

ORDINANCE NO. 112 - 32
Deerfield Township, Livingston County, Michigan

An Ordinance to amend Ordinance No. 112, as amended, commonly referred to as the 2002 Deerfield Township Zoning Ordinance, to revise certain definitions of Article 2 (Definitions) and insert additional terms and corresponding definitions, and to reformat the zoning district regulations of Articles 10 through 15 into a single Article 10.

SECTION 1

The Deerfield Township 2002 Zoning Ordinance is amended by the deletion of the definitions for "frontage," "lot lines," and "lot width," and the insertion of the following definitions in their place:

"Frontage: The total continuous length of the front lot line, except that in the case of a residential lakefront lot, the term "frontage" shall apply to both the front and rear lot lines unless specified otherwise. See definition for "lot lines."

"Lot Lines: The lines bounding a lot or parcel (see Figure 2-4 at end of this Section).

a. **Lot Line, Front:**

1. In the case of an interior lot, the front lot line shall be the line separating said lot from the road right-of-way or easement from which it gains access, except in the case of a residential lakefront lot as regulated by subsection (2) below.
2. In the case of a lakefront lot used for residential purposes, the front lot line of the lot shall be the line separating the lot from the ordinary high water mark.
3. In the case of a corner lot, the front lot line shall be the shorter of the two (2) lines separating said lot from the adjacent road right-of-ways or easements unless designated otherwise on an approved plot plan or site plan based on such factors as traffic safety and compatibility with surrounding lot configurations.
4. In the case of a through lot, the front lot line shall be the line as designated on an approved plot plan or site plan.
5. In the case of a flag lot, the front lot line shall be the lot line most parallel to and nearest the road from which access is obtained. The front lot line shall not be construed to be the lot line adjacent to the road right-of-way or easement.

b. **Lot Line, Rear:** The lot line opposite and most distant from the front lot line except as follows:

1. In the case of a lakefront lot used for residential purposes, the rear lot line of the lot shall be the line separating said lot from the road right-of-way or easement from which it gains.
2. In the case of a triangular or otherwise irregularly shaped lot, an imaginary line at least ten feet in length entirely within the lot or parcel, parallel to and at a maximum distance from the front lot line (see Figure 2-4 at end of this Section).

c. **Lot Line, Side:** Any lot line other than a front or rear lot line (see Figure 2-4 at end of this Section)."

"Lot Width: The straight-line horizontal distance measured between the intersections of the side lot lines with the front lot line. In the case of a lakefront lot used for residential purposes, "lot width" shall also apply to the straight-line horizontal distance measured between the intersections of the side lot lines with the rear lot line."

SECTION 2

The Deerfield Township 2002 Zoning Ordinance is amended by the insertion of the following phrase and corresponding definition in Article 2:

"Equestrian Center: A facility designed for the conducting of horse shows, training exhibitions, horse auctions, or any other horse-based activity typically characterized by the gathering of spectators or participants."

SECTION 3

The Deerfield Township 2002 Zoning Ordinance is amended by the replacement of all references to "commercial stables" in Section 17.07 with "equestrian center."

SECTION 4

The Deerfield Township 2002 Zoning Ordinance is amended by the deletion of Section 20.02(A) and the insertion of the following in its place:

"A. Lots To Have Frontage and Access: All lots and parcels upon which a building is to be constructed shall have frontage upon a dedicated public road, a private road or shared driveway approved according to this Ordinance, or other approved means of access provided under this Ordinance, and shall take their access from such frontage to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking. Wherever a corner lot exists at the intersection of two (2) major thoroughfares, then access shall be taken from the thoroughfare presenting the least hazard. See Table 10-4, Footnote #3."

SECTION 5

The Deerfield Township 2002 Zoning Ordinance is amended by the deletion of the content of Articles 11, 12, 13, 14, and 15, and the retitling of each Article "*Reserved for Future Use.*"

SECTION 6

The Deerfield Township 2002 Zoning Ordinance is amended by the deletion of Article 10 and the insertion of the following new replacement Article 10:

"Article 10

ZONING DISTRICTS, DISTRICT REGULATIONS and OFFICIAL ZONING MAP

Section 10.01 Purpose

It is the purpose of this Article to establish the zoning districts into which the Township is hereby divided, to establish an Official Zoning Map that delineates the boundaries of the zoning districts, to identify the uses permitted in each district, and to establish basic site development standards for each District.

Section 10.02 Establishment of Districts

For the purpose of this Ordinance, the Township is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names, and shall have boundaries as delineated on the Official Zoning Map.

Conservation Districts

P-1: Natural Resources Protection District

Agricultural Districts

A-1: General Agriculture District

A-2: Small Farms/10 District

A-3: Small Farms/5 District

A-4: Small Farms/2 District

Residential Districts

R-1: Low Density Residential District

R-2: Medium Density Residential District

R-3: High Density Residential District

R-MHC: Manufactured Housing Community District

R-MF: Multiple Family Residential District"

Business Districts

B-1: Local Business District

Industrial Districts

I-1: Light Industrial District

Section 10.03 Official Zoning Map

A. Official Map Identification: The Official Zoning Map, which is an integral part of this Ordinance and shall be published as such, shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bearing the following: *This is to certify that this is the Official Zoning Map of the Deerfield Township Zoning Ordinance adopted on the ___th day of _____, 20__.* If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Township Board may, by Ordinance, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.

B. Official Map Location/Final Authority: The Official Zoning Map shall be located at the official office of the Township and shall be the final authority with regard to the current zoning status of all land in the Township, along with supporting minutes of Township Board meetings regarding zoning district changes, regardless of the existence of copies of the Official Zoning Map which may be made and from time to time.

C. District Boundaries: The boundaries of the respective Districts enumerated in Section 10.02 are defined and established as depicted on the Official Zoning Map with all notations and explanatory matter thereon.

1. District Boundaries in Addition to Those Identified on the Official Zoning Map. Due to the scale of the Official Zoning Map, there exists lots and parcels whose zoning classification cannot be accurately delineated on such Map, and it is the purpose of this Section to identify the Zoning classification of such lots and parcels. The following lots and parcels are zoned as identified below according to the specified property description irrespective of the zoning designation shown on the Official Zoning Map. The common name and/or use of the properties, and parcel numbers, are included for convenience purposes only to assist in identification of the property location.
 - a. B-1, Local Business: The following lots and parcels are zoned B-1, Local Business, as of the effective date of this Ordinance:
 - 1) Lots 15, 16, 17, 21, 22, and 23, except the south 10 feet of Lot 17, of the Lakeview Plat in Section 2. (Twin Gardens, 03-02-208-019)
 - 2) Point in the center of Bennett lake Road S. 0° 10' 20" W. 1829.41 feet and W. 1076.46 feet from the N. 1/4 corner then S. 150 feet then W. 282.38 feet then N. 0° 10' 50" E. 150 feet then E. 281.9 feet to Point of Beginning, 0.97 acres. (Bennett Lake Market, 03-01-100-047)
 - 3) Commencing at the N.W. corner of Section 1, S. 00° 18' 50" W. 1939.5 feet and N. 89° 30' E. 635.24 feet to Point of Beginning then N 00° 18' 50" W. 168.00 feet then N. 85° 51' W. 38.01 feet then N. 18° 50' W. 36.37 feet then N. 88° 20' 25" E. 211.95 feet then S 00° 59' 20" E. 97.11 feet then N. 85° 51" E. 49.91 feet then S. 00° 18' 52" E. 187.14 feet. then S. 89° 30' W. 300 feet to POB, 1.38 acres. (Old Hickory Saloon, 03-01-100-054)
2. Rules of Interpretation: Where, due to the scale, lack of details, or illegibility of the Official Zoning Map, there is an uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application, to the Zoning Board of Appeals. The Zoning Board of Appeals shall apply the following standards in arriving at a decision on such matters:
 - a. Boundaries indicated as approximately following roads or highways shall be construed as following the center lines of said roads or highways.
 - b. Boundaries indicated as approximately following section lines, quarter section lines, quarter-quarter section lines, or lot lines shall be construed as following such lines.
 - c. Boundaries indicated as approximately following Township boundary lines shall be construed as following such boundary lines.
 - d. Boundaries approximately parallel to the center lines of roads or highways shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Official Zoning Map.
 - e. Boundaries following the shoreline of a stream, lake, or other body of water shall be construed to follow such shorelines. In the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, canals, or other water courses shall be construed to follow such centerlines.
 - f. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two (2) districts, the regulations of the more restrictive district shall govern. The "more restrictive district" shall be the district that places greater restrictions on development based on such factors as the intensity of authorized uses and the site development standards of Table 10-4.

Section 10.04 Scope of Regulation and Filling

A. General: Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure, and every enlargement of, or addition to an existing use, building and structure, occurring after the effective date of this Ordinance, shall be subject to all regulations of this Ordinance that are applicable in the District in which such use, building, or structure shall be located.

1. **Fill in Water:** Whenever any fill is placed in any lake or stream, the land thus created shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable for lands to which the same shall attach or be adjacent, and the same be used for those purposes as are permitted under this Ordinance for such adjoining lands. No use of the surface of any lake or stream shall be permitted for any purpose not permitted on the land from which the use emanates.

Section 10.05 Purposes of Zoning Districts

See Table 10-1.

Section 10.06 Permitted Uses in Zoning Districts

A. Principal Uses Permitted in Each Zoning District: Tables 10-2 and 10-3 of Article 10 identify the principal land uses permitted in each of the districts enumerated in Section 3.2. No principal land use shall be established on a lot except in conformance with Tables 10-2 and 10-3 unless expressly provided otherwise in this Ordinance. In order to ensure all possible benefits and protection for the districts in this Ordinance, the Tables delineate whether a land use permitted in a particular district is a "Principal Permitted Use" or a "Special Land Use."

1. **Uses Permitted by Right:** Uses permitted by right are the primary uses and structures specified for which the District has been established and are subject to plot plan approval (Section 3.04) or site plan approval (Article 4) except where provided otherwise.
2. **Special Land Uses:** Special land uses are uses and structures that have been generally accepted as reasonably compatible with the "uses permitted by right" in the District but could present potential injurious effects upon such principal uses or are otherwise unique in character and therefore require special consideration in relation to the welfare of adjacent properties and to the Township as a whole. Special land uses shall be subject to a public hearing and site plan approval. See Article 5, Procedures for Special Land Uses.

B. Accessory Uses Permitted in Each Zoning District: Unless otherwise specified in this Ordinance, accessory uses that are clearly incidental to and customarily associated with the principal use of the property are permitted in all Districts and shall conform to all applicable standards of this Ordinance. Examples of such accessory uses include household gardening in association with a dwelling, the use of a building for storage in association with a dwelling, the repair of vehicles in association with an authorized vehicle dealership, a parking lot in association with an office building, and a home occupation conducted on a residentially used lot. Except in the case of an approved home occupation or as may be expressly authorized elsewhere in this Ordinance, in no case shall retail sales, the repair or the servicing of items, or other commercial or industrial activity, be construed as an authorized accessory use to the principal residential use of a lot.

C. Prohibited Uses:

1. **Use Not Listed is Prohibited:** Any use of land not specifically permitted is prohibited, including any use of land not specifically authorized in Tables 10-2 and 10-3 or elsewhere in this Ordinance. The Planning Commission may be petitioned to initiate an amendment to the Ordinance to authorize an otherwise prohibited use and the standards that will apply for that use. If the Township Board adopts such an amendment according to Article 7, then a land use permit application can be submitted for that use.
2. **Non-Compliance with Local, County, State or Federal Law:** No use shall be authorized or permitted that is not in compliance with all local, county, state and federal laws, rules and regulations.

Section 10.07 Site Development Requirements of Zoning Districts

A. Table 10-4 of Article 10 and Other Articles: All land uses shall comply with the site development requirements of the District in which it is located, as delineated in Table 10-4 of Article 10, in addition to all other applicable site development provisions of this Ordinance including:

1. Article 17: Requirements and Standards for Specific Land Uses.
2. Article 19: General Provisions.
3. Article 20: Access, Private Roads, and Share Driveways.
4. Article 21: Signs.

5. Article 22: Off-Street Parking and Loading.
6. Article 23: Landscaping and Screening.
7. Article 24: Environmental Standards.

B. Compliance with and Modifications to Yards, Setbacks, Area, Width and Frontage:

1. Compliance: Yards, setbacks, and lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein, including lot area, lot width and frontage.
2. Reductions: No yard, setback or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements of this Ordinance.
3. Dividing: No portion of one lot shall be used in the creation of another lot unless each lot resulting from any modifications or sale shall conform to the requirements of this Ordinance.
4. Nonconforming Lots: The restrictions of this subsection shall not prohibit modifications to shared property lines between two (2) adjacent nonconforming lots provided the following conditions are met:
 - a. Any nonconforming area, width and road frontage aspects of such lots is not further decreased by more than twenty-five percent (25%) of the existing nonconforming area, width, or road frontage of such lots, as may be applicable, and the lot area, width and frontage of the resulting lots shall be a minimum of seventy-five percent (75%) of the lot area, width, and frontage standards of the respective District.

C. Most Stringent Requirements Apply: Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements, regulations, restrictions or limitations than are imposed or required by this Ordinance, the provisions of such law or ordinance shall govern.

Section 10.08 Special District Provisions

A. Manufactured Housing Community District (R-MHC)

1. Preliminary Plan: Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Manufactured Housing Commission Act, a preliminary plan shall be submitted to the Township for review by the Planning Commission. The preliminary plan shall include the location, layout, general design, and general description of the project. The preliminary plan shall not include detailed construction plans. In preparing the preliminary plan and when reviewing the plan, the developer and Planning Commission shall generally follow the procedures and requirements in Article 4 of this Ordinance, except where said procedures and requirements are superseded by the requirements in P.A. 96 of 1987, as amended, or the Manufactured Housing Commission Rules. Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Planning Commission shall take action on the preliminary plan within sixty (60) days after the Township receives the preliminary plan.
2. Site Development Standards: Except as provided by subsection (a), manufactured housing communities shall be constructed and maintained in accordance with P.A. 96 of 1987, as amended, and the rules and regulations promulgated by the Manufactured Housing Commission pursuant to the authority vested in the Manufactured Housing Commission by such Act. The construction of a manufactured housing community shall not be initiated, nor shall a manufactured housing community be inhabited or operated until all necessary permits have been acquired from the Michigan Department of Licensing and Regulatory Affairs and all other agencies pursuant to the Manufactured Housing Commission Act.
 - a. A manufactured housing community shall be developed with sites averaging five thousand five hundred (5,500) square feet per mobile home unit, except that the area of a site may be reduced by twenty (20) percent provided that for each square foot of land gained through the reduction of a site below five thousand five hundred (5,500) square feet, at least an equal amount of land shall be dedicated as open space above and beyond the minimum required two (2) percent open space area.

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**Table 10-1
PURPOSES of ZONING DISTRICTS**

DISTRICTS	PURPOSES
<u>ALL DISTRICTS (except where provided otherwise)</u>	
<p align="center">All Districts</p>	<ol style="list-style-type: none"> 1) Uses shall protect environmental resources including wetlands, woodlands and water courses to the extent practical and feasible. 2) Districts shall be located in coordination with the Deerfield Township Master Plan. 3) Uses shall minimize negative impacts on surrounding land uses. 4) Commercial, industrial and other non-residential uses are to complement the community's character through appropriate architectural design and building scale, building materials, setbacks, signage, landscaping, buffering, open spaces and lighting. 5) Uses shall facilitate safe/efficient vehicular and non-motorized travel. 6) Uses shall be served by adequate facilities and services including sewage disposal, potable water, fire protection, and roads. 7) Additional and more specific purposes of each District are delineated below.
<u>CONSERVATION and AGRICULTURAL DISTRICTS</u>	
<p align="center">P-1 Natural Resources Protection</p> <p align="center">A-1 General Agricultural</p> <p align="center">A-2 Small Farms 10</p> <p align="center">A-3 Small Farms 5</p> <p align="center">A-4 Small Farms 2</p>	<p align="center"><u>P-1 District:</u></p> <ol style="list-style-type: none"> 1) Protect special and important natural resources comprising public and private holdings which, collectively, form the Oak Grove State Game Area, the enjoyment and protection of which is of great public interest to Deerfield Township and the State of Michigan. 2) Limit the introduction of land uses and development densities that will undermine the intent, quantity, quality and value of the resources contained within. <p align="center"><u>A-1 District:</u></p> <ol style="list-style-type: none"> 1) Provide opportunities for and encourage agriculture. 2) Ensure that land areas well suited for production of food and fiber are retained for such production, while similarly providing opportunities for comparatively limited residential development of an overall rural character and which encourage the preservation of open spaces including farmland and other natural resources. 3) Provide the basis for land tax assessments which reflect its existing agricultural nature and owing to these regulations, its limited use for other purposes. <p align="center"><u>A-2, A-3, and A-4 Districts:</u></p> <ol style="list-style-type: none"> 1) Encourage and provide opportunities for the continuation of commercial and hobby farming while also providing opportunities for comparatively low-density residential development at densities greater than the more preservation-based A-1 District. 2) Establish a district structure of decreasing lot size requirements and increasing densities, from minimum two to 10 acres, to facilitate a variety of rural settings and lifestyles. 3) See also the "All Districts" purpose statement above.
<u>RESIDENTIAL DISTRICTS</u>	
<p align="center">R-1 Low Density Residential</p> <p align="center">R-2 Medium Density Residential</p> <p align="center">R-3 High Density Residential</p>	<ol style="list-style-type: none"> 1) Establish a suburban/urban residential districts structure that provides opportunities for single and/or two-family residences of incrementally decreasing lot sizes and increasing density, to accommodate varying suburban and urban opportunities and lifestyles. 2) Provide opportunities for higher density residential opportunities and lifestyles in a manner that generally supports the character and stability of existing nearby neighborhoods. 3) Ensure a healthy residential environment including adequate opportunities for open space, light, air circulation, emergency access, and access to necessary public services. 4) See also the "All Districts" purpose statement above.

