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CHARLESTON TOWNSHIP ZONING ORDINANCE

ORDINANCE NO. 112

ADOPTED: SEPTEMBER 26, 2000

EFFECTIVE: October 14, 2000

An ordinance to establish zoning districts, provisions and regulations for the unincorporated portions of the Township of Charleston pursuant to the provisions of Act 184 of the Public Acts of 1943, as amended, Act 110 of the Public Acts of 2006 (the Michigan Zoning Enabling Act), as may be amended, and any other applicable laws; to set forth regulations and minimum standards for the use and protection of lands and structures within each district; to establish provisions for the administration, enforcement and amendment of this Ordinance; to establish a Zoning Board of Appeals; to prescribe penalties for the violation of the provisions herein; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE TOWNSHIP OF CHARLESTON,

KALAMAZOO COUNTY, MICHIGAN,

ORDAINS:

ARTICLE I

SHORT TITLE, PURPOSE AND SCOPE

- 1.1 SHORT TITLE: This Ordinance shall be known as the Charleston Township Zoning Ordinance.
- 1.2 PURPOSE: The zoning districts established by this Ordinance and the regulations specified for each such district have been developed in accordance with the continuing formulation of a Land Use Plan for the physical development of Charleston Township as a part of Kalamazoo County. This Ordinance is also designed to limit the location, number, height, number of stories, and size of buildings, dwellings, and structures that may be erected or altered, and the specific uses for which such dwellings, buildings and structures may be erected, used or altered in the various zoning districts. This Ordinance also provides for the area of yards and other open spaces, and sanitary, safety and protective measures applicable to dwellings, buildings and structures. In their application and interpretation the provisions of this Ordinance shall be held to be minimum requirements adopted to promote the public safety, health, and general welfare. Among other purposes, these provisions are designed to conserve and protect lands, water and other natural resources in the Township for their most suitable purposes, whether for residences, recreation, industry, trade, service, or other appropriate uses; to ensure that uses of land shall be situated in appropriate locations and relationships; to preserve productive agricultural lands for agricultural uses, and to protect such lands against encroachments by incompatible non-agricultural uses; to reduce hazards to life and property; to secure safety from fire and other dangers of excessive public costs which result from unguided community development; to avoid inappropriate concentration of population by regulating and limiting the density of use of land; to lessen congestion in the public highways and streets, and other public facilities; to facilitate the economical and efficient provision of adequate streets and highways, educational and recreational facilities, energy, sewerage, drainage and water supply systems while avoiding the installation of such utility services to illogical locations; and to enhance the social and economic stability of Charleston Township.
- 1.3 SCOPE: It is not intended by this Ordinance to repeal, abrogate, annul or interfere with existing provisions of other laws or ordinances except those specifically or impliedly repealed by this Ordinance, or with any private restrictions placed upon property by covenant, deed or other private agreement unless repugnant hereto. Where this Ordinance imposes a greater restriction than is imposed or required by such laws, other ordinances, or private restrictions, the provisions of this Ordinance shall control.

ARTICLE II

CONSTRUCTION OF LANGUAGE

- 2.1 The following rules of construction apply to the text of this Ordinance:
- I. The particular shall control the general.
 2. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
 3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
 4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
 5. A "building" or "structure" includes any part thereof.
 6. The phrases "used for", "arranged for", "designed for", "intended for", "maintained for", and "occupied for" are intended to have interchangeable meaning.
 7. The word "person" includes an individual, corporation, partnership, incorporated association, trust, joint venture, or any other entity, or a combination thereof.
 8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and" or "or", the conjunction shall be interpreted as follows:
 - A. "and" indicates that all the connected items, conditions, provisions or events shall apply;
 - B. "or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 9. The word "he" shall mean he or she.
 10. Any word or term not specifically defined in this Ordinance shall be considered to be defined in accordance with its customary or common meaning.

ARTICLE III

DEFINITIONS

3.1 DEFINITIONS: The following definitions of these terms and words shall apply in the interpretation and enforcement of this Ordinance, unless otherwise specifically stated:

1. Accessory Building: A building subordinate to and located on the same lot with a principal building, the use of which is incidental to that of the principal building or the use of the land, and which is not attached by any part of a common wall or common roof to the principal building. Where an accessory building is attached to a principal building, such accessory building shall be considered part of the principal building.
2. Accessory Structure: A structure (which is not a building) subordinate to and located on the same lot with a principal building, the use of which is incidental to that of the principal building, and which is not attached to the principal building (This definition shall include swimming pools and tennis courts).
3. Accessory Use: A use of a building or lot, or portion thereof, which is incidental and subordinate to the principal use of the lot.
4. Agricultural and Livestock Production: The production for commercial purposes and sale for the purpose of obtaining a profit in money by the raising, harvesting, and selling of crops and forage; by feeding or breeding or management and sale of, or the produce of livestock, poultry, fur-bearing animals, or honey bees; or for dairying and the sale of dairy products of animal husbandry or any combination thereof; or any other agricultural, aquacultural, horticultural or floricultural use such as fruits, plants, ornamental trees, timber, shrubs, nursery stock, and vegetables; including in each instance the right to sell at wholesale or retail from the premises any goods or products produced thereon.
5. Alteration of Building: A change in the supporting members of a building, or an addition, diminution, change in use or conversion of a building, or the removal of a building from one location to another.
6. Animal: See Section 21.2 for definitions of related terms.
7. Animal Units: (the definition of "animal units" included in the Generally Accepted Agricultural and Management Practices For Site Selection and Odor Control For New and Expanding Livestock Production Facilities, as adopted by the Michigan Commission of Agriculture & Rural Development in

May 2019, and as may subsequently be specified by the Michigan Commission of Agriculture in accordance with the Michigan Right To Farm Act (1981 PA 93, as amended), is adopted by reference).

Editorial Note: The definition adopted by reference reads as follows as of May 2019:

Animal Units – Animal units are defined as listed in the U.S. Code of Federal Regulations (CFR) 40 Section 122, Appendix A (See Table 1).

Table 1. Animal Unit Equivalents

Animal Units	50	250	500	750	1,000
Animal Type¹	Number of Animals				
Slaughter and Feeder Cattle	50	250	500	750	1,000
Mature Dairy Cattle	35	175	350	525	700
Swine ²	125	625	1,250	1,875	2,500
Sheep and Lambs	500	2,500	5,000	7,500	10,000
Horses	25	125	250	375	500
Turkeys	2,750	13,750	27,500	41,250	55,000
Laying Hens or Broilers	5,000	25,000	50,000	75,000	100,000

¹ All other animal classes or types or sizes (eg. Nursery Pigs) not in this table, but defined in the Michigan Right to Farm Act or described in Michigan Commission of Agriculture Policy, are to be calculated as one thousand pounds live weight equals one animal unit,

² Weighing over 55 pounds.

8. Aquaculture: The commercial production of fish or other natural produce of water.
9. Automotive Repair Garage: A garage, building or area where repairs of motor vehicles, boats, trailers, farm equipment or similar equipment are made for a fee, or other consideration, including body and paint work.
10. Automotive Sales Area: An area used for the display, sale or rental, but not for the repair, of new or used motor vehicles, boats, trailers, farm equipment or similar equipment.
11. Automotive Service Station: A building or structure designed or used for the retail sale of fuel, lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for facilities for storage, minor repair, or servicing; but not including bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rust proofing, or high-speed washing thereof, or sales of

used cars, new cars, used trucks, new trucks, motorcycles or other land vehicle type, or sales unrelated to service station use.

12. Basement: A portion of a building which is partially or wholly below grade; provided that where the vertical distance from the average finished grade to the ceiling of said area is greater than one-half of the total height of the area, said area shall not be considered a basement.
13. Bed & Breakfast Facility: A use which is subordinate to the principal use of a single family dwelling in which 1-6 transient guests are provided a sleeping room and board in return for compensation for a period not to exceed 30 days.
14. Billboard: See "Sign" definitions.
15. Biofuel: Any renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and that meets applicable quality standards, including, but not limited to, ethanol and biodiesel; but not including methane or any other fuel product from an anaerobic digester. For purposes of this term "ethanol" means a substance that meets the ASTM international standard in effect on July 19, 2011 as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline.
16. Boarding House: A dwelling having one kitchen and used for the purpose of providing meals and/or lodging, for compensation, to more than two persons other than members of the resident family occupying such dwelling, for a period exceeding seven days.
17. Building: An independent structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons, animals or property of any kind.
18. Building Code/Township Building Code: The building, mechanical, plumbing and electrical code(s) in effect in Charleston Township.
19. Building or Structure (Peak) Height: The vertical distance measured from the average grade at the building or structure foundation to the highest point of the building roof or structure.
20. Building or Structure (Eave) Height: The vertical distance measured from the average grade at the building or structure foundation to the bottom of the eave (top of side wall).

21. Building Line: The line adjacent to a building and parallel to the front lot line, formed by the junction of the outer surface of the building or enclosure wall with the finish grade or surface of the adjacent ground.
22. Building/Occupancy and Use Permit: The written authority issued by the Building Inspector/Zoning Administrator of the Township, permitting the construction, removal, moving, alteration, or occupancy and use of a building. Also see "Zoning Compliance Permit" definition.
23. Building Official/Inspector: The person or persons appointed by the Township Board or State to inspect buildings for conformance to the building codes and administer the building codes effective in this Township.
24. Building/Structure Setback Line (Minimum): The line which pertains to and defines those minimum building/structure setback lines which are established parallel to the front, side and rear lot lines and within which setback areas no part of a building or structure shall project or be located, except as otherwise provided for by this Ordinance.
25. Child (Family) Day Care Home: A private residence properly registered or licensed under 1973 Public Act 116, as amended (MCL 722.111 et seq), in which 1-6 minor children (or such other increased capacity number of minor children permissible under state law) are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. This term is not intended to include a home that gives care to an unrelated minor child for less than 4 weeks during a calendar year.
26. Child (Group) Day Care Home: A private residence properly registered or licensed under 1973 Public Act 116, as amended, (MCL 722.111 et seq), in which 7-12 minor children (or such other increased capacity number of minor children permissible under state law) are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. This term is not intended to include a home that gives care to an unrelated minor child for less than 4 weeks during a calendar year.
27. Child Day Care Center: A facility, other than a private residence, properly registered or licensed under 1973 Public Act 116, as amended (MCLA 722.111 et seq), receiving one or more preschool or school age children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. A Child Day Care Center includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day

nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Child Day Care Center is not, however, intended to include any of the following:

- A. A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are in attendance for not greater than 3 hours per day for an indefinite period, or not greater than 8 hours per day for a period not to exceed 4 weeks during a 12 month period.
 - B. A facility operated by a religious organization where children are cared for not greater than 3 hours while persons responsible for the children are attending religious services.
28. Church: A building whose primary purpose is to provide a place where persons regularly assemble for religious worship which is maintained and controlled by a religious body organized to sustain public worship for a local congregation.
29. Commercial Recreational Enterprise: A facility providing athletic or other recreational use, on a commercial basis, including golf driving range, miniature golf, baseball batting cage, ice or roller skating rink, bowling alley, or other similar and compatible recreational use, with such similarity and compatibility to be determined, if necessary, by the Zoning Board of Appeals.
30. Contiguous: Adjoining; actually touching at a point or common boundary line; provided, that a street does not break contiguity.
31. Contractor's Workshop: A business "base" for a contractor who provides personal services directly to clients in the electrical, plumbing, heating, painting, woodwork, or similar trades, where there is no manufacturing, assembling or fabrication of products on a wholesale basis for other contractors or businesses, no retail sales, and no outdoor storage.
32. Convalescent or Nursing Home: A home for the care of children or the aged or the infirm, or a place of rest for those suffering serious bodily disorders, wherein three (3) or more persons are cared for (excluding day care facilities).
33. Deck: A structure consisting primarily of flooring which is raised above the ground level, and which may be constructed as part of the principal structure or building, or as an accessory structure.
34. District (or Zoning District): An area within which certain designated uses of land and buildings are allowed and all others are prohibited, yards and other

open spaces are required, and lot areas, building height limits and other requirements are established.

35. Dwelling or Residence: A building, mobile home, premanufactured or precut dwelling structure designed and used for the complete living accommodations of a single family, but in no case shall a recreational vehicle, automobile chassis, tent or portable building be considered as a dwelling. In case of mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for the purpose of this Ordinance and shall comply with the provisions hereof relative to dwellings. Garage space, whether in an attached or detached garage, shall not be deemed a part of a dwelling for purposes of complying with the area requirements in this Ordinance.

All dwellings shall comply with the standards set forth in Section 5.5 of this Ordinance.

- A. Dwelling, Farm: A dwelling located on a farm for the residence of the farm's owner, the immediate family of the farm's owner (children, parents, grandchildren, grandparents), the farm's operator, or a person employed on the farm.
- B. Dwelling, Multiple-Family: A building containing three or more separate dwelling units designed for residential use.
- C. Dwelling, Single-Family: A detached building containing only one dwelling unit designed for residential use.
- D. Dwelling, Two-Family: A detached building containing two separate dwelling units designed for residential use.
- E. Dwelling Unit: A building or portion thereof arranged or designed to provide permanent living and cooking facilities for not more than one family.
36. Earth Removal and Commercial Excavation: The digging and/or screening and washing of soil, sand, gravel, rock, minerals, clay, or other earthen material from a land surface for a commercial, manufacturing or industrial purpose other than the improvement, development, grading and selling of land; but not including any quarrying, asphalt manufacturing or concrete or cement manufacturing operations, except as allowed herein.
37. Essential Services: The erection, construction, alteration or maintenance by public utilities or public authorities, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection,

communication, supply or disposal systems, including poles, wire mains, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, police call boxes, traffic signals, hydrant or other similar equipment and accessories in connection therewith, not including buildings, electrical substations or gas regulator stations, as shall be reasonably necessary for the furnishing of adequate services by public utilities, or public authorities, or for the public health, safety, or general welfare (not including buildings other than those which are primarily enclosures or shelters of the above essential service equipment); provided that Communication Tower, as defined in this Ordinance, shall not be considered an essential service.

38. Family: One or more persons related by blood, marriage, or adoption, including those related as foster children or servants, and not more than one additional unrelated person, occupying a dwelling unit and living as a single, nonprofit housekeeping unit; or, a collective number of individuals living together in one dwelling under one head, whose relationship is of a permanent and distinct domestic character, and cooking as a single housekeeping unit, but not including any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or other organization which is not a recognized religious order, and also not including a group of individuals whose association is temporary and resort-seasonal in character or nature.
39. Farm: The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.
40. Farm Market: An area and/or permanent or temporary building/structure where transactions between a farm market operator and customers for the sale of produce or other farm products/commodities take place as a seasonal or year round operation, and where at least 75% of the products marketed for sale (as measured by retail space used to display products) are produced on and by a farm under the same ownership or control as the farm market. A farm product or commodity sold at a farm market may be unprocessed, or processed to convert it into a value-added product that is more marketable for direct sales (such as by washing, sorting, packaging, canning, drying, freezing, or otherwise preparing the product for sale). A farm market may include other activities and services directly related to the farm products sold at the farm market (such as a cider mill accessory to an apple producer's farm market), but shall not otherwise include indirectly related or unrelated activities and services to attract and entertain customers and/or facilitate retail trade transactions unless such activity or service is otherwise permissible in the zoning district at issue and has been granted all required zoning approvals.

41. Farm operation: The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:
- marketing produce at roadside stands or farm markets.
 - the generation of noise, odors, dust, fumes, and other associated conditions.
 - the operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by law.
 - field preparation and ground and aerial seeding and spraying.
 - the application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.
 - use of alternative pest management techniques.
 - the fencing, feeding, watering, sheltering, transportation, treatment, use, handling and care of farm animals.
 - the management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
 - the conversion from a farm operation activity to other farm operation activities.
 - the employment and use of labor.
42. Farm product: Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, and any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan Commission of Agriculture and Rural Development.

43. Farm Structure: Any building or structure other than a dwelling, moved upon, maintained, used or built on a farm, which is essential to and customarily used on farms of that type for the pursuit of their agricultural activities.
44. Filling: The depositing or dumping of any matter onto or into the ground, except residuals from common household gardening and general farm care.
45. Floor Area:
- A. Floor Area, Gross: The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings, excluding any basement floor area (see "Basement" definition), and also excluding any space devoted to off-street parking or loading, breezeways, unfinished attics, porches (enclosed or unenclosed), or garages.
 - B. Floor Area, Usable: The portion of the floor area, measured from the interior face of the exterior walls, used for or intended to be used for services to the public or customers, patrons, clients, or patients; including areas occupied by fixtures or equipment used for display or sale of goods or merchandise, but not including areas used or intended to be used for storage of merchandise, utility or mechanical equipment rooms, or sanitary facilities.
46. Foster Care Facility:
- A. Foster Care (Small Group) Facility: A residential facility licensed by the state pursuant to 1979 Public Act 218, as amended (MCLA 400.701 et seq), or 1973 Public Act 116, as amended (MCLA 722.111 et seq), which provides resident services, supervision and care for 6 or fewer persons 24 hours a day.
 - B. Foster Care (Large Group) Facility: A residential facility licensed by the state pursuant to 1979 Public Act 218, as amended (MCLA 400.701 et seq), or 1973 Public Act 116, as amended (MCLA 722.111 et seq), which provides resident services, supervision and care for 7-20 persons 24 hours a day.
47. Front Line: See "Lot Line, Front" definition.
48. Golf Course: A comparatively large area of land laid out for the game of golf, which may include a clubhouse/pro shop providing locker facilities and the sale of food/beverages and golf related merchandise.

- 49. Grade: Any building grade shall, in the case of fairly level ground conditions, be the level of the ground adjacent to the walls. For substantially unlevel ground conditions, the grade shall be the average elevation of the ground adjacent to the walls.
- 50. Greenhouse: An enclosed structure used as a facility for the production of plants.
- 51. Health Department: The Kalamazoo County Human Services Department or comparable governmental agency.
- 52. Home Occupation: An otherwise lawful occupation or activity carried out for gain and conducted as an accessory use in a residential dwelling unit, including instruction in a craft or fine art, subject to the conditions and limitations set forth in this Ordinance.
- 53. Horse Boarding or Riding Stable: A facility with a confined capacity for more than 3 but less than 25 horses (50 animal units) for boarding by persons not residing on the premises and/or where riding horses are rented and/or where horse riding lessons are given, including the indoor and outdoor facilities for same.
- 54. Institutional or Public Use: Churches; schools teaching academic subjects and/or manual arts; public parks, cemeteries, libraries, and other public or semi-public uses, including governmental administration or service buildings.
- 55. Interior Boundary Line: A property boundary line which is not contiguous to or within a street.
- 56. Junk: Any motor vehicles, machinery, appliances, products, merchandise with parts missing, or scrap metals or other scrap materials that are damaged, deteriorated, or otherwise in such a condition as to be practicably unusable for the purposes for which the product was manufactured or designed.
- 57. Junk/Salvage Yard: Any place where the storing, dismantling, wrecking, and disposition of junk is carried on, including automobile wrecking yards and salvage areas used for the storage, keeping or abandonment of junk and scrap materials. This term does not include uses established entirely within enclosed buildings in conformance with all other provisions of the Zoning Ordinance.
- 58. Kenel: The housing or keeping of more than three dogs and/or cats on a lot or in a structure, for any purpose whatsoever, either permanently or

temporarily, excluding not more than one litter per year of less than six months of age.

59. Livestock Production: Any farm or farm operation engaged in raising, breeding, or feeding beef or dairy cattle, horses, swine, sheep, goats, poultry/fowl, turkeys/ducks, or other farm animals, as defined in Section 21.2 of this Ordinance, for commercial production purposes.
60. Lot: A parcel of land (including a "unit" within a site condominium development) with frontage on a public street, and separated from other parcels by legal description, deed or subdivision plot.
- A. Lot, Area: The total horizontal area within the lot lines of a lot, not including the area of the street right-of-way contiguous to any portion of the lot.
- B. Lot, Depth: The average horizontal distance from the front lot line to the rear lot line.
- C. Lot, Corner: A lot situated at the intersection of two (2) or more streets.
- D. Lot, Double Frontage: A lot other than a corner lot having frontage on two (2) more or less parallel streets.
- E. Lot, Frontage/Width: The horizontal distance between the side lot lines, measured at both the front lot line (see definition of "Lot Line, Front") and the building line (see definition of "Building Line"). Notwithstanding the foregoing, the lot frontage/lot width of a lake lot shall be determined at both that portion of the property abutting the water, and that portion of the property abutting the right-of-way of a public street (or the right-of-way of a lawful preexisting private road, in the case of a lawfully established nonconforming lot abutting such a private road).
- F. Lot, Interior: A lot other than a corner lot with one (1) lot line fronting on a street.
- G. Lot, Lake: A lot having frontage directly upon a natural or man-made lake.
- H. Lot, Lines: Any line dividing one (1) lot from another or from the street right-of-way, and thus constituting property lines bounding a lot.

- I. Lot Line, Front: That portion of a lot abutting the right-of-way of a public street (or the right-of-way of a lawful preexisting private road, in the case of a lawfully established nonconforming lot abutting such a private road). In the case of a corner or double frontage lot, the front lot line shall be that line separating the lot from that street which is designated as the front street in the plat and/or in the request for a Building or Zoning Compliance Permit.
 - J. Lot Line, Rear: That boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be that assumed line parallel to the front lot line not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot. In any case, when this definition does not apply the Zoning Board of Appeals shall designate the rear lot line.
 - K. Lot Line, Side: Any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior lot line.
 - L. Lot, of Record: A lot of record is a lot the dimension and configuration of which are shown on a map recorded in the Office of the Register of Deeds for Kalamazoo County, or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a professional engineer or land surveyor (so registered and licensed by the State of Michigan) and likewise so recorded with the county.
 - M. Lot, Zoning: One or more contiguous lots or portions of lots in single ownership, where the grouping of such lots for zoning purposes is required or allowed by this Ordinance.
61. Mini-Storage Facility: A facility with one or more completely self-enclosed buildings containing separate and individualized units rented or leased solely for the storage of personal property.
62. Mobile Home: A portable vehicular unit primarily designed for year-round dwelling purposes, built upon a chassis, equaling or exceeding twelve (12) feet in width and sixty (60) feet in length, and not motorized or self-propelled. Modular, prefab, pre-cut or sectional dwelling units which require being transported to the site separately in two (2) or more sections, and to which such major elements as the heating system or a substantial portion of the siding are installed after transport, and which are non-movable after erection, shall not be considered a mobile home, if same complies with the Township Building Code and the provisions of this Ordinance. Recreational Vehicles, as defined in this Ordinance, are not mobile homes.

