

ARTICLE 8.00

SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES

Section 8.01 -- INTENT AND SCOPE OF APPLICATION

Each use listed in this Article, whether permitted by right or subject to approval as a special land use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to alleviate the impact from a use which is of a size or type, or which possesses characteristics which are unique or atypical in the district in which the use is located. These standards are further intended to assure that such uses will be compatible with surrounding uses and the orderly development of the district. Conformance with these standards shall be subject to site plan review.

Unless otherwise specified, each use listed in this Article shall be subject to all applicable yard, bulk and other standards for the district in which the use is located. Compliance with the standards in this Article does not relieve the owner or operator of a permitted use from complying with additional standards in other applicable Township ordinances, including the Township Nuisance Ordinance.

Section 8.02 -- SITE DEVELOPMENT STANDARDS FOR NON-RESIDENTIAL USES

A. Adult Book or Supply Stores, Adult Motion Picture Theaters, Adult Live Stage Performing Theaters, Adult Outdoor Motion Picture Theaters, Group "A" Cabarets, and Massage Parlors or Massage Establishments

In the development and execution of this Ordinance and this Section, it is recognized that there are certain uses which, because of their very nature, have serious objectionable characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon the adjacent areas. The special regulations in this section are intended to prevent a concentration of these uses in any one area, so as to prevent the blighting, deterioration, or downgrading of an area. The following requirements are intended to accomplish these purposes:

1. The establishment of the types of Adult Regulated Uses listed below shall be prohibited if the establishment of such use will constitute the second such use within a one thousand (1,000) foot radius (i.e., not more than one such use within one thousand (1,000) feet of another). The distance between uses shall be measured horizontally between the nearest property lines.
 - a. Adult Book or Supply Stores
 - b. Adult Motion Picture Theaters
 - c. Adult Motion Picture Arcade
 - d. Adult Motel
 - e. Adult Model Studio

- f. Adult Live Stage Performing Theaters
 - g. Adult Outdoor Motion Picture Theaters
 - h. Group "A" Cabarets
 - i. Massage Parlors or Massage Establishments
2. It shall be unlawful to hereafter establish any Adult Regulated Use if the proposed regulated use will be within a six hundred (600) foot radius of the following:
- a. Any "Class C" establishment licensed by the Michigan Liquor Control Commission.
 - b. Pool or billiard halls.
 - c. Coin-operated amusement centers.
 - d. Disco or dance centers which typically cater to teens.
 - e. Ice or roller skating rinks.
 - f. Pawn shops.
 - g. Indoor or drive-in movie theaters.
 - h. Public parks, playgrounds, or other recreation uses.
 - i. Churches, convents, monasteries, synagogue, or similar religious institutions.
 - j. Day care centers or nurseries.
 - k. Any public, private or parochial nursery, primary, or secondary school.
 - l. Any residentially used or zoned land, including land that is zoned R-1, R-I-S, RR, AG-SF, RM-1, or AG-C.

The distance between uses shall be measured horizontally between the nearest property lines.

3. The building and premises shall be designed and constructed so that material depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Area (as defined in this Ordinance) cannot be observed by pedestrians or from vehicles on any public right-of-way. This provision shall apply to any display, decoration, sign, show window, or other opening.

B. Airport and Related Uses

Airports, landing fields and platforms, hangars, masts, and other facilities for the operation of aircraft may be permitted subject to the following conditions: *(this sub-section B revised 7/1/97)*

1. Airports for Public Use, Landing Area for Other Than Personal Use, and Related Accessory Uses

Airports, landing areas for other than personal use, and related accessory uses (such as hangars and other facilities for the operation of aircraft) may be permitted subject to the following conditions:

- a. Plan Approval
The plans for such facilities shall be approved by the Federal Aviation Administration (FAA) and the Michigan Department of Aeronautics prior to submittal to the Township for review and approval.
- b. Minimum Standards
The standards established by the FAA and the Michigan Bureau of Aeronautics concerning obstruction to air navigation shall be complied with.
- c. Clear Zones
All required "clear zones" (as defined by the FAA) shall be owned by the airport facility.
- d. Aircraft and Vehicle Parking
Sufficient parking shall be provided for aircraft storage. Additional vehicular parking shall be provided for airport users, and for offices, restaurants, sales room and other uses associated with the airport, subject to the requirements in Article 4.00.
- e. Approval from Utility Companies
The plans for such facilities shall be submitted to all utility companies serving the area, including companies that have communications towers within two miles of the proposed facility.
- f. Setback
No portion of any landing strip or pad, runway, or similar facility shall be located closer than five hundred (500) feet to any parcel of land that is zoned or used for residential purposes. The setback shall not apply to landing strips used for private, noncommercial use.

2. Landing Areas for Personal Aircraft Use

Landing areas and airports for personal aircraft use may be permitted subject to the following conditions:

- a. All such landing areas shall comply with applicable laws and regulations promulgated by the Federal Aviation Administration and the Michigan Bureau of Aeronautics.
- b. Landing areas for personal aircraft use shall be for the sole use of the person who owns or maintains the landing area and his/her invited guests. However, up to two (2) additional users may be permitted if the applicant demonstrates to the satisfaction of the Planning Commission and the Township Board that permitting the additional users will eliminate the need for additional landing areas in other locations within the Township.
- c. Twelve (12) take-offs and twelve (12) landings may be permitted per day.
- d. No more than one (1) accessory building (e.g., hangar, garage, storage building, etc.) related to each such landing area shall be permitted.
- e. Landing areas for personal aircraft use shall not be used by aircraft for commercial passenger or cargo operations, except for hot air balloons.
- f. Landing areas for personal aircraft use shall not be used for conducting commercial flight instruction.
- g. Landing areas for personal aircraft use shall not be used as a base for charters or rental of aircraft.

- h. Landing areas for personal aircraft use shall not be used for commercial maintenance or overhaul of aircraft, or for the sale of fuel, except that maintenance for or by the person who owns or maintains the strip on his/her own aircraft is permitted.

C. Automobile or Vehicle Dealers

Automobile or vehicle dealers with repair facilities or outdoor sales space shall be subject to the following requirements. These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks, and other vehicles.

1. Grading, Surfacing, and Drainage

Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be hardsurfaced with concrete or plant-mixed bituminous material and shall be graded and drained so as to dispose of surface waters. Grading, surfacing, and drainage plans shall be subject to review and approval by the Township Engineer.

2. Driveway Location

The nearest edge of any driveway serving an outdoor vehicle sales area shall be located at least sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way line).

3. Servicing of Vehicles

Any servicing of vehicles, including major motor repair and refinishing, shall be subject to the following requirements:

- a. Service activities shall be clearly incidental to the vehicle sales operation.
- b. Vehicle service activities shall occur within a completely enclosed building.
- c. Partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts shall be stored within a completely enclosed building.
- d. The building containing service operations shall be located a minimum of fifty (50) feet from any property line.
- e. There shall be no external evidence of the service operations, in the form of dust, odors, or noise, beyond the service building.

4. Broadcasting Devices Prohibited

Devices for the transmission or broadcasting of voice or music shall be prohibited outside of any building.

5. Setbacks

Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall comply with the locational requirements for parking lots, as specified in Section 4.01, subsection B.1.

6. Minimum Lot Area

The minimum lot area required for such uses shall be 43,560 sq. ft.

D. Automobile Filling Stations, Automobile or Vehicle Service Stations, Automobile Repair Garages

The following regulations shall apply to Automobile Filling Stations and Automobile or Vehicle Service Stations, including tire, battery, muffler and undercoating shops:

1. Minimum Lot Area

The minimum lot area required for such uses shall be 40,000 sq. ft.

2. Minimum Lot Width

The minimum lot width required for such uses shall be 200 ft.

3. Minimum Setbacks

Repair garages or other buildings shall comply with the setback requirements for the district in which the use is located. However, a minimum setback of forty (40) feet shall be maintained on all sides which abut property that is zoned or used for residential purposes. Pump islands and canopies shall comply with the following requirements:

	Minimum Setback from Right-of-Way Line
Nearest Edge of Pump Island	30 ft.
Nearest Edge of Unenclosed Canopy	20 ft.

4. Ingress and Egress

Ingress and egress drives shall be a minimum of thirty (30) feet and a maximum of forty (40) feet in width. No more than one (1) such drive or curb opening shall be permitted for every seventy-five (75) feet of frontage (or fraction thereof) along any street. The nearest edge of any such drive shall be located at least twenty-five (25) feet from the nearest point of any property zoned or used for residential purposes.

Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance because of its location in relation to other ingress and egress drives, its location in relation to the traffic generated by other buildings or uses or its location near vehicular or pedestrian entrances or crossings.

5. Layout

All lubrication equipment, automobile wash equipment, hoists, and pits shall be enclosed entirely within a building. Gasoline pumps shall be located so that motor vehicles do not park on or extend over abutting landscaped areas, sidewalks, streets, buildings, or adjoining property while being served. Service bay doors and windows shall be oriented so they face away from abutting residentially zoned or used property.

6. Outside Storage

Inoperable, wrecked or partially dismantled vehicles shall not be stored or parked outside for a period exceeding two (2) days. Such vehicles must be stored in the rear yard within a masonry screening wall that is not less than six (6) feet in height.

7. Vehicle Sales and Storage

The storage, sale, or rental of new or used cars, trucks, trailers, and any other vehicles on the premises is prohibited.

E. Automobile Wash or Car Wash Establishment

The following regulations shall apply to Automobile Wash or Car Wash Establishments:

1. Minimum Lot Size

The minimum lot size required for automobile or car wash establishments shall be 21,780 sq. ft.

2. Layout

All washing activities shall be carried on within a fully enclosed building. Vacuuming activities shall be permitted in the rear yard only, provided such activities are located at least fifty (50) feet from adjacent residentially zoned or used property. Entrances and exits shall not face abutting residentially zoned or used property.

3. Entrances and Exits

Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel itself. Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the automobile wash.

4. Orientation of Open Bays

Buildings should be oriented so that open bays, particularly for self-serve automobile washes, do not face onto adjacent thoroughfares unless screened by landscaping.

5. Exit Lane Drainage

Exit lanes shall be sloped to drain water back to the wash building to drainage gates.

F. Bed and Breakfast Establishments

Bed and breakfast establishments shall be subject to the following regulations:

1. Bed and Breakfast Establishments an Accessory Use

The bed and breakfast establishments shall be clearly incidental to the principal residence on the site. Accordingly, the bed and breakfast operations shall be confined to the single-family dwelling unit which is the principal dwelling on the site. Not more than thirty percent (30%) of the total floor area of the dwelling unit be used for bed and breakfast sleeping rooms.

2. Maximum Number of Units

No more than three (3) bed and breakfast units shall be established in dwelling units located on lots up to 2.5 acres in size. Where lot size exceeds 2.5 acres, the number of bed and breakfast units permitted shall be based on good design principles, subject to Planning Commission review.

3. Principal Residence

The dwelling unit shall be the principal residence of the operator, and the operator shall live in the dwelling unit when the bed and breakfast facility is in operation.

4. Kitchen Facilities

There shall be no separate cooking facilities for the bed and breakfast establishment, other than those which serve the principal residence. Food may be served only to those persons who rent a room in the bed and breakfast facility.

5. Building Requirements

A building used for a bed and breakfast establishment shall comply with the following minimum requirements:

- a. There shall be at least two (2) exits to the outdoors.
- b. Rooms used for sleeping shall have a minimum size of one hundred (100) square feet for two (2) occupants, plus and additional thirty (30) square feet for each additional occupant. Rooms shall be designed to accommodate no more than four (4) occupants.
- c. Each sleeping room shall be equipped with a smoke detector.

6. Parking

Adequate off-street parking shall be provided for bed and breakfast patrons, in accordance with Article 4.00. Off-street parking in the front yard is prohibited.

G. Cemeteries

The following regulations shall apply to the establishment of new cemeteries or expansion of existing cemeteries:

1. Location

No portion of any cemetery that is located in a wetland or within the 100-year flood boundary shall be developed or platted for grave sites.

2. Accessory Buildings

A crematorium, mausoleum, columbarium, or other accessory building may be permitted within a cemetery provided that any such building shall be designed and located in accordance with a cemetery master plan, which shall be subject to Planning Commission approval.

3. Setbacks

No building or structures containing bodies or remains, other than subterranean graves, shall be located closer than one hundred (100) feet to the boundary line of any residential or commercial district. A crematorium located within a cemetery shall be setback a minimum of four hundred (400) feet from the boundary line of any residential district.

4. Location of Entrances

Entrances to cemeteries shall be off of a major or secondary thoroughfare, and shall be designed to minimize traffic congestion.

5. Screening

Screening shall be provided along all property lines abutting a residential district or street in a residential district, in accordance with Section 5.02, sub-section E.

H. Coal, Coke and Fuel Yards

Prior to establishment of a coal, coke, or fuel yard (including propane fuel distributors), an impact assessment shall be prepared in accordance with Section 2.23, and submitted to the Planning Commission for review.

I. Colleges and Universities

Colleges and universities shall comply with the following requirements:

1. Minimum Parcel Size

The minimum lot size for a college, university, or similar institution shall be forty (40) acres.

2. Setbacks

No building shall be located closer than 80 feet to any property line.

J. Composting Centers

1. The applicant shall submit an Impact Assessment (Section 2.23) describing the expected odors, aesthetic impact, environmental impacts, vehicular and truck impacts associated with the use, and any mitigation measures to be employed.

2. The site plan shall clearly illustrate the layout of the composting operation, including: buildings, staging area, parking, on-site truck maneuvering (truck turning radii shall be illustrated), curbing area, landscaped buffers, sales area and fencing.

3. Composting operations shall be at least five hundred (500) feet from any residential district.

4. All composting operations shall be at least two hundred (200) feet from the boundary of any lake, stream, drain, wetland or other surface water body. The applicant shall describe procedures for managing stormwater runoff and preventing pollution of surface water bodies or groundwater. Groundwater quality monitoring devices shall be provided.
5. Documentation shall be provided indicating that the soils percolate and are not characterized by a high water table.
6. The applicant shall describe acceptable methods for control of odors.
7. A landscaped greenbelt, as described in Section 5.02(E) shall be provided on all sides adjacent to a residential district. A landscaped greenbelt as described in Section 5.02(D) shall be provided on all other sides unless waived by the Planning Commission in consideration of adjacent uses and topographic features.
8. Access shall be provided solely on Class A truck routes.
9. All storage areas shall be enclosed in a building.
10. The requirements in this section shall not apply to composting undertaken by a property owner for his/her own benefit, provided that organic matter is not brought in from off-site.