Table 10-1 continued on next page.

Table 10-1 continued.

DISTRICTS	PURPOSE
<u>RESIDENTIAL DISTRICTS (continued)</u>	
R-MF Multiple Family	<ol style="list-style-type: none"> 1) Provide opportunities for apartment, townhouse and similar multiple family development housing to meet the varied housing needs and preferences of current and future residents, in a manner that supports the stability of existing nearby neighborhoods and provides a healthy residential environment. 2) See also the "All Districts" purpose statement above.
R-MHC Manufactured Housing Community	<ol style="list-style-type: none"> 1) Provide opportunities for manufactured housing communities to meet the varied housing needs and preferences of current and future residents. 2) See also the "All Districts" purpose statement above.
<u>COMMERCIAL DISTRICTS</u>	
B-1 Local Business	<ol style="list-style-type: none"> 1) Provide opportunities for comparatively small commercial uses that primarily address the local day-to-day retail, office and service needs of Township residents and visitors, in a planned unified and integrated grouping. 2) Provide limited opportunities for more regional commercial land uses and/or land uses which are not of a typical retail or service character, after special review proceedings to assure such proposed uses are appropriate in their proposed locations. 3) Facilitate safe, convenient, and efficient pedestrian and other non-motorized modes of travel within the development including linkages to neighboring commercial uses. 4) Facilitate development that compliments the intended character of the Township through appropriate architectural design and building scale, building materials, setbacks, signage, landscaping, buffering, open spaces, lighting and similar development features. 5) See also the "All Districts" purpose statement above.
<u>INDUSTRIAL DISTRICTS</u>	
I-1 Industrial Light	<ol style="list-style-type: none"> 1) Provide for a variety of manufacturing and other industrial uses that can be generally characterized as being of low intensity including the absence of objectionable external affects such as noise, fumes, vibrations, odors and traffic patterns, and limited demands for public services. 2) Manufacturing uses are to be generally limited to those primarily involved in the making of products from previously prepared materials and not raw materials. 3) Facilitate development that complements the intended character of the Township through appropriate architectural design and building scale, building materials, setbacks, signage, landscaping, buffering, open spaces, lighting, and similar development features. 4) See also the "All Districts" purpose statement above.

End of Table 10-1

**Table 10-2
PERMITTED PRINCIPAL USES
P-1, A-1, A-2, A-3, A-4, R-1, R-2, and R-3 DISTRICTS^{1,2}**

See Sec. 19.11 regarding accessory uses, buildings, and structures.
See Sec. 19.17 regarding home occupations.

BR = Use Permitted by Right^{1,2} S = Special Land Use^{1,2} - = Prohibited Use

PRINCIPAL USES ^{1,2}		ZONING DISTRICTS					
		P-1	A-1	A-2 A-3 A-4	R-1	R-2	R-3
Uses of a Primarily Agricultural, Outdoor Recreation, or Natural Resource Based Character^{1,2}							
1	Agriculture and hunt clubs.	BR	BR	BR	-	-	-
2	Facilities dedicated to the protection of wildlife and natural resources, wildlife management areas, nature preserves, and game refuges.	BR	BR	BR	-	-	BR
3	Extraction operations.	S	S	S	S	S	S
4	Public and private facilities dedicated principally to outdoor non-motorized recreation including parks, boat liverys, campgrounds, golf courses and country clubs, but excluding shooting ranges. See Line #6 below.	S ³	S	S	S ³	S ³	S ³
5	Public and private facilities dedicated principally to outdoor motorized recreation including race tracks and remote control aircraft fields.	-	S	-	-	-	-
6	Shooting ranges.	S	S	S	-	-	-
Uses of a Primarily Residential Character^{1,2}							
1	Agricultural labor housing.	-	S	-	-	-	-
2	Rural opens space option.	S	S	S	S	S	S
3	Single family dwellings not within manufactured housing communities.	BR	BR	BR	BR	BR	BR
4	State licensed child day care family home and foster care family home, and adult foster care family home.	BR	BR	BR	BR	BR	BR
5	State licensed child day care group home and foster care group home, and adult foster care group home facilities.	-	S	S	S	S	S
6	Two-family dwellings.	-	-	-	BR	BR ⁴	BR
Uses of a Primarily Commercial, Business or Industrial Character^{1,2}							
1	Bed and breakfasts.	-	S	S	-	-	-
2	Day care centers.	-	S	-	-	-	S
3	Equestrian centers.	-	S	-	-	-	-
4	Kennels.	S	S	S	-	-	-
5	Outdoor recreation centers	-	S	-	-	-	-
6	Private landing strips.	-	S	S	-	-	-
7	Radio and television communication towers.	-	S	S	-	-	-
8	Veterinarian clinics.	-	S	S	-	-	-
9	Wireless communication facilities, Class Two. ⁵	- ⁵	S ⁵	- ⁵	- ⁵	- ⁵	- ⁵
Other Uses Not Listed Above^{1,2}							
1	Churches and other religious institutions including housing for religious personnel that operate, administer, or manage the facility.	-	S	S	S	-	-
2	Common use lots.	S	S	S	S	S	S
3	Public facilities not otherwise addressed in this Table including cemeteries, parks, state-accredited schools, libraries, municipal offices, and similar uses and activities including administrative buildings.	S	S	S	S	S	S
4	Private cemeteries.	-	S	S	-	-	-
5	Solar energy systems (SES), Large. ⁶	- ⁶	S ⁶	- ⁶	- ⁶	- ⁶	- ⁶
6	Utility substations and similar utility facilities including shelters for service equipment and maintenance depots.	S	S	S	S	S	S
7	Commercial wind energy conversion facilities (Commercial WECF).	-	S	-	-	-	-

Table 10-2 Continued Next Page. See End of Table for Footnotes.

