

CHAPTER 17  
ZONING ORDINANCE  
ZONING ORDINANCE OF RIVES TOWNSHIP  
JACKSON COUNTY, MICHIGAN

An Ordinance to establish zoning districts and provisions governing the use of the land, natural resources and structures in Rives Township, Jackson County, Michigan; to provide for the administration and enforcement in accordance with the provisions of Acts 184 of Public Acts of 1943 as amended and Act 168 of 1959 as amended.

**Article 1**  
**Enacting Clause, Title, Purpose**

SECTION 17.00 - TITLE.

This Ordinance shall be known as the "Rives Township Zoning Ordinance."

SECTION 17.01 - PURPOSE.

The fundamental purpose of this Ordinance is to promote the public health, safety, and general welfare, to encourage the use of lands and natural resources in the Township in accordance with their character and adaptability, to provide for the orderly development of the Township, to reduce hazards to life and property, to establish the location of and the size and specific uses for which dwelling, buildings and structures may hereafter be erected, or altered, and the minimum open spaces, sanitary, safety and protective measures that shall be required for such land dwelling, buildings and structures, to lessen congestion on the public roads and streets, to facilitate the development of an adequate system of transportation, education, recreation, sewage disposal, safe and adequate water supply and other public requirements; to conserve life, property and other natural resources, and the expenditures of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties.

(Amended 6-15-21, Ord. No 2021-1)

Sections 17.02 - 17.09 Reserved

## **Article 2**

### **Definitions**

#### SECTION 17.10 - DEFINITIONS.

##### Accessory building or structure:

A second building or structure on the same premises as the main building or structure occupied by or devoted exclusively to an accessory use but such use shall not include dwelling or lodging purposes or sleeping quarters for human beings.

##### Accessory use:

A use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or building.

##### Adult Foster Care Facility:

An Adult Foster Care Facility is a licensed and regulated (by P.A. 218 of 1979, as amended), facility that provides foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.

- A. An Adult Foster Care Family Home is a private residence with the approved capacity to receive 6 or fewer adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
- B. An Adult Foster Care Small Group Home is a facility with approved capacity to receive 12 or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.
- C. An Adult Foster Care Large Group Home is a facility with approved capacity to receive at least 13 but not more than 20 adults to be provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.

##### Airport:

Any airstrip which is shared by more than two operating aircraft, including, but not limited to, airparks or commercially operated airports. See also Private Airstrip.

##### Altered:

Any change in the location or use of a building or structure or any change in the structural members of a building or structure such as bearing walls, columns, posts, beams, girders, and similar components.

Appendage:

Anything added on to, affixed to, or supplementing the original structure.

Basement or cellar:

That portion of a building which is wholly or partly below the average grade of the ground level adjoining the building.

Building:

A structure erected on-site, a mobile home or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, supported or enclosed of persons, animals, or property of any kind.

Building permit:

A building permit is a written authority issued by the Building Inspector permitting the construction, removal, moving, alteration or use of a building in conformity to the provisions of this Ordinance.

Conditional Use:

A use permitted with certain zoning districts, that because of its actual or potential impact on natural resources, public utilities, traffic patterns or land use, requires approval by the Township Board. See Article 7.

Day Care Facility:

A facility for the care of children under 18 years of age, as licensed and regulated by the State under Public Act 116 of 1973 and the associated rules of the State Department of Social Services. Such organizations are further defined as follows:

- A. Family day care home means a private home in which one but not more than 6 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian. It includes a home that gives care to an unrelated child for more than 4 weeks during a calendar year.
- B. Group day care home means a private home in which more than 6 but not more than 12 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian. It includes a home that gives care to an unrelated child for more than 4 weeks during a calendar year.
- C. Child care center means a facility, other than a private residence, receiving more than 6 children for group care for periods of less than 24 hours a day.

Dwelling:

One (1) or more rooms with independent cooking facilities designed as a unit for residence by one (1) family.

Dwelling, Single-Family:

A building or a mobile home, designed for and occupied by one (1) family, complying with the following standards:

- A. All single-family dwellings shall meet Rives Township regulations.

- B. The dwelling shall contain a minimum of seven hundred fifty (750) square feet of living area with one hundred fifty (150) square feet for each additional bedroom beyond two (2). All habitable rooms shall have a minimum height as required in the Rives Township Building Code. Where a dwelling is required to comply with any federal or state standards or regulations for construction, and where such standards or regulations for construction are different than those imposed by the Rives Township Building Code, then, and in that event, such federal or state standards or regulations shall apply.
- C. The dwelling shall have a minimum exterior width of any side elevation of 20 feet, excluding appendages.
- D. The dwelling shall have a permanent foundation constructed on the site in accordance with the Township building code, and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall also be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a perimeter wall as required above.
- E. Mobile homes shall not have exposed wheels, towing mechanisms, undercarriage, or chassis.
- F. Single-family dwellings shall comply with all pertinent building, fire, plumbing, electrical, and other applicable codes. In the event the single-family dwelling is a mobile home, or a manufactured home, the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled "Mobile Home Construction and Safety Standards," effective June 15, 1976, as amended, shall apply.
- G. Mobile homes shall be aesthetically compatible in design and appearance to conventional, on-site constructed homes in the area and shall have a roof overhang, a front and rear or front and side exterior door, permanently attached steps or porch areas where an elevation differential requires the same and roof-drainage systems concentrating roof drainage and avoiding drainage along the sides of the dwelling.
- H. There shall be no room or other area additions to the home unless constructed of similar materials and quality workmanship as in the principal structure, including an appropriate foundation and permanent attachment thereto. All such additions shall be constructed in compliance with the Rives Township building, fire, plumbing, electrical, and other applicable codes, or standards set forth for manufactured housing as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled "Mobile Home Construction of Safety Standards," effective June 15, 1976 as amended.
- I. Single-family dwellings shall be used only for one (1) family dwelling purposes and shall conform to the standards above unless located within a mobile home

park or a mobile home plat zoned for such uses or unless for temporary purposes as provided in Section 3.16 (Temporary Mobile Homes and Offices).

- J. Mobile homes moved into Rives Township henceforth and replacement mobile homes shall not be more than five (5) years old and must comply with HUD Mobile Home Construction and Safety Standards effective June 15, 1976 (24CFR 3280).
- K. Before a mobile home can be brought on to a lot to replace an existing mobile home, the existing mobile home must be fully removed from said lot.

Dwelling, Two-Family:

A building designed for or occupied by two (2) families, with separate housekeeping facilities including cooking, bathroom, sanitation, sleeping and living rooms, and separate entrances. Each unit must contain a minimum of 750 square feet of living area with one hundred fifty (150) square feet for each additional bedroom beyond two (2). All habitable rooms shall have a minimum height as required in the Rives Township Building Code. All two-family dwellings shall comply with all pertinent building, fire, plumbing, electrical, and other applicable codes. Where a dwelling is required to comply with any federal or state standards or regulations for construction, and where such standards or regulations for construction are different than those imposed by the Rives Township Building Code, then, and in that event, such federal or state standard or regulations shall apply.

Elevation:

A construction term meaning a flat scale drawing of the front, rear or side of a building.

Essential Services:

The erection, construction, alteration, or maintenance by public utilities or municipal departments, commissions or boards, of underground or surface, or overhead, gas, electric, steam or water transmission or distribution systems; collection, communication, supply or disposal systems, including poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals or signs, and fire hydrants, and other similar equipment and accessories.

Family:

One (1) or more persons living together in a room or rooms comprising a single housekeeping unit. A family is distinguished from a group occupying a rooming house, boarding house, lodging house, club, fraternity house, hotel, motel, or tourist home.

Farm:

A farm is an unplatted contiguous, neighboring, or associated land, operated as a single unit, on which bona fide farming is carried on directly by the owner, operator, manager or tenant farmer by his own labor, or by the assistance of members of his household, or hired employees. The land to be considered a farm shall include a contiguous, unplatted parcel of land not less than 5 acres in area. Orchards, establishments keeping fur bearing animals, hatcheries, and similar specialized agricultural enterprises, may be considered

a farm. The keeping of game, operation of fish hatcheries, dog kennels, stockyards, slaughter houses, gravel or sand pits, or the removal and sale of top dirt, fertilizer works, bone yards, or piggeries or for the reduction of animal matter, or for the disposal of garbage, sewage, rubbish, junk or offal, shall not constitute a farm hereunder.

Farm Operation (traditional):

Activities which occur on a farm in connection with the commercial production of farm products, and includes, but is not limited to: marketing farm products at roadside stands; farm noise, odors, dust, fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of organic and chemical fertilizers, conditioners, insecticides, pesticides and herbicides; and the employment and use of labor except for an intensive animal feeding operation.

Farm Products:

Any of those plants and animals useful to man, including, but not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including feeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, aviaries, equine and other similar products, or any other product which incorporates the use of food, or fiber.

Home Business:

An incidental and secondary use of a residential property for business purposes. It is a conditional use in the AG and R districts and, in addition to the requirements of Article 7, a home business must meet the following standards:

- A. A home business shall be permitted only in a single family dwelling unit or in an accessory structure.
- B. Home businesses shall be conducted solely by persons residing at the residence and/or with the assistance of one person who does not reside on the premises.
- C. There shall be no change in the exterior appearance of the structure or premises to accommodate the home business, or other outdoor visible evidence of conduct of the home business, and there shall be no external or internal alterations not customary in residential areas.
- D. No article shall be sold or displayed anywhere on the premises except that which is prepared or produced by the home business.
- E. No exterior storage associated with or resulting from a home business shall be permitted.
- F. No equipment or process shall be used in a home business which generates noise, vibration, glare, fumes, odor or electrical interferences that are nuisances to persons off the premises. Any electrical equipment processes that create visual or audible interference with radio or television receivers off the premises or that cause fluctuations in line voltages off the premises shall be prohibited.
- G. Hazard of fire, explosion, radioactivity, or chemical contamination shall not

exist at any time as a result of a home business. Annual certification of compliance with this provision by the Township's Fire Chief may be required.

Home Occupation:

An incidental and secondary use of a dwelling unit for business purposes. It is a permitted use in the AG and R districts when it meets the following standards:

- A. A home occupation must be conducted in its entirety within a dwelling unit that is the bona fide residence of the practitioner of the occupation. (This prohibits use of attached and unattached garages and accessory buildings). Not more than 20 percent of the gross floor area of the dwelling unit, or 300 square feet, whichever is greater, can be used for a home occupation.
- B. Home occupations shall be conducted solely by persons residing at the residence.
- C. All business activity and storage must take place within the interior of the dwelling. (This prohibits use of attached and unattached garages and accessory buildings).
- D. No alteration to the exterior of the residential dwelling, accessory buildings or yard that alters the residential character of the premises is permissible.
- E. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential or agricultural neighborhood.
- F. Only a personal driveway may be used and there shall be no parking lots.
- G. No vehicles used in the conduct of the occupation may be parked, or otherwise kept at the premises, other than as are normal for use for domestic or household purposes.
- H. No sign or other identification is permitted on the premises.
- I. No article shall be sold or displayed anywhere on the premises except that which is prepared or produced by the home occupation.
- J. No equipment or process shall be used in a home occupation which generates noise, vibration, glare, fumes, odor or electrical interferences that are nuisances to persons off the premises. Any electrical equipment processes that create visual or audible interference with radio or television receivers off the premises or that cause fluctuations in line voltages off the premises shall be prohibited.
- K. Hazard of fire, explosion, radioactivity, or chemical contamination shall not exist at any time as a result of a home occupation. Annual certification of compliance with this provision by the Township's Fire Chief may be required.
- L. The conduct of the home occupation shall not violate any of the township's ordinances concerning nuisance, fire or health, or any other township, county, state or other applicable laws or regulations.

Examples of Home Occupations: This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.

- (1) Dressmaking.
- (2) Handicrafts.
- (3) Typing, secretarial services.
- (4) Tutoring, limited to six (6) students.
- (5) Office facility of a sales representative provided that no transactions are made in person on the premises.

