

**GENOA CHARTER TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
ZONING ORDINANCE
ORDINANCE NUMBER ##**

This Ordinance is enacted under Michigan Zoning Enabling Act (Public Act 110 of 2006) governing the unincorporated portions of the Township of Genoa, Livingston County, Michigan, for the regulation of land development and the establishment of districts which regulate the use of land and structures to meet the needs for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that use of the land is situated in appropriate locations and relationships, to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities, to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements, and to promote public health, safety, and welfare.

PREAMBLE

Pursuant to the authority conferred by the Public Acts of the State of Michigan in such case, made and provided and for the purpose of promoting and protecting the public health, safety, convenience, and general welfare of the inhabitants of the Township of Genoa, provision is made herein for the conservation and protection of the land resource together with the full and equitable enjoyment of that resource, by securing the most appropriate use of land, by preventing undue crowding and congestion of the population, by supporting the economic need of the people of the Township through adequate provision for the industrial utilization of natural resources and the development of commercial and industrial enterprise, and by providing freedom and ease for the circulation of people and movement of goods throughout the Township as well as the access for public services to all citizens, all in accordance with a comprehensive plan; now therefore:

Genoa Charter Township ordains:

**ARTICLE 1
PURPOSE AND INTRODUCTION**

Sec. 1.01 SHORT TITLE

This Ordinance shall be known and may be cited as the "Genoa Township Zoning Ordinance" and may hereinafter be referred to as "this Ordinance."

Sec. 1.02 PURPOSE

This Zoning Ordinance is based on the adopted Genoa Township Master Plan, the Grand River Avenue Corridor Plan, amendments to those plans and similar plans addressing future development patterns and development goals. This Ordinance is intended to implement the Master Plans by regulating the use of land, buildings and structures to promote the public health, safety and general welfare by accomplishing the following:

- 1.02.01 Establishment of zoning districts and uniform regulations applicable to each district governing the use of the land, and dimensions for building and site development with such minimum regulations as are deemed necessary to carry out the provisions of this Ordinance.
- 1.02.02 Accommodate and promote land uses that are compatible with the Township's character and conserve the property values and long term stability of prime farmlands, residential neighborhoods, commercial districts, and industrial areas.
- 1.02.03 Encourage use of the lands and natural resources in accordance with their character and capability, thus preserving the sensitive and important environmental features in the Township, such as wetlands, lakes, prime farmland, topography, open space, mature vegetation and wildlife habitat. The Ordinance acknowledges the importance of these features on the long-term economic climate of all uses in the Township and the overall quality of life for Township residents.
- 1.02.04 Limit or prohibit improper use of land.
- 1.02.05 Reduce hazards to life and property.
- 1.02.06 Promote safe conditions for motorists, pedestrians and bicyclists by maintaining an acceptable level of service along streets and at driveways within the Township.
- 1.02.07 Provide property owners with reasonable, though not always direct, access to property.
- 1.02.08 Facilitate adequate and cost effective infrastructure systems, and protect the substantial public interest in those systems, including transportation, sewage disposal, safe and adequate water supply, education and recreational facilities.
- 1.02.09 Establish controls over potential conflicting land uses and uses that may need special regulations as Special Land Uses to be compatible with surrounding development patterns and zoning.
- 1.02.10 Promote the gradual elimination of uses, buildings and structures that do not conform to the regulations and standards of this Ordinance.

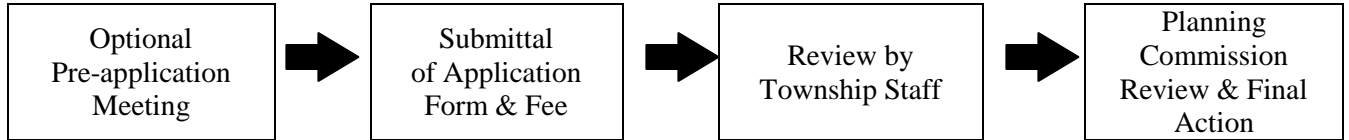
- 1.02.11 Provide for administering this Ordinance, including resolving conflicts with other ordinances, collection of fees, procedures for petitions, hearings and appeals; and to provide for any other matters authorized by the Michigan Zoning Enabling Act (Public Act 110 of 2006) .
- 1.02.12 Balance the Township's right to compatible and quality development with the property owners' right to a reasonable rate of return on investment.

Sec. 1.03 APPLICATION PROCEDURES

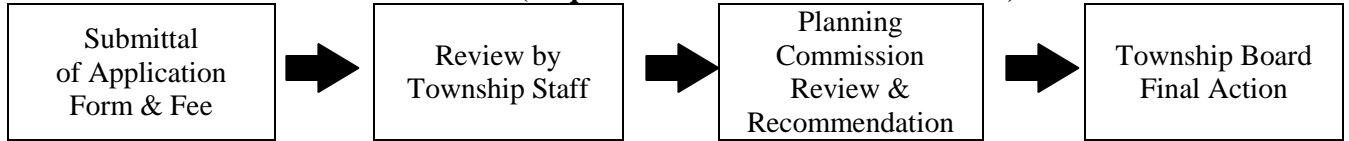
- 1.03.01 The process for application and review by the Township for site plan review, special land use permits, planned unit developments (PUD's), amendments to this Zoning Ordinance, rezonings of land, land divisions, appeals and variances is shown in Figure 1.03.01. Submittal dates, application forms and information on fee requirements are available at the Township offices.
- 1.03.02 Prior to initiating construction, expansion, or modification of any building, or structure or the establishment of any use or the division of land, all necessary approvals shall be obtained as required by Article 18.
- 1.03.03 Prior to establishing or expanding a use which is allowed only after special land use approval, all requirements of Article 19 must be complied with, in addition to site plan approval requirements.
- 1.03.04 Prior to establishing or amending a PUD, all requirements of Article 10 must be complied with.
- 1.03.05 The Township Planning Commission, Board or Zoning Board of Appeals may withhold granting of approval of any use, site plan, PUD or other approval required by this Ordinance pending approvals which may be required by state, county or federal agencies or departments.

**Figure 1.03.01
GENOA TOWNSHIP
GENERAL DEVELOPMENT AND APPROVAL PROCESS**

SITE PLAN REVIEW



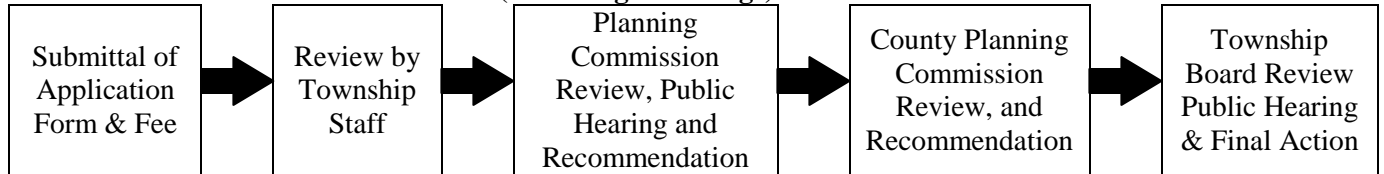
ENVIRONMENTAL IMPACT STATEMENT (Required with all Site Plan Submittals)



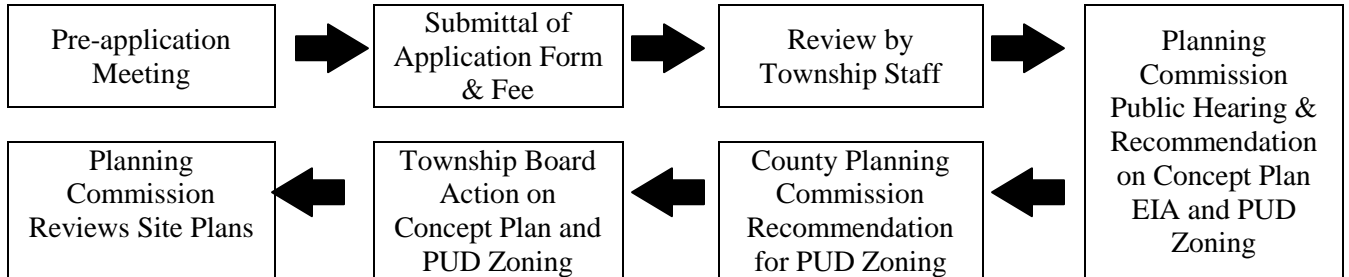
SPECIAL LAND USE PERMITS (Requires Site Plan and E.I.A)



ZONING ORDINANCE AMENDMENTS (Including Rezonings)



PLANNED UNIT DEVELOPMENTS



Sec. 1.04 CONSTRUCTION BEGUN AND SITE PLANS APPROVED PRIOR TO EFFECTIVE DATE

- 1.04.01 Nothing in this Ordinance shall be deemed to require any change in the plans, construction, or designated use of any building upon which actual construction was begun prior to the enactment of this Ordinance, provided construction has lawfully begun, is being diligently carried on, and shall be completed within one (1) year of the effective date of this Zoning Ordinance. The Board of Appeals may permit an extension of up to one (1) year.
- 1.04.02 If a lot has an approved site plan or has been approved as a Planned Unit Development within six (6) months of the effective date of this Zoning Ordinance, such site plan or PUD shall remain valid if construction is begun within one (1) year and completed within two (2) years of the effective date of this Zoning Ordinance.
- 1.04.03 If the conditions of this section are not met, the standards and provisions of this Zoning Ordinance shall govern.

Sec. 1.05 CONFLICTING REGULATIONS

- 1.05.01 Where any provision of this Ordinance imposes either greater or lesser restrictions, limitations, conditions, standards or requirements upon the use of buildings, structures or land; the height of buildings or structures; lot coverage; lot areas; yards, wetlands, woodlands or other open spaces; or any other use or activity which is regulated by this Ordinance, the provision or standard which is more restrictive or limiting shall govern.
- 1.05.02 Except as otherwise be provided in this section, every building and structure erected; every use of any lot, building or structure established; every structural alteration or relocation of an existing building or structure and every enlargement of, or addition to, an existing use, building or structure occurring after the effective date of this section shall be subject to all regulations of this section which are applicable in the zoning district in which such use, building or structure is located.
- 1.05.03 No setback area or lot existing at the time of adoption of this section shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of the section shall meet at least the minimum requirements established herein.
- 1.05.04 This Ordinance shall not abrogate or annul any easement, bylaw, master deed, deed restriction, covenant or private agreement, except that the regulations or provisions of this Ordinance shall govern if determined by the Zoning Administrator to be more restrictive or impose a higher standard.
- 1.05.05 The regulations herein established shall be the minimum regulations for promoting and protecting the public health, safety and general welfare, any conflicting laws of a more restrictive nature shall supersede the appropriate provisions of this Ordinance.
- 1.05.06 Genoa Township hereby repeals the previous Zoning Ordinance and all of its amendments.

Sec. 1.06 VALIDITY AND SEVERABILITY CLAUSE

This Ordinance and the various components, articles, sections, subsections, sentences and phrases are hereby declared to be severable. If any court of competent jurisdiction shall declare any part of this Ordinance to be unconstitutional or invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare unconstitutional or invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building or structure not specifically included in said ruling.

Sec. 1.07 CERTIFICATION AND EFFECTIVE DATE

This Zoning Ordinance is hereby declared and certified to have been duly adopted by the Genoa Township Board, Livingston County, State of Michigan, at a meeting of said Board duly called and held on January 3, 2005, published as required by Michigan Law and effective seven (7) days from the date of publication. This Zoning Ordinance became effective January 14, 2005.

(as amended 12/31/06)

(as amended 08/24/07)

(as amended 03/05/10)

(as amended 12/17/10)

(as amended 02/25/11)