

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 518

Adopted: April 12, 2011

Effective: April 28, 2011

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, by the revision of Sections 11, 19, 20, 21, 22, 23, 24, 25, 30, 32, 33, 40, 41, 42, 43, 60, 64, 66, 75, 76, 78 and 82. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 11.000 DEFINITIONS. Section 11.303.2 Filling station of the Oshtemo Charter Township Zoning Ordinance is hereby amended to read as follows:

11.303.2 Filling station.

A facility limited to retail sales to the public of motor fuel, motor oil, lubricants, travel aides, and minor automobile accessories. The facility may also offer for sale food items and tangible consumer goods. Common terms include filling station, fueling station, and gas station. The facility may also offer propane tank refill service but shall not have more than one 1,000 gallon tank on-site. Facilities in which the primary service is the repair and maintenance of motor vehicles are excluded.

SECTION II. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 19.000, AGRICULTURAL DISTRICT. Section 19.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

19.211 Temporary outdoor events, subject to the following conditions and limitations:

- (a) Use is incidental to principal use of the property and all events shall not last more than one day.**
- (b) A site plan shall be submitted for administrative review indicating the following:**

- (1) **Traffic lanes and on-site parking**
- (2) **Fire lanes and emergency vehicle turning areas**
- (3) **Restrooms provided (in building or portable facilities)**
- (4) **Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks**
- (5) **All activity takes place on subject property**
- (c) **The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.**
- (d) **All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) **Property owner must approve and acknowledge the use of the property for the event.**

SECTION III. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 19.000, AGRICULTURAL DISTRICT. Section 19.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

19.405 Temporary outdoor events meeting all the conditions and limitations of Section 19.211 except 19.211(a).

SECTION IV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 20.000, RURAL RESIDENTIAL DISTRICT. Section 20.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following sections:

20.203 Fire stations and other Township buildings.

20.212 Temporary outdoor events, subject to the following conditions and limitations:

- (a) **Use is incidental to principal use of the property and all events shall not last more than one day.**
- (b) **A site plan shall be submitted for administrative review indicating the following:**
 - (1) **Traffic lanes and on-site parking**
 - (2) **Fire lanes and emergency vehicle turning areas**
 - (3) **Restrooms provided (in building or portable facilities)**
 - (4) **Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks**
 - (5) **All activity takes place on subject property**
- (c) **The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.**
- (d) **All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) **Property owner must approve and acknowledge the use of the property for the event.**

SECTION V. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 20.000, RURAL RESIDENTIAL DISTRICT. Section 20.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

20.410 Temporary outdoor events meeting all the conditions and limitations of Section 20.212 except 20.212(a).

SECTION VI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 21.000, "R-1" RESIDENCE DISTRICT. Section 21.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

21.207 Temporary outdoor events, subject to the following conditions and limitations:

- (a) **Use is incidental to principal use of the property and all events shall not last more than one day.**
- (b) **A site plan shall be submitted for administrative review indicating the following:**
 - (1) **Traffic lanes and on-site parking**
 - (2) **Fire lanes and emergency vehicle turning areas**
 - (3) **Restrooms provided (in building or portable facilities)**
 - (4) **Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks**
 - (5) **All activity takes place on subject property**
- (c) **The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.**
- (d) **All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) **Property owner must approve and acknowledge the use of the property for the event.**

SECTION VII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 21.000, "R-1" RESIDENCE DISTRICT. Section 21.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

21.405 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION VIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 22.000, "R-2" RESIDENCE DISTRICT. Section 22.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

22.405 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION IX. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 23.000, "R-3" RESIDENCE DISTRICT. Section 23.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

23.411 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION X. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 24.000, "R-4" RESIDENCE DISTRICT. Section 24.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the deletion of the following section:

24.207 Crematories.

SECTION XI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 24.000, "R-4" RESIDENCE DISTRICT. Section 24.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

24.407 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION XII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 25.000, "R-5" RESIDENCE DISTRICT. Section 25.200 Permissible uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

25.206 Temporary outdoor events, subject to the following conditions and limitations:

- (a) Use is incidental to principal use of the property and all events shall not last more than one day.**
- (b) A site plan shall be submitted for administrative review indicating the following:**
 - (1) Traffic lanes and on-site parking**
 - (2) Fire lanes and emergency vehicle turning areas**
 - (3) Restrooms provided (in building or portable facilities)**
 - (4) Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks**
 - (5) All activity takes place on subject property**
- (c) The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.**
- (d) All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) Property owner must approve and acknowledge the use of the property for the event.**

SECTION XIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 25.000, "R-5" RESIDENCE DISTRICT. Section 25.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

25.404 Temporary outdoor events meeting all the conditions and limitations of Section 25.206 except 25.206(a).

SECTION XIV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 30.000, "C" LOCAL BUSINESS DISTRICT. Section 30.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

30.221 Temporary outdoor events, subject to the following conditions and limitations:

- (a) **Use is incidental to principal use of the property and all events shall not last more than one day.**
- (b) **A site plan shall be submitted for administrative review indicating the following:**
 - (1) **Traffic lanes and on-site parking**
 - (2) **Fire lanes and emergency vehicle turning areas**
 - (3) **Restrooms provided (in building or portable facilities)**
 - (4) **Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks**
 - (5) **All activity takes place on subject property**
- (c) **The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.**
- (d) **All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) **Property owner must approve and acknowledge the use of the property for the event.**

SECTION XV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 30.000, "C" LOCAL BUSINESS DISTRICT. Section 30.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following sections:

30.412 Filling stations, public garages or service stations, excluding auto body and auto paint shops.

30.415 Temporary outdoor events meeting all the conditions and limitations of Section 30.221 except 30.221(a).

SECTION XVI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 32.000, "C-R" LOCAL BUSINESS DISTRICT, RESTRICTED. Section 32.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

32.201 Temporary outdoor events, subject to the following conditions and limitations:

- (a) Use is incidental to principal use of the property and all events shall not last more than one day.
- (b) A site plan shall be submitted for administrative review indicating the following:
 - (1) Traffic lanes and on-site parking
 - (2) Fire lanes and emergency vehicle turning areas
 - (3) Restrooms provided (in building or portable facilities)
 - (4) Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks
 - (5) All activity takes place on subject property
- (c) The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.
- (d) All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.
- (e) Property owner must approve and acknowledge the use of the property for the event.