Intensive Animal Feeding Operation:

An operation that has all of the following characteristics:

- A. Animals or poultry are confined in such a concentration and using such methods that a potential environmental hazard is created.
- B. Animals will be stabled or confined and fed or maintained for a total of forty-five days or more in any twelve (12) month period.
- C. More than the number of animals specified in any of the following categories are confined as in (A) above.
  1. One thousand (1,000) slaughter or feeder cattle or veal.
  2. Seven hundred (700) mature dairy cattle, whether milked or dry cows.
  3. Two thousand five hundred (2,500) swine.
  4. Five hundred (500) horses.
  5. Ten thousand (10,000) sheep, lambs or goats.
  6. Fifty-five thousand (55,000) turkeys.
  7. One hundred thousand (100,000) laying hens or broilers, (if the facility has a continuous overflow watering system).
  8. Thirty thousand (30,000) laying hens or broilers (if the facility has a liquid manure handling system).
  9. Five thousand (5,000) ducks.

Kennel:

Any lot or premises on which three (3) or more dogs, four (4) months old or more are confined either permanently or temporarily.

Lot:

A piece or parcel of land occupied or to be occupied by a building, structure, or use or by other activities permitted thereon and generally having its principal frontage upon a public highway. A lot may or may not be a lot of existing record.

Lot, Corner:

A lot situated at the junction of two (2) or more streets or highways or at the junction of a street or highway and a place.

Lot, interior:

A lot other than a corner lot.



Lot, Double Frontage:

A double frontage lot is a parcel of land which extends from one (1) street to another.

Lot Line:

A lot line is a line separating a lot from the street, highway or adjoining parcels of land.

Mobile Home:

A dwelling, transportable in one or more sections which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical system contained therein and is installed by a Michigan-licensed Mobile Home dealer or Michigan-licensed Mobile Home installer as required by Public Act 419 of 1976, as amended, being the Mobile Home Commission Act, MCL 125.1101 et. seq. and administrative rules promulgated thereunder.

Motel and Hotel:

Any building or structure of single units built in multiple of two (2) or more for temporary occupancy with sanitary facilities, with or without kitchenettes.

Non-Conforming Use:

The use of a structure or land conflicting with the provisions of this Ordinance.

Private Airstrip:

Any airstrip which is used by two (2) or less operating aircraft, with the same owner as the property on which the airstrip is located.

Roadside Stand:

A structure used, or intended to be used solely by the owner or tenant of the farm on which it is located for the sale of only the seasonable farm products of the immediate locality in which such a roadside stand is located.

Setback:

The minimum horizontal distance between the front line of the building and the nearest highway or street right-of-way line or adjoining lot line.

Street:

A public or private thoroughfare which affords a principal means of access of abutting property.

Structure:

Any construction which requires location of a more or less permanent attachment to the ground.

Mobile Home Park:

Any area established for the use of two (2) or more mobile homes for dwelling purposes.

Temporary Sign:

Any sign that is for a strictly temporary purpose, such as: political candidates or parties; garage sales; selling private household articles; sale of farm or seasonal products. Such sign may not be used for more than 90 days in any 365 day period.

Yard:

That portion of a lot, tract, parcel or premise that is not covered by structure or roof.

Undefined Terms:

Any term not defined herein, shall have the meaning of common or standard use.

Sections 17.11 - 17.19 Reserved

**Article 3**  
**General Provisions**

SECTION 17.20 - ESTABLISHMENT OF ZONING DISTRICTS.

- AG    Agricultural District
- R     Residential District
- MHR Mobile Home Residential District
- C     Commercial District
- I     Industrial District

SECTION 17.21 - OFFICIAL ZONING MAP

- A.    Location of Districts and Boundaries - The boundaries of the zoning districts of Rives Township are hereby established as shown on official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.
- B.    Identification - The official zoning map shall be identified by the signature of the Township Clerk, and by the date of adoption of the zoning ordinance, under the following words:

"This is to certify that this map is the official zoning map of Rives Township, being Section 17.21 of the Rives Township zoning ordinance."
- C.    Changes in the Official Zoning Map - If an amendment to this ordinance results in a change in a district boundary, such change shall be recorded on the official zoning map by the Township Clerk promptly after the amendatory ordinance is adopted. The Clerk shall initial and date each change on the map. Any change of municipal boundaries shall be recorded on the official zoning map by the Clerk. No other changes shall be made in the official zoning map. Any unauthorized change in the official zoning map shall be a violation of this ordinance and punishable as provided in Article 9, herein.
- D.    Authority of Official Zoning Map - Regardless of the existence of copies of the official zoning map which might be made or published, the official zoning map shall be the final authority on the zoning status of any lot, use, or structure in Rives Township. The official zoning map shall be located in the office of the Township Clerk and shall be open to public inspection.
- E.    Replacement of Official Zoning Map - If the official zoning map is lost or destroyed, or becomes damaged or difficult to interpret because of its physical condition, the Township Board may adopt a new official zoning map which shall replace 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. The new official zoning map shall be identified as a replacement map by signature of the Township Clerk, with the date of replacement.

- F. Rules For Interpretation - Where, due to scale, lack of detail, or illegibility of the official zoning map, there is any uncertainty, contradiction, or conflict as to the intended location of any zoning district boundary as shown thereon, the Zoning Inspector shall interpret the map upon request of any person. Any person aggrieved by such interpretation may appeal it to the Zoning Board of Appeals.

SECTION 17.22 - COMPLIANCE WITH REGULATIONS.

- A. Every building and structure erected; every lot created; every use of any lot, building, or structure established; every structural alteration or relocation of an existing building or structure occurring; and every enlargement of or addition to an existing use, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance, which are applicable in the zoning district in which such building, structure, or lot is located.
- B. No part of a yard or other open space required for or in connection with, any structure for the purpose of complying with this Ordinance, shall be included as part of a yard or open space similarly required for any other structure.

SECTION 17.23 - USE REGULATIONS.

- A. No structure shall be constructed, erected, placed, or maintained, and no use shall be commenced or continued within Rives Township except as specifically, or by necessary implication, authorized by this Ordinance.
- B. A conditional use shall be considered only if listed as a conditional use in the zoning district in which the use is to be located, and only after a conditional use permit has been reviewed by the Planning Commission and approved by the Township Board. (Amended 6-15-21, Ord. No 2021-1)
- C. Where a lot is devoted to a principal use, either permitted by right or as a conditional use, customary accessory uses and structures are authorized except as specifically prohibited.

SECTION 17.24 - YARD REQUIREMENTS.

- A. All front, side, and rear yards shall be the minimum perpendicular distance measured from the principal structure, excluding all projections not exceeding three (3) feet in length from the structural wall.
- B. Where a lot or parcel adjoins a lot or parcel in a more restrictive zone, any adjoining front, side or rear yard of such lot shall have a minimum width equal to the required yard in the more restricted zone.
- C. One accessory building or structure of less than 865 (eight hundred sixty five) square feet may be built as close as ten (10) feet to the rear lot line in Residential and Agricultural zoning providing such building is no taller than ten (10) feet tall at its tallest point. If taller than ten (10) feet at its tallest point, the building must be located as far from the rear lot line as it is tall, IE: a building with a peak height

of sixteen (16) feet must be located at least sixteen (16) feet from the rear lot line.

- D. Front yard setbacks in all zoning districts shall be measured from the edge of the applicable road easement or right-of-way.

#### SECTION 17.25 - CORNER LOTS.

A corner lot shall maintain front yard requirements for each street frontage.

#### SECTION 17.26 - LOT WIDTH.

Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width, except in the case of lots on the turning circle of cul-de-sacs, where eighty (80) percent requirements shall not apply.

#### SECTION 17.27 - ESSENTIAL SERVICES.

- A. Nothing in this Ordinance shall prohibit the provision of essential services, provided the installation of such services does not violate any other applicable provision of this Ordinance.
- B. Nothing in this Section shall be construed to permit the erection, construction, or enlargement of any building, tower, or maintenance depot for provision of an essential service except as otherwise permitted in this Ordinance.

#### SECTION 17.28 - ACCESS TO STREETS.

In any district, every lot, use, building, or structure established after the effective date of this Ordinance, shall be on a lot that adjoins, either a public street or a private street.

#### SECTION 17.29 - VISIBILITY AT INTERSECTIONS.

On any corner lot in any zoning district requiring front and side yards, no fence, wall, hedge, screen, sign, structure, vegetation, or planting shall be allowed to impede vision between a height of three (3) feet and eight (8) feet above the centerline grades within the triangular area formed by the intersecting street right-of-way lines and a straight line joining the two (2) street lines at points which are thirty (30) feet distant from the point of intersection, measured along the street right-of-way line.

#### SECTION 17.30 - CURB CUTS AND DRIVEWAYS.

Curb cuts and driveways may be located only upon approval by the Zoning Inspector and such other county and state authorities as required by law; provided however, such approval shall not be given where such curb cuts and driveways shall unnecessarily increase traffic hazards.

SECTION 17.31 - TEMPORARY USE.

Circuses, carnivals, or other transient enterprises may be permitted in any district, upon approval by the Township Board based upon the finding that the location of such an activity will not adversely affect adjoining properties, adversely affect public health, safety, and the general welfare.

SECTION 17.32 - TEMPORARY MOBILE HOMES AND OFFICES.

- A. No mobile home shall be used other than as a single family dwelling or a temporary field office provided it is certified as such by the Zoning Inspector.
- B. Temporary Mobile Homes.
  - 1. The Zoning Inspector shall have the authority to grant a permit for the temporary occupancy of mobile homes on any lot in a permitted district, subject to the following conditions:
    - a. All temporary mobile homes and trailers shall not be more than five (5) years old and shall comply with HUD Mobile Home Construction and Safety Standards (24CFR320 as amended.)
    - b. During the period of construction of a new permanent dwelling, but not to exceed a period of twelve (12) consecutive months, the owner of such permanent dwelling premises, and members of such owner's immediate family, shall be permitted to occupy as a temporary residence one (1) mobile home situated at such construction site provided that such owner intends to occupy as a residence such dwelling upon completion of its construction.
    - c. Such mobile home shall not be located between the established setback line and the public right-of-way line of such premises.
    - d. The mobile home shall contain sleeping accommodations, a flush toilet, and a tub or shower bath adequate to serve the occupants thereof.
    - e. The sanitary facilities of the mobile home for the disposal of sewage and waste shall be properly connected to the central sewage system available, or properly connected to the existing septic tank sewerage disposal system which is approved by the Jackson County Health Department for the permanent dwelling to be constructed thereat.
    - f. No temporary mobile home permit shall be issued until a foundation and water for a permanent dwelling has been completed and ready for framing, inspected and approved.
- C. Mobile trailer offices may be permitted in any non-residential district on a temporary basis with extensions as necessary as granted by the Board of

Appeals.

- D. No travel trailer or motor home shall be used as a permanent residence. Travel trailers and motor homes shall be used only in duly licensed travel trailer parks. A travel trailer or motor home may be permitted to be occupied as a temporary dwelling for a period not to exceed one week provided such travel trailer or motor home is situated on a parcel of land upon which is located a dwelling with water and sanitary facilities accessible to the travel trailer or mobile home occupants and certified by the Zoning Inspector.

#### SECTION 17.33 - NON-CONFORMITIES.

Where within the districts established by this Ordinance, or by amendments, there exists lots, structures, and uses of land and structures which were lawful before this Ordinance was adopted; can be continued subject to the following provisions:

- A. If the nonconforming use of any parcel of land, building or structure is discontinued for a period of one hundred eighty (180) days, or abandoned through vacancy, lack of operation or otherwise for such a period, then any further use of such land, building or structure shall conform to this Ordinance.
- B. No nonconforming use shall be changed to any other nonconforming use. If a nonconforming use is change to a conforming use, it shall not return to a nonconforming use.
- C. Reconstruction of damaged nonconforming buildings. Nothing in this Ordinance shall prevent the reconstruction, repair or restoration and the continued use of a nonconforming building or structure damaged by fire, collapse, explosion, acts of God or acts of the public enemy, subsequent to the effective date of this Ordinance, wherein the expense of such reconstruction does not exceed fifty percent (50%) of the fair valuation of the building or structure at the time such damage occurred. Provided, however, that such valuation is approved by the Building Board of Appeals, and provided, further, that said use be identical with the nonconforming use permitted and in effect immediately preceding said damage.
- D. Nonconforming living quarters may be used temporarily during the construction of a permanent dwelling; provided, however, that a permit for such use must first be obtained from the Zoning Inspector and the Building Inspector; provided, further that such permit shall be limited to a period of not exceeding one (1) year. Such permits may be extended for periods of six (6) months each by action of the Zoning Inspector and Building Inspector upon a showing of necessity therefore.
- E. There may be a change of tenancy, ownership, or management of an existing nonconforming use, building or structure; provided there is no change in the nature or character of such nonconforming use, building or structure.

