

ARTICLE 4.0 ZONING DISTRICTS

SECTION 4.100 PURPOSE OF DISTRICTS

Section 4.101 Zoning Districts.

For purposes of this Ordinance, Frankenlust Township is hereby divided into districts as follows:

Type of District	Zoning District Name	Symbol
Rural Districts	Agricultural District	AG
	Rural Small Farm District	SF
Residential Districts	Single-Family Residential Districts	R-1, R-2, R-3
	Two-Family Residential District	RT
	Multiple-Family Residential District	RM
	Manufactured Housing Park District	RMH
Business Districts	Neighborhood Commercial District	C-1
	Community Commercial District	C-2
	General Commercial District	C-3
	Light Industrial District	LI
Other Districts	Public/Recreational District	PR

Section 4.102 Agricultural (AG) District.

It is recognized that the public health and welfare of the citizens of the Township, state, and nation as a whole are greatly dependent upon the sustenance and economic benefits provided by a viable agricultural industry. The Agricultural (AG) District is hereby established as a Rural District to preserve adequate land for agricultural use, restrict the conversion of agricultural land to other uses, and provide the basis for land tax assessments that reflect its existing agricultural character.

This district is composed of a mixture of prime agricultural lands, other tilled lands, woodlands, wetlands, pastures, and open fields or scrublands; along with scattered very low-density rural residential housing. The primary intended use of the AG District is farm-related activities, so that there may be associated odors, dust, and noise that are not compatible with non-farm residences. Care should be taken to minimize conflicting land uses. The AG District is further intended to:

1. Recognize that agricultural lands have a definite public value as open space, and are an important physical, social, aesthetic, and economic asset to the Township.
2. Encourage long-term investment in the agricultural support services and facilities needed to maintain and expand agricultural production and promote a healthy rural economy in the Township.

3. Minimize cost of providing services to rural areas, and minimize excessive and unnecessary public expenditures caused by scattered demand for urban and suburban levels of public services in rural areas of the Township.
4. Protect prime farmland from speculative increases in land values, and minimize loss of farmland and fragmentation of rural land by division into small parcels.
5. Conserve the Township's rural character in accordance with the Township's Master Plan.

It is further recognized that certain value-added services and activities are a desirable addition to the district to support local agricultural operations and the rural economy of the Township. Accordingly, it is the intent of this district to allow for a limited range of agriculture-oriented tourism, educational, and recreational activities, subject to standards designed to minimize impacts on the Township's rural character.

Section 4.103 Rural Small Farm (SF) District.

The Rural Small Farm (SF) District is hereby established as a Rural District to provide areas of the Township for smaller-scale agricultural activities and market gardens for produce meant to be sold locally may occur alongside compatible uses, very low-density non-farm residential housing, and customary accessory uses. The SF District is further intended to serve as a buffer zone between the AG District and other more intensive zoning districts and land uses.

Section 4.104 Single-Family Residential (R-1, R-2, R-3) Districts.

The Single-Family Residential (R-1, R-2, R-3) Districts are hereby established as Residential Districts to provide areas in the Township where single-family residential uses, incorporating a reasonable range of lot sizes, plus compatible and accessory uses, may be established. The location and arrangement of such districts, and density of dwelling units within such districts, shall be consistent with the Township's Master Plan and the availability of public services and infrastructure to serve all of the potential land uses in each district.

Section 4.105 Two-Family Residential (RT) District.

The Two-Family Residential (RT) District is hereby established as a Residential District to provide areas in the Township for an intermediate type of residential zoning district, primarily located in areas with direct access to and frontage on a collector or primary road in the Township, and in situations where the close proximity of single-family detached housing developments would be adversely impacted by adjacent higher-density multiple-family residential uses.

The RT District is further intended to serve as a buffer zone between single-family residential areas and other more intensive multiple-family and non-residential districts and land uses. The location and arrangement of each district, and density of dwelling units within the district, shall be consistent with the Township's Master Plan and the availability of public services and infrastructure to serve all of the potential land uses in the district.

