

PITTSFIELD CHARTER TOWNSHIP WASHTENAW COUNTY, MICHIGAN

ZONING ORDINANCE AMENDMENT ZOA # 20-211

SECOND READING

AMENDING ARTICLES

AN ORDINANCE TO AMEND ARTICLES II, IV, V, VIII, XI, XII, XIII, and XV OF THE TOWNSHIP ZONING ORDINANCE.

THE CHARTER TOWNSHIP OF PITTSFIELD, WASHTENAW COUNTY, HEREBY
ORDAINS:

That various sections of Articles II, IV, V, VIII, XI, XII, XIII, and XV to amended to read
as follows:

Section 2.02 Definitions.

CARGO CONTAINERS: A container fabricated for the propose of transporting freight or goods on a truck, railroad, or ship, including shipping containers, storage units or other portable structures that are placed on private property and used for storage of items.

COMMERCIAL VEHICLE: Commercial vehicles shall include, but not be limited to: tractors (excluding lawn tractors), bulldozers, earth carriers, drag lines, cranes, back hoes, dump trucks, stake trucks, flatbed trucks, panel trucks, cube vans, wreckers, septic tank pumpers, seal coating trucks, semi-tractors, commercial trailers, tanker trucks, well-drilling rigs, welding trucks, repair vehicles, semi-trailers, and any other type of commercial or construction equipment as well as any other motor vehicles not customarily used for passenger transport. Specifically excluded from this definition are any and all tractors or equipment used or customarily used in farming operation.

FILL: A deposit of soil or rock placed or replaced by people or machine which raises an existing elevation.

FILL MATERIAL: Soil, sand, gravel, clay, peat, debris and refuse, waste of any kind, or any other material which displaces soil or water or reduces water retention potential.

Section 4.02, Provision for Official Zoning Map

Amendment of Zoning Map. In accordance with the Zoning Enabling Act, the Township may amend the Official Zoning Map in connection with a rezoning of land within the Township. Whenever land within the Township is rezoned by ordinance, an updated

version of the map shall be attached to and incorporated into the zoning ordinance amendment effecting the rezoning, and the updated map shall supersede the previous version of the map as the Official Zoning Map of the Township. In the event that land is annexed or rezoned by a court order, the Clerk shall cause the Zoning Map to be updated to reflect the annexation or court order, without the need for the Township Board to adopt an updated map. Changes to the Official Zoning Map through an amendment, annexation, or court order shall be signed and dated by the Clerk. The Clerk shall maintain for public inspection the Official Zoning Map and a copy of the document or documents effecting the most recent annexation or rezoning. Copies of amended map shall be distributed to all Township Board Trustees and Planning Commission members.

Table 5.05.1, Michigan Avenue Mixed Use District Regulation Plan Table.

Street Type	Site Type	Building Form		Use Group	
Street Type: Urban	Site Type: C	Permitted Building Form	A, B, D	Permitted Use Group	2, 3, 5
		Conditional Approval Building Type	C	Conditional Use Group	4, 7
	Site Type: B	Permitted Building Form	A	Permitted Use Group	2, 3, 5
		Conditional Approval Building Type	B, C	Conditional Use Group	4
	Site Type: A	Permitted Building Form	A	Permitted Use Group	2, 3, 5
		Conditional Approval Building Type	B, C	Conditional Use Group	4
Street Type: <u>Suburban</u>	Site Type: A	Permitted Building Form	A	Permitted Use Group	1, 2
		Conditional Approval Building Type	B, C	Conditional Use Group	3

Section 8.03.B.2.a.vii.

Cargo Containers. Cargo containers may be used as detached accessory structure in accordance with the following provisions:

- 1) Cargo containers used as detached accessory structures shall be located behind the principal structure and may only be located in the rear yard and shall meet the required side or rear setbacks of the district in which they are located.
- 2) Cargo containers shall not be stacked above the height of a single container.
- 3) Cargo containers shall be fenced or screened from abutting properties and/or rights-of-ways.

- 4) Cargo containers shall be located upon an approved foundation by the Building Official that will support the weight of the structure.

Section 8.03.B.2.b.vii

Cargo Containers. Cargo containers may be used as an accessory supplemental building in accordance with the following provisions:

- 1) Cargo containers used as detached accessory structures shall be located behind the principal structure and may only be located in the rear yard and shall meet the required side or rear setbacks of the district in which they are located.
- 2) Cargo containers shall not be stacked above the height of a single container.
- 3) Cargo containers shall be fenced or screened from abutting properties and/or rights-of-ways.
- 4) Cargo containers shall be located upon an approved foundation by the Building Official that will support the weight of the structure.

Section 8.04.E.

1. A temporary structure shall not be occupied until a zoning compliance permit has been issued by the Zoning Administrator and a certificate of occupancy has been issued by the township Building Inspector. The Zoning Administrator shall not issue a zoning compliance until a performance guarantee has been deposited as required herein. The Zoning Administrator or Building Inspector may attach conditions to its approval which they deem necessary to protect the public health, safety, and welfare, and to ensure compliance with the Ordinance.
2. Approval for a temporary dwelling structure is valid for one (1) year from the date of Certificate of Occupancy. A one (1) year extension may be granted by the Zoning Administrator and Building Inspector, if request prior to expiration of the approval.

