

**COOPER CHARTER TOWNSHIP
ORDINANCE NO. 258**

**AN ORDINANCE TO ADOPT AMENDMENTS TO THE TOWNSHIP ZONING
ORDINANCE**

The Charter Township of Cooper ordains:

SECTION 1. AMENDMENT OF SECTION 120.14

Sec. 120.14 of the Township's Zoning Ordinance entitled "Definitions" is hereby amended to add the following definitions:

Agricultural Service Business: A business engaged in providing services exclusively for the support of agricultural operations.

Residential Contractor's Office: A general contractor or builder conducting business out of an enclosed structure, which does not require outdoor storage of equipment or vehicles.

Rural Service Enterprise: Small-scale service business activities that are primarily performed at the customers property, while supporting economic development within rural areas without substantial commercial impacts on the rural agricultural character.

SECTION 2. AMENDMENT OF SECTION 120.110

Sec. 120.110 of the Township's Zoning Ordinance entitled "A" Agricultural District is hereby amended to amend subsection (A), which shall read as follows:

A. Description of District:

This district is composed of certain land in outlying areas presently of rural character. Such land is zoned for agricultural use with the intent that agriculture will be the principal land use within the foreseeable future. The regulations for this district are designed to stabilize and protect the essential characteristics of the district without unduly restricting its use solely to that of an agricultural nature. To these ends, development is limited to uses which are compatible with agricultural operations and would not be detrimental to rural character.

SECTION 3. AMENDMENT OF SECTION 120.110

Sec. 120.110 of the Township's Zoning Ordinance entitled "A" Agricultural District is hereby amended to add agricultural service businesses and rural service enterprises and to rearrange subsection (B), which shall read as follows:

B. Permitted Uses:

1. Any farm or agricultural activities including greenhouses, stock nurseries, and the raising of livestock, subject to the State of Michigan GAAMP's (Generally Accepted Agricultural Management Practices).
2. The sale of farm or dairy produce, which has been raised on the farm from which it is to be sold.
3. Composting, Agricultural (On-Site Source and On-Site Use).
4. Agricultural service business in conformance with Section 120.380.
5. Rural service enterprise in conformance with Section 120.380.
6. Single-family dwellings, and the accessory structures and uses normally auxiliary thereto; except that nothing in this section shall prohibit the conversion or alteration of any single-family structure, in existence at the time of passage of this Ordinance, into not more than two separate dwelling units, provided that such dwelling units shall conform with the following provisions:
 - a. That there shall be no change or alteration of the exterior of the dwelling to change its appearance from that of a single dwelling unit.
 - b. Any single-family dwelling converted under the provisions of this section shall be required to have within the enclosed walls of the original structure a total of not less than 1440 square feet of habitable floor area for two dwelling units.
 - c. There shall be a minimum habitable floor area of 720 square feet for each separate dwelling unit within any single-family structure which has been converted to house two families.
 - d. The provisions of this section shall apply only to the conversion of single-family dwellings and shall not be construed to permit the construction of two-family dwellings.
7. Home occupations when in accordance with Section 120.340.
8. Signs when in accordance with the provisions of Section 120.320.
9. Accessory uses or buildings, when in accordance with the provisions of Section 120.410.
10. Essential services.

11. State licensed residential facility, which provides resident services for six (6) or less persons under 24-hour supervision or care.
12. A family day care home licensed or registered pursuant to Act No. 116 of the Public Acts of 1973, as amended, where (1) it is conducted in the bona fide private residence of the operator of the family day care home; and (2) it is conducted in accord with the requirements of Act No. 116 of the Public Acts of 1973, as amended, and the rules promulgated pursuant to said Act.
13. Private Solar Energy Systems when in accordance with Section 120.470.

SECTION 4. AMENDMENT OF SECTION 120.380

Sec. 120.380 of the Township's Zoning Ordinance entitled "Reserved" is hereby amended to add the following language in its entirety:

120.380 Agricultural Service Business or Rural Service Enterprise

Any Agricultural Service Business or Rural Service Enterprise shall be operated in conformance with the following conditions and limitations.

A. Permitted Uses.

1. Agricultural Service Businesses:
 - a. Grain and seed elevators for storage, drying, and wholesale of agricultural products.
 - b. Veterinary clinic.
 - c. Wholesale and distribution facilities of agriculturally related products, such as bulk feed, fertilizer, and seed.
2. Rural Service Enterprises:
 - a. Landscape/lawn maintenance service providers.
 - b. Pest control service providers.
 - c. Residential contractor's office.
 - d. Residential handyman repair.

B. General Provisions.

1. May only be established on a parcel of at least three (3) acres.

2. Only one business may operate from the subject property.
3. Buildings or structures.
 - a. Shall be designed and located on the site to create the least amount of conflict with agricultural uses and rural character.
 - b. Buildings or structures related to the business or enterprise shall be limited in scale so that it is in character with rural development and in no case shall more than 5,000 square feet of total area be constructed or utilized for the business or enterprise.
 - c. If the business or enterprise is located on a parcel with a primary residence, all buildings or structures related to the business or enterprise shall be considered accessory to the single-family residence. The total accessory building square footage for the primary residence shall be in compliance with Section 120.410 herein. Buildings or structures related to the business or enterprise shall be in compliance with Section 120.380.B.3.b noted above.
4. The front yard setback shall be a minimum of 75 feet.
5. Retail sales is prohibited on site, except for specialty products needed by veterinary clinics.
6. All uses, except for those that relate to growing or storing plants, must be conducted within a fully enclosed building.
7. Storage of materials must be done within fully enclosed buildings or structures, unless specifically permitted herein.
8. No outdoor display of goods is permitted.
9. Access to the property shall be achieved from a County primary road as permitted by the Road Commission of Kalamazoo County. If access to a County primary road is not permitted, vehicles and equipment from the business or enterprise must take the shortest direct route to the nearest County primary road.
10. If adjacent to residentially zoned or used property, a minimum buffer area of 100 feet is required at the property line adjacent to such zone or use. In addition, screening must be provided within this buffer area which meets the requirements of Section 120.350.
11. Only one freestanding sign is permitted, consistent with the sign standards in Section 120.320.
12. Hours of operation shall be from 7:00 am to 8:00 pm Monday through Friday and

9:00 am to 6:00 pm Saturday and Sunday.

C. Specific Provisions for Rural Service Enterprises.

1. No customers are permitted on the subject property.
2. Outdoor storage of natural products, such as natural landscape materials, is permitted if the location of the outdoor storage is completely screened from any road right-of-way or residentially zoned or used property.
3. Heavy equipment including but not limited to heavy duty rated trucks, cranes, crawler-type tractors, earth movers, dump trucks, cement mixers, or other equipment of equal or greater size and weight are prohibited.
4. Off-site materials, such as yard clippings, landscape waste, demolition debris, etc. may not be brought to the property for disposal or burning.

D. Zoning Administrator Review. A zoning review shall be required for any Agricultural Service Business or Rural Service Enterprise to ensure the requirements outlined herein have been met and the rural character of the area is maintained. An appeal of the Zoning Administrator's determination shall follow the procedures of Section 120.90 herein.

SECTION 5. VALIDITY AND SEVERABILITY.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 6. REPEALER.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be published and take effect seven days after publication as provided by law.

Approved this ____ day of _____, 2021.