63. Mobile Home Park: A specifically designated parcel of land designed and developed to accommodate three (3) or more mobile home sites for continual and non-recreational residential use.
64. Mobile Home Site: A plot of ground within a mobile home park designed to accommodate and support one (1) mobile home. It is not the same as a building lot.
65. Mobile Home Subdivision: An area of land with mobile home lots subdivided, surveyed, recorded, and sold in accordance with 1967 Public Act 288, as amended.
66. Modular, Prefab, Pre-cut and Sectional Dwellings: A dwelling unit consisting of two (2) or more transportable factory fabricated units designed to be assembled as a single residential structure on a foundation as required for a site-built residence.
67. Motel/Hotel: A group of attached or detached dwellings containing guest rooms which are provided for transient occupancy only, including auto courts, motor lodges, tourist homes, and similar transient lodging facilities not otherwise within the scope of another term defined in this Ordinance (such as Bed & Breakfast Facility, Boarding House, etc.).
68. Non-Conforming Use, Building/Structure or Lot of Record:
- A. Non-Conforming Use: A use which lawfully occupied a building/structure or land prior to the enactment of this Ordinance or amendments thereto, and that does not conform to the use regulations of this Ordinance for the zoning district in which it is located.
 - B. Non-Conforming Building/Structure: A building/ structure or portion thereof lawfully existing prior to the enactment of this Ordinance or amendments thereto, and which does not conform to the provisions (e.g. set-backs, height, lot coverage) of this Ordinance for the zoning district in which it is located.
 - C. Non-Conforming Lot of Record: A lot or parcel lawfully existing of record prior to the enactment of this Ordinance and which does not conform to the provisions of this Ordinance (i.e. area, width, etc.).
69. Occupied: The word "occupied" includes the terms arranged, designed, built, altered, converted to, rented, leased, or intended to be inhabited, not necessarily for dwelling purposes.

70. On-Farm Biofuel Production Facility (Type I): A facility designed and intended to be used to produce biofuel, and having all of the following characteristics:
- A. The facility is located on land used in the commercial production of farm products.
 - B. The facility has a designed annual production capacity of not more than 100,000 gallons of biofuel.
 - C. The facility is located at least 100 feet from the boundary of any contiguous property under different ownership.
 - D. The facility meets all otherwise applicable setback requirements.
 - E. At least 75% of the feedstock for the facility is produced on the farm where the facility is located, on an annual basis.
 - F. At least 75% of the biofuel or other product/byproduct of the facility is used on the farm where the facility is located, on an annual basis.
71. On-Farm Biofuel Production Facility (Type II): A facility designed and intended to be used to produce biofuel, and having all of the following characteristics:
- A. The facility is located on land used in the commercial production of farm products.
 - B. The facility has a designed annual production capacity of not more than 100,000 gallons of biofuel.
 - C. The facility is located at least 100 feet from the boundary of any contiguous property under different ownership.
 - D. The facility meets all otherwise applicable setback requirements.
 - E. Less than 75% of the feedstock for the facility is produced on the farm where the facility is located, on an annual basis.
 - F. Less than 75% of the biofuel or other product/byproduct of the facility is used on the farm where the facility is located, on an annual basis.
72. On-Farm Biofuel Production Facility (Type III): A facility designed and intended to be used to produce biofuel, and having all of the following characteristics:
- A. The facility is located on land used in the commercial production of farm products.

- B. The facility has a designed annual production capacity of at least 100,000 gallons but not more than 500,000 gallons of biofuel.
 - C. The facility is located at least 100 feet from the boundary of any contiguous property under different ownership.
 - D. The facility meets all otherwise applicable setback requirements.
73. Outdoor Entertainment Venue: A venue for various types of entertainment events and related activities necessarily or customarily held outdoors on a seasonal and/or periodic basis, including such events as a renaissance faire, civil war battle reenactment, farm vehicle festival, old car show, haunted forest, hayrides and story-telling, ice skating rink, and other similar events and activities involving the outdoor assembly of participants. This term is not intended to include any events/activities involving vehicular or animal racing or any such other similar land use.
74. Parking Area, Off-Street: An area (not utilizing any portion of a public street right-of-way) providing vehicular parking spaces along with adequate drives and aisles.
75. Parking Space: That area required by this Ordinance for the parking or storage of one automobile or other motor vehicle.
76. Patio: A structure consisting primarily of flooring at ground level.
77. Permitted Use: See Section 4.5 of this Ordinance.
78. Planning Commission: The Charleston Township Planning Commission.
79. Principal (or main) Building: A building in which is conducted the principal use of the lot upon which it is situated.
80. Principal Use: The main, primary or predominant use of a lot.
81. Private Non-Commercial Club: A facility for the meetings and related gatherings and activities of a non-commercial lodge, association, or other type of member-based club organized for civic, service, social, cultural, educational, literary, political, or charitable purposes, which is not operated for profit or as a business, and which generally excludes non-members and the public from its premises and activities thereon. This definition is specifically intended to include such facilities as a Veterans of Foreign Wars Post, American Legion Hall, or other similar private club facility for veterans of the United States military, and meeting facilities for such service/beneficent organizations as the Lions Club and Elks Club. This definition may also include a meeting facility for such organizations as conservation clubs and sportsmen's clubs; but is not intended to include any

outdoor range for the shooting of firearms for any purpose, except where such activity is specifically allowed pursuant to the standards applicable to special exception use approval as specified in this Zoning Ordinance. This definition is also specifically not intended to include uses such as bars, restaurants, other establishments operating for the primary purpose of selling food or beverages, or places offering erotic entertainment.

82. Private Wind Powered Generator (PWPG) system: a privately owned wind-driven generator system designed, constructed and intended to provide electricity primarily to the premises on which the system is sited, rather than to generate electricity for a utility grid serving other premises. Note: for zoning regulation purposes this term is also intended to include an anemometer tower temporarily installed for the purpose of evaluating the sufficiency of wind resources available on the premises.
83. Public Utility: Any person, firm, corporation, municipal department or board duly authorized under governmental regulation to furnish to the public either transportation, water, gas, electricity, telephone, telegraph, cable television, steam, or sewage disposal services.
84. Public Utility Service Facilities: Gas or electric substations, regulator stations, including buildings accessory thereto, and other public utility service buildings or structures; provided that Communication Tower, as defined in this Ordinance, shall not be considered a Public Utility Service Facility.
85. Recreational Vehicle: A portable vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for temporary lodging. This term includes folding campers, truckmounted campers, and motor homes, but does not include mobile homes.
86. Recreational Vehicle Campground: A recreational oriented facility for the overnight or short term use of recreational vehicles and tents, including a year-round residence for the facility owner/operator; may also be known as a recreational vehicle park.
87. Residential District (or Zone): Any one or more of the following zoning districts established by this Ordinance: "R-1" Single Family Rural Residential District, "R-2" Single Family Residential District, "R-3" Single Family and Two Family Residential District, "R-4" Multiple Family Residential District, "R-6" Mobile Home Park Residential District, and any other subsequently established zoning district which includes an "R" or the word "Residential" in its title.
88. Roadside Stand: A temporary or permanent building or structure used by the owners/occupants of the property for the purpose of selling produce grown on the premises.

89. Seasonal Mobile Home Park: A parcel or tract of land upon which three or more mobile homes are located on a continual or temporary basis but occupied on a temporary basis only, and which is offered to the public for that purpose regardless of whether a charge is made therefore, including a year-round residence for the park owner/operator.
90. Setback (Building or Structure): The minimum horizontal distance required to exist between a building or structure (including steps or porches), and the front, side or rear lot line. The required setback area is that area encompassed by the respective lot lines and setback lines.
91. Sign: Any structure or device using words, numerals, figures, designs or trademarks designed to inform or attract the attention of persons. Also see Section 25.2 of this Ordinance for additional definitions of related terms.
92. Single Ownership: Ownership of a parcel of property wherein the owner does not own adjoining vacant property; provided, that the owner of any number of contiguous lots or portions of lots may be considered as the owner of a single "zoning lot" for the purpose of this Ordinance, as the owner so elects, or as may otherwise be lawfully required by this Ordinance, and in such cases the outside perimeter of the group of lots shall constitute the front, rear and side lot lines thereof. The "owner" of a property may include dual or multiple ownership by a partnership, corporation, or other group.
93. Special Exception Use: See Section 4.6 of this Ordinance.
94. Street (or Road): A dedicated public right-of-way, other than an alley, over which the public has the right of vehicular access.
95. Street Line: The right-of-way line of a street.
96. Structure: Anything (except a building) constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.
97. Summer Stock Theatre: A theatre presenting indoor theatrical productions primarily but not exclusively in the summer months by casts consisting of professional and amateur actors in residence and training for some or all of the season, and established guest professional actors. This land use may include various and customary uses and activities accessory to the theatre, such as theatrical schooling/training and apprenticeships for cast and crew members, on-site housing for cast and crew members, food/beverage services, storage buildings for sets/scenery and costumes, and outdoor leisure structures for theatre patrons and cast/crew members.

98. Swimming Pool: Any structure or container located above or below grade designed to hold water to a depth of greater than 24 inches, intended for swimming or bathing.
99. Township Board: The Charleston Township Board.
100. Variance: A modification of the literal provisions of a dimension or other requirement, as opposed to the use of the property, which is granted when strict enforcement would cause undue hardship or practical difficulties because of circumstances unique to the individual property on which the variance is granted.
101. Wetland: Land characterized by the presence of water at a frequency and duration sufficient to support and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.
102. Wireless Communications Support Structure: A structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-support lattice tower, guyed tower, water tower, utility pole, or building; provided that for purposes of this Ordinance this term shall not include any tower or other support structure under 50' in height that is owned and operated by a federally-licensed amateur radio station operator or that is used exclusively for receive-only antennas.

A tower or other structure within the scope of this definition shall not be considered to be either "Essential Services" or "Public Utility Service Facilities" for purposes of this Ordinance, as those terms are defined in Section 3.1 of this Ordinance.

See Section 23.7.4 for other related defined terms used in that section.

103. Yard, Side-Rear-Front: A general term applied to the space on a lot or parcel, which contains a building or group of buildings, lying between the building or group of buildings and the nearest respective lot or property line facing each building.
104. Yard, Required Side-Rear-Front: An open space of prescribed width or depth, adjacent to a lot or property line, on the same land with a building or group of buildings, lying in the area between the building or group of buildings and the nearest lot line, and which is unoccupied and unobstructed from the ground upward, except for plants, trees, shrubs, fences, and as otherwise provided herein.

- A. Front: An open space extending across the full width of a lot between the front lot line and the building setback line. The depth of such yard shall be the shortest horizontal distance between the front lot line and the building setback line, measured at right angles.
 - B. Rear: An open space extending across the full width of a lot between the rear lot line and the nearest line of a building, porch or projection thereof. The depth of such yard shall be the shortest horizontal distance between the rear lot line and the nearest point of the building, porch or projection thereof.
 - C. Side: An open space extending on each side of the lot from the required front yard to the required rear yard. The width of such yard shall be the shortest distance between the side lot lines and the nearest point of a building, porch or projection thereof.
105. Zoning Administrator: The person or persons appointed by the Township Board to administer and enforce this Ordinance; may also be known as the Zoning Ordinance Enforcement Officer.
106. Zoning Board of Appeals: The Charleston Township Zoning Board of Appeals.
107. Zoning Compliance Permit: An authorization issued by the Zoning Administrator indicating that the proposed use and location of a building or structure conforms with the pertinent provisions of this Ordinance, including the setback and yard requirements.