SECTION XVII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 32.000, "C-R" LOCAL BUSINESS DISTRICT, RESTRICTED. Section 32.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

32.409 Temporary outdoor events meeting all the conditions and limitations of Section 32.201 except 32.201(a).

SECTION XVIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 33.000, "VC" VILLAGE COMMERCIAL DISTRICT. Section 33.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

33.213 Temporary outdoor events, subject to the following conditions and limitations:

- (a) Use is incidental to principal use of the property and all events shall not last more than one day.
- (b) A site plan shall be submitted for administrative review indicating the following:
 - (1) Traffic lanes and on-site parking
 - (2) Fire lanes and emergency vehicle turning areas
 - (3) Restrooms provided (in building or portable facilities)
 - (4) Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks
 - (5) All activity takes place on subject property
- (c) The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.

- (d) **All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) **Property owner must approve and acknowledge the use of the property for the event.**

SECTION XIX. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 33.000, "VC" VILLAGE COMMERCIAL DISTRICT. Section 33.250 Administrative review of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

33.252 Service establishments such as, but not limited to, repair shops (watches, radios, television, shoes, etc.), tailor shops, beauty parlors or barber shops, studios or galleries, self-service laundries, flower shops and photocopy shops.

SECTION XX. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 33.000, "VC" VILLAGE COMMERCIAL DISTRICT. Section 33.300 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following sections:

33.303 Filling stations, Mini-Food-Mart Stations, and auto glass repair shops, excluding body and engine repair and service garages.

33.312 Temporary outdoor events meeting all the conditions and limitations of Section 33.213 except 33.213(a).

SECTION XXI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 40.000, "I-R" INDUSTRIAL DISTRICT, RESTRICTED. Section 40.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

40.209 Temporary outdoor events, subject to the following conditions and limitations:

- (a) **Use is incidental to principal use of the property and all events shall not last more than one day.**
- (b) **A site plan shall be submitted for administrative review indicating the following:**
 - (1) **Traffic lanes and on-site parking**
 - (2) **Fire lanes and emergency vehicle turning areas**
 - (3) **Restrooms provided (in building or portable facilities)**
 - (4) **Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks**
 - (5) **All activity takes place on subject property**
- (c) **The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.**
- (d) **All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.**
- (e) **Property owner must approve and acknowledge the use of the property for the event.**

SECTION XXII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 40.000, "I-R" INDUSTRIAL DISTRICT, RESTRICTED. Section 40.300 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

40.305 Temporary outdoor events meeting all the conditions and limitations of Section 40.209 except 40.209(a).

SECTION XXIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 41.000, "I-1" INDUSTRIAL DISTRICT, MANUFACTURING/SERVICING. Section 41.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

41.409 Temporary outdoor events meeting all the conditions and limitations of Section 40.209 except 40.209(a).

SECTION XXIV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 42.000, "I-2" INDUSTRIAL DISTRICT, MANUFACTURING/SERVICING. Section 42.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

42.402 Temporary outdoor events meeting all the conditions and limitations of Section 40.209 except 40.209(a).

SECTION XXV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 43.000, "I-3" INDUSTRIAL DISTRICT, SPECIAL. Section 43.200 Permitted uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

43.208 Temporary outdoor events, subject to the following conditions and limitations:

- (a) Use is incidental to principal use of the property and all events shall not last more than one day.
- (b) A site plan shall be submitted for administrative review indicating the following:
 - (1) Traffic lanes and on-site parking
 - (2) Fire lanes and emergency vehicle turning areas
 - (3) Restrooms provided (in building or portable facilities)
 - (4) Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks
 - (5) All activity takes place on subject property
- (c) The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.
- (d) All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.
- (e) Property owner must approve and acknowledge the use of the property for the event.

SECTION XXVI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 43.000, "I-3" INDUSTRIAL DISTRICT, SPECIAL. Section 43.300 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

43.305 Temporary outdoor events meeting all the conditions and limitations of Section 43.208 except 43.208(a).

SECTION XXVII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 60.000, SPECIAL EXCEPTION USES. Section 60.300 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

60.300 Earth removal, quarrying, gravel processing, mining, related mineral extraction business, and landfill gas recovery processing facilities shall only be permitted as a special exception use in the "AG", "RR", "R-2", "R-3", "R-4", "R-5", "C", "C-R", "I-R", "I-1", "I-2", "I-3" zoning district classifications...

SECTION XXVIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 64.000, SETBACK AND SIDE LINE SPACING. Section 64.200 Agricultural and Residence Districts of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

64.200 In "AG" Agricultural District, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-5" Residence Districts, and with respect to buildings having two stories or less in "R-4" Residence Districts, there shall be a setback from all street right-of-way lines and outlots and/or planned future public street extensions of not less than 30 feet for all buildings unless a larger setback is otherwise required in the Township Zoning Ordinance or the building is constructed within 300 feet of a building existing on the effective date of this Ordinance provision (December 24, 1966) which is closer than the 30-foot setback requirement, in which case such setback may be decreased according to the schedule set forth in Section 64.100 hereof. If the building is constructed within 100 feet of a building existing on the effective date of this ordinance provision which is further than the 25-foot setback requirement, the minimum setback requirement shall be equal to the average of the closest existing buildings on either side of the new building.

