

**Chapter 10
ZONING PLAN**

The Township Zoning Ordinance is one of the most important tools available to implement the policies of this Master Plan related to the use and development of land. The purpose of zoning is to assist in orderly development and growth. It is also used to protect property values and investments. Because of the impact it can have on the use of land and related services, local zoning regulations must be built upon the foundation of a Master Plan and “zoning plan.”

Zoning. Zoning is the division of a community into districts by ordinance for the purpose of regulating the use of land and buildings, their height and bulk, the proportion of the lot that may be covered by them, and the density of development.

Zoning is enacted under the police power of the State for the purpose of promoting health, safety and general welfare and has long been supported constitutionally by the U.S. Supreme Court and the Michigan courts.

The Michigan Zoning Enabling Act requires that a zoning plan be prepared as the basis for the Zoning Ordinance. This chapter is intended, along with the rest of the relevant parts of this Master Plan, to serve as the plan required by the Act. It functions as a link between the Master Plan and the Zoning Ordinance, and as a guide to the implementation of future ordinance changes.

ZONING DISTRICTS

The following are descriptions and general purposes of the categories within which the proposed zoning districts in the Township Zoning Ordinance are organized. The proposed zoning districts are summarized in the table below. The specific purposes of each district are described in Article 4.0 (Zoning Districts) of the Zoning Ordinance:

Type of District	Zoning District Name	Symbol
Rural	Conservation Preservation District	CP
	General Agriculture District	AG
Residential	Manufactured Housing Park District	R-2
	Hamlet Residential District	R-3
Business	Bridgewater Center District	BCD
	Local Commercial District	C
	Light Industrial District	LI
Other	Public/Semi-Public Services District	PSP

Rural Districts

The principal purpose of the Rural Districts designation is to focus on conservation of lands with sensitive environmental characteristics like woodland, wetland, wildlife habitat, and farmland. A range of agricultural uses and agricultural support services are permitted, along with a limited range of very low-density single-family residential uses. The land zoned within these districts should conform to the area designated as “agricultural” and “agricultural/rural residential” on the future land use Maps LUP 1 through LUP 4.

Residential Districts

The principal purpose of the Residential Districts designation is to accommodate a variety of single-family, two-family, and multiple-family residential land uses. Two separate residential districts are provided for in the Zoning Ordinance. The land zoned

within the R-3 district should conform to the areas designated as “medium-density village density residential” on the future land use Maps LUP 1 through LUP 4. See chapter 7 (Land Use Plan) for the specific future land use policies associated with “Manufactured Housing Park Residential Development.”

Business Districts

The principal purpose of the Business Districts designation is to provide locations for compatible commercial, office or light industrial operations and activities in the Township. The land zoned within the BCD district should conform to the areas designated as “mixed commercial and live/work” on the future land use Map LUP 4. The land zoned within the C-1 district should conform to the areas designated as “commercial” and “mixed commercial and live/work” on the future land use Maps LUP 1 through LUP 4. The land zoned within the LI district should conform to the area designated as “industrial” on the future land use Map LUP 4.

Other Districts

See “Additional Phasing Recommendations for Public/Quasi-Public Land Uses” below.

BRIDGEWATER CENTER DISTRICT

The Bridgewater Center District (BCD) is intended specifically to implement the policy recommendations of Chapter 8 (Bridgewater Hamlet Area Plan) of this Master Plan. The district is designed to permit a mix of small-scale commercial, office, residential, and public/quasi-public land uses compatible with the Hamlet’s scale and character.

DIMENSIONAL STANDARDS

The following table lists the dimensional standards table for each district of the Zoning Ordinance. The supplemental regulations and standards are listed in Article 3.0 (Dimensional Standards) of the Zoning Ordinance:

Standards		Districts								Additional Provisions
		CP	AG	R-2	R-3	BCD	C	LI	PSP	
Maximum Building Height (feet)	Feet	35	35	See Section 5.205 (Manufactured Housing Parks)	35	35	35	35	35	Section 3.201
	Stories	2.5	2.5		2.5	2.5	2.0	2.0	2.0	
Lot Standards (per unit)	Minimum Width (feet)	250	250		75	75	200	250	100	Section 3.202
	Minimum Area (acres or square-feet)	2.0 acres	2.0 acres		10,000 sq.ft.	10,000 sq.ft.	1.0 acre	2.0 acres	10,000 sq.ft.	
Yard / Setback Standards (feet)	Minimum Front Yard	75	75		25	20	35	75	35	Section 3.203 Section 3.204
	Minimum Side Yard	50	30		10	10	15	50	10	
	Minimum Rear Yard	50	50		35	35	35	100	35	
Minimum Separation Between Principal Buildings (feet)					20		25	65		
Maximum Floor Area Ratio (FAR)			0.05		0.35	0.60	0.60	0.30	0.60	
Maximum Ground Floor Coverage (GFC)			5%		35%	40%	30%	30%	30%	
Minimum Gross Floor Area of a Principal Detached Dwelling (square-feet)			1,000	1,000	1,000					
Maximum Net Dwelling Unit Density (units per acre)			1.0	4.0	4.0				Section 3.202	

RECENT ZONING ORDINANCE CHANGES (2013)

As a principal tool for implementing this Master Plan, the requirements and standards of the Township Zoning Ordinance should reflect the applicable policies of this Plan. The Township Planning Commission initiated a process to update the Zoning Ordinance in late 2010, which culminated in adoption of a comprehensive new Zoning Ordinance that became effective on May 20, 2013. The following is a summary of the general updates and changes that have been incorporated into the new Zoning Ordinance:

1. **Organization.** The organization of the Zoning Ordinance has been comprehensively updated to improve readability and make it easier to find information quickly. Wherever possible, regulations have been grouped into tables. The heart of the new ordinance is Article 4.0 (Land Use Table), where all of the zoning districts and permitted uses can be found in one table. The goal of the land use table format is to quickly answer the most common zoning-related questions: Where is a particular land use permitted, and what can I do with my property?
2. **Illustrations and flowcharts.** More than three dozen new illustrations and flowcharts are included throughout the updated Zoning Ordinance to clarify and illustrate certain development review procedures, regulations, defined terms, and other zoning concepts.
3. **State Zoning Act requirements.** The new ordinance is up-to-date with all of the requirements of the Michigan Zoning Enabling Act, including several recent amendments adopted into law in 2012. The updated ordinance also conforms to other applicable state and federal statutes, including the state Condominium Act and Right to Farm Act, and federal Religious Land Uses and Institutionalized Persons Act (RLUIPA).
4. **New in this ordinance.** The following is a summary of other key changes from the previous Zoning Ordinance:
 - The Township’s site plan review requirements and review processes have been comprehensively updated consistent with current zoning practices.
 - New landscaping and screening standards for projects subject to site plan approval are included (see Section 11.10).
 - Updated natural resources protection standards for property subject to site plan approval have also been added (see Section 11.05).
 - Standards have been added to the Dimensional Standards table to establish a maximum permitted number of dwelling units per acre of land for each of the residential zoning districts (see page 3-1).
 - Permitted land uses in the AG (General Agricultural) District have been updated to expand opportunities for “entrepreneurial” or “value-added” agricultural activities that allow farmers to diversify their income sources.

- Design and development requirements for private roads in the Township have been updated, along with new provisions to improve coordination with the site plan review process (see Section 11.37).
- The Planned Unit Development (PUD) option has been comprehensively updated to make this development option easier for the Township and the developer to work with, while ensuring that the Township’s interests are protected (see Article 10)
- Lot and road frontage requirements have been updated to prohibit “flag lots” with minimal or no direct frontage on a public road or approved private road.
- “Wind energy conversion system” regulations have been added to the Zoning Ordinance to allow for limited use of agricultural or private wind turbines.

RECOMMENDED ZONING ORDINANCE CHANGES TO CONSIDER

Following is a list of additional recommended changes to the regulations and standards of the Zoning Ordinance consistent with the policies of this Master Plan. These changes should be considered with deliberation by the Planning Commission and Township Board as the need arises, or in conjunction with other planned Ordinance amendments:

1. Consider relaxing the maximum 0.05 floor area ratio (FAR) and five percent (5%) ground floor coverage (GFC) restrictions for the AG (General Agriculture) District to allow for some additional floor area for agricultural buildings and rural accessory structures.
2. To reduce the potential overcrowding of land and impact of uncontrolled division of land into rural residential lots, consider the following amendments to the dimensional standards for the AG (General Agriculture) District:
 - (a) Adoption of “sliding-scale” land division standards to limit the number of times that a parent parcel (a parcel existing on the date of ordinance adoption) can be divided based on its size.

For local examples of sliding-scale zoning, review Section 3.202A of the Freedom Township Zoning and Saline Township zoning ordinances.
 - (b) Consider establishment of a larger minimum parcel size for the zoning district; or establishment of a range of minimum lot sizes based on specific conditions designed to encourage the location of non-farm dwellings on less productive farmland or in areas where the land has already been fragmented into a predominant pattern of non-farm parcels.
3. Consider adoption of specific land use regulations for medical marijuana caregivers and a prohibition against medical marijuana dispensaries or provisioning centers in the Township, consistent with the Michigan Medical Marihuana Act and Michigan Supreme Court decisions.

REZONING TO IMPLEMENT THE MASTER PLAN

The future land use maps (Maps LUP 1 through LUP 4) and associated elements of this Master Plan are intended to guide future changes to the Township’s Official Zoning Map. The Master Plan should be a principal source of information in the investigation of all rezoning requests. The Planning Commission should conduct a periodic appraisal of the Zoning Ordinance and Official Zoning Map to ensure that all elements of this Plan are adequately reflected in the ordinance text and map, and that no changes to the Plan or ordinance are necessary.

