

TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN

ORDINANCE NO. 101
Adopted: October 12, 2000

AN ORDINANCE TO AMEND ORDINANCE NO. 87 OF CHIKAMING TOWNSHIP ENTITLED: AN ORDINANCE TO ESTABLISH COMPREHENSIVE ZONING REGULATIONS FOR THE TOWNSHIP OF CHIKAMING, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE TOWNSHIP RURAL ZONING ACT, ACT 184 OF THE PUBLIC ACTS OF 1943, AS AMENDED, BY ACT 637, OF THE PUBLIC ACTS OF 1978, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE PENALTIES FOR VIOLATIONS HEREOF.

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, MICHIGAN ORDAINS:

Section 1.

ARTICLE 2, Section 2.05 ("C"), is hereby amended by the addition thereto of the following:

Child Care Center.- A facility, other than a private residence, receiving minor children for care for periods of less than 24 hours in a day, and where the parents or guardians are not immediately available. It includes a facility which provides care for not less than two (2) weeks, regardless of the number of hours of care per day. These facilities are generally described as day care centers, day nurseries, preschools or drop-in centers. This definition shall not include a Sunday School or nursery operated by a religious institution where children are cared for during short periods of time while persons responsible for such children are attending religious services.

Section 2.

ARTICLE 2, Section 2.06 ("D"), is hereby amended by the addition thereto of the following:

Day Care Center. - See Child Care Center.

Section 3.

ARTICLE 5, Section 5.04, Special Land Uses, is hereby amended by the addition thereto of the following:

15. Child Care Centers.

Section 4.

ARTICLE 6, Section 6.04, Special Land Uses, is hereby amended by the addition thereto of the following:

15. Child Care Centers.

Section 5.

ARTICLE 7, Section 7.04, Special Land Uses, is hereby amended by the addition thereto of the following:

20. Child Care Centers.

Section 6.

ARTICLE 9, Section 9.02, Permitted Principal Uses, is hereby amended by the addition thereto of the following:

29. Child Care Centers.

Section 7.

ARTICLE 9, Section 9.03, Special Land Uses, is hereby amended by the addition thereto of the following:

11. Outdoor serving areas at restaurants, delicatessens, refreshment stand and other dispensaries of prepared food or beverages at retail.

Section 8.

ARTICLE 10, Section 10.02, Permitted Principal Uses, is hereby amended by the addition thereto of the following:

10. Child Care Centers.

Section 9.

ARTICLE 11, Section 11.04, Special Land Uses, is hereby amended by the addition thereto of the following:

15. Child Care Centers.

Section 10.

ARTICLE 19, Section 19.09, Additional Standards for Approval of Specific Special Land Uses, is hereby amended by the addition thereto of the following:

- T. Childs Care Centers.

1. Off-street parking spaces shall be provided in a quantity sufficient to accommodate employees and visitors. However, the extent of pavement coverage of the front yard shall be limited to be visually compatible with surrounding area.

2. Whenever an off-street parking area is within or adjacent to a residential zoning district, a continuous obscuring wall, fence and/or landscaped area at least 4 feet in height shall be provided between the parking area and the adjacent residential district. The Planning Commission may reduce this buffer requirement in cases where existing vegetation or topographic conditions provide sufficient screening.

3. Adequate fencing shall be provided around outdoor exercise/play areas, for the safety of persons in care.

4. Off-street vehicular pickup and drop off areas shall be provided, and shall be located so as to protect pedestrians from moving vehicles, and to permit vehicular ingress and egress without backing of vehicles into the public street.

Section 11.

ARTICLE 21, Section 21.02, When Required, is hereby amended to read as follows:

- A. Site plans are required for the following types of applications:
1. Any new use or expansion of an existing permitted principal use in the Commercial (C) or Light Industrial (M) zoning districts.
 2. Any new special land use or physical expansion of an existing special land use in any zoning district.
 3. Any non-residential permitted principal use in the Single Family Residential (R-1), Residential Rural Estate (R-2), Two-Family and Multiple-Family Residential (R-3), Agricultural (AG), Floodplain (F) and Recreation (RE) zoning districts, with the exceptions of farms, forest preserves, conservation areas and game refuge areas in the AG or R-2 zoning districts.
 4. Planned unit development in any zoning district.
 5. Condominium subdivisions in any zoning district.
- B. A site plan is also required as part of an application for a variance from provisions of this Ordinance submitted to the Zoning Board of Appeals.
- C. Site plans shall be reviewed and approved by the Zoning Administrator and, if required by other articles of this ordinance, by the Planning Commission and Township Board. Review and approval of site plans for large or complex applications having a significant impact on the surrounding community may be referred to the Planning Commission upon judgment of the Zoning Administrator. The Planning Commission may, in turn, refer site plans to the Township Board for final approval.
- D. A site plan (in the number of copies indicated) shall be prepared and submitted as part of any application for the following:
1. Site plans subject to Zoning Administrator review and approval. (2 copies)
 2. Site plans for special land use permits, planned unit developments, and site condominiums subject to Planning Commission and Township Board approval. (15 copies)
 3. Variances. (7 copies)

Section 12.

Enactment. The foregoing changes and amendments to Ordinance No. 87, the Chikaming Township Zoning Ordinance, were enacted on the 12th day of October, 2000, by the Township Board of Chikaming Township,

Berrien County, Michigan, and ordered to take effect on the 1st day of November, 2000, the same being more than seven (7) days after its publication.

Jeanne S. Dudeck
Jeanne S. Dudeck, Clerk
Township of Chikaming

Attest:

Carl R. Anderson
Carl R. Anderson, Supervisor
Township of Chikaming

CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 101, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 12th day of October, 2000. I further certify that Zimmerman moved the adoption of said ordinance and Gibson supported said motion. The names and the members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Zimmerman	<u> x </u>	_____	_____	_____
Gibson	<u> x </u>	_____	_____	_____
Simmons	<u> x </u>	_____	_____	_____
Dudeck	<u> x </u>	_____	_____	_____
Anderson	<u> x </u>	_____	_____	_____

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 16th day of October, 2000, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full in the Southcounty Gazette, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 23rd day of October, 2000.

Dated: October 16, 2000

Jeanne S. Dudeck
Jeanne S. Dudeck, Clerk
Township of Chikaming