Section 11.24.

MESSAGE THERAPY REGULATIONS

- A. *Standards.* A massage therapist must be licensed by the Department of Licensing and Regulatory Affairs, Bureau of Health Professions. All licenses shall be prominently displayed on the premises. Upon request or any officer of the Township licenses shall be provided for review and verification.
- B. *Authorized Location.* Massage Therapy is considered a personal service.
- C. *Inspection.* Every establishment operated as a licensed massage therapy establishment shall be open for inspection by duly authorized representatives of the public safety, planning, or building department during operating hours for the purpose of enforcing any provision of this Section or any other ordinances or

regulations of the Township relating to public health, safety and welfare. It shall be unlawful for any person to refuse entry by Township representatives to the premises in which a massage establishment is being operated for the purpose of making lawful inspections.

Section 11.37.F.

- F. *Removal or Relocation of Soil and/or Fill Material.* It shall be unlawful for any person to remove, deposit, or relocate any sand, gravel, topsoil, clay, minerals, waste, or fill material, or other similar materials, in or from lands in the Township except as hereinafter provided, without first obtaining zoning compliance permit or an approved site plan, whichever is applicable.
1. *Application Requirements.* A zoning compliance application shall be filed with the Zoning Administrator. In addition to the application and required fee, the following supplemental materials shall be provided:
 - a. Maximum amount of material to be moved, removed, deposited, or relocated.
 - b. Description of soil type and composition of material to be moved, removed, relocated, or used for fill material.
 - c. Measure to be taken by the applicant to control noise, vibration, dust, and traffic during the operations.
 - d. A description of any traffic control devices, public facilities, or public services that will be required by the proposed operations and that such costs be paid by the applicant.
 - e. Timing of removal, relocation, grading, etc. of all operations to be undertaken with a completion date.
 - f. Verification, by the required regulatory authority, that the material has been tested and is clean and suitable for removal/relocation.
 2. In addition, the application shall describe in detail, by contour maps or otherwise, the contour and condition of the lands as they propose to leave them upon completion of the operations. Such a statement shall include proposed plans of landscaping or other stabilization control to be employed to leave the premises in a reasonably level and useable condition and to prevent erosion, dust, and unsightly conditions.
 3. *Permit Revocation.* Each permit shall apply only to the lands described in the application and may be revoked if the permit holder operates in any manner inconsistent with the application requirements or if the permit holder fails to comply with any special requirement the Zoning Administrator set forth in the permit.
 4. *Exceptions.* This section shall not apply to normal and necessary excavation or grading done in the connection with construction of roads, normal and acceptable farming procedures, drains, sewers, construction of dwellings and other buildings where an applicable Township permit is granted under other Township Ordinances, nor shall it apply in any case where the amount removed from or

relocated or deposited on any parcel of land in any one (1) calendar year is less than twenty (20) cubic yards of sand, gravel, clay, minerals, waste, or fill material or other similar materials. However, nothing contained in this section shall in any way permit any kind of mining, mineral removal or relocation or dumping of waste and fill materials in any amount where such use would interfere with the public health, safety, or welfare or create a public or private nuisance.

Section 12.05.B.

B. General Off-Street Parking Requirements.

1. There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking with adequate access to all spaces. The required off-street parking spaces must be provided, prior to the issuance of a certificate of occupancy as hereinafter described.
2. Off-street parking for uses in all districts shall be on the same lot as the use or building served by the parking, unless joint parking with abutting properties and uses is provided in a form acceptable to the Township Attorney and executed and recorded by the parties sharing the parking.
3. Off-street parking spaces for single family detached units or duplexes on individual lots shall consist of a parking strip, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve.
4. Parking of motor vehicles, in residential districts and areas of residential uses, shall be limited to passenger vehicles, and not more than one commercial vehicle of the light delivery type, not to exceed three-quarter (3/4) ton shall be permitted per dwelling unit. The parking of any other type of commercial vehicle is prohibited in a residential zone. Parking spaces for all types of vehicles may be provided in an enclosed building.
5. Parking of recreational vehicles in residential zones shall be limited to the following:
 - a. *General Provisions.*
 - i. No private recreational vehicle shall be stored on any public property.
 - ii. Parking of recreational vehicles is permitted in any enclosed structure when such structure conforms to the regulations of its zoning district.
 - iii. Recreation vehicles shall not be connected to electricity, gas, water, or sanitary sewer facilities, except a temporary electrical connection may be made for the purpose of recharging batteries.
 - iv. Recreational vehicles equipped with liquefied petroleum gas containers must ensure that such containers meet the current standards of the interstate Commerce Commission, the United States Department of Transportation or the American Society of Mechanical Engineers. Any valves must be closed at all times that the recreational vehicle is not in

preparation for immediate use. Leaks in containers must be repaired immediately.

