



**CHARTER TOWNSHIP OF TEXAS ORDINANCE NO. 357
ORDINANCE TO AMEND THE CLEARZONING ORDINANCE
REGARDING
SECTIONS 36-2.2, 36-3.1.5 – 3.1.7, 36-3.1.21, 36-4.22, 36-4.56, and 36-5.7.**

**Adopted:
Published:
Effective:**

Section 1. Amendment to Article 2.

Article 2, Section 2.2 of the Township’s Zoning Ordinance entitled “Definitions” is hereby amended to add to new definitions as follows:

36-2.2 DEFINITIONS

- *Institutions of Charity, Eleemosynary, or Philanthropy* means a nonprofit or not-for-profit tax-exempt person, firm, organization, or corporation that benefits society or a specific group by providing services or the distribution of funds with no expectation of material reward.

- *Grass Roots Organization* means an institution of charity, eleemosynary, or philanthropy that has an annual operating budget of \$250K or less and no more than five employees at any given time.

Section 2. Amendment to Article 3.

Article 3, Section 3.1.5 of the Township’s Zoning Ordinance entitled “R-3 Residential District, Single and Two Family” is hereby amended to remove subsection C.iv as follows:

3.1.5.C SPECIAL EXCEPTION USES

- iv. Eleemosynary, charitable, and philanthropic institutions.

Section 3. Amendment to Article 3.

Article 3, Section 3.1.6 of the Township’s Zoning Ordinance entitled “R-4 Residential District, Multiple Family” is hereby amended to remove subsection C.iv as follows:

3.1.6.C SPECIAL EXCEPTION USES

- iv. Eleemosynary, charitable, and philanthropic institutions

Section 4. Amendment to Article 3.

Article 3, Section 3.1.7 of the Township’s Zoning Ordinance entitled “R-5 Residential District, High Density Multiple Family” is hereby amended to remove subsection C.iv as follows:

3.1.7.C SPECIAL EXCEPTION USES

- iv. Eleemosynary, charitable, and philanthropic institutions

Section 5. Amendment to Article 3.

Article 3, Section 3.1.21 of the Township’s Zoning Ordinance entitled “RC Resource Conservation” is hereby amended to read as follows:

3.1.21.B PRINCIPAL PERMITTED USES

- vii. Single family dwellings established prior to May 8, 2017, as long as the property has a minimum lot area of 14,500 SF with sewer or 35,800 SF without sewer AND a minimum lot width of 110’ with sewer or 165’ without sewer. Any new single family residential lot with frontage on a county primary road must have at least 330 feet of frontage.

Section 6. Amendment to Article 4.

Article 4, Section 4.22 of the Township’s Zoning Ordinance entitled “Institutions, Charitable, Eleemosynary, Philanthropic” is hereby amended to read as follows:

36-4.22 INSTITUTIONS OF CHARITY, ELEEMOSYNARY, OR PHILANTHROPY

- 1. Grass Roots Organizations.
 - A. A minimum of 10 contiguous acres shall be required.
 - B. Total building coverage shall be five (5) percent or less of the total land area.
 - C. Small educational, volunteer, and recreational events directly related to the charitable or philanthropic organization are permitted.
 - D. No more than 50 persons shall be permitted on the premises at any one time unless approved by the Planning Commission through the special exception use process.
 - E. Rental of facilities to outside organizations is prohibited.
 - F. A single-family home is permitted on site for the property owner or manager of the organization. The single-family home and any residential accessory buildings and

structures shall be regulated by the underlying zoning district, but at no time shall building coverage exceed the five percent noted in 36-4.22.1.B.

G. Organizations involved in the keeping of livestock must provide a caretaker that lives in onsite housing. This may be the property owner or an assigned caretaker.

2. All Other Organizations.

A. A minimum of 100 contiguous acres of area shall be required.

B. Total building coverage shall be 2.5 percent or less of the total land area.

C. No more than 500 persons shall be permitted on the premises at any one time unless an assembly permit has been granted in advance by the Township Board, acting in its discretion.

D. Rental of facilities to others than charitable, eleemosynary, or philanthropic organizations is limited to 14 continuous days per tenant, with at least seven days of nonrental before re-rental to the same organization. Use by such organizations is restricted to uses compatible with the uses authorized by the special exception use permit and to its surroundings and purposes, without any adverse impact on the surrounding neighborhood. No rental of facilities shall be permitted unless specifically authorized in the special exception use permit.

3. General Requirements

A. The use shall have frontage on an existing or officially proposed road.

B. Hours of outdoor activities shall be limited to 7:00 a.m. to 10:00 p.m.

C. All outdoor lighting shall be shaded, shielded, and/or directed so that light shall not be visible from adjacent properties and public rights-of-way.

D. Snowmobiles, recreational vehicles, ATV's, motorized boats, motorcycles, or any other similar vehicle, or use thereof, is prohibited. However, use of motorized vehicles and motorized equipment for safety purposes, maintenance, and support of institutional programming purposes may be permitted by the Planning Commission, but not more than a total of 15 such vehicles or items of equipment shall be permitted or used on the property for such purposes.

E. A minimum of 200 feet of road frontage is required.

F. Use of alcoholic beverages or beer shall be prohibited, unless specifically permitted by the Planning Commission through the special exception use process.

- G. Off-street parking facilities shall be provided to satisfy average parking needs. Parking shall be setback a minimum of 25 feet from any property line. The Planning Commission may reduce this requirement as part of the special exception use review if adequate opaque screening is provided between the parking and the neighboring property line.
- H. Parking shall be designed so no vehicle movements are required to occur within the public right-of-way.
- I. Buildings and activities shall be at least 100 feet from any residentially zoned or used property. The Planning Commission may reduce this requirement as part of the special exception use review if adequate opaque screening is utilized to protect adjacent residentially zoned or used properties.
- J. Public restroom facilities, either temporary or permanent, shall be provided onsite and must comply with the Americans with Disabilities Act of 1990 when legally required.

Section 7. Amendment to Article 4.

Article 4, Section 4.56 of the Township’s Zoning Ordinance entitled “Single-Family Dwellings in the RC District” is hereby amended to read as follows:

4.56 SINGLE-FAMILY DWELLINGS IN THE RC DISTRICT

Single family dwellings established prior to May 8, 2017, as long as the property has a minimum lot area of 14,500 SF with sewer or 35,800 SF without sewer AND a minimum lot width of 110’ with sewer or 165’ without sewer. Any new single family residential lot with frontage on a county primary road must have at least 330 feet of frontage.

Section 8. Amendment to Article 5.

Article 5, Section 5.7 of the Township’s Zoning Ordinance entitled “Parking Requirements” is hereby amended to read as follows:

5.7.5. Requirements for Parking Spaces and Lots

- A. For 90-degree parking, each automobile parking space shall be not less than 171 square feet nor less than nine feet wide exclusive of driveway and aisle space. See table 36-5.7.5.

Section 9. 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 10. Repealer Clause.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 11. Effective Date.

This ordinance shall take effect seven days after publication as provided by law.