

ARTICLE 2.0 ZONING DISTRICTS

SECTION 2.100 PURPOSE OF DISTRICTS

Section 2.101 Zoning Districts.

For the purpose of this Ordinance, Freedom Township is hereby divided into districts as follows:

Type of District	Zoning District Name	Symbol
Rural	Agricultural-Resource District	AR
Residential	Rural Residential District	R-2
	Manufactured Housing Park District	R-6
Business	Lake District	LK
	Convenience Commercial	C-1
	Special Commercial	C-2
	Industrial-Research	I-1
Other	Public/Semi-Public Services	PSP

Section 2.102 Agriculture-Resource (AR) District.

The Agricultural-Resource (AR) District is hereby established to conserve the rural character, agricultural uses, farmlands and operating farmsteads, and natural resource areas and fragile lands of the Township in accordance with the Township’s Master Plan. This district is composed of a mixture of agricultural lands, other tilled lands, woodlands, wetlands, pastures, and open fields or scrublands; with farmsteads and low density single family residences occurring along predominantly gravel roads. A limited amount of non-farm housing shall be allowed in this district. However, it should be noted that the primary intended use of this AR District is agricultural activities, so that there may be odors, dust, exterior lighting, and noise associated with these activities that are not compatible with residences. Care should be taken to minimize conflicting land uses.

It is recognized that the public health and welfare of the citizens of the Township, Washtenaw County, the State of Michigan, and the United States of America are greatly dependent upon the sustenance and economic benefits provided by a viable agricultural industry. This AR District is intended to ensure that land areas within the Township that are well suited for production of food and fiber are retained for such production, unimpeded by the establishment of incompatible uses that would hinder agricultural practices and irretrievably deplete agricultural lands.

It is further recognized that certain value-added services and agricultural-support uses are necessary to support local agricultural activities and the rural economy of the Township. Accordingly, it is the intent of this District to promote agricultural and recreational uses as an important component of the local economy, and to allow for a limited range of agriculture- and recreation-oriented tourism, educational, and limited commercial uses directly related to the agri-business operations, subject to standards designed to minimize impacts on the Township’s rural character.

This AR District has the following additional purposes and objectives:

1. Protect areas of the Township for agricultural production, distribution and accessory uses, and discourage the encroachment of land uses incompatible with active agricultural and recreational uses into rural areas of the Township.
2. Encourage long-term investment in improvements needed to maintain and expand agricultural production and promote a profitable agricultural 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 prime farmland and fragmentation of rural land by division into small parcels.
5. Minimize conflicts between agricultural activities and residences.
6. Reduce the amount of land consumed in rural areas for non-agricultural use, and prevent intrusion of uses that are incompatible with the agricultural, open space or natural features preservation objectives of this District.

Section 2.103 Rural Residential (R-2) District.

The Rural Residential (R-2) District is hereby established to provide areas for rural non-farm residences on lots of sufficient size to permit use of on-site, private septic tanks and drainfields for wastewater disposal; and the use of on-site, private wells for potable water. The intent of this R-2 District is to provide for an environment of predominantly single-family detached dwellings, along with other associated uses and facilities that serve residents in the district.

The R-2 District is intended to be used in those parts of the Township planned for rural residential uses where soils are suitable for septic tanks, drainfields, and wells; and where publicly owned and operated sanitary sewerage and public water supply systems are not planned to be extended. The R-2 District is designed to preserve a distinctly rural residential character, and to protect wooded areas, wetlands, wildlife habitats, and similar areas that may be endangered or destroyed by higher intensity uses or development.

Section 2.104 Manufactured Housing Park (R-6) District.

The Manufactured Housing Park (R-6) District is hereby established 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, P.A. 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 (P.A. 96 of 1987, as amended) 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 Township residents, and to ensure that manufactured housing parks are developed and maintained in a manner equivalent to the standards established by this Ordinance for comparable residential developments in the Township.

The R-6 District is intended for areas designated in the Master Plan for manufactured housing park development, and which are served adequately by essential public facilities and services (such as access streets, police and fire protection, and public water, sanitary sewer, and storm drainage facilities). Dwellings in this district shall be considered and regulated as urban dwelling units, which deserve and require locations, services, and facilities similar to any other single-family and multiple-family dwelling units built at urban densities. Uses in the R-6 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 R-6 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 2.105 Lake (LK) District.

The Lake (LK) District is hereby established to encourage and permit mixed uses with a rural hamlet scale and character in the Fredonia area of the Township. Uses permitted in this district are intended to be local and neighborhood in scale and intensity, compatible with neighboring residences, and oriented towards pedestrians. The LK District is intended to encourage retention of historic buildings and existing residential structures, either in residential use or in conversion to other permitted uses, and to ensure that remodeled or new structures are consistent in design, orientation, and location with a rural hamlet character.

It is the intent of this district to permit a mixture of local commercial, office, community, and residential uses in a manner compatible with a rural hamlet character. The setting of buildings and location of non-residential uses shall respect the character of this area and be consistent with the Township's Master Plan. Permitted uses shall be compatible with and supportive of each other and of a unified architectural character and historic intent. Parking areas and automobile-oriented facilities shall not dominate the appearance of buildings and sites.