Phasing of Zoning Map Changes

A key to successful Master Plan implementation is the timing of future changes to the Township’s Official Zoning Map, whether initiated by the Township or by petitioners. When considering whether a rezoning request is consistent with this Plan, the Planning Commission and Township Board should keep in mind that the Master Plan’s policy recommendations are based upon a ten to twenty year planning period.

While the Plan may identify certain Township lands for more intensive development, the time for such development may not yet have arrived. More intensive land uses and development should be phased-in over a period of time, consistent with the policies of this Plan and the infrastructure and land capacity available to support the development.

Specific criteria have been incorporated into the Township Zoning Ordinance to help the Planning Commission and Township Board evaluate future rezoning applications [see Section 18.04 (Findings of Fact Required)]. These criteria should be carefully considered before making recommendations and decisions on proposed amendments to the Official Zoning Map.

Additional Phasing Recommendations for the Hamlet Area

As noted in Chapter 8 (Bridgewater Hamlet Area Plan), the Township is responsible for providing sanitary sewerage services to portions of the Hamlet via a public sewage treatment plant located on Kaiser Road. New development activity in the Hamlet area should be consistent with this Master Plan and the limitations of the Township’s Sewer Use District.

Consideration of rezoning petitions in the Hamlet with the potential to require additional capacity beyond that already allotted to the subject land should include evaluation by the Township Engineer of capacity limitations in the system, and analysis of any potential impacts on the system from the rezoning and permitted development in the proposed zoning district.

Additional Phasing Recommendations for Public/Quasi-Public Land Uses

In addition to the areas designated for “public/quasi-public” land uses on the future land use maps, there are certain other land uses of a similar character that may not be otherwise addressed on the maps. These land uses include churches and other religious institutions, government buildings, schools, and similar public facilities; as well as

publicly owned and maintained nature preserves or other public lands permanently set aside for open space or wildlife habitat.

Land may be rezoned for uses of a public or quasi-public character in areas of the Township designated for other land uses on the future land use maps, consistent with the following:

Quasi-Public. As used in this Master Plan, the term “quasi-public” refers to land uses that are not government-owned but provide a substantial and enduring public service, are institutional in character, or include public assembly or similar gathering space as part of their operation. Examples include schools, churches and other religious institutions, private clubs and meeting halls, private recreation facilities, and similar land uses.

1. The location should be served by existing utility infrastructure and/or soils with adequate capacity for the intended occupancy of the facility.
2. The location should have direct frontage on and access to public roads that can safely and efficiently accommodate the expected traffic generated by the facility. Locating public or quasi-public facilities on local roads or unpaved roads should be discouraged.
3. Public or quasi-public facilities should not be located on land designated as part of the “Agricultural Preservation Area,” unless the soil conditions or other characteristics of a specific site make it unsuitable for long-term agricultural operations.
4. The location would be compatible with the surrounding area and adjacent land uses in terms of traffic, noise, scale, and intensity of planned activities on the site.

The CP (Conservation-Preservation) district is intended to be the appropriate zoning classification for land intended to be occupied by a nature preserve or other public lands permanently set aside for open space or wildlife habitat. The PSP (Public/Semi-Public Services) District is intended to serve as the appropriate zoning classification for other public/quasi-public land uses.

Consideration of rezoning petitions for these zoning districts should also include evaluation by the Township Planner of any potential issues of compliance with applicable Zoning Ordinance requirements associated with permitted land uses and development in the proposed zoning district, based on the size, location, configuration, and other characteristics of the subject land.

MORE ZONING TOOLS FOR PLAN IMPLEMENTATION

Following is a list of several additional zoning-related tools and techniques that can be used by the Township to implement the policies of this Master Plan:

Site Plan Review

Each time the Planning Commission reviews a site plan for compliance with the Township Zoning Ordinance, another step is taken in the process of implementing the

policies of this Master Plan. Development review and approval is an important implementation tool to ensure that new construction is consistent with the goals and objectives of this Plan.

Planned Unit Development (PUD) Option.

The PUD zoning district is established under the special district authority authorized by Section 503 of the Michigan Zoning Enabling Act. The PUD option offers considerable flexibility to the land developer to provide opportunities for site designs that respect the natural environment, result in efficient layout of infrastructure and public facilities, and ensure mitigation of negative impacts on adjoining land uses and the Township as a whole.

Development Agreement

Although there is no explicit legislative authority for such agreements, many Michigan communities have used development agreements to achieve a mutual understanding between the developer and Township concerning the conditions under which development can occur. Development agreements are often negotiated as part of a planned development approval, allowing the community and developer to address complex issues that cannot be adequately addressed on a typical site plan. Development agreements might prove useful to achieve desired developments in the Township, especially if or when a mixed-use development is proposed.

Form-Based Zoning and Building Composition Standards

Although there is no explicit legislative authority for form-based zoning, some Michigan communities are adding building design and appearance standards to local zoning ordinances. The intent of form-based zoning and building composition standards is not to mandate certain architectural styles or materials, but rather to achieve a more uniform streetscape where adjacent buildings share common design elements, height, number of stories, and other characteristics.

