

ARTICLE 10

CONDITIONAL USES

SECTION 10.01. PURPOSE.

The formulation and enactment of this Zoning Ordinance is based upon the division of the Township into districts, each of which is permitted specified uses which are mutually compatible. In addition to such permitted compatible uses, however, it is recognized that there are certain other uses which may be necessary or desirable to allow certain locations in certain districts but which, on account of their actual or potential impact on neighboring uses or public facilities, need to be carefully regulated with respect to their location for the protection of the Township. Such uses on account of their peculiar location need or the nature of the service offered may be established in a district in which they cannot be reasonably allowed as a permitted use.

Where uses are not specifically listed within any district yet are consistent with a specific use generally defined within the zoning ordinance, the zoning administrator may process the request for such use as a conditional use within the district in which the generally defined use is listed. The zoning administrator may also request such interpretation from the Zoning Board of Appeals if the applicant does not agree with such determination. The approval of such use shall be subject to the general standards for all conditional use and any specific conditions imposed for that generally defined use or as needed to bring compatibility between the proposed use and surrounding land use and zoning.

SECTION 10.02. AUTHORITY TO GRANT PERMITS.

The Township Board, with recommendation from the Township Planning Commission, shall have the authority to grant conditional use permits, including the authority to require such conditions of design and operation, safeguards, and time limitations as it may determine for all conditional uses specified in the various district provisions of this Ordinance.

SECTION 10.03. APPLICATIONS AND FEE.

Application for any conditional use permit permissible under the provisions of this Ordinance shall be made to the Township Board by filling in the official conditional use permit application form, submitting site plans as described in Section 10.04, and depositing a fee in accordance with the requirements of Section 2.05. An application for a conditional use permit shall contain the applicant's name and address in full, a notarized statement that the applicant is the owner involved or is acting on the owner's behalf, and the address of the property involved.

SECTION 10.04. DATA EXHIBITS AND INFORMATION REQUIRED IN APPLICATION.

An application for a conditional use permit shall be accompanied by a detailed site plan to be reviewed by the Township Planning Commission and Township Board prior to the granting of the permit. The request for site plan review shall be made by filing with the Township Zoning Administrator the following:

- A. Fee. A review fee, the schedule of which shall be determined by the Township Board upon the depth of review and the possible need for professional assistance.
- B. Site plan. Three (3) prints of the site plan shall be submitted to the Township. Each print shall contain the following data:
 - 1. It shall be of a scale not greater than one (1) inch does not equal twenty (20) feet or less than one (1) inch equals two hundred (200) feet and of such accuracy that the Planning Commission and Township Board can readily interpret the plan.
 - 2. It shall show an appropriate legend, north arrow, scale, etc.
 - 3. A small vicinity map shall be included showing the location of the site in relation to the surrounding street system.
 - 4. It shall identify the site by lot lines corresponding to the legal description of the property.
 - 5. It shall show general topography and drainage and natural features as woodlots, streams, rivers, ponds, etc.
 - 6. It shall show existing man made features on and within one hundred (100) feet of the site such as buildings, structures, power lines, pipelines, or utility easements.
 - 7. It shall show the location, proposed floor area and grade of proposed buildings, their relation to one another and to other existing structures on the site. This shall include height and square footage dimensions.
 - 8. It shall show the proposed streets, driveways, sidewalks and other vehicular and pedestrian circulation patterns within and adjacent to the site. This shall also include the location, size, and number of parking spaces or unloading areas for non-single family residential uses.
 - 9. It shall show the proposed location, use, and size of open spaces and the location of landscaping, screening, fencing, or walls on the site. Any proposed alterations to the topography and other natural features shall be indicated. Any other information deemed necessary by the Township to adequately assess the impact of the development.

- C. Prior to review by the Township Board, the zoning administrator shall submit the completed application and site plan to the Planning Commission for review and action following a public hearing as required under Section 10.05. The applicant shall receive a written notice stating the date, time, and place that the application will be reviewed.
- D. Upon approval of the site plan and the granting of the conditional use permit, the applicant must develop the subject property in complete conformity with the approved plan unless approved by the Township Board following submission of an amended site plan.