#### SECTION 17.34 - PERFORMANCE STANDARDS.

- A. Any use of a lot building, or structure in any district shall be such that it is not obnoxious, dangerous, or injurious by reason of heat, glare, fumes, odors, dust, erosion, sound or vibrations at standards currently used by the Michigan Department of Public Health beyond any boundary line of the lot or parcel of land on which the use is located.
- B. The application for a zoning compliance permit for a use subject to performance requirements shall be accompanied by a building plan and equipment layout with a description of the machinery, process, and projects; and specifications for the mechanisms and techniques to be used in meeting the performance standards.
- C. The Zoning Inspector may refer the application to one or more expert consultants qualified to advise as to whether a proposed use will conform to the performance standards. The cost of such services shall be borne by the applicant, and a copy of any report shall be furnished to the applicant and the Township of Rives.

**SECTION 17.35 - OPEN SPACE PRESERVATION DEVELOPMENTS.**

In accordance with Public Act 177 of 2001, Rives Township provides that land in either the Residential or Agricultural Zoning District may be developed, at the option of the land owner, with the same number of dwelling units, but in a smaller portion of the total development parcel than would otherwise be provided within the zoning district, as follows.

- A. The initial parcel must be at least 10 (ten) acres in area.
- B. An amount equal to 50% of the developable area must remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that run with the land. (Unbuildable areas, such as wetlands, may not count towards the 50% open space minimum.)
- C. The remaining 50% of the developable area may be developed with lot sizes of ½ (one-half) or 50% of the lot size provided in the applicable zoning district. Minimum lot width and depth requirements in each district would be reduced by 25% of those shown in 17.58.
- D. A Site Plan must be submitted to the Rives Township Planning Commission as specified in, and in accordance with, Article 8, Site Plan Review, of this ordinance.

Sections 17.38 - 17.39 Reserved



**Article 4**  
**Zoning Districts**

**SECTION 17.40 - AGRICULTURAL DISTRICT - AG.**

This district is composed of certain large open land areas. The regulations of this district are designed to retain the open character of this land, and to that end, the uses are limited primarily to agricultural activities.

The following limitations on livestock and poultry shall apply:

Livestock: Five (5) livestock animals may be domiciled on five (5) or more acre parcel. Each additional useable acre shall allow two (2) additional livestock animals. Example: a fourteen (14) acre site may domicile twenty-three (23) livestock animals.

Poultry: Twenty (20) poultry may be domiciled on a five (5) or more acre parcel. Each additional useable acre shall allow five (5) additional poultry. Example: a fourteen (14) acre site may domicile sixty- five (65) poultry.

**SECTION 17.41 - PERMITTED USES.**

- A. Single-family and two-family dwellings.
- B. Family day care home.
- C. General and specialized farming and agricultural activities, except intensive animal feeding operations, but including the raising or growing and storage or preservation of crops, sod, farm livestock, poultry, bee keeping, plant, trees, shrubs, and nursery stock. Any lot used to raise or keep livestock, including horses, must be a minimum of five (5) acres in size.
- D. Home Occupations.
- E. Sale of agricultural products raised or grown on the farm premises including roadside stand for said sales.

**SECTION 17.42 - CONDITIONAL USES REQUIRING TOWNSHIP BOARD AUTHORIZATION.**

The following uses may be authorized by the Township Board if the standards in Article 7 are met:

- A. Animal hospitals, shelters and kennels.
- B. Riding stables.
- C. Cellular Telephone, radio and television transmitting buildings and towers.
- D. Cemeteries
- E. Child care centers and group day care homes.
- F. Churches, and other buildings for religious worship.

- G. Golf courses.
- H. Golf Driving ranges.
- I. Group or organized camps, camping grounds, and general or specialized resorts.
- J. Home businesses.
- K. Intensive animal feeding operation.
- L. Municipal buildings including garages and storage yards.
- M. Parks, playgrounds, recreational and community center buildings, provided that all such activities be of non-commercial and not operated for profit.
- N. Private airstrips
- O. Quarries and gravel pits.
- P. Schools; elementary, secondary and college levels for academic instruction provided buildings and/or activity areas shall be located not less than fifty (50) feet from any lot in any Residential District.
- Q. Travel trailer parks.

**SECTION 17.43 - RESIDENTIAL DISTRICT - R.**

This District is designed principally for Residential use and is limited to dwellings and uses normally associated with residential neighborhoods in order to encourage a suitable and healthy environment for family life and to preserve a predominantly rural character.

**SECTION 17.44 - PERMITTED USES.**

- A. One and two family dwellings.
- B. Family day care home and adult foster care family home.
- C. Home Occupations.
- D. Accessory buildings, structures customarily incidental to the above permitted uses, provided that such structures are not constructed closer than 10 (ten) feet from any other building or structure.

**SECTION 17.45 - CONDITIONAL USES REQUIRING TOWNSHIP BOARD AUTHORIZATION.**

The following uses may be authorized by the Township Board if the standards in Article 7 are met:

- A. Convalescent and nursing homes, hospitals, sanitariums, and orphanages.
- B. Child care centers and group day care homes.
- C. Churches, and other buildings for religious worship.
- D. Government Buildings.
- E. Home business.
- F. Libraries.

- G. Parks, playgrounds, recreational and community center buildings, provided that all such activities be of non-commercial and not operated for profit.
- H. Residential planned unit development.
- I. Schools; elementary, secondary and college levels, for academic instruction, provided buildings and activity areas shall be located not less than fifty (50) feet from any lot in any Residential District.

Section 17.46 - 17.48 Reserved

**SECTION 17.49 - MOBILE HOME RESIDENTIAL DISTRICT - MHR.**

This district is designed to provide suitable space for mobile home dwellings. The regulations of this district are designed to permit a density of population and an intensity of land use in those areas which are served by a municipal water supply and municipal sewage disposal, and which abut or are adjacent to such other uses, buildings, or amenities which support, complement, or serve such a density and intensity.

A public sanitary waste disposal and public fresh water system must already be available before a parcel may be considered for rezoning to Mobile Home Residential District.

**SECTION 17.50 - PERMITTED USES.**

- A. Mobile home parks.
- B. Mobile home subdivisions.
- C. Signs in accordance with the regulations as specified in Article 5.
- D. Essential support services, but not including telecommunication facilities, maintenance depots or warehouses.

**SECTION 17.51 - CONDITIONAL USES REQUIRING TOWNSHIP BOARD APPROVAL.**

- A. Sales of mobile homes provided that the sales operation is clearly subordinate and incidental to the use of the area for dwellings.
- B. Uses not specifically authorized as permitted uses in this district may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.

**SECTION 17.52 - COMMERCIAL DISTRICT - C.**

The Commercial District is designated to encourage efficient traffic movement, parking, and utility service; advance public safety; and protect surrounding property. The commercial district is designed to regulate the location of these business uses according to a well considered plan which determines the types of such uses and the intensity of land, street and highway use in such district; potential nuisances and hazards which may cause unsafe conditions; and the relationship of commercial use to streets and highways.

**SECTION 17.53 - PERMITTED USES.**

- A. Agricultural uses, but not including the keeping or raising of livestock.

- B. Animal Hospitals.
- C. Automobile service stations and repair garages.
- D. Business services including banks, loan offices, real estate offices, and insurance offices.
- E. Churches and other buildings for religious worship.
- F. Clubs and lodges.
- G. Drive-through retail and service establishments.
- H. Eating and drinking establishments.
- I. Essential services and structures of non-industrial character.
- J. Funeral homes.
- K. Indoor and outdoor commercial amusements.
- L. Indoor retail sales establishments.
- M. Motels and hotels.
- N. Museums.
- O. Offices of an executive, administrative or professional nature.
- P. Personal services, including barber shops and beauty salons; medical and dental clinics; dry cleaners and self-service laundromats; and sale and repair shops for watches, shoes radios and televisions.
- Q. Sales, rental and service of motor vehicles, trailers and boats.
- R. Schools for non-academic instruction including dance schools, music schools and art schools.
- S. On-site signs, only in accordance with the regulations as specified in Article 5.
- T. Accessory uses and structures.

SECTION 17.54 - CONDITIONAL USES REQUIRING TOWNSHIP BOARD AUTHORIZATION.

- A. Commercial planned unit developments.
- B. Child care centers.

SECTION 17.55 – LIGHT INDUSTRIAL DISTRICT - I.

This District is designed to accommodate industrial, storage, and other uses that generate a minimum of noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is the purpose of these regulations to permit development of the enumerated functions to protect surrounding agricultural and residential areas from incompatible industrial activities. The Township has no public water and sewer, or Class A roads suited for more intensive industrial uses. To these ends, certain intensive industrial uses are excluded which would conflict with and harm the rural character of the Township. (Amended 6-15-21, Ord No 2021-1)

SECTION 17.56 - PERMITTED USES.

- A. Printing, lithographic, blueprinting, commercial laundries, dry cleaning establishments, wholesale business, ice and cold storage plants, lumber, fuel and feed supply yards, and other similar uses.
- B. Light manufacturing, research, assembly, testing, and repair of components, devices, equipment, and systems of professional scientific and controlling instruments, photographic and optical goods, including the following:
  - (1) Communication, transmission, and reception equipment such as coils, tubes, semi-conductors, navigation control equipment, and systems guidance equipment.
  - (2) Data processing equipment and systems.
  - (3) Graphics and art equipment.
  - (4) Metering instruments.
  - (5) Optical devices, equipment, and systems.
  - (6) Stereo, audio units, radio equipment and systems.
  - (7) Photographic equipment.
  - (8) Radar, infrared, and ultraviolet equipment and systems.
  - (9) Scientific and mechanical instruments such as calipers and transits.
  - (10) Testing equipment.
- C. Light manufacturing, processing, or assembling of the following:
  - (1) Pharmaceutical preparation.
  - (2) Electrical machinery, equipment, and supplies, electronic equipment and accessories.
  - (3) Office, computing, and accounting machines.
- D. Research and design centers where the center intended for the development of pilot or experimental products, together with related office buildings for the research facilities where the offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.
- E. Data processing and computer centers, including the servicing and maintenance of

electronic data processing equipment.

- F. Warehousing, refrigerated and general storage, but not including self-storage facilities.
- G. Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services.
- H. Training and/or educational centers where the centers are designed and intended to provide training at the business, technical, and/or professional level.
- I. Metal fabrication, welding, and tool and die shops.
- J. Skilled trade services including plumbing, electric, heating, welding, printing, and painting establishments.
- K. Uses similar to the above.

(Amended 6-15-21, Ord No 2021-1)

**SECTION 17.57 - CONDITIONAL USES REQUIRING TOWNSHIP BOARD APPROVAL.**

- A. Trucking and transit terminals.
- B. Contractors' yard or contractor's storage yard.
- C. Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs.
- D. Self-storage facilities.
- E. Similar uses as interpreted by the Planning Commission.