Footnotes for Table 10-2:

1. Irrespective of the labeling of a cell in this table, the following are classified as a Use Permitted by Right (BR):
 - a. Any permitted use that is owned and operated by Deerfield Township.
2. In the case where a proposed use may be construed as both a Use Permitted by Right (BR) and a Special Land Use (S), the use shall be construed as a Special Land Use (S).
3. Golf courses and country clubs are prohibited in the P-1 District. Campgrounds are prohibited in the R-1, R-2, and R-3 Districts.
4. Two-family dwellings are prohibited in the R-2 District in plats recorded prior to the effective date of the Amendment Ordinance establishing this restriction, being (date to be inserted) .
5. See Sec. 17.28 for terms and definitions pertaining to wireless communication facilities, and the authorization of Class One wireless communication facilities as accessory uses.
6. See Sec. 17.30 for terms and definitions pertaining to solar energy systems (SES) and the allowance of Small and Medium SES as accessory uses.

End of Table 10-2

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**Table 10-3
PERMITTED PRINCIPAL
R-MF, R-MHC, B-1 and I-1 DISTRICTS¹**

See Sec. 19.11 regarding accessory uses, buildings, and structures.

BR = Use Permitted by Right¹ S = Special Land Use¹ – = Prohibited Use

	PRINCIPAL USES	ZONING DISTRICTS			
		R-MF	R-MHC	B-1	I-1
	Uses of a Primarily Agricultural, Outdoor Recreation, or Natural Resource Based Character¹				
1	Extraction operations.	S	S	S	S
	Uses of a Primarily Residential Character^{1,2}				
1	Assisted living facilities, convalescent homes and hospice care facilities.	BR	–	–	–
2	Dwellings when fully located on a second or third story above a business.	–	–	BR	–
3	Manufactured housing communities.	–	BR	–	–
4	Multiple family dwellings.	BR	–	–	–
	Uses of a Primarily Commercial or Business Character¹				
1	Adult entertainment businesses.	–	–	S	–
2	Any generally recognized retail business that supplies commodities on the premises including, but not limited to, groceries, drugs, liquor, furniture, clothing, dry goods, books, flowers, jewelry, garden supplies, nursery stock, and hardware, but excluding sexually oriented businesses.	–	–	BR	–
3	Banquet hall.	–	–	S	–
4	Building material sales including lumber and incidental millwork, the sale of soil, mulch, sand, stone, and similar materials, and construction equipment.	–	–	S	BR
5	Centralized laundry services generally not open to the public.	–	–	–	S
6	Day care center.	S	S	S	–
7	Commercial recreation of an indoor character including theaters, bowling alleys, skating rinks, shooting ranges, arcades, and similar uses.	–	–	S	–
8	Commercial recreation constituting an outdoor recreation center.	–	–	S	–
9	Contractor's yard.	–	–	–	BR
10	Equipment rentals including party supplies and construction equipment but excluding vehicles.	–	–	–	BR
11	Funeral homes and mortuaries.	–	–	S	–
12	Health clubs and spas.	–	–	S	–
13	Hospitals.	–	–	S	–
14	Hotels, motels, and conference centers.	–	–	S	–
15	Lumber mill.	–	–	–	BR
16	Medical clinics.	–	–	BR	–
17	Mini-storage.	–	–	S	BR
18	Mobile and modular home sales.	–	–	–	–
19	Offices and showrooms of plumbers, electricians, decorators, or similar trades with no more than twenty-five (25) percent of the floor area of the building or part of the building occupied by said establishment to be used for making, assembling, remodeling, repairing, altering, or refinishing its products or merchandise, and provided that the ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, or display.	–	–	S	–
20	Offices and showrooms of plumbers, electricians, decorators, and similar trades, with more than 25% of the floor area of the building or part of the building occupied by said establishment to be used for making, assembling, remodeling, repairing, altering, finishing, or refinishing its products.	–	–	–	BR
21	Offices which perform professional services on the premises such as accountants, doctors, lawyers, insurers, financial institutions, consultants, architects, real estate, artist offices and galleries, and similar office uses.	–	–	BR	–
22	Offices of an executive, administrative, clerical, and similar character, in which the principal function of the office does not entail on-site visits by customers.	–	–	BR	–

Table 10-3 Continued Next Page. See End of Table for Footnotes.