SECTION 10.05. PUBLIC HEARING.

Upon receipt of the application and supporting material as required by this Ordinance, the Township Planning Commission shall provide notice of the request for conditional use as specified herein. The notice shall indicate that a public hearing on the conditional land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a conditional land use regardless of whether the property or occupant is located in the Township.

The notice shall also be published in a newspaper of general circulation in the Township at least one time and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within three hundred (300) feet of the property in question, and to the occupants of all structures within three hundred (300) feet of the subject property regardless of whether the property or structure is located in the Township. The notice shall be given not less than fifteen (15) days before the date the date of the 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 required to post the notice at the primary entrance to the structure. The notice shall:

- A. Describe the nature of the conditional land use request.
- B. Indicate the property which is the subject of the conditional land use request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- C. State when and where the conditional land use request will be considered.
- D. Indicate when and where written comments will be received concerning the request.

- E. Indicate that a public hearing on the special land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a conditional use regardless of whether the property or occupant is located in the zoning district.

At the initiative of the Planning Commission or upon the request of the applicant, a real property owner whose real property is assessed within three hundred (300) feet of the property, or the occupant of a structure located within three hundred (300) feet of the property, a public hearing shall be held before a discretionary decision is made on the conditional land use request.

SECTION 10.06. REQUIRED STANDARDS AND FINDINGS FOR MAKING DETERMINATIONS.

The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and shall find and record adequate data, information, and evidence showing that use on the proposed site, lot, or parcel:

- A. Will be harmonious with and in accordance with the general objectives, intent and purposes of this Ordinance.
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
- C. Will be served adequately by essential public facilities and services, such as highways, streets, police, and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
- D. Will not be hazardous or disturbing to existing or future neighboring uses.
- E. Will not create excessive additional requirements at public cost for public facilities and services.
- F. The land use or activity shall be consistent with the public health, safety and welfare of the Township.
- G. The property will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare, or odors.

SECTION 10.07. COMPLIANCE BOND.

To ensure compliance with this Ordinance and any conditions imposed under this Ordinance, the Township may require that a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the Township covering the estimated cost of improvements be deposited with the clerk of the Township to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The local Township may not require the deposit of the performance guarantee until it is prepared to issue the permit. The Township shall establish procedures by which a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements shall be made as work progresses.

SECTION 10.07A. CONDITIONS, LIMITATIONS, REQUIREMENTS AND SAFEGUARDS.

The Township Board may impose reasonable conditions with the approval of a conditional use. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

- A. Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic wellbeing, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- B. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- C. Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

SECTION 10.07.B. CONTINUED VALIDITY OF PERMIT: REVOCATION.

- A. The issuance of a conditional use permit by the Township Board shall entitle the owner to continue to operate the conditional use so long as he remains in compliance with the terms and conditions of this Ordinance and the terms, conditions, limitations, requirements, and safeguards set forth in the conditional use permit, if such a conditional use permit is granted, does expressly grant to the Township, for the enforcement of this Ordinance, the power and authority to enter upon the premises at any reasonable time for the purpose of inspection and enforcement of the terms of this Ordinance or of the terms of the conditional use permit.
- B. In the event the owner or occupant of the property for which a conditional use permit has been issued, shall violate any provision of this Ordinance or any term, condition, limitation, regulation or safeguard contained in the conditional use permit, the conditional use permit shall be and become null and void and the owner or occupant shall be deemed to be in violation of this Ordinance and the Township may proceed to enforce the provisions in this Ordinance and the terms, conditions, limitations, and safeguards of the conditional use permit as provided in this Ordinance. In addition to all other remedies provided herein, in the event that such conditional use permit shall be and become null and void, the compliance bond, if any, given by the owner under the provisions of this Ordinance shall be forfeited.
- C. In the event the owner or occupant of the property for which a conditional use permit has been issued, shall cease to use the land for the use the permit has been granted for a period of ninety (90) consecutive days or more, or shall cease to use the building(s) for the use the permit has been granted for a period of six consecutive months or more, a revocation hearing shall be scheduled.