(Amended 6-15-21, Ord No 2021-1)

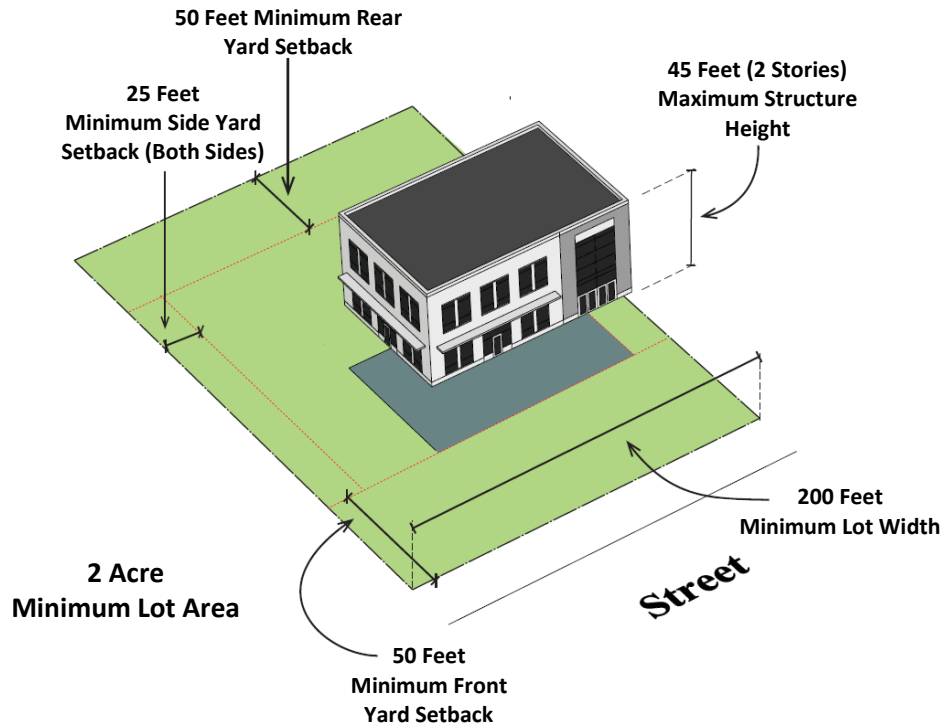
**SECTION 17.57A – INDUSTRIAL DIMENSIONAL REQUIREMENTS.**

(Added 6-15-21, Ord No 2021-1)

<b>Table (1) 17.57A. Light Industrial District Dimensional Requirements</b>								
Minimum Lot Area & Width		Maximum Lot Coverage		Minimum Yards & Setbacks			Maximum Structure Height	
Area in Acres	Width (feet)	Gross	Impervious Surface Ratio	Front Yard (feet)	Each Side Yard (feet)	Rear Yard (feet)	Feet	Stories
2 Acres	200	30%	60%	50	25	50	*45	2

\* Communication equipment as part of a light industrial use may not exceed 100 feet.

**Figure (1) 17.57A. I-1 Industrial District Dimensional Requirements**



**SECTION 17.57B SUPPLEMENTAL INDUSTRIAL DISTRICT STANDARDS.**

- A. Site plan review shall be required for all new uses in accordance with Article 8.
- B. Accessory buildings and structures shall be regulated in accordance with the requirements of Article 3.
- C. All goods or materials stored outside which are visible from a public road shall be screened by a fully-opaque fence or wall a minimum of six (6) feet in height.
- D. The proposed site for any use shall have direct access to a paved road. Parcels and/or lots shall have direct access to a paved road.

**SECTION 17.58 – DISTRICT AREA, YARD, AND BULK REGULATIONS.**

ZONING DISTRICT	ZONING SYMBOL	LOT REQUIREMENTS			MINIMUM YARD REQUIREMENTS		
		Minimum Lot Area	Minimum Lot Width Depth 250 ft.	Minimum Lot Coverage	Front	Side	Rear
<b>Agricultural</b>	<b>AG</b>	2 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
<b>Residential</b> <i>(Without Sewer)</i>	<b>R</b>	2 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
<b>Residential</b> <i>(With Sewer)</i>	<b>R</b>	1.5 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
<b>Mobile Home Residential</b>	<b>MHR</b>	As required by Mobile Homes Commission Act or as otherwise specified elsewhere within the Ordinance.					
<b>Commercial</b>	<b>C</b>	2 Acres	200 ft. Depth 160 ft.	30%	35 Ft.	20 Ft. (35 ft. for corner lots)	50 Ft.

**Corner Lots – See Section 17.25**

**MHR Zoning requires Public Sanitary Waste Disposal and Public Water Supply.**



**Article 5**  
**Sign Regulations**

**SECTION 17.60 - GENERAL SIGN REGULATIONS.**

- A. No sign shall be erected at any location, whereby reason of the position, size, shape, color, movement, or illumination, may interfere with or obstruct the view of traffic, nor shall any sign be confused with any authorized traffic sign, signal, or device.
- B. All signs shall be designed, constructed, and maintained so as to be appropriate in appearance with the existing or intended character of their vicinity so as not to change the aesthetic character of such area.
- C. In all districts, signs may be illuminated only by non-flashing, reflected light. Any light used to illuminate such signs shall so be arranged as to reflect light away from adjoining premises and streets. All signs shall be placed no closer to street right-of-way line than one-half (½) the minimum authorized front yard depth.
- D. All signs shall be placed no closer to street or highway right-of-way line than three (3) feet minimum. Signs in Commercial and Industrial Districts shall be placed in accordance with applicable sign regulations for those zones.
- E. All signs in any location must be removed if allowed to become dilapidated, rundown, unsafe, and unkempt. This condition shall be determined by the Rives Township Zoning Inspector.

**SECTION 17.61 - PERMITTED ON-SITE SIGNS IN THE AGRICULTURAL DISTRICT.**

The following on-site signs are permitted on any one (1) lot in the Agricultural District:

- A. One (1) on-site sign advertising the sale or lease of the lot, chattels, or building, not exceeding six (6) square feet in area.
- B. One (1) on-site sign announcing a home business not to exceed three (3) square feet in area.
- C. One (1) on-site sign identifying a park, school building, or other authorized use not to exceed eighteen (18) square feet in area.
- D. One (1) on-site sign advertising the type of farm products grown on the farmstead not to exceed twelve (12) square feet in area.
- E. One (1) on-site Temporary Sign not exceeding six (6) square feet in area.

**SECTION 17.62 - PERMITTED ON-SITE SIGNS IN RESIDENTIAL DISTRICTS.**

The following on-site signs are permitted on any one (1) lot in the Residential District:

- A. One (1) on-site sign advertising the sale or lease of the lot, chattels, or building not exceeding six (6) square feet in area.
- B. One (1) on-site sign announcing a home business, not to exceed three (3) square

feet in area and it shall be attached flat against the front wall of the building.

- C. One (1) on-site sign advertising a recorded subdivision or development not to exceed thirty-two (32) square feet in area. Such sign shall be removed within one (1) year after the sale of ninety percent (90%) of all lots or units within said subdivision or development. Such sign must be removed after 3 years, regardless of sales percentage achieved. One such sign shall be allowed at each main road entrance to such development.
- D. One (1) on-site sign identifying a multiple-family building or development or mobile home park, not to exceed eighteen (18) square feet in area. One such sign shall be allowed at each main road entrance to such development.
- E. One (1) on-site sign identifying a school, church, public building, or other authorized use, not to exceed eighteen (18) square feet in area.
- F. One (1) on-site Temporary Sign not exceeding six (6) square feet in area.

**SECTION 17.63 - PERMITTED ON-SITE SIGNS IN MOBILE HOME RESIDENTIAL DISTRICTS.**

The following on-site signs are permitted on any one (1) lot in the Mobil Home Residential Districts:

- A. One (1) on-site sign advertising the sale or lease of the lot, chattels, or building not exceeding six (6) square feet in area.
- B. One (1) on-site sign advertising homes or lots in such development, not to exceed thirty-two (32) square feet in area. Such sign shall be removed within one (1) year after the sale of ninety percent (90%) of all lots or units within said subdivision or development. Such sign must be removed after 3 years regardless of sales percentage achieved. One such sign shall be allowed at each main road entrance to such development.
- C. One (1) on-site sign identifying the mobile home park, not to exceed eighteen (18) square feet in area. One such sign shall be allowed at each main road entrance to such development.
- D. One (1) on-site Temporary Sign not exceeding six (6) square feet in area.

**SECTION 17.64 - PERMITTED ON-SITE SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.**

The following on-site signs are permitted on any one (1) lot in the Commercial and Industrial Districts:

- A. One (1) on-site sign may be affixed flat against a wall of the building, or may project there from not more than forty-eight (48) inches. The total sign area shall not exceed one-half (½) square foot for each foot in length or height of the wall, whichever is greater.
- B. One (1) on-site free-standing identification sign may be erected for a shopping center or other integrated group of stores or commercial buildings. The area of

said sign shall be based on one (1) square foot for each front foot of building, or buildings, for which it is established; however, it shall not exceed two hundred (200) square feet in area, nor be closer to the front, side, or rear property line, than one-half (½) the distance of the required building setback.

- C. One (1) on-site free-standing identification sign may be erected for each separate enterprise situated on an individual lot not located within a shopping center. Such sign shall not exceed eighty (80) square feet in area, nor be closer to the front, side, or rear property line, than one-half (½) the distance of the required building setback.

#### SECTION 17.65 - OFF-SITE SIGNS.

Off-site signs, signs advertising a product for sale or a service to be rendered at a location other than the premises, shall be permitted in the Industrial Districts under the following conditions:

- A. Off-site signs are required to conform to yard and height requirements as other principal structures or buildings in the zone in which they are situated.
- B. Where two (2) or more off-site signs are along the frontage of a single street or highway they shall not be less than one thousand (1,000) feet apart. A double face (back to back) or a V-type structure shall be considered a single sign.
- C. The total surface area, facing in the same direction of any off-site sign, shall not exceed three hundred (300) square feet in area.
- D. No off-site sign shall be erected on the roof of any building, nor have one (1) sign above another sign.
- E. Off-site signs may be illuminated by reflecting light only, provided the source of light is not directly visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights. No illumination involving movement by reason of lighting arrangement or other devices shall be permitted.

#### SECTION 17.66 - SIGNS FOR AUTOMOBILE SERVICE STATIONS.

Notwithstanding other provisions of this Ordinance, one (1) permanently installed sign shall be permitted on each street frontage. It shall not obstruct the view of street traffic by motorists or pedestrians. It shall have a maximum height of sixteen (16) feet, excluding necessary supports, and shall not exceed twenty-five (25) square feet in area. A sign or legend may also be placed flat on the main building or fuel pump canopies.

Sections 17.67 - 17.69 Reserved

**Article 6**  
**Off-Street Parking Regulations**

**SECTION 17.70 - PURPOSE.**

In all districts, there shall be provided at the time any building, structure, or use is established, enlarged, or increased in capacity, off-street parking spaces for motor vehicles with the requirements herein specified. Such off-street parking spaces shall be maintained, and shall not be encroached upon by structures or other uses so long as the principal building, structure, or use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance. Access routes shall be limited and defined.

**SECTION 17.71 - PLANS.**

Plans and specifications showing required off-street parking spaces, including the means of access and interior circulation, shall be submitted to the Zoning Inspector for review at the time of application for a zoning compliance permit for the erection or enlargement of buildings.

**SECTION 17.72 - LOCATION OF OFF-STREET PARKING AREA.**

Required off-street parking facilities shall be located on the same lot as the principal building or on a lot within three hundred (300) feet thereof except that the distance shall not exceed one hundred fifty (150) feet for any dwelling unit. This distance specified shall be measured from the nearest point of the parking facility to the nearest point of the building or use that such facility is required to serve.

**SECTION 17.73 - PARKING AREA DESIGN.**

- A. Each off-street parking space for automobiles shall be not less than nine (9) feet in width and eighteen (18) feet in depth for all angular, perpendicular, or parallel type parking, exclusive of access drives or aisles, and shall be of usable shape and condition.
- B. There shall be provided a minimum access drive of twelve (12) feet in width for one-way traffic and twenty (20) feet for two-way traffic, and where a turning radius is necessary, it will be of such an arc as to reasonably allow an unobstructed flow of vehicles.
- C. Parking aisles for automobiles shall be of sufficient width to allow a minimum turning movement in and out of parking spaces.
- D. There shall be provided sufficient pedestrian walkways to assure pedestrian safety from parking space to use structures.

- E. All off-street parking spaces shall not be closer than five (5) feet to any property line, except where a wall, fence, or compact planting strip exists as a parking barrier along the property line.
- F. All off-street parking areas shall be drained so as to prevent drainage to abutting properties and shall be constructed of materials which will have a dust-free surface resistant to erosion.
- G. Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residential or institutional premises, or public roadways.
- H. Any off-street parking area providing space for five (5) or more vehicles shall be effectively screened on any side which adjoins or faces property adjoining a residential lot or institution, by a wall, fence, or compact planting not less than four (4) feet in height. Plantings shall be maintained in good condition and not encroach on adjoining property.
- I. All off-street parking areas that make it necessary for vehicles to back out directly into public road are prohibited, provided that this prohibition shall not apply to off-street parking area for one or two family dwellings.

#### SECTION 17.74 - OFF-STREET PARKING SPACES REQUIRED.

A sufficient number of spaces shall be provided on the same site as the use.

#### SECTION 17.75 - OFF-STREET LOADING AND UNLOADING REQUIREMENTS.

In Connection with every building, structure, or use hereafter erected, except single and two-family dwelling unit structures, which customarily receive or distribute material or merchandise by vehicle, there shall be provided on the same lot with such buildings, off-street loading and unloading space. Plans and specifications showing required loading and unloading spaces including the means of ingress and egress and interior circulation shall be submitted to the Zoning Inspector for review at the time of application for a zoning compliance permit.

Sections 17.76 - 17.79 Reserved

**Article 7**  
**Conditional Uses**

**SECTION 17.80 - PURPOSE.**

In addition to the "permitted" uses in each of the zoning districts, there are certain other uses that are listed as "conditional." Because of their actual or potential impact on natural resources, public utilities, traffic patterns and/or adjacent land use, there is a need to carefully regulate these uses. In these cases, a zoning compliance permit will not be issued until a conditional use permit is approved by the Township Board. All conditional use permits are granted for a particular site and may not be transferred to a different location. A conditional use permit runs with the land, not with the applicant.

**SECTION 17.81 - AUTHORITY TO GRANT PERMITS.**

The Planning Commission shall recommend action to the Township Board and the Township Board shall have the final authority to grant conditional use permits. The Township Board may grant conditional use permits, subject to such conditions of design, operation, and safeguards as the Township Board may determine for all conditional uses specified in the various district provisions of this ordinance.

**SECTION 17.82 - APPLICATION AND FEE.**

Application for any conditional use permit shall be made to the Planning Commission through the Township Clerk by filing an official conditional use permit application form; submitting a site plan in accordance with Article 8 and depositing the required fee as established by resolution of the Township Board.

**SECTION 17.83 - INFORMATION REQUIRED IN APPLICATION.**

An application for a conditional use permit shall include the applicant's name and address in full, a statement that the applicant is the owner involved or is acting on the owner's behalf, the address of the property involved, and a site plan as specified in, and in conformance with, Article 9 Site Plan Review, of this Ordinance.

**SECTION 17.84 - PUBLIC HEARING AND NOTICE.**

The Planning Commission shall hold a public hearing upon any application for a conditional use permit. The notice of the public hearing shall be published in a local newspaper not more than 15 nor less than 5 days before the date of the public hearing. Notice shall also be given to all owners of property and the occupants of same, within 500 feet of the proposed conditional use.

The notice shall include the following:

- A. Description of the nature of the conditional use permit.

- B. Identify the location of the property.
- C. State when and where the conditional use request will be considered.
- D. Indicate when and where written comments will be received concerning the request.

SECTION 17.85 - REQUIRED STANDARDS AND FINDINGS FOR MAKING DETERMINATIONS.

The Planning Commission and Township Board shall review the site plan in terms of the following standards and required findings, and shall find and record adequate data, information, and evidence showing that the use on the proposed site, lot, or parcel meets or does not meet these standards:

- A. Development standards applying to all conditional uses:
  - 1. The use shall be harmonious with and in accordance with the general objectives, intent, and purpose of this Ordinance.
  - 2. The use shall be designed, constructed, operated, maintained, and managed so as to be harmonious and appropriate in appearance with existing or intended character of the general vicinity.
  - 3. The use shall be served adequately by essential public facilities and services, such as: highways, streets, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be responsible to provide adequately any such services.
  - 4. The use shall not be hazardous or disturbing to existing or future neighboring uses.
  - 5. The use shall not create excessive additional requirements at public costs for public facilities and services.
- B. Development standards applying to specific conditional uses. A conditional use permit shall not be issued for the uses specified in this subsection unless complying with the site development requirements as herein specified. The Planning Commission may recommend and the Township Board may impose additional conditions and safeguards when deemed necessary in accordance with this Ordinance. (Amended 6-15-21, Ord No. 2021-1).
  - 1. Adult Foster Care Small or Large Group Home
    - a. The home shall be appropriately licensed by the Michigan Department of Social Services. A copy of the license shall be kept on file by the Township Clerk.
    - b. The home shall not be located within 1500 feet of another adult foster care home, substance abuse treatment center or any facility that houses an inmate population.

- c. Signs are permitted as regulated in Article 5.
  - d. Off-street parking shall be provided for employees. Parking for the drop-off and pick-up of residents shall also be provided.
  - e. The home shall be inspected for compliance prior to the issuance of a certificate of occupancy.
  - f. The Planning Commission may establish additional conditions if necessary.
2. Animal hospitals, animal shelters, and kennels:
- a. The use must be compatible with the surrounding area.
  - b. The application for a kennel shall state whether the kennel is for boarding, breeding or training.
  - c. Animals shall be kept in a soundproof, climate controlled building between 11:00 p.m. and 7:00 a.m. The runs shall be indoors only and separated by block walls. Each run shall be four (4) feet wide and ten (10) feet deep. No cages or crates shall be permitted.
  - d. Dogs shall be exercised individually to control noise. The outdoor exercise area shall be a minimum of 300 feet from the property line of any adjacent lot.
  - e. The animal hospital, animal shelter or kennel must be staffed and personnel available twenty-four hours a day. Animals shall be kept inside when unattended.
  - f. The animal hospital, animal shelter or kennel shall be open for inspection at anytime.
  - g. There shall be proper sewer facilities on site, including a holding tank for waste materials with a minimum capacity of 1000 gallons.
  - h. All requirements of the Jackson County Animal Control Ordinance shall be met. A copy of the current, appropriate County license shall be on file with the Rives Township Clerk.
3. Cemeteries:
- a. The cemetery shall be designed so as to provide principal access directly onto a County Primary Road or a State or Federal Highway.
  - b. The perimeter of the site shall be fenced. Said fence shall measure from four to six feet in height.
  - c. No graves shall be located within the required front, side, and rear yards as specified with the zoning district in which the cemetery is located.
  - d. The cemetery shall have a minimum of 3 acres. All buildings shall comply with the applicable yard requirements.



4. Churches, and other buildings for religious worship:
  - a. The minimum lot area shall be three (3) acres.
  - b. The minimum lot width shall be one hundred fifty (150) feet.
  - c. All front, side, and rear yard widths shall be a minimum of fifty (50) feet.
5. Golf courses:
  - a. The site shall be so planned as to provide all ingress and egress directly onto a County Primary Road or a State or Federal Highway.
  - b. Development features, including the principal and accessory buildings and structures, shall be located and related to minimize the possibilities of any adverse affects upon adjacent property. This shall mean that all principal or accessory buildings shall be not less than two hundred (200) feet from any property line of abutting residentially zoned lands.
  - c. The course shall be adequately buffered from surrounding properties with no golf hole being able to extend within 300 feet of the lot line.
6. Golf driving ranges:
  - a. Front, side, and rear yard setbacks shall be 500 feet and no part of said driving range shall be located in said setback requirements.
  - b. Any floodlights used to illuminate the premises are so directed and shielded as not to be an annoyance to any developed residential property.
  - c. Depending upon location, such activity may be limited to daylight or early evening hours.
7. Group or organized camps, camping grounds, and general or specialized resorts:
  - a. Minimum lot size shall be ten (10) acres. The lot shall provide direct vehicular access to a public street or road.
  - b. Public stations, housed in all-weather structures, containing adequate water outlet, toilet, waste containers, shall be provided uniformly throughout the lot at a ratio of not less than one such station per each twenty (20) individual camp sites or not less than one such station per each one hundred (100) persons.
  - c. No commercial enterprises shall be permitted to operate on the lot.
  - d. Such use shall be located at least three hundred (300) feet from any abutting residentially-zoned lands.
  - e. The appropriate state licenses shall be maintained and be kept on file with the Township Clerk.

8. Group Day Care Home and Child Care Centers
  - a. The group day care home or child care center shall be appropriately licensed by the Michigan Department of Social Services. A copy of the license shall be kept on file by the Township Clerk.
  - b. A child care center shall not be located within 1500 feet of another licensed group day care home, adult foster care home, substance abuse treatment center or any facility that houses an inmate population.
  - c. All outdoor play areas shall be enclosed by a fence not less than four feet nor more than six feet in height and capable of containing the children within the play area.
  - d. Signs are permitted as regulated in Article 5.
  - e. Off-street parking shall be provided for employees. Parking for the drop-off and pick-up of children shall also be provided.
  - f. The group day care home or child care center shall be inspected for compliance prior to the issuance of a certificate of occupancy.
  - g. A group day care home shall not require the modification of the exterior of the dwelling. Playground equipment shall not be located in the front yard.
9. Hospitals, nursing homes, sanitariums, and charitable institutions for human care:
  - a. All such hospitals shall be developed only on sites consisting of at least ten (10) acres in area.
  - b. The proposed site shall have at least one property line abutting a County Primary Road or a State or Federal Highway. All ingress and egress to the off-street parking area, for guests, employees, staff as well as any other uses of the facilities, shall be directly onto said County Primary Road or State or Federal Highway.
  - c. All front, side, and rear yard setbacks shall be a minimum of one hundred (100) feet.
  - d. Ambulance areas shall be located not less than five hundred (500) feet from any residence.
10. Intensive Animal Feeding Operations:
  - a. All structures and confined lots designed to house or contain livestock or animal waste shall be set back at least two hundred fifty (250) feet from the property line that abuts any County road or State or Federal highway, and five hundred (500) feet from other abutting property lines.
  - b. All structures and confined lots designed to house or contain livestock or animal waste shall be set back seven hundred fifty (750) feet from

any existing family residence, except that of the intensive animal feeding operator; fifteen hundred (1,500) feet from any existing church, business, school, recreational area (public or private) or any public building; and two thousand (2,000) feet from any recorded residential plat.

- c. No construction shall proceed until a Zoning Compliance Permit is obtained from the Township Zoning Inspector.
- d. The need for the preparation of an environmental impact statement (EIS) and/or a hydrological study shall be determined by the regulating State or Federal Agency. The Township Zoning Inspector shall be notified in writing should these requirements be waived by the regulating agencies and the reasons for the waiver. A copy of any EIS or hydrological study prepared shall be provided to the Township Zoning Inspector.
- e. The design and construction of all equipment, facilities and structures to be used for disposal of animal waste, including animal waste lagoons, shall be approved by, and meet the current requirements and standards defined by the Jackson County Soil Conservation Service, and the regulating State or Federal Agency. Evidence that these requirements have been met and the required approvals from these agencies obtained, shall be provided to the Township Zoning Inspector prior to the start of operation of the waste disposal equipment, facilities and structures.
- f. The design, installation and operation of all facilities and equipment required to monitor groundwater, soil and air contamination, including monitoring and test wells, shall meet the current requirement specified by the regulating State or Federal Agency.
- g. Proven methods shall be used to minimize odor, smoke, fumes, dust, insects or rodents generated as a result of the facility operation.
- h. A copy of all reports and results of groundwater, soils and/or air quality tests required by the regulating State or Federal Agency's monitoring program shall be provided to the Township Zoning Inspector. This requirement shall also apply to intensive animal feeding operations existing at the time of the enactment of this Ordinance.

11. Junk yards:

- a. All salvage operations and storage area shall be conducted wholly within an enclosed building or within an area enclosed on all sides with a solid wall or opaque fence not less than seven (7) feet in height. Such structures shall be kept in good condition.
- b. There shall be no burning of motor vehicles. Stacking of vehicles shall only be permitted if the site is determined to be physically

conductive by the Township Board and to a maximum height of seven (7) feet.

