

Coloma Charter Township
Berrien County
Ordinance # _____

AN ORDINANCE TO AMEND ARTICLE III TO ADD A ZONING DISTRICT, THE C-2 COMMERCIAL AGRICULTURAL DISTRICT, AND TO REFERENCE A REVISED ZONING MAP REFLECTING SUCH NEW DISTRICT; TO ADOPT A NEW ARTICLE XII-A, ESTABLISHING STANDARDS FOR SUCH NEW ZONING DISTRICT; TO MAKE COMPLEMENTING AMENDMENTS TO ARTICLE XIX SUPPLEMENTAL DISTRICT REGULATIONS AND ARTICLE XXVI PLANNED UNIT DEVELOPMENT AND REPEAL ANY ORDINANCE OR PARTS OF ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE.

COLOMA CHARTER TOWNSHIP HEREBY ORDAINS:

SECTION 1. Section 3.01 of the Coloma Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 3.01 – Creation of Zoning District.

For the purpose of regulating and restricting the location of various uses of land and the location of buildings, designated for specific uses, and also for the purpose of regulating and restricting the volume, height and area of buildings hereafter erected or altered, the following classes of districts are hereby created within Coloma Charter Township, Berrien County, Michigan:

R-1A	Single-Family Residential District	C-2	Commercial Agricultural District
R-1B	Single-Family Residential District	M-1	Commercial-Industrial District
R-2A	Two-Family Residential District	M-2	Industrial District
R-2B	Two-Family Residential District	AG-T	Transitional Agricultural/Residential & Open Lands District
R-3	Multi-Family Residential District	AG-P	Primary Agricultural District
RMH	Residential Mobile Home District	F-OD	Floodplain Overlay District
C-1	Commercial District	WA	Waterfront Overlay District

SECTION 2. Section 3.02 of the Coloma Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 3.02 – Official Zoning Map.

The Charter Township of Coloma is hereby divided into zones, or districts, as shown on the Official Zoning Map, as adopted effective (insert effective date of amendment) which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance; a copy of said map is attached hereto and made a part of this amendment.

VAN

TAUBE
06

05

04

03

HAGAR SHORE

JOHNSON

PAW PAW LAKE

CLYMER

07

BECHT

DEFIELD

08

COLOMA NORTH

09

10

LITTLE PAW PAW LAKE

Little
Paw
Paw
Lake

PAW PAW LAKE

15

Paw Paw Lake

18

17

16

Paw Paw River

BECHT

Legend

- AG, Primary Agriculture District
- AG-T, Transitional Agriculture/Residential
- R1A, Single Family Residential District
- R1B, Single Family Residential District (Sewer)
- R2B, 2-Family Residential District (Sewer)
- R3, Multi-Family Residential District
- RMH, Residential Mobile Home District
- C-1, Commercial District
- C-2, Commercial Agriculture District
- M1, Industrial District
- M2, Industrial Park

WILSON

19

20

21

COLOMA

BUNDY

Coloma Charter Township

Official Zoning Map

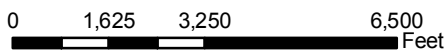
This is to certify that this is the Official Zoning Map referred to in Article III, Section 3.02 of Zoning Ordinance Number 20 of the Charter Township of Coloma, Michigan.



Adopted:

Kenneth Parrigin, Supervisor

Sandra Kraemer, Clerk



CARTER

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RED ARROW

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RYNO

28

MOUNTAIN

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PARK

32

FRIDAY

33

ANGLING

CARMODY

SECTION 3. Article VII of the Coloma Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 7.01 - Table of Zoning District Regulations
(See Article XXVI Planned Unit Development for Group Buildings)