Section 4.106 Multiple-Family Residential (RM) District.

The Multiple-Family Residential (RM) District is hereby established as a Residential District to provide areas for a mixture of higher density housing options at planned locations in the

Township to meet the varied needs of residents for housing. Associated uses and facilities that serve residents in the district shall also be provided within a primarily residential environment.

The location and arrangement of each district, and density of dwelling units within the district, shall be consistent with the Township's Master Plan and the availability of public services and infrastructure to serve all of the potential land uses in the district. Development in the RM District shall be subject to appropriate standards to ensure sufficient light, air, and privacy for all uses, prevent congestion on public roads, reduce hazards to life and property, provide basic amenities, and ensure compatibility with abutting districts and uses.

Section 4.107 Manufactured Housing Park (RMH) District.

The Manufactured Housing Park (RMH) District is hereby established as a Residential District to provide for the location and regulation of manufactured housing parks (formerly known as "mobile home parks"), as defined by the Mobile Home Commission Act (Public Act 96 of 1987, as amended) and the Manufactured Housing Commission General Rules. It is intended that manufactured housing parks be provided with necessary community services and other associated uses and facilities that serve the residents in the district in a setting that provides a high quality of life for residents. In accordance with the purpose of this district, manufactured housing parks shall be located in areas where they will be compatible with adjacent land uses.

The regulations and rules established by the Mobile Home Commission Act and the Manufactured Housing Commission govern all manufactured housing parks. Where regulations in this Ordinance exceed the state law or general rules, they are intended to promote the health, safety and welfare of the Township's residents, and to ensure that manufactured housing parks are developed and maintained in a manner equivalent to the standards of this Ordinance for comparable residential developments in the Township.

Uses in the RMH District shall be located near roads with adequate planned capacity to accommodate the traffic volumes typically generated by higher density development, and shall be served by appropriate utilities and services. Development in the RMH District shall be subject to appropriate standards to ensure sufficient light, air, and privacy for all uses, prevent congestion on public roads, reduce hazards to life and property, provide basic amenities, and ensure compatibility with abutting districts and uses.

Section 4.108 Neighborhood Commercial (C-1) District.

The Neighborhood Commercial (C-1) District is hereby established as a Business District to provide areas of the Township where retail, service, and office enterprises can be optimally located to best serve the immediate neighborhood. These regulations are meant to encourage cluster development and otherwise discourage costly commercial strip or linear development, especially along primary roads and highways.

Building owners in the C-1 District are encouraged to orient buildings with display windows and public entrances facing the road right-of-way. Building sizes for permitted uses may be limited to promote appropriately scaled business development in the district. Uses that would create hazards, loud noises, vibration, smoke, glare, heavy traffic or late hours of operation are prohibited. The location and arrangement of each district shall be consistent with the Township's Master Plan and the availability of public services and infrastructure to serve all of the potential land uses in the district.

Section 4.109 Community Commercial (C-2) District.

The General Commercial (C-2) District is hereby established as a Business District to provide suitable locations for general comparison retail, service, and office establishments that service the entire Township and surrounding area. Retail establishments in this district are of the comparison shopping type and tend to rely on a market area much larger than the type of local establishments most suitable for the C-1 District. However, C-1 District land uses are permitted in this district as complementary activities to the primary permitted uses.

It is the intent of the C-2 District to encourage clustering of complementary business establishments, with the intent of avoiding strip commercial development, lessening traffic congestion by reducing the number of commercial driveways opening on to the public roads, and improving the safety and convenience of patrons. Establishments permitted in this district will usually be located only on primary roads and highways. The location and arrangement of each district shall be consistent with the Township's Master Plan and the availability of public services and infrastructure to serve all of the potential land uses in the district.

Section 4.110 General Commercial (C-3) District.

The General Commercial (C-3) District is hereby established as a Business District to provide suitable locations for retail, service, and related commercial enterprises that primarily cater to the motoring public, plus compatible and accessory uses, may be located without encroaching into other districts where their unique needs or circumstances would render them undesirable.

It is the intent of the C-3 District to encourage clustering of the permitted business establishments, with the intent of avoiding strip commercial development, lessening traffic congestion by reducing the number of commercial driveways opening on to the public roads, and improving the safety and convenience of patrons. Establishments permitted in this district will usually be located only on primary roads and highways. The location and arrangement of each district shall be consistent with the Township's Master Plan and the availability of public services and infrastructure to serve all of the potential land uses in the district.

Section 4.111 Light Industrial (LI) District.

The Light Industrial (LI) District is hereby established as a Business District to provide sites for manufacturing plants, distribution warehouses, and office, research or laboratory operations and facilities. The LI District is intended to apply to those light industrial areas and subdivisions developed according to the Township's Master Plan. The regulations contained in the LI District are intended to maintain aesthetic values in the district, protect investments of the community and industries occupying the improved sites. To these ends, development is limited to operations and facilities that can maintain a compatibility with surrounding agricultural, residential or commercial areas; and that generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, and other hazards.

Section 4.112 Public/Recreational (PR) District.

The Public/Recreational (PR) District is hereby established to accommodate dedicated government buildings and uses; institutions of an educational, philanthropic, religious or charitable nature, including any accessory dormitory housing, fraternity or sorority housing or similar living facilities; recreational uses and facilities, areas of open space, and similar land uses and development of a public service or institutional character.

SECTION 4.200 GENERAL STANDARDS

Section 4.201 Principal Uses and Special Land Uses.

In all districts, no structure or land shall be used or occupied, except in conformance with Article 6.0 (Land Use Table), and as otherwise provided for in this Ordinance. Special land uses may be permitted in accordance with Article 6.0 (Land Use Table), subject to a public hearing and approval by the Planning Commission in accordance with Article 18.0 (Special Land Uses).

Section 4.202 Prohibited Uses.

Uses not listed in Article 6.0 (Land Use Table) as a permitted use in a particular zoning district or otherwise addressed by this Ordinance or determined by the Zoning Board of Appeals to be similar to a permitted use per Section 23.06 (Interpretations) shall be prohibited in the district. Land uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances shall be prohibited in any zoning district. *(Amended by ord. 79F, eff April 26, 2019)*

1. Medical marihuana facilities shall be prohibited in all zoning districts, in accordance with the resolution adopted by the Frankenlust Township Board of Trustees on December 12, 2017; including but not limited to growers, processors, provisioning centers, safety compliance facilities, and secure transporters, all as defined in and regulated by the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016, as amended (MCL 333.27101 et seq.). *(Amended by ord. 79F, eff April 26, 2019)*
2. Marihuana establishments shall be prohibited in all zoning districts, in accordance with the Frankenlust Township Marihuana Prohibition Ord. No. 81A; including but not limited to marihuana growers, marihuana microbusinesses, marihuana processors, marihuana retailers, marihuana safety compliance facilities, and marihuana secure transporters, all as defined in and regulated by the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (MCL 333.27951 et seq.). *(Amended by ord. 79F, eff April 26, 2019)*
3. Registered medical marihuana primary caregivers, as defined in and regulated by the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, as amended (MCL 333.26421 et seq.), shall be prohibited in all zoning districts, unless exempted from regulation under this Ordinance by state law. *(Amended by ord. 79F, eff April 26, 2019)*
4. All other land uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances shall also be prohibited in any zoning district. *(Amended by ord. 79F, eff April 26, 2019)*

Section 4.203 Design and Development Requirements.

All uses shall comply with any applicable requirements of Articles 7.0 through 12.0 (Use Standards...), and all other applicable provisions of this Ordinance and other applicable regulations and standards. No structure shall be erected, reconstructed, altered or enlarged and no permits or certificates of occupancy shall be issued except in conformance with this Ordinance and other applicable regulations and standards.

Section 4.204 District Boundaries.

Zoning district boundaries shall, unless otherwise shown on the Official Zoning Map, follow lot or parcel lines, municipal boundaries, and the centerlines of road or other rights-of-way.