1. **Revocation hearing.** The zoning administrator shall notify the owner or occupant of the property by certified letter or personal service of the intent of the Township to revoke a conditional use permit. Service shall be made at least ten (10) days prior to the hearing. The Planning Commission shall accept oral or written testimony from any interested party. If it is the determination of the Planning Commission that the permit be revoked, a recommendation shall be made to the Township Board.
2. **Township Board action.** The Township Board shall review the recommendation of the Planning Commission and, if satisfied that the conditional use has been discontinued for the period referred to, may revoke the conditional use permit.

SECTION 10.08. JUNKYARDS.

In addition to and as an integral part of development, the following provisions shall apply:

- A. Junkyards shall be established and maintained in accordance with applicable state of Michigan statutes.
- B. It is recognized by this Ordinance that the location in the open of such materials included in this Ordinance definition of "junkyard" will cause the reduction of the value of adjoining property. To the end that the character of the district shall be maintained and property values conserved, an opaque fence or wall at least seven (7) feet in height, and not less in height than the materials located on the lot on which a junkyard shall be operated, shall be located on said lot no closer to the lot lines than the yard requirements for buildings permitted in this district. All gates, doors, and access ways through said fence or wall shall be of solid, unpaired material. In no event shall any materials included in this Ordinance's definition of "junkyard" be located on the lot on which a junkyard shall be operated in the area between the lines of said lot and the opaque fence or wall located on said lot. In addition to the foregoing requirements, the Planning Commission may require a greenbelt in accordance with the provisions of Article 6.
- C. All traffic ingress shall be on major streets, and there shall be not more than one (1) entrance way to the lot on which a junkyard shall be operated from each public road on which said lot abuts.
- D. On the lot on which a junkyard shall be operated, all roads, driveways, parking lots, and loading and unloading areas within any yard shall be paved or chemically treated so as to limit on adjoining lots and public roads the nuisance caused by windborne dust.
- E.
 1. All dismantling shall take place on a concrete slab.
 2. The slab shall be above grade from ground level, sealed from groundwater, surrounded by a sill. The slab must drain to a crock sump.
 3. There shall be a containment tank above ground for fluids and containment dikes beneath tanks.

4. All dismantling shall take place with a completely enclosed building.
5. There shall be hazardous materials pickup and a log available for inspection by the zoning administrator or his/her designee. There shall be a separate log for personal on-site use of hazardous materials available for inspection by the zoning administrator or his/her designee.
6. There shall be a surety bond provided, with the amount to be set by the Planning Commission or Township Board.
7. Any "crusher" operation must be during the hours of 8 a.m. to 5 p.m. Monday through Friday with no holiday operations.
8. There shall be no stacking of cars prior to crushing or dismantling.
9. There shall be multiple entrances with aisles wide enough to accommodate access by the appropriate emergency vehicles.
10. No aisles shall dead end into another aisle, fence or building.

SECTION 10.09. GROUP CHILD CARE HOMES.

- A. Applications shall adhere to the definitions for group child care homes, limited residential care and full residential care facilities under Section 16.02. In addition, the application shall indicate the status of any county, state or federal licensing or certifications required or approved. Should licensing of such facilities be revoked, the Township may also seek revocation of the conditional use permit.
- B. The applicant shall include information related to:
 1. The number of children, adults or residents residing or being cared for in the facility.
 2. The number of resident and nonresident employees providing care services.
 3. The hours of operation and the contact person for the facility.
- C. The applicant shall provide a preliminary site plan identifying access and parking areas. Where the facility abuts a single-family residence, appropriate screening, either in the form of landscaping, fencing or both, shall be provided. Expanded needs of lighting, trash collection, and similar impacts shall be minimized and controlled onsite.