K. Concrete Plants

Concrete plants shall comply with the following regulations:

1. Minimum Lot Size

Concrete plants shall have a minimum lot area of three (3) acres.

2. Setbacks

In order to reduce the effects of airborne dust, dirt, and noise, plant equipment, stockpiles, truck staging areas, and similar operations shall be located no closer than three hundred (300) feet to any public or private road right-of-way line, no closer than one hundred (100) feet to any adjacent property lines, and no closer than one thousand (1,000) feet to any property that is not zoned or used for industrial or commercial purposes.

3. Access

Concrete plants shall have direct access onto a paved principal arterial. All driveways, loading areas, staging areas, and truck maneuvering areas within the site shall be paved.

4. Stacking Spaces

A minimum of five (5) stacking spaces shall be provided on the premises for trucks waiting to be loaded.

5. Hours of Operation

Mixing, loading, and related plant activities shall occur only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.

6. Maximum Size

Concrete plants shall be of a low profile design and production shall be restricted to no more than 250 cubic yards per day.

- 7. Layout**

Concrete batch plants and operations shall be entirely enclosed within a building.
- 8. Outside Storage**

Outside storage of materials other than sand, gravel and other natural materials used in the concrete manufacturing process shall be prohibited. Sand and gravel storage shall be enclosed on three sides with a wall or landscaped berm. The location and size of sand and gravel storage areas shall be shown on the site plan. At no time shall stockpiles exceed fifteen (15) feet in height.
- 9. Screening**

Concrete plant facilities, including parking and loading areas, shall be screened in accordance with Section 5.02, subsection E.
- 10. Truck Traffic**

Truck traffic shall be limited to twenty-five (25) trips leaving the site per day. Trucks hauling concrete mixing materials to the site shall be loaded and covered in accordance with all applicable State and County and local regulations.
- 11. Back-up Alarm**

All trucks using the facility shall be fitted with an automatic back-up alarm. Such alarm shall have a listening device which automatically adjusts the volume so the alarm can be heard just above the ambient noise level.
- 12. Truck Washes**

All truck washing activities shall be carried on within a designated hard surfaced area. Such area shall be designed so that wash water is captured and disposed of by an approved method as noted below. Truck washing shall be limited to only those trucks that are permanently housed on the concrete plant site.
- 13. Pollution Control**

Concrete plants shall comply with the dust and noise standards set forth in Article 9.00. The plan for fugitive dust control shall address emissions from stockpiles, process sources, and traffic. Concrete plant building floor drains shall not be permitted to connect with a dry well or septic system. Unless a MDNR groundwater discharge permit has been obtained, all drains must be connected to a closed holding tank. A plan for off-site disposal of holding tank effluent must be noted on the site plan.
- 14. Plan Approval**

The applicant shall obtain required approvals from all state or county agencies having jurisdiction, including but not limited to: the Michigan Department of Environmental Quality (MDEQ) Air Quality Control Division, Michigan Pollution Control Commission and MDEQ Ground Water Division. Evidence of approvals from these agencies shall be submitted to the Township prior to final approval.
- 15. Excess Concrete**

The proposed recovery system for excess concrete must be noted on the site plan and approved by the Township. Storage of excess concrete on the site shall not exceed the limits specified in the approved recovery plan. Excess concrete from other locations shall not be brought onto the site for recovery.
- 16. Impact Assessment**

An impact assessment shall be submitted, pursuant to Section 2.23.
- 17. Performance Guarantee**

Prior to issuance of a building permit, the Township may require submission of a performance guarantee, in accordance with Section 2.18.

L. Drive-in Establishments

1. General Provisions

The following provisions shall apply to all drive-in establishments:

- a. Location of Driveways
Driveways serving drive-in establishments shall be located off of a minor or principal arterial. The nearest edge of any entrance or exit drive shall be located no closer than sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way line).
- b. Screening
An obscuring wall shall be provided along all property lines abutting property that is zoned for residential, commercial or office use, subject to the requirements in Section 6.01.

2. Drive-In Theaters

The following regulations shall apply to Drive-In Theaters:

- a. Lot Size
The minimum lot size for a drive-in theater shall be twenty (20) acres.
- b. Setbacks
The face of the theater screen shall not be closer than five hundred (500) feet to any public road or highway right-of-way, and shall be constructed so it is not visible from any road, highway, or residentially-zoned district.
- c. Frontage and Road Access
Such uses shall front onto a paved principal arterial and the main means of access to the theater shall be via the arterial. In no case shall access to a drive-in theater be off of a residential street. The nearest edge of any entrance or exit drive shall be located no closer than two hundred and fifty (250) feet from any street or road intersection (as measured from the nearest intersection right-of-way line).
- d. Access Drive Design
The access drive shall be designed with separate entrance and exit lanes which shall be separated by a landscaped median strip at least ten (10) feet in width. There shall be a minimum of two (2) entrance and two (2) exit lanes, and each lane shall be at least ten (10) feet in width.
- e. Stacking Space
A minimum of fifty (50) stacking spaces shall be provided on the premises for vehicles waiting to enter the theater.
- f. Screening
The entire drive-in theater site shall be screened in accordance with Section 5.02(E).
- g. Number of Movie Screens
No more than one (1) screen shall be permitted per establishment.

M. Fast-Food and Drive-Through Restaurants

The following regulations shall apply to Fast-Food and Drive-Through restaurants:

1. Minimum Frontage

The site shall have a minimum of two hundred (200) feet of frontage on a principal arterial road or highway.

2. Location of Driveways

Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets (measured from the nearest right-of-way line). The use of secondary access drives in accordance with Section 12.10 is required.

3. Control of Sound Level

Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.

N. Farms

The following provisions shall apply to farms as defined in Article 1.03:

1. Location

Farms operated as commercial agricultural operations shall not be located within a subdivision, proprietor or assessor's plat. Feedlots and commercial livestock operations shall not be located in a floodplain or wetlands.

2. Minimum Size

The minimum size for a farm shall be ten (10) acres, except that feedlots and commercial livestock operations shall have at least forty (40) acres. Farm animals may be kept on parcels that are less than ten (10) acres provided that: *(revised 2/3/98, revised 3/6/01)*

- a. The farm animals are not being kept or used for commercial farming;
- b. In platted subdivisions or condominiums, farm animals may not be kept on parcels less than five (5) acres in size; and
- c. Compliance with all other requirements set forth herein shall be required (including animal density requirements). *(revised 3/6/01)*

3. Prohibited Uses

Farms shall not be used for the disposal of garbage, sewage, rubbish, offal from rendering plants, or for the slaughtering of animals except where the animals have been raised on the premises for consumption by residents on the premises.

4. Setbacks

Farms shall comply with the following setback requirements:

- a. Farm buildings shall comply with the minimum setbacks for the district in which they are located, provided that they are located at least two hundred (200) feet from residences on other parcels. *(revised 5/1/01)*
- b. Feedlots and livestock confinement areas shall be located at least one (1) mile from any residential subdivision or other development consisting of ten (10) or more homes or residential lots.
- c. Feedlots and livestock confinement areas shall be located at least one quarter (1/4) of a mile from any neighboring residence, church, business, school, recreational area, or public building.
- d. Feedlots and livestock confinement areas shall be set back at least one hundred (100) feet from all road rights-of way.
- e. Runoff from pasture feeding and watering areas shall be separated from any surface water by vegetative buffer that is at least sixty-six (66) feet in width.

5. Animal Capacity

Livestock and fowl are permitted in an AG-C district, subject to the limitations set forth below. Animal capacity may exceed these limitations provided that the animals are contained at all times within a building or fenced area; that the building(s) and fenced areas are kept in a clean, healthy, and inoffensive condition; and that the building(s) and fenced areas are located to minimize

adverse impact from noise or odors on adjacent properties so that the animals do not create a nuisance. (*revised 2/3/98*)

- a. 300 or more cattle,
- b. 600 or more swine, goats or sheep,
- c. 30,000 or more fowl,
- d. 4 or more cattle per acre,
- e. 20 or more swine per acre,
- f. 700 or more fowl per acre, or
- g. 10 or more sheep or goats per acre.

6. Manure Management

Manure shall be stored in a manner that minimizes odors and runoff. Consideration should be given to partial paving of confinement areas, storage ponds, and other Accepted Agricultural Practices regarding runoff control.

When manure from confinement manure storage pits or holding areas is removed, it shall be incorporated, knifed in, or disposed of in a reasonable manner following Accepted Agricultural Practices and taking into account the season of the year and wind direction. Each feedlot and commercial livestock operation shall have sufficient area to permit proper incorporation or disposal of the manure. Manure shall not be applied and left on the soil surface in any area that is within 150 feet of surface water.

7. Pesticide Management

Pesticides shall be located in a lockable building or storage facility which shall be ventilated to dissipate dust and fumes. New pesticide storage facilities shall have a concrete floor that is sloped to a sump for containment of spills. To prevent potential contamination of the groundwater, the storage facility shall not have a floor drain. New bulk pesticide storage areas shall be located a minimum of 150 feet from any single family residential water well and a minimum of 200 feet from surface water.

8. Exceptions

These provisions shall not apply to garden plots for single family residents, or to a collection of farm buildings that is operated for educational, demonstration, or recreational purposes (such as a "petting zoo" or "interpretive farm").

9. Animal Density in RR, RE, and AG-SF Districts

Animal density in the RR, RE, and AG-SF districts shall not exceed the following standards:

- a. No more than ten (10) fowl shall be permitted per acre.
- b. Sheep, goats, and hogs shall comply with the following requirements:
 - i. One or two animals: minimum of three (3) acres.
 - ii. Each additional animal: two (2) additional acres.
- c. Cattle and similar livestock shall comply with the following requirements: (*revised 1/9/96*)
 - i. One animal: minimum of three (3) acres.
 - ii. Each additional animal: two (2) additional acres.

A higher density of animals may be permitted, subject to special land use review and subject to the Township Board, following recommendation from the Planning Commission, making the determination that the higher density will create no adverse impacts on adjacent properties in terms of noise, odors, runoff, etc.

Refer to Section 8.02(CC) for regulations regarding horses. (*revised 1/9/96*)

O. Funeral Homes and Mortuaries

The following regulations shall apply to Funeral Homes and Mortuaries:

1. Assembly Area

Adequate assembly area shall be provided off-street for vehicles to be used in funeral processions.

2. Screening

Service, loading, and parking areas shall be screened from adjacent residential areas in accordance with Section 5.02, sub-section E.

3. Caretaker's Residence

A caretaker's residence may be provided within the main building of the funeral home or part of an accessory building, subject to the provisions in Section 2.03.

4. Loading Requirements

One (1) loading berth shall be provided per 5,000 square feet of gross floor area, and one (1) additional berth shall be provided for each additional 10,000 square feet of floor area. Each loading berth shall measure at least 10 ft. x 25 ft.

P. Golf Courses and Country Clubs, Par-3 Golf Courses

The following regulations shall apply to Golf Courses, Country Clubs, and Par-3 Golf Courses:

1. Lot Size

Regulation length 18-hole golf courses shall have a minimum lot size of 160 acres, of which a minimum of 110 acres of usable land shall be allocated to fairways, roughs, and greens. Nine-hole courses with regulation length fairways shall have a minimum lot size of 90 acres. Eighteen-hole par-3 courses shall have a minimum lot size of 50 acres.

2. Setbacks and Fairway Width

The principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines. 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) yards subject to review by the Planning Commission. Fairways shall be designed so that existing or future dwelling units are located a minimum of two hundred (200) feet from the center of the fairway.

3. Access

Golf courses and country clubs shall have direct access onto a paved public road.

4. Shelter Buildings

At least one (1) shelter building with toilet facilities shall be provided per nine holes. The shelter shall meet all requirements of the Ingham County Health Department and the Township Building Code.

5. Impact on Water Supply

A hydrogeological study shall be completed and submitted to document the impact of the golf course watering system 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.

6. Building Setbacks

Buildings shall be setback a minimum of 200 feet from any property line that abuts a residential district.

7. Turf Maintenance Plan

The proposed turf maintenance plan and chemical application plan for the first year and for long-term turf maintenance shall be submitted for review.

8. Chemical Storage

Detailed plans for chemical storage shall be provided. Buildings in which chemicals are stored shall be designed to contain spills and shall not have floor drains that discharge into a septic system or other pathway to the groundwater. Plans for emergency containment and clean-up shall also be provided.

The following regulations shall apply to Driving Ranges:

1. Minimum Dimensions and Setbacks

Driving ranges shall have sufficient width and length and shall be designed in such a manner as to prevent golf balls from being hit outside the perimeter of the driving range. The minimum length of the driving range shall be 300 yards, measured from the tee to the end of the range. Tees shall be set back at least 25 yards from each side property line, unless the applicant can demonstrate that golfers will be oriented toward the center of the range so that golf balls will not be hit beyond the side property lines.

2. Screening or Slopes

The Planning Commission may require a landscaped buffer or fencing along the perimeter to screen the driving range from adjacent properties or to prevent balls from being hit outside of the driving range. Screening shall comply with the standards in Section 5.02, sub-section E. The Planning Commission may also require that the sides of the driving range slope upward and be rough mowed so as to intercept stray golf balls.

3. Special Land Use Requirements for Outdoor Recreation Facilities

Driving ranges shall comply with the requirements for Outdoor Recreation Facilities in Section 8.02, sub-section Y.

Q. Hospitals

The following regulations shall apply to Hospitals:

1. Lot Area

The minimum lot size for hospitals shall be ten (10) acres.

2. Frontage and Access

Hospitals shall front onto a paved major arterial or highway and the main means of access to the hospital for patients, visitors, and employees shall be via the arterial or highway. In no case shall access to a hospital be off of a residential street.

3. Setbacks

The principal building and all accessory buildings shall be set back a minimum distance of one hundred (100) feet from all property lines. The minimum setback shall be increased twenty (20) feet for each story in excess of two (2) stories.

4. Screening

Ambulance and emergency entrance areas shall be screened from view from adjacent residences by the building design or by a masonry wall constructed in accordance with Section 6.01.

5. State and Federal Regulations

Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws, including provisions of the Michigan Hospital Survey and Construction Act, Public Act 299 of 1947, as amended.

R. Kennels

The following regulations shall apply to Kennels where four (4) or more dogs, cats, or other domestic animals six (6) months or older are kept:

1. Private Kennels

Private kennels to house only the animals owned by the occupant of the dwelling unit shall be permitted subject to the following:

a. Lot Size

The lot on which any such kennel is located shall be a minimum of two (2) acres in size.

b. Number of Animals

No more than six (6) animals over the age of six (6) months shall be housed in a private kennel.

c. Breeding

Breeding of animals shall be restricted to no more than two (2) litters per year.

d. Setbacks

Buildings in which animals are kept, animal runs, and exercise areas shall not be located in any required front, side, or rear yard setback area, and shall be located at least one hundred (100) feet from any dwellings or buildings used by the public on adjacent property.

e. Kennels Prohibited in Subdivisions

Regardless of lot size, private kennels shall not be permitted in platted subdivisions.

2. Commercial Kennels

Commercial kennels shall be permitted subject to the following:

a. Operation

Any such kennel shall be subject to all permit and operational requirements established by County and State regulatory agencies.

b. Lot Size

Kennels shall comply with the following lot size requirements: *(revised 3/6/01)*

Lot Size	Number of Permitted Animals
5 acres or less	5 animals
For each additional full acre above 5	5 additional animals

c. Maximum Number of Animals

No kennel shall house more than thirty (30) animals.

d. Setbacks *(revised 12/1/98)*

(1) Minimum setback for fully-enclosed kennel buildings: 100 feet from any property line; 200 feet from any residential structure on another parcel.

(2) Minimum setback for outdoor runs, animal yards, or any other portion of the kennel where animals will be allowed outdoors: 150 feet from any property line; 300 feet from any residential structure on another parcel.

e. Sound Control

All animals shall be contained in a building which is fully soundproofed, using insulation, soundboards, and acoustic tile.

f. Odor Control

Non-absorbent surfaces (such as sealed concrete or ceramic tile) shall be used throughout the kennel. Dog waste shall be power flushed or otherwise removed on a regular schedule, but no less than four (4) times daily.

g. Kennels Prohibited in Subdivisions

Regardless of lot size, commercial kennels shall not be permitted in platted subdivisions.

S. Mini-Warehouses

The following regulations shall apply to Mini-Warehouses:

1. **Lot Area**

The minimum lot size for mini-warehouses shall be three (3) acres.

2. **Permitted Use**

Mini-warehouse establishments shall provide for storage only, which must be contained within an enclosed building.

3. **Site Enclosure**

The entire site, exclusive of access drives, shall be enclosed with a six (6) foot high masonry wall, constructed in accordance with Section 6.01. A six (6) foot chain link fence may be permitted along property lines which do not abut a residentially zoned or used district.

4. **Exterior Appearance**

The exterior of any mini-warehouse shall be of finished quality and design, compatible with the design of structures on surrounding property.

5. Resident Manager

A resident manager may be permitted on the site for the purposes of maintaining the operation of the facility in conformance with the conditions of the approval. The manager's residence shall conform with the requirements in Section 2.04.

6. On-Site Circulation and Parking

- a. All one-way driveways shall be designed with one ten (10) foot wide loading/unloading lane and one fifteen (15) foot travel lane.
- b. All two-way driveways shall be designed with one ten (10) foot wide loading/unloading lane and two (2) twelve (12) foot travel lanes.
- c. The parking lanes may be eliminated if the driveway does not serve storage units. Signs and painted lines shall be used to indicate parking and traffic direction throughout the site.

T. Motels

The following regulations shall apply to Motels:

1. Design

Each unit shall contain at least a bedroom and bath and a minimum gross floor area of two hundred fifty (250) square feet.

2. Services

Motels shall provide customary motel services, such as maid service, linen service, telephone and/or desk service, and the use of furniture.

U. Nursing Homes, Convalescent Homes, Rest Homes, Orphanages, and Half-Way Houses

The following regulations shall apply to Nursing Homes, Convalescent Homes, Rest Homes, Orphanages, and Half-Way Houses:

1. Lot Area

The minimum lot size for such facilities shall be three (3) acres.

2. Frontage and Access

Such uses shall front onto a paved arterial or collector road and the main means of access for residents or patients, visitors, and employees shall be via the paved road. In no case shall access to a nursing home, convalescent home, or rest home be off of a residential street.

3. Setbacks

The principal building and all accessory buildings shall be set back a minimum distance of seventy five (75) feet from all property lines.

4. Open Space

Any such facility shall provide a minimum of fifteen hundred (1,500) square feet of outdoor open space for every bed used or intended to be used. The open space shall be landscaped and shall include places for walking and sitting. Off-street parking areas, driveways, and accessory uses or areas shall not be counted as required open space.

5. State and Federal Regulations

Nursing homes, convalescent homes, rest homes, orphanages and half-way houses shall be constructed, maintained, and operated in conformance with applicable state and federal laws.

V. Oil and Gas Processing Plants

The following regulations shall apply to oil and gas processing or sweetening plants:

1. Setbacks

- a. Oil and gas processing plants shall be located a minimum of 1,300 feet from any existing residential, commercial or industrial establishments, wetlands, or surface water.
- b. Oil and gas processing plants shall be located a minimum of 2,640 feet from population concentrations, such as subdivisions, apartment buildings, residential developments, or mobile home parks, and from uses whose occupants would be difficult to evacuate, such as hospitals or nursing homes.

2. Density

There shall be no more than one (1) oil and gas processing facility in operation per square mile section of land. Such facilities shall be designed to service all oil and gas wells that are expected to need such service within a two (2) mile radius.

3. Screening

Oil and gas processing facilities shall be screened in accordance with Section 5.02, subsection E.

4. Air Pollution Control

Emissions from the plant shall meet or exceed all applicable state and federal pollution standards, including state standards in Michigan Public Act 451 of 1994, as amended, and the rules adopted pursuant to that Act. Monitors/sensors shall be installed in at least four locations along the perimeter of the site. In addition, monitors shall be installed in all process buildings. These monitors shall be set to alarm and automatically cause the plant to be shut down upon detection of excessive concentrations of hydrogen sulfide, sulfur dioxide, methane, or other gases. The plant operator shall provide the Township with the instrument shut down set points, which shall be subject to review and approval. All monitors shall be maintained in proper working order at all times. *(revised 1/9/96)*

5. Fire Detection

The fire detection and suppression system shall be constructed and maintained in accordance with state and local fire and building codes, and as approved by the Fire Chief. Fire eyes shall be installed in storage tank areas and in process buildings.

6. Noise

Oil and gas processing plants shall comply with the noise standards set forth in Article 9.00.

7. Automatic Alarm System

In the event that instruments, sensors, or monitors detect a malfunction of the system, including but not limited to the detection of gas leaks, odors, fire, flare failure, or improper operation of the processing equipment, an alarm system shall be set to automatically operate.

The alarm system shall be operated through a bonded alarm company approved by the Township. The alarm company shall be instructed to contact the Township Fire Department dispatcher and plant operating personnel.

8. Site Security

The following security measures shall be maintained on the site:

- a. Fencing
The site shall be fully enclosed with a six foot high chain link fence with three strands of barbed wire along the top of the fence.
- b. Locking of the Facility
All building doors and fence gates shall be kept closed and locked, except when personnel are at the site during the daytime hours.
- c. Signs
"Poisonous Gas" or other appropriate warning signs shall be placed at fifty (50) foot intervals along the fence surrounding the facility. The warning signs shall have a reflective surface.

- d. Lighting
The site shall be adequately lighted, in accordance with Section 2.12.
- e. Telephone Monitoring System
In the event of a break-in or other lapse of security, the bonded alarm system shall automatically be put into operation, and operating personnel and local law enforcement officials shall be notified.

9. Preventative Maintenance

The facility shall be maintained in proper operating condition at all times. Manufacturer's recommendations concerning periodic maintenance shall be adhered to.

10. Site Closure

In the event that operation of the facility is terminated for a period exceeding six (6) months, all equipment and surface piping shall be removed and foundations shall be destroyed to a depth of 36 inches below grade. The entire site shall be evenly graded and re-seeded.

11. Other Approvals

The applicant shall submit proof of permits and approvals from all state or county agencies having jurisdiction, including but not limited to: the Michigan Department of Environmental Quality (MDEQ) Waste Management Division, Michigan Pollution Control Commission, Ingham County Health Department, Ingham County Road Commission, Ingham County Drain Commission, MDEQ Environmental Response Division, and Michigan Department of State Police Fire Marshall Division.

12. Performance Guarantee

Prior to issuance of a building permit, the Township may require submission of a performance guarantee, in accordance with Article 2.18.

W. Open-Air Business

The following regulations shall apply to Open-Air Businesses, whether operated year round or on an intermittent basis:

1. Lot Area

The minimum lot size for open-air businesses shall be 40,000 sq. ft.

2. Driveway Location

The nearest edge of any driveway serving an open-air business shall be located at least sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way) and at least twenty (20) feet from any side property line.

3. Parking Setback

Parking shall be setback a minimum of ten (10) feet from any road right-of-way line.

4. Lot Width

The minimum lot width for open-air businesses shall be two hundred (200) feet.

5. Loading and Parking

All loading and parking areas for open-air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent roads.

6. Outdoor Display of Vehicles

The outdoor display of new or used automobiles, boats, mobile homes, recreational vehicles, trailers, trucks, or tractors which are for sale, rent, or lease shall comply with the requirements in Section 8.02, sub-section C.

7. Plant Material Nursery

Nurseries which deal with plant materials shall comply with the following:

- a. Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.
- b. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.

8. Roadside Stands

Roadside stands shall be subject to the requirements in Section 8.02, sub-section BB.

X. Wireless Communication Facilities *(this section revised 6/3/97)*

1. Purpose and Intent

It is the intent of Williamstown Township to carry out the will of the United States Congress by permitting facilities needed to operate wireless communication systems. It is the further intent of the Township to provide for such authorization in a manner that will retain the integrity of residential areas and the character, property values, and aesthetic quality of the community at large.

The Township Board of Williamstown Township finds that the presence of numerous tower structures, particularly if located in or near residential areas, would decrease the attractiveness and destroy the character and integrity of the community. This, in turn, would have an adverse impact upon property values. Therefore, it is necessary to minimize the adverse impact from the presence of numerous relatively tall tower structures having low architectural and other aesthetic appeal to most persons, recognizing that the absence of regulation would result in a material impediment to the maintenance and promotion of property values, and further recognizing that this economic concern is an important part of the public health, safety and welfare.

Recognizing the number of providers authorized to establish and operate wireless communication services and coverage, it is the further purpose and intent of this sub-section to:

- a. Facilitate adequate and efficient provision of sites for wireless communication facilities.
- b. Identify districts considered best for the establishment of wireless communication facilities, subject to applicable standards and conditions.
- c. Recognize that operation of a wireless communication system may require the establishment of facilities in locations outside of the districts considered best for such facilities. In such cases, it has been determined that it is likely that there will be greater adverse impact. Consequently, more stringent standards and conditions should apply to the review, approval and use of such facilities.
- d. Ensure that wireless communication facilities are situated in appropriate locations and relationships to other land uses, structures and buildings.
- e. Limit inappropriate physical and aesthetic overcrowding of land use activities and avoid adverse impact upon the existing population, transportation systems, and other public services and facility needs.
- f. Promote the public health, safety and welfare.
- g. Provide a means to obtain adequate information about plans for wireless communication facilities so that the Township can effectively plan for the location of such facilities.

- h. Minimize the adverse impacts of technological obsolescence of wireless communication facilities by requiring removal of unused and/or unnecessary facilities in a timely manner.
- i. Minimize the negative visual impact of wireless communication facilities on neighborhoods, community landmarks, historic sites and buildings, the natural beauty of the Township, and public rights-of-way. This contemplates the establishment of as few wireless communication support structures as reasonably feasible, maximum use of support structures through colocation, and avoidance of lattice structures.

2. Authorization to Construct or Install Wireless Communications Facilities

Subject to the standards and conditions set forth herein, wireless communication facilities shall be permitted uses in the following circumstances and in the following districts:

a. Principal Permitted Use Status

In the following circumstances, a proposal to establish a new wireless communication facility shall be deemed a principal permitted use:

- (1) Proposed use of an existing structure to serve as an Attached Wireless Communication Facility in a B-1, B-2, or I-1 zoning district, where the existing structure is not proposed to be either materially altered or materially changed in appearance.
- (2) Proposed colocation upon an Attached Wireless Communication Facility, where colocation had been previously approved by the Township.
- (3) Proposed use of an existing utility pole located within a right-of-way to serve as an Attached Wireless Communication Facility, where the existing pole is not proposed to be materially altered and/or modified in a manner threaten public safety, and provided that the existing pole is *Ain-service@* for another utility use (e.g., being used to carry live transmission lines).
- (4) Proposed establishment of a Wireless Communication Support Structure within a right-of-way having an existing width of more than two hundred four (204) feet.
- (5) Proposed establishment of a wireless communication facility on a monopole support structure in a B-1, B-2, or I-1 district.

b. Special Land Use Status

In the following circumstances, a proposal to establish a new wireless communication facility shall be deemed a Special Land Use:

- (1) Proposed establishment of a wireless communication facility on a monopole Wireless Communication Support Structure in an AG-C district.
- (2) Proposed establishment of a wireless communication facility on a Wireless Communication Support Structure other than a monopole in a B-1, B-2, or I-1 district.

c. Additional Circumstances Where Facilities May Be Permitted

If an applicant demonstrates that a wireless communication facility cannot be established where already permitted as a Principal Permitted Use Special Land Use under the previous paragraphs a and b, then wireless communication facilities may be permitted elsewhere in the Township as a special land use, subject to the standards and conditions that follow. However, the applicant shall first present sufficient documentation and maps to demonstrate that no location within areas that such facilities are already permitted can satisfy the coverage and/or capacity needs of the applicant.

3. Standards and Conditions

a. Standards and Conditions that Apply to All Facilities

All applications for wireless communication facilities shall be reviewed in accordance with the following standards and conditions. If approved, such facilities shall be constructed and maintained in accordance with such standards and conditions and any additional conditions imposed by the Planning Commission and Township Board.

- (1) Public Health and Safety. Facilities and/or support structures shall not be detrimental to the public health, safety and welfare.
- (2) Harmony with Surroundings. Facilities shall be located and designed to be harmonious with the surrounding areas.
- (3) Compliance with Federal, State and Local Standards. Wireless communication facilities shall comply with applicable federal and state standards, including requirements promulgated by the Federal Aviation Administration (FAA), Federal Communication Commission (FCC), and Michigan Aeronautics Commission. Wireless communication support structures shall comply with all applicable building codes.
- (4) Maximum Height. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights. The maximum height of a new or modified support structure and antenna shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant (and by other entities to colocate on the structure), but shall not exceed one hundred twenty (120) feet. Higher towers may be permitted, however, if necessary to achieve colocation. The buildings, cabinets, and other accessory structures shall not exceed the maximum height for accessory structures in the zoning district in which the facility is located.
- (5) Minimum Setbacks. The setback of a new or modified support structure from any residential-zoned district or existing or proposed right-of-way or other publicly traveled road shall be no less than the total height of the structure and attachments thereto.

