

CHARTER TOWNSHIP OF COMSTOCK

ORDINANCE No. 563

ADOPTED: December 15, 2025

EFFECTIVE: EIGHT DAYS AFTER PUBLICATION AFTER ADOPTION

An Ordinance to amend the Township Zoning Ordinance to amend certain provisions related to residential accessory structures and to amend provisions concerning the keeping of chickens as an accessory use; to repeal all ordinances or parts of ordinances in conflict herewith, and to provide an effective date.

CHARTER TOWNSHIP OF COMSTOCK KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I AMENDMENT TO ARTICLE 5 SECTION 5.1

Article 5 Section 5.1 of the Township Zoning Ordinance entitled “residential accessory buildings and structures” is amended by replacing the table in subsection “C.1.” to read as follows:

Table 5.1(C)(1) accessory Building permitted floor space	
Lot Size	Permitted Total Floor Space
20,000 sq. ft. or less	1,440 sq ft
20,001—one acre	1,920 sq ft
1.01 acres—2.99 acres	2,600 sq ft
3.00 acres—4.99 acres	3,600 sq ft
5.00 acres—9.99 acres	4,600 sq ft
10.00 acres or more	5,600 sq ft

SECTION II AMENDMENT TO ARTICLE 5 SECTION 5.1

Article 5 Section 5.1 of the Township Zoning Ordinance entitled “residential accessory buildings and structures” is amended by revising subsection “C.5.” to read as follows:

5. Accessory buildings not structurally attached to the residence shall not:

- a. Exceed a height of 25 feet, measured from the building grade to the highest point of the building;

- b. Occupy more than twenty-five (25) percent of the required rear yard (the area measured from the side property lines, the depth of the rear yard setback for which the property is zoned); or
- c. Be located closer than five (5) feet from any side or rear property line. Such structure shall be located a minimum of ten (10) feet from another structure on an adjacent property OR setback the distance required by the Michigan Building Code as adopted by the Township Building Authority.

SECTION III
AMENDMENT TO ARTICLE 5 SECTION 5.1

Article 5 Section 5.1 of the Township Zoning Ordinance entitled “residential accessory buildings and structures” is amended by revising subsection “C.6.” to read as follows:

- 6. All accessory structures shall be located on the same lot as the principal use. Structures utilized for agricultural purposes on agricultural land may be exempt from this provision. Structures are subject to meeting the size, height, and location requirements set forth in subsection C, or otherwise expressly approved by the Planning Commission.

SECTION IV
AMENDMENT TO ARTICLE 5 SECTION 5.1

Article 5 Section 5.1 of the Township Zoning Ordinance entitled “residential accessory buildings and structures” is amended by removing subsection “D.3.” in its entirety and to amend the subsection numbers to account for the deletion.

SECTION V
AMENDMENT TO ARTICLE 5 SECTION 5.1

Article 5 Section 5.1 of the Township Zoning Ordinance entitled “residential accessory buildings and structures” is amended by revising subsection “D.5.” to read as follows:

All applications requiring a special land use permit hereunder shall be accompanied by one (1) print copy and one (1) digital copy, of a site plan of the subject property, drawn to a selected scale. A submitted site plan shall contain the following information; failure to include the following information may render the application to be considered incomplete, in which the application may not be placed for consideration before the Planning Commission:

- a. A north arrow and notation of the selected scale used.
- b. All property lines shall be shown with their dimensions.

c. Location and dimensions of all existing and proposed structures (including the height of all proposed accessory buildings) on the subject property and any existing buildings on adjacent property within fifty (50) feet of the subject property.

d. Location of any septic tank and/or dry well on the subject property.

Planning Commission approval of the above required site plan under the standards in Section 6.1 Site plan review procedures, subsection D shall satisfy the site plan submission and approval requirements of Section 6.1 Site plan review procedures, subsection A through subsection D of this Ordinance.

SECTION VI
AMENDMENT TO ARTICLE 4 SECTION 4.12

Article 4 Section 4.12 of the Township Zoning Ordinance entitled “Chickens (hens) as an accessory use” is amended by revising subsection “B.” (not including the subsections thereto) to read as follows:

B. The keeping of chickens that are utilized exclusively by the person(s) occupying a single-family dwelling as a locally grown food source for the consumption of eggs or meat, is permitted as accessory to the residential use if all of the following are satisfied:

SECTION VII
AMENDMENT TO ARTICLE 4 SECTION 4.12

Article 4 Section 4.12 of the Township Zoning Ordinance entitled “Chickens (hens) as an accessory use” is amended by renumbering existing subsection “B.1.” to “B.2.” and to re-number all subsequent subsections of section 4.12B. similarly, and to insert new language for subsection “B.1.” to read as follows:

1. Shall only apply to all residential districts (R1-A, R1-B, R1-C, RM, RMH) and agriculturally zoned property of five (5) acres of less:

Lot Size	Permitted Hen Total
Less than one acre	6 hens
1 acre to 1.99 acres	10 hens
2 acres to 2.99 acres	14 hens
3 acres to 3.99 acres	18 hens
4 acres to 4.99 acres	22 hens
5 acres or more	26 hens

SECTION VIII
AMENDMENT TO ARTICLE 4 SECTION 4.12

Article 4 Section 4.12 of the Township Zoning Ordinance entitled “Chickens (hens) as an accessory use” is amended by revising subsection “B.2.b.” to read as follows:

b. Chicken coops and pens shall be regulated as accessory structures and shall comply with all applicable standards.

SECTION IX
AMENDMENT TO ARTICLE 4 SECTION 4.12

Article 4 Section 4.12 of the Township Zoning Ordinance entitled “Chickens (hens) as an accessory use” is amended by striking the language of subsection “B.10.”

SECTION X
REPEAL

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION XI
SEVERABILITY

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part or portion thereof so declared to be invalid.

SECTION XII
EFFECTIVE DATE

This Ordinance shall become effective eight (8) days after its publication following final adoption.

CHARTER TOWNSHIP OF COMSTOCK
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