- D. In addition, and as to group child care homes, such homes shall be issued a conditional use permit, if the group child care home meets all of the following standards:
1. Is located not closer than 1,500 feet to any of the following:
 - a. Another licensed group child care home.
 - b. An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.
 - c. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the public health code, 1978 PA 368, MCL 333.6101 to 333.6523.
 - d. A community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the department of corrections.
 2. Has appropriate fencing for the safety of the children in the group child care home as determined by the Township.
 3. Maintains the property consistent with the visible characteristics of the neighborhood.
 4. Does not exceed sixteen (16) hours of operation during a 24-hour period. The Township may limit but not prohibit the operation of a group child care home between the hours of 10 p.m. and 6 a.m.
 5. Meets regulations, if any, governing signs used by a group child care home to identify itself.
 6. Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

SECTION 10.10. MOBILE HOME PARK.

- A. A mobile home park and buildings, structures, or parts thereof may be erected or used in any district except on agricultural, commercial, or industrial districts.
- B. No mobile home park shall be developed and constructed unless a public hearing is held prior to approval of a specified site and overall site plan. The preliminary site and development plans of new mobile home parks or additions to existing parks shall be submitted to the Township Planning Commission. The following information shall be shown on the development plan or submitted in writing with it:
1. The name of the proposed mobile home park.
 2. Name, addresses, and telephone numbers of the developer or his representative.

3. Location of the mobile home park, giving the section number, township, and range, and the name of the township and county.
4. No mobile can be set within the Township that was manufactured longer than ten (10) years prior to application.
5. A map of the entire area scheduled for development, if the proposed development is a portion of a larger holding intended for subsequent development.
6. Allocation map showing the relationship of the proposed development and adjacent tracts.
7. The present land use and existing zoning of the proposed development and adjacent tracts.
8. Interior streets, streets, street names, right-of-way, and roadway widths.
9. All lot lines and open spaces with dimensions shown.
10. Topographic contours shall be shown on the plan at five (5) foot intervals where slope is greater than ten (10) percent and two (2) foot intervals where the slope is ten (10) percent or less.
11. Delineation of all improvements required in this Section.

C. Permitted accessory use and requirements there of:

1. Accessory buildings or structures under park management supervision shall be used only as office space, storage, laundry facilities, recreation facilities, garage storage or other necessary services for park residents' use only. No accessory building or structure shall exceed two (2) stories, and shall meet the requirements of other applicable codes and ordinances.
2. A mobile home may be displayed and offered for sale, provided that the mobile home is on a permanent pad within the mobile park.
3. One (1) identification sign, approved in conjunction with the final site plan approval of the mobile home park. In no case shall such sign be larger than sixty (60) square feet in surface area nor have any neither moving parts nor stand higher than ten (10) feet from the ground to top of the sign. Such sign shall be no closer to the public right-of-way line than thirty (30) feet.
4. No more than one (1) entry and one (1) exit sign at each drive onto the public right-of-way, approved in conjunction with the final site plan approval of the mobile home park. In no case shall such sign be larger than two (2) square feet in surface area and have any moving parts nor stand higher than five (5) feet from ground to top of the sign.
5. Not more than one (1) local street sign at a local intersection of such park which identifies the local street by name, the sign approved in conjunction with the final site plan.

D. Periodic Inspection:

The Township Building Inspector, police and fire departments or other agents authorized by the Township Board are granted the power and authority to enter upon the premises of any such park at any time for the purpose of determining and/or enforcing any provision or provisions of this or any other township ordinance applicable to the conduct and operation of mobile home parks.

E. Required Development Standards:

1. The land area of a mobile home park shall not be less than fifteen (15) acres.
2. Mobile home sites shall be at least five thousand (5,000) square feet in area.
3. Each mobile home within such park shall contain a flush toilet, sleeping accommodations, tub or shower bath, kitchen facilities, and plumbing and electrical connections designed for attachment to appropriate external systems.
4. Each mobile home site shall have side yards with each yard having a width of not less than fifteen (15) feet and the aggregate width of both said yards not less than forty (40) feet.
5. Each mobile home site shall have front and rear yards with each such yard not less than ten (10) feet in width and the aggregate width of both said yards not less than thirty (30) feet.
6. For the purpose of this Section, yard width shall be determined by measurement from the mobile home face (side) to its mobile home site boundary which, every point shall not be less than the minimum width herein provided. Open patios, carports, and individual storage facilities shall be disregarded in determining yard widths. Enclosed all weather patios shall be included in determining yard width. The front yard is that yard which runs from the hitch end of the mobile home to the nearest site line. The rear yard is at the opposite end of the mobile home and side yards are at right angles to the front and rear ends.
7. From all pads, the following minimum distances shall be maintained:
 - a. Fifty (50) feet to the boundary of such park which is not a public street.
 - b. One hundred (100) feet to the right-of-way of any public street or highway.
 - c. Fifteen (15) feet to any collector street of such park (a parking bay, local drive, or central parking drive is not a collector street). A park collector street is that road-way which carries traffic from local park streets, drives and parking areas to public street(s) outside the park.

- d. Eight (8) feet to any common walkway or local drive of such park.
 - e. Fifty (50) feet to any parking area signed for general parking in such park (general parking defines parking bays for other than park residents).
 - f. Fifty (50) feet to any service building in such park.
8. Mobile home shall not be permitted to occupy single or multiple sites if either its length or width causes it to occupy the space required by park setback dimensions.
 9. Each mobile home site shall be provided with a stand consisting of a solid concrete pad not less than four (4) inches thick and not less than the length and width of the mobile home that will be used this site. This pad will be so constructed, grade, and placed to be durable and adequate for the support of the maximum anticipated load during all seasons.
 10. Each mobile home shall be supported on uniform jacks or blocks. In addition, each mobile home shall have tie downs or anchors securing both ends and sides.
 11. Alternative pad and support mechanisms (in lieu of items 9 and 10) may be approved by the Planning Commission upon request, if accompanied by sketches or other documentation.
 12. An all-weather hard surfaced outdoor patio area of not less than one hundred eighty (180) square feet shall be provided at each mobile home site, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities, for the purpose of providing suitable outdoor living space to supplement the limited interior space of a mobile home.
 13. Storage of goods and articles underneath any mobile home or out of doors at any mobile home site shall be prohibited.
 14. Uniform skirting of each mobile home base shall be required within thirty (30) days after initial placement. Such skirting shall be of twenty-six (26) gauge non-corrosive metal, aluminum, or material of equal strength and so constructed and attached to this mobile home so as to deter and prevent entry of rodents and insects.
 15. Canopies and awnings may be attached to any mobile home and may be enclosed and used for recreation or sun room purposes. When enclosed for living purposes, such shall be considered as a part of the mobile home and a permit required, issued by the Township Building Inspector, before such enclosure can be used for living purposes.
 16. On-site outdoor laundry space of adequate area and suitable location shall be provided if park is not furnished with indoor dryers. Where outdoor drying space is required or desired, individual clothes drying facilities on each site of the collapsible umbrella type of hanging apparatus shall be allowed, with park management providing a concrete imbedded socket at side.

17. All mobile homes within such parks shall be suitable connected to common sewer and water services provided at each mobile home site.
 - a. All sanitary sewage facilities, including plumbing connections to each mobile home site, shall be constructed so that all facilities and lines are protected from freezing from bumping or creating any type of nuisance or health hazard. Sewage facilities shall be of such capacity to adequately serve all users of park at peak periods. Running water from a state tested and approved supply, designed for a minimum flow of two hundred (200) gallons per day per mobile home site shall be piped to each mobile home.
 - b. Storm drainage facilities shall be so constructed as to protect those that will reside in the mobile home park as well as the property owners adjacent to the park. Such park facilities shall be of such capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the park.
18. Disposal of garbage and trash, all garbage and trash containers shall be placed in a conveniently located similarly designed enclosed structures the removal of trash shall take place not less than once a week. Individual incinerators shall be prohibited. The method used for such removal shall be approved by the state and inspected periodically by the Calhoun County Health Department.
19. Every mobile home shall be equipped at all times with fire extinguishing equipment in good working order of such type and size so as to satisfy regulations of the state fire marshal and the township, city, and/or village fire departments.
20. All electric, telephone, and other lines from supply poles outside the park or other sources to each mobile home site shall be underground.
21. Any common fuel oil and/or gas storage shall be centrally located in underground tanks, at a distance away from any mobile home sites as it is found to be safe. All fuel lines leading to park and to mobile home sites shall be underground and so designed as to conform to the Township Building Code and any state code that is found to be applicable. When separate meters are installed, each shall be located in a uniform manner the use of individual fuel oil or propane gas storage tanks to supply each mobile home separately is prohibited.
22. A buffer of trees and shrubs not less than twenty (20) feet in depth shall be located and maintained along all boundaries of such park excepting at established entrance and exists serving such park. When necessary for health, safety, and welfare, a fence shall be required to separate the park from an adjacent property.
23. Any and all plantings in the park shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead plant material shall be replaced within a reasonable period of time but not longer than one growing season.

24. A recreation space of at least three hundred (300) square feet of land per mobile home site in the park shall be developed and maintained by the management. This area shall not be less than one hundred (100) feet in its smallest dimension and its boundary no further than five hundred (500) feet from any mobile home site served. Streets, sidewalks, parking areas, and accessory buildings are not to be included as recreation space in computing the necessary area.
25. All roads, driveways, motor vehicle parking spaces shall be paved and constructed as to handle all anticipated park loads, and adequately drained and lighted for safety and ease of movement of pedestrians and vehicles. All roads and driveways shall have curbs and gutters.
26. Two (2) automobile parking spaces shall be provided within one hundred fifty (150) feet of each mobile home site. In such park there shall be provided additional parking spaces in number not less than the number of mobile home sites within such park for central storage of all non-passenger type of vehicles including trucks rated over three-quarter (3/4) ton capacity and trailers. Said parking area shall not be closer than fifty (50) feet to any mobile home when such storage is allowed in the mobile home park. Each parking space shall have a minimum width of ten (10) feet and twenty (20) feet in length.
27. One (1) visitor parking space shall be provided for every two (2) mobile home sites and said parking shall be within three hundred (300) feet of the mobile home sites it is intended to serve.
28. Minimum widths of roadways (curb face to curb face) shall be as follows:
 - a. Motor vehicle parking (1);
 - b. Traffic use (2);
 - c. Minimum pavement width (curb face to curb face) (3):
 - (1) Parking prohibited.
 - (2) Two (2) way roads.
 - (3) Twenty-two (22) feet.
 - 1 Parallel parking one (1) side only.
 - 2 One (1) way roads.
 - 3 Twenty-two (22) feet.

- 1 Parallel parking two (2) sides.
 - 2 Two (2) way roads.
 - 3 Forty (40) feet.
29. When a cul-de-sac drive is provided, the radius of such roadway loop should be a minimum of seventy-five (75) feet, curb face to curb face, with the drive length a maximum of three hundred (300) feet.
30. Walkways shall not be less than four (4) feet in width excepting that walkways designed for common use of not than three (3) mobile home sites shall be not less than three (3) feet in width. Walkways shall be constructed with materials approved by the Planning Commission.
31. When exterior television antenna installation is necessary, a master antenna shall be installed and extended to individual stands by underground lines. Such master antenna shall be so placed as not to be a nuisance to park residents or surrounding areas.
32. Park owners and management are required to maintain the physical and natural facilities and features of the park in a neat, orderly, and safe manner.

F. Unique character design:

1. Purpose of interest in the event an applicant of a site plan approval desires unique flexibility in a mobile home park design that can be obtained from a unique character of development and still conform to the purpose and interest of this Ordinance even though the proposal does not comply with all provisions, one may apply for such by stating so on the site plan applications. Qualifications for such unique character design shall be determined by the Township Planning Commission upon review of the preliminary sketch plan.
2. Park standards shall be in accordance with the provisions under "required development standards," except for the following:
 - a. An added degree of flexibility may be granted in the placement and inter-relationship of mobile home sites within the mobile home park.
 - b. A gross density of not more than eight (8) mobile home sites per any single acre within the park shall be maintained.
 - c. No site shall be less than five thousand (5,000) square feet, with the five thousand (5,000) square feet general standard being used for recreation purposes.
3. An added degree of flexibility may be granted in the yard dimension of a mobile home site in the following manner:
 - a. There shall be unobstructed open spaces of at least fifteen (15) feet between the side or end of adjacent mobile homes for the full length of the mobile home, and at least ten (10) feet of unobstructed open space between the ends of the mobile homes.

