

ARTICLE XX

SPECIFIC USE STANDARDS

§ X.05 - INTENT & PURPOSE

The intent and purpose of this Article is to:

The intent of this Article is to establish supplementary standards for specific uses that, because of their characteristics, may have an impact on adjacent properties, the neighborhood, or the community in general even if the other standards of this Ordinance are met. It is the intent of these standards to provide additional location, development, and operation standards to mitigate the impact of uses with unique characteristics, ensure such uses will be compatible with surrounding land uses, and promote orderly development of the district and the Township as a whole, and ensure consistency with the Master Plan.

(A) *Title Here:* here

(B) *Title here:* here

§ X.10 - GENERAL PROVISIONS

Text follows here.

(A) MULTIPLE USES. When there are multiple uses on a lot, each use shall meet the standards outlined in this Article and shall require separate review and approval, unless otherwise stated. Where there are conflicting standards, the stricter standard shall apply, unless otherwise noted.

(A)(B) OTHER STANDARDS. The standards for specific uses in this Article are supplementary to other standards of this Ordinance, such as zoning district standards, general standards, access control standards, off-street parking and loading standards, sign standards, landscaping and screening standards, and environment standards.

(B)(C) ADMINISTRATIVE ADJUSTMENT. In recognition that alternative designs may better protect and preserve the health, safety, and welfare of adjacent properties, public spaces, and the community in general, the approving authority may reduce the setback standards outlined in this Article, unless ~~stated~~ otherwise stated, by up to fifty (50) percent or reduce the access standards outlined in this Article, unless otherwise stated, using the process outlined in Section XXX of this Ordinance, ~~provided the following findings are made:~~

- (1) **Health and Safety:** The proposed design will maintain or reduce the potential health and safety impacts of the use on adjacent lots and public spaces;
- (2) **Use:** The proposed design will maintain or reduce any potential impacts of the use on the use of adjacent lots and public spaces;
- (3) **Nuisance:** The proposed design shall maintain or reduce the potential for a nuisance of the use on adjacent lots and public spaces.
- (4) **Sound:** The proposed design will maintain or reduce the potential sound impacts of the use on adjacent lots and public spaces;

- (5) **Light:** The proposed design will maintain or reduce the potential light impacts of the use on adjacent lots and public spaces;
- (6) **Odor:** The proposed design will maintain or reduce the potential odor impacts of the use on adjacent lots and public spaces;
- (7) **Master Plan:** The proposed design is consistent with the goals and objectives of the Master Plan;
- (8) **Zoning Ordinance:** The proposed design is consistent with the intent of this Ordinance; and
- (9) **Maintenance:** The proposed design will be maintained through the life of the use.

§ X.15 - RESIDENTIAL

The following specified residential uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Single-family Dwellings {Currently § 18.22}

- (1) **Floor Area:** The minimum gross floor area shall be six hundred (600) square feet, and an additional one hundred (100) square feet for each bedroom. This gross floor area shall excluding-exclude basement and garage areas ~~and an additional one hundred (100) square feet for each bedroom.~~
- (2) **Building Width:** The minimum front, side, and rear building façade width shall be twenty (20) feet at ground level.
- (3) **Foundation:** The building shall be firmly attached to a permanent foundation.
- (4) **Water and Sewer:** All dwellings shall be connected to a water supply and sewer or septic system approved by the Health Department.
- (5) **Indoor Storage:** All dwellings shall contain or have access to storage areas in a basement, accessible crawlspace, attic, closets, detached accessory building, garage areas not intended for parking, similar space, or combination of those equal to at least ten (10) percent of the gross floor area of the dwelling unit. ~~The This indoor~~ storage shall be located on the lot.

(B) Two-family Dwellings {New Section}

The intent of this section-Section is to allow for additional housing options within the Township while recognizing and protecting the primarily single-family nature of the Township.

- (1) **Floor Area:** The minimum gross floor area for each dwelling unit shall be six hundred (600) square feet and an additional one hundred (100) square feet for each bedroom. This gross floor area shall, excluding-exclude basement and garage areas, ~~and an additional one hundred (100) square feet for each bedroom.~~
- (2) **Building Width:** The minimum front, side, and rear building façade width shall be twenty (20) feet at ground level.
- (3) **Foundation:** The building shall be firmly attached to a permanent foundation.
- (4) **Water and Sewer:** All dwelling units shall be connected to a water supply and sewer or septic system approved by the Health Department.
- (5) **Indoor Storage:** All dwelling units shall contain or have access to storage areas in a basement, accessible crawlspace, attic, closets, detached accessory building, garage areas not intended for

~~parking, similar space,~~ or combination of those equal to at least ten (10) percent of the gross floor area of the dwelling unit. ~~The This indoor~~ storage shall be located on the lot.

- (6) *Entryways:* Each dwelling unit shall have its own entrance from the outside.
- ~~(7) Driveways:~~ All two-family dwellings with access from a public road shall have a shared driveway where it accesses the road, unless topography, site lines, or other conditions make a shared driveway impractical.

(C) Multiple-family Dwellings {New Section}

The intent of this ~~section~~ Section is to allow for additional housing options within the Township while recognizing and protecting the primarily single-family nature of the Township.

- (1) *Floor Area:* The minimum gross floor area for each dwelling unit shall be six hundred (600) square feet ~~and an additional one hundred (100) square feet for each bedroom. This gross floor area shall excluding exclude~~ basement and garage areas, ~~and an additional one hundred (100) square feet for each bedroom.~~
- (2) *Building Width:* The minimum front, side, and rear building façade width shall be twenty (20) feet at ground level.
- (3) *Building Design:* Multiple-family dwellings shall be designed in footprint, elevation, profile, ~~and~~ materials, landscaping, and site design to reduce the length of walls and roofs to better complement the existing single-family house nature of the Township.
- (4) *Foundation:* The building shall be firmly attached to a permanent foundation.
- (5) *Water and Sewer:* All dwelling units shall be connected to a water supply and sewer or septic system approved by the Health Department.
- (6) *Indoor Storage:* All dwelling units shall contain or have access to storage areas in a basement, attic, closets, detached accessory structure, garage areas not intended for parking, similar space, or combination of those equal to at least ten (10) percent of the gross floor area of the dwelling unit. ~~The This indoor~~ storage shall be located on the lot.
- (7) *Driveways:* All multiple-family homes dwellings shall have a shared driveway where it connects with the road, unless topography, site lines, or other conditions make a shared driveway impractical. Driveways shall be setback setback a minimum at least of ten (10) feet from side lot lines.
- (8) *Pedestrian Access:* Concrete sidewalks, paved pathways, or similar shall be provided between building entrances and, parking areas. Pedestrian access shall be designed to be barrier free.
- (9) *Recreation Areas:* Passive or active recreation areas, such as seating areas, playgrounds, swimming pools, or walking paths, shall be provided and shall not be located in any required yard.

(D) Accessory Dwellings {New Section}

- (1) *Floor Area:* The maximum gross floor area for accessory dwelling units shall be no more than thirty-three (33) percent of the gross floor area of the primary dwelling or seven hundred (700) square feet, whichever is greater.
- (2) *Appearance:* Accessory dwellings shall complement the exterior of the existing primary dwelling.
- (3) *Water and Sewer:* An accessory dwelling shall be connected to a water supply and sewer or septic system approved by the Health Department.

(4) Indoor Storage: Accessory dwellings shall contain or have access to storage areas in a basement, attic, accessible crawlspace, closets, detached accessory structure, garage areas not intended for parking, similar spaces, or combination of those equal to at least ten (10) percent of the gross floor area of the dwelling. ~~The~~ This indoor storage shall be located on the lot.

(5) Types: Accessory dwellings may be created on a lot containing an existing single-family dwelling by converting existing living area, attic, basement, or garage, adding floor area to the existing dwelling, constructing a detached accessory dwelling unit, or adding floor area to an existing detached accessory building.

~~(4)(6) Owner Occupied:~~ Either the primary or accessory dwelling shall be occupied by the owner of the lot, unless otherwise stated in this Ordinance.

~~(5) Detached Accessory Building:~~ Standards go here.

~~(6)(7) Number:~~ There shall be no more than one (1) accessory dwelling on any lot, unless otherwise specified in this Ordinance.

(E) Temporary Dwellings {Currently § 18.21}

(1) Temporary Housing: A temporary dwelling may be approved while a dwelling is to be remodeled, repaired, or a new structuredwelling is being erectedwhen a dwelling is destroyed by fire, collapse, explosion, weather events, or acts of a public enemy to an extent that it is no longer safe for human occupancy, as determined by the Building Inspector, when a new house is being constructed on a vacant lot, or when an existing house is being remodelled.

(2) *Building Standards:* Wiring, plumbing, fire protection, and exits for a temporary dwelling shall be approved by the Fire Inspector, Building Inspector, and relevant county and state agencies.

(3) *Water and Sewer:* Temporary dwellings shall be supplied with a water supply and sewer facilities approved by the Health Department.

(4) *Period:* Temporary dwellings shall be occupied for a maximum of no more than one (1) year. The Zoning Administrator may grant a single, six (6) month extension may be granted if the permanent dwelling is under construction with an anticipated completion date prior to the expiration of the extension period.

(5) *Removal:* Temporary dwellings shall be removed from the lot within fifteen days (15) days of the issuance of the final certificate of zoning compliance ~~occupancy~~ of the permanent dwelling or the expiration of the time period outlined above, whichever comes first.

(6) *Mobile Home:* Temporary dwellings may be a mobile home.

(7) *Performance Bond:* A performance bond may be required as a condition of approval for a temporary dwelling.

(F) Home Occupations {Currently § 18.19}

The standards outlined below are intendedThe intent of this Section is to provide flexibility for the use of residential property by residents and to protect the essential residential character of residential districts and uses, in terms of use and appearance.

(1) *Floor Area:* Home occupations shall be accessory and incidental to the primary residential use and shall not occupy more than forty (40) percent of the gross floor area of the dwelling unit.

(2) *Location:* The majority of home occupation activities shall take place indoors. No visible outdoor activity, storage, or display shall be permitted. Home occupations may be located within the primary dwelling or in an accessory structure.

- (3) *Employees:* Home occupations may employ up to two (2) persons to work on the lot who do not reside on the lot.
- (4) *Exterior Appearance:* The exterior appearance of ~~the building structures or and the~~ lot shall show no visible evidence of the ~~conduct of a~~ home occupation other than a permitted sign, as outlined in Article XX and a single commercial vehicle. ~~No more than one (1) vehicle displaying the home occupation's advertising shall~~ may be parked in the front yard
- (5) *Traffic:* Traffic shall not be generated by a home occupation in greater volumes than would normally be expected for a residential use.
- (6) *Parking:* Parking to serve a home occupation shall be located on the lot and shall be limited to a maximum of four (4) spaces.
- (7) *Commercial Vehicles:* No more than one (1) commercial vehicle used for the home occupation may be parked in the front yard. Additional commercial vehicles used for the home occupation may be parked in the rear or side yards but shall be screened from adjacent lots. (MOVE THIS GENERAL CONCEPT TO ANOTHER SECTION)
- (8) *Equipment & Processes:* ~~No equipment~~ Equipment or processes ~~shall be used in a home occupation which that~~ creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot ~~shall not be used in a home occupation~~. ~~No equipment~~ Equipment or processes ~~shall be used which that~~ creates visual or audible interference in any radio or television receivers off the lot or causes fluctuations in line voltage off the lot ~~shall not be used in a home occupation~~.
- (9) *Retail Sales:* Limited on-site retail sales may be permitted, as an incidental rather than the principal part of a home occupation. ~~No advertising of the sale of merchandise produced or sold on the premises is permitted in newspaper, radio, television, internet, or other media.~~
- (10) *Visit Hours:* Visits by customers shall be limited to the hours between 8:00 am and 8:00 pm ~~but may be limited further by the Zoning Administrator after a determination that the above hours of operation do not adequately protect the character of the neighborhood or the use and enjoyment of adjacent properties~~ Additional restrictions may be placed on visit hours based on the type of home occupation, the neighborhood character, and other factors in order to protect the use and enjoyment of surrounding properties.
- (11) *Hazardous Materials:* ~~A home~~ Home occupations shall not entail the use of explosive, flammable, toxic, or otherwise hazardous materials beyond common household materials.
- (12) *Application:* A home occupation application and Zoning Permit shall be required. Prior to issuance of the Zoning Permit, the owner shall sign and file a notarized affidavit with the Township stating the address and legal description of the lot, the name of the home occupation, a description of the home occupation, the zoning restrictions of this section, and other information determined necessary. The affidavit shall be prepared or approved by the Township. (DO WE WANT TO REQUIRE APPLICATIONS, REQUIRE APPLICATIONS FOR SOME TYPES)
- (13) *Changes:* If the property owner proposes to change the terms of the affidavit and home occupation, the owner must apply for the change in the same manner as the original home occupation application and Zoning Permit. If the owner sells the property, and/or changes the home occupation use, and/or violates any standards of this Section, the home occupation approval and Zoning Permit will become null and void.

(G) Foster Care Facilities {Currently § 16.05}

- (1) *Location:* Foster care facilities shall be located at least fifteen hundred (1,500) feet from another similar, state-licensed facility. The Planning Commission may approve a reduced separation

distance upon making a written finding that such ~~action-reduction~~ will not result in an excessive concentration of foster care facilities in a single neighborhood or the Township in general.

- (2) *Appearance:* Foster care facilities, including landscape and structural elements, shall be maintained in a manner consistent with the residential character of the neighborhood.
- (3) *Parking:* ~~One (1) on-site parking space shall be provided for each employee in addition to the parking required for the dwelling unit.~~ The driveway may be used for this purpose parking, provided the required parking is still accessible through the driveway.
- (4) *Loading/Unloading Area:* Foster care ~~group~~ facilities serving twelve (12) or more individuals shall provide a loading/unloading area of adequate dimensions near a barrier-free entrance to the facility and provide a loading/unloading area of adequate dimensions for delivery vehicles.
- (5) *Licensing:* Foster care facilities shall be licensed by the State of Michigan and comply with applicable state standards. (CHECK IF IT'S NECESSARY)

(H) Family Day Care Homes

- (1) *Appearance:* Family day care homes, including landscape and structural elements, shall be maintained in a manner consistent with the residential character of the neighborhood.
- (2) *Outdoor Play Areas:* Outdoor play areas shall be enclosed by a fence at least four (4) feet high and shall not be located in a front yard.
- ~~(3) *Parking:* All necessary parking shall be located on the lot.~~

~~(4)~~(3) *Licensing:* Family day care homes shall be licensed by the State of Michigan and comply with applicable state standards. (CHECK IF IT'S NECESSARY)

(I) Group Home Day Cares {Currently § 16.11}

The standards ~~in the following of this~~ Section do not apply to group home day cares that were ~~not~~ licensed or registered and operating before March 30, 1989.

- (1) *Location:* A group home day care shall be located at least one thousand five hundred (1,500) feet from any of the facilities listed below, as measured along a street, road, or other public thoroughfare, excluding an alley. The Planning Commission may approve a reduced separation distance upon making a written finding that such reduction will not result in an excessive concentration of group day home day cares in a single neighborhood or the Township in general.
 - a. Another licensed group day care home;
 - b. An adult foster care large group home licensed by the State of Michigan;
 - c. A facility offering substance abuse treatment and rehabilitation services to seven (7) or more people which is licensed by the State of Michigan; or
 - d. A community correction center, resident home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the Michigan Department of Corrections.
- (2) *Outdoor Play Areas:* Outdoor play areas shall be enclosed by a fence at least four (4) feet high and shall not be located in a front yard.
- (3) *Appearance:* Group home day cares, including landscape and structural elements, shall be maintained in a manner that is consistent with the character of the neighborhood.
- (4) *Parking:* ~~At least one (1) off-street parking space shall be provided for each non-resident employee of the group day care home in addition to the parking normally required for the~~

~~residence. A driveway may be used for this purpose parking. An off street drop-off area shall be provided that can accommodate at least two (2) automobiles, in addition to the parking required for non-resident employees of the dwelling and the parking normally required for the residence. (RELOCATE TO PARKING SECTION??)~~

(5) *Hours of Operation:* ~~The Hours~~ hours of operation shall not exceed sixteen (16) hours in a twenty-four (24) hour period.

(6) *Licensing:* Group home day cares shall be licensed by the State of Michigan and comply with applicable state standards. (CHECK IF IT'S NECESSARY)

§ X.20 - AGRICULTURE, FORESTRY, FISHING, and HUNTING

The following specified agriculture, forestry, fishing, and hunting uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) *Farm Operations* {New Section}

(1) *New & Expanding:* New and expanding farm operations shall comply with Generally Accepted Agricultural and Management practices adopted by the Michigan Department of Agriculture and the Right to Farm Act.

(2) *Erosion, Weeds, & Shrubs:* Any land kept as idle cropland or non-cropland areas shall be treated to prevent soil erosion by wind or water and excessive growth of noxious weeds and shrubs.

(3) *Sod:* Any land kept for the growing, stripping, and removal of sod shall be reseeded after stripping by fall of the year in which it was stripped to prevent soil erosion by water or wind.

(4) *Preemption:* Standards of this Section that conflict with, duplicate, or contravene the Right to Farm Act and Generally Accepted Agricultural Management Practices adopted by the Michigan Department of Agriculture shall be pre-empted to the extent mandated by the Right to Farm Act and Generally Accepted Agricultural Management Practices adopted by the Michigan Department of Agriculture.

(B) *Commercial Stables* {Currently § 16.07}

(1) *Location:* Stables shall not be located in platted subdivisions or site condominiums except where such subdivisions or condominiums are specifically designed to incorporate the keeping of horses.

(2) *Lot Area:* The minimum lot area shall be as follows:

<i>Table 16.20(B)(2)- Lot Area for Horses</i>	
a. First Horse	5 acres
b. Each Additional Horse	3/4 acres per horse

(3) *Outdoor Areas:* Animals in outdoor areas shall be at least fifty (50) feet from any dwelling on adjacent lots.

(4) *Setbacks:* ~~Enclosed stables~~ Stables and storage of piles of manure or feed shall be ~~located~~ at least one hundred (100) feet from any lot line.

(5) *Vegetative Strip*: A vegetative strip ~~of~~ at least fifty (50) feet wide shall be maintained between any animal holding area, manure pile, or manure application area and any surface water or well head. In areas with slopes of over five (5) percent, the Planning Commission may increase setbacks in order to minimize runoff, prevent erosion, and promote quick nutrient absorption.

(6) *Parking*: ~~Commercial stables shall provide off-street parking in accordance with the standards of Article 24.~~ Parking areas are not required to be paved, but shall be treated so as to prevent dust and erosion.

(7) *Dust and Drainage*: The facility shall be constructed and maintained so that dust and drainage from the stable or yards will not create a nuisance or hazard to adjoining property or uses.

(8) *Living Quarters*: A single dwelling unit may be located on the lot for the owner or caretaker.

(9) *Special ~~events~~ Events*: Special events, such as shows, exhibitions, and contests shall require a Temporary Zoning Permit.

(C) ~~LIQUID~~ Fertilizer Storage and Processing (Commercial) {New Section}

(1) *Setbacks*: Fertilizer storage and, processing, ~~and manufacturing~~ shall be at least 1,250 feet from all lot lines. This ~~may~~ distance shall not be reduced through administrative adjustment. (CHECK AGAINST MDARD 641/642.)

~~(D) NURSERY/GREENHOUSE (COMMERCIAL) (New Section)~~

~~(1) *Setbacks*: Plant growing areas, and permitted storage, sales, and display areas shall meet the setback standards for the zoning district in which it is located.~~

~~(2) *Storage of Materials*: Storage of loose materials shall be contained and covered to prevent it from leaving the lot and from access by small animals.~~

~~(E) FARM-BASED TOURISM (New Section)~~

~~(1) *Setbacks*: All structures, facilities, and areas used for farm-based tourism shall meet the setbacks for the district in which it is located.~~

~~(2) *Screening*: Screening shall be provided between any area used for farm-based tourism and dwellings within two hundred (200) feet on adjacent lots.~~

~~(3) *Parking*: Parking areas shall be surfaced or treated to prevent dust nuisance.~~

~~(4) *Hours of Operation*: The hours of operation may be limited...~~

~~(F)~~(D) Wineries {New Section}

(1) *Setbacks*: Buildings shall ~~meet the front yard setback and~~ be at least forty (40) feet from any lot lines. Parking and loading areas shall be at least fifty (50) feet from adjacent residential districts.

(2) *Accessory Uses*: Wineries may include a retail component, standard restaurant, and/or bed and breakfast.

~~(G)~~(E) Farm Labor sSeasonal Housing {New Section}

(1) *Setbacks*: Housing shall be at least seventy-five (75) feet from all lot lines and one hundred fifty (150) feet from ~~adjacent, single family houses~~ dwellings on adjacent lots.

(2) *Location*: The housing shall be located on a farm in an Agriculture District.

(3) *Occupancy*: The occupants shall be employed for farm labor by the farm ~~the on which the~~ housing is located ~~on~~ for at least fifty (50) percent of the time they occupy the housing.