ARTICLE IV

ZONING DISTRICTS AND ZONING MAP

- 4.1 ZONING DISTRICTS: For the purpose of this Ordinance, Charleston Township is hereby divided into the following Zoning Districts:

AG-1	EXCLUSIVE AGRICULTURE DISTRICT
AG-2	GENERAL AGRICULTURE DISTRICT
R-1	SINGLE FAMILY RURAL RESIDENTIAL DISTRICT
R-2	SINGLE FAMILY RESIDENTIAL DISTRICT
R-3	SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT
R-4	MULTIPLE FAMILY RESIDENTIAL DISTRICT
R-6	MOBILE HOME PARK RESIDENTIAL DISTRICT
C-1	LOCAL COMMERCIAL DISTRICT
C-4	HIGHWAY COMMERCIAL DISTRICT
R-IP	RESEARCH AND INDUSTRIAL PARK DISTRICT
I-1	LIGHT INDUSTRIAL DISTRICT
TPU	TOWNSHIP PUBLIC USE DISTRICT

- 4.2 ZONING MAP AND USE DISTRICT BOUNDARIES: The location and boundaries of the zoning districts established in the Township shall be shown on a map entitled "The Zoning Map of Charleston Township", and as same may be amended subsequent to the adoption thereof; and said map, section or portion thereof, together with all notations, dimensions and other data shown thereon, are hereby made a part of this Ordinance to the same extent as if the information set forth on said map were fully described and incorporated herein. The Charleston Township Supervisor shall be the official custodian of the Zoning Map. Where uncertainty exists as to the boundaries of zoning districts as shown on the Zoning Map, the following rules of construction and interpretation shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
 2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 3. Boundaries indicated as approximately following township boundaries shall be construed as following township boundaries.
 4. Boundaries indicated as approximately following shorelines shall be construed as following such shorelines, and in the event of change in the location of shorelines shall be construed as moving with the shoreline.
 5. Boundaries indicated as approximately following property lines, section lines or other lines of a government survey shall be construed as following such property lines, section lines or other lines of a government survey as they exist as of the effective date of this Ordinance or applicable amendment thereto.
- 4.3 AREAS NOT INCLUDED WITHIN A DISTRICT: In every case where land has not been clearly included within another district pursuant to this Article, such land shall be in the AG-2 General Agriculture District.
- 4.4 PERMISSIVE ZONING CONCEPT: Land uses are allowed in the various zoning districts by express specific designation in this Ordinance. Where a use is not so designated it is prohibited, unless construed by the Zoning Board of Appeals to be sufficiently similar to a use expressly allowed. No land contained within any zoning district within Charleston Township shall be used for any purpose other than those uses specifically allowed in the district in which the building or land is located, except as otherwise provided herein.
- 4.5 PERMITTED USES: A use listed as a "permitted use" in Article VI through and including Article XVIII of this Ordinance is recognized as a use of land and buildings in certain zoning districts which is harmonious with other such uses which may lawfully exist within the same district. A permitted use is subject to the various applicable provisions of this Ordinance, but otherwise it is considered to be a lawful use not requiring special or extraordinary controls or conditions.
- 4.6 SPECIAL EXCEPTION USES: A use listed as a "special exception use" in Article VI through and including Article XVIII of this Ordinance is recognized as possessing characteristics of such unique and special nature (relative to location, design, size, public utilities needs, and other similar characteristics) as necessitating prior review,

authorization, and individual standards and conditions in order to safeguard the general health, safety and welfare of the community.

ARTICLE V

GENERAL PROVISIONS

These general provisions shall apply to all zoning districts, unless specifically stated otherwise in this Ordinance.

- 5.1 ZONING AFFECTS ALL STRUCTURES AND LAND AND THE USE THEREOF: No structure, land or premises shall hereafter be used or occupied and no building shall be designed, erected, enlarged, moved, removed, reconstructed, extended or altered, except in conformity with the regulations set forth herein and the Township Building Code.
- 5.2 RESTORING UNSAFE STRUCTURES: Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any legally rebuildable structure declared unsafe by the Building Inspector, in accordance with the Building Code.
- 5.3 BUILDING PERMITS AND PLANS/UTILITY SERVICES: No building or structure shall hereafter be erected, enlarged, moved, removed, reconstructed, extended or altered until a building permit, and all other applicable code permits, have been obtained in accordance with the Township Building Code.

Where municipal water and/or sewer services are available, no building or occupancy permit shall be issued for any building to be occupied for human purposes unless provisions have been made to install the available municipal water and/or sewer services to such building. In the absence of such municipal services, no building or occupancy permit shall be issued for any building to be occupied for human purposes unless all required well system and septic system permits have first been obtained from the Health Department and/or other governmental agency with jurisdiction.

- 5.4 ZONING COMPLIANCE PERMITS: A building or structure which is exempt from a building permit requirement pursuant to the Township Building Code shall not be constructed, enlarged, altered, moved, reconstructed, occupied, or otherwise used in whole or in part until a zoning compliance permit or other sufficient comparable form of approval has been issued by the Zoning Administrator/Building Official, certifying that the location of the building or structure, and the intended use thereof, is in compliance with the provisions of this Ordinance.
- 5.5 DWELLING STANDARDS: A dwelling or residence shall comply with the following standards:

1. It shall have a minimum gross floor area in accordance with the requirements of Article XX for the applicable zoning district, and shall have a minimum floor to ceiling height of 7.5 feet;
2. It shall have a minimum width or depth of 24 feet for 50% of the entire length of the dwelling;
3. It shall be permanently attached to a solid foundation constructed on the site in accordance with the Township Building Code and having the same perimeter dimensions as the dwelling, which attachment shall also meet all building codes or other applicable state regulations. In the case of a mobile home, the mobile home shall be secured to the premises by an anchoring system or device compatible with those required by the Michigan Mobile Home Commission pursuant to regulations promulgated under Act 96 of the Public Acts of 1987, as amended. All construction required herein shall be commenced only after a building permit has been obtained in accordance with this Ordinance and the Township Building Code;
4. No exposed towing mechanisms, undercarriage, wheels or chassis shall be permitted. Any space that may exist between the foundation and the ground floor of the dwelling shall be fully enclosed by an extension of the foundation wall along the perimeter of the dwelling, said extension to be permanent and solid and constructed of poured concrete, concrete block, brick, or other non-metallic material which is aesthetically compatible with other dwellings in the area. If the dwelling is on a slab-type foundation the slab shall consist of approved materials and shall be at least four (4) inches in thickness, with footings in accordance with the Township Building Code;
5. The dwelling shall be connected to a public sewer and water supply or to private sewer and water facilities approved by the Health Department;
6. The dwelling shall have at least two exterior doors with the second one being in either the rear or side of the dwelling, and permanently attached steps shall be connected to all exterior door areas or to porches connected to said door areas where a difference in elevation requires the same;
7. The dwelling and any additions thereto shall be aesthetically compatible in design and appearance with each other, and with other residences in the vicinity, with either a roof overhang of not less than 6" on all sides, or alternatively, with roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling. The compatibility of design and appearance shall be determined in the first instance by the Township Zoning Administrator upon review of the plans submitted for a particular

dwelling, subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of 15 days from the receipt of notice of said Zoning Administrator's decision. Any determination of compatibility shall be based upon the standards set forth in this provision and the definition of "dwelling", as well as the character, design and appearance of one or more residential dwellings located outside of mobile home parks within 1,000 feet of the subject dwelling where such area is developed; or, where said area is not developed, by the character, design and appearance of residential development located outside of mobile home parks throughout the Township.

The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or departure from the common or standard designed home.

8. The dwelling shall contain a storage capability area in a basement located under the dwelling, in a usable attic area, in closet areas, or in a separate structure (other than space for the storage of motor vehicles) of standard construction similar to or of better quality than the dwelling, which storage area shall be equal to at least 15% of the square footage of the dwelling or 150 square feet, whichever is less.
9. The dwelling and all additions or other areas shall comply with all pertinent building and fire codes. In the case of mobile homes, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled "Mobile Home Construction and Safety Standards", effective June 15, 1976, promulgated at 24 CFR 3280, and in compliance with such amended standards as may from time to time be promulgated. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations allow standards of construction which are less stringent than those imposed by the Township Building Code, then, and only in that event, the less stringent federal or state standards or regulations shall apply. In addition, all dwellings shall meet or exceed applicable roof snow load and strength requirements.

The foregoing standards shall not apply to a mobile home located in a licensed mobile home park, except to the extent required by state law pertaining to such parks.

- 5.6 USED DWELLINGS: All the dwelling standards in Section 5.5 of this Ordinance apply to a used dwelling which is to be installed in the Township. A Zoning Compliance Permit shall be obtained for any used dwelling proposed to be installed

in the Township. A certificate indicating that the dwelling complies with all pertinent building and fire codes shall be submitted with the permit application. In the case of a mobile home or other pre-manufactured type of housing subject to construction and safety standards promulgated by the United States Department of Housing and Urban Development, the certificate must indicate that the dwelling meets the most recent applicable HUD standards. The required certificate shall be signed by a building inspector currently registered with the State of Michigan pursuant to 1986 Public Act 54, as may be amended.

- 5.7 PRINCIPAL USE: No lot may contain more than one principal building, provided that groups of multiple-family dwelling buildings or retail business buildings under single ownership shall be deemed a principal use collectively. In addition, in the Township Public Use District the Zoning Administrator may treat multiple uses as a principal use, collectively, where such uses are part of an integrated Township-owned and/or operated public/governmental use facility.
- 5.8 REQUIRED LOT, YARD, AREA OR SPACE: All lots, yards, and other open spaces shall comply with the lot, yard and area requirements of the zoning district in which they are located. A lot is not "buildable" unless it complies with the minimum lot area and minimum lot frontage requirements of the zoning district in which the lot is located. No lot, yard or other open space shall be divided, altered or reduced so as to make it less than the minimum required under this Ordinance, and if already less than the minimum required it shall not be further divided, altered or reduced. No yard or other open space provided about any building for the purpose of complying with the requirements of this Ordinance shall be considered as a yard or open space for any other building. See Article XX of this Ordinance for the lot, yard and area requirements for the various zoning districts.
- 5.9 TRAFFIC VISIBILITY AND CORNER CLEARANCE: On any corner lot in any zone no solid fence, retaining wall or other structure, or planting (except deciduous trees) which is over 30 inches in height shall be erected or maintained within 20 feet of an intersection right-of-way, in order to prevent traffic hazards arising from inadequate visibility.
- 5.10 WALLS AND FENCES: Walls and fences are permitted in the required yards of all zones. In the Agricultural, Commercial and Industrial zoning districts walls and solid/wire fences are allowed in the front, side and rear yards. In the Residential zoning districts walls and solid/wire fences of not more than four feet in height are allowed in the front yard, and walls and solid/wire fences of not more than eight feet in height are allowed in side or rear yards. Well maintained wire protective fencing without height limitation is allowed in all yards in all zones. The provisions of Section 5.9 must be met in all instances.

All types of walls and fencing shall be constructed only of stone, wood, metal, or other conventional wall/fencing material aesthetically compatible with the

surrounding area. All walls and fences shall be properly maintained and repaired so as to assure proper alignment of structure, and also so as to not become unsightly or dilapidated in appearance or function through disrepair or exposure to the elements.

- 5.11 HEIGHT EXCEPTIONS: The height limitations of all zoning districts may be exceeded by the following structures: flag poles, chimneys, farm structures, non-commercial television and radio antennas, monuments, cupolas, belfries, steeples, spires or other ornamental projections, water towers, or fire towers, and Private Wind Powered Generator systems (except as otherwise specifically regulated in this Ordinance). In the Commercial and Industrial zones, parapet walls, smokestacks, chimneys, cooling and fire towers, elevator buildings and bulkheads, roof storage tanks and roof structures for other necessary appurtenances are also permitted above the height limitations provided they are located at least the same distance as their height from any adjoining property lines. In the Township Public Use District a wireless communications support structure owned or leased and/or used by Charleston Township may exceed any height limitation that would otherwise be applicable, so as to allow such a structure to achieve its intended purpose.

5.12 TEMPORARY PERMITS:

1. Upon application, the Zoning Administrator may issue a permit for a temporary office building or yard for construction materials and/or equipment which is both incidental and necessary to construction at the site where located. Each permit shall be valid for a period of not more than six calendar months, subject to renewal by the Zoning Administrator for up to four additional successive periods of six calendar months at the same location if such construction work is being diligently pursued towards completion and such building or yard is still incidental and necessary to construction at the site where located. Debris shall be removed from the site at frequent intervals during construction and within 15 days after the completion or abandonment of the construction work.
2. Upon application, the Zoning Administrator may issue a permit for a temporary office which is both incidental and necessary for the sale or rental of real property in a new subdivision or housing project. Each permit shall specify the location of the office and shall be valid for a period of not more than six calendar months, subject to renewal by the Zoning Administrator for up to four additional successive periods of six calendar months at the same location if such office is still incidental and necessary for the sale or rental of real property in a new subdivision or housing project.
3. A recreational vehicle or tent may be situated and occupied for temporary recreational purposes upon premises within any zoning district allowing single family dwellings, subject to the following conditions and limitations:

- A. Not more than one recreational vehicle or tent is allowed per lot or parcel of land.
- B. The occupancy of such a recreational vehicle or tent must be associated with recreational purposes or activities.
- C. Such a recreational vehicle or tent may not be occupied for more than 30 days, calculated cumulatively, within any calendar year.
- D. Such a recreational vehicle or tent may not be leased or rented to the occupants.
- E. Such a recreational vehicle or tent must be situated and/or occupied in compliance with all applicable regulations of the Health Department regarding drinking water and waste disposal.
- F. When not in use such a recreational vehicle or tent must be stored neatly in the rear yard or side yard or in an enclosed building on the property of the owner of the recreational vehicle or tent, or on contiguous property.

5.13 ESSENTIAL SERVICES: Essential services may be located in any zone following the review and approval of a site development plan by the Zoning Administrator prior to the issuance of a building permit. Before approving such site plan said agency shall determine that all aspects therein conform to the requirements of this Ordinance and that the physical layout and relationship of improvements will provide for the convenience, safety and welfare of the general public and will not adversely affect existing or potential adjacent primary permitted uses; provided, however, that the repair, maintenance or replacement of existing essential services in residential zones shall not be subject to the site plan requirement.

Provided further that essential services may be located in any non-residential zone without being subject to this provision.

5.14 JUNK/REFUSE: Nothing herein shall be construed to allow the storage, collection or placing of discarded materials, inoperable or unlicensed motor vehicles (or parts thereof), or junk or refuse, for purposes of operating a junk, salvage or scrap yard, or for any other similar purposes.

5.15 SWIMMING POOLS: A swimming pool shall be considered as an accessory structure for the purpose of determining required yard spaces and maximum lot coverage. See Charleston Township Building Code for other regulations applicable to location and maintenance of swimming pools.

5.16 WATERFRONT DEVELOPMENT AND USE REGULATIONS:

1. Greenbelt Preservation: In order to preserve water quality in lakes, rivers and streams and to prevent deterioration of these resources and their tributaries, no building permit for any construction, or authorization for any grading, lot or subdivision preparation involving lands and land uses abutting or adjoining lakes, rivers or streams, shall be granted until it is first determined that any removal of ground cover conforms to the Sedimentation and Erosion Control Regulations enforced by the County of Kalamazoo.
2. Channelization: There shall be no new channelization on lake front properties which would increase the numbers of lake users and, therefore, increase the dangers of polluting or degrading the water quality of the lake. Any alteration of any shoreline or stream shall conform to all rules and regulations of the Michigan Department of Natural Resources.
3. Special Setback Requirements: Notwithstanding the generally applicable setback requirements specified in the Schedule of Lot, Yard and Area Requirements, or elsewhere in this Ordinance, the following setback requirements shall apply to all lots fronting on a watercourse:
 - a. Dwellings or other principal buildings/structures and accessory buildings/structures shall not be constructed within 75' of any watercourse, or within 50' of any area determined to be wetland pursuant to the Goemaere-Anderson Wetland Protection Act, 1979 Public Act 203, as amended; subject to the following exceptions:
 - (1) Buildings or structures lawfully in existence at the time of enactment of this Ordinance that fail to comply with these special setback requirements shall not be construed to be nonconforming.
 - (2) Where the majority of the lots abutting the watercourse within 250 feet of both sides of a lot have been built upon at the time of application for a building permit, the watercourse setback of any building thereafter erected or altered on the lot shall not be required to be greater than, nor shall it be less than, the average setback of the dwellings or other principle structures on the 3 lots on each side of the subject lot (but not more than 250 feet distant on each side of said lot).
 - b. Accessory uses and structures shall not be located in the required minimum front yard setback area specified in this Ordinance for the principal structure, except for docks, boat lifts, and swimming pools.

- c. Boat houses shall not be placed over any body of water or within the required minimum front, side or rear yard areas specified in this Ordinance for the principal structure.

4. Special Accessory Building Size And Height Requirements For Lake Lots:

Notwithstanding the generally applicable size (lot coverage) and height requirements for accessory buildings specified in the Schedule of Lot, Yard and Area Requirements, or elsewhere in this Ordinance, the following size and height requirements shall apply to accessory buildings on all lake lots:

- a. No accessory building in the rear yard (lake side) of a lake lot shall exceed 100 square feet in area.
- b. No accessory building in the rear yard (lake side) of a lake lot shall exceed 8' 6" in roof height (peak).

5. Access To Lake Lots:

The owners/occupants of a lake lot shall not provide access to the lake to the public in general, or to the owners/occupants of more than one other lot, by fee ownership, easement, lease, license, or any other form of conveyance, dedication or permission.

6. Dock Regulations: Docks are subject to the following conditions and limitations:

- a. No dock shall be constructed into a public body of water without a zoning compliance permit.
- b. No dock shall extend more than 50 feet from the shoreline into a public body of water, except if necessary to reach a water depth of three feet; provided further that in no event shall a dock extend more than 100 feet beyond the shoreline.
- c. No portion of any dock shall be located within 10 feet from the nearest property lines as projected into a public body of water.
- d. No structure shall be constructed or placed upon or adjacent to a dock that will block the view of persons, either upon the shore or water.

5.17 SCREENING AND FENCING: Every commercial or industrial use occupying land immediately adjacent to a Residential District shall have a screening area separating

the commercial or industrial use from the adjoining residential district. The screen shall be in the form of either a wall, berm, fence or evergreen planting, or combination of same, which is compact and maintained in good condition at all times. Such screening materials shall be at least six feet in height, except where the height of the screen would interfere with traffic safety, in which case it may be reduced to not less than three feet in height.

5.18 ENVIRONMENTAL USE REGULATIONS: All commercial and industrial uses, regardless of the zoning district in which they are situated, shall comply with the following regulations:

1. Stormwater shall be retained on-site by the use of retention areas and other necessary measures.
2. No obnoxious, toxic or corrosive fumes or gases shall be emitted except for those produced by internal combustion engines under designed operating conditions.
3. No odorous gases or other odorous materials shall be emitted in such quantities as to be a nuisance at or beyond the lot boundaries; provided that any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system fails, or odor producing activity shall immediately cease until odor control equipment is operable.
4. No smoke shall be emitted other than that produced by normally operating heating equipment.
5. There shall be no discharge into the air of dust or other particulate matter created by any industrial operation or emanating from any products stored prior to or subsequent to processing.
6. No heat shall be produced which is humanly perceptible at or beyond the lot boundaries.
7. All lighting shall be utilized in a manner which produces no glare on public streets or on any other lot.
8. No physical vibrations shall be produced that are humanly perceptible at or beyond the lot boundaries.
9. No electromagnetic radiation or radioactive emission shall be produced which is injurious to human beings, animals, or vegetation, or of any intensity that interferes with the use of any other property.

10. No one shall engage in the production or unsafe storage of any material designed for use as an explosive, nor in the use of such materials in production.

5.19 GARAGE SALE/YARD SALE REGULATIONS: Garage sales, yard sales and similar activities may be held as an accessory use to a dwelling in any zoning district, subject to the following regulations:

1. Such sales shall be held not more than two times per year per lot.
2. Such sale shall not exceed three days in length.
3. Only household personal property and residential goods may be sold.
4. Within 24 hours of the close of the sale all items not sold or being held for pickup shall be placed inside a fully enclosed building.
5. Within 24 hours of the close of the sale the owner of the lot where the sale was located shall collect and properly store or dispose of all signs or other advertising materials relating to the sale.

5.20 REMOVAL OF UNUSED BUILDING FOUNDATIONS AND RESTORATION OF LOT GRADE: In the event a dwelling or other type of building is destroyed or otherwise removed from its foundation, within three days the site shall be posted and fenced so as to preclude entry by unauthorized persons. Further, no more than 30 days after the destruction or removal of the building the building site shall be filled so as to restore the established grade; provided, however, that this latter requirement shall not apply if rebuilding operations have been projected or approved, and during the preconstruction period, which shall not exceed six months, the building site is fenced so as to preclude access by unauthorized persons, the lot is maintained free from the accumulation of rubbish and all unsafe or hazardous conditions which are unsightly or endanger the health or safety of the public, and provision is made to prevent damage from water runoff or otherwise to any adjoining property.