Zoning Districts	Minimum Lot Size and Dimensions		Minimum Yard Setback			Minimum Building Floor Area	Maximum Building Height		Maximum Bldg. Coverage of Lot
	Lot Area (sq. Ft. / acres)	Road Frontage (feet)	Front (feet)	Rear (feet)	Side (feet)	(Sq. Ft.)	Stories	Feet	Percentage Total Lot Area
R-1A Single-Family Residential (d)	½ acre	100	30	30	10	1,000	2½	35	35
R-1B Single-Family Residential (d)	12,000	80	30	30	10	1,000	2½	35	35
R-2A Two-Family Residential (d)	24,000	100	30	50	10	1,750	2½	35	35
R-2B Two-Family Residential (d)	15,000	100	30	50	10	1,750	2½	35	35
R-3 Multi-Family Residential (c&d)	24,000 (b)	160	25	50	15	NA	2½	35	35
RMH Mobile Home	10 acres	NA	NA	NA	NA	NA	NA	NA	NA
C-1 Commercial (a & d)	7,200	60	25	15	10	NA	2½	35	35
C-2 Commercial Agricultural (a, d & g)	1 acre	150	30	30	10	NA	2½	35 (f)	35
M-1 Commercial-Industrial (a)	20,000	100	25	30	10	NA	2	40	35
M-2 Industrial (a)	20,000	100	25	30	10	NA	2	40	35
AG-T Transitional Agricultural-Residential & Open Space	¾ acre	150	30	30	10	NA	2½	35	35
AG-P Primary Agricultural	2 acres	200	30	50	10	NA	2	40	35
F-OD Floodplain	See Article XVII Floodplain Overlay District for Specifications								
WA Waterfront Overlay	See Article XVIII Waterfront Overlay District for Specifications								

Notes to Table 7.01:

- a. Except for a single-family dwelling, the height of any other building or sign shall not exceed fifty (50) percent of the horizontal distance to the nearest residential district boundary.
- b. The minimum lot size shall be increased by 2,000 square feet of land areas for each dwelling unit above two (2).
- c. In the R-3 residential and C-1 Commercial districts, the minimum lot size increases to a minimum of one-half (½) acre for any lot or parcel which does not have access to or is not within three (300) feet of a municipal wastewater collection system. An application for an on-site water supply and wastewater disposal systems approved by the County Health Department shall be filed with the Township Zoning Administrator prior to issuance of a building permit for construction of a building or structure use for human habitation or use of any type.
- d. The minimum first floor area of a one (1) story dwelling is 1,000 square feet. The minimum area of a one and one-half (1½) story dwelling is 1,000 square feet on the first floor and a total of 1,350 square feet for both floors. The minimum area of a two (2) story dwelling is 800 square feet on the first floor, with a minimum total of 1,600 square feet on both floors. Accessory use structures must maintain a twenty (20) foot setback from any dwelling. In the event the dwelling does not have an attached or un-attached garage, the owner must erect a storage building measuring a minimum of 8 feet by 12 feet.
- e. Residential storage shed buildings (120 square feet or less) are subject to a minimum three (3) foot rear and side yard setback requirement.
- f. The height restrictions of the C-2 District shall not apply to structures devoted exclusively to agricultural production, such as silos, barns, conveyors, etc.
- g. Single-family dwellings and their accessory use structures in this district must adhere to the setback and minimum building floor area requirements of the R1-A district.

See Article XIX, Section 19.01 Minimum Residential Building Size requirements.

SECTION 4. The Zoning Ordinance of Coloma Charter Township is hereby amended to add the following Article XII-A as follows:

ARTICLE XII-A

C-2 COMMERCIAL AGRICULTURAL DISTRICT

Section 12A.01 - Intent

The intent of this district is to encourage and facilitate the development of commercial agricultural and agri-tourism businesses which support and enhance the agricultural land uses in the southern portion of the Township and, more specifically in the area surrounding the Friday Road corridor. A primary objective of this district is to foster retail and service businesses that directly support existing and emerging agriculture in the vicinity and to direct other commercial and retail uses that do not provide such support to other, more appropriate

areas of the Township.

Section 12 A.02 - Permitted Principal Uses.

