

ARTICLE 2
ZONING DISTRICTS IN GENERAL

Sec. 2-01 Zoning Map

(a) **Established.** The boundaries of these districts are hereby established as shown on the Zoning Map, Township of Brighton Zoning Ordinance, with all notations, references, and other information shown thereon shall be as much a part of this Ordinance as if fully described herein.

(b) **Adoption of Map.** All zoning districts are hereby described by the boundaries established by the Official Zoning Map of the Charter Township of Brighton as adopted March 16, 2004 by the Township Board, published and effective April 5, 2004, this map being a compilation of the geographic designation of all zoning districts, including changes or amendments formally approved by action of the Township Board since the December 29, 1993 Zoning Map which was adopted December 21, 1993.

(c) **Signature.** The Official Zoning Map shall be identified by the signature of the Township Supervisor attested by the Township Clerk, under the following words:

"This is to certify that this is the Official Zoning Map referred to in **Section 2-01** of the Zoning Ordinance of the Charter Township of Brighton March 16, 2004. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, those changes shall be made on the Official Zoning Map after the amendment has been approved by the Township Board together with an entry on the Official Zoning Map as follows: On (date), by official action of the Township Board, the following change(s) were made: (brief description with reference number to Board proceedings)."

(d) **Official Copy.** One (1) copy of the Official Zoning Map is to be maintained and kept up-to-date by the Township Clerk's Office, accessible to the public, and shall be final authority as to the current zoning status of lands, buildings, and other structures in the Township.

Sec. 2-02 Zoning Districts

For the purpose of this Ordinance, the Township is hereby divided into the following districts which shall be known by the following names and symbols:

Table 2-02 Zoning Districts	
Residential Districts	
R-CE	Residential Country Estates District
R-C	Residential Country District
R-1	Residential Single Family District
R-2	Residential Single Family District
R-3	Residential Single Family District
R-4	Residential Single Family District
R-5	Waterfront Residential
RM-1	Residential Multiple Family District
RMH	Residential Manufactured Home District
Non Residential Districts	
B-1	Local Business District
B-2	General Business District
B-3	Special Business District
OS	Office Service District
I-1	Industrial District
NR	Natural Resources District
P-SP	Public/Semi-Public District

(Ord. #243, 8/1/08)

Sec. 2-03 Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map, the following rules apply:

- (a) **Right-of-Ways.** Boundaries indicated as approximately following the center lines of streets, highways, or alleys, shall be construed to follow the center lines.
- (b) **Lot Lines.** Boundaries indicated as approximately following platted lot lines shall be construed as following the lot lines.
- (c) **Section Lines.** Boundaries indicated as approximately following section lines or other lines of a government survey shall be construed as following the section lines or other lines of a government survey as they exist as of the effective date of this Ordinance or applicable amendment thereto.

(d) **Township Boundaries.** Boundaries indicated as approximately following Township limits shall be construed as following Township limits.

5 (e) **Rail Roads.** Boundaries indicated as following railroad lines shall be construed to be the midway between the main tracks.

10 (f) **Shorelines.** Boundaries indicated as following shorelines shall be construed to follow the shorelines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow the center lines.

15 (g) **Parallel Boundaries.** Boundaries indicated as parallel to or extensions of features indicated in subsections (a) through (f) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

20 (h) **Interpretation.** Where physical or natural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections (a) through (g) above, the Township Planner shall interpret the district boundaries. That interpretation may be further appealed to the Zoning Board of Appeals under *Article 22*.

25 **Sec. 2-04 Zoning of Vacated Areas**

30 Whenever any street, alley, or other public way within the Township shall be vacated, the street, alley, or other public way or portion thereof, shall automatically and without further action of the Township Board be classified in the same zoning district and be subject to the same zoning regulations as the property to which it adjoins and becomes attached.

Sec. 2-05 District Requirements

35 All buildings and uses in any district shall be subject to the provisions of *Articles 3 through 12*.

Per *Chapter 25* of the Brighton Township Code of Ordinances, any property owner that applies for a water well restricted zone must adhere to all requirements listed in that chapter.

5 **Sec. 2-06 Prohibition of Recreational Marihuana Establishments**

- 10 (a) Marihuana establishments, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act (the “Act”), are prohibited in all zoning districts, and shall not be permitted as home occupations under ***Section 3-07*** of this Zoning Ordinance.
- 15 (b) No use that constitutes or purports to be a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter or any other type of marihuana related business authorized by the Act, that was engaged in prior to the enactment of this Ordinance, shall be deemed to have been a legally established use under the provisions of the Charter Township of Brighton Code of Ordinances; that use shall not be entitled to claim legal nonconforming status.
- 20 (c) Violations of this section are considered a municipal civil infraction punishable by a civil fine of \$500, plus court-imposed costs, and are subject to the violations and penalties pursuant to ***Section 23-09*** of this Zoning Ordinance and if provided for separately may be abated as nuisances pursuant to ***Section 23-09***.
- 25 (d) This section does not supersede rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the Charter Township of Brighton to the extent provided by the Act, and the consumption of marihuana on private property to the extent authorized by the person who owns, occupies, or operates such property and does not supersede rights and the regulations under ***Section 2-06*** of this ***Article 2*** with respect to medical marihuana facilities established pursuant to the Michigan Medical Marihuana Act.
- 30 (e) In conformance with Sections 4.1(e) and 6.2(b) of the Act, the sale or consumption of marihuana in any form and the sale or display of marihuana
- 35

CHARTER TOWNSHIP OF BRIGHTON ZONING ORDINANCE

accessories, as defined by the Act, is prohibited in any public places within the boundaries of the Charter Township of Brighton.

(Ord. # 270, 5/3/19), (Ord. # 264, 5/1/15), (Ord. #250, 5/27/11)