5.21 FILL REGULATIONS:

1. Statement of Purpose: The purpose of the regulations in this part of the ordinance is to assure that filling activities on any property in the Township for building site preparation, or otherwise, comply with applicable state laws, utilize appropriate fill materials, and are undertaken and completed in such a manner as to reduce hazards to life and property, and generally protect the public health, safety and welfare. Nothing herein is intended to allow the establishment of a disposal area regulated by 1978 Public Act 641, as amended, or otherwise affect the provisions of that Act, which require certain waste materials to be disposed of in a solid waste disposal area constructed and licensed pursuant to that Act.
2. Regulations Applicable in all Zoning Districts: Only inert soil, sand, clay, gravel, stone, and other inert/non-organic material may be used as fill materials in any zoning district, subject to the following regulations:
 - a. State Wetland Permit Requirement: No filling activities shall take place in a wetland subject to regulation by the State of Michigan pursuant to 1979 Public Act 203, as amended (Goemaere-Anderson Wetland Protection Act) without a permit first being obtained from the Michigan Department of Environmental Quality as required pursuant to that Act.
 - b. State Soil Erosion and Sedimentation Permit Requirement: No filling activities which may result in or contribute to soil erosion or sedimentation of surface waters shall take place without a permit first being obtained from the appropriate state or county agency as required pursuant to 1972 Public Act 347, as amended (Soil Erosion and Sedimentation Control Act of 1972).
 - c. Fill Material Content: Fill material shall have sufficient porous materials (such as soil, sand or gravel) to bed non-porous materials (such as rock, or pieces of concrete or brick).
 - d. Maximum Size of Non-porous Materials: Allowable non-porous materials (such as rock, or pieces of concrete or brick) shall be no greater in size than a standard concrete construction block. If larger pieces of material are encountered they shall be broken up to a conforming size or removed and lawfully disposed of.

- e. Compaction of Fill Material: All fill material shall be compacted to at least a 90% density.
- f. Leveling and Finishing of Filled Areas: Within 30 days or as soon thereafter as is practicable all filled areas shall be graded and leveled, completely covered with clean top soil at a depth of at least six inches, and seeded with a grass or other appropriate form of vegetation sufficient to control erosion.
- g. Final Grade and Runoff Control: The final grade of all filled areas shall be such as to contain precipitation run-off within the subject property, and not flow on to abutting property or a public roadway or other public right-of-way.
- h. Fill Permit Requirement: Where the volume of fill associated with a particular filling activity or project will exceed 4,000 cubic yards of material, or where the Zoning Administrator determines that by reason of the nature of the subject property, the location of that property, or otherwise, a particular filling activity or project is likely to cause a substantial impact on adjoining or nearby properties which may not be temporary in duration, no filling activities shall take place without Township Board approval of the filling activities, as a special exception use, in accordance with all applicable provisions of this Ordinance, including the following:
 - (1) Application for Fill Permit: An application for a Fill Permit shall be filed with the Township Clerk in accordance with Section 23.2 of this Ordinance and shall in addition include the following information:
 - (a) Name and address of applicant.
 - (b) Common address and legal description of property to be filled.
 - (c) Owner of property to be filled.
 - (d) Type(s) of fill material to be deposited.
 - (e) Source(s) of fill material to be deposited.
 - (f) Route(s) of travel from source(s) of fill material to subject property.

- (g) Volume of fill material requested to be permitted (in cubic yards).
- (h) Location of portion of subject property where filling activities will take place.
- (i) Final grade of filled area.
- (j) The number and type of vehicles and equipment to be used in filling activities, including transporting, dumping and leveling fill materials.

The Township Board may require one or more of the above application items and other pertinent information to be supplied in the form of a site plan in accordance with Article XXIV of this Ordinance.

- (2) Fill Permit Review Criteria: A Fill Permit application shall be processed and reviewed in the same manner as a special exception use request is processed and reviewed pursuant to law and applicable ordinance provisions. The application shall be approved, approved with conditions, or disapproved based on the general special exception use approval criteria set forth in Section 23.3 of this Ordinance, and upon a finding that:
 - (a) The requested filling activities can be conducted in compliance with all applicable Township ordinance requirements; and
 - (b) All applicable state and/or county and/or township permits have been obtained; and
 - (c) The requested fill activities will not have a harmful affect on abutting or nearby properties, except to the extent that any such affects are unavoidably inherent in the filling process, but will be temporary in duration, lasting only so long as the filling activities are taking place.

5.22 KEEPING OF ANIMALS: See Article XXI of this Ordinance for the provisions concerning the keeping of animals, including exotic and wild animals, farm animals, and domestic animals.

5.23 SPECIAL REGULATIONS FOR LAND USES IN FLOOD HAZARD AREAS:

In each zoning district the use of any land within a “flood hazard area” (as defined herein) involving the “development” (as defined herein) of such land, including any alteration of any existing use or building/structure, shall be subject to the following provisions supplementary to all provisions of this Ordinance otherwise applicable to the use/development in the pertinent zoning district:

1. Definitions. The following terms as used in this Section shall have the specified definition:
 - a. “development” means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, operations and any other land disturbing activities.
 - b. “flood hazard areas” means any land subject to inundation by the 1% annual chance flood as designated on the Flood Insurance Rate Map for Charleston Township issued by the Federal Emergency Management Agency dated February 17, 2010, and any subsequently updated official version of such map.
2. Prior administrative review and approval required. No development of any land within a flood hazard area shall be initiated without prior review and written approval of same by the Zoning Administrator pursuant to compliance with all of the following:
 - a. Charleston Township Ordinance No. 142, supplementing the existing State Construction Code Ordinance to address the floodplain management provisions of the State Construction Code, including Appendix G (flood-resistant construction) adopted thereby, as may be amended, and any subsequent ordinance adopted for the same purpose, including any amendment of same.
 - b. Charleston Township Community Resolution To Manage Floodplain Development For The National Flood Insurance Program adopted by the Charleston Township Board November 24, 2009, as may be amended, and any subsequent resolution adopted by the Township Board for the same purpose, including any amendment of same.
 - c. All other applicable provisions of the Zoning Ordinance.
 - d. All applicable general ordinances of the Township.

3. Violation. Any development of land subject to this Section that has not been determined by the Zoning Administrator to be fully compliant with subsection 2 shall constitute a violation of this Ordinance, and any other applicable ordinance.

Pages 40-41 reserved for expansion

ARTICLE VI

"AG-1" EXCLUSIVE AGRICULTURE DISTRICT

- 6.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the "AG-1" Agricultural land use classification in the Charleston Township Land Use Plan. Consistent with the "AG-1" planning classification, this zoning district has been created to serve two primary purposes: (1) preserve for agricultural production purposes prime agricultural lands, including but not limited to properties enrolled in the Public Act 116 Farmland Preservation Program; (2) allow maximum freedom of operations for agricultural pursuits by protecting such uses from encroachment of non-agricultural uses. To implement these purposes of the "AG-1" zoning district, non-agricultural uses are substantially precluded, and severe restrictions are imposed on allowed development, including new single family dwellings. While most of the areas included in this zoning district will be crop lands, the district may also include lands which are presently or may in the future appropriately be used for other types of agricultural production, including livestock production.
- 6.2 PERMITTED USES: The following uses are designated as permitted uses in the "AG-1" Exclusive Agriculture District:
1. Accessory Uses, Buildings and Structures incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance.
 2. Agricultural and Livestock Production.
 3. Child (Family) Day Care Home.
 4. Essential Services.
 5. Existing Single Family Dwelling.
 6. Foster Care (Small Group) Facility.
 7. On-Farm Biofuel Production Facility (Type I).
 8. Single Family Farm Dwelling.
 9. Signs, in accordance with Article XXV of this Ordinance.
 10. Farm Market.

11. Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.
- 6.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "AG-1" Exclusive Agriculture District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Bed & Breakfast Facility (for specific standards see Section 23.7.2 of this Ordinance).
 2. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).
 3. Wireless Communications Support Structure (for specific standards see Section 23.7.4 of this Ordinance).
 4. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).
 5. Horse Boarding or Riding Stable (for specific standards see Section 23.7.9A of this Ordinance).
 6. Private Airstrip (for specific standards see Section 23.7.15 of this Ordinance).
 7. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
 8. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).
 9. On-Farm Biofuel Production Facility (Type II or Type III) (for specific standards see Section 23.7.22 of this Ordinance).
- 6.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 6.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 6.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE VII

"AG-2" GENERAL AGRICULTURE DISTRICT

- 7.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the "AG-2" Agricultural land use classification in the Charleston Township Land Use Plan. This District is composed of those areas of the Township where agricultural production and other rural-type activities exist and should be preserved or encouraged as the principal land uses within the foreseeable future. Large vacant areas, fallow land and wooded areas are also included in this district. The regulations of this district are designed to stabilize and protect the essential characteristics of the district without unduly restricting its use solely to that of an agricultural nature; however, large non-agricultural uses, such as housing developments and subdivisions, should be discouraged from locating in this district, to minimize conflicts between agricultural production and non-agricultural uses, and also to preserve an agricultural land base for the production of a food supply. To these ends, development is limited to a low concentration and to those uses which would not be detrimental to future agricultural development.
- 7.2 PERMITTED USES: The following uses are designated as permitted uses in the "AG-2" General Agriculture District:
1. Accessory Uses, Buildings and Structures incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance.
 2. Agricultural and Livestock Production.
 3. Child (Family) Day Care Home.
 4. Essential Services.
 5. Foster Care (Small Group) Facility.
 6. Signs, in accordance with Article XXV of this Ordinance.
 7. Single Family Dwelling.
 8. On-Farm Biofuel Production Facility (Type I).
 9. Farm Market.
 10. Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.

7.3 SPECIAL EXCEPTION USES. The following uses are designated as special exception uses in the "AG-2" General Agriculture District, subject to special exception use approval and site plan approval in accordance with this Ordinance:

1. Bed & Breakfast Facility (for specific standards see Section 23.7.2 of this Ordinance).
2. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).
3. Wireless Communications Support Structure (for specific standards see Section 23.7.4 of this Ordinance).
4. Contractor's Workshop.
5. Earth Removal and Commercial Excavation (for specific standards see Section 23.7.5 of this Ordinance).
6. Foster Care (Large Group) Facility (for specific standards see Section 23.7.6 of this Ordinance).
7. Golf Course (for specific standards see Section 23.7.7 of this Ordinance).
8. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).
9. Horse Boarding or Riding Stable (for specific standards see Section 23.7.9A of this Ordinance).
10. Institutional or Public Use (for specific standards see Section 23.7.10 of this Ordinance).
11. Kennel (for specific standards see Section 23.7.13 of this Ordinance).
12. Private airstrip (for specific standards see Section 23.7.15 of this Ordinance).
13. Private Non-Commercial Club (for specific standards see Section 23.7.24 of this Ordinance).
14. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
15. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).