A. Zoning of Rights-of-Way.

All road and other dedicated rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon the right-of-way. Where the centerline of a right-of-way serves as a district boundary, the zoning of the right-of-way, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting land up to the centerline.

B. Zoning of Vacated Areas.

Any road or other dedicated right-of-way or other public way or portion thereof within the Township not otherwise classified within the boundaries of a zoning district on the Official Zoning Map shall, upon vacation, automatically be classified in the same zoning district as the land(s) to which it attaches.

Section 4.205 Official Zoning Map.

For the purpose of this Ordinance, the zoning districts as provided herein are bounded and defined as shown on a map entitled "Official Zoning Map of Frankenlust Township." The Official Zoning Map, and all explanatory matters thereon, are hereby made a part of this Ordinance.

A. Identification of Official Zoning Map.

The Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, under the following or equivalent words: "This is to certify that this is the Official Zoning Map referred to in the Frankenlust Township Zoning Ordinance" together with the effective date of the ordinance by which the map was adopted by the Township Board.

B. Changes to Official Zoning Map.

If, in accordance with the procedures of this Ordinance and the Michigan Zoning Enabling Act, a change is made in a zoning district or boundary, such change shall be entered onto the Official Zoning Map by the Township Clerk promptly after the ordinance authorizing such change shall have been adopted and published with an entry on the Official Zoning Map stating the date of the Township Board action, and a brief description of the change. The entry shall be signed by the Township Supervisor and attested by the Township Clerk.

1. Any change in corporate boundaries within the Township shall be entered on the Official Zoning Map by the Township Supervisor with his or her signature and date, and attested by the Township Clerk.
2. No change of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformance with the procedures set forth herein. Any other change of whatever kind by any person or persons shall be considered a violation of this Ordinance.

C. Authority of Official Zoning Map.

Regardless of the existence of purported copies of the Official Zoning Map that, from time to time, may be made or published, the Official Zoning Map shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, or structure in Frankenlust Township. The Official Zoning Map shall be located in the office of the Township Clerk and shall be open to public inspection.

D. Replacement of Official Zoning Map.

If the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature and the number of changes made thereto, the Township Board may by ordinance adopt a new Official Zoning Map that shall supersede the prior zoning map. The new Official Zoning Map may correct drafting or other errors or omissions on the Official Zoning Map, but such corrections shall not have the effect of amending the Zoning Ordinance or the prior Official Zoning Map.

1. The replacement map shall be identified by signature of the Township Supervisor, attested by the Township Clerk, and bear the seal of Frankenlust Township under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Frankenlust Township, adopted on [date] which replaces and supersedes the Official Zoning Map adopted on [date]."
2. Unless the prior Official Zoning Map has been lost or totally destroyed, the prior map or any significant parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.

E. Rules for Interpretation.

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules for interpretation shall govern:

1. A boundary indicated as following a road or other right-of-way shall be construed as being located midway in the right-of-way.
2. A boundary indicated as approximately following a road centerline shall be construed as following such centerline as it exists on the ground.
3. A boundary indicated as approximately following a recorded lot line or the line bounding a parcel shall be construed as following such line.
4. A boundary indicated as approximately following a municipal boundary of a city, village, or township shall be construed as following such line.

5. A boundary indicated as following a shoreline shall be construed as following the shoreline existing at the time the interpretation is made.
6. A boundary indicated as following the centerline of a stream, river or other body of water shall be construed as following such centerline existing at the time the interpretation is made.
7. A boundary indicated as parallel to, or as an extension of features described in this subsection, shall be so construed.
8. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the Map.
9. In circumstances not otherwise addressed, or where an existing physical or natural feature is at variance with that shown on the Official Zoning Map, the Zoning Board of Appeals shall interpret the location of the district boundary.
10. Where a district boundary divides a lot that is in single ownership at the time of adoption of this Ordinance, the Zoning Board of Appeals may permit an extension of the regulations for either portion of the lot to the nearest lot line, but not to exceed 50 feet beyond the district line into the remaining portion of the lot.