It is recognized that sites and structures within the Lake District may be of historic value, and that when a site or structure is to be utilized under the regulations of this district that the following standards also be maintained:

1. That every reasonable effort be made to provide a compatible use for a property which requires minimal alteration of the structure or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment will not be destroyed.

Section 2.106 Convenience Commercial (C-1) District.

The Convenience Commercial (C-1) District is hereby established as a business district to provide suitable locations for retail, service, and office enterprises that serve a localized market area. Goods and services to be provided by establishments in the C-1 District are intended to

meet the day-to-day needs of Township residents for convenience and durable goods, food, shopping, and related goods and services. The C-1 District is also intended to provide suitable locations for medical, professional, administrative, and executive offices; and personal, business, and professional service establishments.

Building owners in the C-1 District are encouraged to provide retail or personal service uses at the street level, and 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. Unless otherwise specified, automotive-related services and other uses that would typically interfere with the continuity of retail frontage, hinder pedestrian circulation and disrupt the functioning of this district shall also be prohibited.

The C-1 District is intended to encourage consolidation of business establishments, particularly as neighborhood shopping centers. Consolidations other than shopping centers are also encouraged with the intent of avoiding strip commercial development, lessening traffic congestion by reducing the number of commercial driveways opening onto major roads, and improving the safety and convenience of consumers. Establishments permitted in the C-1 District may be located on arterial or collector roads.

Section 2.107 Special Commercial (C-2) District.

The Special Commercial (C-2) District is hereby established as a business district to provide sites for more diversified business types which would often be incompatible with the intended character of the C-1 District, and which are oriented to serving the needs of "passer-by" traffic within the Township and surrounding region. The C-2 District is further intended to provide opportunities for automobile-related businesses, uses that generate large traffic volumes or require substantial off-street parking facilities, and other uses that require adequate separation distance from residential and institutional uses.

Because of the types of uses permitted in the C-2 District, detailed attention shall be focused on providing adequate buffering from adjacent uses, site layout, building orientation, and access. Accordingly, the C-2 District should be located near major roads or state highways to prevent potential nuisances and use conflicts.

Section 2.108 Industrial-Research (I-1) District.

The Industrial-Research (I-1) District is hereby established as a business district to permit certain operations and facilities of an office, research, laboratory, warehousing, wholesaling, and light manufacturing character to locate in planned areas of the Township where such uses will not have a detrimental impact on surrounding uses and districts. These uses generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, fire, explosive, and radioactive hazards, and other harmful or obnoxious matter. The district is also intended for operations which store materials, supplies, products, equipment, and refuse predominantly within buildings; outdoor storage is not intended to be permitted as the predominant use of any parcel in this district. Reasonable regulations and limitations on permitted industrial uses of a more intensive character to minimize any adverse effects on other areas of the Township.

It is further intended that the I-1 District provide specific use and site development standards designed to promote the creation of high quality facilities. The I-1 District has been located within the Township to permit the development of these industrial and research uses, to protect adjacent agricultural, residential, and commercial areas against the encroachment of incompatible uses, and to minimize congestion on public roads and highways. To these ends, uses that would interfere with the purpose of this district have been excluded.

Section 2.109 Public/Semi-Public Services (PSP) District.

The Public/Semi-Public Services (PSP) District is hereby established to accommodate dedicated areas of open space, government buildings and uses, institutional and recreational uses, and similar uses of a public service or institutional character.

SECTION 2.200 GENERAL STANDARDS

Section 2.201 Principal Uses and Conditional Uses.

In all districts, no structure or land shall be used or occupied, except in conformance with Article 4.0 (Land Use Table), and as otherwise provided for in this Ordinance. Conditional uses may be permitted in accordance with Article 4.0 (Land Use Table), subject to a public hearing and approval by the Planning Commission in accordance with Article 16.0 (Conditional Uses).

Section 2.202 Prohibited Uses.

Uses not listed in Article 4.0 (Land Use Table) as a permitted use in a particular zoning district or otherwise determined by the Zoning Board of Appeals to be similar to a permitted use per Section 17.08 (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.

Section 2.203 Design and Development Requirements.

All uses shall comply with any applicable requirements of Article 5.0 (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 2.204 District Boundaries.

The boundaries of zoning districts, unless otherwise shown on the Official Zoning Map, shall be lot or parcel lines, municipal boundaries, and the centerlines of road, railroad or other dedicated rights-of-way.

A. Zoning of Rights-of-Way.

Road, railroad, and other dedicated rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as land 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, railroad 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 2.205 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 Freedom 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 Freedom 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 Freedom Township. The Official Zoning Map shall be located in the office of the Township Clerk at the Township Hall, 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 Clerk, attested by the Township Supervisor, and bear the seal of Freedom Township under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Freedom 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 approximately following the a road centerline shall be construed as following such centerline as it exists on the ground.
2. A boundary indicated as approximately following a recorded lot line or the line bounding a parcel shall be construed as following such line.
3. A boundary indicated as approximately following a municipal boundary of a city, village, or township shall be construed as following such line.
4. A boundary indicated as following a railroad or trail right-of-way shall be construed as being located midway in the right-of-way of said railroad.
5. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in the 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 or river, canal, lake, 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.