- c. The fence required in (a) above shall be located on said lot not closer to the lot lines than the yard requirements for buildings permitted in this district.
- d. All traffic ingress or egress shall be on County Primary Roads or State or Federal Highways, and there shall be not more than one (1) entrance way to the lot on which a junk yard shall be operated from each public road on which said lot abuts.
- e. All roads, driveways, parking lots, and loading and unloading areas within any yard of a junk yard shall be paved, watered, or chemically treated so as to limit adjoining lots and public roads the nuisance caused by wind-borne dust.
- f. No junk yard activities shall be permitted within the required setbacks.

12. Planned-unit development:

The purpose of this section is to permit flexibility for residential and commercial developments where large tracts of land are planned with integrated and harmonious design, and where the overall design of such units is so outstanding as to warrant modification by the Planning Commission of the regulations. Mobile home parks and site condominium projects shall be developed as planned unit developments. Any planned unit developments to be eligible under this provision must comply with the following requirements:

- a. The tract of land to be developed shall have a minimum area of ten (10) acres.
- b. The owner of the property shall submit to the Planning Commission a plan for the use development of the total tract of land as a planned-unit development in accordance with the provisions of Article 8, Site Plan Review and Approval. In addition to the site plan data, the application shall contain such other pertinent information as may be necessary to make a determination that the contemplated arrangement or use may make it desirable to apply regulations and requirements differing from those ordinarily applicable under this Ordinance.

The plan shall contain such proposed covenants, easements, and other provisions relating to the bulk, location, and density of structures, accessory uses thereto, and public facilities as may be necessary for the welfare of the planned-unit development and not inconsistent with the best interests of the entire Township.

- c. The average density of structures of the tract shall not be greater than the density requirements of this district.

- d. The use of land shall be in conformance with the permitted uses of the district in which the proposed plan is to be located.
- e. The proposed development shall be served by adequate public facilities and service, such as: highways, streets, police and fire protection, drainage, structures, and refuse disposal. These facilities may be provided by a governmental or private organization. A public sanitary waste disposal system may be required by the planning Commission if the specifics of the proposed development so warrant.
- f. The proposed unit shall be of such size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit, without dependence on any subsequent unit or development.
- g. The common open space, common properties, individual properties, and all other elements of the planned unit development shall be so planned that they will achieve a unified environmental scheme, with open spaces and all other elements in appropriate locations, suitably related to each other, the site, land surrounding land.
- h. The applicant may be required to dedicate land for street and park purposes by appropriate covenants, to restricting areas perpetually for the duration of the Planning Development as open space for common use. The development as authorized shall be subject to all conditions so imposed, and shall be exempt from other provisions of this ordinance only to the extent specified in the authorization.
- I. Site condominium projects shall be subject to the provisions, rules, regulations and procedures established in this Ordinance for planned unit developments. Site condominiums shall also comply with the Michigan Condominium Act, Act 59 of 1978, as amended.

13. Quarries and gravel pits:

- a. There shall be not more than one (1) entrance way from a public road to said lot for each five hundred (500) feet of front lot line. Each entrance way shall be at least thirty (30) feet wide.
- b. The removal, processing, transportation, and activities relating to storage such as stockpiling shall not take place before sunrise or after sunset.
- c. No digging or excavating shall take place closer than one hundred (100) feet to any lot line.
- d. All roads, driveways, parking lot, and loading and unloading areas shall be at least one hundred (100) feet from any lot line and shall be paved, watered, or treated in an environmentally acceptable manner so as to limit adjoining lots and public roads the nuisance caused by wind borne dust.
- e. Any odors, smoke, fumes, or dust generated by any digging,

excavating, processing, stockpiling, or transportation operation and borne or able to be borne by the wind shall be confined within the lot lines of said lot as much as is possible so as not to cause a nuisance or hazard on any adjoining lot or public road.

- f. The removal, processing or storage shall not be conducted as to cause the pollution by any material of any surface or subsurface, watercourse, or body outside the lines of the lot on which such use shall be located.
- g. Such removal, processing or storage shall not be conducted as to cause or threaten to cause the erosion by water of any land outside of the lot or of any land on the lot so that earth materials are carried outside of the lines, that such removal shall not be conducted as to alter the drainage pattern of surface or subsurface waters on adjacent property, and that in the event that such removal, processing, or storage shall cease to be conducted it shall be the continuing responsibility of the owner or operator thereof to assure that no erosion or alteration of drainage patterns, as specified in this paragraph, shall take place after the date of the cessation of operation.
- h. All fixed equipment and machinery shall be located at least one hundred (100) feet from any lot line and five hundred (500) feet from any residential zoning district, but that in the event the zoning classification of any land within five hundred (500) feet of such equipment or machinery shall be changed to residential subsequent to the operation of such equipment or machinery may continue henceforth but in no case less than one hundred (100) feet from any lot line.
- I. The Township Board may require that a fence not less than six (6) feet in height be erected around the periphery of the development. Fences shall be adequate to prevent trespass, and shall be placed no closer than fifty (50) feet to the top edge of any slope.
- j. All areas within any single development shall be rehabilitated progressively as they are worked out or abandoned to a condition of being entirely lacking in hazards, inconspicuous, and blended with the general surrounding ground form so as to appear reasonably natural.
- k. The Township Board may require the operator to file with the Planning Commission and the Zoning Inspector a detailed plan for the restoration of the development area which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of not greater interval than five (5) feet, steps which shall be taken to conserve topsoil; proposed and final landscaping; and the location of future roads, drives, drainage courses, and/or other improvements contemplated. Said plans shall be subject to review and modification from time to time by the

Planning Commission. The anticipated cost of carrying out the plans of restoration shall be included with said plans.

1. The Township Board may require the operator to file with Rives Township a performance bond, payable to Rives Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The amount of the required bond which will reflect the anticipated cost of restoration shall be fixed by the Rives Township Board. The bond shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan.
- m. The permit or each renewal thereof shall be for a period of not more than five (5) years and shall be renewable only upon re- application, a redetermination by the Township Board and a filing of a performance bond, said redetermination to be made in accordance with the requirements of this Ordinance for the issuance of a conditional use permit.

14. Riding academies and stables:

- a. All buildings housing animals and all corrals in which animals are kept or assembled in concentrated groups, shall be at least one hundred (100) feet from any property line.
- b. Stables and Riding Academies shall be located on lots having a minimum of ten (10) acres.
- c. All Boarding Stables and Horse Riding Areas shall be subject to Livestock limitations as specified in the Agricultural Zoning District.

15. Travel trailer parks:

- a. The minimum lot area for a travel trailer park shall be ten (10) acres.
- b. The site shall be well-drained and not exposed to objectionable noise or odors.
- c. Each travel trailer space shall contain at least 2,000 square feet and be at least 30 feet wide. Each space shall be clearly defined on the ground by stakes or markers.
- d. Travel Trailer spaces shall be so arranged that no trailer will be parked less than 15 feet from adjacent trailer.
- e. Access to travel trailer parks shall be directly from a County Primary Road or State or Federal Highway and such access shall be of a design that will minimize traffic congestion. The minimum street or roadway within such park shall be at least 30 feet in width. A dead-end street shall not exceed 175 feet in length and the turning circle shall be at least 80 feet in diameter.
- f. All entrances and exit lanes within such park shall be lighted to

provide an intensity of at least five foot candles.

- g. A recreational area shall be provided in each travel trailer park at a ratio of at least 200 square feet per space, with a minimum of 5,000 square feet per park.
- h. All provisions for water, laundry, sanitary facilities, fire protection, and electrical services shall be installed and maintained in accordance to all applicable township, county and state laws and ordinances.
- I. No commercial enterprises shall be permitted to operate on the lot, except that a convenience goods shopping building may be provided on a lot containing more than eighty (80) sites.
- j. Public stations, housed in all-weather structures, containing adequate water outlet, toilet, waste containers, shall be provided uniformly throughout the lot at a ratio of not less than one such station per each twenty (20) sites.
- k. Adequate parking shall be provided for vehicles visiting the campground.

16. Private Airstrips:

- a. There is sufficient distance between the end of each usable landing strip and the airport property boundary to satisfy the requirements of the Federal Aviation Administration or any other appropriate authority. In any case, neither end of the any runway shall be closer than three hundred (300) feet from any street or property boundary, nor shall any runway be closer in any direction that two hundred (200) feet from any street or property boundary.
- b. Any hangars, or other aircraft related structures shall be at least one hundred (100) feet from any street or property boundary.
- c. The site plan submitted for review and approval shall, in addition to the information required in Article 8, shall include the proposed layout of runways, landing strips or areas, taxiways, aprons, roads, parking areas, hangars, buildings, and other structures and facilities. Such plan shall also identify all buildings, structures, trees, overhead wires or other obstructions falling within an area within the airport approach zone.

17. Trucking and transit terminals shall comply with the following conditions:

- a. Terminals shall be set back a minimum of 200 feet from any residential district or use.
- b. A traffic impact study may be required by the Planning Commission.
- c. All parking, loading and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.



- d. Screening shall be required on those side or rear lot lines abutting a residential district.
18. Contractors' yard or contractor's storage yard shall comply with the following conditions:
- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. A contractor's office building shall be of permanent construction. Temporary construction trailers shall not be permitted to be occupied as the office of the contractor. Outdoor storage shall be strictly and clearly accessory to the contractor's principal office use of the property.
  - c. Open storage of building materials, sand, gravel, stone, lumber, open storage of construction contractor's equipment and supplies are allowed. An obscuring wall or fence may be required by the Planning Commission.
  - d. The location and size of areas for storage, nature of items to be stored therein, and details of the enclosure, including a description of materials, height, and typical elevation of the enclosure, shall be provided as part of the information submitted under Article 8, Site Plan Review and Approval.
19. Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs shall comply with the following conditions:
- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.
  - c. Inoperative or unlicensed vehicles shall be stored within an obscuring wall or fence that is compatible with the surrounding area. Such storage shall not occur in front of the building front line.
  - d. Where the site abuts any residential use, protective screening may be required. All masonry walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall.
  - e. All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent and neighboring property.
  - f. Signs shall conform to the existing Code of Ordinance per Article 5.
20. Sales of construction or farm machinery and equipment shall be subject to the following requirements:
- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.

- c. Signs shall conform to the existing Code of Ordinance per Article 5.
21. Self-storage facilities are subject to the following requirements and conditions of this section:
- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. No activity other than the rental of storage units and the rental of outside storage space for recreational vehicles, boats and watercraft shall be allowed. No commercial, wholesale, retail, industrial or other business use on, or operated from, the facility shall be allowed.
  - c. Only the sale of incidental supplies and similar material related to the self-storage business shall be allowed from the facilities office.
  - d. The storage of any toxic, explosive, corrosive, flammable or hazardous material is prohibited inside the storage units.
  - e. Other than the storage of recreational vehicles, boats and watercraft, all storage shall be contained within a building. All recreational vehicle storage shall be screened from the view of neighboring properties and public roads with coniferous landscaping not less than six (6) feet in height at the time of planting or by a solid, maintenance free fencing.
  - f. The exterior design of the storage units is subject to Planning Commission review and approval and must be compatible with adjacent properties and the rural character of Rives Township. When a building is adjacent to a zoning district that permits a residential use, or the adjacent property is currently in residential use, the Planning Commission may consider the use of a building material that is aesthetically compatible.

C. *Waiver.* Where the Planning Commission determines that compliance with all of the standards in Subsection B above are unreasonable, all of such standards shall be applied to the maximum extent possible. In such a situation, the Planning Commission may accept suitable alternatives that substantially achieve the purpose of this Section, provided that the applicant demonstrates that both of the following apply:

- a. That architectural or structural integrity and quality are not undermined.
- b. That any deviations from the above standards will still provide for a harmonious development and serve to minimize any possible impacts to adjacent properties and residences.

(Added by Ord No. 2021-1, 6-15-21).