16. Recreational Vehicle Campground (for specific standards see Section 23.7.17 of this Ordinance).
 17. Seasonal Mobile Home Park (for specific standards see Section 23.7.18 of this Ordinance).
 18. Youth Recreational Camp.
 19. Veterinarian Clinic/Animal Hospital (for specific standards see Section 23.7.19 of this Ordinance).
 20. Outdoor Entertainment Venue (for specific standards see Section 23.7.21 of this Ordinance).
 21. On-Farm Biofuel Production Facility (Type II or Type III) (for specific standards see Section 23.7.22 of this Ordinance).
 22. Indoor Boat Storage (for specific standards see Section 23.7.23 of this Ordinance).
 23. Summer Stock Theatre (for specific standards see 23.7.25 of this Ordinance).
- 7.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XXV of this Ordinance.
- 7.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 7.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE VIII

"R-1" SINGLE FAMILY RURAL RESIDENTIAL DISTRICT

- 8.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This residential zoning district is derived from the Rural Residential Estates land use classification in the Charleston Township Land Use Plan. This residential district is composed of certain land in outlying areas presently of a rural residential character where large lot single family residential development has occurred or is likely to occur which does not require urban services such as municipal water supply or sanitary sewer facilities. This residential district is intended to apply to areas which have topographical limitations or soil characteristics which render the area generally unsuitable for agricultural uses or for large-scale residential development. This residential district is intended to meet the needs of those persons who wish to live in a rural environment, while protecting those portions of the Township which are appropriately zoned for agricultural purposes from haphazard residential growth. The regulations for this residential district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for family life in a rural environment. To these ends, development in this residential district is restricted to very low density single family residential use and other compatible uses consistent with limited rural type facilities and services. Since this residential zoning district serves as somewhat of a transitional district between true agricultural areas and residential areas allowing for more dense residential development, general agricultural uses are allowed, but only non-commercial livestock-related uses are allowed, and such uses are restricted. The provisions of this Ordinance pertaining to the keeping of farm animals recognize some areas in this district may be determined by the State to be acceptable for new or expanding commercial livestock production facility land uses pursuant to siting criteria issued by the Michigan Commission of Agriculture & Rural Development under the authority of the Michigan Right To Farm Act. Such State siting determinations may preempt and render unenforceable conflicting provisions of a local ordinance. This Ordinance makes a limited allowance for the keeping of livestock on a purely non-commercial basis for personal use and enjoyment by residents as an accessory use to the residential use of premises in this residential district (see Section 21.6.3).
- 8.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-1" Single Family Rural Residential District:
1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance; including a Roadside Stand (as defined in Section 3.1), not located within

any road right-of-way, and complying with any otherwise applicable setback requirements.

2. Agricultural Production, excluding commercial greenhouses, and also excluding activities involving the keeping of livestock except as allowed herein only on an exclusively non-commercial basis, for the personal/recreational use and enjoyment of the residents of the premises, as an accessory use to an existing dwelling on the premises. (See Section 21.6 of this Ordinance).
3. Child (Family) Day Care Home.
4. Essential Services.
5. Foster Care (Small Group) Facility.
6. Signs, in accordance with Article XXV of this Ordinance.
7. Single Family Dwelling.

8.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-1" Single Family Rural Residential District, subject to special exception use approval and site plan approval in accordance with this Ordinance:

1. Bed & Breakfast Facility (for specific standards see Section 23.7.2 of this Ordinance).
2. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).
3. Foster Care (Large Group) Facility (for specific standards see Section 23.7.6 of this Ordinance).
4. Golf Course (for specific standards see Section 23.7.7 of this Ordinance).
5. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).
6. Institutional or Public Use (for specific standards see Section 23.7.10 of this Ordinance).
7. Private Airstrip (for specific standards see Section 23.7.15 of this Ordinance).

8. Private Non-Commercial Club (for specific standards see Section 23.7.24 of this Ordinance).
 9. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
 10. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).
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- 8.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
 - 8.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
 - 8.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE IX

"R-2" SINGLE FAMILY RESIDENTIAL DISTRICT

- 9.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the Low Density Residential land use classification in the Charleston Township Land Use Plan. This district is composed of low density single family residential areas in the Township where single family residential development has occurred or appears likely to occur on medium or larger size lots. This district is intended to allow for such suburban-style single family development where urban services, such as municipal water or sewer facilities, are not required. The regulations for this district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for family life. To these ends, non-residential uses are essentially excluded from this district, or severely restricted, to avoid disrupting the low density single family residential nature of the district.
- 9.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-2" Single Family Residential District:
1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance; including a Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.
 2. Child (Family) Day Care Home.
 3. Essential Services.
 4. Foster Care (Small Group) Facility.
 5. Signs, in accordance with Article XXV of this Ordinance.
 6. Single Family Dwelling.
- 9.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-2" Single Family Residential District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).

2. Foster Care (Large Group) Facility (for specific standards see Section 23.7.6 of this Ordinance).
 3. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).
 4. Institutional or Public Use (for specific standards see Section 23.7.10 of this Ordinance).
 5. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
 6. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).
- 9.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 9.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXV of this Ordinance.
- 9.6 SITE PLAN REVIEW: In accordance with Article XXIX of this Ordinance.

ARTICLE X

"R-3" SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT

- 10.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the Medium Density Residential land use classification in the Charleston Township Land Use Plan. This District is intended for two family dwellings and single family dwellings on medium size lots which do not require urban services such as municipal water supply or sanitary sewer facilities. The District is intended to allow for a slightly more dense suburban/urban type of development than is allowed in the R-2 Single Family Residential District, generally in areas of the Township where such development has occurred or seems desirable to occur. As with the R-2 District, non-residential uses are essentially excluded from this District, or severely restricted, to avoid disrupting the residential nature of the District.
- 10.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-3" Single Family and Two Family Residential District:
1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance; including a Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.
 2. Child (Family) Day Care Home.
 3. Essential Services.
 4. Foster Care (Small Group) Facility.
 5. Signs, in accordance with Article XXV of this Ordinance.
 6. Single Family Dwelling.
 7. Two Family Dwelling.
- 10.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-3" Single Family and Two Family Residential District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).

2. Foster Care (Large Group) Facility (for specific standards see Section 23.7.6 of this Ordinance).
 3. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).
 4. Institutional or Public Use (for specific standards see Section 23.7.10 of this Ordinance).
 5. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
 6. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).
- 10.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 10.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 10.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE XI

"R-4" MULTIPLE FAMILY RESIDENTIAL DISTRICT

- 11.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the High Density Residential land use classification in the Charleston Township Land Use Plan. This District is intended for multiple family residential development (and two family and single family residential development where incorporated as part of a planned unit development). Property situated in the R-4 District should therefore be able to accommodate the increased traffic and other characteristics generated by such development. As with the other residential districts, non-residential uses are essentially excluded from this District, or severely restricted, to avoid disrupting the residential nature of the District.
- 11.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-4" Multiple Family Residential District:
1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance; including a Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.
 2. Boarding House.
 3. Child (Family) Day Care Home.
 4. Essential Services.
 5. Multiple Family Dwelling, including necessary offices for the conducting of business incidental to the rental, operation, service and maintenance of an apartment building or complex.
 6. Signs, in accordance with Article XXV of this Ordinance.
- 11.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-4" Multiple Family Residential District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).
 2. Institutional or Public Use (for specific standards see Section 23.7.10 of this Ordinance).

3. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
- 11.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 11.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 11.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE XII

"R-6" MOBILE HOME PARK RESIDENTIAL DISTRICT

- 12.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This District is intended solely for mobile home parks and accessory uses, under appropriate construction and development standards to promote the health, safety, and general welfare of the residents of such areas, as well as the residents of adjoining premises. The area zoned for such purposes should be able to accommodate the increased traffic generated from such developments and the requirements of same, and be suitable for residential use.
- 12.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-6" Mobile Home Park Residential District:
1. Accessory Uses, Buildings and Structures which are incidental to a mobile home park, such as recreational buildings and facilities, laundry facilities, maintenance garage and storage facilities, or incidental to any other use allowed in this district, in accordance with Article XXII of this Ordinance; including a Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.
 2. Child (Family) Day Care Home.
 3. Essential Services.
 4. Mobile Home Park, including a residence for the mobile home park owner or operator and his family, but excluding any retail sales of mobile homes, unless the same are located upon a developed mobile home site, subject, however, to the following conditions and limitations:
 - A. All mobile home parks shall comply with the requirements imposed by Michigan Public Act 96 of 1987 and any and all amendments thereto and with any and all regulations promulgated thereunder by the Michigan Mobile Home Commission and the Michigan Department of Public Health.
 - B. Off-street parking areas shall be provided in accordance with Article XXVI of this Ordinance.
 5. Signs, in accordance with Article XXV of this Ordinance.
- 12.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-6" Mobile Home Park Residential District, subject to

special exception use approval and site plan approval in accordance with this Ordinance:

1. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).
2. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
3. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).

12.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.

12.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.

12.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE XIII

"R-7" SINGLE FAMILY RESIDENTIAL SUBDIVISION DISTRICT

- 13.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the Medium Density Residential land use classification in the Charleston Township Land Use Plan. This district is intended to allow for suburban-style single family residential development in platted subdivisions, on smaller lots than would otherwise be permissible, where both municipal water and municipal sewer services are available and will in fact be provided to all lots in any development in the district. The regulations for this district are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable and safe environment for family life. To these ends, non-residential uses are essentially excluded from this district, or severely restricted, to avoid disrupting the single family residential nature of the district.
- 13.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-7" Single Family Residential Subdivision District:
1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance; including a Roadside Stand (as defined in Section 3.1), not located within any road right-of-way, and complying with any otherwise applicable setback requirements.
 2. Child (Family) Day Care Home.
 3. Essential Services.
 4. Foster Care (Small Group) Facility.
 5. Signs, in accordance with Article XXV of this Ordinance.
 6. Single Family Dwelling.
- 13.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-7" Single Family Residential Subdivision District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Child (Group) Day Care Home (for specific standards see Section 23.7.3 of this Ordinance).
 2. Home Occupation (for specific standards see Section 23.7.8 of this Ordinance).

3. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
- 13.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 13.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXV of this Ordinance.
- 13.6 SITE PLAN REVIEW: In accordance with Article XXIX of this Ordinance.

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ARTICLE XIV

"C-1" LOCAL COMMERCIAL DISTRICT

- 14.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the Commercial land use classification in the Charleston Township Land Use Plan. This district is intended to be established where there is a localized concentration of residential population to be served by business establishments. The district is intended primarily for the convenience shopping of persons residing in the surrounding area, and to accommodate community-wide needs for general retail sales and service facilities.
- 14.2 PERMITTED USES: The following uses are designated as permitted uses in the "C-1" Local Commercial District:
1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance.
 2. Bank, credit unions and savings and loan associations.
 3. Barber and beauty shop.
 4. Child Day Care Center
 5. Essential Services.
 6. Funeral establishment
 7. Garden and florist shop.
 8. Institutional or Public Use, in accordance with Section 23.7.10 of this Ordinance.
 9. Laundry and dry cleaning pickup station.
 10. Music and dancing school.
 11. Offices, business and professional.
 12. Photograph/art studio.
 13. Printing, lithographic, blueprinting and similar uses.

14. Restaurant.
 15. Retail stores for the sale/service of books, stationary, newspapers, clothing, drygoods, drugs, pharmaceuticals, groceries, foodstuffs, hardware, furniture, household appliances and furnishings, electronics, hobby supplies, sporting goods, photograph supplies, shoes, varieties, antiques, gifts, and any general retail use similar to these uses permitted in this section upon determination of the Zoning Board of Appeals that the use is so similar.
 16. Signs, in accordance with Article XXV of this Ordinance.
 17. Tailoring and dressmaking shops.
- 14.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "C-1" Local Commercial District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Automotive Sales Area.
 2. Automotive Service Station (for specific standards see Section 23.7.1 of this Ordinance).
 3. Bar, Tavern or Nightclub.
 4. Commercial Recreation Enterprises, Indoors.
 5. Contractor's Workshop.
 6. Mini-Storage Facility (for specific standards see Section 23.7.14 of this Ordinance).
 7. Package Liquor Sales.
 8. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
 9. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).
- 14.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 14.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 14.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE XV

"C-4" HIGHWAY COMMERCIAL DISTRICT

- 15.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the Commercial land use classification in the Charleston Township Land Use Plan. This district is composed of certain land along or in close proximity to State highways or major County thoroughfares to service the residents of the community and for the convenience of those persons in transit, and for the purpose of accommodating those commercial establishments which are of a similar nature in their service to the public.
- 15.2 PERMITTED USES: The following uses are designed as permitted uses in the "C-4" Highway Commercial District:
1. Any permitted use allowed in the "C-1" Local Business District.
 2. Commercial recreation enterprises, indoors or outdoors.
 3. Greenhouse and nursery.
 4. Motel.
- 15.3 SPECIAL EXCEPTION USES: The following uses are designed as special exception uses in the "C-4" Highway Commercial District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Any special exception use allowed in the C-1 Commercial District.
 2. Automotive Repair Garage (for specific standards see Section 23.7.1 of this Ordinance).
 3. Wireless Communications Support Structure (for specific standards see Section 23.7.4 of this Ordinance).
 4. Earth Removal and Commercial Excavation (for specific standards see Section 23.7.5 of this Ordinance).
 5. Mobile home sales.
 6. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).

