

Article 2: Zoning Districts, Zoning Map and Uses Permitted

Amendments:

ARTICLE II

ZONING DISTRICTS, ZONING MAP AND USES PERMITTED

SEC. 2.1 ZONING DISTRICTS

For the purpose of this Ordinance, the Charter Township of Plymouth is hereby divided into the following districts, which shall be known by the following respective symbols and names:

SYMBOL	DISTRICT NAME
AG	Agricultural District
PL	Public Lands District
R-1-E	Single Family Residential District
R-1-H	Single Family Residential District
R-1-S	Single Family Residential District
R-1	Single Family Residential District
R-M	Mobile Home Residential District
R-2	Two Family Residential District
R-2-A	Multiple Family Residential District
OS	Office Service District
OS-ARC	Office Service - Ann Arbor Road Corridor District
VP	Vehicular Parking District
C-1	Neighborhood Shopping District
C-2	General Commercial District
ARC	Ann Arbor Road Corridor District
MR	Mid-Rise District
OR	Office Research District
TAR	Technology and Research District
IND	Industrial District

SEC. 2.2 ZONING MAP

The areas comprising these zoning districts and the boundaries of said districts, as shown upon the Map attached hereto and made a part of this Ordinance, being designated as the Zoning Map of the Charter Township of Plymouth, with all proper notations, references and other information shown thereon, shall be as much a part of this Ordinance as though described herein, provided, however, where uncertainty exists with respect to the boundaries, the rules set forth in Sec. 2.3, Boundaries of District, shall apply (see Zoning Map).

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SEC. 2.3 BOUNDARIES OF DISTRICT

The boundaries of zoning districts, as shown on the Map, unless otherwise shown by dimensions from street lines or other designated lines, follow the centerline of streets or alleys or lot lines, and such lines extended and the corporate limits of the Charter Township of Plymouth as they exist at the time of adoption of this Ordinance.

Where a district boundary line, as established in the above paragraph or as shown on the Zoning Map, divides a lot which was in a single ownership and of record at the time of enactment of this Ordinance, the district boundary line shall be fixed from the scale of the Zoning Map.

Questions concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals after recommendation from the Township Planning Commission.

SEC. 2.4 AMENDMENT OF ZONING MAP

The Zoning Map may be amended from time to time, in whole or in part, by Ordinance to which there shall be attached a map of the Section or any part thereof affected by the amendment. Each map shall be given an amendment number.

SEC. 2.5 ZONING OF STREETS, ALLEYS AND RAILROAD RIGHTS-OF-WAY

All streets, alleys, and railroad rights-of-way, if not otherwise designated, shall be deemed to be in the same district as the property immediately abutting upon such rights-of-way. Where the centerline of a street or alley serves as a district boundary, the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such centerline.

The boundary line of districts affected by vacation of a right-of-way shall remain at the centerline of said vacated right-of-way. If this conflicts with the lot boundary line thus affected, the district line shall follow the nearest boundary line of the lots created at the time of vacation.

SEC. 2.6 PRINCIPAL PERMITTED USES IN DISTRICTS

Within each zoning district there are uses which, when developed in accordance with sound planning and site plan principles, are consistent with the purpose and objectives of the district. For the purpose of this Ordinance these uses shall be known as principal permitted uses as set forth in the individual district and shall be allowed within that particular district subject to the development requirements for the district.

SEC. 2.3	BOUNDARIES OF DISTRICT
SEC. 2.4	AMENDMENT OF ZONING MAP
SEC. 2.5	STREETS, ALLEYS AND RAILROAD RIGHTS-OF-WAY
SEC. 2.6	PRINCIPAL PERMITTED USES IN DISTRICTS

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SEC. 2.7 SPECIAL LAND USES

1. Purpose

Within each zoning district there are uses which may be consistent with the purpose and objectives of the particular zoning district only in specific locations, under specific conditions and when developed in accordance with sound planning and site plan principles. For the purpose of this Ordinance these uses shall be known as special land uses as set forth in the individual district and shall be allowed within that particular district subject to the development requirements for the district, provided the Commission finds:

- (a) The use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts or uses. In evaluating whether a use complies with the intent of this provision, among the factors the Planning Commission may evaluate are the following:
 - 1) The intensity and scale of the use in comparison to surrounding uses and conditions.
 - 2) The consistency of the use with the Master Plan.
 - 3) The impact of the use on natural features of the site and surrounding area.
 - 4) The intent of the Zoning District in which the use is proposed to be located.
- (b) The use is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
- (c) The use will be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.
- (d) The vehicular circulation for the proposed use will be in the best interest of the public health, safety and welfare in relationship to egress/ingress to the site, vehicular turning movements related to street intersections and street gradient, site distance and potential hazards to the normal flow of traffic.
- (e) The location, use and assembly of persons in connection with the proposed use will not be hazardous to the planning unit in which the use is located or hazardous to a specific use or life and property within the planning unit, or be incongruous therewith or in conflict with the normal traffic of the planning unit.
- (f) The proposed site layout is in compliance with the general site development standards of Article 29, Site Plan and Development Approval, and shall insure that:

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- 1) The use and associated activities on the property are so located as not to hinder the projected development of the adjacent properties or impair the existing uses of adjacent lands. This shall include all uses associated with the particular use such as parking, lighting, display sign, etc.
- 2) Sufficient landscaping, fencing, walls and other means of buffering are provided to insure that operation of the use will not be objectionable to nearby uses or dwellings by reason of noise, fumes or flash of lights nor increase the danger of fire or otherwise create the potential of endangering the public safety.

2. Application

Application for approval shall be made by the owner or owners of any land, where such use is contemplated. The application shall be accompanied by a fee as indicated in the Schedule of Fees adopted by the Township Board of Trustees to cover the cost of evaluating the application as to principles and conditions hereinafter set forth.

3. Application Information

Application for approval shall contain the following information:

- (a) A metes and bounds description of the acreage comprising the proposed conditional or special land use.
- (b) Topographic survey including natural and manmade features at a scale no greater than 1"=50'.
- (c) An existing land use map showing the existing use of adjacent lands.
- (d) A general development plan of sufficient detail to define the proposed location of buildings, parking, interior circulation and landscape areas.
- (e) Any other pertinent information deemed necessary by the Planning Commission to make a determination concerning the desirability and appropriateness of the proposed special land use.

4. Public Hearing Requirement (as amended on 9/30/07)

A public hearing shall be held by the Planning Commission on a proposed special land use in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the petitioner. Notice of the hearing shall be published in a newspaper which circulates in the Township and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within three hundred (300) feet regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. If

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the name of the occupant is not known, the term “occupant” may be used in making notification. The notice shall:

- (a) Describe the nature of the use request.
- (b) Indicate the property which is the subject of the special land use request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- (c) State when and where the special land use will be considered.
- (d) Indicate when and where written comments will be received concerning the request.

5. Planning Commission Decision (as amended on 9/30/07)

The Planning Commission may deny, approve or approve with conditions a request for special land use approval. In permitting such request the Planning Commission may require any conditions and safeguards the Commission determines to be in keeping with the spirit and intent of this Ordinance and to protect the neighboring properties from an impact. The decision on such use shall be incorporated in a statement to be made part of the minutes of the meeting. Said statement shall contain the findings and conclusions relative to the use under consideration specifying the basis for the decision and any conditions imposed. Conditions and requirements stated and made part of the approval shall be a continuing obligation running with the use of said property until the approved use is abandoned or superseded by another permitted use.

The decision of the Planning Commission shall be final in regards to the denial, approval or approval with conditions of the special land use, and the Zoning Board of Appeals shall not have jurisdiction over the decision of the Planning Commission.

6. Expiration of Approval

- (a) Approval of a special land use request shall expire three hundred sixty five (365) days after the date of approval, unless a site plan has been submitted for review in accordance with Article 29, Site Plan and Development Approval, or unless the use has been legally established (including issuance of a certificate of occupancy where required) in cases where site plan review is not required.
- (b) The Planning Commission may, upon written request, grant one (1) extension of approval for a period of time not to exceed eighteen (18) months from the date of

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original approval, under such terms and conditions as deemed necessary in accordance with the purpose of this Section.

- (c) Approval of a special land use shall automatically expire if the approved final site plan associated with the use expires in accordance with Section 29.11, Expiration of Site Plan Approval.

7. Revocation of Approval

Approval of a special land use may be revoked by the Planning Commission upon determination that the use has not been improved, constructed or maintained in compliance with this Ordinance, approved permits, site plans, or conditions of approval. Such action shall be subject to the following:

- (a) **Public Hearing.** Such action may be taken only after a public hearing has been held in accordance with the procedures set forth in Section 2.7.4 of this Article (Public Hearing Requirement), at which time the owner of an interest in land for which approval was sought, or the owner’s designated agent, shall be given an opportunity to present evidence in opposition to revocation of approval.
- (b) **Determination.** Subsequent to the hearing, the decision of the Commission with regard to the revocation shall be made, and written notification provided to said owner or designated agent.
- (c) The decision of the Planning Commission shall be final in regards to revocation and the Zoning Board of Appeals shall not have jurisdiction over the decision of the Planning Commission.

SEC. 2.8 USES PERMITTED REQUIRING APPROVAL OF THE ZONING BOARD OF APPEALS

The Zoning Board of Appeals shall have limited authority to grant uses of land and/or buildings. The Board of Appeals shall be limited to granting the following uses as specifically set forth in this Ordinance, subject to the conditions described, and shall not have the authority to grant any other use of land and/or business for either a temporary or permanent period of time.

1. Keeping of Fowl and Rabbits

The keeping of one (1) or more fowl or four (4) or more rabbits on lots less than five (5) acres in area for non-commercial use by the occupants of the premises with the approval of the Zoning Board of Appeals, subject to the following:

- (d) That the lot area to be used for the keeping of fowl or rabbits shall not be less than one (1) acre.
- (e) That all fowl or rabbits be so housed, fenced and otherwise kept that their use will not constitute a nuisance, and that the accessory building for the housing of fowl

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or rabbits shall be located not less than fifty (50) feet from any lot line and not less than one hundred (100) feet from any dwelling.

2. Roadside Stands

Roadside stands or buildings solely for the sale of fresh produce where permitted in the individual zoning district with the approval of the Zoning Board of Appeals, subject to the following:

- (a) The stand or building shall be located not less than fifteen (15) feet from the street setback line.
- (b) A drive shall be provided from the road to a parking area. The location and geometries of said drive shall be approved by the Michigan Department of Transportation and/or the Wayne County Road Commission, whichever has jurisdiction of the street or highway right-of-way.
- (c) The parking area may be a lawn area or a gravel area which must be to the side or rear of the roadside stand and shall comply with applicable parking requirements of Article 24.
- (d) As a condition of approval, the Zoning Board of Appeals shall find the scope and nature of the proposed roadside stand is within the spirit and intent of this subsection of the Ordinance. The intent is to provide a property owner with the means of selling homegrown-fresh produce produced on property owned within the Charter Township of Plymouth. It is not the intent of this section to provide for a commercial produce market outside of a commercial district.

3. Keeping of Domesticated Animals

The keeping of horses, donkeys, mules, ponies and other domesticated animals, other than house pets, for private use only, where permitted in the individual zoning district with the approval of the Zoning Board of Appeals, subject to the following:

- (a) A minimum area of one (1) full acre shall be provided for each animal.
- (b) An accessory building to be used for the housing of fowl or animals (excluding cats and dogs) shall be not less than fifty (50) feet from any lot line and also not less than one hundred (100) feet from any dwelling located on the lot or on an adjoining lot, unless a greater or lesser setback is required by the Zoning Board of Appeals.
- (c) The said animals shall be confined in a suitable fenced area or paddock, in such a manner that they may not approach any closer than one hundred (100) feet from any dwelling, including residences on abutting parcels or lots.

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- (d) Stables shall be kept clean and manure shall be treated and handled in such a manner as to control odor and flies.

SEC. 2.9 USES PROHIBITED IN DISTRICTS

If a use is not specifically listed as a principal permitted use, a special land use, or a use permitted requiring approval of the Zoning Board of Appeals within a zoning district, that use shall be prohibited in that district, unless the Planning Commission determines that the use is consistent with the purpose and intent of the district.

END OF ARTICLE 2.

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

Charter Township of Plymouth Zoning Ordinance No. 99
Article 2: Zoning Districts, Zoning Map and Uses Permitted
Amendments:

ALL AMENDMENTS TO
ARTICLE II (2)

Charter Township of Plymouth Zoning Ordinance No. 99

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Amendments:

ALL AMENDMENTS TO ARTICLE II (2)

The following language was amended on 09/30/07

SEC. 2.7 SPECIAL LAND USES

4. Public Hearing Requirement

A public hearing shall be held by the Planning Commission on a proposed special land use in order to acquaint the public and adjoining property owners with the proposal prior to furnishing of detailed plans and specifications by the petitioner. Notice of the hearing shall be published in a newspaper which circulates in the Township and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to the occupants of all structures within three hundred (300) feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased, by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:

- (a) Describe the nature of the use request.
- (b) Indicate the property which is the subject of the special land use request.
- (c) State when and where the special land use will be considered.
- (d) Indicate when and where written comments will be received concerning the request.

5. Planning Commission Decision

The Planning Commission may deny, approve or approve with conditions a request for use permitted subject to special conditions. In permitting such request the Planning Commission may require any conditions and safeguards the Commission determines to

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be in keeping with the spirit and intent of this Ordinance and to protect the neighboring properties from an impact. The decision on such use shall be incorporated in a statement to be made part of the minutes of the meeting. Said statement shall contain the conclusions relative to the use under consideration specifying the basis for the decision and any conditions imposed. Conditions and requirements stated and made part of the approval shall be a continuing obligation running with the use of said property until the approved use is abandoned or superseded by another permitted use.

The decision of the Planning Commission shall be final in regards to the denial, approval or approval with conditions of the special land use, and the Zoning Board of Appeals shall not have jurisdiction over the decision of the Planning Commission.