CHARTER TOWNSHIP OF HIGHLAND
ORDINANCE NO. Z-041

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF HIGHLAND ZONING ORDINANCE (CHAPTER 25 OF THE GENERAL CODE OF ORDINANCES) BY REVISING ARTICLE 4, DISTRICT REGULATIONS TO MODIFY REGULATIONS FOR ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS .

THE CHARTER TOWNSHIP OF HIGHLAND ORDAINS:

Section 1. *Amend* **Article 4 DISTRICT REGULATIONS** *as follows:*

Amend Section 4.04.C. District Intent and uses. *as follows*

C. Except as hereinafter provided, district regulations shall be applied in the following manner:
1. *Permitted uses.* Permitted uses shall be permitted by right only if specifically listed as principal permitted uses in the various zoning districts or are similar to such listed uses.
2. *Accessory uses and buildings.* Accessory uses and buildings are permitted only if such uses are clearly incidental to the permitted principal uses. Accessory uses and buildings shall not be established or constructed prior to construction of the principal building or establishment of the principal use to which it is accessory.
3. *Special land uses.* Special land uses are permitted as listed, subject to the procedures set forth in Article 6.
4. *Conditionally Permitted Structures.* A personal storage shed or shelter may be approved if all conditions of approval are satisfied when no other permitted use has been established subject to Section 10.37.
4.5. *Expressly prohibited uses.* Medical marihuana provisioning centers, safety compliance facilities, dispensaries, cooperatives, joint or shared growing facilities, and any other operation or facility similar in nature are expressly prohibited.

Amend Section 4.05. – Agricultural & Rural Residential District (ARR). Section B Permitted uses. by adding subsection B.13 as follows:

13. A personal storage shed or shelter subject to Section 10.37.

Amend Section 4.06. – Residential Districts (R-3, R1.5, LV). Section B Permitted uses. by adding subsection B.13 as follows:

13. A personal storage shed or shelter may be permitted in the R-3 and R-1.5 Zoning Districts only subject to Section 10.37.

Amend Section 4.15. Schedule of Regulations, Table 4.1. *as follows*

TABLE 4.1. SCHEDULE OF REGULATIONS

	Minimum Lot Size	Maximum Building Height (B)	Minimum Yard Setback (C, D, E, P, R, S)	Max. Lot Coverage	Min. Floor Area per

											Dwelling Unit
Zoning District	Area	Lot width	Stories	Feet	Front	Least Side	Total Side	Rear	Ordinary High Water Mark	Percent	Square Feet
ARR Q	5 acres (L)	330 ft.	2	28 (A)	75 ft. (G)	40 ft. (V)	80 ft. (V)	100 ft. (R,V)	65 ft.	10%	1,000 (750 first floor)
R-3	3 acres (L)	200 ft.	2	28 (A)	75 ft. (G)	40 ft. (V)	80 ft. (V)	100 ft. (R,V)	65 ft.	10%	1,000 (750 first floor)
R-1.5	65,000 sq. ft. (M)	150 ft.	2	28 (A)	50 ft. (G)	30 ft. (V)	60 ft. (V)	50 ft. (V)	65 ft.	15%	1,000 (750 first floor)
LV (H)	—-	—-	—-	—-	—-	—-	—-	—-	65 ft.	—-	—-
RM (I)	—-	—-	—-	—-	—-	—-	—-	—-	65 ft.	—-	—-
MH (J)	—-	—-	—-	—-	—-	—-	—-	—-	65 ft.	—-	—-
OS	30,000 sq. ft. (N)	120 ft.	2	25	80 ft. (F)	20 ft.	50 ft.	50 ft.	65 ft.	30%	N/A
C-1	30,000 sq. ft. (N)	120 ft.	2	25	80 ft. (F)	20 ft.	50 ft.	50 ft.	65 ft.	30%	N/A
C-2	30,000 sq. ft. (N)	150 ft.	2	25	80 ft. (F)	20 ft.	50 ft.	50 ft.	65 ft.	30%	N/A
C-3	30,000 sq. ft[N]	150 ft	2	25	80 ft.[F]	20 ft.[S]	50 ft.[S,T]	50 ft.[S,T]	65 ft.	varies[U]	N/A
HS (K)	—-	—-	—-	—-	—-	—-	—-	—-	65 ft.	—-	—-
TR (O)	30,000 sq. ft. (N)	150 ft.	2	30	40 ft. (F)	20 ft.	40 ft.	40 ft.	65 ft.	30%	N/A
IM (O)	30,000 sq. ft. (N)	150 ft.	2	30	75 ft. (F)	20 ft.	40 ft.	40 ft.	65 ft.	30%	N/A

Amend footnote R to Table 4.1 Schedule of Regulations and add Footnote V as follows:

R. For accessory buildings and structures in the ARR and R-3 Zoning District, the rear yard setback shall be fifty (50) feet unless otherwise modified by footnote V.

V. One accessory structure per parcel, no greater than 600 square feet and no taller than 18 feet to the peak of the roof, may be placed 20 feet from any required side or rear lot line.

Section 2. *Amend* **Article 10 SUPPLEMENTAL USE REGULATIONS** *as follows:*

Add Section 10.37. Conditionally Approved Storage Sheds and Shelters

Sec. 10.37 – Conditionally Approved Storage Sheds and Shelters for in ARR, R3 and R1.5 Zoning Districts

Intent. It is the intent of these regulations to allow for the placement of one storage shed or shelter on property where a principal residential use has not been established in order to facilitate property maintenance and lawful outdoor recreational use of the property. Such structures are not intended to be used for overnight accommodations or as a dwelling unit.

A. The minimum parcel size shall be three (3) acres
B. The maximum size of the structure shall be 200 square feet with a maximum height of 15 feet.
C. The structure shall comply with all required setbacks and the location shall not prevent reasonable future development of a conforming principal dwelling unit and necessary site improvements.
D. No sanitary facilities such as well and septic system.
E. No public utility connection (gas or electric).
F. Any electrical service through a generator or solar panel shall be limited to 1200 watts total and battery storage of up to 5 kWh.
G. No electric space heaters.
H. No commercial use of the property may be established including home occupation.
I. No outdoor storage is permitted.
J. No address shall be issued for the parcel until there is a valid application for a building permit for an approved principal use.
K. Upon establishment of a principal residential use, the structure shall become subject to all applicable accessory building regulations.

Section 3. Savings Clause

That nothing in this ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. Severability

The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 5. Adoption

This Zoning Ordinance amendment is hereby declared to have been adopted by the Charter Township of Highland Township Board at a meeting thereof duly called and held on_____

Section 6. Effective Date

The effective date of this Ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

_____
Rick A. Hamill, Township Supervisor

_____
Tami Flowers MiPMC, Township Clerk

CERTIFICATION OF CLERK

I hereby certify that the foregoing is a true and complete copy of a Zoning Ordinance amendment adopted by the Township Board of the Charter Township of Highland on _____, 2027 which was a regular meeting. I further certify that at said meeting there were present the following Board members:

I further certify that the adoption of said Zoning Ordinance amendment was moved by Board member _____ and supported by Board member _____

I further certify that the following Board members _____voted for adoption of the Zoning Ordinance amendment and Board members _____voted against the adoption of said Zoning Ordinance amendment.

I hereby certify that said Zoning Ordinance amendment has been recorded in the Ordinance Book in said Charter Township and that such recording has been authorized by the signature of the Township Supervisor and Township Clerk.

_____
Tami Flowers MiPMC, Township Clerk

Planning Commission Recommendation:
Introduction:
Adoption:
Published:
Effective Date: