

Region 2 Planning Commission

Serving Hillsdale, Jackson and Lenawee Counties

To: Township of Somerset residents and property owners and
Township of Somerset Planning Commission, Clerk, and Board of Trustees

From: Grant Bauman, Principal Planner

Date: June 1, 2020

Subject: **The proposed Township of Somerset Zoning Ordinance**

The Zoning Ordinance of Somerset Township, the current Zoning Ordinance, was adopted on February 27, 1973, and has been amended multiple times over the years. Some of those amendments were never incorporated into a single text and map and it appears that officials may be referencing different versions of the Zoning Ordinance. The Zoning Ordinance could also benefit from reorganization and the correction of spelling and grammar mistakes. Finally, Michigan legislation authorizing zoning at the township level has also changed significantly since 1973.

Given the issues summarized above, the Township Planning Commission proposes the adoption of a new Zoning Ordinance, to be referred to as the *Township of Somerset Zoning Ordinance*, using the current Zoning Ordinance text as its basis with the following changes:

1. The Zoning Ordinance is reorganized into the following Articles:
 - I. 'In General' – a combination of most of the sections contained in Articles I and II of the current Zoning Ordinance.
 - II. 'Zoning Districts' – a combination of Articles III and IV of the current Zoning Ordinance, and replacing the individual listings of permitted and conditional uses for each Zoning District with a series of tables listing those uses and indicating in which Zoning Districts they are allowed as either a permitted or conditional use.

Also combined any separate uses contained in the individual listings which have little or no real differences into a single use and assigned the districts in which it is a permitted or conditional use. In cases where a use was not assigned to a district, or there were discrepancies in assignment, appropriate assignments were made.
 - III. 'Supplemental Regulations' – a combination of regulations contained in sections from Articles V and VI of the current Zoning Ordinance which pertains to development in general (e.g., parking, fences, home occupations).
 - IV. 'Administration and Amendment of the Zoning Ordinance' – a combination of regulations contained in sections from Articles V, VI, and VIII of the current Zoning Ordinance which pertain to its administration (e.g., nonconformities, site plans, conditional uses) and amendment.
 - V. 'Township Zoning Board of Appeals' – Article VII of the current Zoning Ordinance, which pertains to the Township Zoning Board of Appeals.
 - VI. 'Definitions and Undefined Terms' – a combination of most of sections contained in Article II of the current Zoning Ordinance pertaining to definitions and undefined terms.

- VII. 'Legal Status' – Article VII of the current Zoning Ordinance which pertains to the Township Zoning Board of Appeals.
2. Various non-substantive corrections were made to the text, including:
- Spelling and grammar corrections.
 - Consistent use of terminology (e.g., 'Township of Somerset', 'Zoning Ordinance', 'Township Zoning Administrator').
 - Verification/correction of citations to other sections of the Zoning Ordinance (including hyperlinks to those sections).
 - Verification/correction of state statute citations (including hyperlinks to the legislation).
3. A few substantive corrections and deletions, including:
- Various reconciliations to bring the Zoning Ordinance into procedural compliance with the Michigan Zoning Enabling Act (e.g., 'aggrieved' rather than 'affected' parties pertaining to zoning decision appeals).
 - Zoning District changes:
 - 'Lake Residential (RL-1)' – The District Area, Yard, Height, and Bulk Requirements' for the current 'RU-1' district were utilized for the new 'RL-1' district, with the exception of making the minimum lot size for 'all other uses' 120 feet and the minimum setbacks for the front yard 25 feet and side yard 6 feet (12 feet total).
 - 'Suburban Residential (RS-1)' – the combination of the current 'RS-1' district with current 'RU-1' district into the new 'RS-1' district.

The District Area, Yard, Height, and Bulk Requirements' for the current 'RS-1' district were utilized for the new 'RS-1' district, with the exception of making the minimum setbacks for the front yard 25 feet, side yard 6 feet (12 feet total), and rear yard 25 feet.
 - 'General Commercial (C-1)' – the combination of the current 'Local Residential (C-1)' and 'General Commercial (C-2)' districts into the new 'C-1' district.

The District Area, Yard, Height, and Bulk Requirements' for the current 'C-1' and 'C-2' districts are the same and are retained for the new 'C-1' district.
 - 'Highway Service Commercial (C-2)' – renaming the current 'Highway Service Commercial (C-3)' district as the new 'C-2' district.