The minimum setback distance between any building and any interior side property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, and "R-3" Residence Districts shall be ten feet for all buildings, pools, and associated decks whether attached or detached unless a larger setback is otherwise required in the Township Zoning Ordinance. The minimum setback distance between any building, pools, and associated decks whether attached or detached and any rear property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, and "R-3" Residence Districts shall be not less than 15 feet unless a larger setback is otherwise required in the Township Zoning Ordinance. ...

In "AG" Agricultural District, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-4" Residence Districts, and "R-5" Residence Districts there shall be a setback of not less than 25 feet from all street right-of-way lines and outlots and/or planned future public street extensions for all parcels, lots or building sites

with buildings or regulator stations for essential services unless a larger setback is otherwise required in the Township Zoning Ordinance.

SECTION XXIX. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 64.000, SETBACK AND SIDE LINE SPACING. Section 64.300 Business and Industrial Districts of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

64.300

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In "C" Local Business District, "I-R" Industrial District, Restricted, "I-1" Industrial District, Manufacturing/Serviceing, "I-2" Industrial District, Manufacturing/Serviceing, "I-3" Industrial District there shall be a setback of not less than 25 feet from all street right-of-way lines and outlots and/or planned future public street extensions for all parcels, lots or building sites with buildings or regulator stations for essential services unless a larger setback is otherwise required in the Township Zoning Ordinance.

SECTION XXX. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 64.000, SETBACK AND SIDE LINE SPACING. Section 64.700 Supplemental setback provision for property abutting a higher residential zoning classification of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and/or addition of the following sections:

64.710 (c) 100 feet where the subject site is in an "R-3", "R-4", "C-R", "C", "I-R", "I-1", "I-2", or "I-3" zoning. This minimum setback distance shall be increased by one foot for each foot in height in excess of 25 feet of the building in the "R-3", "R-4", "C-R", "C", "I-R", "I-1", "I-2" or "I-3" zoning classification as measured from the adjacent grade.

64.780 The minimum setback distance between any building or structure and any rear or side property line abutting property with a single or two-family residence located in an equivalent or lower zoning classification than the subject site shall be 50 feet or an type F greenspace shall be installed along the property line between the improved area of the subject property and the abutting residence (see Section 75.130).

64.800 All radio and television antennas, transmission towers, and satellite dish antennas shall be subject to the same setback requirements as those specified above for accessory buildings.

SECTION XXXI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 66.000, AREA REQUIREMENTS, DWELLING STANDARDS AND RESIDENTIAL OCCUPANCY*. Section 66.200 Dimensional requirements for parcels, lots and building sites of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and/or addition of the following sections:

66.201

Any parcel, lot or building site existing prior to March 31, 1997 shall be considered buildable if the only dimensional nonconformity is a depth to width ratio exceeding four-to-one subject to the Planning Director in his/her discretion to require the dedication of a 66 foot wide easement for future access to interior lands.

66.206 Frontage, width, and area requirements in Section 66.201 shall not apply to any parcel, lot or building site with buildings or regulator stations for essential services.

SECTION XXXII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 75.000, LANDSCAPING. Section 75.130 Greenspace areas of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following sections:

75.130 (B)

Table 75-B – Greenspace Type

Zoning of Subject Site ¹	<i>Adjacent Zoning or Road</i>												Private Street easement
	AG RR R-1 R-2	R-3	R-4	R-5	VC C	C-R	I-R	I-1	I-2 I-3	HOZ ^{3, 4}	Arterial, Collector or Local ²	Highway	
AG, RR, R-1, R-2, R-3 ³	C	C	A	A	A	B	B	B	B	E	C/C+	B	H
R-4	F	F	D	D	A	A	B	B	B	F	C/C+	B	H
R-5	F	F	D	D	A	A	B	B	B	F	C/C+	B	H
C	F	F	F	F	A	A	C	C	C	F	C/C+	C	H
C-R	F	F	F	F	A	A	C	C	C	F	C/C+	C	H
I-R	F	F	F	F	E	E	A	C	C	F	C/C+	C	H
I-1	F	F	F	F	E	E	C	A	C	F	C/C+	C	H
I-2, I-3	G	G	G	G	E	E	C	C	A	G	C/C+	C	H

SECTION XXXIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 75.000, LANDSCAPING. Section 75.180 Material requirements and maintenance of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

75.180 (I) Shrubs shall be grouped within the required greenspace and parking lot landscape areas when appropriate for aesthetic value and ease of maintenance.

SECTION XXXIV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.130 Definitions of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and addition of the following sections:

76.130 Changeable Copy Sign - A sign upon which a display or message can be changed by physical replacement or electronic change of the display or message. The definitions below, (a) through (d), are used in conjunction with electronically changeable copy signs:

- (a) Dissolve – A mode of message transition on an electronically changeable copy sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

- (b) **Fade** – A mode of message transition on an electronically changeable copy sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- (c) **Flash** – A mode of message transition on an electronically changeable copy sign accomplished by varying the light intensity, where the message instantly and repeatedly reduces or increases intensity.
- (d) **Scroll** – A mode of message transition on an electronically changeable copy sign accomplished by the movement of a message.

Seasonal Agricultural Sign – An on-premises temporary sign advertising seasonal agricultural crops or other agricultural products not exceeding a height of five (5) feet and with a maximum display area of 32 square feet.

Wall Sign - A sign including painted, individual letter, and cabinet signs, which are attached parallel to and extending not more than 15 inches from the wall of a building. May include a window sign exceeding 25 percent of window area. If a wall sign is attached to a building façade, the portion of the façade outside of the extreme limits of the writing, representation, emblem, lighting or other display, together with any frame or other material or other color forming an integral part of the display shall be disregarded when calculating sign area.

SECTION XXXV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.160 Agricultural and residential land uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and addition of the following sections:

76.160 Agricultural and residential land uses.

In all agricultural and residential uses, the requirements of Schedule A shall govern the use, area, type, height and number, in addition to the requirements elsewhere in this Ordinance.

SCHEDULE A

Use	Sign Type	Maximum Sign Area	Maximum Height	Sign Purpose	Maximum No. of Signs
Functioning farms and farm markets	a) seasonal agricultural directional signs (see footnote ²)	6 s.f.	4 feet	directional	12
	b) ground sign (see footnote ³)	30 s.f. ⁴	5 feet	business and identification	4 ⁴

² In no case shall a functioning farm or farm market be permitted to have Seasonal Agricultural Directional Signs, in any quantity, for more than 90 days per calendar year. Such signs may only be erected as long as commodities or products identified are available for purchase. A Sign Permit is required.

³ Applies to functioning farms and farm markets in an agricultural or residential district. Functioning farms and farm markets in commercial districts shall be allowed signage with a maximum sign area and maximum height as permitted in Section 76.170, Schedule B, with the exception that they are permitted up to four (4) signs totaling the maximum sign area allowed. Ground signs for farms and farm markets are not required to be permanent signs.

⁴ Functioning farms and farm markets may install up to four (4) signs with combined sign areas totaling no more than the maximum display area allowed for a single sign.

SECTION XXXVI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.165 [Agricultural and residential uses; additional permitted items] of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and addition of the following sections:

76.165 (B) One (1) Special Event Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 14 calendar days between January 1 and June 30 and up to 14 days between July 1 and December 31 per lot, building site or parcel. A Sign Permit must be obtained prior to displaying a Special Event Sign. Functioning farms and farm markets shall not be permitted a Special Event Sign; see 76.165 (C).

(C) One (1) Seasonal Agricultural Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 90 calendar days per year per principal use for functioning farms and farm markets. A sign permit must be obtained prior to displaying a Seasonal Agricultural Sign.

SECTION XXXVII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.170 Commercial and office land uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and addition of the following sections:

76.170 In all commercial and office uses the requirements of Schedule B shall govern sign use, area, type, height and numbers in addition to requirements elsewhere in this Ordinance.

SCHEDULE B

Use	Sign Type	Maximum Sign Area	Maximum Height	Sign Purpose	Maximum No. of Signs
Individual commercial establishments including hotels without restaurants (not located within a multi-tenant commercial center)	b) pole sign	60 s.f.	20 feet		1 pole or ground mounted sign (see footnotes 2 and 4)
	OR				
	ground sign	80 s.f.	10 feet		
Multi-tenant commercial center including hotels with restaurants	a) pole sign,	60 s.f. ⁵	20 feet	commercial center and/or individual tenant identification	1 pole or 1 ground sign (see footnotes 2 and 4)
	OR				
	ground sign	80 s.f. ⁵	10 feet		

Commercial tenants within a multi-tenant commercial center (also see below)	a) wall sign	1 s.f. per lineal foot of tenant space width not to exceed a sign length of more than 2/3 the subject tenant space width.	30 feet	business or identification	1 per exterior wall of the tenant premises, maximum of 2 (must be located upon premises of tenant).

Auto service stations and filling stations	a) pole sign	60 s.f.	20 feet	identification	1 pole or 1 ground sign (see footnote 2)

Office complex (lot, parcel or building sites containing 2 or more office buildings)	ground sign	60 s.f.	8 feet	identification of complex and/or individual buildings therein	1 sign per street entrance not to exceed more than one (1) per 2,600 lineal feet of continuous road frontage along the same public street.
Individual financial institutions (not located within a multi-tenant commercial center)	a) wall sign	1 s.f. for each foot in length or height (whichever is greater) of the wall to which it is affixed	20 feet	identification	4 per building, one per wall (see footnote 3)

⁴ Individual commercial establishments and multi-tenant commercial centers with more than 200 feet of frontage shall be allowed one additional sign (ground sign or pole sign) for each additional 200 feet of frontage in excess of 200 feet. Additional sign(s) shall not have a sign area or height greater than what is permitted in Schedule B.

⁵ Multi-tenant commercial centers shall be permitted an additional eight (8) square feet of display area for each tenant over the first two. Total sign area shall not exceed 50 percent of the permitted sign area.

SECTION XXXVIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.175 [Commercial and office uses; additional permitted items] of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

76.175 (C) One (1) Special Event Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 14 calendar days between January 1 and June 30 and up to 14 days between July 1 and December 31 per lot, building site or parcel. A Sign Permit must be obtained prior to displaying a Special Event Sign.

SECTION XXXIX. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.180 Industrial land uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

76.180 In all industrial uses the requirements of Schedule C shall govern sign use, area, type, height and numbers in addition to requirements elsewhere in this Ordinance.

SCHEDULE C

Use	Sign Type	Maximum Sign Area	Maximum Height	Sign Purpose	Maximum No. of Signs
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SECTION XL. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.185 Industrial uses; additional permitted items of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

76.185 (C) One (1) Special Event Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 14 calendar days between January 1 and June 30 and up to 14 days between July 1 and December 31 per lot, building site or parcel. A Sign Permit must be obtained prior to displaying a Special Event Sign.

SECTION XLI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 76.000, SIGNS AND BILLBOARDS. Section 76.410 Lighting of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following sections:

76.410 Lighting.

- (G) Electronically changeable copy signs may change message no more than once every six (6) seconds and shall not use transitions that dissolve, fade, flash, and/or scroll.**
- (H)**
- (I) Signs utilizing electronically changeable copy signs may not be so bright as to be objectionable or inappropriate for the surroundings.**

SECTION XLII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 78.000, MISCELLANEOUS PROTECTION REQUIREMENTS. Section 78.230 Height of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

78.230 (A) Agricultural and Residential Zoning Districts. All fences shall be limited to a maximum height of four (4) feet within the required front building setback area except as stated in Section 78.220.B. The maximum fence height in the side or rear yard shall be six (6) feet as measured from the grade on both sides of the fence. Fence height shall be measured from the grade of the lowest side of the wall when a fence is constructed on top of a wall.

SECTION XLIII. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 78.000, MISCELLANEOUS PROTECTION REQUIREMENTS. Section 78.400 Keeping of poultry, swine, horses, or livestock of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following sections:

78.400

The keeping of poultry, swine, livestock or horses and other similar animals (collectively referred herein as animals) as pets or for educational purposes, is permitted under the following conditions:

- (b) There shall be a minimum of one acre for each large animal, including horses, cattle, and swine, or similar animals.; or, one-quarter acre for each small animal (under 200 pounds), exclusive of those set forth above and for chickens, ducks, turkeys, and rabbits (collectively referred herein as specified animals). All parcels, lots, and building sites shall be permitted up to five (5) specified animals; roosters are prohibited. Parcels, lots, and building sites larger than one (1) acre shall be permitted one (1) additional specified animal for each one-quarter acre in excess of one (1) acre.
- (c) A building, other than the residence, used to shelter animals and/or any area used to store, dispose of, or compost manure, shall not be located closer than 50 feet for large or small animals and 10 feet or the height of the building, whichever is greater, for specified animals to any property line and not nearer than 150 feet for large or small animals and 20 feet for specified animals to any pre-existing dwelling on adjacent premises under different ownership. At minimum, a fenced in enclosure, other than the residence, shall be placed for the housing of animals. All buildings or other enclosures shall be within either the side or rear yards and may not be within the required front setback for the subject property.
- (d) Large and small animals (excluding specified animals) shall be controlled in a suitable manner to prevent their approaching closer than 100 feet to any pre-existing dwelling on adjacent premises under different ownership. Specified animals shall not be allowed free roam, must be contained within a six (6) foot fence or other fully enclosed structure at all times, and shall be controlled in a suitable manner to prevent their approaching closer than 20 feet to any pre-existing dwelling on adjacent premises under different ownership. A sight fence or other screening is required if specified animals are visible from any other residential property or any public rights-of-way. All fences for specified animals shall be within either the side or rear yards and may not be within the required front setback for the subject property.

SECTION XLIV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 82.000, SITE PLAN REVIEW. Section 82.200 Scope of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following section:

82.200 Scope.

- (f) Essential services with or without buildings, subject to the option of the Planning Director or his/her designee to require Site Plan Review set forth under Section 82.400 following.

SECTION XLV. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 82.000, SITE PLAN REVIEW. Section 82.600 Application procedure of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision and addition of the following sections:

82.600 Requests for final Site Plan Review shall be made by filing with the Township Clerk the following:

* * *

- (b) **One (1) copy of the completed application form for Site Plan Review which shall contain, as a minimum, the following:**

* * *

- (c) **Three (3) copies of the proposed site plan and landscaping plan which shall include as a minimum: A scale drawing of the site and proposed development thereon, including:**

* * *

- (d) **The Township Planning Department, Fire Department, and Engineer shall review the proposed site plan. The Planning Department will compile their comments and submit them to the applicant. The applicant shall submit twelve (12) copies of a revised proposed site plan for applications requiring review by the reviewing body and three (3) copies of a revised proposed site plan for applications requiring administrative review.**

SECTION XLVI. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 82.000, SITE PLAN REVIEW. Section 82.700 Action on application and plans of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following sections:

82.710 Upon receipt of the Application and Revised Plans, the Township Clerk shall record the date and transmit seven (7) copies to the Chairman of the reviewing body, two (2) copies to the Township Planning Department, one (1) copy to the Township Fire Department, and one (1) copy to the Township Engineer.

82.715 A hearing shall be scheduled by the Chairman of the reviewing body for a review of the Application and Plans as well as the recommendations of the Township Engineer, the Township Fire Department, and the Township Planning Department. Members of the reviewing body shall be delivered copies of the same prior to the hearing for their preliminary information and study. The hearing shall be scheduled within not more than 45 days following the date of the receipt of the Plans and Application by the Township Clerk

SECTION XLVII. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect eight (8) days after publication.

DEBORAH L. EVERETT, Clerk
OSHTEMO CHARTER TOWNSHIP

CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF ORDINANCE ADOPTION

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF OSHTEMO, KALAMAZOO COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that on the 12th day of April, 2011, at a regular meeting of the Township Board of the Charter Township of Oshtemo, Kalamazoo County, Michigan, the Township Board of said Township amended the Oshtemo Charter Zoning Ordinance, by revising the following sections to read, in summary, as follows:

SECTION I. Consideration of the amendment of Compiled Section 11.000 Definitions, Subsection 11.303.2 Filling station to limit the amount of propane on-site to one 1,000 gallon tank.

SECTION II. Consideration of the amendment of Compiled Section 19.000 Agricultural District, to add the following permitted uses to read as follows:

19.211 Temporary outdoor events, subject to the following conditions and limitations:

- (a) Use is incidental to principal use of the property and all events shall not last more than one day.
- (b) A site plan shall be submitted for administrative review indicating the following:
 - (1) Traffic lanes and on-site parking
 - (2) Fire lanes and emergency vehicle turning areas
 - (3) Restrooms provided (in building or portable facilities)
 - (4) Placement of vehicles, trailers, and all other equipment is away from adjoining residentially used properties and complies with all applicable setbacks
 - (5) All activity takes place on subject property
- (c) The Fire Chief, or his designee has approved the placement of vehicles, trailers, and all other equipment associated with the event.
- (d) All signs directed off-site must receive a temporary sign permit and comply with all applicable sign ordinances.
- (e) Property owner must approve and acknowledge the use of the property for the event.

SECTION III. Consideration of the amendment of Compiled Section 19.000 Agricultural District to add the following special exception uses to read as follows:

19.405 Temporary outdoor events meeting all the conditions and limitations of Section 19.211 except 19.211(a).

SECTION IV. Consideration of the amendment of Compiled Section 20.000, Rural Residential District, to add the following permitted uses to read as follows:

20.203 Fire stations and other Township buildings.

20.212 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION V. Consideration of the amendment of Compiled Section 20.000, Rural Residential District, to add the following special exception use to read as follows:

20.410 Temporary outdoor events meeting all the conditions and limitations of Section 20.212 except 20.212(a).

SECTION VI. Consideration of the amendment of Compiled Section 21.000, "R-1" Residence District, to add the following permitted uses to read as follows:

21.207 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION VII. Consideration of the amendment of Compiled Section 21.000, "R-1" Residence District, to add the following special exception use to read as follows:

21.405 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION VIII. Consideration of the amendment of Compiled Section 22.000, "R-2" Residence District, to add the following special exception use to read as follows:

22.405 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION IX. Consideration of the amendment of Compiled Section 23.000, "R-3" Residence District, to add the following special exception use to read as follows:

23.411 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION X. Consideration of the amendment of Compiled Section 24.000, "R-4" Residence District, to delete the following section:

24.207 Crematories.

SECTION XI. Consideration of the amendment of Compiled Section 24.000, "R-4" Residence District, to add the following special exception use to read as follows:

24.407 Temporary outdoor events meeting all the conditions and limitations of Section 21.207 except 21.207(a).

SECTION XII. Consideration of the amendment of Compiled Section 25.000, "R-5" Residence District, to add the following permitted uses to read as follows:

25.206 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION XIII. Consideration of the amendment of Compiled Section 25.000, “R-5” Residence District, to add the following special exception use to read as follows:

25.404 Temporary outdoor events meeting all the conditions and limitations of Section 25.206 except 25.206(a).

SECTION XIV. Consideration of the amendment of Compiled Section 30.000, “C” Local Business District, to add the following permitted uses to read as follows:

30.221 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION XV. Consideration of the amendment of Compiled Section 30.000, “C” Local Business District, to add the following special exception uses to read as follows:

30.412 Filling stations, public garages or service stations, excluding auto body and auto paint shops.

30.415 Temporary outdoor events meeting all the conditions and limitations of Section 30.221 except 30.221(a).

SECTION XVI. Consideration of the amendment of Compiled Section 32.000, “C-R” Local Business District, Restricted, to add the following permitted uses to read as follows:

32.201 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION XVII. Consideration of the amendment of Compiled Section 32.000, “C-R” Local Business District, Restricted, to add the following special exception use to read as follows:

32.409 Temporary outdoor events meeting all the conditions and limitations of Section 32.201 except 32.201(a).

SECTION XVIII. Consideration of the amendment of Compiled Section 33.000, “VC” Village Commercial District, to add the following permitted uses to read as follows:

33.213 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION XIX. Consideration of the amendment of Compiled Section 33.000, “VC” Village Commercial District, Section 33.250 Administrative review of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the revision of the following section:

33.252 Service establishments such as, but not limited to, repair shops (watches, radios, television, shoes, etc.), tailor shops, beauty parlors or barber shops, studios or galleries, self-service laundries, flower shops and photocopy shops.

SECTION XX. Consideration of the amendment of Compiled Section 33.000, “VC” Village Commercial District, Section 33.300 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of the following sections:

33.303 Filling stations, Mini-Food-Mart Stations, and auto glass repair shops, excluding body and engine repair and service garages.

33.312 Temporary outdoor events meeting all the conditions and limitations of Section 33.213 except 33.213(a).

SECTION XXI. Consideration of the amendment of Compiled Section 40.000, “I-R” Industrial District, Restricted, to add the following permitted uses to read as follows:

40.209 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION XXII. Consideration of the amendment of Compiled Section 40.000, “I-R” Industrial District, Restricted, to add the following special exception use to read as follows:

40.305 Temporary outdoor events meeting all the conditions and limitations of Section 40.209 except 40.209(a).

SECTION XXIII. Consideration of the amendment of Compiled Section 41.000, “I-1” Industrial District, Manufacturing, to add the following special exception use to read as follows:

41.409 Temporary outdoor events meeting all the conditions and limitations of Section 40.209 except 40.209(a).

SECTION XXIV. Consideration of the amendment of Compiled Section 42.000, “I-2” Industrial District, Manufacturing/Service, to add the following special exception use to read as follows:

42.402 Temporary outdoor events meeting all the conditions and limitations of Section 40.209 except 40.209(a).

SECTION XXV. Consideration of the amendment of Compiled Section 43.000, “I-3” Industrial District, Special, to add the following permitted use to read as follows:

43.208 Temporary outdoor events pursuant to the same provisions as Section 19.211.

SECTION XXVI. Consideration of the amendment of Compiled Section 43.000, "I-3" Industrial District, Special, to add the following special exception use to read as follows:

43.305 Temporary outdoor events meeting all the conditions and limitations of Section 43.208 except 43.208(a).

SECTION XXVII. Consideration of the amendment of Compiled Section 60.000 Special exception uses to revise the following section to remove the reference to the outdated "C-1" zoning classification:

60.300 Earth removal, quarrying, gravel processing, mining, . . .

SECTION XXVIII. Consideration of the amendment of Compiled Section 64.000 Setback and Side Line Spacing, Section 64.200 Agricultural and Residence Districts of the Oshtemo Charter Township Zoning Ordinance by the revision of the following section:

64.200 In "AG" Agricultural District, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-5" Residence Districts, and with respect to buildings having two stories or less in "R-4" Residence Districts, there shall be a setback from all street right-of-way lines and outlots and/or planned future public street extensions of not less than 30 feet for all buildings unless a larger setback is otherwise required in the Township Zoning Ordinance or the building is constructed within 300 feet of a building existing on the effective date of this Ordinance provision (December 24, 1966) which is closer than the 30-foot setback requirement, in which case such setback may be decreased according to the schedule set forth in Section 64.100 hereof. If the building is constructed within 100 feet of a building existing on the effective date of this ordinance provision which is further than the 25-foot setback requirement, the minimum setback requirement shall be equal to the average of the closest existing buildings on either side of the new building.

The minimum setback distance between any building and any interior side property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, and "R-3" Residence Districts shall be ten feet for all buildings, pools, and associated decks whether attached or detached unless a larger setback is otherwise required in the Township Zoning Ordinance. The minimum setback distance between any building, pools, and associated decks whether attached or detached and any rear property line in the "AG" Agricultural Districts, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, and "R-3" Residence Districts shall be not less than 15 feet unless a larger setback is otherwise required in the Township Zoning Ordinance. . . .

In "AG" Agricultural District, "RR" Residence Districts, "R-1" Residence Districts, "R-2" Residence Districts, "R-3" Residence Districts, "R-4" Residence Districts, and "R-5" Residence Districts there shall be a setback of not less than 25 feet from all street right-of-way lines and outlots and/or planned future public

street extensions for all parcels, lots or building sites with buildings or regulator stations for essential services unless a larger setback is otherwise required in the Township Zoning Ordinance.

SECTION XXIX. Consideration of the amendment of Compiled Section 64.000, Setback and Side Line Spacing, by the revision of the following section:

64.300

* * *

In "C" Local Business District, "I-R" Industrial District, Restricted, "I-1" Industrial District, Manufacturing/Serviceing, "I-2" Industrial District, Manufacturing/Serviceing, "I-3" Industrial District there shall be a setback of not less than 25 feet from all street right-of-way lines and outlots and/or planned future public street extensions for all parcels, lots or building sites with buildings or regulator stations for essential services unless a larger setback is otherwise required in the Township Zoning Ordinance.

SECTION XXX. Consideration of the amendment of Compiled Section 64.000 Setback and Side Line Spacing, by the revision and/or addition of the following sections:

64.710 (c) 100 feet where the subject site is in an "R-3", "R-4", "C-R", "C", "I-R", "I-1", "I-2", or "I-3" zoning. This minimum setback distance shall be increased by one foot for each foot in height in excess of 25 feet of the building in the "R-3", "R-4", "C-R", "C", "I-R", "I-1", "I-2" or "I-3" zoning classification as measured from the adjacent grade.

64.780 The minimum setback distance between any building or structure and any rear or side property line abutting property with a single or two-family residence located in an equivalent or lower zoning classification than the subject site shall be 50 feet or an type F greenspace shall be installed along the property line between the improved area of the subject property and the abutting residence (see Section 75.130).

64.800 All radio and television antennas, transmission towers, and satellite dish antennas shall be subject to the same setback requirements as those specified above for accessory buildings.

SECTION XXXI. Consideration of the amendment of Compiled Section 66.000, Area Requirements, Dwelling Standards and Residential Occupancy* by the revision and/or addition of the following sections:

66.201

Any parcel, lot or building site existing prior to March 31, 1997 shall be considered buildable if the only dimensional nonconformity is a depth to width ratio exceeding four-to-one subject to the Planning Director in his/her discretion to require the dedication of a 66 foot wide easement for future access to interior lands.

66.206 Frontage, width, and area requirements in Section 66.201 shall not apply to any parcel, lot or building site with buildings or regulator stations for essential services.

SECTION XXXII. Consideration of the amendment of Compiled Section 75.000 Landscaping, Subsection 75.130(B) to reduce the greenspace planting requirements for the AG, RR, R-1, R-2, R-3 from F to E, and for C, C-R, I-R, and I-1 from G to F under Table 75-A.

SECTION XXXIII. Consideration of the amendment of Compiled Section 75.000 Landscaping, to add the following section:

75.180 (I) Shrubs shall be grouped within the required greenspace and parking lot landscape areas when appropriate for aesthetic value and ease of maintenance.

SECTION XXXIV. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, to add the following sections:

76.130 Changeable Copy Sign - A sign upon which a display or message can be changed by physical replacement or electronic change of the display or message. The definitions below, (a) through (d), as more fully set forth in the Ordinance.

- (a) Dissolve.
- (b) Fade.
- (c) Flash.
- (d) Scroll.

Seasonal Agricultural Sign – An on-premises temporary sign advertising seasonal agricultural crops or other agricultural products not exceeding a height of five (5) feet and with a maximum display area of 32 square feet.

Wall Sign - A sign including painted, individual letter, and cabinet signs, which are attached parallel to and extending not more than 15 inches from the wall of a building. May include a window sign exceeding 25 percent of window area. If a wall sign is attached to a building façade, the portion of the façade outside of the extreme limits of the writing, representation, emblem, lighting or other display, together with any frame or other material or other color forming an integral part of the display shall be disregarded when calculating sign area.

SECTION XXXV. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, by the revision and addition of the following sections:

76.160 Agricultural and residential uses – Schedule A – added farm markets and ground signs, subject to footnote limitations.

SECTION XXXVI. Consideration of the amendment of Compiled Section 76.000 Signs and Billboards, to revise and add the following sections:

76.165 (B) One (1) Special Event Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 14 calendar days between January 1 and June 30 and up to 14 days between July 1 and December 31 per lot, building site or parcel. A Sign Permit must be obtained prior to displaying a Special

Event Sign. Functioning farms and farm markets shall not be permitted a Special Event Sign; see 76.165 (C).

- (C) One (1) Seasonal Agricultural Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 90 calendar days per year per principal use for functioning farms and farm markets. A sign permit must be obtained prior to displaying a Seasonal Agricultural Sign.

SECTION XXXVII. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, to revise and add the following sections:

76.170 Schedule B shall govern sign use, area, type, height and numbers in addition to requirements elsewhere in this Ordinance. Schedule B amends reference to maximum sign area and footnotes to allow multi tenant commercial centers more signage depending upon front footage.

SECTION XXXVIII. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, to revise the following section:

76.175 (C) One (1) Special Event Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 14 calendar days between January 1 and June 30 and up to 14 days between July 1 and December 31 per lot, building site or parcel. A Sign Permit must be obtained prior to displaying a Special Event Sign.

SECTION XXXIX. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, Section 76.180 to revise the reference to maximum display area to maximum sign area.

SECTION XL. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, to revise the following section:

76.185 (C) One (1) Special Event Sign, not to exceed a sign area of 32 square feet, except as expressly permitted herein, shall be permitted for up to 14 calendar days between January 1 and June 30 and up to 14 days between July 1 and December 31 per lot, building site or parcel. A Sign Permit must be obtained prior to displaying a Special Event Sign.

SECTION XLI. Consideration of the amendment of Compiled Section 76.000, Signs and Billboards, to revise the following sections:

76.410 Lighting.

- (G) Electronically changeable copy signs may change message no more than once every six (6) seconds and shall not use transitions that dissolve, fade, flash, and/or scroll.
- (H)
- (I) Signs utilizing electronically changeable copy signs may not be so bright as to be objectionable or inappropriate for the surroundings.

SECTION XLII. Consideration of the amendment of Compiled Section 78, Miscellaneous Protection Requirements, to add the following

78.230(A) . . . Fence height shall be measured from the grade of the lowest side of the wall when a fence is constructed on top of a wall.

SECTION XLIII. Consideration of the amendment of Compiled Section 78, Miscellaneous Protection Requirements, to revise the following:

78.400 The keeping of poultry, swine, livestock or horses and other similar animals (collectively referred herein as animals) as pets or for educational purposes, is permitted under the following conditions:

- (b) There shall be a minimum of one acre for each large animal, including horses, cattle, and swine, or similar animals.; or, one-quarter acre for each small animal (under 200 pounds), exclusive of those set forth above and for chickens, ducks, turkeys, and rabbits (collectively referred herein as specified animals). All parcels, lots, and building sites shall be permitted up to five (5) specified animals; roosters are prohibited. Parcels, lots, and building sites larger than one (1) acre shall be permitted one (1) additional specified animal for each one-quarter acre in excess of one (1) acre.
- (c) A building, other than the residence, used to shelter animals and/or any area used to store, dispose of, or compost manure, shall not be located closer than 50 feet for large or small animals and 10 feet or the height of the building, whichever is greater, for specified animals to any property line and not nearer than 150 feet for large or small animals and 20 feet for specified animals to any pre-existing dwelling on adjacent premises under different ownership. At minimum, a fenced in enclosure, other than the residence, shall be placed for the housing of animals. All buildings or other enclosures shall be within either the side or rear yards and may not be within the required front setback for the subject property.
- (d) Large and small animals (excluding specified animals) shall be controlled in a suitable manner to prevent their approaching closer than 100 feet to any pre-existing dwelling on adjacent premises under different ownership. Specified animals shall not be allowed free roam, must be contained within a six (6) foot fence or other fully enclosed structure at all times, and shall be controlled in a suitable manner to prevent their approaching closer than 20 feet to any pre-existing dwelling on adjacent premises under different ownership. A sight fence or other screening is required if specified animals are visible from any other residential property or any public rights-of-way. All fences for specified animals shall be within either the side or rear yards and may not be within the required front setback for the subject property.

SECTION XLIV. Consideration of the amendment of Compiled Section 82.000, Site Plan Review, by the addition of the following section:

82.200 Scope.

- (f) Essential services with or without buildings, subject to the option of the Planning Director or his/her designee to require Site Plan Review set forth under Section 82.400 following.

SECTION XLV. Consideration of the amendment of Compiled Section 82.000, Site Plan Review, by the revision and addition of the following sections:

82.600 Requests for final Site Plan Review shall be made by filing with the Township Clerk the following:

* * *

- (b) One (1) copy of the completed application form for Site Plan Review which shall contain, as a minimum, the following:

* * *

- (c) Three (3) copies of the proposed site plan and landscaping plan which shall include as a minimum: A scale drawing of the site and proposed development thereon, including:

* * *

- (d) The Township Planning Department, Fire Department, and Engineer shall review the proposed site plan. The Planning Department will compile their comments and submit them to the applicant. The applicant shall submit twelve (12) copies of a revised proposed site plan for applications requiring review by the reviewing body and three (3) copies of a revised proposed site plan for applications requiring administrative review.

SECTION XLVI. Consideration of the amendment of Compiled Section 82.000, Site Plan Review, by the revision of the following sections:

82.710 Upon receipt of the Application and Revised Plans, the Township Clerk shall record the date and transmit seven (7) copies to the Chairman of the reviewing body, two (2) copies to the Township Planning Department, one (1) copy to the Township Fire Department, and one (1) copy to the Township Engineer.

82.715 A hearing shall be scheduled by the Chairman of the reviewing body for a review of the Application and Plans as well as the recommendations of the Township Engineer, the Township Fire Department, and the Township Planning Department. Members of the reviewing body shall be delivered copies of the same prior to the hearing for their preliminary information and study. The hearing shall be scheduled within not more than 45 days following the date of the receipt of the Plans and Application by the Township Clerk.

SECTION XLVII. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect eight (8) days after publication.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Ordinance has been posted in the Office of the Township Clerk and on the Township's Website.

PLEASE TAKE FURTHER NOTICE that this Ordinance will take effect April 28, 2011. A copy of this Ordinance may be purchased or inspected at the office of the Township Clerk at any time during regular business hours of regular business days at the following stated address.

DEBORAH L. EVERETT, CLERK
OSHTEMO CHARTER TOWNSHIP
7275 West Main Street
Kalamazoo, MI 49009
Telephone: (269) 375-4260