**SECTION 17.86 - DETERMINATION AND IMPOSITION OF CONDITIONS:**

A review of an application and site plan for a conditional use permit shall be made by the Planning Commission in accordance with the procedures and standards specified in this Ordinance. If a submitted application and site plan do not meet the requirements of

the Ordinance, they shall not be recommended to the Township Board for approval. However, if the applicant agrees to make changes to the site plan and application in order to bring them into compliance with the Ordinance, such changes shall be allowed and shall be either noted on the application or site plan itself, or attached to it, or these documents shall be resubmitted incorporating said changes.

If the facts in the case do not establish competent material and substantial evidence that the standards set forth in this Ordinance will apply to the proposed conditional use, the Planning Commission shall not recommend approval to the Township Board. The Planning Commission may recommend the imposition of conditions with the approval of a conditional use permit, application and site plan that are necessary to insure compliance with the standards contained in this or other applicable ordinances and regulations. Such conditions, if imposed by the Township Board, shall be considered an integral part of the conditional use permit and approved site plan and shall be enforced by the Zoning Inspector.

These conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

#### SECTION 17.87 APPROVAL, GRANTING OF PERMIT.

Upon holding a public hearing and the finding that the requirements of this Ordinance have been met, the Planning Commission shall, within thirty (30) days, recommend approval, approval with conditions or denial to the Township Board.

The decision to approve or deny a request for a conditional use permit shall be retained as a part of the record of action on the request and shall incorporate a statement of conclusions which specify: the basis for the decision, any changes to the originally submitted application and site plan, any conditions imposed with approve. Once a conditional use permit is issued, all site development and use of land on the property affected shall be consistent with the approved conditional use permit, unless a change conforming to Ordinance requirements received the mutual agreement of the landowner and the Township Board upon recommendation of the Planning Commission and is documented as such.

#### SECTION 17.88 - VOIDING OF CONDITIONAL USE PERMIT.

Any conditional use permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use is commenced within two hundred ten (210) days and completed within five hundred and seventy-five (575) days from the date of issuance.

A violation of a requirement, conditions, or safeguard shall be considered a violation of this Ordinance and grounds for the conditional use permit to be revoked by the Planning Commission with final action by the Township Board. Further, once a use has been established, nonuse of a conditional use permitted activity for a period of more than six (5) months shall constitute abandonment of the conditional use

permit. SECTION 17.89 - DENIAL OF A CONDITIONAL USE PERMIT.

Re-application of a Conditional Use Permit cannot be made for a period of 365 days after it has been denied by the Rives Township Board.

**Article 8**  
**Site Plan Review and Approval**

**SECTION 17.90 - PURPOSE.**

It is recognized by this Ordinance that there is a value to the public in establishing safe and convenient traffic movement to higher density sites, both within the site and in relation to access streets; that there is value in encouraging a harmonious relationship of buildings and uses both within a site and in relation to adjacent uses; further that there are benefits to the public in conserving natural resources. Toward this end, this Ordinance requires site plan review by the Planning Commission for certain buildings and structures that can be expected to have a significant impact on natural resources, traffic patterns, and on adjacent land usage.

**SECTION 17.91 - BUILDINGS, STRUCTURES, AND USES REQUIRING SITE PLAN.**

The Zoning Inspector shall not approve zoning compliance for construction of the buildings and structures identified in applicable sections unless a site plan has been reviewed and approved by the Planning Commission and Township Board and such approval is in effect.

- A. Any conditional use.
- B. A residential planned unit development, a platted subdivision development, or a site-condominium development.
- C. All Commercial or Industrial uses.
- D. An office in any Residential District.
- E. Mobile Home or Manufactured Home Park.
- F. An Open Space Preservation Development (Section 17.35).

**SECTION 17.92 - APPLICATION FOR SITE PLAN REVIEW.**

Any person may file a request for a site plan review by the Planning Commission by filing an application with the Township Clerk. As an integral part of the application, the applicant shall file at least four (4) copies of a site plan.

**SECTION 17.93 - PLANNING COMMISSION REVIEW OF SITE PLAN.**

Upon receipt of such application from the Clerk, the Planning Commission shall undertake a study of the same and shall, within sixty (60) days, approve or disapprove such site plan, with written notice of said approval or disapproval sent to applicant within ten (10) days. Such notice shall include any changes or modifications in the proposed site plan as needed to achieve conformity to the standards specified in this ordinance. Such

written notice will be in the form of a Site Plan Approval Certificate, unless the site plan is being approved in connection with a Conditional Use Permit application, in which case a conditional Site Plan Approval Certificate will be issued, pending final approval of the Conditional Use Permit by the Township Board.

#### SECTION 17.94 - REQUIRED DATA FOR SITE PLAN.

Every site plan submitted to the Planning Commission shall be in accordance with the following requirements:

- A. The site plan shall be of such accuracy that the Planning Commission can readily interpret the site plan, and shall include more than one drawing where required for clarity.
- B. The property shall be identified by lot lines and location, including dimensions, angles and size, and correlated with the legal description of said property. Such plan shall further include the name and address of the property owner, developer, and designer. The Planning Commission may require the following additional information if it is found to be necessary for a thorough review.
- C. The site plan shall show the proposed streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site; also, the location, size and number of parking spaces in the off-street parking area, and the identification of service lanes and service parking.

The Planning Commission may require the following additional information if it is found to be necessary for the review:

- D. The site plan shall show the scale; north point; boundary dimensions; topography (at least two foot contour intervals); and natural features, such as, woodlots, streams, rivers, lakes, drains, and similar features.
- E. The site plan shall show existing man-made features, such as buildings; structures; high tension towers; pipe lines; and existing utilities, such as, water and sewer lines, excavations, bridges, culverts, drains, and easements, and shall identify adjacent properties and their existing uses.
- F. The site plan shall show the location, proposed finished floor and grade line elevations, size of proposed principal and accessory buildings, their relation one to another and to any existing structure on the site, the height of all buildings, and square footage of floor space. Site plans for residential development shall include a density schedule showing the number of dwelling units per net acre, including a dwelling schedule showing the unit type and number of each unit types.
- G. The site shall show the proposed location, use, and size of open spaces; and the location of any landscaping, fences, or walls on the site. Any proposed alterations to the topography and other natural features shall be indicated. The site plan shall further show any proposed location of connections to existing utilities and

proposed extensions thereof.

#### SECTION 17.95 - STANDARDS FOR SITE PLAN REVIEW.

In reviewing the site plan, the Planning Commission shall ascertain whether the proposed site plan is consistent with all regulations of this Ordinance and state and federal statutes. Decisions rejecting, approving, or conditionally approving a site plan shall be based upon requirements and standards contained in the zoning ordinance. A site plan shall be approved if it contains the information required in subsection 17.94 and is in compliance with the zoning ordinance, the conditions imposed pursuant to the ordinance, other applicable ordinances, and state and federal statutes.

In addition, each of the following standards shall apply:

- A. The use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
- B. The use shall not inappropriately change the essential character of the surrounding area.
- C. The use shall not interfere with the general enjoyment of adjacent property.
- D. The use shall represent an improvement to the use of character of the property under consideration and the surrounding area in general, yet also be in keeping with the natural environment of the site.
- E. The use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes, glare, or dust.
- F. The use shall adequately be served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed use shall be able to continually provide adequately for the services and facilities deemed essential to the use under consideration.
- G. The use shall not place demands on public services and facilities in excess of current capacity.
- H. The use shall be consistent with the intent and purpose of this Ordinance.

#### SECTION 17.96 - APPROVAL OF SITE PLAN.

After the Planning Commission approves the site plan, the site plan shall be forwarded to the Township Board for their information.

If the site plan is part of a conditional use permit application, the Township Board shall receive the site plan, a conditional Site Plan Approval Certificate, and the Planning Commission's recommendation regarding the conditional use permit application, and approve or deny the conditional use. If the Conditional Use Permit is approved, the Site

Plan Approval Certificate will become effective and issued to the applicant immediately. If the Conditional Use Permit is denied, the conditional Site Plan Approval Certificate will become immediately void.

**SECTION 17.97 - EXPIRATION OF SITE PLAN CERTIFICATE.**

The site plan certificate shall expire, and be of no effect, three hundred sixty-five (365) days after the date of issuance thereof.

**SECTION 17.98 - AMENDMENT, REVISION OF SITE PLAN.**

A site plan and site plan certificate, issued thereon, may be amended by the Planning Commission upon request of the applicant. Such amendment shall be made upon application and in accordance with the procedure provided in this Ordinance.

**SECTION 17.99 – PERFORMANCE GUARANTEES, ESCROWS, DECOMMISSIONING, AND RECLAMATION.**

- A. To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Planning Commission, Township Board or Zoning Administrator may require that a performance guarantee be deposited with the Township to ensure faithful completion of improvements or rehabilitation of a site, in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.
- B. Prior to review of an application for a site plan and prior to considering its merits, the Township may establish an amount to be deposited by the applicant with the Township Clerk as an escrow deposit to defray the actual costs incurred by the Township for review of the application by professionals that may assist the Township Board, Planning Commission or Zoning Board of Appeals in making an informed decision and may include such items as legal opinions, engineering, land use planning review, inspections, testing and other third party review that may be required based on the application. The Township shall not commence consideration of the merits of the application until the escrow deposit is received by the Township Clerk.
- C. An applicant may be required to prepare a decommissioning or reclamation plan and submit it to the Planning Commission for review and approval prior to approval of a site plan. Under this submitted plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures below-grade shall be removed offsite for disposal. In addition, the site shall be graded and planted to similar character prior to development.

(Added by Ord No. 2021-1, 6-15-21).



**Article 9**  
**Administration of Ordinance**

**SECTION 17.100 - PURPOSE.**

It is the purpose of this Article to provide the procedures for the administration of this Ordinance.

**SECTION 17.101 - ADMINISTRATION.**

This Ordinance shall be administered by the Zoning Inspector and/or such deputies appointed by the Township Board.

**SECTION 17.102 - DUTIES OF ZONING INSPECTOR.**

The Zoning Inspector shall have the power to grant zoning compliance permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. When no building permit is required, the Zoning Inspector shall also have the authority to grant certificates of Occupancy.

If the Zoning Inspector shall find that any of the provisions of this Ordinance are being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation, ordering the action necessary to correct it. He shall order discontinuance of illegal use of any lot or structures; removal of illegal structures, or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

**SECTION 17.103 - ENFORCEMENT OF CONDITIONAL USE PERMITS.**

The Zoning Inspector shall be the Township official responsible for verifying that conditions placed on an activity that has been allowed under a Conditional Use permit have been followed and are in place. If the Zoning Inspector determines that a condition is not being followed, he shall provide the property owner with a Notice of Correction of Conditions providing 15 days to correct the problem, with a copy of such notice also sent to the Chairman of the Planning Commission. Failure to correct such conditions will be grounds for Revocation of such Permit.

**SECTION 17.104 - ZONING COMPLIANCE PERMITS.**

- A. Issuance of Zoning Compliance Permits: No building or structure, or part thereof, shall hereafter be located, erected, constructed, reconstructed, altered, converted, or enlarged or moved; nor shall any change be made in the use of any building, structure, or land without a zoning compliance permit having been obtained from the Zoning Inspector for such building, structure, or land. A zoning compliance

application shall be filled out and submitted to the Zoning Inspector.

- B. The Zoning Inspector shall require that all applications for zoning compliance permits shall be accompanied by plans and specifications including a plot plan in duplicate, drawn to scale, showing the following information:
1. The actual dimensions and shape of the lot to be built upon; and,
  2. The exact size and location of existing structures on the lot, if any; and
  3. The location and dimensions of the proposed structure or alteration.

The Zoning Inspector shall act upon the submitted zoning compliance permit application and site plan within 10 days of receipt.

One (1) copy of the plans shall be returned to the applicant by the Zoning Inspector after such copy has been approved or disapproved, and attested to same by the Zoning Inspector's signature on such copy. If approved, the Zoning Inspector shall issue the applicant a zoning compliance permit immediately and will forward the other copy of the plot plan bearing his signature along with a duplicate copy of the zoning compliance permit to the Township Clerk for filing and/or the issuance of a Building Permit, as appropriate. Where action of the Board of Appeals or the Planning Commission is required as set forth in this Ordinance, the Zoning Inspector shall issue such permit promptly following such action.

