

**ARTICLE III
GENERAL PROVISIONS**

Section 3.01 ESTABLISHMENT OF ZONING DISTRICTS.

The Township is hereby divided into the following zoning districts as shown on the Official Zoning Map, which together with all explanatory matter shown thereon, is hereby adopted by reference and declared to be a part of this Ordinance:

- AR - AGRICULTURAL-RESIDENTIAL DISTRICT
- SFR - SINGLE FAMILY RESIDENTIAL DISTRICT
- MFR - MULTIPLE FAMILY RESIDENTIAL DISTRICT
- OS - OFFICE SERVICE DISTRICT
- NSC - NEIGHBORHOOD SERVICE COMMERCIAL DISTRICT
- RSC - REGIONAL SERVICE COMMERCIAL DISTRICT
- HSC - HIGHWAY SERVICE COMMERCIAL DISTRICT
- HC - HEAVY COMMERCIAL DISTRICT
- I - INDUSTRIAL DISTRICT

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.02 PROVISION FOR OFFICIAL ZONING DISTRICT MAP.

These Districts, so established, are bounded and defined as shown on the map entitled:

“ZONING MAP OF HOWELL TOWNSHIP”

Adopted by the Township Board, and which, with all notations, references, and other information appearing thereon, is hereby declared to be a part of this Ordinance and of the same force and effect as if the Districts shown thereon were fully set forth herein.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.03 CHANGES TO OFFICIAL ZONING DISTRICT MAP.

If, in accordance with the procedures of this Ordinance and of Public Act 110 of 2006, as amended, a change is made in a zoning district boundary, such change shall be made by the Zoning Administrator promptly after the Ordinance authorizing such change shall have been adopted and published by the Township Board. Other changes in the Zoning District Map may only be made as authorized by this Ordinance and such changes, as approved, shall also be promptly made by the Zoning Administrator.

(Ord. No. 1 eff. Jan. 8, 1983, further Amended by Ord. No. 202 eff. Dec. 21, 2006)

Section 3.04 AUTHORITY OF OFFICIAL ZONING DISTRICT MAP.

Regardless of the existence of other copies of the Official Zoning District Map which may from time to time be made or published, the Official Zoning District Map, which shall be located in the office of the Zoning Administrator, shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building or structure in the Township.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.05 INTERPRETATION OF ZONING DISTRICTS.

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

- A. A boundary indicated as approximately following the centerline of a highway, street, alley, railroad or easement shall be construed as following such centerline.
- B. A boundary indicated as approximately following a recorded lot line, a boundary of a parcel, section line, quarter section line, or other survey line shall be construed as following such line.
- C. A boundary indicated as approximately following the corporate boundary line of a city, village, or township shall be construed as following such line.
- D. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
- E. A boundary indicated as following the centerline of a stream, river, canal, lake or other body of water shall be construed as following such centerline.
- F. A boundary indicated as parallel to or an extension of a feature indicated in paragraphs A through E above shall be so construed.
- G. A distance not specifically indicated on the Official Zoning District Map shall be determined by the scale of the map.

- H. All questions concerning the exact location of boundary lines of any zoning district not clearly shown on the Official Zoning District Map shall be determined by the Zoning Board of Appeals consistent with the intent and purpose of this Ordinance.
(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.06 APPLICATION OF REGULATIONS.

The regulations established by this Ordinance within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each permitted or approved use of land or building, dwelling and structure throughout each district. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Zoning Board of Appeals shall have power in passing upon appeals to vary or modify any rules, regulations or provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done, all in accordance with the provisions of Article XXII of this Ordinance and Public Act 110 of 2006.

(Ord. No. 1 eff. Jan. 8, 1983, further Amended by Ord. No. 202 eff. Dec. 21, 2006)

Section 3.07 SCOPE OF PROVISIONS.

- A. Except as may otherwise be provided in Article XXII herein, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of any existing building or structure occurring, and every enlargement of, or addition to an existing use, building and structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such use, building, or structure shall be located.
- B. Uses are permitted by right only if specifically listed as principal permitted uses in the various zoning districts or is similar to such listed uses. Accessory uses are permitted as listed in the various zoning districts or if similar to such listed uses, and if such uses are clearly incidental to the permitted principal uses. Special uses are permitted as listed or if similar to the listed special uses and if the required conditions are met.
- C. All uses, buildings, and structures shall conform to the area, placement, and height regulations of the district in which located, unless, otherwise provided in this Ordinance.
- D. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any use, building or structure, for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking lot or loading space similarly required for any other use, building, or structure. Refer to Section 14.06.

- E. No yard or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein except as otherwise provided in this Ordinance.
- F. No lot, outlot or other parcel of land in a recorded plat shall be further partitioned or divided unless in conformity with the Zoning and Subdivision Control Ordinances of the Township and the Subdivision Control Act of 1967 and the Land Division Act of 1996, as amended.
- G. There shall be no more than one (1) principal use located on a lot, parcel or building site, except as otherwise permitted in this Ordinance. See Section 14.06.

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. No. 97 eff. Feb. 23, 2000)

Section 3.08 [Deleted by Ordinance No. 8 effective December 7, 1983]

Section 3.09 SITE PLAN REVIEW PROCEDURES.

All uses permitted under the provisions or consequence of this Zoning Ordinance, applying for a zoning permit, shall follow the requirements of Article XX, "Site Plan Review", except that all farm dwellings, farm buildings and single family homes located on a single lot or parcel shall only be required to submit a site plan, prepared in accordance with those relative portions of Article XX, Site Plan Review, and submitted with the application for a zoning permit.

(Ord. No.1 eff. Jan. 8, 1983)

Section 3.10 ZONING PERMITS IN RELATION TO COUNTY BUILDING PERMITS.

Prior to the issuance of any County Building Permit in Howell Township it shall be necessary for any applicant for construction under the provisions of the Livingston County Construction Ordinance to first apply for and obtain a Zoning Permit from the Zoning Administrator of Howell Township in accordance with the provisions of this Zoning Ordinance.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.11 PERMITTED ZONING DISTRICT USES AND OTHER PROVISIONS IN THIS ORDINANCE.

While each Zoning District and the uses it permits are designed to represent separate categories of compatible land uses and the regulations controlling, other Articles in this Zoning Ordinance may also appropriately apply including those provisions included in Article XIV "Supplemental Regulations", Article XV "Environmental Provisions", Article XVI "Special Uses", Article XVII "Nonconforming Land, Building and Structural Uses", Article XVIII "Off-Street Parking, Loading and Unloading Requirements", Article XIX "Sign Regulations", Article XX "Site Plan Review", Article XXVI "Roads, Driveways and Related Land Use Developments and Construction in Private Developments", Article XXVII "PUD-Planned Unit Development Projects" and Article XXVIII "Landscaping Requirements". Applicants for zoning permits should relate their requests to both the appropriate zoning district as to use and the above Articles for applicability.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.12 CONTINUED CONFORMANCE WITH REGULATIONS.

The maintenance of yards, open spaces, lot areas, height and bulk limitations, fences, walls, clear vision areas, parking and loading spaces, signs and all other requirements for a building or use specified within this Ordinance shall be a continuing obligation of the owner of such building or property on which such building or use is located.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.13 WETLAND DEVELOPMENT.

All Wetland Areas in Howell Township as designated by the Michigan State Department of Environmental Quality shall be required to meet the provisions of this Ordinance and the provisions of Public Act 203 of 1979 "The Wetland Protection Act" and any rules promulgated by the Department of Environmental Quality.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.14 CONFORMANCE TO OTHER PUBLIC LAWS, RULES AND REGULATIONS.

All uses of land, buildings or structures shall conform to all applicable local, county, state and federal laws, rules and regulations that have been promulgated and administered by the respective responsible public agency or official as well as the provisions of the Zoning Ordinance.

(Ord. No. 1 eff. Jan. 8, 1983)

Section 3.15 PROJECT PLANNING AND PLAN INFORMATION FROM OTHER AGENCIES AND OFFICIALS.

All township, county, school district, state and federal agencies and officials are required to submit their planning programs and project plans relative to all building, structural and land improvements to be made within Howell Township prior to the final approval of site acquisition or construction plans and specifications by the respective township, county, school district, state and federal agencies and officials in accordance with MCL 124.3861 "Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice." , being Section 61 of the Township Planning Act, Public Act 33 of 2008.

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. No. 97 eff. Feb. 23, 2000)

Section 3.16 CONFORMANCE OF LOTS AND PARCELS TO THE SUBDIVISION CONTROL/PUBLIC ACT 591 OF 1996, LAND DIVISION ACT AS AN AMENDMENT TO PUBLIC ACT 288 OF 1967, THE SUBDIVISION CONTROL ACT , AS AMENDED.

All uses permitted in any District shall be located on lots or parcels of land subdivided in accordance with the provisions of Public Act 591 of 1996, The Land Division Act.

(Ord. No. 1 eff. Jan. 8, 1983 further amended by Ord. No. 202 eff. Dec. 21, 2006)

Section 3.17 CHANGES TO TOWNSHIP MASTER PLAN; AIRPORT LAYOUT PLANS AND AIRPORT APPROACH PLANS.

- A. If the Township adopts or revises its Master Plan pursuant to the procedures set forth in the Zoning Enabling Act, 2006 PA 110, as amended, after an airport layout plan or airport approach plan has been filed with the Township, the Township must incorporate the airport layout plan or airport approach plan into the Master Plan adopted.
- B. In addition to other applicable legal requirements, any ordinance amendment that the Township adopts after the date that this ordinance amendment takes effect must be adopted after reasonable consideration of both of the following:

1. The environs of any airport within a district.
 2. Comments received at or before a public hearing of the Township regarding potential adoption of a proposed zoning ordinance or amendment, or transmitted from the airport manager of any airport to the Township regarding a hearing on the proposed zoning ordinance.
- C. A zoning ordinance amendment or variance granted after March 28, 2001, must not increase any inconsistency that may exist between this Ordinance or structures or uses and any airport zoning regulations, airport layout plan, or airport approach plan. This provision does not limit the right to petition for submission of a zoning ordinance or amendment hereto to the electors under 2006 PA 110, as amended.

(Ord. No. 202 eff. Dec. 21, 2006)