~~(4) Other Standards. Housing shall comply with the Michigan Public Health Code. (???)
(VERIFY IF COVERED OR NOT)~~

~~(H)(F) Roadside Stands {Currently § 18.10}~~

~~(1) Temporary Use: Roadside stands shall be considered temporary uses and shall be in operation for a maximum of ~~twenty (20) weeks~~ six (6) months in any calendar year.~~

~~(2) Location: Roadside stands shall be located in a commercial district or on a lot controlled or owned by the operator of the roadside stand in zoning districts where commercial agriculture is a permitted use ~~or in commercial districts.~~~~

~~(2)(3) Setbacks: All roadside roadside stands shall be at least thirty-five (35) feet from a front lot lines, and ~~at roadside stands not located in a commercial district shall be at least one hundred (100) feet from any adjacent lots with a dwelling.~~ (MAKE IT CLEAR THAT DISTRICT FRONT-YARD SETBACKS DON'T APPLY.)~~

~~(3)(4) Number: There shall be no more than one (1) roadside stand per lot.~~

~~(4)(5) Driveway: Only one (1) driveway may be established. The driveway shall be at least twenty-four (24) feet wide. The driveway shall be configured to allow vehicles to turn around before re-entering the road. A driveway permit from the Road Commission or Michigan Department of Transportation may be required.~~

~~(5)(6) Parking: ~~There shall be at least four (4) parking spaces available.~~ Parking may be located in the required front yard but shall not be located within the road right-of-way and shall be at least ~~forty (40)~~ twenty-five (25) feet from ~~residential district side and rear~~ lot lines.~~

~~(6)(7) Structures: Temporary structures used for roadside stands shall be no larger than five hundred (500) square feet and ten (10) feet high. Temporary structures shall be removed within fifteen (15) days of the end of use or at the termination of the permitted period of use, whichever comes first.~~

~~(7)(8) Products Available: Roadside stands shall be limited to the sale of farm produce, specialty crops such as tree fruits, nuts, berries, or similar, or foodstuff made from such produce. Products grown or produced on the lot or property owned or controlled by the operator shall account for at least half of the gross revenue of the products sold at roadside stands not located in commercial districts.~~

~~(8)(9) Hours of Operation: The Hours hours of operation for roadside stands not located in commercial districts shall be limited to the hours between 7:00 am and 8:00 pm.~~

~~(9)(10) Signs: Signs shall only be displayed two weeks prior to opening through the end of the seasonal occupancy of the roadside stand.~~

~~(H)(G) Wild Animals: Wild animals shall not be kept permanently or temporarily in any district within the Township.~~

~~(J)(H) Keeping of Animals {Currently § 18.17}~~

~~(1) Lot Area: The raising and keeping of animals, other than domesticated pets, is only permitted for as outlined in the following table. Lot area used for allocation of one animal may not be reused for another animal.~~

<i>Table 16.20(J)(1)- Keeping of Animals</i>			
Animal	Minimum Lot Area for First Animal	Maximum Density per Animal	<u>Maximum Number of</u>

		(Additional Lot Area for Each Additional Animal)	<u>Animals</u> ^(b)
a. Chickens ^(a) , turkeys, rabbits, <u>other fowl</u>	1 acre <u>0.5 acres</u>	0.05-100 square feet <u>acres</u>	<u>10</u>
b. Sheep or <u>goats, alpacas, or llamas</u>	2 acres	0.25 acres	<u>6</u>
c. Swine <u>or ostriches</u>	3-2 <u>acres</u>	0.5 acres	<u>6</u>
d. Horses, ponies, mules, burros, hamas, <u>alpaca reindeer</u>	3-2.5 <u>acres</u>	1 acre	<u>4</u>
e. Cattle, bison, ostriches, or elk	3 acres	1 acre	<u>4</u>

a. Roosters and peacocks are only permitted on lots greater than five (5) acres in Agriculture Districts.

b. The maximum animal standards do not apply to lots greater than ~~five~~ ten (10) acres in Agriculture (A) Districts.

(2) *Manure Piles:* Manure piles shall be stored, removed, and/or applied to the soil in accordance with the Generally Accepted Agricultural and Management Practices adopted by the Michigan Department of Agriculture.

(3) *Setbacks:* The following shall be at least fifty (50) feet from all lot lines:

- a. Buildings housing animals;
- b. Storage of manure or other odor or dust-producing materials or use; and
- c. Soil areas unable to support or hold a vegetative cover due to an outdoor animal confinement area.

(4) Chicken Coops: Chicken coops shall be at least ten (10) feet from lot lines and at least twenty-five (25) feet from dwellings on adjacent lots.

~~(4)~~(5) *Household Pets:* The keeping of household pets, including dogs, cats, fish, birds, hamsters, and other animals generally regarded as household pets is permitted as an accessory use in any district, provided such activities do not constitute a commercial kennel.

~~(5)~~(6) *Fencing:* Grazing areas shall be adequately fenced or secured to keep animals from leaving the area.

~~(6)~~(7) *Sanitary Conditions:* Pens and shelters shall be maintained in a sanitary condition.

§ 16.20 - COMMERCIAL & RETAIL

The following specified commercial and retail uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) ~~LARGE~~ Shopping Centers {New Section}

- ~~(1) **Setbacks:** Parking lots shall be at least twenty five (25) feet from adjacent residential districts.~~
- ~~(2) **Loading Areas:** Loading areas shall be at least fifty (50) feet from adjacent residential districts and shall be screened from public view.~~
- (1) **Signs:** There shall be no more than one (1) free-standing sign along on each frontage for the shopping center.
- ~~(3)(2) **Center Layout:** The center shall be designed to ensure that vehicular circulation patterns will minimize conflicts between vehicles and pedestrians.~~
- ~~(4) **Signs:** There may be a single, free standing sign along each frontage for the shopping center.~~
- ~~(5)(3) **Parking Lots:** Internal drives defined by the ends of aisles shall have raised curbed landscape islands to define circulation paths and control movements through the parking lot.~~
- ~~(6)(4) **Outlot Access:** All outlots shall have access, circulation, and parking designed to complement the entire site.~~

(B) Veterinary Clinics {Currently § 16.09}

- (1) **Setbacks:** Buildings where animals are kept, dog runs, paddocks, and/or exercise areas shall be ~~located~~ at least one hundred feet (100) from any adjacent ~~lot line~~ in a residential lot line zoning district and any building used by the general public.
- (2) **Boarding Location:** Keeping or boarding of animals shall be inside a fully-enclosed building.
- (3) **Waste Disposal:** An adequate, enclosed method of refuse storage and disposal shall be maintained so that no public nuisance shall be created at any time.
- (4) **Hours of Operation:** ~~Dogs~~ Animals shall not be permitted in open run areas between the hours of 10:00 pm and 7:00 am.

(C) Drive-in/through Establishments {Currently § 16.10}

- (1) **Access:** Access shall only be from a paved major or minor thoroughfare.
- ~~(2) **Driveway:** Driveways shall be at least seventy five (75) feet from any other driveway and there shall be maximum one (1) driveway per frontage.~~
- (2) **Location:** The drive in/through ~~window~~ shall be located on the side or rear elevation of the building and shall be at least seventy-five (75) feet from adjacent residential ~~districts~~ districts or residential uses.
- ~~— **Drive Through Lane Marking:** There shall be a clear marking of the drive through lanes.~~
- ~~(3) **Queuing Spaces:** There shall be at least six (6) queuing spaces.~~

(D) Open-air Businesses {Currently § 16.15}

This Section shall apply to open-air business and portions of businesses that are considered open-air.

- (1) **Access:** Primary access shall be from a paved minor or major thoroughfare.
- (2) **Setbacks:** All buildings and areas used for loading and unloading shall be screened or shall be at least fifty (50) feet from all lot lines.

- (3) *Storage Yard Screening:* Storage yards associated with home and garden centers, lumber yards, and nurseries shall be completely screened from view from public streets.
- (4) *Storage Location:* ~~Storage or display of goods~~ Goods and materials shall not ~~occur~~ be stored or displayed within the required ~~yards~~ setbacks.
- (5) *Storage Containment:* The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect on adjacent properties, water bodies, wetlands, and drainage ways.
- (6) *Sound:* There shall no sound or noise amplification audible off the ~~property lot~~ between the hours of 10:00 pm and 8:00 am. (INCORPORATE INTO SOUND STANDARD SECTION FOR ALL USES?)
- (7) *Hours of Operation:* The hours of operation may be limited when the use is located near residential ~~areas~~ districts.

(E) Adult-related Businesses {Currently § 16.22}

The standards of this Section are created with the understanding that ~~Dexter the~~ Township acknowledges that there are some uses which, because of their very nature, have serious objectionable impacts when concentrated in location and cause deleterious effects upon adjacent residential and commercial use areas. The Township recognizes that regulation of ~~adult-adult~~ related businesses is necessary to ~~insure~~ ensure that adverse effects will not contribute to the blighting or downgrading of surrounding residential neighborhoods and retail areas.

- (1) *Location:* The lot shall be ~~located~~ at least one thousand (1,000) feet from any existing adult-related business and at least five hundred (500) feet from a residential zoning district, ~~church~~ religious institution, or school.
- (2) *Activity Screening:* All activities shall be located completely within a building and shall not be visible from the outside.
- (3) *Signs:* Signs shall be limited to the business name, location, and other such information.

§ X.30 - **AUTOMOBILE SERVICE, REPAIR, & SALES**

The following specified automobile service, repair, and sales uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Service Stations {Currently §16.04}

- ~~(1) Location:~~ The lot shall be at least two hundred (200) feet from any place of public assembly, including any hospital, sanitarium, school, church, or other institution.
- ~~(2)~~(1) Access: Access shall only be from a paved major or minor thoroughfare.
- ~~(3)~~(2) Lot Area: The lot area shall be at least one (1) acre.
- ~~(4)~~(3) Underground Tanks: All underground storage tanks shall be at least three hundred (300) feet from any residential well and two thousand (2,000) feet from any public water well.
(REMOVE IF COVERED BY BUILDING CODE)
- ~~(5)~~(4) Pump Location: All gasoline pumps shall be located at least twenty (20) feet from any commercial district lot line and forty (40) feet from any other lot lines, at least thirty (30) feet

from the street right-of-way, and shall be arranged so that motor vehicles using them will not be parked on or overhanging any public sidewalk or street right-of-way. This may not be reduced through administrative adjustment.

~~(6)~~(5) Vehicle Area: The entire area used for vehicles shall be paved and adequately drained. All storm water shall be treated to remove any contamination before leaving the site or entering the ground.

~~(7)~~(6) Lighting: Lighting located in a canopy shall be recessed flush with the surface so that the light ~~source~~-fixture cannot be seen from off site.

~~Signs: Signs located on the a canopy shall be counted towards the total sign area.~~

(B) Automobile Repair & Maintenance {Currently §16.04}

~~(1) Location: The lot shall be at least two hundred (200) feet from any place of public assembly, including any hospital, sanitarium, school, church, or other institution.~~

~~(2)~~(1) Access: Primary access shall be from a paved major or minor thoroughfare.

(2) Vehicle Area: The entire area used for vehicles shall be paved and adequately drained.

(3) Stormwater: All storm water shall be treated to remove any contamination before leaving the site or entering the ground.

(4) Equipment Location: Hydraulic hoists, service pits, lubricating, greasing, washing, and repair equipment and operations shall be located within a completely enclosed structure.

(5) Repair Work: All repair work shall be conducted inside a building.

(6) Storage of Vehicles: Storage of wrecked, partially dismantled, or derelict vehicles is prohibited. Vehicles awaiting repair shall not be stored outdoors for more than seven (7) days and shall be completely screened with a solid fence at least six (6) feet high.

(C) Car Washes {New Section}

(1) Access: Access shall only be from a paved major or minor thoroughfare.

(2) Washing Facilities: All washing facilities shall be completely located in a an enclosed building. Hand-drying may take place outdoors.

(3) Fencing: Car washes adjacent to sharing a common side or rear lot line with residential districts shall have and maintain a solid, six (6) foot-high fence or evergreen screening along the shared lot line to conceal and minimize the impact of activities from residential properties.

(4) Vacuuming and Drying: Vacuuming and drying may be located outside the building, but shall not be in the required front yard and shall be at least fifty (50) feet from any residential district.

(5) Vehicle Area: The entire area used for vehicles shall be paved and adequately drained.

~~(5)~~(6) Stormwater: All storm water shall be treated to remove any contamination before leaving the site or entering the ground.

(D) Storage of Disabled Vehicles (COMMERCIAL)

(1) Location: The lot shall be at least two hundred (200) feet from any place of public assembly, including any hospital, sanitarium, school, church, or other institution.

(2) Storage Location: Vehicles rendered inoperative for any reason, and vehicles without current license plates and registration, shall not be maintained on the property for more than thirty (30) days. Such vehicles shall not be parked or stored in a front or side yard.

- (3) *Screening:* Outdoor storage areas shall be completely screened with a solid fence at least six (6) feet high and evergreen screening.

(E) Automobile Sales (COMMERCIAL)

- (1) *Vehicle Area:* The entire area used for vehicles shall be paved and adequately drained. All storm water shall be treated to remove any contamination before leaving the site or entering the ground.
- (2) *Repair Work:* All repair, assembly, disassembly or maintenance of vehicles shall occur within a closed building except minor maintenance, including limited to checking and adding fluids, checking and filling tires, and replacing wipers replacement.
- (3) *Parking and Display Areas:* Areas used for the parking or storage of vehicles shall be at least fifty (50) feet from all lot lines.

§ X.35 - LODGING

The following specified residential uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Bed & Breakfasts {Currently § 16.05}

- (1) *Parking:* ~~One (1) parking space per room to be rented shall be provided on site, in addition to the parking required for a single family dwelling.~~ Parking shall be arranged so as not to pose negative impacts on adjacent properties ~~or necessitate on street parking and shall be located entirely on the lot.~~
- (2) *Appearance:* The exterior appearance of the structure and lot shall not be altered from its single-family character, except for a permitted sign, as outlined in Article XXX.
- (3) *Owner-Occupied:* The bed and breakfast facility shall be a single-family dwelling which is operated and occupied by the owner of the dwelling.
- (4) *Meals:* Meals may be served to overnight guests only. Meals shall not be served to the public at large.
- (5) *Retail:* Retail sales are not permitted beyond those activities serving overnight patrons.
- (6) *Events:* Receptions, private parties, or events for which a fee is paid shall be limited to guests. The number of events may be limited based on the size of the lot and the potential impact on the adjacent properties.
- (7) ~~*Solid Waste/Trash Facilities:*~~ Exterior solid waste facilities beyond what might normally be expected for a single-family dwelling, such as dumpsters, shall be prohibited.
- (8) *Guest Rooms:* Sleeping rooms shall be part of the primary residential structure ~~and shall meet all building code standards for ingress and egress.~~
- (9) *Occupancy:* No guest shall reside at the bed and breakfast for more than fourteen (14) consecutive days and not more than thirty (30) days in any one (1) year.
- ~~(10) *Lavatories:* Lavatories and bathing facilities shall be available to all persons using the bed and breakfast facility.~~
- ~~(11)~~(10) *Kitchen Facilities:* Separate or additional kitchen facilities shall not be provided for guests.

~~(12) *Guest Book:* The bed and breakfast shall maintain a guest book that shall be made available to the Township upon request.~~

§ X.40 - ARTS, ENTERTAINMENT, & RECREATION

The following specified arts, entertainment, and recreation uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) *Shooting Ranges* {Currently § 16.18}

- (1) *Lot Area:* The lot area shall be at least ~~forty-two~~ forty-two (4020) acres for outdoor shooting ranges. Additional acreage may be required where site characteristics, surrounding land uses, and/or the proposed type(s) of firearms warrant, in order to minimize the potential danger from ~~for~~ a projectile crossing a property line ~~leaving the lot~~.
- (2) *Setbacks:* Outdoor shooting ranges shall be at least two hundred fifty (250) feet from all lot lines and four hundred (400) feet from adjacent dwellings.
- (3) *Fencing and Warning Signs:* A fence at least four (4) feet tall shall enclose the area devoted to or used for the outdoor shooting to ensure that individuals will not unknowingly enter the area. Signs shall be posted and maintained along or on the fence warning of the potential danger from projectiles.
- (4) *Activities and Storage:* All indoor and outdoor activities, including the shooting of projectiles and storage of projectiles, shall comply with the most current ~~recently~~ published standards and guidelines of the National Rifle Association.
- ~~(5) *Warning Signs:* Signs shall be posted around outdoor shooting ranges warning of the potential danger from projectiles.~~
- ~~(6)~~(5) *Hours of Operation:* Outdoor Range use shall be limited to the hours between 8:00 am and dusk ~~sunset~~, excluding facilities operated by law enforcement agencies.
- ~~(7)~~(6) *Additional Application Materials:* The site plan, whether an indoor or outdoor range, shall clearly indicate all safety provisions to assure that any missile ~~projectile~~ fired within the confines of the shooting range shall not carry into or over an adjacent district, area, lot, or public space.
- ~~(8)~~(7) *Law Enforcement Review:* The Planning Commission may submit a copy of the site plan to law enforcement agencies for review and comment.

(B) *Campgrounds* {Currently § 16.19}

- (1) *Access:* Primary access shall be from a minor or major thoroughfare.
- (2) *Lot Area:* The lot shall be at least ten (10) acres.
- ~~(3) *Lot Width and Frontage:* The lot shall have a minimum width and frontage of three hundred thirty (330) feet.~~
- ~~(4)~~(3) *Setbacks:* Each campsite ~~shall~~ shall be at least one hundred (100) feet from any -lot line.
- ~~(5) *Common Use Area:* A common use area shall be provided in the campground at a rate of five hundred (500) square feet per campsite.~~
- ~~(6)~~(4) *Storage:* There shall be no permanent storage of tents, campers, travel trailers, or mobile home units in the development ~~campground~~ unless specifically permitted to do so by the

Planning Commission during site plan review. If permitted, outdoor storage shall be at least ~~two~~ one hundred (~~200~~100) feet from residential districts and off-site dwellings.

~~(7)~~(5) Public Phone: There shall be at least one (1) telephone available for public use.

~~(8)~~(6) Picnic Tables and Fire Pits: ~~Each campsite shall have a picnic table and designated place for fires or may have a designated communal eating area and fire pit. All fires shall be limited to designated fire pits.~~

~~(9)~~(7) Temporary sanitary facilities and trash receptacle shall be located at least two hundred (200) feet from an existing dwelling. (REMOVE TO NEW SECTION)

~~(10)~~(8) Cabins: Rental cabins may be located in a campground. A maximum of twenty-five (25) percent of the campsites may be rental cabins.

~~(11)~~(9) Storm shelter: ~~Campgrounds shall provide an adequate storm shelter.~~

~~(12)~~(10) Floodplain/Floodway: Permanent structures and campsites shall be located outside of floodways.

~~(13)~~(11) Living Quarters: A single, permanent dwelling may be located in the campground for use by the owner or caretaker.

~~(14)~~(12) Accessory Uses: Limited retail services, such as a general store, cafeteria, or laundry, may be provided in a campground, provided the services are available only to campground uses, staff, and camper visitors. Such retail services shall only be accessible from within the campground.

(C) Golf Courses & Country Clubs {Currently § 16.20}

(1) Access: ~~Primary Access~~-access shall ~~only~~ be from a paved minor or major thoroughfare.

~~(2)~~ Lot Area: ~~The lot shall be at least eighty (80) acres for a nine (9) hole golf course and one hundred sixty (160) acres for an eighteen (18) hole golf course.~~

~~(3)~~ Lot Width and Frontage: ~~The lot shall have a minimum width and frontage of six hundred (600) feet.~~

~~(4)~~ Lot Coverage: ~~The lot coverage shall not exceed five (5) percent.~~

~~(5)~~(2) Parking: All parking areas shall be surfaced or treated to prevent any dust nuisance.

~~(6)~~(3) Setbacks: Principal and accessory buildings shall be at least ~~two~~ one hundred (~~200~~100) feet from any lot line.

~~(7)~~ Signs: ~~Signs may be lighted but shall not be internally lighted or back lit.~~

~~(8)~~(4) Buffer: A buffer zone at least fifty (50) feet wide shall be maintained between turf areas and natural water bodies, watercourses, and wetlands. The buffer zone may be selectively pruned or thinned, and weeds and dead plant material may be removed. However, the buffer shall consist of natural vegetation and shall not be chemically treated.

~~(9)~~(5) Temporary sanitary facilities and trash receptacles shall be at least two hundred (200) feet from an existing dwelling. (REMOVE TO NEW SECTION.)

~~(10)~~(6) Golf Balls Safety: All golf balls shall be contained within the lot. If the golf course is developed with residential lots, golf balls may enter those lots.

~~(11)~~(7) Accessory Uses: Accessory uses may include: standard restaurant and drinking establishment, clubhouse/pro shop, managerial facilities, maintenance facilities, toilets, lockers, tennis, racket sport, swimming facilities, and a driving range.

~~(12)(8)~~ Driving Range: ~~The driving range shall meet the standards for that use, except additional~~ Additional acreage for a driving range associated with a golf course/country club is not required beyond what is necessary for the golf course/country club.

(D) Driving Ranges {Currently § 16.21}

(1) Access: ~~The lot shall only have Primary~~ access shall be from a paved minor or major thoroughfare.

(2) Lot Area: The lot area shall be at least ten (10) acres.

~~(2)(3)~~ Lot Width: The lot ~~shall have a minimum~~ width and frontage ~~of shall be at least~~ three hundred thirty (330) ~~feet and a minimum area of ten (10) acres.~~

(4) Setbacks: ~~Buildings and parking areas shall be located at least seventy five (75) feet from lot lines. The driving range shall be at least seventy-five (75) feet from front lot lines and at least one hundred (100) feet from side and rear lot lines.~~

~~(3)(5)~~ Buffering: The driving range shall be buffered by fencing and vegetation to reduce the impacts on adjacent properties.

~~The area devoted to a driving range shall maintain a seventy-five (75) foot front yard and a one hundred (100) foot side and rear yard setback. The area shall be buffered by vegetation and fencing to minimize the impact upon adjoining properties. In the consideration of golf driving ranges additional buffering conditions necessary to minimize the impact of possible safety threats from projectiles upon adjacent land uses may be imposed by the Planning Commission.~~

~~(6)~~ No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling. ~~(REMOVE TO NEW SECTION)~~

~~(4)(7)~~ Safety: All golf balls shall be contained within the lot.

~~(5)(8)~~ Hours of Operation: The hours of operation shall be determined by the Planning Commission based on the nature of the use and the nuisance potential to adjoining property owners properties. The maximum range of hours is from 7:00 am to 10:00 pm.

~~(E) OUTDOOR ENTERTAINMENT {New Section}~~

~~(F)(E) Special Event Facilities {Currently § 16.26}~~

(1) Lot Area: The lot area shall be at least twenty (20) acres.

~~(1)(2)~~ Frontage: ~~and the~~ The frontage shall be at least six hundred (600) feet.

~~(2)(3)~~ Access: ~~The lot shall only have access~~ Access shall only be from a paved major or minor thoroughfare.

~~(3)(4)~~ Farm operation Operation: The ~~lot special event facility must shall~~ include a commercial farm operation.

(4)(5) Outdoor Dining and Entertainment: Outdoor dining and entertainment areas shall be at least one hundred (100) feet from any lot line.

~~(5)(6)~~ Parking: Parking areas for special event patrons-guests must be on a surface that is flat and durable enough to withstand the event traffic. Any standards of Article 21 may be waived or modified through site plan review and approval, provided the approving body first makes a written finding that specifically identifies characteristics of the site or site vicinity would make the required standards unnecessary, inappropriate, or ineffective.

~~(6)~~(7) Temporary Zoning Permit: A ~~temporary~~ Temporary zoning Zoning permit Permit shall be required for each special event requiring a temporary structure or where the expected number of ~~participants-guests~~ is as follows:

Table 16.40(F)(6)- Temporary Zoning Permit	
Lot size	Expected <u>Anticipated</u> number of participants<u>guests</u>
Less than 22 acres	250 or more people
22 acres or more but less than 25 acres	300 or more people
25 acres or more	350 or more people

~~(7)~~(8) Accessory Uses: Accessory uses to the special event facility may include managerial facilities, maintenance facilities, educational facilities, and a standard restaurant that may serve alcohol.

~~(8)~~(9) Lodging: Lodging of ~~patrons-guests shall not be permitted~~ may be permitted as part of an approved bed and breakfast.

~~(9)~~(10) Appearance: The design of structures shall be of an agricultural or residential character complementary to the historic rural character of the surrounding district.

~~(10)~~(11) Temporary sanitary facilities shall not be located on the property more than twenty-four (24) hours before or after the special event.

~~(11)~~(12) Temporary sanitary facilities and trash receptacles shall be located at least one hundred (100) feet from a lot line.

~~(12)~~(13) Parking: All parking areas shall be surfaced or ~~so~~-treated as to prevent any dust nuisance.

~~(13)~~(14) Hours of Operation: The hours of operation for outdoor ~~special~~-events shall be subject to Planning Commission approval with consideration of the impact on the safety, health, and welfare of the district and the community.

~~(G)~~(F) **Marinas {New Section}**

~~(1)~~ Setbacks: Buildings used for fiberglass repair and engine maintenance shall be at least forty (40) feet from all lot lines.

~~(1)~~(2) Drydock Screening: Areas used for the outdoor storage of boats shall be screened from adjacent residential districts and rights-of-way.

~~(H)~~(G) **Common Use Access Lots {Currently § 18.16}**

The intent of common use access lots is to provide for the shared use of private riparian or littoral lots by residents of a development, to discourage the funneling of lake or river access for multiple lots or residences through narrow access points, establish a balanced and orderly relationship between development and the amount of shoreline available for use by residents, and to assure responsible access for lakefront and riverfront developments.

- (1) Application: This Section shall apply to common areas created as part of a residential subdivision or site condominium, multiple-family dwelling, retirement community, mobile home park, mixed-use development with a residential component, or neighborhood association.
- (2) Location: Access lots shall be contiguous with and abut the development being served. An easement between the access lot and the development shall not meet this standard.
- (3) Lot Depth: ~~The a~~Access lots shall have a depth of at least one hundred (100) feet.
- (4) Number of Dwelling Units: The maximum number of dwelling units that may use a common use access lot shall not exceed the table below. Shoreline length shall not include any artificially created shoreline, such as harbors, boat wells, or canals.

Table x.40(H)(4)- Number of Dwelling Units

<u>Number of Dwelling Units</u>	<u>Length of Shoreline</u>
<u>First unit</u>	<u>60 feet</u>
<u>Each additional unit</u>	<u>10 feet additional</u>

- (5) Watercraft Mooring: The number of watercraft moorings for the ~~common use~~ access lot, including, but not limited to, motorboats, sailboats, or jetskis, shall be approved by the Planning Commission in consideration of the lot characteristic and the potential negative impacts on the surrounding area.
- (6) Dedication: The access lot shall be dedicated for the use of owners and occupants of the development. Deed restrictions must specify the lots/dwelling units that may use the access lot and moor, store, or launch boats.

§ x.45 - FOOD SERVICES

The following specified food service uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Drive-through Restaurant. {New Section}

- (1) Window Location: Drive-through windows shall not be located on the primary façade of the building.
- (2) Screening: Drive-through windows shall be screened from adjacent residential zoning districts.
- ~~— Lane Marking: There shall be a clear marking of the drive-through lanes.~~
- ~~— Queuing Spaces: There shall at least eight (8) queuing spaces.~~
- (1)(3) Escape Lane: There shall be an escape lane to allow other vehicles to pass those waiting to be served.

(B) Taverns & Bars. {New Section}

- (1) Location of Uses: Music, entertainment, and dancing shall be located within a building.

(2) Hours of Operation: The hours of operation for outdoor seating areas may be limited by the Planning Commission based on the potential negative impacts on the use and enjoyment of adjacent properties.

(C) Outdoor Cafes & Dining Areas {New Section}

(1) Accessory Uses: ~~Such uses~~ Outdoor cafes and dining areas shall be accessory and incidental to a principal restaurant or similar food or beverage use.

(D) Food Carts {New Section}

(1) Location: ~~Food~~ carts shall not be located within required side or rear yards or within a clear vision zones. ~~Food~~ carts and support furniture may be located in parking areas, provided the location does not interfere with pedestrian or vehicular access or conflict with the parking spaces.

(2) Trash Receptacles: Trash receptacles shall be available to patrons and located within fifteen (15) feet of the food cart.

(3) State License: ~~Food~~ carts shall have and maintain a valid license from the State of Michigan.

(4) Site Plan: A zoning permit and plot plan review are required for food carts, but a site plan review by the Planning Commission is not required.

(E) Entrepreneurial Kitchens {New Section}

The purpose of this Section is to allow entrepreneurs starting a food-related business to use certified commercial kitchens in existing businesses or churches.

(1) Certification: The kitchen shall be certified by the State of Michigan and shall maintain that certification.

(2) Number of Employees: Businesses using a kitchen located outside of a commercial zoning district shall be limited to three (3) on-site employees.

(3) Number of Businesses: The number of businesses using a kitchen may be limited by the approving authority, based on the size of the kitchen, parking availability, impact on the neighboring properties, and other factors.

(4) Visits: Products shall not be available for pick-up from kitchens located outside of a commercial zoning district.

(5) Hours of Operation: Hours of operation may be limited for kitchens located outside of a commercial district.

(6) Additional Application Materials: An application for an entrepreneurial kitchen shall include the following, additional information:

a. Copy of kitchen inspections for at least the previous two (2) years;

b. Confirmation from the kitchen's owner granting permission for the proposed use; and

a.c. Other information necessary to determine compliance with standards of this Ordinance.

§ x.50 - HEALTH & MEDICAL SERVICES

The following specified health and medical service uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Nursing Homes, Skilled Nursing Facilities, & Hospice {Currently § 16.02}

- (1) Access: ~~The lot shall only have access~~ Primary access shall be from a paved minor or major thoroughfare.
- (2) Setbacks: Buildings shall be at least fifty (50) feet ~~to from any~~ residential districts or lots with residential uses ~~use lot line~~.
- (3) Parking: Parking areas shall be at least fifty (50) feet ~~of a from~~ residential districts or lots with residential uses ~~OR SCREENED~~.
- ~~(3)~~(4) Additional Services: Nursing homes may include on-site services, such as cafes, entertainment, laundry, salon/barber shop, but those services shall only be available to residents, staff, and visitors.

-
- (4) ~~All facilities shall be licensed by the Michigan Department of Public Health and shall conform to applicable state and federal laws.~~

§ 16.45-50 - OTHER SERVICES

The following specified residential uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) ~~COMMERCIAL~~ Kennels (Commercial) {Currently § 16.13}

- (1) Lot Area: The lot area shall be at least five (5) acres.
- (2) Location: Kennels shall not be located in a platted subdivision or site condominium.
- (3) Setbacks: Buildings where animals are kept, runs, and exercise areas shall be at least one hundred feet (100) from any ~~adjacent residential, conservation, or public district~~ lot line ~~in a residential district or any adjacent building used by the general public~~. Runs and/or exercise areas and accessory buildings where the animals are ~~maintained kept~~ shall only be located in the rear yard.
- (4) Lot Maintenance: The lot shall be kept in a clean and sanitary ~~manner condition~~ to prevent the accumulation of flies, the spread of disease, ~~or offensive odor, dust, and off-site drainage.~~
- ~~(5)~~ Animal odors shall not be detectable beyond the lot lines of the property in which the kennel is located.
- ~~(6)~~(5) License and Care: All animals must be licensed and maintained in a healthful and careful manner.
- ~~(7)~~(6) Noise: The main kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized. More than the occasional barking or unusual noise from the kennel which that results in a nuisance to neighboring land property owners or residents is shall be prohibited.
- ~~(8)~~(7) Habitual barking or unusual noise from the kennel which results in a nuisance to neighboring land owners or residents is prohibited.
- ~~(9)~~ Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 pm and 7:00 a.m.

~~(8)~~ Exercise Yard Use: Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.

~~(10)(9)~~ Exercise Yard Fencing: The outside perimeter of the run and/or exercise area shall be enclosed by sturdy fencing at least six (6) feet high. Gates shall be self-latching.

~~(11)~~ Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.

~~(12)~~ The outside perimeter of the run and/or exercise area shall be enclosed by sturdy fencing at least six (6) feet in height. Any gates shall be self-latching.

(B) Day Care Centers {New Section}

(1) Play Areas: Outdoor play areas shall be enclosed by a fence at least four (4) feet.

(2) Licensing: Day care centers shall be licensed by the State of Michigan and comply with applicable state standards.

§ X.60 - INSTITUTIONAL & PUBLIC FACILITIES

OTHER SECTION LANGUAGE, The following standards shall apply for the specified institutional and public facility uses.

(A) CHURCHES and Religious Institutions {Currently § 16.08}

~~(1)~~ Lot Size: The lot shall be at least two (2) acres in size.

~~(2)(1)~~ Access: All Primary access to the lot shall be from a paved major or minor thoroughfare.

~~(3)(2)~~ Setbacks: Building and parking areas shall be at least fifty (50) feet from any lot line ~~or right of way.~~

~~(4)~~ Lot and Impervious Coverage: The maximum lot coverage shall be twenty five (25) percent. The maximum impervious coverage shall be sixty (60) percent.

~~(5)(3)~~ Height: The maximum building height shall be what is permitted in the district in which the structure building is ~~located,~~ located. However, the building height may be increased beyond that if the building is setback an additional one (1) foot for each one (1) foot, or fraction thereof, of height above the district standard, ~~unless the structure is set back an additional one (1) foot for each one (1) foot of height above the district height limitation. A spire is excluded from this height standard.~~ The highest point of the roof shall be no more than **XX** feet high.

~~(6)~~ Use of the structure shall not result in accrual of distributable profits, realization of private gain resulting from payment or compensation in excess of a reasonable and customary allowance for salary or other compensation for services rendered, or realization of any other form of private gain.

~~(7)(4)~~ Accessory Uses: Day care centers, schools, or other uses requiring special approval may be operated as part of a ~~church or religious institution but~~ shall require a separate an approved zoning permit for each specific special land use approval for each use.

(B) Cemeteries {New Section}

Location: The location shall not disrupt the convenient provision of utilities to adjacent properties nor disrupt the continuity of the public road system.

Lot Area: The lot area shall be at least ten (10) acres.

Setbacks: All crypts, mausoleums, or other similar buildings shall be at least one hundred (100) feet from all lot lines.

~~(B)~~(C) **Public Facilities {Currently § 16.16}**

- (1) Setbacks: Buildings and outdoor storage areas shall be at least fifty (50) feet from ~~any residential districts~~ property or street right of way line.
- ~~(2)~~ Off-street parking and passenger loading areas shall be at least twenty five (25) feet from residential lot lines or SCREENED BETTER.

~~(3)~~(2) Parking Surfaces: All parking areas shall be surfaced or ~~so-treated~~ as to prevent dust.

~~(C)~~(D) **Schools {Currently § 16.12}**

- ~~(1)~~ Lot size: The minimum lot size shall be ~~five (5) acres.~~
- ~~(2)~~(1) Access: ~~Ingress and egress~~ Access to the site shall only be from a paved major or minor thoroughfare.
- ~~(3)~~(2) Setbacks: The principal building shall be at least seventy-five (75) feet from any lot line.
- ~~(4)~~(3) Service Areas and Recreation: Service areas and facilities ~~and outdoor recreation facilities~~ shall be ~~located~~ at least one hundred (100) feet from a residential district.
- ~~(5)~~(4) Parking Areas: Parking areas shall be ~~located~~ at least fifty (50) feet from the front lot line or ~~a residential districts~~ or screened.

~~(D)~~(E) **Recreational Facilities {New Section}**

(1) Outdoor sports fields and athletic facilities shall be at least one hundred (100) feet from residential district lot lines and two hundred (200) feet from existing dwellings.
(PRIVATE USE RECREATIONAL FACILITIES)

§ X.65 - UTILITY, WASTE, & CONSTRUCTION

The following specified residential uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) **Wireless Communication Facilities {Currently § 16.24}**

- (1) *Intent & Purpose:* The intent of this Section is to establish standards for the siting of wireless communication facilities and colocation of wireless communication facilities. The purpose of these standards are to:
 - a. Locate wireless communication towers in areas where adverse impacts on the community are minimized;
 - b. Encourage the joint use of new and existing wireless communication facilities;
 - c. Minimize the overall number of newly-established towers within the community necessary to provide appropriate wireless services within the Township;
 - d. Encourage the design, construction, and placement of wireless communication towers to minimize adverse visual impacts;
 - e. Enhance the ability of the providers of wireless communication services to deliver such services effectively and efficiently;

- f. Ensure that unused facilities are removed and do not become a blight or safety hazard; and
- g. Harmonize with regulations promulgated by the state and federal governments.
- (2) *Standards for All Facilities:* All wireless communication facilities shall meet the following standards outlined below:
- a. *Setbacks:* All structures, excluding fencing, shall be at least two hundred (200) feet from any dwelling. Towers and equipment buildings shall be at least fifty (50) feet from all lot lines or meet the district setbacks, whichever is greater.
- b. *Fall Zone:* The tower fall zone shall be located entirely within the lot.
- c. *Equipment Compound:* The tower and associated equipment shall be located within a fenced equipment compound.
- d. *Fencing:* Facilities may have barbwire-topped fencing.
- e. *Equipment Buildings:* The related unmanned equipment buildings shall not have more than three hundred and sixty (360) square feet of gross floor area per user or be more than twelve (12) feet high. These structures shall be located within fifty (50) feet of the associated tower. Multiple users are strongly encouraged to share an equipment building with a common wall.
- f. *Compound Layout:* Towers and other structures shall be located so there is room for maintenance and emergency vehicles to maneuver. Towers and compound yards shall be designed and constructed to allow for colocation.
- g. *Anti-Climb:* Towers shall be equipped with an anti-climb device or be of an anti-climb design.
- h. *Lighting:* Towers shall not be artificially lighted, unless required by the [FAA Federal Aviation Administration](#). If lighting is required, it shall be the minimum lighting necessary to satisfy [FAA Federal Aviation Administration](#) standards.
- i. *FAA & FCC:* Wireless communication facilities shall meet the standards of the [FAA Federal Aviation Administration](#) and the [FCC Federal Communication Commission](#).
- j. *Tower Spacing:* Minimum spacing between tower locations shall be one (1) mile. The Planning Commission may reduce this spacing standard if the proposed location of the tower will serve to cluster two or more towers in close proximity to one another and, thereby, minimize the visual impacts upon panoramic views in the Township or if an existing structure shall serve as a tower.
- k. *Advertising:* There shall be no advertising or identification of other kind visible from the ground or other structures.
- l. *Signal Conductors Cable Bridge:* ~~All signal and remote control conductors of low energy extending substantially horizontally above the~~ Horizontal cable bridges and signal conductors ground between a tower and an equipment structure or other towers shall be at least fifteen (15) feet above the ground, unless it is buried underground or within the fenced equipment compound.
- (3) *Standards for New Facilities:* In addition to the general standards outlined ~~in Section XXX~~ above, all new wireless communication facilities shall meet the following standards outlined below:
- a. *Lot Area:* The lot area shall be at least one (1) acre.
- b. *Tower Height:* Towers shall be less than two hundred (200) feet high. Height shall be measured from the base of the tower to the highest point of the tower or attachments.

- c. *Tower Type:* Towers shall be of monopole construction.
 - d. *Tower Appearance:* Towers shall be designed and treated so as to minimize their visual appearance to the greatest extent feasible.
 - e. *Colocation:* The tower and facilities shall be designed to allow for colocation, and the applicant shall acknowledge that colocation will be permitted in the future.
 - f. *No Colocation Available:* There shall be no feasible colocation available to provide appropriate wireless service.
- (4) *Standards for Minor Colocation:* In addition to the general standards outlined ~~in Section XXX~~ above, all minor colocations shall meet the following standards outlined below:
- a. *Feasibility of Colocation:* Colocation shall be considered feasible for the purpose of this Ordinance where all of the following conditions are met:
 - 1. Compensation: The provider considering colocation will pay market rent or other market compensation for colocation.
 - 2. Structural Support: The lot on which the colocation is being considered, taking into consideration reasonable modification, is able to provide structural support.
 - 3. Technically Feasible: The colocation being considered is technologically reasonable, e.g., the colocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.
 - 4. Height: The height of the structure to be used for colocation shall not be increased by more than twenty (20) feet or ten (10) percent from the original structure height.
 - b. *Tower Height:* The tower height shall not increase by more than twenty (20) feet or ten (10) percent from the original tower height.
 - c. *Previous Conditions:* The colocation shall comply with the terms and conditions of any previously approved site plan.
 - d. *Permitted Accessory Use:* Colocation is a permitted accessory use on any existing communication tower, regardless of whether or not the communication tower was approved prior to adoption of this Ordinance. Colocation is a permitted accessory use on existing structures.
 - e. *Additional Structures:* Construction of related, unmanned equipment structures and a cable bridge is allowed, provided there are no changes to the grade.
 - f. *Lighting:* Colocation shall not require additional lighting on the tower or structure.
 - g. Tower ChangesGuy Wires: ~~All changes to the tower shall be consistent with these standards; no Additional~~ guy wires may shall not be added.
 - h. *Fencing:* If there is no existing fencing around the equipment compound, fencing shall be added which meets the standards of this Section.
 - i. *Permits Required:* Colocation shall not take place until a Zoning Permit and a Building Permit, if necessary, ~~has~~ have been issued.
- (5) *Standards for Major Colocation:* In addition to the general standards outlined ~~in Section XXX~~ above, all major colocations shall meet the following standards: outlined below.
- a. *Feasibility of Colocation:* Colocation shall be considered feasible for the purpose of this Ordinance where all of the following conditions are met:

1. The provider considering colocation will pay market rent or other market compensation for colocation.
 2. The lot on which the colocation is being considered, taking into consideration reasonable modification, is able to provide structural support.
 3. The colocation being considered is technologically reasonable, e.g., the colocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.
- b. *Tower Height.* The tower height may be increased by more than twenty (20) feet or ten (10) percent from the original tower height.
 - c. *Previous Conditions.* The terms and conditions of previously approved site plans may be amended.
 - d. *Additional Structures.* Construction of related, unmanned equipment structures and a cable bridge is allowed, provided there are no changes to the grade.
 - e. *Lighting.* Colocation shall not require additional lighting on the tower or structure.
 - f. *Tower Changes.* All changes to the tower shall be consistent with these standards; no guy wires may be added.
 - g. *Fencing.* If there is no existing fencing around the equipment compound, fencing shall be added which meets the standards of this Section.
 - h. *Permits Required.* Colocation shall not take place until a Special Land Use and Site Plan Approval ~~has~~ have been granted and a Zoning Permit and a Building Permit, if necessary, ~~has~~ have been issued.
- (6) *Removal of Facilities:*
- a. A condition of approval for every wireless communication facility shall be adequate provision for removal of all or a portion of the facility when one or more of the following occurs:
 1. The facility has not been used for one hundred eighty (180) days or more. For purposes of this Section, the removal of antennas or other equipment from the facility or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of the period of non-use.
 2. Six months after new technology is available at reasonable cost, as determined by the Planning Commission, which permits the operation of the communication system without the requirement of the support structure or with a support structure that is lower and/or more compatible with the area.
 - b. *Partial Removal:* The situations in which removal of a facility ~~is~~ are required may be applied to and limited to portions of a facility.
 - c. *Immediate Removal:* Upon the occurrence of one or more of the events requiring removal, the owner or facility user shall immediately apply or secure the application for any required Demolition Permit, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Planning Commission.
 - d. *Township Removal:* If the required removal of a facility or a portion thereof has not been lawfully completed within the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions of

the facility, with its actual cost and reasonable administrative charge to be drawn, collected, and/or enforced from or under the security posted at the time application was made for establishing the facility.

- e. Notification: The ~~person owner or operator who had used~~ of the facility shall immediately notify the ~~Township Clerk~~Director of Planning and Zoning in writing if ~~and as soon as~~ use of a facility ~~or a portion of the facility~~ ceases.
- (7) *Additional Application Materials for New Facilities:* An application for new facilities shall include the following additional materials:
- a. Engineering Certification: Proof that the antenna mount and structure have been reviewed and approved by a professional engineer that the installation is consistent with all applicable codes, including wind loads and soil conditions.
- b. No Collocation Available: Evidence that no feasible collocation opportunity exists for the coverage area and capacity needs.
- c. FAA & FCC: Written approval of the ~~FAA-Federal Aviation Authority~~ or ~~FCC-Federal Communications Commission~~, if necessary.
- d. Building Plans: Building plans, stamped and signed by a licensed structural engineer qualified to approve the plans.
- e. Utilities: All existing and proposed utilities shall be shown on the plans.
- f. Acknowledgement: A signed acknowledgement and acceptance of all the applicable standards of **THIS SECTION**.
- (8) *Additional Application Materials for Collocation:* An application for collocation shall include the following additional materials:
- a. Engineering Certification: Proof that the antenna mount and structure have been reviewed and approved by a professional engineer that the installation is consistent with all applicable codes, including wind loads and soil conditions.
- b. Consent: Written consent to collocate by the facility's owner or designee.
- c. FAA & FCC: Written approval of the ~~FAA-Federal Aviation Administration~~ or ~~FCC-Federal Communications Commission~~, if necessary.
- d. Building Plans: Building plans, stamped and signed by a licensed structural engineer qualified to approve the plans.
- e. Utilities: All existing and proposed utilities shall be shown on the plans.
- f. Acknowledgement: A signed acknowledgement and acceptance of all the applicable standards of **THIS SECTION**.
- (9) Reception Interference: Towers shall be located so that they do not interfere with reception in nearby residential areas. (VERIFY THIS SECTION IS NOT PRE-EMPTED)
- (10) Grounding: Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards. (VERIFY THIS SECTION IS NOT PRE-EMPTED)
- (11) Electromagnetic Radiation: Structures shall be subject to any state and federal regulations concerning nonionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform or the permit will be subject to

revocation by the Township Board. Cost for testing and verification of compliance shall be borne by the operator of the antenna. (VERIFY THIS SECTION IS NOT PRE-EMPTED)

(B) Electrical or Gas Substations {New Section}

- (1) *Storage:* Storage of materials, equipment, vehicles, or supplies shall be prohibited at the substation, except as required during periods of maintenance and servicing.
- (2) *Living Quarters:* There shall be no living quarters in the substation.
- (3) *Appearance:* Structures or buildings visible from adjacent properties or public streets shall be located, designed, constructed, and landscaped in a manner consistent with the surrounding area.
- (4) *Fencing:* Substations may have ~~barbwire~~ barbwire-topped fencing if it is determined such fencing will not constitute a safety hazard.

(C) Biofuel Production Facilities, Small {New Section- Required by MCL §125.3513}

- (1) *Location:* The facility shall be located on a commercial farm or in an industrial district.
- (2) *Setbacks:* The facility shall be at least one hundred (100) feet from all lot lines and shall meet all other district setbacks.
- (3) *Feedstock:* At least seventy-five (75) percent of the feedstock for facilities located on a farm, on an annual basis, shall be produced on the farm where the facility is located or from other farms owned or controlled by the operator.
- ~~(2)~~(4) *Use:* At least seventy-five (75) percent of the biofuel, other products, or byproducts produced by facilities located on a farm, on an annual basis, shall be used on the farm where the facility is located or on other farms owned or controlled by the operator.

(D) Biofuel Production Facilities, Large {New Section- Required by MCL §125.3513}

- (1) *Location:* The facility shall be located on a commercial farm or in an industrial district.
- (2) *Setbacks:* The facility shall be at least one hundred (100) feet from all lot lines and shall meet all other district setbacks and required yard standards.
- (3) *Additional Application Materials:* The application for a large biofuel facility shall contain the following additional materials:
 - a. *Process:* A description of the process to be used to produce biofuel;
 - b. *Output:* The number of gallons of biofuel anticipated to be produced annually;
 - c. *Emergency Plan:* An emergency access and fire protection plan that has been reviewed and approved by the appropriate responding police and fire departments;
 - d. *Federal Approvals:* For an ethanol production facility that will produce more than 10,000 proof gallons annually, completed United States Department of Treasury, Alcohol and Tobacco Tax and Trade Bureau, forms 5000.29 (environmental information) and 5000.30 (supplemental information on water quality considerations under 22 USC 1341(a)), or successor forms, required to implement regulations under the National Environmental Policy Act of 1969, 42 USC 4321 to 4347, and the Federal Water Pollution Control Act, 33, USC 1251 to 1387;
 - e. *DEQ Approvals:* Proof that the owner or operator of the facility has received all necessary approvals from the Department of Environmental Quality and other state and federal agencies involved in permitting any of the following aspects of biofuel production:
 1. Air Pollution emissions;

2. Transportation of biofuel or additional products resulting from biofuel production;
 3. Use or reuse of additional products resulting from biofuel production; and
 4. Storage of raw materials, fuel, or additional products used in, or resulting from, biofuel production.
- f. ***Storage:*** The facility shall include sufficient storage for raw materials, fuel, and additional products resulting from biofuel production or the capacity to dispose of additional products through land application, livestock consumption, sale, or other legal use; and
- g. ***Additional Information:*** Additional information necessary to determine consistency with local, state, and federal standards.
- (4) ***Other Standards:*** Buildings, facilities, and equipment used in the production or storage of biofuel shall comply with local, state, and federal laws.

(E) Sewage Treatment {New Section}

- (1) ***Setbacks:*** Sewage treatment equipment, such as lagoons, aeration pools, and ponds, and infiltration beds shall be at least three hundred (300) feet from all lot lines.

(F) Composting Center {New Section}

This Section shall not apply to composting of common household materials generated by residential uses or agricultural uses. The following standards apply to operations of commercial composting and/or conversion of sewage or sludge into useable or saleable products.

- (1) ***Setbacks:*** The area used for composting shall be at least ~~five-three~~ hundred (500/300) feet from ~~properties in~~ residential districts and adjacent existing residential uses.
- (2) ***Screening:*** The area used for composting shall be screened from lots in residential districts, existing residential uses, and road right-of-ways, with a landscaped berm, evergreens, a solid fence, or similar.
- (3) ***Location:*** The site shall be designed to prevent composting materials from running off the site.

(G) Junkyards {Currently § 16.17}

- (1) ***Lot Area:*** The lot area shall be at least ten (10) acres.
- (2) ***Access:*** Access shall only be from a paved major thoroughfare. Access from a minor thoroughfare may be granted if the Planning Commission determines that such an access point will further minimize impacts on other properties.
- (3) ***Activity Location:*** All activities shall be enclosed by a wall, fence, or berm, including: storage of equipment, storage of materials, stockpiling of materials, disassembly of materials, parts, and vehicles, and the storage or parking of all operative and inoperative vehicles. There shall be no stocking of material above the enclosure wall, fence or berm, except that moveable equipment used on the site may exceed that height.
- (4) ***Setbacks:*** The enclosed area shall be at least one hundred (100) feet from all lot lines and at least two hundred (200) feet from residential districts, schools, day care facilities, ~~churches~~ religious institutions, hospitals, and convalescent or nursing homes.
- (5) ***Enclosed Area Wall, Fence, or Berm:*** A solid wall, fence, or berm at least six (6) feet high, but no more than eight (8) feet high, shall be provided around all sides of the enclosed area and shall be suitably landscaped. Such wall, fence, or berm shall be of permanent finish and construction.

- (6) *Parking:* Adequate parking and unloading facilities shall be provided at the site so that no loaded vehicle stands on a public right-of-way waiting for entrance to the facility at any time.
- (7) *Open Burning:* Open burning shall not be permitted.
- (8) *Enclosed Processes:* All industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.
- (9) *Dust:* All roads, driveways, parking lots, and loading and unloading areas shall be paved or treated to prevent dust.
- (10) *Vehicles or Vehicle Parts:* The operation shall be licensed by the Michigan Secretary of State if it handles vehicles or vehicle parts.
- (11) *Critical Materials Register:* Any materials listed on the Michigan Critical Materials Register (*gasoline and solvents*) require secondary containment and a Pollution Incident Protection Plan filed with the Michigan Department of Natural Resources.
- (12) *Hours of Operation:* The hours of operation shall be limited to the hours between 7:00 am and 6:00 pm.

(H) Temporary Concrete or Asphalt Batch Plants {New Section}

- (1) *Temporary Use:* Plants are considered temporary uses and shall operate for a maximum of one (1) year. A single extension of up to one (1) year may be granted if the related project continues to progress as approved and work will conclude by the end of the extension.
- (2) *Setbacks:* Plants shall be at least ~~fifty-one hundred~~ (50/100) feet from all lot lines.
- (3) *Use:* Plants shall only supply concrete and/or asphalt to the specific development or construction project to which the plant is a temporary, accessory use.
- (4) *Dust, Noise, Odor:* The plant, all trucks, and related equipment shall be maintained and operated in a manner that minimizes dust, noise, and odor.
- (5) *Removal:* Plants shall be removed from the lot within thirty (30) days of project completion. All public improvements damaged during operation of the plant shall be repaired or replaced within thirty (30) days of project completion.
- (6) *Performance Guarantee:* A performance guarantee may be required by the plant owner or operator sufficient to ensure restoration of the lot and repair or replacement of damaged public improvements.

§ X.70 - TRANSPORTATION & STORAGE

The following specified transportation and storage uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Private Landing Strip {Currently § 16.03} REVISE PER FAA

- (1) *Lot Area:* The lot area shall be at least twenty (20) acres.
- (2) *Length:* The landing strip shall be at least one thousand two hundred (1,200) feet in length and shall be free of obstructions for a distance of fifty (50) feet on both sides of the landing strip, measured from the edge of the landing strip, and for a distance at the ends of the landing strip to allow a clear approach slope of 20:1.

- (3) *Clear Zones:* All clear zones shall be located within the lot or within areas with an easement for the clear zones.
- (4) *Setbacks:* All runways and hangars shall be at least one hundred (100) feet from adjacent dwellings.
- (5) *Use:* Landing strips shall be for the primary use of the owner of the lot for the operation and maintenance of personal aircraft. No economic gain shall result from the operation of a private landing strip.
- (6) *FAA Approval:* Approval of landing strips shall not be made prior to the Federal Aviation Authority's review and approval, if applicable.

(B) Private Heliport {New Section}

- (1) *Use:* Heliports shall be for the primary use of the owner of the lot for the operation and maintenance of personal aircraft. No economic gain shall result from the operation of a private heliport.
- (2) *Setbacks:* Landing areas shall be at least two-hundred (200) feet from all lot lines.
- (3) *Screening:* Landing areas shall be screened or located to prevent dust ~~or~~ and other debris leaving the property due to typical flight activities.
- (4) *FAA Approval:* Approval of heliports shall not be made prior to the Federal Aviation Authority's review and approval, if applicable.

(C) Mini/self-Storage {Currently § 16.14}

- (1) *Lot Area:* The lot area shall be at least five (5) acres.
- (2) *Access:* Access shall only be from a paved minor or major thoroughfare.
- (3) *Building Setbacks:* Buildings shall be at least ten (10) feet from adjacent storage buildings and internal circulation driveways.
- (4) *Parking & Storage Surface:* The area used for parking and access shall be paved. This standard shall not apply to outdoor storage areas.
- (5) *Uses:* The facility shall only be used for storage. Retail, wholesale, fabrication, manufacturing, service, or residential activities shall not be conducted.
- (6) *Outdoor Storage:* Outdoor storage shall be limited to motor vehicles ~~and~~ recreational vehicles and utility trailers. All outdoor storage areas shall be within a rear yard, meet the setbacks for principal buildings, and be screened from public roads and adjacent properties with evergreens planted no more than ten (10) feet on center or a similar, all-season natural screening.
- (7) *Building Appearance:* The exterior of mini/self-storage buildings shall be of finished quality and maintained in good condition.
- (8) ~~*Fencing/Security:* The lot facility shall have perimeter fencing, and lighting consistent with Section xx, and a security gate consistent with Section xx.~~
- (9) *Dangerous Materials:* Storage of hazardous, toxic, or explosive materials shall not be permitted at the facility. Signs shall be posted at the facility describing such limitations.
- (10) *Accessory Dwelling:* A dwelling may be located on the lot for the use by the owner or caretaker of the facility.

(D) Commercial Grain Elevator {New Section}

- (1) *Lot Area:* The lot area shall be at least three (3) acres.

- (2) *Setbacks*: Elevator structures shall be at least ~~one-two~~ hundred (100/200) feet from all lot lines.

§ X.75 - MINING & MINERAL EXTRACTION

The following specified mining and mineral extraction uses shall meet the standards outlined below, in addition to other applicable standards of this Ordinance.

(A) Non-ferrous Metallic Mining/Mineral Extraction.

The following standards shall apply to non-ferrous metallic mining uses. While this Ordinance recognizes significant preemption by the State in setting standards for non-ferrous metallic mining, the nature of some of the Township's relatively-dense residential areas, limited transportation systems, and significant water resources ~~results in~~means there are many locations where such operations are likely to result in very serious consequences. The following standards are intended to allow for non-ferrous metallic mining while preventing very serious consequences.

- (1) *Setbacks*: Extraction activities shall be at least one hundred (100) feet from all lot lines, water bodies, and wetlands. Buildings and other structures shall meet the setback standards for buildings and structures in the zoning district in which it is located.
- (2) *Equipment Setbacks*: Equipment that generates dust shall be at least three hundred (300) from all lot lines.
- (3) *Landscaping Buffer*: A landscape buffer shall be provided and shall have a minimum depth of fifty (50) feet, in order to prevent dust and noise from impacting adjacent properties.
- (4) *Dust Control*: Access roads, driveways, and parking areas shall be treated to prevent dust nuisance.
- (5) *Traffic*: Haul routes shall be reviewed and approved in order to ensure safety on roads throughout the Township and ensure the roads are able to handle the loads.
- (6) *Blasting Hours*: Blasting hours shall be limited to the hours between 9:00 am and 3:00 pm on weekdays.
- (7) *Hours of Operation*: The hours of operation shall be limited to the hours between 8:00 am and 6:00 pm on weekdays and Saturdays.
- (8) *Additional Materials*.

(B) Mining/Mineral Extraction {Currently § 16.23}

The following standards shall apply to all mining activities not addressed in **Section 16.65(A)** of this Ordinance. While this Ordinance recognizes significant preemption by the State in setting standards for mining, the nature of some of the Township's relatively-dense residential areas, limited transportation system, and significant water resources results in many locations where such operations are likely to result in very serious consequences. The following standards are intended to allow for mining while preventing very serious consequences.

- (1) *Lot Area*: The lot area shall be at least forty (40) acres.
- (2) *Lot Width and Frontage*: The lot width and frontage shall be at least six hundred sixty (660) feet.
- (3) *Setbacks*: Extraction activities shall be at least one hundred (100) feet from all lot lines, waterbodies, and wetlands. Buildings, structures, and stationary equipment associated with

extraction activities shall be located at least 300 feet from all lot lines, , in order to prevent dust and noise from impacting adjacent properties.

- (4) *Landscaping Buffer:* A perimeter landscape buffer zone, which may consist of naturally occurring vegetation, shall be provided and shall have a minimum width of fifty (50) feet, in order to prevent dust and noise from impacting adjacent properties.
- (5) *Roads:* Public road within one thousand five hundred (1,500) feet, as measured along the road, of the extraction activity access point(s) shall be kept clear of mud, dirt, and debris from vehicles associated with the extraction activities.
- (6) *Water:* Extraction activities shall not be conducted in a manner so as to raise or lower the water table on surrounding properties, except as authorized by a Department of Natural Resources permit.
- (7) *Safety Fencing:* The area of extraction activities shall be enclosed by a chain link or similar fence at least eight (8) feet high if the Planning Commission determines the extractive activities might present a dangerous condition if left unprotected.
- (8) *Erosion and Dust:* Topsoil stockpiles shall be seeded or covered to prevent wind and water erosion and dust.
- (9) *Erosion and Sedimentation:* All extraction activities shall use measures to substantially reduce the potential for erosion and limit the amount of sediment reaching surface waters.
- (10) *Grading:* Disturbed areas shall be graded in a fashion which will not cause water to accumulate in stagnant pools.
- (11) *Vegetation Removal:* Trees and other vegetation or ground cover shall not be prematurely stripped off the surface of the ground so as to unnecessarily expose areas of ground that are prone to wind or water erosion that will cause ground or dust to be carried by wind or water onto adjoining or surrounding properties, onto public or private roads, or to create a nuisance.
- (12) *Pollution, Noise, and Vibration:* Air pollution, noise, and vibrations shall be minimized from any effect upon adjacent properties by adequately soundproofed equipment and buildings and by the proper use of berms, walls, and natural planting screens.
- (13) *Hours of Operation:* The hours of operation shall be set by the Planning Commission after consideration of the surrounding land uses and the particular traffic patterns on public haul routes in the area. The maximum range of hours is Monday through Friday from 7:00 a.m. to 6:00 p.m., and from 7:00 am to 12:00 noon on Saturday, and shall be prohibited on legal holidays and Sundays. The Zoning Administrator may provide temporary exemptions from hours of operation for a public emergency or for an operator who must repair equipment that does not require the operation of a motor for such repairs.
- (14) *Haul Routes:* Incoming and outgoing truck or heavy vehicle traffic related to extraction operations shall be limited to those thoroughfares designated as haul routes in the approved site plan. *Equipment and Machinery:* Equipment or machinery for the operations shall not be permitted unless specifically applied for in the application and covered by the Zoning Permit issued.
- (15) *Restoration:* All restoration activities shall begin at the earliest possible date. Restoration of the lot concurrent with extraction activities shall be undertaken to the extent that the restoration activities will not interfere with the excavating activity or if the excavating activity will not damage the reclaimed areas. However, no extraction work can extend more than ten (10) acres until restaration of all previously excavated areas is satisfactorily completed or underway. Excavated areas shall be reclaimed pursuant to a phasing plan approved by the Planning Commission and shall comply with the following standards:

- a. Vegetation shall be restored by the appropriate application of topsoil and seeding of grasses and/or the planting of trees and shrubs to establish a permanent vegetative cover on the land surface to minimize erosion.
 - b. When extraction activities are completed, the excavated area shall be graded so that no gradients in disturbed earth are steeper than a slope of 4:1 (horizontal-vertical).
 - c. Extraction which has created or extended lakes, ponds, or other bodies of water shall meet standards and specifications (particularly with respect to underwater slopes and drop-offs) promulgated by the U.S. Department of Agriculture, Natural Resource Conservation Service, and shall be approved by that agency.
 - d. Where extraction operations result in a body of water, the owner or operator shall place appropriate "Keep Out-Danger" signs around the lot no more than one hundred fifty (150) feet apart.
 - e. Backfill and grading materials shall not be noxious, flammable or toxic, and subject to review and approval.
 - f. Fill and soils shall not be overly compacted and be of sufficient quality to be well-drained and non-swelling. If the reuse plan involves development of dwellings or other buildings, fill and soils shall be of proper bearing capacity to support foundations and septic systems.
 - g. All temporary structures shall be removed from the lot upon completion of the extraction activity unless said structures are of sound construction and are compatible with the reclamation goals. Said structures shall be accurately depicted upon the approved reclamation plan.
 - h. If the reuse plan involves a recreational or wildlife facility, reclamation plans shall be reviewed by recreation, fisheries and wildlife specialists in the Department of Natural Resources.
- (16) Performance Bond:** The excavator shall be required to post an acceptable performance bond pursuant to Section 3.06 of this Ordinance in an amount of up to 100 percent of the estimated reclamation costs for each ten (10) acres of land to be disturbed or excavated or fraction thereof. Extraction activities shall not be initiated on any location of the site until such performance bond has been posted for that area of the site.
- (17) Additional Application Materials:** In addition to the data requirements of Section 6.03, each application shall be accompanied by plans, drawings, and information prepared by appropriate registered professionals depicting, at a minimum:
- a. Name and address of surface owner and/or mineral rights owner of land from which extraction activities will take place.
 - b. Name, address, and telephone number of operator (person, firm or corporation who will be conducting the actual extraction).
 - c. Location, size, and legal description of the total site area to be excavated, including legend showing a north point, scale, and date.
 - d. Location, width, and grade of all easements or rights-of-way on or abutting the area subject to extraction.
 - e. A statement from the applicant identifying all other federal, state, and local permits required, if any.
 - f. Proof of liability insurance from the operator.

- g. Notification of any deed restrictions on the property.
- h. Provisions for buffer zone, landscaping, and screening.
- i. Existing and proposed topography at two-foot contour intervals. Such topography shall extend a minimum of 150 feet beyond the top of the bank of extraction.
- j. A hydrogeological report of the proposed extraction site. Such a report shall, at a minimum, provide:
 - 1. A detailed description of subsurface conditions.
 - 2. Depth of water table throughout the planned extraction area.
 - 3. A map depicting the thickness and depths of material to be excavated.
 - 4. A discussion of the environmental impacts of the proposed extraction, including but not limited to the impact of the proposed extraction upon existing area wells.
 - 5. A recommendation of the necessity to install monitoring wells.
- k. A discussion of the proposed method of extraction, including:
 - 1. The area and amount of material to be excavated in cubic yards.
 - 2. Proposed side slopes and depths for all portions of the excavated area.
 - 3. Proposed drainage system, settling ponds, and retention ponds, as appropriate.
 - 4. The time, duration, phasing and proposed work schedule of the total project.
 - 5. The proposed location of any buildings, storage areas, stockpiling areas, and sorting or crushing equipment as appropriate.
 - 6. Area from which extraction will take place in the first year of operation and likewise for each successive year to completion.
- l. The proposed location of access points to the site and proposed haul routes for disposal of excavated material.
- m. Letter of approval from the Road Commission for the haul routes.
- n. Proposed plans for fencing and signs.
- o. A detailed reclamation plan, drawn to an acceptable scale, and program to be performed upon completion of each phase of the project. At a minimum, the reclamation plan shall include:
 - 1. Physical descriptions of the location of each phase of the extraction activities, the number of acres included in each phase, and the estimated length of time to complete each phase. No phase shall be more than twenty (20) acres.
 - 2. Depiction of finished, stabilized, side slopes, including proposed methods and plant materials.
 - 3. Landscape plan for the portion of the property disturbed by extraction and associated activities, including an inventory of plant/tree species to be used.
 - 4. Materials to be used for backfilling and grading.
 - 5. A reuse plan for the site once extraction is complete.
- p. Site plan and associated background reports shall document the proposed method(s) of compliance with the performance standards of this Section.

- (18) *Other Conditions:* The conditions of any Zoning Permit issued under this section shall apply to the owner and to the operator, who is either an owner or lessee of mineral rights, or any other person engaged in or preparing to engage in extraction.
- a. When an operator disposes of his interest in extraction area by sale, lease, assignment, termination of lease, or otherwise before final reclamation, the Zoning Administrator may release the operator from the duties and obligations imposed upon him by this Ordinance as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time, the Zoning Permit may be transferred.
 - b. Extraction activities authorized by the Zoning Permit shall be inspected with reasonable frequency to determine compliance with this Ordinance and permits issued.
 - c. The general site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology, or to correct an oversight.
 - d. When activities on or use of the area subject to extraction, or any portion thereof, have ceased for more than one (1) year, the operation shall be considered abandoned, and a new Zoning Permit shall be necessary before additional extraction activities can occur. Cessation may be determined by any of the following events:
 1. The completion of the extraction according to the approved site plan;
 2. The Township has received notification from the owner or operator that extraction activities are complete; or
 3. A Zoning Permit for the extraction has expired.
- (19) *Existing Extraction Areas:* All commercial extraction activities existing on the effective date of this Ordinance shall be subject to the above standards with regard to future operations. For the purposes of this Section, future operations shall be interpreted to mean any extraction activities which are not permitted according to the originally issued permit for the extraction operation, including expansion into areas of the site not covered by a Township issued permit validly in place at the effective date of this Ordinance.
- (20) *Two Year Review Required:* Upon receipt of a Zoning Permit for extraction activities, the applicant shall submit to the Planning Commission, at intervals of no greater than two years, plans and/or other materials documenting that the applicant has been in full conformance with the provisions and standards of this Ordinance and the Zoning Permit issued. Failure to submit such evidence, in the discretion of the Planning Commission, shall be grounds for the voiding of the extraction Zoning Permit.

§ ## - SECTION NAME

Text follows here.

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