Land, buildings or structures in this zoning district may only be used for the following uses:

1. Generally recognized commercial farming including, horticulture, nurseries, forestry, and similar agricultural use of land and structures; nor shall the disposal of garbage, sewerage, rubbish, offal or wastes from rendering plants, or uses judged by the Zoning Administrator to be similar thereto, be permitted in the C-2 district.
2. Mercantile establishments for the sale of goods at retail or wholesale, reflecting the agricultural-tourism setting of the district,
 - a. bakeries
 - b. confectionary retail
 - c. art galleries
 - d. antique retailers
 - e. craft and jewelry dealers
 - f. hobby shops
 - g. gift shops
 - h. tack shops
 - i. other retail /wholesale uses that are similar to the ones listed above.
3. Florist, floriculture, berry culture, or horticultural nursery for sale of goods at retail.
4. Open air produce markets.
5. Craft, woodworking, jewelry and hobby shops which make or fabricate merchandise for sale on the premises and which may also make or fabricate goods for retail sale elsewhere.
6. Single family dwellings. Single-family dwellings and their accessory use structures in this district must adhere to the setback and minimum building floor area requirements of the R1-A district.

Section 12 A.03 - Permitted Accessory Uses.

Accessory uses or accessory use structures are limited to those comparable with commercial uses and are limited to the following:

1. Uses customarily incidental to the permitted principal use.
2. A single-family dwelling unit occupied as an integral part of a commercial building.
3. Minor Home Occupations.

Section 12 A.04 - Uses Requiring Special Land Use Permit.

The following uses are permitted in this district subject to obtaining a Special Land Use permit from the Township Board pursuant to Article XXV. These uses are subject to such operating and special regulations as may be imposed in the public interest.

1. Restaurants, delicatessens, refreshment stands and other dispensaries of food at retail.
2. Temporary Outdoor sales permitted for specified duration.
3. Outdoor recreation such as trampolines, miniature golf, overnight campgrounds for camping trailers, tents, and motor homes.
4. Any business establishment licensed by the State of Michigan to make and/or dispense beer, wine, and/or other spirits for consumption on or off the premises.
5. Hotels, motels, lodging houses, boarding houses, tourist homes, and bed and breakfast inns.
6. Private stable for one horse, pony, or other four-legged livestock on a minimum of a three (3) acre zoning lot and providing at least one (1) acre of pasture or fenced-in area per horse, pony, or other four-legged livestock and an additional one (1) acre of pasture or fenced-in area for every additional horse, pony, or other four-legged livestock, thereafter. Structures housing horses, ponies or other livestock shall be located no closer than fifty (50) feet from the boundaries of the property and no closer than one hundred-fifty (150) feet from the nearest residential or commercial district. No piles or accumulation of refuse or manure shall be closer than one hundred (100) feet from any property line of the parcel, unless regulated by the Michigan Right to Farm Act, being Act 93 of the Public Acts of Michigan of 1981, as amended, and the Generally Accepted Agricultural Management Practices promulgated thereto.
7. Flea Markets
8. Combinations of Permitted or Special Land Uses. The Planning Commission may approve as Special Land Uses the use of a single parcel under single ownership by more than one related and mutually supportive use otherwise permitted in the C-2 District under Section 12 A.02 or 12 A.04.
9. Major Home Occupations.
10. Other uses similar to permitted principal uses which the Planning Commission deems compatible with the character and intent of the district.

Section 12 A.05 - Outdoor Storage Screening and Setback Requirements.

All storage of materials or equipment shall be in an enclosed building or within a fence not exceeding (10) feet in height. Storage of such material or equipment is not permitted in the front yard.

Section 12 A.06 - Abutting Residential District Setback Requirements.

Where this district abuts a residential dwelling along a common lot or property line, no building, storage, or commercial activity shall be located within fifty (50) feet thereto; however,

off-street parking of private passenger vehicles may be located not closer than ten (10) feet thereto.

Section 12 A.07 - Building Size, Height, Setbacks, and Lot Coverage Regulations.

All permitted principal and accessory use buildings and structures constructed in this district shall conform to the district requirements set forth in Article VII, Section 7.01.