(Table 10-3 continued)

BR = Use Permitted by Right¹ S= Special Land Use¹ -- = Prohibited Use

	PRINCIPAL USES	ZONING DISTRICTS			
		R-MF	R-MHC	B-1	I-1
Uses of a Primarily Commercial or Business Character¹ (continued)					
23	Open air businesses devoted to the display and sale of automobile, truck, and boat sales; nursery and landscape supplies; lawn furniture; farm equipment; playground equipment; and similar outdoor businesses.	-	-	S	-
24	Personal service establishments that perform services on or off the premises such as appliance and similar equipment service and repair, shoe repair, upholstery repair, hair salons, photographic studios, laundry and dry cleaners, plumbing and electrical services, printing and reproduction, pet groomers, packaging and mailing/delivery services, and similar services.	-	-	BR	-
25	Restaurants classified as "standard," "delivery service," and "take-out."	-	-	BR ²	-
26	Restaurants classified as "drive-through," "drive-in" and "food truck."	-	-	S	-
27	Retail and wholesale sale of trees, shrubs, flowers, and other plant material.	-	-	-	-
28	Sale, rental, service, and repair of new or used cars, boats, mobile homes, farm machinery, and other vehicles and items intended for tow.	-	-	S	BR
29	Vehicle / car wash.	-	-	S	-
30	Vehicle repair shop.	-	-	S	S
31	Vehicle service station.	-	-	S	-
32	Veterinary clinic.	-	-	BR	-
Uses of a Primarily Industrial Character¹					
1	Assembly of electrical appliances, electronic instruments and devices, including the manufacture of small parts such as computer parts.	-	-	-	BR
2	Concrete forms production.	-	-	-	BR
3	Dry cleaning facilities of a retail nature, open to the public.	-	-	BR	-
4	Dry cleaning facilities of a centralized nature, not generally open to the public.	-	-	-	S
5	Junkyards and salvage yards.	-	-	-	S
6	Manufacturing, compounding, assembling, treatment, and packaging of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, canvas, cork, felt, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood, sheet metal, wax, wire, and paint not requiring a boiling process. "Previously prepared materials" are materials processed, manufactured or created at another location and transported to the parcel in this District for assembly into new products.	-	-	-	BR
7	Manufacturing, compounding, processing, treatment, fabrication, or packaging of such products as perfumes, pharmaceuticals excluding marijuana, toiletries, ceramics, clothing, jewelry, instruments, optical goods, hardware, and food products except fish, meat, fowl, vegetables, vinegar, and yeast.	-	-	-	S
8	Manufacturing of machine parts.	-	-	-	S
9	Monument and art stone production and sales.	-	-	-	S
10	Plastic molding, forming, and extrusion.	-	-	-	BR
11	Printing, lithography and similar reproduction processes, and publishing.	-	-	-	S
12	Production, processing, or testing utilized in product prototyping.	-	-	-	BR
13	Research and testing laboratories.	-	-	-	BR
14	Sheet metal fabrication.	-	-	-	BR
15	Tool and die manufacturing.	-	-	-	BR
16	Warehousing, storage/ transfer establishments, and truck terminals.	-	-	-	S

Table 10-3 Continued Next Page. See End of Table for Footnotes.

(Table 10-3 continued)

BR = Use Permitted by Right¹ S= Special Land Use¹ – = Prohibited Use

PRINCIPAL USES		ZONING DISTRICTS			
		R-MF	R-MHC	B-1	I-1
Other Uses Not Listed Above ¹					
1	Clubs.	–	–	S	–
2	Common use lots.	S	S	S	–
3	Utility substations and similar utility facilities including shelters for service equipment and maintenance depots.	–	–	S	S

Footnotes for Table 10-3

1. Exceptions and Interpretations:
 - a. Irrespective of the particular labeling of a cell in this table, the following are classified as a Special Land Use:
 - 1) Any use in the B-1 or I-1 District that exceeds a single building of 20,000 sq. ft. in gross floor area in any one (1) building, or exceeds 40,000 sq. ft. in gross floor area among two (2) or more buildings, excluding farm and residential buildings.
 - 2) Any use that serves, provides, permits, or makes available alcohol for consumption on the same lot.
 - 3) The provision of services or products to customers within their vehicle, and which are commonly described as drive-in or drive-through service.
 - b. Irrespective of the labeling of a cell in this table, any permitted use that is owned and operated by Deerfield Township is classified as a Use Permitted by Right (BR).
 - c. In the case where a proposed use may be construed as both a Use Permitted by Right (BR) and a Special Land Use (S), the use shall be construed as a Special Land Use (S).
2. Outdoor areas associated with a restaurant that are used or intended to be used for eating, drinking, sporting activities and/or other gathering of persons, are permitted by special land use only when such outdoor areas exceed one thousand (1,000) square feet in area or otherwise permit more than forty (40) persons to occupy such area.

End of Table 10-3

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Table 10-4
SITE DEVELOPMENT REQUIREMENTS
for “USES PERMITTED BY RIGHT” and “SPECIAL LAND USES”

All principal land uses and principal buildings shall comply with the site development requirements of Table 10-4 unless otherwise specified by this Ordinance.

See Section 10.08 regarding the R-MHC Manufactured Housing Community District

See Section 19.11 regarding development standards for accessory buildings and structures.

Zoning District	Minimum Lot Area	Minimum Lot Width	Maximum Building Height		Minimum Yard Setback			Maximum Lot Coverage	Minimum Dwelling Floor Area
			Stories	Feet	Front	Side	Rear		
P-1: Natural Resource Protection	20 acres ²	600 ft. ³	2 1/2	35 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	5% ⁹	1,200 sq. ft. ¹⁰
A-1: General Agriculture	20 acres. ²	600 ft. ³	2 1/2	35 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	10% ⁹	1060 sq. ft. ¹⁰
A-2: Small Farms/10	10 acres ²	330 ft. ³	2 1/2	35 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	10% ⁹	1,200 sq. ft. ¹⁰
A-3: Small Farms/5	5 acres ²	330 ft. ³	2 1/2	35 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	10% ⁹	1,200 sq. ft. ¹⁰
A-4: Small Farms/2	2 acres ²	200 ft. ³	2 1/2	35 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	15% ⁹	1,200 sq. ft. ¹⁰
R-1: Low Density Residential	40,000 to 65,000 sq. ft. ²	100 ft. to 250 ft. ³	2 1/2	35 ft. ⁴	40 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	25% ⁹	1,200 sq. ft. ¹⁰
R-2: Medium Density Residential	15,000 to 40,000 sq. ft. ²	50 ft. to 100 ft. ³	2 1/2	35 ft. ⁴	35 ft. ^{5,8}	6 ft. to 15 ft. ^{6,8}	20 ft. ^{7,8}	25% to 40% ⁹	1,200 sq. ft. ¹⁰
R-3 High Density Residential	7,000 to 40,000 sq. ft. ²	50 ft. to 150 ft. ³	2 1/2	35 ft. ⁴	25 ft. ^{5,8}	10 ft. ^{6,8}	20 ft. ^{7,8}	35% ⁹	1,200 sq. ft. ¹⁰
R-MF: Multiple Family Residential	1 acre ²	150 ft. ³	NA	35 ft. ⁴	40 ft. ^{5,8}	25 ft. ^{6,8}	25 ft. ^{7,8}	40%	750 sq. ft. ¹⁰
B-1: Local Business	1 acre ²	200 ft. ³	2	30 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	50%	Not Applicable
I-1: Light Industrial	1 acre ²	200 ft. ³	2	30 ft. ⁴	50 ft. ^{5,8}	20 ft. ^{6,8}	20 ft. ^{7,8}	50%	Not Applicable

See table footnotes on next page.

Footnotes for Table 10-4

1. **Other Standards and Regulations:** All uses shall comply with the site development requirements of Table 10-4 unless specified otherwise by this Ordinance. See also Article 17 - Requirements and Standards for Specific Land Uses, Article 19 - General Provisions, Article 20 - Access, Private Roads and Shared Driveways, Article 21 - Signs, Article 22 - Off-Street Parking and Loading, Article 23 - Landscaping and Screening, Article 24 - Environmental Standards, and other Articles as applicable.
2. **Minimum Lot Area:** All lots shall conform to the following configuration requirements:
 - a. General: See Article 18 regarding opportunities for small lot areas or higher density development options as part of a Rural Open Space Option development.
 - b. A-1 District: A parcel of no less than 2 acres may be created for each 40 acres contained in the parcel to be divided, provided the total number of such parcels shall not exceed 6. The phrase "parcel to be divided" shall be construed to mean a single parcel or two or more parcels that share a common property line and common ownership, excluding a road right-of-way line or easement, of 40 acres or more. The 40 acres or any portion of the 40 acres that served or serves as the basis for the creation of a parcel of no less than 2 acres shall not be the basis for the creation of any subsequent parcel of no less than 2 acres, irrespective of how such 40 acres may have been divided since the effective date of this Ordinance.
 - c. R-1 District: Minimum lot width shall be 40,000 sq. ft. except 65,000 sq. ft. for two-family dwellings, provided that where public sewer is available, the minimum lot area shall be 30,000 sq. ft. except that there shall be a minimum of 40,000 sq. ft. for two-family dwellings.
 - d. R-2 District: Minimum lot area shall be 15,000 sq. ft. with public sewer, 40,000 sq. ft. otherwise.
 - e. R-3 District: Minimum lot area shall be 40,000 sq. ft. except 50,000 sq. ft. for two-family dwellings, provided that where public sewer is available, the minimum lot area shall be 7,000 sq. ft. except that there shall be a minimum of 10,000 sq. ft. for two family dwellings.
3. **Minimum Lot Width, Frontage, and Configuration:** All lots shall conform to the following configuration requirements:
 - a. Depth to Width Ratio: The depth of a lot shall not exceed 4 times its width.
 - b. Lot Width and Frontage: The minimum lot width standard of Table 10-4 shall extend a minimum distance from the front lot line to the required building setback line. The minimum length of the frontage shall be at least the minimum required lot width of the District in which the lot is located and shall be measured at the front lot line or, in the case of a lakefront lot, along the front and rear lot line. In the case of a through lot, the minimum frontage standard shall apply to all lot lines abutting a road right-of-way or easement. See Footnote 3(c) for exceptions to minimum lot width and frontage standards.
 - 1). R-1 District: Minimum lot width shall be 100 feet except that the minimum lot width shall be 130 feet for two-family dwellings, provided that any lot that gains direct access to a minor or major thoroughfare shall have a minimum lot width of 250 feet.
 - 2) R-3 District: Minimum lot width shall be 100 feet except that the minimum width shall be 110 feet for two-family dwellings, provided that where public sewer is available, the minimum width shall be 50 feet except that the minimum width for a two-family dwelling shall be 65 feet. In no case shall a lot that gains direct access to a minor or major thoroughfare have a minimum width of less than 150 feet.
 - c. Lot Width and Frontage Reductions: The lot width and frontage of a lot may be reduced below the minimum requirements of the District in which the lot is located at the terminus of the access way or where the front lot line of such lot abuts a curvilinear segment of a road, including a cul-de-sac, where without such reduction, such lots would be unnecessarily excessive in lot width or lot area. Any frontage reduction shall provide for a minimum of 66 feet of frontage and the minimum front yard setback shall be extended to the line at which there is compliance with the lot width standard of Table 10-4.
4. **Height Exceptions:**
 - a. Agricultural Buildings: Maximum height for farm buildings is 150 feet.
 - b. Other: The following height exemptions apply except where otherwise regulated by this Ordinance, provided no portion of the building or structure exceeding the District's height limitation may be used for human occupancy, the exemption shall conform to all rules and regulations of the Federal Communications Commission and Civil Aeronautics Administration, and the site plan approving body finds the exemption shall not undermine the character, use and enjoyment of nearby properties:
 - 1) Those features that are principally ornamental in purpose such as church spires, belfries, cupolas, domes, ornamental towers, flagpoles, and monuments, provided such features occupy an area no

more than 10% of the structure's gross floor area of its upper most story.

- 2) Those necessary appurtenances to mechanical or structural functions, such as chimneys and smokestacks, water tanks, elevator and stairwell structures, ventilators, and transmission structures, but not to exceed 100 feet in height above the ground surface below.
- 3) Public utility structures.

