

## **Section 3.5 Permitted Uses in Zoning Districts**

**A. Compliance with Zoning Regulations:** Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure, and every enlargement of, or addition to an existing use, building and structure, occurring after the effective date of this Ordinance, shall be subject to all regulations of this Ordinance that are applicable in the zoning district in which such use, building, or structure shall be located. Whenever any fill is placed in any lake or stream, the land thus created shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable for lands to which the same shall attach or be adjacent.

**B. Uses Permitted in Each Zoning District:** Tables 3-2 and 3-3 identify the principal land uses permitted in each of the Districts enumerated in Section 3.1. No land use shall be established on a lot except in conformance with Tables 3-2 and 3-3 or as may be provided elsewhere in this Ordinance. In order to ensure all possible benefits and protection for the zoning districts in this Ordinance, the Tables delineate whether a land use permitted in a particular District is a "Use Permitted by Right" or a "Special Land Use".

1. Uses Permitted by Right: Uses permitted by right are the primary uses, buildings and structures specified for which the District has been established, and are subject to plot plan or site plan approval except where provided otherwise.
2. Special Land Uses: Special land uses are uses, buildings and structures that have been generally accepted as reasonably compatible with the "uses permitted by right" in the District, but could present potential injurious effects upon such primary uses, buildings and structures within the District or are otherwise unique in character and therefore require special consideration in relation to the welfare of adjacent properties and/or to the Township as a whole. All such uses shall be subject to a public hearing and site plan approval. See Article 15, Procedures for Special Land Uses.

**C. Accessory Uses:** Unless otherwise specified in this Ordinance, accessory uses that are clearly incidental to, subordinate to and customarily associated with the principal use of the property are permitted in all Districts and shall conform to all applicable standards of this Ordinance, including Section 20.8 (Accessory Uses, Buildings and Structures). Examples of such accessory uses include, but are not limited to, household gardening in association with a dwelling, a private stable in association with a dwelling, the repair of vehicles in association with a vehicle dealership, and a parking lot serving an office building on the same lot. Except in the case of an approved home occupation or as may be expressly authorized elsewhere by this Ordinance, no retail sales, repair or the servicing of items shall be construed as an accessory use to the principal residential use of a lot.

### **D. Prohibited Uses:**

1. Use Not Listed is Prohibited: Any use of land not specifically permitted under this Ordinance is prohibited, including any use of land not specifically identified in Tables 3-2 and 3-3. The Planning Commission may initiate an amendment to the Ordinance to authorize an otherwise prohibited use and standards that will apply for that use. If the Township Board adopts such an ordinance amendment according to Article 17, then an application can be submitted for that use. See Section 17.2 regarding the initiation of amendments.
2. Non-Compliance with Local, County, State or Federal Law: Land uses, activities, buildings, structures, enterprises or purposes that are contrary to or which violate federal or state laws, county ordinances, this Ordinance or other Township ordinances are prohibited.
3. Approvals/Permits: No zoning approval, permit, variance, rezoning, site plan approval or zoning compliance permit shall be issued or granted by the Township for any use, activity, enterprise, structure or building that is illegal under Michigan law or federal law.