Where the proposed new or modified support structure abuts a parcel of land zoned for a use other than residential, the support structure shall comply with the required setbacks for principal buildings specified in the Schedule of Regulations for the zoning district in which the facility is located.

Buildings and facilities accessory to the wireless communication facility (other than the support structure) shall comply with the required setbacks for principal buildings specified in the Schedule of Regulations for the zoning district in which the facility is located.

- (6) Access. Unobstructed permanent access to the support structure shall be provided for operation, maintenance, repair and inspection purposes, which may be provided through or over an easement. The permitted type of surfacing, dimensions and location of such access route shall be subject to approval by the Planning Commission, based on evaluation of the location of adjacent roads, layout of buildings and equipment on the site, utilities needed to service the facility, proximity to residential districts, disturbance to the natural landscape, and the type of vehicles and equipment that will visit the site.
- (7) Division of Property. The division of property for the purpose of locating a wireless communication facility shall be permitted only if all zoning requirements, including lot size and lot width requirements, are met.

- (8) Equipment Enclosure. If an equipment enclosure is proposed as a building or ground-mounted structure, it shall comply the required setbacks and other requirements specified for principal buildings in the Schedule of Regulations for the zoning district in which the facility is located. If an equipment enclosure is proposed as a roof appliance on a building, it shall be designed, constructed and maintained to be architecturally compatible with the principal building.
- (9) Design Objectives. The support structure and all accessory buildings shall be designed to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. Accordingly, support structures shall be grey or white (or another color that is found to be more harmonious with surroundings) and shall not have lights unless required otherwise by the Federal Aviation Administration (FAA). Equipment buildings shall have a brick exterior. No signs or logos visible from off-site shall be permitted on a support structure.
- (10) Fencing. Wireless communication facilities shall be enclosed by an open weave, green or black vinyl-coated, chain link fence having a maximum height of six (6) feet. Barbed wire may be permitted if the applicant provides sufficient evidence of the need for barbed wire.
- (11) Structural Integrity. Wireless communication facilities and support structures shall be constructed and maintained in structurally sound condition, using the best available technology, to minimize any threat to public safety.
- (12) Maintenance. A plan for the long term, continuous maintenance of the facility shall be submitted. The plan shall identify who will be responsible for maintenance, and shall include a method of notifying the Township if maintenance responsibilities change.

b. Standards and Conditions Applicable to Special Land Use Facilities

In addition to the standards and conditions described in the preceding sub-section a, wireless communication facilities that are subject to Special Land Use approval shall be reviewed based on standards in this ordinance that apply generally to special land uses. In addition, the applicant shall provide sufficient documentation and maps to demonstrate the need for the facility in the proposed location because of one or more of the following conditions:

- (1) Proximity to an interstate or major thoroughfare.
- (2) Proximity to areas of population concentration.
- (3) Concentration of commercial, industrial, and/or other business centers.
- (4) Presence of signal interference due to masses of trees, topography, or other obstructions.
- (5) Other specific reason(s) creating the need for the facility in the specific location being proposed.

c. Collocation Requirements

Consistent with the statement of purpose and intent in Section 8.02(X)(1), Williamstown Township wishes to minimize the overall number of newly established locations for wireless communication facilities and Wireless Communication Support Structures, and encourage the use of existing structures for Attached Wireless Communication Facility. The anticipated increase in the number of wireless communication facilities resulting from passage of the Federal Telecommunications Act of 1996 makes collocation on Attached Wireless

Communication Facilities and Wireless Communication Support Structures a necessity to achieve the purpose and intent of these regulations. If a provider fails or refuses to permit collocation on a facility that it owns or controls where collocation is feasible, the result will be that a new and unnecessary additional structure will be compelled, in direct contradiction to the basic purpose and intent.

- (1) Feasibility of Collocation. Collocation shall be deemed to be "feasible" for purposes of this section where all of the following are met:
 - (a) The wireless communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.
 - (b) The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
 - (c) 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.
 - (d) The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the Township, taking into consideration the standards specified herein.
- (2) Requirements for Collocation.
 - (a) A special land use permit for the construction and use of a *new* wireless communication facility shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.
 - (b) All new and modified wireless communication facilities shall be designed and constructed to accommodate collocation.
 - (c) If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible collocation, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.
 - (d) If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new facility, 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 a new wireless communication support structure within the Township for a period of five (5) 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, in which case the applicant shall be required to demonstrate that enforcement of the five (5) year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.

d. Removal

- (1) A condition of every approval of a wireless communication facility 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:
 - (a) When 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 a period of no use.
 - (b) Six (6) months after new technology is available at reasonable cost, as determined by the Township Board, which permits the operation of the communication system without the requirement of the support structure.
- (2) The situations in which removal of a facility is required, as set forth in paragraph (1) above, may be applied and limited to portions of a facility.
- (3) Upon the occurrence of one or more of the events requiring removal, the property owner or persons who had used the facility shall immediately apply for any required demolition or removal permits, and immediately proceed with and complete the demolition, removal, and site restoration.
- (4) 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 or collected and/or enforced from or under the security posted at the time application was made for establishing the facility.

4. Application Requirements

- a. Site Plan and Special Land Use Review. A site plan prepared in accordance with Section 27.02 shall be submitted, showing the location, size, screening and design of all buildings, outdoor equipment, and structures. Where the wireless communication facility is subject to special land use approval the procedures and standards in Section 27.03 shall be followed.
- b. Landscape Plan. A detailed landscaping plan shall be submitted illustrating the number, species, location, and size at the time of planting of all proposed trees and shrubs. The purpose of landscaping is to provide screening and aesthetic enhancement for the structure base, accessory buildings and enclosure.
- c. Structural Specifications. Structural specifications for the support structure and foundation shall be submitted for review. The structural specifications shall state the number of various types of antennae capable of being supported on the structure. A soils report prepared by a geotechnical engineer licensed in the State of Michigan shall also be submitted confirming that the soils on the site will support the structure. Structural plans shall be subject to review and approval by the Township Engineer.
- d. Security. The application shall include a description of security to be posted immediately upon issuance of a building permit for the facility to ensure removal of the facility when it has been abandoned or is no longer needed, as previously noted. In this regard, the security shall, at the election of the applicant, be in the form of: (1) cash; (2) surety bond; (3) letter of credit; or, (4) an agreement in a form approved by the Township Attorney and recordable at the office of the Register of Deeds, establishing a promise of the applicant and owner of the property to remove the facility in a timely manner as required herein, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney=s fees incurred by the Township in securing removal.
- e. Service Area Documentation. The application shall include a map showing existing and known proposed wireless communication facilities in the Township and in areas surrounding

communities, which are relevant in terms of potential colocation or in demonstrating the need for the proposed facility. If such information is on file with the community, the applicant shall be required only to update as needed. Any such information which is a trade secret and/or other confidential commercial information which, if released would result in commercial disadvantage to the applicant, may be submitted with a request for confidentiality in connection with the development of governmental policy {MCL 15.243(l)(g)}. This ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be prominently stated in order to bring it to the attention of the Township.

- f. Contact Person. The application shall include the name, address and phone number of the person to contact for engineering, maintenance and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.

Y. Recreation Facilities

1. Outdoor Recreation Facilities

Outdoor recreation facilities, such as, but not limited to, ski facilities, courses for off road vehicles and snowmobiles, campgrounds, baseball facilities, and swimming pools, shall comply with the following regulations:

a. General Requirements

- (1) Setbacks. Principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines, unless otherwise specified herein.
- (2) Access. Outdoor recreation uses shall have direct access onto a principal arterial.
- (3) Impact on Surrounding Properties. The location, layout, design, or operation of outdoor recreation facilities shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby properties. The Planning Commission may specify the hours of operation in order to assure compatibility with adjacent uses.
- (4) Nuisance Impacts. Outdoor recreation uses shall not generate excessive noise, odors, dust, or other impacts, such that the continued use and enjoyment of adjacent properties would be impaired.
- (5) Parking. All parking for outdoor recreation uses shall be provided in off-street parking lots, designed in accordance with Section 4.01, and set back a minimum of forty (40) feet from any residential district.
- (6) Screening. Outdoor recreation uses shall be screened from view from adjacent property zoned or used for residential purposes, in accordance with Section 5.02, sub-section E.
- (7) Accessory Retail Facilities. Accessory retail or commercial facilities, such as food and beverage facilities or equipment shops, shall be designed to serve only the patrons of the outdoor recreation facility, unless otherwise listed as a permitted use in the district in which the facility is located.

b. Off-Road Vehicle and Snowmobile Trails, Gun Ranges

Courses or trails for off-road vehicles, snowmobiles, or similar use, and gun ranges, shall comply with the following regulations:

- (1) Minimum Parcel Size. A minimum of eighty (80) acres shall be required for such uses.

- (2) Location. The site shall be located in a predominantly undeveloped area so as to minimize adverse impact on adjacent uses.
- (3) Operations Plan. The applicant shall provide a detailed operations plan clearly outlining the types, locations, and characteristics of uses proposed, including proposed hours of operation. The Township may regulate the operation and hours of activity to minimize adverse impacts on nearby properties.

c. Campgrounds

Campgrounds for travel trailers, tents, tent-campers, and motor homes, shall comply with the following requirements:

- (1) Setbacks. Buildings, structures, and areas designated for camping shall be located a minimum of one hundred (100) feet from all property lines. The storage of vehicles not set up for occupancy shall be located a minimum of two hundred (200) feet from all property lines, and shall be screened in accordance with Section 5.02, sub-section E.
- (2) Minimum Campsite Size. Each campsite shall be at least fifteen hundred (1,500) square feet in size for campsites designed to serve motorhomes, trailers, etc. Campsites designed for tent camping shall be at least six hundred (600) square feet in size.
- (3) Utilities. Each campsite shall either be provided with individual water and sewer hookups approved by the Ingham County Health Department, or shall have convenient access to approved service buildings.
- (4) Fencing. The entire campground shall be enclosed by a six (6) foot high fence, subject to the requirements in Article 6.00. The fence may be located on the side and rear property lines, but shall be setback a minimum of fifty (50) feet from any road right-of-way line.
- (5) Temporary Residency. Campgrounds shall be for seasonal recreation use only. This provision shall not apply to the manager or caretaker.

d. Swimming Pools Clubs

- (1) Enclosure. Outdoor swimming pools in single family districts shall be enclosed within a six (6) foot high fence. All fences shall be subject to the requirements in Article 6.00. Entry shall be by means of a self-closing, self-latching gate. The latch shall be on the inside so that it is not readily available for children to open. Gates shall be securely locked when the pool is not in use.
- (2) Setbacks. Swimming pools in single family districts shall be set back at least 100 feet from any property line that abuts a residential district. In all other districts swimming pools shall be set back a minimum distance of sixty (60) feet from all property lines. In no case shall a swimming pool be located in an easement or right-of-way.
- (3) Swimming Pool Clubs. Swimming pool clubs in residential districts shall be incorporated as non-profit organizations, and shall be maintained and operated for the exclusive use of members and their guests. Membership shall be limited by subdivision or another clearly-defined geographic area as specified in the club's articles of incorporation.

e. Private Swimming Pools

- (1) Location. Private swimming pools shall be permitted as an accessory structure to the rear or side of the principal structure in residential districts, and also in front of the principal residential structure in RR, RE, AG-SF, and AG-C districts, provided that pools on the side or in front shall be screened with landscaping or natural vegetation such that they cannot be seen from the road. Pools shall not be located in any road or utility right-of-way or easement. (*revised 3/6/01*)
- (2) Setbacks. Private swimming pools shall be located no closer than ten (10) feet to any side or rear property line and no closer than ten (10) feet to any building on the same parcel. Pools shall comply with the front yard setback for the district in which they are located, except that in no case shall a pool be located closer than thirty-five (35) feet to a road right-of-way line.
- (3) Fencing. Private swimming pools shall be enclosed within a minimum four (4) foot high fence. All fences shall be subject to the requirements in Article 6.00. Entry shall be by means of a self-closing, self-latching gate. The latch shall be on the inside so that it is not readily available to children to open. Gates shall be securely locked when the pool is not in use. A fence shall not be required for pools that are wholly or partially above ground, provided that the wall of the pool is at least four (4) feet in height and that no ladder, deck or other structure provides access to the pool while it is unattended.
- (4) All swimming pools shall be subject to the requirements in the Michigan Building Code.

2. Indoor Recreation Facilities

Indoor recreation facilities, such as, but not limited to, bowling establishments, billiard halls, indoor archery ranges, indoor tennis courts, indoor skating rinks, arcades, indoor driving ranges, and similar indoor recreation uses shall comply with the following regulations:

a. Setbacks

Indoor recreation uses shall be set back a minimum of seventy-five (75) feet from any property line which abuts a residential district.

b. Adverse Impacts

The location, design, and operation of an indoor recreation use shall not adversely affect the continued use, enjoyment, and development of adjacent properties. In considering this

requirement, particular attention shall be focused on the adverse impact resulting from loitering on the premises.

c. Access

Indoor recreation uses shall have direct access onto a principal arterial road.

d. Arcades and Video Gaming Devices as Accessory Uses

Where permitted as an accessory use, arcades shall comply with the following requirements:

- (1) The arcade facilities shall be clearly incidental to the principal use on the site.
- (2) The arcade facilities shall be accessible only from within the building which contains the principal use. The arcade shall have no direct means of access to the exterior of the building.
- (3) The arcade shall operate only during the hours when the principal use is open for business.
- (4) Sufficient additional off-street parking shall be provided to serve the arcade facilities.
- (5) Where arcades are permitted as an accessory use to an eating or drinking establishment or private club or lodge, there shall be no more than one (1) arcade device for each thirty (30) persons permitted at one time, based on the occupancy load established by local code.

Z. Religious Institutions

The following regulations shall apply to all Religious Institutions, including churches, synagogues, temples, and so forth:

1. Lot Width

The minimum lot width for religious institutions shall be one hundred and fifty (150) feet, unless a greater width is specified in the Schedule of Regulations for the district in which the institution is located.

2. Lot Area

The minimum lot area for religious institutions shall be two (2) acres, unless a greater lot area is specified in the Schedule of Regulations for the district in which the institution is located.

3. Parking Setback

Off-street parking shall be prohibited in the front setback area and within fifteen (15) feet of the rear or side property line.

4. Building Setback

Religious institutions shall comply with the following building setback requirements, unless larger setbacks are specified in the Schedule of Regulations for the district in which the institution is located.

Front Yard: 50 feet

Side Yards: 25 feet

Rear Yard: 50 feet

5. Frontage and Access

Religious institutions shall be located on a paved collector or arterial road.

6. Landscaping

Religious institutions shall comply with the landscaping requirements set forth in Section 5.03.

7. Maximum Height

Churches may exceed the maximum height standard for the districts in which they are located provided that the front, side and rear setbacks are increased by one (1) foot for every foot by which the building exceeds the maximum permitted height.

AA. Residential Care Facilities

The following regulations shall apply to residential care facilities which provide care for seven (7) or more individuals:

1. Licensing

In accordance with applicable state laws, all such facilities shall be registered with or licensed by the Department of Social Services and shall comply with the minimum standards outlined for such facilities.

2. Outdoor Play Area - Child Care Facilities

A minimum of one hundred fifty (150) square feet of outdoor play area shall be provided, and maintained per child, provided that the overall size of the play area shall not be less than five thousand (5,000) square feet. The outdoor play area shall be suitably fenced and screened from abutting residentially zoned or used land by a greenbelt, which shall be landscaped in accordance with Section 5.02, sub-section D.

3. Frontage

Such facilities shall front onto a paved arterial or collector road, except that such facilities may be permitted on unpaved roads, subject to Special Land Use approval.

4. Setbacks

Buildings housing residential care facilities shall have a minimum side yard setback of at least forty (40) feet.

5. Minimum Parcel Size

The minimum parcel size for such uses shall be two (2) acres, not including existing road rights-of-way.

6. Loading

Such facilities shall provide an adequate and safe off-street location for loading and unloading passengers.

BB. Roadside Stands

The following regulations shall apply to all Roadside Stands, as defined in Section 1.03:

1. Building Size

Any building containing a roadside stand shall not be greater than two hundred fifty (250) square feet in size.

2. Site Maintenance

Suitable trash containers shall be placed on the premises for public use. Adequate provisions shall be made for waste collection and removal. Plant and vegetable waste shall be removed daily so that it does not rot or cause odors. Litter shall be picked up and disposed of daily. Crates and equipment shall be stored out-of-view.

3. Building Setbacks.

Any building containing a roadside stand shall be located no closer than forty-five (45) feet to the nearest edge of the paved surface of any paved public road, and no closer than forty-five (45) feet to the improved gravel surface of any unpaved public road.

4. Parking

Off-street parking may be provided in the required front yard setback area. Parking shall conform to the regulations in Article 4.00, except that hard-surfacing shall not be required.

CC. Stables and Riding Arenas

1. Private Stables

Private stables, as defined in Section 1.03 of this Ordinance, are intended for the keeping of horses or other large animals for the non-commercial use of the residents of the principal residential use on the site. Private stables shall comply with the following requirements:

- a. Location
Private stables shall not be located on land that is a part of a recorded plat unless the subdivision was designed to accommodate stables and equestrian activity. (*revised 2/3/98*)
- b. Minimum Size
Private stables shall have a minimum of one (1) acre per animal but in no event shall there be less than five (5) acres. (*revised 2/3/98*)
- c. Setbacks
All buildings in which animals are kept and paddocks shall be located a minimum of fifty (50) feet from any property line, any occupied dwelling or any other building used by the public. Horses may be pastured to the side or rear property line and to the front property line in the RE, AG-SF, and AG-C districts. Horses may be pastured to the side or rear property line and to the front *setback* line in the R-1, R-1-S, and RR districts.
- d. Maintenance
All stables shall be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties. All manure shall be stored at least seventy (70) feet from any property line and shall be removed from the premises or spread and cultivated at least once per week so as to control odors and flies.

2. Public Stables

Public stables, as defined in this Ordinance, shall comply with the following:

- a. Location
Public stables shall not be located on land that is a part of a recorded plat.
- b. Minimum Size
Public stables shall have a minimum of one (1) acre per animal but in no event shall there be less than forty (40) acres.
- c. Setbacks
All buildings in which animals are kept and paddocks shall be located a minimum of one hundred (100) feet from any property line and a minimum of fifty (50) feet from any occupied dwelling and any other building used by the public. Horses may be pastured no closer to the road than the front setback line unless otherwise permitted by the Planning Commission.

- d. Maintenance
All stables shall be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties. All manure shall be stored at least seventy (70) feet from any property line and shall be removed from the premises or spread and cultivated at least once per week so as to control odors and flies.
- e. Supervision
Persons renting horses shall be properly supervised so as to avoid conflict with other nearby property owners.

3. **Riding Arenas**

Riding arenas may be permitted as an accessory building or use, subject to the following requirements (*revised 4/1/03*):

- a. Location
Riding arenas shall not be located on land that is a part of a recorded plat.
- b. Permitted Use
Riding arenas, whether located inside or outside of a building, are permitted principally for the use and enjoyment of the residents or owners of the parcel on which the arenas are located. The principal use of riding arena facilities is intended to be for riding, exercising and training horses by residents or owners of the parcel. However, broader uses of arenas are permitted on a limited basis subject to the regulations herein, where such uses are consistent with the goals of the Township to promote continued rural land use. Additional permitted uses include, by way of example, horse competition events, training clinics and classes, and riding lessons. Such additional uses and events shall not be open to the general public as spectators; hence, grandstands and other public facilities for spectators are not permitted. However, observation platforms or similar viewing facilities for participants are permitted. Riding arenas may contain stables. (*item b added 4/1/03*)
- c. Setbacks
Riding arenas and outdoor practice tracks shall comply with the setback requirements specified in the Schedule of Regulations for the district in which they are located, except as follows:
 - (i) Such facilities shall be located at least fifty (50) feet from any property line in an R-1, R-1-S, RR, RE, or AG-SF district.
 - (ii) Such facilities shall be located at least two hundred (200) feet from any residential subdivision, condominium development, or multiple family residential development of record, as measured from the nearest edge of the facility to the nearest boundary line of the residential development.
 - (iii) Buildings in which animals are kept shall comply with the applicable setback requirements for stables.
 - (iv) Horses may be pastured to the property line except that: (1) horses may be pastured no closer to the road than the front setback line, and (2) an eighteen (18) inch setback is required for an electric fence, pursuant to Section 6.02, sub-section B.3. (*revised 10/1/02*)
- d. Floor Area
Notwithstanding limitations in Section 2.03 on accessory building size, the gross floor area of any riding arena building shall not exceed 15,000 square feet.

- e. Maximum Height
Riding arenas shall comply with the height requirements for the district in which they are located.
- f. Maintenance
Riding arenas shall be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties. All manure shall be stored at least seventy (70) feet from any property line and shall be removed from the premises or spread and cultivated at a frequency necessary to control odors and flies. *(revised 4/1/03)*
- g. Restrictions on Horse Competitions and Similar Events *(item g added 4/1/03)*
Although horse competitions and similar events may further the rural use of land, it is intended that such events not become commercial operations and that they be located, laid out, and operated in a manner that does not impair the continued enjoyment, use and future development of nearby properties. Consequently, such events shall adhere to the following restrictions:
- (i) Events at which horses or other animals must be trailered in shall occur no more frequently than twice per month. Such event shall last one (1) day only, between the hours of 8:00 a.m. to 8:00 p.m.
 - (ii) No more than thirty (30) trailers shall be brought onto the property at one time. Trailer and other vehicles shall be parked no closer than forty (40) feet to any property that is zoned or used for residential purposes. In consideration of the frequency of events, paving of parking and driveways shall not be required, provided that dust control is implemented when needed.
 - (iii) Accessory food concession and restroom facilities are permitted, subject to the following:
 - § Accessory facilities shall be contained within the riding arena building or other building.
 - § Accessory facilities shall be designed to serve the participants in the events, and shall not be open to the general public.
 - § Sales of merchandise shall not be permitted.
 - § Permanent restrooms in the arena building or another building are required; portable toilet facilities are not permitted.
 - (iv) Overnight outdoor camping and overnight lodging within a building are not permitted.
 - (v) Signs shall comply with the requirements for Signs for Nonresidential Uses (Section 7.07, sub-section E).
 - (vi) Exterior lighting shall comply with Section 2.12. Arena lighting to facilitate outdoor events after dark is prohibited.
 - (vii) Loudspeaker outside of the arena building are prohibited, unless the applicant can demonstrate to the satisfaction of the those who have review authority at the Township that the loudspeakers will not disrupt the use and enjoyment of adjacent land.
 - (viii) Horse competitions or similar events proposed in conjunction with a new arena or addition to an existing one shall be reviewed following the normal site plan review process. Where there is no new construction, such proposals shall be subject to review and approval by the Township Board.
- h. Outdoor Tracks
Outdoor tracks shall be permitted, provided they are setback at least fifty (50) feet from any property line, and subject to review by the Township Engineer so as to minimize impact on drainage patterns in the area.

- i. Written Agreement
All required conditions and limitations on the use of a riding arena shall be set forth in a written document, prepared in a recordable form. Upon approval the site plan and prior to issuance of a building permit, the agreement shall be recorded by the Township in the Ingham County Office of the Register of Deeds, unless otherwise agreed to by the Township Board.
- j. Approval Criteria (revised 4/1/03)
The Planning Commission shall determine that all of the following criteria will be met prior to approving the plans for a riding arena:
 - (1) All requirements set forth in this sub-section will be complied with.
 - (2) No living quarters will be located in the arena building.
 - (3) The arena will be compatible in terms of appearance and function with surrounding land uses.
 - (4) The arena is not likely to negatively affect the value of other property in the area in which it is located.

4. Stables for Breeding and Training Horses

Stables which are used solely for breeding and training horses and which do not satisfy the definition of "private or public stable" or "riding arena" shall be considered bona fide farms, as defined in Section 1.03, and shall be subject to the regulations applicable to farms.

DD. Stamping Plants, Punch Presses, Press Brakes, and other Machines

The following regulations shall apply to stamping machines, punch presses, press brakes, and other machines:

1. General Requirements

All such machines shall have shock absorbing mountings and be placed on a suitable reinforced concrete footing. No machine shall be loaded beyond the capacity prescribed by the manufacturer. All such machines shall comply with the noise and vibration standards in Article 9.00.

2. Automatic Screw Machines

Automatic screw machines shall be equipped with noise silencers, and shall not be located closer than three hundred (300) feet from any property zoned or used for residential purposes.

3. Setbacks

Punch and stamp presses, other than hydraulic presses shall comply with the following capacity standards:

Maximum Capacity (Tons)	Distance from Nearest Residential District (feet)
50	250

100	300
150	500

Hydraulic presses shall comply with the following capacity standards:

Maximum Capacity (Tons)	Distance from Nearest Residential District (feet)
50	250
750	300
1000	500

4. Press Brakes

Press brakes shall be set back at least three hundred (300) feet from any property line zoned for residential use.

EE. Utility Structures and Substations

Utility structures, substations, and similar uses shall comply with the following regulations:

1. Location

Where feasible, utility structures and public service buildings shall be located so as to not hinder the development of the area or detract from the value of adjoining development.

2. Design

All such uses shall be contained in buildings that are architecturally compatible with buildings in the vicinity and shall be screened in accordance with Section 5.02, subsection E.

3. Off-site Impact

Such uses shall not create a health or safety hazard, a nuisance, or have deleterious impact on the surrounding area either due to appearance or operation.

4. Security Fencing

Security fencing may be permitted, subject to the requirements in Article 6.00.

FF. Veterinary Clinics

Veterinary clinics shall comply with the following requirements:

1. Small Animal Clinics

a. Enclosure

All activities shall be conducted within a completely enclosed building.

b. Setbacks

All buildings shall be set back at least two hundred (200) feet from abutting land that is zoned for residential use.

c. Kennels (revised 12/1/98)

Kennels associated with veterinary clinics shall comply with the following setback requirements:

- a. Minimum setback for fully-enclosed kennel buildings: 200 feet from any residential structure on another parcel.

b. Minimum setback for outdoor runs, animal yards, or any other portion of the kennel where animals will be allowed outdoors: 300 feet from any residential structure on another parcel.

2. **Large Animal Clinics**

a. Range of Services

The veterinary clinic shall cater to horses, livestock and other farm animals. A small animal clinic may be an accessory use.

b. Access

The veterinary clinic shall front on or have direct access to a hard-surfaced road.

c. Accessory Office Uses

Any office area shall be an accessory use to the clinic and shall be attached to the treatment or surgical facilities.

d. Setbacks

No building other than a stable shall be located closer than fifty (50) feet to any dwelling on the premise and seventy-five (75) feet to any adjacent property line.

e. Kennels (revised 12/1/98)

Kennels associated with veterinary clinics shall comply with the following setback requirements:

a. Minimum setback for fully-enclosed kennel buildings: 200 feet from any residential structure on another parcel.

b. Minimum setback for outdoor runs, animal yards, or any other portion of the kennel where animals will be allowed outdoors: 300 feet from any residential structure on another parcel.

f. Maintenance

All stables and treatment areas shall be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties. All manure shall be removed from the premises or spread and cultivated at least once per week so as to control odors and flies.

g. Setback of Stable or Paddock

No stable or confined paddock area shall be located nearer than fifty (50) feet to any property line. Horses and livestock may, however, be pastured to the property line provided the pasture is properly fenced.

h. Minimum Lot Size Veterinary clinics shall have a minimum lot area of five (5) acres.

i. Signs

The veterinary clinic shall be permitted one (1) identification sign with a maximum size of twenty (20) square feet, in accordance with Article 7.00.

j. Parking

The veterinary clinic shall provide parking at the ratio of one (1) space per four hundred (400) square feet of usable floor area in the clinic, plus one (1) space per employee on the largest working shift. Parking shall comply with the requirements in Article 4.00.

GG. **Retreat Centers**

1. **Minimum Lot Area**

Retreat centers shall be located on parcels having a minimum size of ten (10) acres.

2. **Access**

Retreat centers shall have direct access to an existing paved public road.

3. **Maximum Floor Area**

The usable floor area of retreat centers shall not exceed three thousand (3,000) sq. ft.

4. **Health Department Approval**

Approval from the Health Department for the septic system, water supply well, and kitchen facilities shall be submitted prior to final Township approval.

5. **Fire Department Approval**

Fire Department inspection and approval shall be required prior to final Township approval. The Fire Department shall be requested to establish a maximum occupancy load for the facility.

6. **Parking**

Off-street parking shall be provided in the following amounts: One (1) space per person, based on the occupancy load of the building, plus one (1) space per employee. Parking areas shall be properly drained and surfaced with gravel but need not be paved.

7. **Hours of Operation**

The maximum hours of operation shall be 7:30 a.m. to 7:30 p.m. Overnight accommodations shall be prohibited.

8. **Screening and Landscaping**

Retreat centers shall comply with the screening and landscaping requirements for Non-Residential Uses in a Residential or Agricultural District [Section 5.03 (C)].

9. **Building Official Approval**

Building Official review of the site plan shall be required prior to final action by the Planning Commission and Township Board. This review shall not be considered a substitute for the normal review of construction plans prior to issuance of a building permit.

10. **Setbacks**

Retreat centers shall comply with the setback requirements for principal uses in the AG-SF district.

HH. Landscape Contractors= Operations *(this section added 12/1/98)*

Landscape contractors operations shall comply with the following requirements:

1. All vehicles and equipment shall be stored in a fully-enclosed building.
2. Heavy construction equipment, such as bulldozers, shall not be stored or used on the site. In addition, there shall be no tracked vehicles, and the size of front loaders and similar equipment shall be limited to a one (1) yard bucket.
3. There shall be no outside storage or stock piling of materials or debris, other than peat, bark, stone and similar raw materials normally used in the nursery/landscaping business. Such materials shall be screened so they are not visible from any property line.
4. Building contractor's, road contractors, and similar operations are prohibited.
5. No more than ten percent (10%) of the total site area shall be occupied by buildings, storage, parking, or other facilities associated with the landscaping contractor's operations.
6. The Planning Commission shall have the authority to establish hours of operation so as to minimize the impact of the facility on nearby residential uses.

7. Landscape contractors= operations, including buildings, storage areas, stockpiles, and vehicle and equipment parking, shall comply with the following minimum setback requirements: front: 50 feet, sides: 30 feet, and rear: 40 ft.

II. Outdoor Events *(this section added 12/1/98)*

1. **Outdoor Events.** For the purposes of this Section, the words "Outdoor Events" shall mean any musical concert, festival, fair, carnival, show, or similar gathering at which music or entertainment is provided by performers or prerecorded means, at which members of the public are invited or admitted for a charge or for free. The regulations in this Section are not intended to apply to regular season baseball, soccer, football or other sports league games; sports or athletic activities or games organized and managed by the school district or Township; or, family gatherings of residents, such as reunions, where members of the general public are not invited. Applications for Outdoor Event permits shall initially be screened by the Planning Coordinator and Building Inspector, who shall make a determination whether a proposed event requires full review and approval pursuant to these regulations. The Planning Coordinator and Building Inspector may waive these requirements upon finding that a proposed event will be attended by less than 100 persons, provided that such a finding is based on written evidence in the form of a signed guest list, copies of written invitations, etc.
2. **Application.** In addition to information required by the standard special land use application by the Township, the following information shall be provided on any application for a permit to operate an Outdoor Event:
 - a. The names, residence and mailing addresses, and telephone numbers of the person responsible for the Outdoor Event and the owner of the property where the Outdoor Event is proposed to occur. If the applicant is an organization or business, then the name, address, and telephone number of a contact person shall be provided.
 - b. A description of the proposed Outdoor Event.
 - c. The date or dates, location, and proposed hours of operation of the Outdoor Event.
 - d. If the applicant is not the owner of the property on which the Outdoor Event is proposed, then evidence of the applicant=s right to use the premises for the Outdoor Event shall be submitted.
 - e. A statement of the number of people expected to attend the Outdoor Event for each date it is conducted, and an explanation of the evidence of admission which will be used.
 - f. An indemnification agreement to save and keep the Township free and harmless from any and all loss or damages or claims for damages, including attorney=s fees and litigation costs, arising from or out of the Outdoor Event. The indemnification agreement shall be subject to approval of the Township Attorney.
 - g. A plan and schedule for complete clean-up of the site following the Outdoor Event.
 - h. Other information necessary to demonstrate compliance with all of the regulations and standards set forth herein.
3. **Site Plan.** An application for a permit for an Outdoor Event shall be accompanied by a site plan, drawn to scale, showing the location and plan to supply or maintain the following systems and services:
 - a. Police and fire protection facilities and services.

- b. Water supply and facilities.
 - c. Food supplies and facilities.
 - d. Sanitation facilities.
 - e. Medical and first-aid facilities.
 - f. Vehicle ingress and egress and parking facilities, including means of access for emergency vehicles.
 - g. The areas and facilities to be used for performances.
 - h. The areas and facilities to be used for seating, showing the locations of all aisles.
 - i. The location and type of temporary lighting, sound, and public address facilities.
 - j. The nature and locations of signs and markings to be used to direct people and delineate various areas and facilities.
 - k. All physical facilities to be constructed or placed on the premises, including, but not limited to, fences, ticket booths, grandstands, stages, concession facilities, and offices.
 - l. All other applicable site plan requirements specified in Section 27.02.
- 4. Minimum Requirements.** No Outdoor Event shall be conducted or permitted unless all of the following requirements are met:
- a. Parcel Size.** Outdoor Events shall be may be permitted only on parcels that are forty (40) acres or larger.
 - b. Hours of Operation.** Outdoor Events shall not begin before 10:00 a.m. nor extend later than 10:00 p.m., unless otherwise permitted by the Township upon finding that longer hours will have no impact on use of surrounding property.
 - c. Fencing.** The premises shall be completely enclosed by a fence of sufficient height and strength to preclude persons in excess of the maximum permissible from gaining access and to aid in crowd control. Sufficient gates shall be provided to allow safe ingress and egress.
 - d. Parking.** Adequate parking spaces shall be provided for persons attending the Outdoor Event by motor vehicle. At minimum, one (1) off-street parking space shall be provided for every three (3) persons expected to attend or be employed at an Outdoor Event. Parking along the shoulder of any road shall be prohibited. Properly-marked barrier-free spaces shall be provided in accordance with the schedule in Section 4.01, sub-section C.5. A plan illustrating the proposed parking layout, including method of delineating spaces and drive aisles, shall be submitted for approval. The parking layout shall comply with the dimensional and other applicable requirements in Article 4.00 of the Zoning Ordinance, although paving shall not be required for a temporary Outdoor Event.
 - e. Traffic Circulation and Control.** A plan for traffic circulation and control shall be submitted for review. The plan shall include provisions for emergency vehicle access at all times. Provisions shall be made for an adequate number of traffic control officers to provide for the safe, orderly, and expeditious movement of traffic, prior to, during, and after the Outdoor Event. The adequacy of the plan shall be subject to approval by the County Sheriff=s Department and the Chief of the Williamston Community Fire Department. The sponsors of the Outdoor Event shall pay for the cost of such traffic control.

- f. Security Guards.** A minimum of two (2) security guards shall be provided. One (1) additional security guard shall be provided for each two hundred (200) people (or fraction thereof) expected to be in attendance above the initial two (200) people, unless the County Sheriff's Office determines that greater or fewer guards are needed to preserve order and protection property on and around the site of the Outdoor Event.
- g. Potable Water.** Potable water shall be available in sufficient quantity and pressure for drinking and sanitation purposes for the entire Outdoor Event, including under conditions of peak demand. The water supply shall comply with applicable County and State laws and regulations.
- h. Toilet Facilities.** A minimum of ten (10) toilet facilities shall be provided per five hundred (500) people anticipated to attend the Outdoor Event. In addition, two (2) toilet facilities shall be provided for each additional two hundred fifty (250) people. Public or common use toilets shall comply with Federal Americans with Disability (ADA) guidelines, which require that five percent (5%) of the total number, and not less than one (1) toilet facility per cluster of toilet facilities, shall be barrier-free. All toilet facilities shall be provided with soap and paper towels and shall comply with applicable County and State laws and regulations.
- i. Liquid Waste Disposal.** Proper liquid waste disposal from the premises shall be provided so as to prevent a nuisance or menace to public health. If liquid waste retention and disposal is dependent upon pumpers and haulers, they shall be licensed in accordance with County and State laws and regulations.
- j. Solid Waste Disposal.** Proper solid waste storage and removal shall be provided so as to prevent a nuisance or menace to public health. Storage shall be in covered containers having a minimum capacity of thirty-six (36) gallons, provided at a rate of one (1) container per one hundred (100) persons expected to attend the Outdoor Event. The sponsor of the Outdoor Event shall provide the Township with a true copy of an executed agreement with a licensed solid waste disposal firm, which agreement shall provide for proper removal of solid waste from the premises within twenty-four (24) hours following the Outdoor Event. For multiple day events, solid waste shall be removed from the premises every day.
- k. Electrical Service.** A plan for providing electrical service to the site shall be submitted, which plan shall be subject to approval by the Building Official. All electrical wiring shall be installed in compliance with the Michigan Building Code.
- l. Noise Control.** Sound or noise resulting from the Outdoor Event, when measured at the property line, shall not exceed the normal ambient sound level on adjacent property between the hours of 10:00 p.m. and 10:00 a.m. At all other times, the sound or noise level produced by the Outdoor Event shall not exceed normal ambient sound level on adjacent property by more than five (5) decibels. Furthermore, no sound or noise shall be produced that causes annoyance to or a threat to the health and safety of the occupants of the adjacent property.
- m. Illumination.** Electrical illumination shall be provided to all areas that are intended to be occupied after dark. A lighting plan shall be submitted showing the location and types of lighting fixtures and level of illumination for open areas reserved for spectators, stage areas, parking areas, and restroom and concession areas.
- n. Communications Facilities.** An emergency communication system shall be provided and maintained for the duration of the Outdoor Event, which system shall be subject to approval by the County Sheriff's Office and the Chief of the Williamston Community Fire Department.

- o. Overnight Facilities.** Those who attend an Outdoor Event shall not be allowed to remain on the premises overnight. Overnight use of the premises by performers or employees of the Outdoor Event may be permitted, however, subject to review of detailed plans for the accommodations for overnight use, such as camper or trailer parking, sanitation facilities, and bathing facilities.
 - p. Signs.** Signs shall comply with the standards for ACommunity Special Event Signs@ in Section 7.05, subsection C.
 - q. Food Service.** If food service is made available, it shall be delivered only through concessions licensed and operated in accordance with State and County laws and regulations.
 - r. Medical Facilities.** If the Outdoor Event is expected to be attended by 2,000 or more people, emergency medical facilities shall be provided on the premises for the duration of the event.
 - s. Prohibited Activities.** It shall be unlawful to conduct or permit any obscene display or entertainment; to cause or create a disturbance by obscene or disorderly conduct; to permit consumption or use of or make available liquor, narcotics, or narcotic drugs.
 - t. Fire Protection.** Adequate fire protection shall be provided in accordance with guidelines provided by the Township Fire Board. Flammable vegetation and other fire hazards shall be removed from the site of the Outdoor Event. Equipment to extinguish fires, as required by the Chief of the Williamston Community Fire Department, shall be provided. Open fires are prohibited.
 - u. Performance Guarantee.** A performance guarantee meeting the requirements of Section 2.18 shall be deposited with the Township to assure proper clean-up of the site in accordance with the clean-up plan that is required with the application.
 - v. Insurance.** The applicant shall acquire and maintain, at its sole expense, public liability insurance, naming the Township as an additional insured. The insurance shall be purchased from companies approved by the Commissioner of Insurance of the State of Michigan, and shall cover bodily injury, property damage and personal injury in amounts specified by the Township Supervisor. The applicant shall furnish and deliver certificates of insurance demonstrating the existence of the insurance in the minimum amounts required by the Township. Each certificate shall provide that the Township shall receive not less than thirty (30) days written notice of cancellation, expiration, or termination.
- 5. Standards for Approval.** The Township Board may approve an Outdoor Event special land use proposal upon receiving a recommendation from the Planning Commission and making the following findings:
- a. The Outdoor Event will be held at a location which complies with and meets all Township, County, and State health, zoning, fire, and safety ordinances, laws, and requirements.
 - b. All application and site plan information required by the Zoning Ordinance has been provided.
 - c. The Outdoor Event will be conducted in full accord with all requirements of the Zoning Ordinance and this section, in particular.
 - d. The Outdoor Event will be conducted in a manner that will not create a threat to health, safety and welfare, or adversely affect nearby residents= use and enjoyment of their properties.
 - e. All facilities and services required by this section will be furnished and that all prior approvals from State and County agencies have been obtained.

- f. The Outdoor Event will not adversely affect the ability to furnish the remainder of Township with adequate police and fire protection.

JJ. Nature Centers, Demonstration Farms *(this sub-section added 6/29/99)*

Natural Centers, Demonstration Farms, and similar uses shall comply with the following regulations:

1. **Setbacks.** Principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines.
2. **Parcel Size.** The parcel on which such a facility is located shall be least ten (10) acres in size.
3. **Impact on Surrounding Properties.** The location, layout, design and operation of such a facility shall not impair the continued enjoyment, use, and future development of adjacent and nearby properties. The Planning Commission may specify the hours of operation to assure compatibility with adjacent uses.
4. **Parking.** All parking for such facilities shall be provided in off-street parking lots, designed in accordance with Section 4.01, except as follows:
 - a. Off-street parking shall be set back a minimum of forty (40) feet from any property that is zoned or used for residential purposes.
 - b. The number of spaces required shall be determined on a case-by-case basis, upon consideration of the character of the specific use being proposed.
 - c. The Planning Commission may waive the paving requirements in Section 4.01(D)(4) for parking and driveways, upon making the determination that another type of surface will be adequate to handle the anticipated level of traffic. In making a determination regarding paving, the Planning Commission shall consider the types of vehicles anticipated (e.g., volume of bus traffic, size and weight of vehicles, etc.). The Planning Commission may seek the advice of the Building Official and/or Township Engineer. If paving is not required, then the site plan shall include a commitment to provide dust control in parking areas and on driveways.
 - d. The Planning Commission may waive parking lot lighting requirements upon making the determination that the facility will be used only during daylight hours.
 - e. The Planning Commission may waive parking lot landscaping requirements upon making the determination that existing vegetation to be retained on site satisfies the objectives of the Ordinance, as well as the intent to maintain the rural, non-commercial character of the site.
5. **Accessory Facilities.** Accessory retail, food concession, and restroom facilities may be permitted, subject to the following:
 1. Accessory facilities shall be contained within the nature center building or other principal building.
 2. Accessory facilities shall be designed only to serve the patrons of the Nature Center or Demonstration Farm.
 3. Permanent restrooms in the nature center building or other principal building shall be required; portable toilet facilities shall not be permitted.

4. Overnight camping is not permitted. Overnight lodging within a building may be permitted, but only where such activity is incidental to the educational program being offered. Accommodations for overnight lodging shall be illustrated on the approved site plan.
6. **Permits.** Copies of all permits required to operate the facility shall be submitted, including, but not limited to, permits that may be required from the Michigan Department of Natural Resources, Michigan Department of Agriculture, Michigan Department of Public Health, the U.S. Fish and Wildlife Service, the U.S. Department of Agriculture, and the U.S. Department of Health and Human Services.
7. **Identification of Species.** The site plan application shall identify in writing any living species of flora or fauna that will be kept at the facility that does not occur naturally in Williamstown Township. Methods to prevent the release of these species into the Township environment shall be specified, where appropriate.
8. **Manure Management.** If animals are to be kept at a such a facility, then the site plan application package shall include a manure management plan, which shall describe where and how often the manure will be spread or otherwise disposed.
9. **Signs.** Signs shall comply with the requirements for Signs for Nonresidential Uses in Section 7.07, sub-section E.
10. **Hunting.** Hunting shall not be permitted on a Nature Center or Demonstration Farm site.
11. **Single Family Dwelling.** One single family dwelling shall be permitted, to serve as the principal residence of the owner or operator of the facility.
12. **Trail Use.** Trails shall be designed and used principally for pedestrian use. Motorized tours of the facility shall not be permitted.

KK. Automobile Body, Frame, and Fender Straightening Shops, and Automobile Collision Repair Establishments *(added 5/1/01)*

The following regulations apply to Automobile Body, Frame, and Fender Straightening Shops, and Automobile Collision Repair Establishments:

1. **Minimum Lot Area**
The minimum lot area required for such uses shall be 40,000 sq. ft.
2. **Minimum Lot Width**
The minimum lot width required for such uses shall be 200 ft.
3. **Minimum Setbacks**
All such establishments shall comply with the setback requirements for the district in which the use is located. However, a minimum setback of forty (40) feet shall be maintained on all sides which abut property that is zoned or used for residential purposes.
4. **Layout**

All equipment related to the use shall be enclosed entirely within a building. Service bay doors and windows shall be oriented so they face away from public streets and roads and abutting residentially zoned or used property.

5. Services

All such uses shall take place within enclosed building. Overhead doors shall be kept closed except to bring vehicles, supplies, and equipment in or out.

6. Performance Standards/Use of Best Available Technology

All activities related to such uses must comply with the Performance Standards in Article 9.00, and the following additional requirements:

- a. All building walls and roof shall be double insulated with at least seven (7) inches of standard building insulation, to assure compliance with Township noise standards unless the applicant can demonstrate that another building design would be effective in controlling sound emissions.
- b. The applicant shall demonstrate to the satisfaction of the Planning Commission and Township Board that the facility will provide state of the art equipment and features, using the best available technology, so as to fully control emission of paint odors and air contaminants from the facility. Manufactures specifications on equipment and paint should be submitted to demonstrate compliance with this requirement.

7. Outside Storage

Inoperable, wrecked or partially dismantled vehicles may be stored or parked outside for up to seven (7) days, during which time the vehicles must be stored in the rear yard within a six (6) foot high masonry screening wall or wood fence, constructed in accordance with Section 6.01. The Planning Commission may require landscaping outside of the required wall or fence. *(revised 10/1/02)*

8. Vehicle Sales and Storage

The storage, sale, or rental of new or used cars, trucks, trailers, and any other vehicles on the premises is prohibited, unless included as part of an approved site plan.

9. Land Use Compatibility

When considering whether such a use should be permitted on a particular site, the Planning Commission and Township Board shall consider the nature of surrounding existing land use and the character of new development in the surrounding neighborhood. The Planning Commission and Township Board may require landscaping and screening above and beyond the specific standards set forth in this Ordinance where necessary to achieve compatibility with existing or planned land use; or, the Planning Commission may recommend denial and/or the Township Board may deny special land use approval if land use compatibility cannot be achieved.

Section 8.03 -- SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL USES

A. Accessory Apartment

Accessory apartments as defined in Article 1.03, shall comply with the following regulations:

1. Residence an Incidental Use

The accessory apartment shall be clearly incidental to the principal residence on the site. Accordingly, the following conditions shall be met:

- a. Accessory apartments shall be established in, and attached to (by means of a fully-enclosed, insulated and heated space), owner-occupied homes only. *(revised 1/9/96)*
- b. Only one (1) such accessory residence shall be permitted on each parcel.
- c. The total floor area of the accessory residence shall not exceed eight hundred (800) square feet. *(revised 1/9/96)*

Accessory residences shall comply with all setback requirements for the district in which they are located.

2. Setbacks and Placement on the Parcel

Accessory residences shall comply with all setback requirements for the district in which they are located.

3. Compatibility with Surrounding Land Use

The design of the accessory residence shall not detract from the single-family character and appearance of the principal residence or the surrounding neighborhood. The accessory residence shall not have a front entrance visible from the front yard, other than the entrance that serves the principal residence. When viewed from the outside, it shall appear that only one household occupies the site.

4. Parking and Access

In addition to required parking for the principal residence, one additional parking space shall be provided for the accessory residence.

B. Multiple Family and Single Family Attached Housing Requirements

The following site development standards shall apply to attached housing developments, including development in the RM-1, Multiple Family Residential Districts:

1. Permitted Density

a. Basic Formula

The permitted density of development in multiple family districts shall be based on the total number of rooms (excluding kitchen, dining, and bathrooms), in accordance with the following formula:

RM-1 District: The maximum number of rooms permitted shall be equal to the area of the parcel in square feet divided by 1,200.

b. Minimum Room Requirements

All units in the RM-1 district shall have at least one (1) living room and one (1) bedroom, and no more than twenty-five percent (25%) of the units may be one (1) bedroom units.

c. Method of Measuring Land Area

The computations of land area for the purposes of determining density shall not include areas occupied by road rights-of-way or easements, or subaqueous areas. The first twenty thousand (20,000) square feet of a site that is not served by an approved public sanitary sewer shall be excluded from density computations.

2. Building Length

Multiple family buildings shall not exceed one hundred and fifty (150) feet in overall length, measured along the front line of connecting units, inclusive of any architectural features which are attached to or connect the parts of the building together (see illustration).

3. Building Spacing

The minimum distance between any two (2) buildings shall be based on the following table:

<u>Relationship Between Buildings</u>	<u>Minimum Distance Between Buildings</u>
Front to Front	70 ft.
Front to Rear	70 ft.
Rear to Rear	70 ft.
Side to Side	30 ft.
Front to Side	50 ft.
Rear to Side	50 ft.

4. Street Address

The address of each dwelling unit must be clearly posted so that the unit can be readily identified from the roadway or adjacent parking area.

5. Access and Circulation

Multiple family developments shall comply with the following requirements for access and circulation (see illustration):

a. Access to Roads

RM-1 developments shall have direct access to a paved collector or arterial road. However, alternate means of access may be permitted by the Planning Commission upon finding that, due to special circumstances, substantial improvements in traffic safety could be achieved by reducing the number of driveways. Furthermore, an alternate means of access shall be permitted only if one or more of the following conditions exists:

- (1) The property directly across the street from the development under consideration is zoned for multiple family or non-residential use, or
- (2) The property directly across the street is developed with permanent uses other than single family residences, or
- (3) The proposed development is in an area which, based on study by the Planning Commission, will eventually be used for purposes other than single family use.

b. Emergency Access

All dwelling units, including those under construction, shall be readily accessible by fire and emergency vehicles from a paved public street, paved private access road, or other approved paved area. Private roads or driveways dedicated as fire lanes shall be posted with signs indicating "Fire Lane, No Parking." To facilitate emergency vehicle access, the following guidelines shall be complied with:

- (1) All roadways shall be paved and bi-directional allowing for both ingress and egress. A boulevard may be utilized to provide bi-directional traffic movement, provided that the median strip is a minimum of twenty-five (25) feet in width, and the width of each paved moving lane in each direction is at least fifteen (15) feet.
- (2) Streets with no outlet shall be terminated with a cul-de-sac, designed in accordance with standards established and periodically updated by the Township Engineer and kept on file in the Building Department. Such streets with no outlet shall not exceed three hundred (300) feet in length.
- (3) Gatehouses and/or barricades at entrances to private roadways shall be designed so as not to impede fire and emergency vehicle access.

c. Street Dimensions

On-site streets and drives shall comply with the standards in Section 2.10, subsection C.

6. Sidewalks

Sidewalks shall be provided within the development, located no less than five (5) feet from and parallel to access drives. Such sidewalks shall provide convenient access to community buildings and between parking areas and dwelling units. The sidewalks shall be designed and constructed in accordance with Section 2.17.

7. Parking

In addition to the requirements set forth in Article 4.00, multiple family developments shall comply with the following requirements:

a. Location

Required parking shall be located in parking lots or individual driveways, and not in streets or access drives. Parking may be permitted in required side and rear yard setback areas provided that parking lots and access drives shall be located a minimum of ten (10) feet from any property line or public right-of-way. Parking lots and access drives shall not be located closer than twenty-five (25) feet to a wall of any residential structure which contains windows or doors, nor closer than ten (10) feet to a wall of any residential structure which does not contain openings.

b. Distance from Dwelling Units

Parking shall be located within one hundred and fifty (150) feet of the dwelling units the parking is intended to serve, measured along the sidewalk leading to the parking lot.

c. Parking for Community Building

Parking shall be provided for community buildings as specified in Article 4.00.

8. Lighting

All parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and the safety of persons using such areas, in accordance with the requirements set forth in Section 2.12.

9. Landscaping

Multiple family developments shall be landscaped in accordance with Section 5.03, subsection C.

10. Open Space

Open space shall be provided in any multiple family development containing eight (8) or more units. The open space shall comply with the following requirements:

a. Size

Total open space required shall be based on the number and size of units, as indicated in the following chart, provided that each development shall contain a minimum of ten thousand (10,000) square feet of open space.

<u>Type of Unit</u>	<u>Open Space Required per Unit</u>
Efficiency unit	170 sq. ft. per unit
1 bedroom unit	250 sq. ft. per unit
2 bedrooms or more	350 sq. ft. per unit

b. Location

Open space shall be located conveniently in relation to the majority of dwelling units intended to be served. Swamp areas, marshy areas, and similar limited-use areas shall not be included in the required open space.

c. Use of Open Space

Uses permitted within the required open space include picnic and sitting areas, playground and park space, play equipment, tennis courts, shuffleboard courts, and similar outdoor recreation facilities.

d. Phasing

Open space improvements shall be completed in proportion to the number of units constructed in each phase.

11. Garages

Garages shall be permitted for each unit, in accordance with the provisions for accessory uses in Section 2.03.

12. Antennae

Each multiple family building shall be permitted to erect one (1) antenna, subject to the requirements in Section 2.22.

BUILDING LENGTH
Subsection 8.03, sub-section B.2

ACCESS AND CIRCULATION
Section 8.03, sub-section B.5

C. Open Space Preservation Option *(this sub-section C revised 10/1/02, 7/6/04)*

Open Space Preservation developments may be approved in the R-1, R-1-S, RR, RE, AG-SF, and AG-C districts, subject to the standards and review procedures set forth herein.

1. Purpose

The purpose of Open Space Preservation Option is to preserve undeveloped land, thereby maintaining rural character and agricultural lands. The regulations in this sub-section C propose to accomplish this purpose by providing for grouping of homes onto the most buildable portions of a site so that the remainder of the site can be preserved in an undeveloped state.

As used in this subsection, the term “undeveloped state” shall have the meaning given to it in Section 40, subsection (o), of the Township Zoning Act, Michigan Public Act 184 of 1943, as amended, which states the following:

“Undeveloped state” means a natural state preserving natural resources, natural features, or scenic or wooded conditions; agricultural use; open space; or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children’s play area, greenway, or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.

2. Applicability

Parcels measuring twenty (20) acres or larger in the R-1, R-1-S, RR, RE, AG-SF, and AG-C districts may be developed according to the standard conditions and requirements for the zoning district, or it may be developed according to the Open Space Preservation Option standards in this sub-section. If the Open Space Preservation Option is selected, the property shall be developed under the conditions and requirements in this sub-section, other applicable zoning regulations, and other applicable Township ordinances. The Open Space Preservation Option may be used in the R-1 district only if the subject property is served by a public sanitary sewer system. *(revised 7/6/04)*

3. Review and Approval Process

Proposals for Open Space Preservation development shall be reviewed following the same procedures used for conventional subdivision or condominium proposals, except that the applicant shall complete a site features inventory prior to development. The inventory shall consist of maps and written analysis which shall identify, describe and quantify the following features, at minimum: existing vegetation, topography at two-foot contour intervals, water courses, drainage patterns, wildlife habitats, roads and road rights-of-way, easements, soils (based on U.S. Soil Conservation Survey or soil borings), MDEQ-regulated wetlands, floodplains, woodlands and tree lines, rare and endangered species habitats, and any additional features uniquely affecting the site.

4. Permitted Density

The overall density of residential uses in an Open Space Preservation development shall not exceed the density that would be permitted if the site were developed as a conventional single family subdivision as specified in the following chart:

<u>Zoning District</u>	<u>Overall Density</u>	<u>Maximum Number of Units Per Acre</u>
R-1	1 unit/0.46 acres	2.17
R-1-S	1 unit/0.92 acres	1.09
RR	1 unit/2.07 acres	0.48
RE	1 unit/3.33 acres	0.30
AG-SF	1 unit/6.66 acres	0.15
AG-C	1 unit/10 acres	0.10

The permitted density shall be based on the net buildable area of the site which consists of the portions of the site that are not encumbered by regulated wetlands (except that one-quarter of the total wetlands may be counted as buildable), steep slopes, existing and proposed road rights-of-way, easements, existing structures or lots, or other existing or proposed features that would prevent construction of a building or use of the site for residential purposes.

The permitted density shall also be regulated by the parent parcel’s road frontage. Alternately, the parent parcel’s road frontage may be increased by construction of a new public road on the subject parcel, in which case the permitted density shall be regulated by frontage on the new public road, as specified in the following chart: *(revised 7/6/04)*

<u>Zoning District</u>	<u>Minimum Parent Parcel Road Frontage Per Proposed Lot</u>	<u>Minimum Frontage on New Road Per Proposed Lot</u>
R-1	100 ft.	75 ft.
R-1-S	120 ft.	90 ft.
RR	240 ft.	180 ft.
RE	300 ft.	225 ft.
AG-SF	300 ft.	225 ft.
AG-C	330 ft.	250 ft.

To assist the Planning Commission in determining net buildable area and maximum density, the applicant shall submit an alternative plan that shows how the site could be developed under conventional zoning. *(revised 7/6/04)*

Modifications permitted under the Open Space Preservation Option that result in reduction in land area dedicated to individual dwelling units shall be compensated for by an equivalent amount of open space, which shall be maintained and preserved in accordance with the standards specified in this subsection.

5. Dimensional Standards

a. Setbacks. Open Space Preservation developments shall comply with the following minimum yard setback requirements:

Building Setbacks

Along perimeter adjacent to public road	50 ft.
Along perimeter, but not adjacent to a road	35 ft.
Along an internal collector or local road	40 ft.
Along an internal arterial road	50 ft.

The minimum rear and side yard setback for detached single family structures and accessory structures thereto shall be based on sound planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the use of residents on the site.

Parking Lot Setbacks

Along perimeter adjacent to public road	50 ft.
Along perimeter, but not adjacent to a road	20 ft.
Waterfront/Wetland setback of buildings and parking lots from lakes, ponds, streams, and wetlands	60 ft.

Docks, bulkheads, patios, terraces, decks, gazebos, and pathways shall be permitted within the 60-ft. waterfront/wetland setback, subject to review and approval by the Township.

b. Minimum Lot Size.

Open Space Preservation developments shall comply with the following minimum lot size requirements:

<u>Zoning District</u>	<u>Minimum Lot Size</u>
R-1	9,000 sq. ft.
R-1-S	18,000 sq. ft.
RR	32,750 sq. ft.
RE	32,750 sq. ft.
AG-SF	32,750 sq. ft.
AG-C	32,750 sq. ft.

Variation from these lot size standards may be required or permitted where the Planning Commission finds that either of the following circumstances exist:

- (1) a larger lot size is required to satisfy Ingham County Health Division septic system standards, or
- (2) a smaller lot size is required to achieve the density permitted under sub-section C.4, above.

In the absence of public sanitary sewer service and waste water treatment, development in the R-1 and R-1-S districts shall comply with the minimum lot area requirements specified for the RR district.

- c. Distances between Buildings. Any detached single family structure (or accessory structure thereto) shall be located at least thirty (30) feet from any other detached single family structure or accessory structure.
- d. Floor Area and Height Standards. Buildings in an Open Space Preservation development shall comply with the floor area and height standards for the district in which the development is located.

6. Open Space Requirements

Open Space Preservation developments shall provide and maintain open space in an undeveloped state, which shall comply with the following requirements:

- a. Open Space Preservation developments shall reserve at least fifty percent (50%) of the parcel in an undeveloped state.
- b. Open space shall be located on the parcel to meet the following objectives:
 - (1) To preserve distinctive natural features, scenic or wooded conditions, and rural characteristics.
 - (2) To preserve farmlands.
 - (3) To minimize impact from development on wetlands, streams, and other sensitive environmental areas.
 - (4) To maintain open, rural character along main roads.

In addition, no more than twenty-five percent (25%) of the open space may be developed with children=s play facilities, picnic facilities, trails, and similar passive recreational facilities to satisfy the needs of future residents of the development, provided that all such facilities shall be compatible in design with other open space requirements and objectives.

- c. Required open space shall not include the area of any public or private road, the area of any easement providing access to the site, the area of any commercial recreation use (such as a golf course), or the area of any stormwater retention or detention pond.
- d. The required open space shall be set aside by the developer through an irrevocable conveyance, such as a deed restriction, conservation easement, plat dedication, restrictive covenant, or other means that runs with the land, whereby all rights to develop the land are conveyed to a land conservation organization or other public body, assuring that the open space will remain undeveloped. Such conveyance shall:
 - (1) Indicate the proposed use(s) of the required open space.
 - (2) Provide for the privately-owned open space to be maintained by private property owners having an interest in the open space.
 - (3) Provide maintenance standards and a maintenance schedule.

- (4) Provide notice of possible assessment to the private property owners by the Township of Williamston for the maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance.
- (5) After approval from the Township, the developer shall record with the Ingham County Register of Deeds to provide record notice of the restrictions to all persons having or seeking an interest in the property contained in the Open Space Preservation development. Evidence that the document has been recorded shall be provided to the Township prior to issuance of any permits to commence construction.

7. Building Location

Where feasible, Open Space Preservation developments shall comply with the following building location requirements. Modification to these locational requirements may be approved by the Township as part of the review process, upon making the determination that other building locations would be more appropriate because of topography, existing trees or vegetation, proposed grading or landscaping, or other existing or proposed site features or conditions.

- a. Buildings shall be located on the edges of fields and in wooded areas to minimize the visual impact of development. Buildings should not be located in open fields.
Buildings shall not be located on the tops of ridge lines or in areas with slopes that exceed 35 percent.
- c. Buildings shall not be located in wetlands or floodplains.
- d. Buildings shall be set back as far back from public roads as possible so as to maintain the rural appearance of the Township from the road. This goal can also be achieved by placing buildings behind or within a woodlands or tree line that screens the buildings from the road.

8. Roads and Driveways

The amount of site disruption caused by road and driveway construction and associated grading required for construction shall be minimized in Open Space Preservation developments. Accordingly, Open Space Preservation developments shall comply with the following standards:

- a. Roads shall follow existing contours to minimize the amount of cut and fill.
- b. Where sites include linear features, such as existing access roads, tree lines, and stone rows, roads shall follow these features to minimize the visual impact of the roads.
- c. Roads shall not be located in open fields.
- d. Use of shared driveways to serve up to four (4) units is permitted to minimize the amount of paving and reduce the number of curb cuts onto public roads. Shared driveways shall comply with the requirements in Section 18.02, sub-section E.5. *(revised 7/6/04)*

9. Stormwater Management

- a. Existing natural drainage shall be maintained to the maximum extent feasible.
- b. Retention and detention basins, where proposed or required, shall resemble natural ponds with gradual slopes and shall be landscaped with plant material that enhances the wildlife habitat.

10. Landscaping and Lawns

- a. Existing trees and other plant growth shall be preserved in areas where disturbance is not necessary outside of the building envelope.
- b. Conversion of woods, meadows, and other natural features into lawns shall be avoided, except where lawn areas are a part of the open space design or serve as residential yard space.
- c. Where landscaping is proposed, native species shall be used. Appropriate native species shall be based on a list kept on file at the Township Hall which may be updated from time-to-time.

11. Existing Structures

- a. When a parcel contains existing structures deemed to be of historic, cultural or architectural significance (such as farm structures), and where these structures are suitable for rehabilitation, the structures shall be retained.
- b. Adaptive reuse of existing structures for residential use or permitted accessory residential uses shall be permitted.

D. Single Family Development Options

The following site development standards shall apply to Average Lot Size and Single Family Attached developments:

1. Intent

The intent of these provisions is to provide limited flexibility in the regulation of single family developments for the purposes of:

- a. Providing improved living and working environments in the Township,
- b. Preserving the natural beauty of the Township,
- c. Promoting more economic residential designs,
- d. Encouraging ingenuity and originality in the total site design, and
- e. Providing adequate usable open space, tree cover, recreation areas, and scenic vistas.

These provisions shall not be used to achieve higher density development on parcels where portions cannot be developed because of wetlands.

2. Scope of Requirements

Average Lot Size and Single Family Attached developments may be approved in the R-1 and R-1-S districts, whether developed as conventional single family subdivision plats or as single family condominium projects, subject to review and approval as provided for herein.

3. Eligibility Criteria

In considering any proposal for Average Lot Size or Single Family Attached development, the Township shall make their determinations on the basis of the following criteria:

- a. Compatibility with Adopted Plans and Ordinances
The proposed development shall be consistent with the general principles and objectives of the adopted Township Master Plan, the Subdivision Ordinance, and all applicable building codes.

- b. Compliance with Applicable Zoning Standards
The proposed development shall comply with applicable standards of this Ordinance, except as modified in accordance with the procedures and standards in this section.
- c. Impact on the Township
The proposed development shall not have a substantial or undue adverse impact upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities, and other matters affecting the public health, safety, and welfare.
- d. Impact on the Neighboring Property
The proposed development shall be constructed, arranged, and operated so as not to interfere with the development and use of neighboring property.
- e. Design Diversity
Diversity and originality in layout and building design shall be encouraged to achieve the best possible relationship between the development and the land.
- f. Impact on Residents
Individual lots (if applicable), buildings, units, and parking areas shall be situated to avoid any adverse effects from shadows, noise, and traffic on the residents of the development.
- g. Impact on Natural Features
Individual lots (if applicable), buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural features of the site which are intended to be preserved.
- h. Access to Open Space
Open space intended for recreation or public use shall be easily accessible to pedestrians and shall meet the needs of the handicapped and elderly.
- i. Usability of Open Space
The usability of open space which is intended for recreation or public use shall be determined by the size, shape, and topography of the site and the location requirements of the principal buildings or uses on the site.

4. Average Lot Size Requirements

- a. Permitted Modifications
Lot size and lot width may be reduced below the minimum standards for the zoning district in which the development is located, in accordance with the standards specified in this section. All such reductions shall be compensated for by an equivalent amount of open space, which shall be maintained and preserved in accordance with the standards specified in this section.

In no case shall the maximum dwelling unit density standards of the zoning district in which the development is located be exceeded. Except as specified in this section, other applicable standards for the district in which the development is located shall not be modified or changed.

This requirement shall be predicated on the following base densities:

	<u>Base Density</u>
R-1 District	2.2 units/acre
R-1-S District	1.1 units/acre

- b. Lot Standards
Reduction in minimum lot size, lot width, and yard setback standards in Average Lot Size developments shall be permitted as specified in the following table provided that

Site Development Standards

each lot is capable of satisfying minimum County and Township requirements with respect to septic system/sanitary waste treatment and potable water, or provided that each lot in the development is served by public sanitary sewers and a public water system: *(revised 2/3/98)*

<u>Zoning District</u>	<u>Minimum Lot Area per Unit (sq. ft)</u>	<u>Lot Width (ft.)</u>
R-1	16,000	80
R-1-S	32,000	100

c. Open Space Requirements
 Common open space shall be permanently reserved and maintained as landscaped park or recreation space for the benefit of residents of the Average Lot Size development. The size, configuration, and location of such open space shall be subject to review and approval by the Planning Commission. Man-made stormwater retention areas shall not be counted toward required open space.

The required open space shall be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, or through a conservation easement, assuring that the open space will be developed according to the site plan and never changed to another use. Such conveyance shall:

- (1) Specify ownership of the open space,
- (2) Provide for maintenance of the open space by the private property owners having an interest in the open space,
- (3) Provide for maintenance standards and a maintenance schedule,
- (4) Provide for maintenance insurance, and
- (5) Include any other specifics deemed necessary by the Planning Commission.

d. Review and Approval Process
 Proposals for Average Lot Size development shall be reviewed in accordance with applicable procedures for Special Land Uses, Section 27.03.

5. Single Family Attached Development

Single family attached development may be permitted in the R-1 District, subject to the following conditions:

a. Permitted Modifications
 Subject to review and approval procedures which follow, a mixture of two (2) to four (4) dwelling units may be attached, either through a common dwelling unit wall, a common garage wall, or an architectural feature, such as an archway, provided that the common wall of adjoining dwelling units shall not overlap by more than fifty percent (50%). However, common garage walls may overlap for their full distance on both sides.

In no case shall the maximum dwelling unit density standards of the zoning district in which the development is located be exceeded. This requirement shall be predicated on a base density of 2.2 dwelling units per acre in the R-1 District.

Modifications permitted under this option that result in reduction of land area dedicated to individual dwelling unit, shall be compensated for by an equivalent amount of open space, which shall be maintained and preserved in accordance with the standards specified in this section.

Site Development Standards

In no case shall the maximum dwelling unit density standards of the zoning district in which the development is located be exceeded. Except as specified in this section, other applicable standards for the district in which the development is located shall not be modified or changed.

b. Setbacks

- (1) The front yard setback requirements for the district in which the development is located shall be complied with on all sides of a development which abuts a public road or street.
- (2) A 75 foot setback shall be provided along the entire perimeter of a development, except on sides which abut a public road or street.
- (3) Dwelling units shall be set back a minimum of twenty (20) feet from the easement of right-of-way line of any private road or drive serving the development.
- (4) The minimum distance between any two (2) building clusters shall be based on the standards in Section 8.03, sub-section B.3.

c. Minimum Floor Area and Height Standards

Dwelling units in a Single Family Attached development shall comply with the floor area and height standards for the district in which the development is located.

d. Landscaping

Single Family Attached developments shall comply with the landscaping requirements in Section 5.03, sub-section C.

e. Open Space Requirements

The Township may require that common open space be permanently reserved and maintained as landscaped park or recreation space for the benefit of residents of the Single Family Attached development. The size, configuration, and location of such open space shall be subject to review and approval by the Planning Commission.

The required open space shall be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, or through a conservation easement, assuring that the open space will be developed according to the site plan and never changed to another use. Such conveyance shall:

- (1) Specify ownership of the open space,
- (2) Provide for maintenance of the open space by the private property owners having an interest in the open space,
- (3) Provide for maintenance standards and a maintenance schedule,
- (4) Provide for maintenance insurance, and
- (5) Include any other specifications deemed necessary by the Planning Commission.

f. Building Design

Housing units shall be designed in a manner that is compatible with surrounding development and the natural environment. Accordingly, when a development faces or abuts a conventional single family subdivision the facades and orientation of the conventional units shall be used as a guide for the design and layout of the single family attached units.

- g. Roads and Utilities
Proposed roads and utilities in a single family attached development shall comply with adopted Township standards, and shall be subject to review and approval by the Township Engineer.
- h. Review and Approval Process
Proposals for Single Family Attached development shall be reviewed in accordance with applicable procedures for Special Land Use Section 27.03.

E. Housing for the Elderly

The following site development standards shall apply to housing for the elderly:

- 1. **Minimum Floor Area**
All dwelling units shall have at least three hundred fifty (350) square feet of floor area (not including kitchen and sanitary facilities).
- 2. **Lot Coverage**
Total coverage of all buildings, including dwelling units and related service buildings, shall not exceed twenty-five percent (25%) of the total site exclusive of any dedicated public right-of-way.

F. Model Homes

Model homes in platted subdivisions shall comply with the following standards:

- 1. **Permitted Use**
The model home shall be used solely as a sales and promotion office for the subdivision in which the home is located. The model home shall not be used to conduct other business, or as a model home to promote sales in other subdivisions.
- 2. **Termination**
Use of the home for sales and promotion shall cease as soon as all lots in the subdivision are sold to potential end users or in two (2) years, whichever occurs sooner, whereupon the model home shall be offered for sale for use as a dwelling unit. Prior to expiration of the initial or subsequent approvals, the applicant may seek a one (1) year extension from the Planning Commission.
- 3. **Appearance**
The model home and site shall be maintained to look like a typical single family dwelling at all times. However, one identification sign shall be permitted, subject to the following requirements:
 - # Maximum size: six (6) square feet
 - # Maximum height: six (6) feet
 - # Type: ground or wall
 - # Location: sign shall comply with setback requirements for district
- 4. **Parking**
A minimum of two (2) temporary paved off-street parking spaces shall be provided per employee. Off-street parking shall comply with the requirements in Article 4.00.