5. Front Yard Setback

- a. Lakes, Ponds and Streams: A minimum setback of 50 feet shall be maintained between a principal building or structure and the ordinary high water mark of a lake, pond, or stream.
- b. R-MF District: The minimum front yard setback shall be 40 feet, except that the setback shall be increased to 75 feet along those portions of the front yard that are adjacent to a different Residential District except the R-3 District.

6. Side Yard Setbacks

- a. All Districts: For a corner lot, the minimum required side yard setback shall equal the minimum required front yard setback for the side yard abutting a road right-of-way/easement, except where a lesser or greater setback is otherwise permitted or required by subsection (b) or (c) or elsewhere in this Ordinance.
- b. R-2 District: The minimum side yard setback shall be equal to 10% of the lot's continuous road frontage but in no case shall such setback be less than 6 feet and need not be greater than 15 feet.
- c. R-MF District: The minimum side yard setback shall be 25 feet, except that the setback shall be increased to 50 feet along those portions of the side yard that are adjacent to a different Residential District except the R-3 District.
- d. B-1 and I-1 Districts: The minimum side yard setback shall be increased to 40 feet where a side yard abuts a Public Resources, Agriculture, or Residential District. The required 20-foot side yard setback shall not apply in the case of shared-wall construction.

7. Rear Yard Setbacks

- a. Lakes, Ponds and Streams: A minimum setback of 50 feet shall be maintained between a principal building or structure and the ordinary high water mark of a lake, pond, or stream.
- b. R-MF District: The minimum rear yard setback shall be 25 feet, except that the setback shall be increased to 50 feet along those portions of the side yard that are adjacent to a different Residential District except the R-3 District.

8. Additional Setback Provisions: The following setback provisions apply in addition to Footnotes 5, 6 and 7:

- a. Waterfront Setback: In no case shall a building be located closer than 50 feet from the ordinary high water mark of a year-round water body including lake, pond, river, or stream.
- b. Exceptions for Architectural Features and Platforms
 - 1) Cornices, eaves, gutters, chimneys, bay windows, pilasters, and similar architectural features shall not project more than 3 feet into the required front and rear setback, and 5 feet into the required rear yard setback. In no case shall such architectural features that extend into the otherwise required setback cumulatively exceed more than 30% of the length of the side of a building from which they extend, provided this restriction shall not prohibit roof overhangs of no greater than 2 feet along portions of or the entire perimeter of the roof. In no case shall a roof overhang extend from a permitted projection to result in the roof extending more than 3 feet into the normally required front and rear setback and 5 feet into the normally required rear yard setback.
 - 2) A raised unroofed and unenclosed platform in front of an exterior door or otherwise adjacent to a building wall, which extends from the building's principal foundation wall or footing, and the walking surface is no greater than 2 feet in height above the ground below, shall be set back from all lot lines a minimum distance of 5 feet. Such platforms in excess of 2 feet in height shall comply with the same setback requirements applicable to the building. A balcony shall project no more than 5 feet into the required building setback.
- c. Fire Escapes and Outside Stairways: Unenclosed fire escapes and outside stairways may project into a required side or rear yard a maximum of 4 feet.
- d. Barrier Free Access: Physical structures relating to barrier free access, such as ramps, shall not be required to comply with setback requirements provided such structures are designed to comply with the normally required setback to the greatest extent practical.

9. Lot Coverage

- a. All Districts Except R-2 District: Maximum lot coverage shall be as delineated in Table 10-4 but need not be less than 2,000 sq. ft.
- b. R-2 District: Maximum lot coverage shall be according to the following table based on the area of the lot.

Lot Area	Maximum Lot Coverage
5,000 sq. ft. or less.	40%
5,001 sq. ft. to 10,000 sq. ft.	35% or 2,000 sq. ft., whichever is greater.
10,001 sq. ft. to 20,000 sq. ft.	30% or 3,500 sq. ft., whichever is greater.
20,001 sq. ft. or more.	25% or 6,000 sq. ft., whichever is greater.

10. Minimum Dwelling Floor Area: Except as provided below, the minimum dwelling floor area shall be 1,200 sq. ft. provided that a minimum of 900 sq. ft. of floor area is contained on the first story of a multi-story dwelling:

- a. A-1 District: Minimum floor area shall be 960 sq. ft. provided that in the case of a multi-story dwelling, the dwelling foundation at ground level shall encompass a minimum area of 900 sq. ft.
- b. R-MF District: Minimum floor area shall be 400 square feet for units comprised of a single room in addition to a restroom and kitchen, commonly referred to as an efficiency unit. All other dwelling units shall have a minimum of 750 sq. ft. plus an additional 100 sq. ft. for each bedroom in excess of the first bedroom."

SECTION 7

The remaining provisions of Ordinance No. 112, and all amendments thereto, are hereby ratified and reaffirmed.

SECTION 8

In the event that any provision of this amending ordinance is held to be unconstitutional or void for any reason by a court of competent jurisdiction, that provision shall be struck from the amendment and severed and the remaining provisions shall be enforced according to their terms and provisions.

SECTION 9

This amendment ordinance shall be effective eight (8) days after adoption and publication as provided by law.

CLERK'S CERTIFICATION

I, Garry Johnston, the duly appointed, qualified and acting Clerk of the Township of Deerfield, Livingston County, Michigan, hereby certify that the foregoing Deerfield Township Zoning Ordinance No. 112-32 (Ordinance to amend the 2002 Deerfield Township Zoning Ordinance, Ordinance No. 112) was adopted at a regular meeting of the Township Board, at 4492 Center Road, Linden, Michigan on the 13th day of January, 2022, at which a quorum was present and voted. I further certify that Johnston moved for the adoption of the ordinance, seconded by Petchell, and that the vote on the said proposed ordinance was: Yeas 5 Nays _____.



 Garry Johnston, Deerfield Township Clerk

1-13-22

 Date