- C. Voiding of Zoning Compliance Permit: Any zoning compliance permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use completed within three hundred sixty-five (365) days of the date of issuance. A zoning compliance permit shall be renewable upon re-application and upon payment of the fee, subject however, to the provisions of all ordinances in effect at the time of renewal.

#### SECTION 17.105 - CERTIFICATE OF OCCUPANCY, FINAL INSPECTION.

- A. Issuance of Certificate of Occupancy: No building or structure, or part thereof, shall be occupied by or for any use for which a zoning compliance permit is required by this Ordinance unless and until a certificate of occupancy shall have been issued for such use. The holder of a zoning compliance permit for the construction, erection, or moving of any building, structure or part thereof, for the establishment of a use, shall make application to the Building Inspector immediately upon the completion of the work authorized by the zoning compliance permit for a final inspection.

A certificate of occupancy shall be issued by the Building Inspector within five (5) days after receipt of such application if it is found that the building or structure, or part thereof, is in accordance with the provisions of this Ordinance.

- B. Voiding of Certificate of Occupancy: Any certificate of occupancy granted under this Ordinance shall become null and void if such use, buildings, or

structure for which said certificate was issued are found by the Zoning Inspector or Building Inspector to be in violation of this Ordinance. The Zoning Inspector or Building Inspector, upon finding such violation shall immediately notify the Township Board of said violation and void the certificate of occupancy.

#### SECTION 17.106 - FEES, CHARGES, AND EXPENSES.

The Township Board shall establish a schedule of fees, charges and expenses, and a collection procedure for zoning compliance permits, certificates of occupancy, appeals and other matters pertaining to the Ordinance. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Township Board. No permit, certificate, or conditional use on approval, or variance shall be issued unless or until such costs, charges, fees, or expenses listed in this ordinance have been paid in full, nor shall any action be taken on proceedings before the Board of Appeals, unless or until preliminary charges and fees have been paid in full.

#### SECTION 17.107 - VIOLATIONS AND PENALTIES: NUISANCE PER SE-ABATEMENT.

Uses of land and dwellings, buildings, or structures including tents and trailer coaches used, erected, altered, razed, or converted in violation of any provision of this Ordinance are hereby declared to be a nuisance per se. The court shall order such nuisance abated and the owner and/or agent in charge of such dwelling, building, structure, tent, trailer coach, or land shall be adjudged guilty of maintaining a nuisance per se.

A person who violates any provision of this ordinance is responsible for a municipal civil infraction and subject to payment of a civil fine of not less than one hundred (\$100) dollars and not more than five hundred (\$500) dollars, plus costs, attorney fees and other sanctions as permitted under Chapter 87 of the Revised Judicature Act, P.A. 236 of 1961, being MCL 66.8701 et. Seq., as amended. The Zoning Administrator is hereby authorized to issue and process municipal civil infraction citations in accordance with the Rives Township Municipal Civil Infractions Ordinance and as otherwise permitted by law. If a person is found responsible for a municipal civil infraction under this ordinance, a civil fine shall be assessed as follows:

- A minimum of one hundred (\$100.00) dollars and maximum of five hundred (\$500.00) dollars for a first offense, plus costs and attorney fees, if any;
- A minimum of two hundred (\$200.00) dollars and maximum of five hundred (\$500.00) dollars for a first repeat offense, plus costs and attorney fees, if any; and
- A minimum of three hundred (\$300.00) dollars and maximum of five hundred (\$500.00) dollars for a second or subsequent repeat offense, plus costs and attorney fees, if any.

For the purpose of this section, a “repeat offense” means a second or subsequent violation of the same requirement or requirement of the Ordinance. Nothing in this subsection shall be interpreted as abrogating the Township’s right to proceed with an appropriate equitable action in the Jackson County Circuit Court to enjoin and/or abate any violation of the terms of this

Ordinance. Each day that a violation is permitted to continue shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

Sections 17.108 - 17.109 Reserved

**Article 10**  
**Zoning Board of Appeals**

**SECTION 17.110 - ZONING BOARD OF APPEALS ESTABLISHED.**

There is hereby established a Zoning Board of Appeals, which shall perform its duties and exercise its powers as provided in Act 184 of the Public Acts of 1943, as amended, in such a way that the objectives of this Ordinance shall be observed, the public health and safety secured, and substantial justice done.

The Zoning Board of Appeals shall be made up of three members appointed by the Township Board. Such members will serve terms of three years and at least one member must be a member of the Planning Commission.

**SECTION 17.111 - DUTIES OF THE ZONING BOARD OF APPEALS.**

The Zoning Board of Appeals shall hear and decide only such matters as the Zoning Board of Appeals is specifically authorized to pass on as provided in this Ordinance. The Board of Appeals shall not have the power to alter or change the zoning districts; classification of any property; nor to make any changes in the terms of this Ordinance; but does have the power to authorize a variance as defined in this Ordinance, to act on those matters where this Ordinance may require an interpretation, and to issue a temporary use permit when authorized by this Ordinance.

**SECTION 17.112 - VARIANCE.**

The Zoning Board of Appeals may authorize, upon an appeal, a variance from the strict applications of the provisions of this Ordinance, where by reason of exceptional narrowness, shallowness, shape, or contour of a specific tract of land at the time of enactment of this Ordinance or by reason of exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property. No variance shall be granted to permit the establishment within a district of any use which is excluded or for which a conditional use permit is required.

A variance from the terms of this Ordinance shall not be granted by the Zoning Board of Appeals unless and until:

- A. A written application for a variance is submitted, demonstrating the following:
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
  2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
  3. That the special conditions and circumstances do not result from the actions of the applicant.

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
  5. That no non-conforming use of neighboring lands, structures, or buildings, in the same district, and no permitted use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.
- B. The Zoning Board of Appeals shall determine that the requirements of this Ordinance have been met by the applicant for a variance.
  - C. The Zoning Board of Appeals shall determine that the reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
  - D. The Zoning Board of Appeals shall determine that the granting of the variance will be in harmony with the general purpose intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
  - E. In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance.
  - F. Each variance granted under the provisions of this Ordinance shall become null and void unless:
    1. The construction authorized by such variance or permit has been commenced within one hundred eighty (180) days after the granting of such variance and pursued diligently to completion; or
    2. The occupancy of land or buildings authorized by such variance has taken place within one hundred eighty (180) days after the granting of such variance.
  - G. No application for a variance which has been denied wholly or in part by the Zoning Board of Appeals shall be resubmitted for a period of three hundred sixty-five (365) days from such denial, except on grounds of new evidence or proof of changed conditions found by the Zoning Board of Appeals to be valid.

#### SECTION 17.113 - INTERPRETATION OF ZONING ORDINANCE.

The Zoning Board of Appeals shall hear and decide appeals where it is alleged by the applicant there is an error in any order, requirement, permit, decision, or refusal made by the Zoning Inspector or any other administrative official in carrying out or enforcing any provisions of this Ordinance including interpretations of the Zoning Map.

#### SECTION 17.114 - APPEALS TO THE ZONING BOARD OF APPEALS.

- A. Appeal from the ruling of the Zoning Inspector or the Township Board concerning the enforcement of the provisions of this Ordinance may be made to

the Zoning Board of Appeals within such time as shall be prescribed by the Zoning Board of Appeals by general rule, by filing with the officer from whom the appeal is taken. This officer shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed was taken.

- B. Appeals to the Zoning Board of Appeals may be taken by any person aggrieved or by any officer, department, board, agency, or bureau of the Township, Village, City, County or State.
- C. A fee shall accompany any application to the Zoning Board of Appeals. The fee shall be set by the Township Board as part of the schedule of fees for zoning- related applications.
- D. An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the Zoning Board of Appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed other than by a restraining order which may be granted by the Zoning Board of Appeals or by the Circuit Court, on application, of notice to the officer from whom the appeal is taken and on due case shown.
- E. When a request for an appeal has been filed in proper form with the Township Clerk, the Chairman of the Zoning Board of Appeals shall place the said request for appeal upon the calendar for hearing, and cause notice, stating the time, place, and object of the hearing to be served personally or by registered return receipt mail at least ten (10) days prior to the date of such hearing, upon the party or parties making the request for appeal.
- F. Upon the hearing, any party of parties may appear in person or by agent or by attorney.
- G. The Zoning Board of Appeals shall decide upon all matters within a reasonable time and may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the Zoning Inspector or Township Board from whom the appeal is taken. The Zoning Board of Appeal's decision of such appeals shall be in the form of a resolution containing a full record of the findings and determination of the Zoning Board of Appeals in each particular case. Any person having an interest affected by such resolution shall have the right to appeal to the Circuit Court or question of law and fact.

Sections 17.115 - 17.119 Reserved

**Article 11**  
**Procedure for Amendments**

**SECTION 17.120 - PROCEDURE AND HEARING.**

Request or petition for amendment is submitted to the Township Board, through the Township Clerk. Request for amendment shall be written in proper form, clearly and fully describing the property proposed for rezoning. The request for amendment shall be signed by the owner(s) concerned, and filed with the Township Clerk. A fee shall be paid at this time. The Township Board refers request for amendment to the Township Planning Commission for study and recommendation. The request for amendment, including any changes thereto which the Planning Commission deems desirable, must be submitted by the Planning Commission to at least one (1) public hearing.

Notice of the public hearing shall be given by two (2) publications in a newspaper of general circulation in the Township, the first to be printed not more than thirty (30) days nor less than twenty (20) days and the second not more than eight (8) days before the date of such hearing. This notice must contain the times and places at which the tentative zoning text and maps may be examined.

**SECTION 17.121 - NOTICE OF UTILITY COMPANIES.**

Not less than twenty (20) days notice of the time and place of the hearing of the Planning Commission shall also be given by certified mail to each electric, gas, pipeline and telephone public utility company that registers its name and mailing address with the Township Planning Commission for the purpose of receiving such notice and to each railroad within the district or zone affected.

**SECTION 17.122 - POSTING OF PROPERTY.**

Whenever an individual property is proposed for rezoning, the property shall be conspicuously posted at least eight (8) days prior to the public hearing and shall state time, place, and date and purpose of the public hearing.

**SECTION 17.123 - COUNTY REVIEW OF ORDINANCE AMENDMENTS.**

After the Planning Commission makes its recommendation, it shall submit the request to the Jackson County Resolution and Coordinating Committee for a recommendation.

**SECTION 17.124 - TOWNSHIP BOARD ADOPTION.**

At any regular meeting or at any special meeting called for that purpose, the Township Board may adopt an amendment to this Zoning Ordinance, pursuant to the procedures set forth in Act 184, Public Acts of 1943, as amended, and applicable sections of Act 168, Public Acts of 1959, as amended.

If immediate effect is not given to the amendment, it will become effective thirty (30) days after publication. The Township Board is the authority on zoning matters. All other individuals and groups are advisory to it.

Sections 17.125 - 17.129 Reserved



**Article 12**  
**Validity**

SECTION 17.130 - SEVERABILITY.

Should any section, clause or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 17.131 - PERIOD OF EFFECTIVENESS.

This Ordinance shall remain in full force and effect henceforth unless repealed.

SECTION 17.132 - REPEAL OF ORDINANCE.

The "Zoning Ordinance of the Township of Rives, Michigan" adopted on October 4, 1994, and all amendments thereto are hereby repealed effective coincident with the effective date of this Ordinance.

The adoption of this Ordinance however, shall not affect or prevent any pending or future prosecution of, or action to abate, any existing violation of the prior zoning ordinance if the use, so in violation, is in violation of the provisions of this Ordinance.

SECTION 17.133 - ADOPTION, PUBLICATION EFFECTIVE DATE.

This Ordinance shall take effect by order of the Township Board of the Township of Rives of Jackson County, Michigan.

Adopted: April 1, 2003  
Notice of Adoption April 14, 2003  
Published: April 25, 2003  
Effective: May 14, 2003  
(Amended 6-15-21, Ord No. 2021-1).