- b. No window of any mobile home shall open onto any other mobile home face unless such dimension between mobile homes is at least fifteen (15) feet.
- c. No main doorway of any mobile home shall open onto another mobile home main doorway unless such dimension between mobile homes is at least thirty (30) feet.

G. Permits:

Application for the installation or construction of a mobile home park shall be accompanied by deposit in accordance with the requirements specified in Section 2.05, to defray the expense of hearings, publications, and reports by engineers and other experts in assistance to the Township Board in its consideration of said application. The issuance of permit shall entitle a proprietor to continue to operate a mobile home park so long as he remains in compliance with the regulatory ordinances of the Township and the State of Michigan. The permit under the terms of this Ordinance does by application for such a permit expressly grant to the Township Board enforcement of this Ordinance and the power and authority to enter upon the premises of such mobile home park at any time for the purpose of inspection and enforcement of this or any other township ordinances applicable to the conduct and operation of mobile home parks. The applicant will be refunded the unexpended portion of the deposit within ninety (90) days of the final decision of the Township Board.

- H. Revocation of permits in the event a mobile home park shall violate any of the regulations of the ordinance or any other township ordinances applicable to the conduct and operation of a mobile home park, he shall be ordered to show cause before the Township Board at an open public meeting why his permit shall not be revoked, and if it shall appear that the proprietor has violated any of the provisions of the Township applicable to the conduct and operation of a mobile home park, his permit shall be revoked and he shall cease to operate, or a civil penalty of not to exceed one hundred dollars (\$100.00) per day for each day of violation will be imposed.

SECTION 10.11. SANITARY LAND FILL.

Provided that such use shall be permitted as a conditional use only in the AA – Agricultural District, such use shall conform to all State of Michigan and county health department regulations of such use, and the permit for such use shall be subject to annual renewal.

SECTION 10.12. DEVELOPMENT OF NATURAL RESOURCES.

Including extraction of sand, gravel, fill dirt, topsoil, gas, and oil, provided that such activity shall be permitted as a conditional use only in the AA - Agricultural, RA - Low Density Residential, and OC - Open Space Water Body Conservation Districts and shall comply with the following provisions:

- A. Pits and quarries shall be completely enclosed by a fence four (4) or more feet in height for safety of the general public. Said fence shall be placed no closer than ten (10) feet to the outside perimeter of the pit or quarry. Said fence shall conform to the minimum setback requirements of the district in which it is located.
- B. No slope shall exceed an angle with the horizontal of more than thirty (30) degrees for the first twelve (12) feet along the horizontal, after which the slope shall not exceed an angle with the horizontal or more than forty-five (45) degrees.

- C. All areas so used shall be rehabilitated progressively as they are worked out or abandoned to a condition entirely free from hazards and blending with the surrounding natural grounds. All slopes and banks shall be reasonably graded to prevent excessive erosion.
- D. The Planning Commission, upon recommendation from the county road commission, shall establish routes of ingress and egress for truck movement in order to minimize the wear on public roads and to prevent hazards to traffic. All interior roadways shall be chemically treated to reduce dust.

SECTION 10.13. CAMPS AND LODGES.

Including private and semi-private camps and lodges for active and passive recreation uses, provided that such activity shall be permitted as a conditional use only in the AA - Agricultural, RA - Low Density Residential, and OC - Open Space and Water Body Conservation Districts, and shall comply with the following provisions:

- A. No commercial activity shall be conducted on the premises, except as an accessory use.
- B. Such use shall be located on a site of not less than one (1) acre in size.
- C. Building shall not exceed thirty (30) feet in height and shall be located no nearer to any property line than forty (40) feet yards may be utilized for parking that such parking shall not be closer than (10) feet to any side or rear property line, nor twenty (20) feet to any street or highway right-of-way line.
- D. Parking areas located adjacent to any residential or institutional use shall be screened from such use by an approved fence or masonry wall of not less than four (4) feet nor greater than eight (8) feet in height. In lieu of a separate fence or masonry wall, an evergreen hedge that effectively screens the parking area from adjacent properties may be planted and maintained at a height of not less than four (4) feet.

SECTION 10.13. AGRA BUSINESSES.

- A. Provided that such be permitted as a conditional use only in the AA - Agricultural District.
- B. An AGRA business is a building, structure, lot, parcel, or part thereof which provide services, goods, storage, transportation, or other activities directly related to the production of agricultural commodities. An AGRA business may include, but is not limited to:
 - 1. Farm machinery, sales, service, rental, and repair.
 - 2. Grain elevators for storage, drying and sales.
 - 3. Bulk feed and fertilizer outlets and distribution centers.
 - 4. Seed dealership outlets and distribution centers.

5. Grain and livestock trucking and cartage facilities.
6. Auctions for livestock.
7. Dairy products production and processing operations.
8. Slaughter houses.

SECTION 10.14. ESSENTIAL SERVICE BUILDING.

In every zoning district, except industrial, the following essential service buildings shall be required to have a conditional use permit prior to their construction:

- A. High voltage transmission towers, transformer substation, pumping stations, communications relay stations, gas and steam regulating valves and stations, and buildings of similar function. No building shall be used for residential purposes.
- B. An opaque fence or greenbelt may be required by the Township Board when deemed necessary for the protection and preservation of the character of the surrounding neighborhood and adjacent land.

SECTION 10.15. HIGH DENSITY ANIMAL FEEDING OPERATION.

The development of high density animal feeding operation is subject to the following interpretation and conditions:

- A. Animals are confined and or maintained for a total of forty-five (45) days or more in any twelve (12) month period.
- B. The operation meets or exceeds the feeding and confinement of one thousand (1,000) or more animal units defined as follows:
 1. One (1) slaughter or feeder cattle.
 2. Seven-tenths (.7) mature dairy cattle, whether milked or dry cows.
 3. Two and five-tenths (2.5) swine, each weighing fifty-five (55) pounds or more.
 4. Five-tenths (.5) horses.
 5. Ten (10.0) sheep, lambs, or goats.
 6. Fifty-five (55) turkeys.
 7. One hundred (100) laying hens or broilers (if the facility has a continuous overflow watering system).
 8. Thirty (30) laying hens or broilers (if the facility has a liquid manure handing system).

9. Five (5) ducks.

- C. The confinement and feeding of animals complies with federal, state, and local regulations, with any former violations by the owner or operator documented at the time of application.
- D. A sustained ground cover (crops, vegetation, forage, or post harvest residue) cannot be maintained during the normal growing season over that portion of the lot or facility where the animals are housed or confined.
- E. Two or more contiguous animal feeding operation are deemed to be a single animal feeding operation if they are under common ownership, operation, or share a common area or system for waste disposal.
- F. The operation must utilize accepted animal waste (manures, bedding, flush waters, or other by-products) management practices which reduce pollutants to levels compatible with federal state and local regulations.
- G. An application for conditional use permit for high density animal feeding operation shall include, in addition to a site plan, the following information:
 - 1. A description of the types and total number of animal units to be confined on the site.
 - 2. A detailed plans for the handling, storage, treatment, and disposal of animal waste, including the timetable for implementation of the plan and the location of any waste application.
 - 3. A detailed plan for controlling noise, dust, and odors, including a timetable for implementation of the plan.
 - 4. A description of the design, installation, and operation of all facilities and equipment required to monitor groundwater, soil, or air contamination as required by federal, state, or local regulating agencies. In addition, copies of reports or results of test shall be submitted to the Township upon receipt by the owner/operator.
- H. The operation shall meet setback and location standards for High Density Animal Feeding Operations established by the State of Michigan GAAMPS for Site Selection and Odor Control for New and Expanding Livestock Facilities.