Section 12 A.08 - Signs.

Two (2) On-Site ground signs in addition to marquee, canopy, directional, and wall signs are permitted for the purpose of advertising only the enterprise of the property on which the sign is located provided each individual sign conforms to the size and locations standards of Section 20.14, and provided the total area of all ground signs do not exceed one hundred (100) square feet of total combined sign area.

Seasonal temporary on-premises signs announcing the availability of seasonal farm products are permitted.

1. The total area of all signs shall not exceed sixty four (64) square feet.
2. Signs shall not exceed eight (8) feet in height.
3. Seasonal signs shall not be erected more than fifteen (15) days in advance of the harvest of the produce in question and shall be removed thirty (30) days from the end of harvest.
4. All signs shall be neat in appearance, with consistent lettering size.

Section 12 A.09 – Requirements for Commercial Use as a Bed & Breakfast.

A Special Land Use Permit is required for any building or structure to be used as a Bed and Breakfast Operation located in the C-2 Commercial District. A Bed and Breakfast Operation in the C-2 Commercial District shall conform to the following requirements in addition to any other requirements as so designated in the Special Land Use permit:

1. Number of sleeping rooms available to rent shall not exceed twelve (12)
2. A Bed & Breakfast facility shall consist of one building that provides bedrooms, bath facilities, dining room, and one or more common rooms for guests.
3. All parking must be in a designated area and the number of parking spaces shall not be less than one, nor shall it exceed one and one half (1½) spaces times the number of available sleeping rooms, and
4. The maximum stay period for guests shall be limited to ninety (90) days and be so publicly designated. This stipulation is intended so as to not permit the establishment to operate as a multi-family residence.
5. The owner of the Bed & Breakfast facility shall also reside on site.

Section 12 A.10- Accessory Buildings and Sheds

1. No accessory building shall be located in the front yard.
2. Accessory buildings shall be located not less than (10) feet from side property lines, fifteen (15) feet from the rear property lines and twenty (20) feet from the principle commercial structure.
3. Storage sheds as defined herein shall be located not less than three (3) feet from the side and rear property lines. Such storage sheds shall not exceed nine (9) feet in height measured to the roof peak. Sheds may not have permanent foundations or concrete floors.
4. No more than two (2) accessory building/storage sheds per parcel may be installed or constructed in this district.
5. The total square footage of the accessory building(s) may not exceed the square footage of the commercial structure.
6. Accessory use structures for Agricultural purposes fall under the setback requirements of the Michigan Right To Farm Act, P.A. 93, of 1981, as amended, and Generally Accepted Agricultural Management Practices promulgated thereto.

SECTION 5. Section 19.11 of the Coloma Charter Township Zoning Ordinance is hereby amended to read as follows:

D. AGRICULTURAL DISTRICT REQUIREMENTS: Fences located in the “AG-T” “AG-P” and “C-2” Districts shall comply with the following standards:

1. Fences on that portion of the property that is maintained as a residence shall be subject to the same fence regulations as fences in the Residential Districts. Fences on the remainder of the property shall not exceed 10 feet in height.

SECTION 6. Section 26.05 of the Coloma Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 26.05 - Commercial and Industrial PUD Minimum Size Requirements.

Unless elsewhere permitted or required, a commercial or industrial planned unit development will constitute a parcel of land of at least five (5) acres located in the C-1, C-2, M- 1, and M-2 Zoning District to be occupied by a principal building(s) with more than fifty thousand (50,000) square feet of usable floor area; the development shall be designed as an entity, intended to be substantially completed within three (3) years.

SECTION 7. Severability: If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

SECTION 8. Effective Date: This ordinance shall be effective eight (8) days after its publication in a newspaper of general circulation within Coloma Charter Township.

CHARTER TOWNSHIP OF COLOMA

Date: _____

By: _____
Kenneth Parrigin, Supervisor

Date: _____

By: _____
Sandra Kraemer, Clerk

Published Date: _____, 2010

Effective Date: _____, 2010