- 15.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 15.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 15.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE XVI

"R-IP" RESEARCH AND INDUSTRIAL PARK DISTRICT

16.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT/OBJECTIVES:

This zoning district is derived from the Research and Industrial Park land use classification in the Charleston Township Land Use Plan. The purpose and intent of this District is to establish and regulate a mixture of permitted and special exception uses including office buildings, light industrial establishments, and research and development facilities and laboratories, of a non-nuisance type, located in an aesthetic environment which promotes product innovation, technological advancement, economic development, and new job creation. Sensitivity to the environment is encouraged in the design, development process, and operations within the District. Development within this District shall be in conformance with the provisions of this Article, other applicable provisions of this Ordinance and other Township ordinances, and applicable protective restrictions and design standards.

The objective of this Article is to establish regulations, standards and procedures for approval of a research and industrial park in order to:

1. insure a high standard of environmental quality by limiting nuisance impacts of the allowable uses;
2. provide for certain limitations on uses and structures to minimize impacts on any adjoining residential districts and existing residential uses;
3. encourage development that emphasizes the retention of open space;
4. provide for a high quality of uses which will protect both the development itself and the surrounding areas;
5. strengthen and sustain the economic potential of the Township.

16.2 PERMITTED USES: The following uses are designated as permitted uses in the "R-IP" Research and Industrial Park District, conducted within enclosed buildings:

1. Accessory Uses, Buildings and Structures which are incidental to any use allowed in this District, in accordance with Section 22.1 of this Ordinance. Accessory uses which are designed and intended to support and complement allowable principal uses, such as daycare, health fitness centers (both indoor and outdoor), cafeterias, product showrooms, office and laboratory equipment services, and printing, publishing and related

services, shall be located wholly within the building of the principal use which it serves (except for outdoor health fitness activities), shall be conducted solely for the convenience of the occupants of such principal use, shall have no exterior advertising or displays, and shall not occupy more than 25% of the total floor area of the principal building within which such accessory use is located.

2. Communications, electronics, information transfer, and data processing facilities, including computer centers, and related training and maintenance facilities.
3. Laboratories, offices, and other facilities for basic and applied research and experimentation, testing, product design, technology development, consulting, and business development.
4. Light industrial uses, including the manufacturing, fabricating, processing, converting, altering, assembling, and testing of products.
5. Offices and office buildings.
6. Warehousing, distribution, and transfer uses conducted within enclosed buildings.

16.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "R-IP" Research and Industrial Park District, subject to special exception use approval and site plan approval in accordance with this Ordinance:

1. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
2. Public Utility Service Facilities (for specific standards see Section 23.7.16 of this Ordinance).

16.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.

16.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.

16.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

16.7 SPECIAL RESTRICTIONS APPLICABLE TO THE "R-IP" ZONE: In addition to any applicable requirements set forth in this Article or elsewhere in this Zoning

Ordinance, the following restrictions and performance standards shall apply in the "R-IP" Research and Industrial Park District:

1. Project Area: The minimum area of a parcel or tract of land to qualify under the provisions of this District shall be 25 acres.
2. Setback From Residential District: Buildings, structures, parking areas, roadways, driveways, and other similar improvements within this District shall not be constructed within 300' of any property in a Residential District, or within 300' of any property currently used for residential purposes.
3. Landscaping Requirements. At least 25% of the area of each lot shall be landscaped open space. Landscaping plans are required as part of the site plan review process.
4. Storm Water Management. Area watersheds, waterways, and wellheads must be identified and protected through retention/detention basins, and storm sewer connections where available. Retention/detention ponds shall serve as both collection and leaching basins for storm water run off, and shall be located in such a way as to capture water from downward slopes of land, roof tops, and parking lots by utilizing earthforms in landscaped areas immediately adjacent to the conveyance system. Snow stock pile areas shall be located in areas where surface drainage patterns will not be interrupted during thaws.
5. Utility Services. All lines for telephone, electric, television and other similar services distributed by wire or cable shall be placed underground.
6. Outdoor Storage. Temporary outdoor storage of construction materials and/or equipment is permitted up to a maximum of 14 days after issuance of an occupancy permit. Projects requiring permanent outdoor storage of materials or equipment may request such usage during the site plan review process. Approval of such outdoor storage shall be based on the applicable criteria for site plan review in Section 24.6 of this Ordinance, and shall include conditions requiring appropriate fencing, screening, berming, or other acceptable means of concealment (which the applicant shall initially propose and include in the site plan). Outdoor storage of materials shall not exceed in height the height of the confinement area, and shall not be visible from adjoining streets or lots. Dumpsters and other refuse containers shall also be properly screened from view by adjoining streets or adjoining lots.
7. Parking Areas. In addition to complying with the applicable requirements in Article XXVI of this Ordinance, all parking areas shall have a 200

square foot interior landscaped area for each 20 parking spaces or portions thereof. The interior landscaped area shall be located so as to divide and break up the expanse of paving.

8. Environmental Standards. All uses within the Research and Industrial Park District shall conform to the following environmental standards:
 - a. Glare and Heat. Any operation producing intense glare or heat shall be conducted within an enclosed building or with such other effective screening in such a manner as to make such glare or heat substantially imperceptible from any point along the property line.
 - b. Vibration. Operations shall cause no recurring generated vibration perceptible without instruments at any point outside of the property line. Temporary construction is excluded from this restriction.
 - c. Lighting. All outdoor lighting shall be shaded, shielded and/or directed so that the surface of the source of the light shall not be visible from adjacent properties and public rights-of-way.
 - d. Smoke and Particle Emissions. No operation shall emit or cause to be emitted into the atmosphere from any air contamination source of emission whatsoever any contaminant which is a menace or nuisance to any person outside of the property line.
 - e. Odor Emissions. No operation shall cause or allow the emission of odorous air contaminants from any single source such as to result in detectable odors which are a menace or nuisance to any person outside of the property line.
 - f. Hazardous Materials. If any operation utilizes and/or stores hazardous materials (including hazardous waste) on site, the site/building shall be designed to comply with all fire and building codes for the hazardous materials used and adequate protection shall be taken to protect against negative off-site impacts of a hazardous material release, using the latest available technology.

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ARTICLE XVII

"I-1" LIGHT INDUSTRIAL DISTRICT

- 17.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This zoning district is derived from the Light Industrial land use classification in the Charleston Township Land Use Plan. This district is intended to provide for industries of a manufacturing or assembly nature, where such activities can be conducted in a manner which produces little external effect of an objectionable nature to the surrounding properties. Warehousing and other land uses which are similar in nature, as well as certain retail or service types of businesses are also allowed in this district. Heavy industry and other businesses which create a high level of noise, odor, dust, vibration, or other similar characteristics which cannot be substantially internalized are not intended to be provided for in this district.
- 17.2 PERMITTED USES: The following uses are designated as permitted uses in the "I-1" Light Industrial District:
1. Accessory Uses, Buildings and Structures incidental to any use allowed in this district, in accordance with Article XXII of this Ordinance.
 2. Any industrial use which meets the intent and purpose of this district where all work is carried on within an enclosed building, and which does not emanate noise, vibration, odor, smoke, liquid wastes, or light to such an extent as to be objectionable to surrounding properties. Where necessary, the Zoning Board of Appeals shall make a determination as to whether a particular use is within the scope of this provision.
 3. Builder supply sales and lumber yard.
 4. Contractor's equipment yard.
 5. Institutional or Public Use.
 6. Machine shop.
 7. Machinery and heavy equipment (including farm equipment) sales/service.
 8. Manufacturing, assembly, processing, compounding, packaging and warehousing of products, materials, or commodities, unless pertaining to a use which is specifically designated herein as a special exception use.
 9. Offices and office buildings.

10. Public Utility Service Facilities.
 11. Signs, in accordance with Article XXV of this Ordinance.
- 17.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "I-1" Light Industrial District, subject to special exception use approval and site plan approval in accordance with this Ordinance:
1. Automotive Repair Garage.
 2. Automotive Sales Area.
 3. Bulk fuel storage facility.
 4. Wireless Communications Support Structure (for specific standards see Section 23.7.4 of this Ordinance).
 5. Earth Removal and Commercial Excavation (for specific standards see Section 23.7.5 of this Ordinance).
 6. Grain processing facility.
 7. Private Wind Powered Generator (PWPG) system (for specific standards see Section 23.7.20 of this Ordinance).
 8. Ready-mix concrete and asphalt plant (for specific standards see Section 23.7.5 of this Ordinance).
 9. Saw mill.
 10. Stone yard or monument works.
 11. Truck terminal, maintenance and service yard.
- 17.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 17.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 17.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

ARTICLE XVIII

"TPU" TOWNSHIP PUBLIC USE DISTRICT

- 18.1 STATEMENT OF PURPOSE AND DESCRIPTION OF DISTRICT: This District is intended to implement the Government Land planning classification in the Charleston Township Land Use Plan, but only to the extent of the lands owned by Charleston Township and/or otherwise possessed and used by the Township for governmental facilities or other public/governmental purposes. This District is not intended to apply to any of the land area in the Fort Custer Military Reservation owned by the United States Government, or to the Fort Custer State Recreation Area owned by the State of Michigan, as all such lands are exempt from the zoning authority of the Township when used for governmental/public purposes.
- 18.2 PERMITTED USES: The following uses are designated as permitted uses in the "TPU" Township Public Use District:
1. Governmental administration or service buildings owned and/or occupied by Charleston Township.
 2. Public cemeteries owned and/or operated by Charleston Township.
 3. Public Utility Service Facilities owned and/or operated by Charleston Township.
 4. Essential Services.
 5. Accessory uses, buildings and structures incidental to any use allowed in this district.
 6. Signs, in accordance with Article XXV of this Ordinance.
 7. Wireless Communications Support Structure owned or leased and/or used by Charleston Township.
- 18.3 SPECIAL EXCEPTION USES: The following uses are designated as special exception uses in the "TPU" Township Public Use District, subject to special exception use approval and site plan approval in accordance with this Ordinance: None.
- 18.4 DENSITY, AREA, HEIGHT AND PLACEMENT REQUIREMENTS: In accordance with Article XX of this Ordinance.
- 18.5 OFF-STREET PARKING REQUIREMENTS: In accordance with Article XXVI of this Ordinance.
- 18.6 SITE PLAN REVIEW: In accordance with Article XXIV of this Ordinance.

Pages 74-78 reserved for expansion

ARTICLE XIX

Pages 79-101 reserved for expansion

