cost of such structure.
  - d. No Class B nonconforming use shall be changed to a substantially different nonconforming use, nor enlarged so as to make use of more land area than used at the time of becoming nonconforming.
  - e. In the case of soil removal operations, existing holes or open pits may be worked and enlarged on the land which constituted the lot on which the operations were conducted at the time of becoming nonconforming, but no new holes or open pits shall be established.

- f. No Class B nonconforming use or structure shall be permitted to continue in existence if it was unlawful at the time of its inception.
  - J. Record of Nonconforming. Within six (6) months after adoption of this Ordinance, the Building Inspector shall compile a record of all known nonconforming uses and structures existing at the time of adoption of this Ordinance. Such record shall contain the names and addresses of the owners and record of the nonconforming use, the legal description of the land as contained in the latest assessment roll, and nature and extent of the nonconforming use. Such record shall also contain any information regarding action by the Zoning Board of Appeals for designation of Class A status. The official record of nonconforming uses shall be kept in the office of the Township Clerk.
  - K. Record of Nonconforming Uses. The Building Inspector shall prepare a record of all nonconforming uses, as provided in Section 7.1.J of this Ordinance, which record shall be kept on file in the office of the Township Clerk.

**7.2 PERFORMANCE GUARANTEE**

Whenever improvements such as construction of parking lots, installation of greenbelts, screen walls, or other similar improvements are required by the Ordinance they shall be shown on a site plan for the proposed use. In addition, the owner of the subject property shall deposit with the Township Clerk a cash performance guarantee or bank letter of credit in the amount of \$500.00 or ten (10) percent of the estimated cost of the required improvements, whichever is the larger amount. The entire sum shall be returned to the owner upon satisfactory completion of the required improvements within the time limits specified herein. If a greenbelt is the only improvement for which a bond is required, the amount shall be based upon the standards of Section 5.3 of this Ordinance. Wherever a performance guarantee is otherwise required in this ordinance, the amount of the cash performance guarantee or bank letter of credit shall be in an amount reasonably estimated by the building official to be sufficient to secure the purposes of the guarantee.



### 7.3 ORDINANCE ENFORCEMENT

The provisions of this Ordinance shall be administered by the Zoning Administrator or his/her designee. The Zoning Administrator or his/her designee shall have the power to make inspection of buildings and premises necessary to carry out the administration and enforcement of this Ordinance. He/she shall not have the power to vary or waive Ordinance requirements.

### 7.4 CERTIFICATE OF OCCUPANCY

No permanent certificate of occupancy shall be issued under the Building Code of Columbus Township until all requirements of this Ordinance have been met.

### 7.5 COLLECTION OF FEES

The Township Board may by resolution adopt schedules of fees to be charged to persons, applying for amendments to this Ordinance, special land use permits, variances, review of site plan, appeals to the Zoning Board of Appeals, or inspections and the issuance of permits or certificates required under the provisions of this Ordinance. Applicants shall deposit the required sum with the Township Treasurer at the time that the petition is filed for any of the above-listed amendments, special land use permits, variances, reviews, appeals, or inspections, and in advance of the issuance of any required permits or certificates. In any case where a special land use approval, site plan approval, ruling by the Zoning Board of Appeals, permit, or certificate is required prior to construction, and such approval, ruling, permit, or certificate was not obtained prior to construction, the party responsible for that construction shall apply for the required approval, ruling, permit, or certificate within 10 days of notification. If application is made greater than 10 days after notification, the responsible party shall pay 200 percent of the fee set by the Township Board at the time of application.

### 7.6 VIOLATION AND PENALTIES

- A. Violation a Nuisance. Any building erected, altered, moved, razed, or converted, or any use of land or premises carried on in violation of any provision of this Ordinance is declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction.
- B. Inspection of Violation. The Building Department shall inspect each alleged violation and shall order correction, in writing, of all conditions found to be in violation of this Ordinance. The order to correct a violation shall be issued by serving personally, or by sending, by registered mail, return receipt requested, such order to the last known address of the owner of the property upon which the violation occurs, or when applicable, the violator. A party who has failed to accept such registered mail shall be deemed to have been served.
- C. Correction Period. All violations shall be corrected within a period of ten (10) days after the order to correct is served unless, in the opinion of the Building Department, a lesser time period is required because of imminent danger to the health, safety or welfare of the inhabitants of the Township. A violation not corrected within the required time period shall be reported to the Township Attorney, who shall initiate prosecution procedures. Legal proceedings may be stayed during any period that such violation is pending review by the Township Zoning Board of Appeals pursuant to Section 7.7.
- D. Penalties. Any person, corporation, or firm who violates, disobeys, omits, neglects or refuses to comply with any provision of this Ordinance or any permit, license or exception granted hereunder, or any lawful order of the Building Department, Board of Appeals, or Township Board issued in pursuance of this Ordinance shall be responsible for a municipal civil infraction and shall be subject to a fine not to exceed \$500. The owner of record or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or person who commits, participates in, assists in, or responsibly maintains such violation may each be found of a separate offense. Each day during which a violation continues shall be deemed to be a separate offense. The imposition of any fine shall not exempt the violator from compliance with the provisions of this Ordinance. Any violation of this Ordinance is hereby declared to be a public nuisance per se.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 1 Purpose and Introduction
- 2 Definitions
- 3 Zoning Districts
- 4 Use Standards
- 5 Site Standards
- 6 Development Procedures
- 7 Admin and Enforcement

E. Remedies.

1. Responsibility. The Building Department, the Township Board, the Planning Commission, the Board of Zoning Appeals or the Township Attorney, or any interested party, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate or remove any unlawful erection, alteration, maintenance or use. The rights and remedies herein provided are civil in nature and in addition to criminal remedies.
2. Scope of Remedies. The rights and remedies provided in this Ordinance are cumulative and are in addition to all other remedies provided by law. All monies received from penalties assessed shall be paid into the Township treasury on or before the first Monday of the month next following receipt thereof by the court of jurisdiction. All fines collected shall belong to the township and shall be deposited in the general fund.

1. Administrative Review. The Zoning Board of Appeals shall act upon all questions as they may arise in the administration and interpretation of the Zoning Ordinance, including the interpretation of Zoning Maps. It shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator or his/her designee in the enforcement of the Ordinance. Such appeals shall be heard at a public hearing as herein required.
2. Granting of Permits for Temporary Uses and Structures. The Zoning Board of Appeals shall have the power to grant permits for temporary uses and permits as follows:
  - a. Temporary uses such as, but not limited to, fund raising events of a non-profit service organization, where there will be no improvements of a structural nature, subject to the following:
    - (1) A public address system or other sound system shall not cause a nuisance to adjoining properties.
    - (2) There shall be adequate water supply and sanitary facilities to accommodate the expected number of users.
    - (3) Adequate off-street parking shall be provided and shall be kept dust free at all times.
    - (4) Trash receptacles shall be provided in a ratio of two (2) containers for each one hundred (100) users of the facility. All trash containers shall be emptied at the end of each day's activities and the material removed from the property and properly disposed of.
    - (5) All materials, trash containers, portable sanitary facilities and all other appurtenances shall be removed immediately upon expiration of the thirty (30) day temporary permit.
  - b. Temporary uses such as over the road truck trailers, shipping containers, other enclosed trailers, and similar vehicles, trailers, and containers used as accessory buildings, subject to the following:

**7.7 ZONING BOARD OF APPEALS**

A. Establishment and Rules of Procedure. There is hereby established a Zoning Board of Appeals, consisting of five (5) members, who shall be appointed as provided in Section 601 of Michigan Public Act 110 of 2006, as amended. The Zoning Board of Appeals shall adopt bylaws and rules for the conduct of business in conformance with Act 110 of 2006.

The Zoning Board of Appeals shall keep minutes of its meetings showing the vote of each member upon each question, and shall keep records of its official actions, all of which shall be public record and filed in the office of the Township Clerk.

The concurring vote of a majority of the members of the Zoning Board of Appeals shall be necessary to reverse an order, requirement, decision, or determination of an administrative official or the Planning Commission, or to decide in favor of the applicant in any matter upon which they are required to pass under this Ordinance, or to affect a variation in this Ordinance.

B. Powers and Duties. The Zoning Board of Appeals shall have all of the powers and duties specified by Michigan Public Act 110 of 2006, as amended, and the following:





- (1) The ZBA shall establish a permitted time period for the use at its discretion, in no case to exceed ninety (90) days.
  - (2) The ZBA may grant one extension to the originally permitted time period up to thirty (30) days.
  - (3) A cash performance guarantee or bank letter of credit shall be posted with the township, for purposes of ensuring that the temporary building, structure, or use and premises on which it is located are maintained in good condition and in accordance with this section, that the use is discontinued and the temporary building is removed in a timely manner, and that the property on which the temporary building is located is rehabilitated in a manner consistent with the approved site plan for the development. Such guarantee shall be in an amount reasonably estimated by the building official to be sufficient to secure satisfaction of the foregoing purposes.
- c. Temporary buildings, structures or uses related to the principal use of the lot, such as construction trailers, may be permitted during construction while a valid permit for such construction exists, subject to the following:
- (1) Temporary dwellings are permitted only when a single-family home on the same property is under reconstruction after a destructive event, and shall be occupied only by the residents of the original structure. Temporary dwellings shall be connected to water, septic, and electrical systems.
  - (2) Where any temporary building is connected to electricity, water, or septic, the proper permits shall be obtained prior to establishment of the temporary building. In all cases, the temporary building shall be removed within thirty (30) days of the granting of a final certificate of occupancy.
- (3) The ZBA shall establish a permitted time period for the building, structure, or use at its discretion.
  - (4) A cash performance guarantee or bank letter of credit, for purposes of ensuring that the temporary building, structure, or use and premises on which it is located are maintained in good condition and in accordance with this section, that the use is discontinued and the temporary building, structure, or use is removed in a timely manner, and that the property on which the temporary building, structure, or use is located is rehabilitated in a manner consistent with the approved site plan for the development. Such guarantee shall be in an amount reasonably estimated by the building official to be sufficient to secure satisfaction of the foregoing purposes.
- d. The board of appeals, in granting permits for temporary uses and structures, shall do so under the following conditions:
- (1) The granting of the temporary use shall be made in writing stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of such temporary permit.
  - (2) All setbacks, land coverage, off-street parking, lighting and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the township shall be made at the discretion of the ZBA.
  - (3) The use shall be in harmony with the existing general character of the district.



(4) An applicant for a temporary use or structure shall submit the following information to aid the Zoning Board of Appeals in making its decision:

- i. A plot plan or survey of the property in question showing the location of the proposed use and/or structure and the setbacks of the location to each property line.
- ii. A letter indicating the nature of the use and the amount of time the temporary use or structure is intended to exist.
- iii. In the case of a temporary event, the hours of operation for the event and expected attendance.
- iv. Where a structure is proposed, photographs or accurate, to-scale drawings of the structure showing the structure's square footage and height.
- v. Any other information pertinent to the request.

3. Granting Variances. The Zoning Board of Appeals shall have the power to authorize, upon appeal in specific cases, such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a strict and literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. Where approval of a site plan is pending, subject to the granting of a variance by the Board of Appeal. A variance from the terms of this Ordinance shall not be granted by the Zoning Board of Appeals unless a written application is submitted demonstrating the following:

- a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same district.
- b. The strict and literal interpretation of the provisions of this Ordinance would

deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

- c. That the special conditions and circumstances do not result from the actions of the applicant, particularly any failure of the applicant to investigate the requirements of this Ordinance before purchasing the property upon which a variance is requested, and
- d. That granting the variance requested will not confer to the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or building in the same district.

Nonconforming use of neighboring lands, structures, or buildings in the same district, and permitted use of lands, structures, or buildings in other districts shall not be considered grounds for issuance of a variance. Appeals for variances shall be heard at a public hearing as herein required.

4. Zoning Variances Not Implemented in a Timely Manner. When the Zoning Board of Appeals grants a variance, the applicant shall have 12 months from the date of issuance to apply for a building permit for the work for which the variance was sought or the variance shall expire. Where no building permit is required, the applicant shall begin and substantially complete the work for which the variance was sought within 12 months of the date of issuance. If an applicant wishes to conduct work for which a variance has expired, the applicant shall re-apply for the variance. For the purposes of this subsection, the date of issuance shall be the date of the Zoning Board of Appeals meeting where the decision is made to grant the variance.

5. Use Variances. The Zoning Board of Appeals shall not have the authority to grant use variances.

6. Interpretation of Zoning District Boundaries. Where due to scale, lack of detail or illegibility of either the Official Zoning Map or the Official Floodplain Map, if there is any uncertainty, contradiction, or conflict as to the intended location of any zoning district boundary as shown thereon, the Zoning Board of Appeals shall make an



interpretation upon the written request of any person. The Planning Commission shall make a recommendation to the Zoning Board of Appeals prior to the Board's decision. The Planning Commission in making its recommendation, and the Zoning Board of Appeals in making its decision, shall apply the following standards:

- a. Where zoning district boundary lines are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundary lines.
- b. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary line, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.
- c. The boundaries of the Floodplain Conservation district shall be determined in accordance with the standards in Section 3.10 of this Ordinance.
- d. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary line, the boundary line shall be determined in a reasonable manner, considering the history of uses of property and the history of Zoning Ordinances and amendments in Columbus Township as well.

- C. **Public Hearing and Notices.** The Zoning Board of Appeals shall set a reasonable time for the public hearing of the appeal and give due notice thereof to all persons whom any real property within 300 feet of the premises is assessed, and to the occupant of all single and two family dwellings within 300 feet. Such notice shall be delivered personally or by mail to the respective owners and tenants at the address given in the last assessment roll. If the tenant's name is not known, the term occupant may be used. In addition, notice of the public hearing shall be given by one (1) publication in a newspaper of general circulation in the Township at least fifteen (15) days prior to the date of the hearing. Any party may appear at the hearing, in person, or by agent, or by attorney. The Board shall enter the reasons for all of its decisions in the official record. The decision of the Board shall be final, however, a person having an interest affected by the Zoning Ordinance may appeal to Circuit Court.

#### 7.8 ORDINANCE AMENDMENTS, INCLUDING REZONING

- A. **Initiation of Amendments.** The Township Board may, from time to time, amend, modify, supplement or revise the zoning district boundaries shown on the Official Zoning Map or the provisions of this Ordinance. Amendments to the provisions of this Ordinance may be initiated by the Township Board, the Planning Commission or by petition from one or more residents or property owners of the Township. An amendment to the zoning district boundaries contained on the Official Zoning Map may be initiated by the Township Board, the Planning Commission, or by petition from the owner or owners of the property which is the subject of the proposed amendment. An owner of land may voluntarily offer in writing and the Township may approve, certain use and development of the land as a condition to the approval of a rezoning consistent with the provisions of Section 405 of the Michigan Zoning Enabling Act, P.A. 110 of

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



2006, as amended, (M.C.L. 125.3101 et seq.) (“Enabling Act”). All proposed amendments to the provisions of this Ordinance or the Official Zoning Map shall be referred to the Planning Commission for public hearing and recommendation to the Township Board, prior to consideration thereof by the Township Board.

**B. Application Procedure.** An amendment to this Ordinance or the Official Zoning Map, except those initiated by the Township Board or Planning Commission, shall be initiated by submission of a completed application on a form supplied by the Township, including an application fee, which shall be established from time to time by resolution of the Township Board.

In the case of an amendment to this Ordinance, other than an amendment to the Official Zoning Map, a general description of the proposed amendment shall accompany the application form.

In the case of an amendment to the Official Zoning Map, the following information shall accompany the application form:

1. Completed application form and fee to cover administrative cost and review by consultants.
2. A legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties.
3. The name and address of the owner of the subject property, and a statement of the applicant's interest in the subject property if not the owner in fee simple title.
4. The existing and proposed zoning district designation of the subject property.
5. A written description of how the site’s rezoning meets Section 7.8.E, Criteria for Amendment to the Official Zoning Map.

6. Conditional rezoning requests shall include the applicant’s proposed offer of conditions. This offer may be made either at the time the application for rezoning is filed or may be made at a later time during the rezoning process.

**C. Amendment Procedure; Public Hearing and Notice.**

1. An applicant may request and pay a fee for a pre-application conference with Township staff and consultants prior to formal submission of a request for rezoning in order to identify potential issues with the request.
2. Upon initiation of an amendment, a public hearing to consider the proposed amendment shall be scheduled before the Planning Commission. Notice of the hearing shall be given by one (1) publication in a newspaper of general circulation in the Township. The notice shall be given not less than fifteen (15) days before the public hearing date, in accordance with the Enabling Act and shall describe the nature of the proposed amendment, state the time and place of the public hearing, and indicate when and where written comments will be received. For rezoning requests of an individual property or of ten (10) or fewer adjacent properties, notice shall also be given by mail or personal delivery to the owners of property for which approval is being considered, to all persons whose real property is assessed within 300 feet of the subject property, and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or occupant is located within Columbus Township. The notice shall indicate the property that is subject to the request including a listing of all existing street addresses within the subject property.



3. Following receipt of the findings and recommendation of the Planning Commission, the Township Board shall consider the proposed amendment. In the case of an amendment to the text of this Ordinance, the Township Board may modify or revise the proposed amendment prior to enactment. In the case of an amendment to the Official Zoning Map, the Township Board shall approve or deny the amendment, based on its consideration of the criteria contained in Section 7.8.E below.
  4. In the case of a conditional rezoning petition, the applicant may voluntarily amend the conditions during the process of rezoning consideration. An applicant may withdraw all or part of its offer of conditions at any time prior to the planning commission's public hearing. The applicant may offer to add more restrictive conditions at the Township Board without requiring a new public hearing.
- D. **Amendments Required to Conform to Court Decree.** Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the Township Board and published, without necessity of a public hearing or referral thereof to any other board or agency.
- E. **Criteria for Amendment to the Official Zoning Map (Rezoning).** In considering any petition for an amendment to the Official Zoning Map, the Planning Commission and Township Board shall consider the following criteria shall also be assessed.
1. Consistency with the goals, policies and future land use map of the Columbus Township Master Plan. If conditions have changed since the Master Plan was adopted, recent development trends in the area.

2. Compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses currently permitted in the proposed zoning district.
3. Evidence from the applicant that the applicant cannot receive a reasonable return on investment through developing the property with the uses permitted under the current zoning.
4. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
5. The capacity of utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.
6. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
7. The apparent demand for the types of uses permitted in the requested zoning district relative to the amount of land in the Township currently zoned and available to accommodate the demand.
8. The boundaries of the requested zoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the zoning district listed in the Schedule of Regulations.

**1**  
Purpose and Introduction

**2**  
Definitions

**3**  
Zoning Districts

**4**  
Use Standards

**5**  
Site Standards

**6**  
Development Procedures

**7**  
Admin and Enforcement



- 9. The requested rezoning is to the most appropriate district.
- 10. If the request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use?
- 11. The requested rezoning will not create an isolated and unplanned spot zone.
- 12. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- 13. An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested.
- 14. Other factors as appropriate.

**F. Approval of Zoning Amendments.** Approved amendments shall require the following:

- 1. Publication of a notice of adoption in a newspaper of general circulation in the Township within fifteen (15) days of adoption in accordance with the provisions of the Enabling Act. The notice shall include either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment. The notice shall also include the effective date of the amendment and the place and time when a copy of the amendment may be purchased or inspected.
- 2. The Zoning Text and or Map shall be amended to reflect the new zoning classification or language. Map amendments for conditional rezonings should include a designation identifying that the property is subject to a Statement of Conditions.

- 3. Conditional rezonings shall require the submittal of a formal written Statement of Conditions which shall be incorporated by attachment as an inseparable part of the ordinance adopted by the Township Board. The Statement of Conditions shall:
  - i. Be in a form recordable with the St. Clair County Register of Deeds and include a statement acknowledging that it will be recorded.
  - ii. Contain a legal description of the land to which it pertains.
  - iii. Acknowledge that upon the rezoning taking effect, the use and development of the land shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by the Statement of Conditions.
  - iv. Contain a provision acknowledging that the Statement of Conditions runs with the land and is binding upon successor owners of the land.
  - v. Incorporate by attachment any diagram, plans or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the Statement of Conditions.
  - vi. Specify that failure to comply with any of the conditions set forth in the Statement of Conditions shall constitute a violation of this Zoning Ordinance and shall be enforceable accordingly.
  - vii. Contain the signatures of all of the owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the document.



G. **Effect of Conditional Rezoning.** The following provisions shall apply to approved conditional rezonings:

1. Subsequent Rezoning of Land. When land that is rezoned with a Statement of Conditions is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Statement of Conditions, the Statement of Conditions shall cease to be in effect.
2. Amendment of Conditions. Amendment of conditions shall follow the process for rezoning outlined above.
3. Township Right to Rezone. Nothing in the Statement of Conditions nor in the provisions of this Section shall be deemed to prohibit the Township from rezoning all or any portion of land that is subject to a Statement of Conditions to another zoning classification. Any rezoning shall be conducted in compliance with this ordinance and the Enabling Act.



**7** Admin and Enforcement

**6** Development Procedures

**5** Site Standards

**4** Use Standards

**3** Zoning Districts

**2** Definitions

**1** Purpose and Introduction

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# Appendix A - Amendments

## 2021 - Ordinances to the Code of Ordinances of Columbus Township

Effective June 2, 2021

[Section 5.6](#)      [Exterior Lighting](#)

[Section 5.21](#)     [Trash Enclosures](#)

Effective July 2, 2021

[Section 4.32](#)     [Medical Marijuana Uses—Home Occupations](#)

Effective June 1, 2022

[Section 2.2](#)      [Definition—Agriculture, Roadside Stand](#) (amend)

[Section 3.2.B](#)    [AG district—Permitted Uses \(13, 14\)](#) (add)

[Section 3.3.B](#)    [RS district—Permitted Uses \(3\)](#) (amend)

[Section 3.9.B](#)    [OS district—Permitted Uses \(3, 13\)](#) (amend, add)

[Section 4.32](#)     [Medical Marijuana Uses—Home Occupations](#)

[Section 5.3](#)      [Landscaping and Buffering](#) (amend, formerly “Greenbelt Requirements”)

[Section 5.12](#)     [Street Tree Requirements](#) (repeal)

[Section 5.13](#)     [Parking Lot Screening](#) (repeal)

[Section 5.14](#)     [Building Landscaping](#) (repeal)

