

Article 14

STANDARDS and REGULATIONS for SPECIFIC SPECIAL LAND USES

Section 14.01 Purpose and Applicability

The purpose of this Article is to establish standards and regulations in association with certain special land uses to ensure the establishment of such uses minimizes negative impacts upon adjacent land uses and the Township as a whole, and all necessary information is submitted to ensure a comprehensive review of such applications. The following standards and requirements apply to specific special land uses as authorized by Article 10 of this Ordinance, including Table 10-2 and 10-3. A special land use shall be approved only where such application complies with the general standards of Section 5.06(A), the standards contained in this Article for certain specific special land uses, and all other standards and requirements of this Ordinance including Article 22-Signs; Article 23-Off-Street Parking and Loading; Article 24-Landscaping and Screening; Article 25-Environmental Protection; and Article 28-General Provisions. The regulations and standards contained in this Article shall be applied in addition to any other standards or regulations contained elsewhere in this Ordinance unless specifically noted otherwise. Where this Article establishes a standard more stringent than that required elsewhere in this Ordinance, including Table 10-4, the standard of this Article shall apply. Any requirements of this Article regarding data, plans, and drawings shall be in addition to the data requirements of Section 4.03 regarding required site plan information.

Section 14.02 Adult Entertainment Business

A. The following site and developmental requirements shall apply:

1. The facility shall have frontage on and gain direct access to a paved primary or secondary thoroughfare.
2. The property on which an adult entertainment business is located shall be located at least 400 feet from a Residential District or residential lot, measured as a straight line distance between the closest property lines.
3. No adult entertainment business shall be established on any premises where there exists another or proposed adult entertainment business within 1,200 feet, measured as a straight line distance between the closest property lines.
4. The property on which an adult entertainment business is located shall be situated at least 2,640 feet from a state licensed child care facility, religious institution, school, public building, park or other recreational facility that admits minors, or any Residential District or residential use, measured as a straight line distance between the closest property lines.

B. Special Performance Standards

1. Signs shall contain no photographs, silhouettes, drawings or pictorial representations of any manner which include "*specified anatomical areas*" or "*specified sexual activities.*" (See definitions under "*Adult Entertainment Business*" in Article 29)
2. Adult entertainment businesses shall not be located within, or otherwise be attached to, a building in which one (1) or more dwelling units or sleeping quarters are located, or on the same lot where one (1) or more dwelling units or sleeping quarters are located.
3. Operational hours are permitted between 11:00 a.m. and 1:00 a.m. only.
4. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access, at an illumination of not less than one (1) foot candle measured at floor level.
5. The applicant shall submit a diagram of the premises showing a plan thereof and specifying the location of one or more manager's stations and the location of all overhead lighting fixtures and illumination intensity of each. A manager's station shall not exceed thirty (30) square feet of floor area.
6. The premises shall be so configured and designed to provide an unobstructed view of each area of the premises to which any person is permitted access for any purpose from at least one (1) of the manager's stations.

7. Activities conducted within buildings housing the aforementioned uses shall be shielded in such a manner that no person outside the building can see said activities, provided however that such shielding shall not consist of a curtain alone, shall not obstruct the exit sign or directional or instructional signs regarding emergency egress, nor be constructed in such a way as to block an exit.
8. All changing of attire by employees or performers shall be within a completely enclosed room into which access by patrons is prohibited.

Section 14.03 Automotive Proving Ground

A. The following site and developmental requirements shall apply:

1. Minimum parcel size shall be eighty (80) acres.
2. Maximum building coverage shall not exceed five percent (5%), but in no case shall any one (1) acre of land area within two hundred (200) feet a public road or existing residence be characterized by more than twenty-five percent (25%) of impervious surface area including buildings, parking lots, and similar surfaces, except where the Planning Commission determines that, due to the siting and/or screening of such increased impervious areas, such areas shall not have an adverse visual impact on nearby roads and residences and the intended character of the District.
3. No building shall be located within one hundred (100) feet of a lot line.
4. No building shall exceed twenty-five (25) feet in height if located within two-hundred (200) feet of a lot line.
5. The site plan shall include a screening plan that shall identify berm and/or vegetative screens to effectively minimize negative visual and audible impacts upon abutting properties.
6. No light fixtures shall exceed a height of twelve (12) feet, and all fixtures shall be designed to direct light downwards only and prohibit direct illumination in an upward direction. Lighting shall be the minimum necessary to ensure safe operating conditions and, when the facility is not in use, such lighting shall be the minimum necessary for security purposes, if necessary.

B. Special Performance Standards:

1. No activities or operational characteristics of the facility shall result in the following conditions beyond the property lines of such facility, as observed by the human senses: glare, heat, vibration, light levels greater than one (1) foot candle, fumes, odors, smoke, dust, and noise levels and durations beyond that typically associated with residential neighborhoods or agricultural operations.
2. The Planning Commission may modify the standards of this Section upon a showing by the applicant, to the satisfaction of the Planning Commission, that more lenient standards will not undermine the public health, safety and welfare of nearby properties and the Township as a whole.

Section 14.04 Bed and Breakfast

A. The following site and developmental requirements shall apply:

1. No bed and breakfast use shall be permitted within a subdivision plat or condominium development, or on any property where there exists another bed and breakfast use within one thousand (1,000) feet, measured as a straight line distance between the closest lot lines.

B. Special Performance Standards:

1. The bed and breakfast facility shall be a single family dwelling which is operated and occupied by the owner or family of the dwelling, and no additional employees shall be engaged in the operation.
2. Meals may be served to overnight guests only, and food services shall comply with the Michigan Public Health Code. No separate or additional kitchen facilities shall be provided for the guests.
3. The number of bedrooms available for use by guests shall not exceed seven (7), and in no case shall more than fifty percent (50%) of the total floor area of the dwelling be used for bed and breakfast sleeping rooms.
4. No receptions, private parties or activities, for which a fee is paid, shall be permitted except as may be expressly authorized in association with the special land use approval.

5. The establishment shall contain at least two (2) exits to the outdoors.
6. Rooms utilized for sleeping shall be part of the primary residential structure.
7. No transient occupant shall reside on the premises for more than fourteen (14) consecutive days and not more than thirty (30) days in any one (1) year.
8. Lavatories and bathing facilities shall be available to all persons using the premises.
9. The exterior appearance of the structure shall not be altered from its single family character.
10. The facility shall have at all times a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor.
11. No receiving or storage of goods shall occur except that which is customarily incidental to a residence.
12. There shall be no sale or offer for sale of goods not produced personally by the owner of the establishment.

Section 14.05 Campgrounds

A. The following site and developmental requirements shall apply:

1. All campsites and principal and accessory buildings shall be setback a minimum distance of one hundred fifty (150) feet from all right-of-way and lot lines.
2. A common use area shall be provided on the parcel at a rate of five hundred (500) square feet per campsite, except that a minimum of ten thousand (10,000) square feet shall be provided.
3. There shall be no permanent storage of tents, campers, or travel trailers in the development unless specifically permitted. Temporary or permanent storage of mobile homes is prohibited.
4. No commercial enterprises shall be permitted to operate on the campground parcel, except that a convenience goods shopping building may be provided where more than forty (40) camp sites are provided. Such building shall be located to discourage use of the facility by non-campers.
5. Each campsite made available as a travel trailer space shall contain at least 2,000 square feet. Each space shall be clearly defined on the ground by stakes or markers, and no parking space shall be closer than thirty (30) feet to another space.
6. All entrances and exit lanes within a campground shall be lighted.

B. Special Performance Standards:

1. At least one public telephone shall be provided in the facility.
2. No more than one permanent dwelling shall be allowed in a campground which shall only be occupied by the owner, manager or an employee.
3. Each campsite shall have a picnic table and designated place for fires.
4. All campgrounds shall be licensed by the Michigan Department of Community Health.

Section 14.06 Commercial Stables

A. The following site and developmental requirements shall apply:

1. A commercial stable shall not be established on any lot less than ten (10) acres in area.
2. Stables, buildings housing horses, and off-street parking areas shall be set back a minimum of one-hundred (100) feet from all lot lines.
3. Commercial stables shall not be located in platted subdivisions or condominium subdivisions unless specifically designed as an equestrian community and located in an A-1 District.
4. A vegetative strip of at least fifty (50) feet wide shall be maintained between any animal holding area, manure pile, manure application area or any surface water. In areas with slopes of over five percent (5%), the Planning Commission may increase setbacks in order to minimize runoff, prevent erosion, and promote nutrient absorption.
5. No special events such as shows, exhibitions, and contests, including viewing areas, shall be permitted within one hundred (100) feet of all lot lines.

B. Special Performance Standards:

1. The facility shall be constructed and maintained so that dust and drainage from the stable shall not create a nuisance or hazard to adjoining property or uses.
2. Manure shall be removed and/or applied so as to prevent a nuisance.

Section 14.07 Communication Towers

A. The following site and developmental requirements shall apply:

1. The maximum height of a communication tower shall not exceed one hundred ninety-five (195) feet. Accessory buildings shall be limited to the maximum height for accessory structures within the respective District.
2. The setback of the tower from all property lines shall be no less than the height of the tower.
3. The base of the tower shall be fenced with a minimum eight (8) foot chain-link fence. In the case where guy wires or a similar support system is used, fencing shall surround all locations where such supports are anchored to the ground.
4. The support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and a statement confirming the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be noted.

5. Communication towers shall be constructed no closer than two (2) miles apart. This requirement may be waived by Planning Commission upon a finding by the approving body that establishing a new tower within a lesser setback shall, because of the particular conditions, more effectively minimize negative impacts of telecommunication facilities on the Township as a whole. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located irrespective of municipal, township and county jurisdictional boundaries.
6. Communication Towers shall be of monopole construction. Skeletal structures, including the use of guy wires, shall be prohibited except where the applicant can demonstrate, within the reasonable discretion of the Planning Commission, that monopole construction is not practical in the specific instance.

B. Special Performance Standards:

1. The applicant shall provide verification that the antenna mounts and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes, including wind load standards, and those of the Federal Aviation Administration and the Federal Communications Commission.
2. Communication towers shall be of a white, light gray, silver or other similar color that blends with the background sky. Towers shall not be artificially lighted unless required by the Federal Aviation Administration or other public agency.
3. The approving body shall, in its discretion, review and approve the support structure and all accessory buildings with respect to the design and appearance so as to minimize distraction, reduce visibility, maximize aesthetic appearance, including landscaping, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the communication facility in a neat and orderly condition.
4. Collocation
 - a. Statement of Policy: It is the policy of the Township to minimize the overall number of newly established locations for communication towers within the community, and encourage the use of existing structures or towers while promoting the public health, safety, and welfare and minimizing negative impacts of such sites. If a provider fails or refuses to permit collocation on a facility owned or otherwise controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be compelled, contrary to the Township's policy for collocation. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the Township.
 - b. Feasibility of Collocation: Collocation shall be deemed to be "feasible" for purposes of this section where all of the following are met:
 - 1) The communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.
 - 2) The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
 - 3) The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.
 - 4) The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the approving body, taking into consideration the standards contained in this Section.
 - c. Requirements for Collocation:
 - 1) A permit for the construction and use of a communication tower shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.
 - 2) All new communication towers shall be designed and constructed so as to accommodate collocation of a minimum of four (4) wireless communication facilities.
 - 3) If a party who owns or otherwise controls a communication tower shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new communication tower, the party failing or refusing to permit a feasible collocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the

Township, and, consequently such party shall take responsibility for the violation, and shall be prohibited from receiving approval for new communication towers within the Township for a period of five years from the date of the failure or refusal to permit the collocation. Such a party may seek a variance from the Zoning Board of Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five year prohibition would unreasonably discriminate among providers of functionally equivalent communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.

5. Removal

- a. A condition of every approval of a communication tower shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
 - 1) When the facility has not been used for 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 a period of non-use.
 - 2) Six months after new technology is available at reasonable cost as determined by the Township, which permits the operation of the communication system without the requirement of the support structure, or with a support structure which is lower and/or less incompatible with the area.
- b. The situations in which removal of a facility is required, as set forth in paragraph (a) above, may be applied and limited to portions of a facility.
- c. Upon the occurrence of one or more of the events requiring removal, specified in paragraph (a) above, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Township Board.
- d. If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of 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 thereof, 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. The person who had used the facility shall immediately notify the Township Clerk in writing if and as soon as use of a facility ceases.

C. Additional Application Requirements: In addition to submitting the information required for all special land uses, including a site plan pursuant to Article 4, each applicant for a communication tower shall provide the following additional information. Any information of an engineering nature that the applicant submits, whether civil, mechanical, electrical, or structural, shall be certified by a licensed professional engineer registered in the State of Michigan.

1. An inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within Locke Township or four (4) miles of the border thereof, including specific information about the location, height, and design of each tower and any additional information that is relevant in terms of potential collocation or in demonstrating the need for the proposed facility.
2. Elevation drawings of the proposed tower and any other structures.
3. The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.
4. The separation distance from other towers described in the inventory of existing sites submitted pursuant to (A)(1) above shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner(s)/operator(s) of the existing tower(s), if known.

5. Method of fencing and finished color and, if applicable, the method of camouflage and illumination.
6. A notarized, sworn statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennae for future users.
7. For wireless communication systems, identification of the entities providing the backhaul network (i.e., the lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, and/or the public switched telephone network) for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the Township.
8. A description of the suitability of the use of existing towers, other structures, or alternative technology not requiring the use of towers or structures to provide the services proposed through the use of the proposed new tower.

Section 14.08 Day Care Centers

A. The following site and developmental requirements shall apply:

1. All buildings, parking areas, trash storage, and play areas shall be set back a minimum distance of seventy-five (75) feet from all lot lines, except where a greater setback is required by Table 10-4.

B. Special Performance Standards:

1. All outdoor play areas shall be enclosed with fencing, a minimum of four (4) feet high.
2. Day care center buildings authorized in Conservation or Residential Districts shall be of an overall residential character including exterior construction materials and general architecture. The property, including landscape and structural elements, shall be maintained in a manner that is consistent with the residential character of the area.
3. Hours of operation shall not exceed sixteen (16) hours in a twenty-four (24) hour period.
4. No approval shall be granted prior to the applicant's receipt of a license from the Michigan Office of Child and Adult Licensing.

Section 14.09 Day Care Facility, Group Home

A. The following site and developmental requirements shall apply:

1. A group home day care facility shall not be located closer than fifteen-hundred (1,500) feet to any of the following facilities as measured along a street, road, or other public thoroughfare, excluding an alley:
 - a. Another group home day care facility licensed by the State of Michigan.
 - b. A adult foster care 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.
 - d. A community correction center, resident home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the Department of Corrections.

B. Special Performance Standards:

1. All outdoor play areas shall be enclosed with fencing, a minimum of four (4) feet high and shall comply with all administrative rules of PA 116 of 1973, as amended.
2. The property, including landscape and structural elements, shall be maintained in a manner that is consistent with the character of the neighborhood. A group day care home should not require exterior modifications to the dwelling nor shall the front yard be the location of play equipment.
3. One identification sign shall be permitted. Such sign face shall not be greater the two (2) square feet, shall be mounted flush to a wall, made of a material that is compatible with the dwelling unit, and shall not be illuminated. Sign text shall be limited to the name of the facility and an address.
4. At least one (1) off-street parking space shall be provided for each non-family 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. An off-street drop-off area is to be provided with the capability to accommodate at least two (2) automobiles in addition to the parking required for non-family employees of the dwelling and the parking normally required for the residence.
5. Hours of operation shall not exceed sixteen (16) hours in a twenty-four (24) hour period.

6. No approval shall be granted prior to the applicant's receipt of a license from the Michigan Office of Child and Adult Licensing.

Section 14.10 Extraction Operations

A. Additional Materials to be submitted for Special Use Review: In addition to the information required by Article Four for site plan review, the following additional information shall be provided:

1. Location of all buildings within five hundred (500) feet of any activity proposed for the site.
2. Detailed proposal as to method of operation, what type of machinery or equipment will be used, estimated period of time that such operation will cover, and all haul roads and truck entrance locations to be used.
3. Detailed statement as to the type of deposit is proposed to be extracted and the area and amount of material to be excavated (in cubic yards).
4. Proposed plans for fencing and signs.
5. Depth to and directional flow of groundwater.
6. Proposed side slopes and depths for all portions of the excavated area, including interim and final grades.
7. Proposed drainage system, settling ponds and retention ponds, as appropriate.
8. The time, duration, phasing and proposed work schedule of the total project, including the area from which extraction will take place in the first year of operation and likewise for each successive year to completion.
9. The proposed location of any buildings, storage areas, stockpiling areas, and sorting or crushing equipment as appropriate.
10. Physical descriptions of the location of each principal phase, number of acres included in each phase, and estimated length of time to complete each phase in extraction.
11. A detailed reclamation plan that identifies, at a minimum, the following:
 - a. Description of the intended reclamation use of the site upon completion of extraction activities, the spatial arrangement of proposed reclamation uses, and preliminary final grading of the site.
 - b. Depiction of finished, stabilized, side slopes.
 - c. A landscape plan, including an inventory of plant/tree species to be used, sizes, and locations, and the manner in which vegetation shall be restored upon the site, including appropriate seeding of grasses, or the planting of trees and shrubs, to establish a permanent vegetative cover on the land surface to minimize erosion. The landscape plan shall provide that a layer of arable topsoil, of a quality approved by the Planning Commission, shall be spread over the excavated area, except exposed rock surfaces, to a minimum depth of four (4) inches in accordance with an approved contour plan and intended reclamation use.
 - d. Final grades shall be no greater than slope of 3-1 (horizontal-vertical)
 - e. No noxious, flammable or toxic backfill and grading materials shall be used.

B. The following site and developmental requirements shall apply:

1. Minimum lot area shall be twenty (20) acres.
2. Notwithstanding any other minimum yard sizes required by this Ordinance, all extraction activities, including alteration of existing topographic conditions, fixed and temporary buildings and equipment, washing and stockpiling of materials, and limits of site disturbance shall be set back a minimum distance of one hundred (100) feet from all lot lines and five hundred (500) feet from a residence existing at the time an application is submitted. The Planning Commission may prescribe more strict requirements in order to give sub-lateral support to surrounding property where soil or geographic conditions warrant.
4. There shall be not more than one (1) entrance-way from a public road to said lot for each six hundred sixty (660) feet of frontage.
5. All buildings, structures, fuel storage, active excavation areas, mining operations and storage of equipment shall be visually screened from views from all adjacent public roadways and adjacent parcels by means of a combination of earthen berms and dense year-round vegetative screening.
6. At all stages of operations, gravel and sand pits, and quarries shall be completely and continually drained of water when not in use or supervised by a watchman. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.

C. Special Performance Standards:

1. The applicant shall erect a fence with warning signs completely surrounding the portion of the site where excavation is in excess of five (5) feet of immediately adjacent land surfaces, or where the Planning Commission determines necessary to ensure the public health, safety and welfare, including any locations that may be subject to ponding or inundation. Fencing shall be of wire mesh or other suitable material and shall not be less than five (5) feet in height, complete with gates as may be necessary. Such gates shall be kept locked except when a watchman or operator is present on the property. "KEEP OUT - DANGER" signs shall be located along the fencing, not more than two hundred (200) feet apart
2. No area under excavation shall exceed a slope of 1:1 (horizontal to vertical).
3. Rumble strips shall be provided along access drives to discourage the tracking of dirt onto adjacent roads. Public streets within 1000 feet of the exit of the extractive use site shall be kept reasonably clear of mud, dirt and debris from vehicles exiting the site.
4. No topsoil shall be removed from the extraction site except in the immediate area of current extraction activities.
5. The extraction shall be graded in a fashion which will not cause water to accumulate in stagnant pools.
6. Air pollution, noise and vibrations shall be minimized from any effect upon adjacent properties by adequate soundproofed equipment and buildings designed to accomplish such minimization and by the proper use of berms, walls, and natural planting screens.
7. Truck or heavy vehicle traffic related to extraction operations shall use major thoroughfares for access to the greatest extent feasible. The applicant shall make an adequate financial guarantee with the Township or other authority acceptable to the Township, to address any additional road maintenance and/or improvements necessitated by extraction operation truck traffic.
8. All activities including the removal of sand and gravel, ingress or egress by large vehicles or equipment, the mining or extracting of sand and gravel, processing and stockpiling, or any other operation of motor-driven vehicles, or equipment maintenance and repair shall be carried on exclusively between the hours of 7:00 a.m. and 10:00 p.m.
9. Proper measures, as determined by the Planning Commission, shall be taken to minimize the nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practice of stockpiling excavated materials upon the site.
10. Extraction processing or storage shall not be conducted as to cause the pollution by any material of any surface or subsurface water-course, or body of water outside the lines of the lot on which such use shall be located.
11. All temporary structures shall be removed from the premises 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.
12. All areas within any single development shall be rehabilitated progressively as they are worked out or abandoned so that they shall be in a condition of being entirely lacking in hazards and be inconspicuous, and blended with the general surrounding ground form. Reclamation activities shall be initiated at the earliest possible date. Reclamation of the site concurrent with extraction activities shall be undertaken to the extent that the reclamation activities will not interfere with the excavating activity or if the excavating activity will damage the reclaimed areas. Excavated areas shall be reclaimed pursuant to the approved reclamation plan. The excavator shall be required to post an acceptable performance guarantee pursuant to Section 3.06 of this Ordinance to address the reclamation costs for each five (5) 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 guarantee has been posted for that area of the site.
13. When activities on or use of the area subjected to extraction, or any portion thereof, have ceased for more than one (1) year, the operation shall be considered abandoned and a new permit necessary before additional extraction activities can occur. Cessation may be determined by any of the following events:
 - a. The completion of the extraction.
 - b. The Planning Commission determines that no substantial work has occurred on the site for more than one (1) year.

- c. The Planning Commission has received notification from the owner that operations are complete.
- d. A land use permit for the extraction has expired.

D. Existing Extraction Areas: All extraction operations existing on the effective date of this Ordinance shall be subject to the regulations above for 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, and shall require special approval.

Section 14.11 Foster Care Facility, Group Home

A. The following site and developmental requirements shall apply:

1. At least one (1) off-street parking space shall be provided for each employee. An off-street drop-off area is to be provided with the capability to accommodate at least two (2) automobiles in addition to the parking required for employees.
2. The facility 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 servicing the facility.

B. Special Performance Standards:

1. Any outdoor children's' play area shall be enclosed with fencing, a minimum of four (4) feet high.
2. The property, including landscape and structural elements, shall be developed and maintained in a manner that is consistent with the general character of residential properties within the general area.
3. One identification sign shall be permitted. In Conservation and Residential Districts, such sign face shall not be greater than two (2) square feet, shall be mounted flush to a wall, made of a material that is compatible with the exterior of the wall, and shall not be illuminated. Sign text shall be limited to the name of the facility and an address.
4. No approval shall be granted prior to the applicant's receipt of a license from the Michigan Office of Child and Adult Licensing.

Section 14.12 Golf Courses, Country Clubs, and Driving Ranges

A. The following site and developmental requirements shall apply:

1. Regulation length 18-hole golf courses shall have a minimum lot size of one-hundred twenty (120) acres, of which a minimum of 110 acres of usable land shall be allocated to fairways, roughs, and greens. Eighteen-hole par-3 courses, and nine-hole courses with regulation length fairways, shall have a minimum lot size of sixty (60) acres.
2. All principal and accessory buildings, and parking areas, shall be not less than seventy-five (75) feet from any lot line, and not less than 200 feet from a Residential District.
3. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling.
4. A golf driving range shall maintain a seventy-five (75) foot setback from all property lines. The area shall be buffered by vegetation to minimize the impact upon adjoining properties. Additional buffering conditions necessary to minimize the impact or safety threats upon adjacent land uses may be imposed.
5. Fairways and driving ranges shall have sufficient width and shall be oriented in such a manner and set back a sufficient distance to prevent golf balls from being hit outside the perimeter of the golf course. The minimum width for fairways shall be one hundred (100) feet, unless the golf course designer can demonstrate that, because of the location of trees, sand traps, berms, or other features, a narrower fairway will not compromise safety. The minimum length of a driving range shall be two hundred seventy-five (275) yards, measured from the tee to the end of the range.
6. Accessory country club uses may include restaurants and drinking establishments, tennis, racket sport, or swimming facilities, or other uses having a customary accessory relationship with country clubs, provided all standards of this Ordinance are met and the Planning Commission

determines that such uses are clearly accessory and subordinate in character to the principal use of the parcel as an outdoor recreational facility.

B. Special Performance standards:

1. A minimum fifty (50) foot buffer zone between turf areas and natural water bodies, watercourses or wetlands shall be maintained. 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.
2. A hydrogeological study shall be completed and submitted to document the anticipated impact of the golf course on groundwater supply. This study shall inventory and analyze well logs from surrounding properties, giving consideration to the depth of the wells and quality of water. The study shall further estimate the quantity of water that will be used on a daily basis during the peak watering periods and shall evaluate the impact of watering operations on surrounding wells. The study shall be performed by an engineer or hydrologist licensed in the State of Michigan.
3. Detailed plans for hazardous materials storage shall be provided. Buildings in which hazardous materials are stored shall be designed to contain spills, shall not have floor drains that discharge into a septic system or other pathway to the groundwater, shall be lockable, and shall be kept locked. An inventory manifest of stored hazardous materials must be posted at the entrance of the storage building and filed with the Township. Plans for emergency containment and clean-up shall also be provided.
4. Accessory uses may include clubhouse/pro shop, managerial facilities, maintenance sheds, toilets, lockers, and other accessory uses directly incidental to the golf course. The design of the clubhouse and other accessory buildings shall be of a residential character and exterior materials shall be primarily wood, siding or brick.
5. Golf course hours, including those for general operations and public admission, shall not exceed dawn to dusk.

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Section 14.13 Home Occupations, Class 2

A. The following site and developmental requirements shall apply:

1. No more than one-third (1/3) of the floor area of the dwelling shall be occupied by the occupation. The occupation may occupy no more than 2,500 square feet of a permitted accessory building.
2. Buildings used in the occupation shall meet minimum yard and setback restrictions for the district in which it is located, except as provided in (1) above.
3. There shall be no structural additions nor modifications to buildings on the property or permanent installation of any equipment not readily suitable for residential or agricultural use, except to accommodate the physically handicapped.

B. Special Performance Standards:

1. The principal person engaged in and responsible for the occupation shall reside on the same premises where the occupation is conducted and shall be actively and personally engaged in the occupation.
2. The home occupation shall not employ more than three (3) persons on the premises during the ordinary course of business, including the owner and others residing in the dwelling but excluding employees who do not physically report to the site or perform occupation duties on the site. The Planning Commission may decrease the above standard to one (1) person in the case where the Planning Commission determines that, without such reduction in the standard, the operation of the home occupation will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area.
3. Visitors, customers and deliveries shall not exceed an average rate of two (2) per hour during any given day, and in no case shall exceed a total of eight (8) during a single day. The Planning Commission may decrease the above standards by as much as fifty percent (50%) in the case where the Planning Commission determines that, without such reduction in the standard, the operation of the home occupation will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area.
4. There shall be no on-street parking and in no case shall more than eight (8) motor vehicles be parked or otherwise located outdoors, including vehicles owned or used by residents of the dwelling and employees of the business. The Planning Commission may decrease the above standard to one (1) motor vehicle in the case where the Planning Commission determines that, without such reduction in the standard, the operation of the home occupation will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area.
5. All of the activities on the property related to the occupation shall be carried on indoors.
6. There shall be no outdoor storage of materials, goods, supplies, refuse and waste materials, equipment or products related to the occupation. Refuse generated by the occupation shall be safely and properly disposed of.
7. The use of the property for the occupation shall be clearly secondary and incidental to the use of the property for dwelling or agricultural purposes.
8. There shall be no construction features or equipment used that would change the fire rating of any structure.
9. The occupation, including associated equipment, shall not produce any noise, odors, vibration, fumes or smoke detectable to normal sensory perception beyond the lot lines. No equipment or process shall be used which creates electrical interference in any radio, television, or communication receivers off the premises, or cause fluctuations in line voltage off the premises.
10. The property and buildings utilized for the home occupation shall be of a size and configuration sufficient to accommodate the occupation and provide adequate buffering for adjacent properties from noise, odors, vibration, fumes, smoke, traffic, light emissions and other conditions resulting from the occupation.
11. The occupation shall comply with all applicable federal, state and local laws, including, but not limited to, laws regarding licensing, occupational health and safety, environment, labor protection and taxation.

C. Duration of Permit: All permits for home occupations are recognized to be finite in duration. Should a home occupation permittee die, move to a new location, or cease to be personally engaged as the

principal operator of the occupation, the permit shall be automatically terminated except that in the case of death or disability, a surviving spouse or child residing at the same address may continue the occupation without the necessity for additional permits or approvals.

Section 14.14 Human Care Facilities

A. The following site and developmental requirements shall apply:

1. The facility shall have frontage on and gain direct access to a paved primary or secondary thoroughfare.

B. The following special performance standards shall apply:

1. Ambulance and delivery areas shall be obscured from view from any abutting lot used for residential purposes, by a solid masonry wall six (6) feet in height.

Section 14.15 Junkyards

A. The following site and developmental requirements shall apply:

1. The minimum lot size shall be five (5) acres.
2. A solid fence or wall at least eight (8) feet in height shall be provided around all sides of the area used to store junk. Such fence or wall shall be of sound construction, painted or otherwise finished neatly and inconspicuously.
3. All enclosed areas shall be set back at least one-hundred (100) feet from any lot line, but in no case shall such enclosed area be less than two-hundred (200) feet from a Conservation or Residential District. A landscaped buffer area shall be provided adjacent to such enclosed areas.

B. Special Performance Standards:

1. All activities shall be confined to within the enclosed area including any: storage of materials; stockpiling of materials; disassembly of materials, parts, and vehicles; and the storage or parking of all equipment and operative and inoperative vehicles. There shall be no stocking of material above the height of the fence or wall, except that moveable equipment used on the site may exceed that height.
2. No open burning shall be permitted, and between the hours of 5:00 p.m. and 8:00 a.m., all industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.
3. All roads, driveways, parking lots, and loading and unloading areas within any junk yard shall be paved, watered, or chemically treated so as to limit the nuisance caused by wind-borne dust on adjoining lots and public roads.
4. The operation shall be licensed by the Michigan Secretary of State to sell used vehicle parts or tow non-operational vehicles.
5. 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 Environmental Quality.
6. No inoperable vehicle shall be maintained on the site for more than forty-eight (48) hours except where all fluids in such vehicle, including but not limited to fuels, oils, and coolants, are fully drained. Such fluids shall be disposed of in accordance with all local, county, state and federal regulations.

Section 14.16 Kennels

A. The following site and developmental requirements shall apply:

1. The lot shall be at least five (5) acres in size.
2. Buildings where animals are kept, runs, and exercise areas shall not be located closer than 200 feet to any lot line.

B. Special Performance Standards:

1. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease or offensive odor. The site plan application materials shall document the manner in which animal stalls are to be constructed and animal waste is to be disposed, and

measures to be taken to protect against environmental contamination, odors, fleas, and the spread of disease.

2. All animals must be licensed and maintained in a healthful and careful manner.
3. The kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized.
4. Habitual barking or unusual noise from the kennel which results in a nuisance to neighboring land owners or residents is prohibited.
5. Outdoor runs, pens or exercise yards shall not be used between the hours of 10:00 p.m. and 7:00 a.m.
6. During the hours of 7 a.m. until 10 p.m. animals shall be permitted in outdoor runs, pens or exercise yards. Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.

Section 14.17 Mini Storage Facilities

A. The following site and developmental requirements shall apply:

1. One (1) parking space shall be provided for each twenty (20) rental units within the buildings, and one (1) parking space shall be provided for each employee.
2. There shall be a minimum of thirty-five (35) feet (forty-five (45) feet if the driveway is two-way) between warehouses for driveway, parking, and fire lane purposes. Where no parking is provided within the building separation areas, said building separation need only be twenty five (25) feet. Traffic direction and parking shall be designated by signaling or painting.

B. Special Performance Standards:

1. No retail, wholesale, fabrication, manufacturing, or service activities may be conducted from the storage units by the lessees.
2. The entire site, exclusive of access drives, shall be enclosed with a six (6) foot high wall or fence.
3. Storage spaces shall not contain more than 500 square feet each.
4. All storage shall be within the enclosed building area unless specifically provided for otherwise as part of an approved site plan, as in the case of the storage of recreational vehicles. No outdoor storage shall occur within a front yard and within fifty (50) feet from a side and rear lot line.
5. The exterior of mini-storage buildings shall be of finished quality and maintained so as not to be offensive to adjacent property or abutting roads.
6. No storage of hazardous, toxic, or explosive materials shall be permitted at the facility. Signs shall be posted at the facility describing such limitations.

Section 14.18 Private Landing Strips

A. The following site and developmental requirements shall apply:

1. Runways shall be one thousand two hundred (1,200) feet in land length and fifty (50) feet in useable width, with a clear approach in each direction of 10:1 for a distance of 10,000 feet, except where the applicant can demonstrate that the intended type of aircraft to be used has standard operational characteristics that make such standards excessive such as in the case of "ultra light" aircraft.

B. Special Performance Standards:

1. Approval of landing strips shall not be made prior to the receipt of the Federal Aviation Authority's review of the proposed landing strip.

Section 14.19 Shooting Ranges

A. The following site and developmental requirements shall apply:

1. Minimum lot area shall be forty (40) acres for outdoor firearm shooting activities and shall be twenty (20) acres for outdoor archery-only shooting activities.
2. Minimum front, side and rear yard setbacks for outdoor shooting ranges, including buildings and shooting areas, shall be two hundred fifty (250) feet.
3. An outdoor shooting range shall be fenced around its boundaries with a fence at least four (4) feet high, to clearly identify the boundaries of the shooting range. The range shall be clearly

posted with warning signs around its perimeter. All vehicular access shall be controlled by locked gates.

B. Special Performance Standards:

1. A site plan for the range, whether indoor or outdoor, shall be submitted clearly indicating all safety provisions to assure that any projectile discharged within the confines of a shooting range shall not exit the range.
2. The Planning Commission may submit a copy of the site plan to law enforcement agencies for review and comment.
3. All indoor and outdoor activities, including the shooting of projectiles and storage of projectiles, shall comply with the most current published standards and guidelines of the National Rifle Association and National Field Archery Association, as applicable.
4. Hours of outdoor operation shall be between sunrise and sundown, according to such times as published by the National Weather Service, unless expressly authorized otherwise by the Planning Commission

Section 14.20 Vehicle / Car Wash Establishment

A. The following site and developmental requirements shall apply:

1. The facility shall have frontage on and gain direct access to a paved primary or secondary thoroughfare.
2. All washing activities shall be carried on within an enclosed building or under a covered structure with side walls separating individual washing bays.
3. Vacuuming activities shall be set back a minimum of one hundred (100) feet from property zoned or used for residential purposes.
4. All maneuvering lanes and stacking lanes shall be located on the site and shall provide sufficient room to avoid waiting cars encroaching into a road right-of-way.

B. Special Performance Standards:

1. Each bay shall be graded and drained to collect run-off originating in the bay.
2. Trash containers shall be provided and emptied as necessary to minimize the accumulation of liter.

Section 14.21 Vehicle Repair Shops and Service Stations

A. The following site and developmental requirements shall apply:

1. The facility shall have frontage on and gain direct access to a paved primary or secondary thoroughfare.
2. The site shall be no less than two hundred (200) feet from any place of public assembly, including any hospital, sanitarium, school, church or other institution. Measurement shall be the closest distance between exterior lot lines.
3. Fuel pumps shall comply with the minimum setback requirements for principal buildings in the District.
4. The entire area used for vehicle service shall be paved and adequately drained.

B. Special Performance Standards:

1. Hydraulic hoists, service pits, lubricating, greasing, washing, and repair equipment and operations shall be located within a completely enclosed structure.
2. 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 be parked or stored in a rear yard only, shall be screened, and shall be setback the minimum distance required for principal buildings in the District.
3. Vehicle renting or leasing in association with a repair facility may exist only as an accessory use to the principal repair activities, and only upon approval of a site plan delineating such rental/lease area and the type and maximum number of vehicles to be stored on the site for such purpose.
4. The application materials shall identify the extent, quantities, and types of explosive, flammable, or otherwise hazardous materials that may be used or created, and the measures to be used for proper handling, storage, and disposal of such materials.

5. All provisions for the storing and disposing of fuels, oils, and waste products, including daily generated garbage, shall meet county, state, and federal regulations. The applicant shall document the availability and capacity of sewage facilities to handle the anticipated volumes and types of wastes.

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