

ARTICLE 1**TITLE, PURPOSE AND LEGAL CLAUSES****5 SECTION 1.01 TITLE**

This Ordinance shall be known and may be cited as "The Charter Township of Highland Zoning Ordinance," or the "Zoning Ordinance."

10 SECTION 1.02 PURPOSES

The Michigan Zoning Enabling Act (Public Act 110 of 2006), as amended, establishes the right to adopt comprehensive zoning regulation, and empowers the Township to enact a zoning ordinance and provides for its administration, enforcement and amendment;

- 15 A. The Township deems it necessary to enact said regulations for the purpose of promoting and protecting the health, safety, comfort, convenience and general welfare of its residents;
- 20 B. The Township has prepared and adopted a Master Plan designed to guide growth in a logical and orderly fashion; to lessen congestion on the public streets; to protect and preserve its natural resources, and to ensure a well-balanced community considering its present and potential physical, economic, cultural and environmental assets;
- 25 C. The Township has identified districts and prepared regulations pertaining to such districts in accordance with the Highland Township Master Plan and for the specific purposes of:
- 30 1. Promoting and protecting the public health, safety, and general welfare;
2. Create a diversified and balanced mixture of land uses that will support the economic viability, tax base and livability of the Township;
- 35 3. Regulate the intensity of land development to ensure compatibility among land uses and, where applicable, provide transitions between land uses to reduce the negative physical and visual impact on adjacent properties;
4. Protecting the character and stability of the recreational, agricultural, residential, commercial, industrial, and public lands within Highland Township;
- 40 5. Provide a solid residential base that will offer a variety of needed housing opportunities and protect residential areas from incompatible land uses;
6. Provide industrial, commercial and office uses that offer diversity of services for different target markets that are appropriately located for convenience and safety.

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- 7. Providing adequate light, air, and privacy to property;
- 8. Preserve and improve the capacity and safety of the existing road system to mitigate direct impacts of new development where possible;
- 9. Conserving life, property, and natural resources;
- 10. Stewarding the expenditure of funds for public improvements and services; and
- 11. Conserving the taxable value of land, buildings, and structures of Highland Township

SECTION 1.03 VALIDITY AND SEVERABILITY

- A. If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling.
- B. If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building, or structure, such ruling shall not affect the application of said provision to any other parcel, lot, use, building, or structure not specifically included in said ruling.

SECTION 1.04 SCOPE AND CONSTRUCTION OF REGULATIONS

- A. This Ordinance shall be liberally construed in such manner as to best effectuate its meaning and purpose. In interpreting and applying the provisions of this Ordinance, the requirements shall be held to the minimum requirements for the promotion of the public health, safety, convenience, comfort, prosperity and general welfare.
- B. No building or structure, or part thereof, shall be erected, constructed, reconstructed or altered and maintained, and no new use or change of use shall be made or maintained of any building, structure or land, or part thereof, except as permitted by and in full conformity with the provisions of this Ordinance.

SECTION 1.05 CONFLICT WITH OTHER LAWS

- A. Where any condition imposed by any provision of this Ordinance upon the use of any lot, building, or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance or by the provision of an ordinance adopted under any other law, the provision which is more restrictive or which imposes a higher standard or requirement shall govern.
- B. This Ordinance is not intended to abrogate or annul any easement, covenant or other private agreement provided that where any provision of this Ordinance is more restrictive

or imposes a higher standard or requirement than such easement, covenant or other private agreement, the provision of this Ordinance shall govern.

- 5 C. Nothing within this Ordinance shall be construed to prevent compliance with an order by the appropriate authority to correct, improve, strengthen, or restore to a safe or healthy condition, any part of a building or premises declared unsafe or unhealthy.

SECTION 1.06 REPEAL OF ORDINANCE

- 10 The Charter Township of Highland Zoning Ordinance, and all amendments thereto, and all prior zoning ordinances of Highland Township, are hereby repealed effective coincident with the effective date of this Ordinance.

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