b. *Outside Storage.*

- i. The recreational vehicle must be owned by and licensed to a full-time occupant of the zoning parcels upon which the vehicle will be stored.
 - ii. No recreational vehicle shall be stored on a private property driveway for greater than forty-eight (48) hours. When parked in a private driveway, such parking may not be in the public right-of-way or overhang into the public right-of-way including any sidewalk.
 - iii. No recreational vehicle shall be stored outside unless in the rear yard or in an interior side yard behind the frontline of any primary building. The recreational vehicle must be stored at least six (6) feet from any property line and must be screened from any adjacent properties in accordance with Section 13.02.C. Screening Alternative 1 or 2 or a fence.
 - iv. Only one (1) such vehicle and vehicle trailer per lot for lots less than 2.5 acres.
 - v. One (1) additional vehicle and vehicle trailer may be permitted per lot for lots 2.5 acres or more.
 - vi. Recreation vehicles must be operational and maintained in a clean, well-kept state.
6. Parking areas for uses other than single-family detached units or duplexes on individual lots shall be approved as part of a site plan. Minor changes to the parking layout, as determined by the Zoning Administrator, shall require a submittal of a parking plan.
7. Off-street parking shall be provided for a principal use erected, altered, or expanded after the effective date of this Ordinance. Required off-street parking shall be maintained so as long as the principal use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.
8. No existing off-street parking shall be reduced below the requirements established by this Ordinance.
9. Within non-residential districts, off-street parking for continuous periods of more than twenty-four (24) hours shall be prohibited with the following exceptions:
- a. Parking in conjunction with an automobile sales and service facility, major and minor automobile repair facility, and automobile towing service, as permitted and regulated by this Ordinance.
 - b. Automobiles and commercial vehicles owned and operated in conjunction with the principal use of the property.
10. The storage of and/or the repair of merchandise, materials, equipment or vehicles are prohibited on required off-street parking or loading spaces.

11. Off-street parking areas shall be designed to provide for removal and storage of snow.

Section 13.03.A.

Where Required. The standards set forth in this Section shall apply to all uses that have refuse and recycle disposal service by collective trash and recycling containers. This does not include curbside pickup for single-family residential uses; however, all residential buildings of more than two (2) dwelling units and non-residential uses shall provide trash and recycling enclosures.

Section 13.06.C.2.

Commercial or Form-Based District. Fences shall not exceed six (6) feet in height. Fences in a front yard or a street yard shall not be permitted in a commercial, form-based, or office district except where required by the Township Planning Commission.

Section 13.06.E.7.

Plastic strips installed within wire/metal fencing is prohibited.

Section 13.06.H.

Maintenance. All fences shall be maintained in good condition. Fences shall be further maintained so as not to endanger life or property. Any fence which, through lack of repair, type of construction, or other condition endangers life or property, is hereby deemed a nuisance.

Section 15.04.A.

A. Directional Signs.

1. A directional sign shall be located on the property to which it is directing traffic and shall be located behind the front right-of-way line and shall not exceed six (6) square feet in area for each sign and four (4) feet in height.
2. A directional sign may bear the logo of a business for which it directs entering and exiting traffic if it is the determination of the Zoning Administrator that such logo is reasonably necessary for the effectiveness of the directional sign on which it is located.

Section 15.06.B.5.c.ii.

Maximum of three (3) square feet.

Section 15.02.B.6., General Sign Regulations.

The backlighting of awnings and signs is prohibited.

Section 15.02.E.5.

All signs shall meet the minimum yard requirements for the district where located, as set forth herein. In addition, all ground signs shall be located a minimum of five (5) feet from any private driveway on or adjacent to the property containing the ground sign, and fifteen (15) feet from any right-of-way or property line.

Section 15.04.B. Garage and Estate Sale

Garage, Yard, and Estate Sales. Garage sale, yard, and estate sale signs in residential zoning districts, provided that such signs.

1. Are not attached to utility poles.
2. Do not exceed six (6) square feet in area; a maximum of three (3) feet in height.
3. Are erected no more than three (3) days before and are removed within one (1) business day after, the announced sale.
4. Temporary directional signs, not exceeding three (3) square feet in area and three (3) feet in height, shall be permitted on approach routes to a private garage, yard, or estate sale, for a period not to exceed seventy-two (72) hours. Said signs shall contain the address and dates of the sale and shall be removed within four (4) hours of the end of the sale.

Section 15.07.B.1.b.

One (1) ground sign shall be permitted for each lot.

Savings Clause.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion hereof other than the part declared void or inoperable.

Adoption and Effective Date.

This Ordinance shall be published in the manner as required by law. Except as otherwise provide by law, this Ordinance shall be effective on _____, 2020.

This Ordinance was duly adopted by the Charter Township of Pittsfield Board at its regular meeting held on the _____, and was ordered given publication in the manner required by law.

Michelle L. Anzaldi
Charter Township of Pittsfield Clerk
Dated: _____

Mandy Grewal
Charter Township of Pittsfield Supervisor
Dated: _____

First Reading: October 28, 2020

Adoption:

Ordinance Posted:

Ordinance Publication:

Effective Date: