

CHAPTER 27
SPECIAL USES

SECTION 27.01 PURPOSE Because it may be proper to provide for certain uses but because these uses possess characteristics of unique or special form, the special uses provided for by this Ordinance shall be permitted only in accordance with the provisions of this Chapter.

SECTION 27.02 PROCEDURE Application for a special use shall be submitted and processed under the following procedures:

- A. An application shall be submitted to the Planning Commission on a form for that purpose. Each application shall be accompanied by the payment of a fee as determined by the Township Board. In the event the allowance of a proposed use requires both a rezoning and a special use permit, the application for rezoning shall be processed in its entirety prior to Planning Commission action on the special use.
- B. Upon receipt of an application for a special use, a notice that a public hearing will be held on the application shall be published in newspaper that circulates in the Township and sent by mail or by personal delivery to the owners of property for which approval is sought, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question and to the occupants of all structures within 300 feet. The notice shall be given not less than 15 days before the date of the public hearing. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one occupant of a structure, except that if a structure contains more than one dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

The notice shall:

- 1. Describe the nature of the special use request.
 - 2. Indicate the property which is the subject of the special use request.
 - 3. State when and where the public hearing will be held.
 - 4. Indicate when and where written comments will be received concerning the request.
- A. At the public hearing, or within a reasonable time thereafter, the Planning Commission shall deny, approve, or approve with conditions, the request for a special use. The decision shall be incorporated in a statement containing the conclusions relative to the special use under consideration which specifies the basis for the decision, and any conditions imposed. The Planning Commission stipulate such additional conditions and safeguards deemed necessary to accomplish the following purposes. Failure to comply with such conditions may result in the revocation of the special land use approval:

1. To meet the intent and purpose of the Zoning Ordinance,
 2. To relate to the standards established in the Ordinance for the land use or activity under consideration,
 3. To insure compliance with those standards,
 4. To protect the general welfare,
 5. To protect individual property rights, and
 6. To ensure that the intent and objectives of this Ordinance will be observed.
- D. The decision of the Planning Commission rendered pursuant to the request shall be final unless such decision is reversed or modified by a court of competent jurisdiction.

SECTION 27.03 BOARD OF APPEALS ACTION The Board of Appeals is without jurisdiction to accept appeals or grant variances from the decision of the Planning Commission with respect to special uses.

SECTION 27.04 SITE PLAN APPROVAL Site plan approval is required in accordance with Chapter 32.

SECTION 27.05 SITE APPROVAL STANDARDS Uses permitted as special uses shall be subject to the requirements of the district in which such use is located, and shall be also subject to the following site approval and development standards:

TABLE 27 –1
PERMITTED SPECIAL USES & APPROVAL STANDARDS

SPECIAL USES	APPROVAL STANDARD	RP	RE	R-1 R1A	R-2	R-3	R-4	C-1	VC	C-2	C-3	C-4	C-5	OFFICE	LI	I
Country Clubs, Golf Courses	A	X	X	X												
Kennels	B	X	X													
Public Stables	C	X	X													
Campgrounds, Travel trailer Parks	D	X	X													
Vehicle Sales...	E														X	
Outdoor Recreational Uses	F	X	X													X
Airfields	G	X														
Public Utility Storage or Service Yd./Private Transportation Facility	H	X	X													
Lawn Maintenance/Snow Plowing Establishments	I	X	X													
Roadside Stands	J	X	X													
Reserved	K															
Churches	L							X	X	X	X	X	X			
Private and Public Heliports	M	X	X											X		
Fish Hatcheries	N	X	X													
Non Academic School Uses	O	X	X	X												
Sanitary Landfills & Transfer Stations	P		X													
Colleges, Universities	Q					X										
Hospitals	R					X				X	X	X	X			
Child & Adult Day Care Centers	S					X		X	X	X		X				
Adult Foster Care Congregate Facilities	T					X		X	X	X		X				
Convalescent Homes	T					X		X	X	X		X				
Adult Assisted Living Centers	T					X		X	X	X		X				
Permitted Uses Not Conducted Within A Completely Enclosed Building	U							X	X			X				
Bars, Taverns & Restaurants Including Sale Of Alcoholic Beverages	V							X	X	X		X				
Bars, Taverns & Restaurants With Service From Decks, Porches Or Other Outside Areas	W							X	X	X	X	X	X			
Funeral Homes	X									X		X				
Automobile Rental Facilities	Y							X	X	X		X				
Billboards	Z												X		X	X
Industrial Uses Listed in Sections 20.03 A-D.	AA															X
Junk Yards	BB															X
Vehicle Repossession and/or Seizure & Auction Facility	CC															X
Indoor Recreation and Entertainment Centers	DD														X	X
Wireless Communication Facilities (Section 3.29A.2)	EE	X	X												X	X
Wireless Communication Facilities (Section 3.29A.3)	FF			X	X	X	X	X	X	X	X	X	X	X		
Bed and Breakfast	GG	X	X	X												
Outdoor Storage & Contractors Equipment Storage Yard	HH														X	X

Industrial Uses Listed in Section 19.03 F.	II															X	
Government Sign – Off Premise	JJ	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Special Controlled Uses	KK									X		X					

A. GOLF COURSES, COUNTRY CLUBS

1. The minimum area shall be 20 acres for a 9 hole par 3 course, 40 acres for an 18 hole par 3 course, 50 acres for a 9 hole regulation course, and 100 acres for an 18 hole regulation course.
2. No building or non-golfing use, with the exception of parking, shall be located within 75 feet of the front property line, 50 feet of the side property line, or 100 feet of the rear property line.
3. Parking shall comply with Chapter 29.
4. All lighting shall be comply with the provision of Chapter 31.
5. Landscaping and buffering shall comply with Chapter 32.
6. Existing residential uses located on the property shall be permitted but only as an accessory use to the special use.
7. Swimming pools, tennis courts, health clubs, and similar uses shall be considered as accessory uses to the special use.
8. There shall be no more than two driveways for patron use and one driveway for private use provided that there shall be a minimum of 300 feet between said driveways.
9. Adequate on site drainage facilities and positive storm drainage outlets shall be provided.

B. KENNELS

1. The minimum lot size shall be two acres with an additional one-third acre for each animal in excess of three.
2. Buildings for housing dogs, dog runs, and/or exercise areas shall not be located within 100 feet of any property line.
3. Signs shall be subject to the regulations of Chapter 28.

C. PUBLIC and PRIVATE STABLES

1. The minimum area devoted to the use shall be 10 acres. Such area may include pasture and riding trails, but shall not include area devoted to living quarters or other uses not normally incidental to a riding stable.
2. Areas for riding trails or riding purposes shall be located on the same premises, provided, however, that the owner may lease adjacent lands for said purpose. Further, provided, that access to riding areas shall not necessitate riding or leading of animals upon or across a public road.
3. Parking shall be available at a ratio of one space for each horse available for rental. Such parking need not be paved or hard surfaced.
4. One identification sign, not exceeding 32 square feet in area, is permitted.

5. The premises shall include storage adequate for the disposal of manure and refuse, have proper insect control methods, and be suitably fenced.
6. No structures or accessory uses shall be within 100 feet of an adjoining property line.

D. CAMPGROUNDS, TRAVEL TRAILER PARKS

1. The minimum lot size shall be 10 acres.
2. No commercial enterprises shall be permitted to operate within the park, except that a convenience goods shopping building may be provided in a park containing more than 50 campsites.
3. No building or campsite shall be located within 50 feet of any property line. A house used only for purposes of residence by a park manager or owner shall conform to the requirements of the zoning district.

Setback requirements on the side or rear property line may be waived or modified when said line is constituted by the edge of a river or lake, and the Planning Commission shall find that no useful purpose would be served by the stipulated setback.

4. All parks shall afford direct vehicular access to a county primary road or a state highway, with no openings closer than 100 feet to a side property boundary line.
5. One identification sign, not exceeding 100 square feet in area, is permitted.

E. VEHICLE SALES, NEW OR USED, INCLUDING AUTOMOBILES, BOATS, MOTORCYCLES, TRAVEL TRAILERS, SNOWMOBILES AND MOTOR HOMES.

1. The display, storage, repair, maintenance, or parking of any vehicle, including automobiles, boats, motorcycles, travel trailers, snowmobiles and motor homes, shall not occur outside, but only in a wholly enclosed building.
2. The outside storage or display of accessory products is prohibited.
3. The use of external paging or intercom systems is prohibited.
4. Only one building is permitted on a parcel.
3. The only signs that are permitted are those permitted within the zone district in which the proposed use is located.

F. OUTDOOR RECREATIONAL USES

1. The minimum lot area shall be three acres.
2. A greenbelt shall be required if parking is located less than 50 feet from a property line.

3. No building or use shall be located within 50 feet of any property line except that parking may be excluded from this requirement. Setback requirements on the side or rear property line may be waived or modified when said line is constituted by the edge of a lake or river.
 4. Signs shall be subject to the regulations applicable to signs in commercial districts.
 5. Use of the premises shall be limited to the use approved.
 6. Structures and procedures shall be required so that litter will not be displaced, by any means, onto adjacent property or public roads.
- G. AIRFIELDS Private airfield facilities for small aircraft may be permitted provided that the Planning Commission finds such airfield will not adversely affect existing or future development of the area. The Planning Commission shall consider the following standards prior to permitting a private, noncommercial airfield or landing strip.
1. Such use will not adversely affect existing or future development of the area.
 2. The takeoff and landing pattern within 1,000 feet of the end of the runway does not pass over an existing occupied structure and is controlled by the airfield owner by deed or easement to ensure that future structures shall not be located within a 1000 foot long strip of land and which extends a minimum of 100 feet in width on each side of the extended runway.
 3. The landing strip is at least 200 feet from any property line.
 4. The safety of the citizens of the Township is not adversely affected.
 5. The owner agrees in writing to move, relocate, or abandon such strip if any of the above provisions cannot be met in the future.
 6. The landing strip conforms to all Federal Aviation Administration rules and regulations and the Michigan Aeronautic Commission.
- H. PUBLIC UTILITY STORAGE OR SERVICE YARD/PRIVATE TRANSPORTATION FACILITY
1. The minimum lot size shall be 5 acres.
 2. The parcel location shall be such that at least one property line abuts a state highway or county primary road. Access to the facility shall be directly from said streets and shall be limited to one drive.
 3. One freestanding sign, not to exceed 32 square feet, is permitted.
 4. Except for visitor parking, all vehicle parking and storage, and all materials storage, shall be within a fenced area.
 5. All lighting shall be directed so as to shine away from adjacent properties.

6. The minimum front yard shall be 75 feet.
7. The minimum side yard shall be 50 feet.
8. The minimum rear yard shall be 100 feet.
9. All required yard areas, excepting drives and sidewalks, shall be landscaped and maintained. No parking or storage shall be permitted within the required yards.
10. A greenbelt shall be required on the side property line if there is an existing residence within 100 feet of the parcel.
11. Use of the property shall be limited to the use approved.
12. Repair of vehicles shall be done within a totally enclosed building.
13. There shall be no storage of vehicle parts or inoperable vehicles outside of an enclosed building.

I. LAWN MAINTENANCE, LANDSCAPING AND SNOW PLOWING ESTABLISHMENTS

1. All lawn maintenance and snow plowing equipment, including, but not limited to, hand and tractor driven mowers, snowplow blades, and related equipment when not in use off premises shall be stored at all times in a completely enclosed building.
2. No maintenance or other activity related to the permitted use shall be conducted outside of a completely enclosed building.
3. No outdoor commercial lighting shall be placed or permitted on the premises except standard residential exterior lighting.
4. No more than six licensed vehicles shall be parked on the premises outside of an enclosed structure at any one time.
5. The Township Building Inspector or such other person designated by the Township shall have the right to inspect the premises during regular business hours upon reasonable advance notice to the property owner.

J. ROADSIDE STANDS

1. All structures and uses associated with the operation which are of a temporary nature, shall be removed when the operation is not active.
2. Adequate off street parking shall be provided and maintained in a safe and dust free condition.
3. No part of the operation shall be located less than 100 feet from any adjacent residential dwelling.
4. The minimum setbacks for all uses and structures associated with the operation shall be in accordance with the minimum setbacks for residential buildings in the district in which the roadside stand will be located.

5. Signs shall be in accordance with the requirements of Chapter 24 and shall be removed when the roadside stand is not being operated.

K. RESERVED

L. CHURCHES

1. Such facilities shall be located on a lot or parcel of land having a minimum lot size of three (3) acres and a minimum lot width of 300 feet.
2. Such facilities shall have frontage on at least one collector or Arterial Street as classified by the Major Street Plan.
3. There shall be a minimum front, side and rear yard building setback of 50 feet except that churches having frontage on arterial streets shall have a front yard setback of at least 75 feet.
4. Such facilities shall implement a traffic management plan as approved by the Planning Commission.
5. Churches shall be required to install landscaping and screening as approved by the Planning Commission.

M. PRIVATE OR PUBLIC HELIPORTS

1. The proposed heliport shall be constructed, operated and maintained in accordance with the published rules and regulations of the Federal Aviation Administration, Michigan Aeronautic Commission and the National Fire Protection Association governing the use of heliports.
2. The application shall include a copy of an approved Michigan Aeronautics Commission application for licensing.
3. The application shall include an aerial photograph at a scale of one inch equal 400 feet, or less, indicating the approach and departure routes, the location of all residences, schools, churches, hospitals and areas used for the open assembly of people as well as other noise sensitive areas within a radius of one-half mile of the proposed heliport site.
4. A description of the purpose for which the heliport is being established and a schedule of proposed activities including:
 - a. Number of monthly operations.
 - b. Hours of operation.
 - c. All support activities such as storage, maintenance and refueling.
5. An environmental assessment showing the expected noise levels and possible odors, fumes and dust that may be caused by the operations of the heliport. It shall also include a statement of adverse impacts on other properties in the area and the steps that will be taken to minimize those impacts.

N. FISH HATCHERIES

1. The minimum lot size shall be five acres.
2. One freestanding sign, not to exceed 32 square feet, is permitted.
3. Ponds shall be fenced in a manner so as to minimize unauthorized access.
4. No building shall be located within 50 feet of and property line. A house used only for purposes of residence by a manager or owner shall conform to the requirements of the zoning district.
5. Use of the premises shall be limited to the use approved.

O. NON-ACADEMIC SCHOOL USES

1. Access to a non-academic school use shall be from major or minor arterials as defined by the current Comprehensive Plan of the Township except that access may be from a collector street if the Planning Commission finds that the traffic to and from such use will not have a detrimental effect on neighboring properties.
2. Non-academic school uses shall be located no closer than 100 feet to property zoned or used for residential purposes.
3. All required yard areas, excepting drives and sidewalks, shall be landscaped and maintained. No parking or storage of motor vehicles shall be permitted within the required yards.
4. A greenbelt shall be required on any property line adjoining property zoned or used for residential purposes.
5. Use of the property shall be limited to the use approved.
6. Repair of vehicles shall be done within an enclosed building.
7. There shall be no storage of vehicle parts, inoperable vehicles, or maintenance equipment except inside an enclosed building.

P. SANITARY LANDFILLS & TRANSFER STATIONS. Open public or private dumps are prohibited. Sanitary landfills for the discarding of wastes, garbage, materials, or similar disposed matters other than chemical refuse or sludge in any form shall only be permitted in a manner that will ultimately prepare land for a primary intended use. All sanitary landfills shall conform with State and County regulations and be continuously licensed by the State.

Q. COLLEGES, UNIVERSITIES

1. The minimum lot size is 40 acres.
2. Each site shall have a minimum of 660 feet of frontage on a state highway or county primary road as designated by the Kent County Road Commission.

3. All buildings shall be a minimum of 100 feet from any property line or street right-of-way.
4. A greenbelt shall be installed along the entire length of any side or rear lot line.
5. In considering the Special Use the Planning Commission shall consider the following standards:
 - a. The size, nature and character of the proposed use.
 - b. The necessity of such use for the surrounding neighborhood.
 - c. The parking facilities provided for the Special Use.
 - d. Any traffic congestion or hazards which will be occasioned by the Special Use and the proposed methods of minimizing any traffic hazards or congestion.
 - e. How well the Special Use harmonizes, blends with, and enhances adjoining properties and the surrounding neighborhood.

R. HOSPITALS

1. The minimum lot area shall be 10 acres.
2. The parcel location shall be such that at least one property line abuts a state highway or county primary road as designated by the Kent County Road Commission. Primary access to the facility shall be directly from said streets.
3. The minimum front, rear, and side yards shall be 100 feet.
4. Ambulance, emergency, and supply loading facilities shall be visually screened from adjacent properties by a building or solid masonry wall not less than 6 feet in height.
5. Signs shall be subject to the regulations provided in Chapter 28, Signs.
6. Housing for staff in separate buildings may be considered as an accessory use but shall be subject, in addition to the regulations as stated herein, to the regulations as set forth in the appropriate residential district.

S. CHILD AND ADULT CARE CENTERS

1. One freestanding sign, not to exceed 32 square feet, is permitted.
1. Operating hours shall be limited from 6:00 a.m. to 10:00 p.m. daily. Dormitory facilities are not permitted.
3. All parking shall be off street and shall conform to ordinance requirements.

4. Setbacks and yard areas shall conform to the requirements of the zoning district.
 5. Based upon the established capacity of the facility, there shall be provided and maintained on the premises a minimum of 150 square feet of outdoor play area per child with not less than 5,000 square feet per facility.
 6. The outdoor play area shall be enclosed by a chain link or solid fence not less than four feet in height.
 7. All facilities must be licensed by the State.
- T. CONVALESCENT HOMES, ADULT FOSTER CARE CONGREGATE FACILITIES OR ADULT ASSISTED LIVING CENTERS.
1. The minimum lot size shall be five acres.
 2. The minimum front yard shall be 75 feet.
 3. The minimum side yard shall be 50 feet.
 4. The minimum rear yard shall be 100 feet.
 5. One identification sign, not exceeding 32 square feet in areas is permitted.
 6. Parking shall conform to ordinance requirements.
 7. Supply loading facilities shall be visually screened from adjacent properties by a building or solid masonry wall not less than six feet in height.
- U. PERMITTED USES NOT CONDUCTED WITHIN A COMPLETELY ENCLOSED BUILDING.
1. Any use that is not conducted within a completely enclosed building shall be located a minimum distance of 100 feet from any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.
 2. The applicant must demonstrate why the specific use cannot reasonably be conducted within a completely enclosed building.
 3. The applicant shall demonstrate why the proposed use will not adversely impact other uses in the vicinity and particularly those on adjacent lots.
- V. BARS, TAVERNS & RESTAURANTS INCLUDING SALE OF ALCOHOLIC BEVERAGES.
1. Any building or use shall be located a minimum distance of 100 feet from any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.
 2. The business shall obtain and continuously keep in force all required State licenses and other permits required for the sale and consumption of any beer, wine and alcoholic liquors that are sold and/or consumed on the premises.

W. BARS, TAVERNS & RESTAURANTS WITH SERVICE FROM DECKS, PORCHES OR OTHER OUTSIDE AREAS.

1. Any outside use area shall be located a minimum distance of 100 feet from any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.
2. Any outside use area shall be completely screened from view, in its entirety from any portion of any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.
3. The applicant shall provide a list of all known and anticipated noise generators including but not limited to paging systems, live or recorded music and any mechanically generated noise. The applicant shall indicate the maximum noise levels stated in dba at all perimeter property lines which shall not exceed 60 dba if the property line is adjacent to any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district or 70 dba for any other zone district.
4. The Planning Commission may regulate the days of the week and hours of operation.
5. In considering the special use the Planning Commission shall consider how well the use harmonizes, blends with, and enhances adjoining properties and the surrounding neighborhood and may establish conditions for the issuance of a permit to prevent any adverse impacts.
6. A deck, porch, or other outside service area may have a minimum front yard setback of 50 feet if the Planning Commission determines that said service area will not cause a negative impact or surrounding area or to the site including but not limited to traffic flow and parking considerations.

X. FUNERAL HOMES

1. The minimum site size is three acres.
2. Each site shall have a minimum width of 300 feet and shall have direct access onto a state highway or county primary road as designated by the Kent County Road Commission.
3. All buildings and uses shall be a minimum distance of 100 feet from any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.
4. A sufficient off-street assembly or staging area shall be provided for vehicles to be used in funeral processions. The area shall be provided in addition to otherwise required off-street parking facilities.
5. Loading and unloading areas used by ambulances, hearses, or other such service vehicles shall be obscured from view from any street by the design of the building by a opaque wall or fence that is not more than eight or less than six feet in height.

Y. AUTOMOBILE RENTAL FACILITIES

1. Automobiles and passenger vans only may be offered for rental.

2. The vehicles offered for rent shall contain no advertising materials including signs, banners, or flags.
3. Signs for such facility shall comply with the provisions of Chapter 28.
4. The maximum number of vehicles on the site being offered for rent shall not exceed fifteen and shall be confined to an area defined by the applicant and approved by the Planning Commission.
5. On-site vehicle repair and/or service is prohibited.
6. On-site parking of inoperable vehicles is prohibited.
7. All rented vehicles shall be no more than three years old.
8. The use permitted under this Special Use Permit shall not include rent-to-own type arrangements or the leasing of automobiles with an option or obligation to purchase the automobile.

Z. BILLBOARDS

A billboard is an accessory use of the property in designated commercial, industrial and planned zoning districts subject to the requirements of this chapter and the requirements of the zoning district in which the billboard is located. A billboard may only be installed and used in compliance with all applicable Township ordinances including, without limitation, the Digital Sign and Billboard Ordinance, being Chapter 8, Article VI of the Code of Ordinances.

AA. INDUSTRIAL USES LISTED IN SECTIONS 20.03 A-D.

1. The application shall include a detailed statement of all federal, state and county statutes and regulations that apply to the particular site or activity specific to the contemplated use, a copy of the regulation and a statement indicating the proposed method of complying with each regulation.
2. If any hazardous materials are to be stored on the site or used in any manufacturing process, a detailed listing of each substance, and the approximate quantity to be located on site shall be submitted. A detailed plan of substance storage, hazard control and prevention and emergency response shall be submitted and reviewed by the Fire Chief and a report made to the Planning Commission.
3. The minimum lot size is 3 acres.
4. The minimum lot width is 300 feet.
5. The lot must front on a state highway or a county primary road as designated by the Kent County Road Commission.
6. Any listed use or activity shall be conducted within a building that is a minimum distance of 300 feet from any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.

7. If the Planning Commission determines that any proposed use or activity will create discernable noise, dust, vibration, odor, glare or heat beyond any property line a detailed statement shall be provided which addresses and quantifies each concern and addresses how each concern will be minimized to the satisfaction of the Planning Commission.

BB. JUNK YARDS

1. Requests for a Special Use approval for establishment of a salvage or junk yard shall also require submission of a detailed proposal identifying the predominant type of salvage or junk to be received, the methods of separation and/or recycling, and ultimate destination of waste materials. The applicant shall be required to submit written materials outlining measures taken to comply with all necessary state, county, and local laws.
2. The site shall be provided with suitable access to a state highway or county primary road as designated by the Kent County Road Commission to ensure safe, direct transport of salvage to and from the site.
3. Any portion of the storage area shall be located a minimum distance of 200 feet of any property that is within a R-1, R-1A, R-2, R-3 or R-4 zone district.
4. Any outdoor storage area shall be completely enclosed by a fence or wall at least six feet in height constructed of a sturdy, durable material and sufficiently opaque to ensure that salvage is not visible from outside the storage area. The fence or wall shall have a minimum of two non-transparent gates not exceeding 48 feet in width providing access to the storage area for vehicles but shall not allow direct view of the storage area from adjacent properties or streets. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.
5. Stored materials shall not be stacked higher than ten feet and shall be stored in a manner so as not to be visible from adjoining properties or rights-of-way. In no case shall salvage or junk be stored at a height exceeding the height of the storage area fence or wall.
6. The fence or wall enclosing the storage area shall meet the applicable building setback requirements or 50 feet from any property line, whichever is greater.
7. Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety.
8. All portions of the storage area shall be accessible to emergency vehicles.
9. Vehicles or vehicle bodies shall be stored in rows with a minimum of 20 foot continuous loop drives separating each row to vehicles.
10. All batteries shall be removed from any vehicle, and all radiator and fuel tanks shall be drained prior to the vehicle being placed in the storage yard. Salvaged batteries, oil and other such substances shall be

removed by a licensed disposal company or be stored in a manner which prevents leakage of battery fluid. No fluids removed from vehicles shall be applied as a dust control method.

11. Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the fence enclosing the salvage yard.
12. The minimum lot area is ten acres..
13. In order to protect surrounding areas, the crushing of vehicles or any part thereof shall be limited to daylight hours.

CC. VEHICLE REPOSSESSION AND/OR SEIZURE AND AUCTION FACILITY

1. Sales of vehicles shall be limited to not more than two days per week and shall consist of a total of not more than ten hours per week. Such sales shall be conducted only between the hours of 8:00 a.m. to 5:00 p.m.
2. Sufficient off-street parking shall be provided to accommodate the parties attending the sales.
3. All sales shall be conducted within a completely enclosed building except that trailored items, such as boats, may be inspected and sold in a secured outdoor storage area located in the side or rear yard of the premises.
4. Indoor storage shall be available for at least 25 percent of the vehicles on the site.

DD. INDOOR RECREATION AND ENTERTAINMENT CENTERS

1. The Planning Commission may regulate the days of the week and hours of operation.
1. In considering the special use the Planning Commission shall consider how well the use harmonizes, blends with, and enhances adjoining properties and the surrounding neighborhood and may establish conditions for the issuance of a permit to prevent any adverse impacts.

EE. WIRELESS COMMUNICATION FACILITIES (SECTION 3.29A.2)

1. The applicant shall submit a grid map illustrating existing and proposed service areas and demonstrating why the proposed facility is required at the specific proposed location and cannot be reasonably established as a permitted use under Section 3.29 A.1. The applicant shall also demonstrate the need for the facility to be located at the proposed specific site based upon one or more of the following factors:

Proximity to an interstate or major thoroughfare.

Areas of population concentration.

Concentration of commercial, industrial, and/or other business centers.

Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.

Topography of the proposed facility location in relation to other facilities with which the proposed facility is to operate.

- f. Other specifically identified reason(s) creating facility need.
2. Any proposed wireless communication support structure and any related buildings & structures shall be located on a site that is either owned by or leased to the owner of the support structure. All required setbacks shall be measured from the nearest part of the support structure, building or other structure to the boundary line of the owned or leased site. No other uses, structures or buildings can be located within any setback area.
3. The setback distances measured from the nearest part of the wireless communication support structure to each boundary line shall be equal to or greater than the height of the support structure unless the application includes a signed certification by a State of Michigan licensed professional engineer indicating the maximum distance, from the base, that any portion of the support structure and antenna can fall. If that distance is less than the height of the structure, the Planning Commission may reduce the required setbacks as deemed appropriate based on that certification and other characteristics of the particular site.
4. The front, side and rear yard setbacks for any building related to the facility shall be the same as those required for any other building permitted within the particular zone district.
5. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs, which might result in lower heights.
6. The maximum height of the new or modified support structure and antenna shall be the minimum height demonstrated to be necessary for communication by the applicant. Any building necessary to enclose switching or other related equipment shall be limited to the maximum height permitted for other buildings within the zone district in which the facility is being proposed.
7. There shall be unobstructed access to the support structure, for operation, maintenance, repair and inspection purposes, which may be provided by an easement. All access drives shall have a minimum:
 - a. Surface width of 14 feet.
 - b. Twelve inch sand sub-base with a sub-base drainage system.
 - c. Six inch gravel base with a minimum crown of two-tenths (0.2) of one foot from the centerline of the access drive to the outside edge.
 - d. Thirty foot by 40 foot turn-around not including the width of the drive.

The location of the drive shall be determined by such factors as: the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the wireless communication support structure and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing disturbance to the natural landscape; and the type of equipment which will need to access the site.

8. The division of property for the purpose of locating a wireless communication facility is prohibited unless all zoning and land division requirements and conditions are met.
9. If an attached wireless communication facility is proposed on the roof of a building and the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be proposed as a separate building. If proposed as a separate building, it shall conform to all district yard setback requirements for principal buildings.
10. The Planning Commission shall, with respect to the support structure and all accessory buildings, review and approve the application so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly manner.
11. No signs or advertising of any kind shall be allowed on any wireless communication support structure or antenna except as may be required by a governmental agency with the authority to require a sign.
12. The wireless communication support structure shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission and all other governmental agencies with regulatory authority shall be noted.
13. Any wireless communication support structure shall be enclosed with "chain link" type of fencing with a minimum height of six feet and with a lockable gate. Said fencing shall be a minimum of ten feet from the nearest portion of any support structure. In lieu of fencing, the Planning Commission may approve an alternative means of deterring entry to the wireless communication facility by uninvited guests.
14. The wireless communication facility and any related building shall be screened by evergreen trees with a minimum height of five feet at the time of planting and spaced not more than 15 feet apart. All proposed landscaping shall be shown on the required Site Plan.
15. Any wireless communication support structure shall be designed and constructed for the collocation of a minimum of three wireless

communication providers. The owner of any wireless communication support structure shall permit collocation on the structure by other wireless communication providers under reasonable conditions.

16. A maintenance plan and any applicable maintenance agreement shall be submitted as part of the required Site Plan for the proposed facility to be approved by the Planning Commission. At a minimum, it shall include provisions for maintaining the wireless communication facility, all of the premises, the access drive and all landscaping. The plan shall be sufficient to ensure the safety of the facility, to keep the access drive accessible by emergency vehicles at all times and to keep the facilities and landscaping from becoming a blight on the neighborhood.
17. The Planning Commission may require a performance bond, irrevocable bank letter of credit, cash deposit or other surety to guarantee the removal of the facility in the event its removal is required in accordance with Section 3.29 C.

FF. WIRELESS COMMUNICATION FACILITIES (SECTION 3.29A.3)

1. The applicant shall submit a grid map illustrating existing and proposed service areas and demonstrating why the proposed facility is required at the specific proposed location and cannot be reasonably established under Sections 3.29A.1. or 3.29A.2. The applicant shall also demonstrate the need for the facility to be located at the proposed specific site based upon one or more of the following factors:
 - a. Proximity to an interstate or major thoroughfare.
 - b. Areas of population concentration.
 - c. Concentration of commercial, industrial, and/or other business centers.
 - d. Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.
 - e. Topography of the proposed facility location in relation to other facilities with which the proposed facility is to operate.
 - f. Other specifically identified reason(s) creating facility need.
2. Any Wireless Communication Facility shall be of a creative or innovative design or shall be constructed on or within an existing structure so as not to be any more visually obtrusive than the existing structure.
3. The Maximum height from the ground elevation the highest part of the structure shall not exceed 120 feet. Provided, however the height of the structure may be increased up to a maximum of 195 feet and installation of any antenna, lightning rod or other accessory shall not cause the tower to require lighting. The tower shall remain unlit, and must be kept below such a level that requires lighting.

The sites located 2910 10 Mile Road NE and 890 Buth Drive NE, may be increase to up to a maximum of 250 feet and any antenna, lightning rod or other accessory may not exceed 20 feet above such structure, based

on a finding that the proposed facility, at the specific site, would offer greater service coverage, accommodate a greater number and type of wireless services. In making its determination, the Planning Commission shall consider all of the following factors:

- a. Consistency with the Wireless Infrastructure Master Plan (dated August 16, 2001) adopted by the Planning Commission on August 28, 2001.
 - b. The design amenities of the proposed site.
 - c. The topography of the proposed site and nearby properties.
 - d. Increased setback distances from abutting properties and streets.
 - e. Natural screening that would help shield the proposed facility from view.
 - f. The existing and likely future use of other property in the area.
 - g. The number and type of wireless services proposed for the facility.
 - h. The towers ability to easily decrease or increase in height should needs change.
 - i. The effect of lighting such a structure, if required by the FAA.
3. Any proposed wireless communication support structure and any related buildings & structures shall be located on a site that is either owned by or leased to the owner of the support structure. All required setbacks shall be measured from the nearest part of the support structure, building or other structure to the boundary line of the owned or leased site. No other uses, structures or buildings can be located within any setback area.
 4. The setback distances measured from the nearest part of the wireless communication support structure to each boundary line shall be equal to or greater than the height of the support structure unless the application includes a signed certification by a State of Michigan licensed professional engineer indicating the maximum distance, from the base, that any portion of the support structure and antenna can fall. If that distance is less than the height of the structure, the Planning Commission may reduce the required setbacks as deemed appropriate based on that certification and other characteristics of the particular site.
 5. The front, side and rear yard setbacks for any building related to the facility shall be the same as those required for any other building permitted within the particular zone district.
 6. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs, which might result in lower heights.
 7. The maximum height of the new or modified support structure and antenna shall be the minimum height demonstrated to be necessary for communication by the applicant. Any building necessary to enclose switching or other related equipment shall be limited to the maximum height permitted for other buildings within the zone district in which the facility is being proposed.
 8. There shall be unobstructed access to the support structure, for operation, maintenance, repair and inspection purposes, which may be provided by an easement. All access drives shall have a minimum:

- a. Surface width of 14 feet.
- b. Twelve inch sand sub-base with a sub-base drainage system.
- c. Six inch gravel base with a minimum crown of two-tenths (0.2) of one foot from the centerline of the access drive to the outside edge.
- d. Thirty foot by 40 foot turn-around not including the width of the drive.

The location of the drive shall be determined by such factors as: the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the wireless communication support structure and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing disturbance to the natural landscape; and the type of equipment which will need to access the site.

- 9. The division of property for the purpose of locating a wireless communication facility is prohibited unless all zoning and land division requirements and conditions are met.
- 10. If an attached wireless communication facility is proposed on the roof of a building and the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be proposed as a separate building. If proposed as a separate building, it shall conform to all district yard setback requirements for principal buildings.
- 11. The Planning Commission shall, with respect to the support structure and all accessory buildings, review and approve the application so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly manner.
- 12. No signs or advertising of any kind shall be allowed on any wireless communication support structure or antenna except as may be required by a governmental agency with the authority to require a sign.
- 13. The wireless communication support structure shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission and all other governmental agencies with regulatory authority shall be noted.
- 14. Any wireless communication support structure shall be enclosed with "chain link" type of fencing with a minimum height of six feet and with a lockable gate. Said fencing shall be a minimum of ten feet from the

nearest portion of any support structure. In lieu of fencing, the Planning Commission may approve an alternative means of deterring entry to the wireless communication facility by uninvited guests.

15. The wireless communication facility and any related building shall be screened by evergreen trees with a minimum height of five feet at the time of planting and spaced not more than 15 feet apart. All proposed landscaping shall be shown on the required Site Plan.
16. Any wireless communication support structure shall be designed and constructed for the collocation of a minimum of three wireless communication providers, however, the Planning Commission may waive this requirement if it is deemed to not be necessary based on the Site Plan and application submitted for a specific wireless communication facility. The owner of any wireless communication support structure shall permit collocation on the structure by other wireless communication providers under reasonable conditions.
17. A maintenance plan and any applicable maintenance agreement shall be submitted as part of the required Site Plan for the proposed facility to be approved by the Planning Commission. At a minimum, it shall include provisions for maintaining the wireless communication facility, all of the premises, the access drive and all landscaping. The plan shall be sufficient to ensure the safety of the facility, to keep the access drive accessible by emergency vehicles at all times and to keep the facilities and landscaping from becoming a blight on the neighborhood.
18. The Planning Commission may require a performance bond, irrevocable bank letter of credit, cash deposit or other surety to guarantee the removal of the facility in the event its removal is required in accordance with Section 3.29C.

GG. BED AND BREAKFAST ESTABLISHMENTS

1. No such use shall be permitted on any property where there exists more than one (1) other bed and breakfast use within one thousand (1000) feet, measured between the closest property lines.
2. Such uses shall only be established in single-family dwellings where the rooms utilized are a part of the primary residential use, and not specifically constructed for rental purposes.
3. One (1) parking space per room to be rented shall be provided on site, in addition to the parking required for a single-family dwelling. Parking shall be arranged so as not to pose negative impacts on adjacent properties or necessitate on-street parking.
4. Kitchen facilities are allowed as approved by the appropriate Township, County and State agencies.
5. Exterior solid waste facilities beyond what might normally be expected for a single-family dwelling shall be prohibited.
6. Only one sign shall be allowed for identification purposes. Such sign shall be non-illuminated and unanimated, be mounted flat against the

wall of the principal building or ground mounted, and not to exceed fifteen (15) square feet in area.

7. Accessory retail or service uses to a bed and breakfast establishment shall be limited to ten (10) percent of the floor area and explicitly intended for patrons of the establishment.
8. Meals shall be served only to residents, employees, family members and overnight guests
9. The use is subject to review at any time and may be revoked after a hearing by the Planning Commission and a finding by the Planning Commission that the use has become detrimental to the surrounding neighborhood.
10. A bed and breakfast must comply with all other provisions of the zone in which it is located.

HH. OUTDOOR STORAGE AREA AND CONTRACTORS EQUIPMENT STORAGE YARD.

1. The applicant shall demonstrate why the proposed storage area or yard will not adversely impact other uses in the vicinity and particularly those on adjacent lots.
2. Any storage area or yard shall be a minimum distance of 200 feet from any RP, RE, R-1, R-1A, R-2, R-3 or R-4 district or any lawfully existing residential use.
3. Any storage area or yard shall be located within the rear yard and is subject to all side and rear yard setback requirements. Any storage area or yard shall be enclosed on all sides by a solid wall or fence with solid gates or by berming and/or landscaping. Any screening shall be at least as tall as the materials being stored and no fence or wall shall exceed a maximum height of eight feet and shall comply with Section 3.27. Chain link fencing with interwoven slats is prohibited as a screening wall or fence.
4. No outdoor storage area or yard, or required screening, shall restrict or interfere with any required access to a building or any required fire lane.
5. If the Planning Commission determines that any storage area or yard will create discernible noise, dust, vibration, odor, glare, or heat beyond any property line, a detailed statement shall be provided that addresses and quantifies each concern and addresses how each concern will be minimized.
6. If any hazardous materials are to be stored on the site, a detailed listing of each substance and the approximate quantity to be located on the site shall be submitted. A detailed plan of substance storage, hazard control and prevention and emergency response shall be submitted and reviewed by the Township Fire Chief and a report made to the Planning Commission.

I. INDUSTRIAL USES LISTED IN SECTION 19.03F.

1. The applicant shall demonstrate why the proposed use will not adversely impact other uses in the vicinity and particularly those on adjacent lots.
2. Any proposed structure shall be a minimum distance of 300 feet from any RP, RE, R-1, R-1A, R-2, R-3 or R-4 district or any lawfully existing residential use.
3. The applicant shall submit estimates regarding the amount and type of truck traffic that can reasonably be expected to enter or leave the site on a daily and weekly basis.
4. The applicant shall submit a detailed list of all equipment that could reasonably be expected to exceed the performance standards contained in Section 19.07 G and provide detailed information regarding the methods that will be used to assure that those standards will not be exceeded.
5. If the entire site is not initially being developed, the applicant shall indicate, on the required Site Plan, any contemplated expansions or additional development that might be expected to take place at a future date.
6. If any hazardous materials are to be stored on the site, a detailed listing of each substance and the approximate quantity to be located on the site shall be submitted. A detailed plan of substance storage, hazard control and prevention and emergency response shall be submitted and reviewed by the Township Fire Chief and a report made to the Planning Commission.

JJ. GOVERNMENT SIGN – OFF PREMISE

1. Off-premise government signs are only permitted to provide directions or to identify a government facility.
2. A maximum of two signs are permitted for any lot on which a government facility is located.
3. Only ground signs are permitted and they must be located in compliance with the requirements of Section 28.05 E.
4. The sign surface of any sign shall not exceed 32 square feet.
5. Off-premise government signs shall not be located more than two miles from the government facility that is being identified.
6. Any off-premise government sign shall be located along the same street as the facility or at an intersection, provided, that one of the intersecting streets is the street along which the facility is located.
7. Any application for an off-premise government sign shall include a signed statement by the owner of the property on which the sign is being located indicating approval of the sign location, the length of time the sign can be located on the property and any other conditions of an agreement permitting the sign.

8. Any application for an off-premise government sign shall include a copy of a maintenance agreement signed by the lot owner on which the sign will be located and an authorized representative of the agency requesting the sign. At a minimum, the agreement shall list the type of maintenance that will be performed, including any landscaping, and the names of any individuals or agencies that will be responsible for assuring that proper maintenance will be performed on a timely basis

KK. SPECIAL CONTROLLED USES.

1. Requirements. Any of the uses listed in Section 14.04 E is permitted if each of the following requirements is satisfied:

- a. A regulated use may be located only within the C-2 District.
- b. Except as provided in subsection 3 below, a regulated use shall not be located within a 1000-foot radius, of any lot zoned or occupied for residential purposes, or upon which is located a school, public park, library, child care facility, or church or place of worship.

In accordance with the procedures in this subsection, the Planning Commission may permit a regulated use within a 1,000-foot radius, but not within a 500-foot radius, of any lot zoned or occupied for residential purposes, or upon which is located a school, public park, library, child care facility, or church or place of worship. An applicant seeking approval pursuant to this subsection shall file a completed application on an application form prepared and made available by the Township. The Planning Commission shall approve the application if the Planning Commission determines that each of the following criteria is met:

- (1) That the establishment of a regulated use in the proposed location will not adversely affect the public interest;
 - (2) That the establishment of a regulated use in the proposed location will not be injurious to nearby uses, particularly lots zoned or occupied for a residential purposes or the school, public park, library, child care facility, or church or place of worship;
 - (3) That the establishment of a regulated use in the area will not be inconsistent with the spirit and intent of this Ordinance; and
 - (4) That the establishment of a regulated use in the proposed location would comply with all applicable regulations of this Ordinance and other applicable statutes, ordinances, rules and regulations.
- c. A regulated use shall not be located within a 1,000-foot radius of any other regulated use.

- d. For the purpose of this Section, the measurement of a radius shall be measured in a straight line from the property line of the use to the nearest property line of the residential property, public park, school, child care facility, church or place of worship, or other regulated use.
 - e. A regulated use shall not be located in the same structure or on the same parcel as another regulated use.
 - f. All on-site parking areas shall comply with the requirements of the Ordinance and additionally shall be illuminated on any days the business is open from sunset until closing.
2. Conditions and Limitations. Prior to the granting of any waiver as herein provided, the Planning Commission may impose any such conditions or limitations upon the establishment, location, construction, maintenance, or operation of the regulated use as may in its judgement be necessary for the protection of the public interest. Any evidence and any guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled. Failure to follow such limitation or condition will act to immediately terminate any permit
3. Other Ordinances. Nothing in this section shall be construed to allow any activity or use that is prohibited under the Massage Establishment Ordinance or the Adult Oriented Businesses Ordinance, or to exempt any person or entity from obtaining any necessary permit or license thereunder. In addition to the requirements in this Ordinance, any adult oriented businesses shall comply with all other regulatory ordinances.

