ARTICLE 5
USE STANDARDS

Section 5.001 Intent.

Each use listed in this Article, whether permitted by right or subject to approval as a special use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to:

1. Alleviate any adverse impacts of a use that is of an area, intensity or type unique or atypical for the district in which the use is allowed.

2. Mitigate the impact of a use that possesses characteristics unique or atypical for the district in which the use is allowed.

3. Ensure that such uses will be compatible with surrounding land uses.

4. Promote the orderly development of the district and the Township as a whole.

Section 5.002 Scope of Regulations.

Unless otherwise specified in this Article, all uses shall be subject to the applicable dimensional and use standards for the zoning district in which the use is located. All uses shall comply with the performance standards for noise, odor, and other impacts specified in Section 6.208 (Performance Standards). Conformance with these standards shall be subject to site plan approval, where required per this Article or Section 12.01 (Site Plan Review).

Section 5.003 Organization.

For the purposes of clarity and ease of use, the provisions of this Article have been organized into the following divisions:

SECTION 5.100 RURAL USES

SECTION 5.200 RESIDENTIAL USES

SECTION 5.300 OFFICE, SERVICE, AND COMMUNITY USES

SECTION 5.400 COMMERCIAL USES

SECTION 5.500 INDUSTRIAL, RESEARCH AND LABORATORY USES

SECTION 5.600 OTHER USES

SECTION 5.100
RURAL USES

Section 5.101 Farm-Based Tourism or Entertainment Activities.

Farms providing tourism or entertainment-oriented facilities or activities for promotion of agriculture, rural lifestyle or farm product sales shall be subject to the following:

1. Any sales and entertainment facilities shall have direct access to one (1) or more paved or gravel public through roads. Primary access via a local subdivision street, private road, or dead-end road shall not satisfy this requirement.

2. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval per Section 12.01 (Site Plan Review). Such plan shall show the intended use and location of all structures, growing areas, parking facilities, necessary sanitary facilities, roads and drives to be utilized by the public, pedestrian circulation, location of service areas for various facilities, any proposed exterior lighting for the event or activity, and transition plantings or screening devices.

3. Screening shall be provided per Section 8.04 (Methods of Screening) where off-site abutting residential properties are occupied with dwelling structures within 200 feet of any area on the site occupied with sales or entertainment facilities. Crop growing areas of a depth of not less than 300 feet may be permitted to satisfy this requirement.

4. All facilities related to the event or activity shall be provided off the road right-of-way.

5. Noise levels shall not exceed 65 decibels at any lot boundary or right-of-way.

6. The hours of operation of any outdoor entertainment facilities shall be subject to Planning Commission approval.

Section 5.102 Farm Markets, Implement Sales, and Feed Stores.

Farm markets, farm implement sales or repair, bulk feed and fertilizer supply outlets, and similar uses shall be subject to the following:

1. Such uses shall conform with all parking, loading, screening, and other site development standards that apply to retail stores, and shall be subject to site plan approval per Section 12.01 (Site Plan Review)..

2. A minimum of fifty percent (50%) of the produce or products offered for sale in a permitted farm market shall be grown or produced on land in Michigan, or made from produce grown or material produced on land in Michigan.

3. Any outdoor storage areas shall be adequately screened and covered in compliance with Section 5.504 (Outdoor Storage, General).

4. All signs shall comply with the requirements of Article 9 (Signs) for a non-residential use.

Section 5.103 Farm Products Direct Marketing Businesses.

Farm products direct marketing businesses listed in Article 4 (Land Use Table) as an accessory use shall only be permitted in the zoning district accessory to an active farm operation. Such businesses shall include "you-pick" commercial agricultural operations, direct sales to area businesses, restaurants, and retail stores, Internet-based sales of farm products, and similar businesses.

Section 5.104 Farm Products Storage, Distribution, and Processing.

All storage, distribution, and processing of farm products shall comply with the following:

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

2. Such uses shall be maintained so that odor, dust, or noise shall not constitute a nuisance or hazard to adjoining lots and uses.

3. Any outdoor storage areas shall be adequately screened and covered in compliance with Section 5.504 (Outdoor Storage, General).

4. The Planning Commission may limit hours of operation for a distribution or processing activity within 500 feet of a residential zoning district or existing residential use.

Section 5.105 Greenhouses, Nurseries, and Tree Farms.

The following shall apply to greenhouses, nurseries, and tree farms:

1. **Setbacks.** Plant storage and display areas shall comply with the minimum setback requirements for the district in which the establishment is located.

2. **Storage.** The storage of soil, wood chips, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties and from access by small animals.

3. **Accessory use standards.** Greenhouses, nurseries, and tree farms listed in Article 4 (Land Use Table) as an accessory use shall only be permitted in the zoning district accessory to an active farm operation.

Section 5.106 Kennels.

Kennels shall conform to all applicable permit and operational requirements established by appropriate regulatory agencies, and shall further be subject to the following:

1. **Minimum lot area.** Commercial kennels, as licensed by Washtenaw County, shall have a minimum lot area of ten (10) acres. Private kennels shall have a minimum lot area of five (5) acres.

2. **Setbacks.** Structures or pens where animals are kept, outdoor runs, and exercise areas shall not be located in any required yard setback areas. Such facilities shall be set back at least 300 feet from all road rights-of-way, and 100 feet from all side and rear lot boundaries.

3. **Screening.** Structures where animals are kept, outdoor runs and exercise areas shall be screened per Section 8.04 (Methods of Screening).

4. **Use standards.** Structures where animals are kept, outdoor runs and exercise areas shall have impervious surfaces and an approved system for runoff, waste collection, and disposal. Kennels shall be established and maintained in accordance with all applicable County and Township sanitation and animal control regulations.

5. **Additional conditions.** Such uses shall be subject to site plan approval per Section 12.01 (Site Plan Review). The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

Section 5.107 Ponds for Farming, Landscaping or Recreation.

Unregulated pond excavation and development may adversely impact surface and groundwater quality, adjacent lots and uses, and the existing rural, agricultural character of the Township. To protect the health, safety, and welfare of the Township residents and preserve ecological important features, the creation or expansion of ponds and similar man-made or altered bodies of water accessory to farming, residential or recreational uses shall be subject to the following:

A. General Standards.

The following general standards and limitations shall apply to all ponds constructed, altered, and maintained in the Township:

1. Landscape ponds with 300 square feet or less of surface water shall be exempt from the provisions of this Section, provided that no excavated materials are to be removed from the site.

2. Ponds shall be established and maintained in accordance with all applicable statutes of the State of Michigan. If any of the requirements of this Section are less restrictive than applicable state statutes, the state requirements shall prevail.

3. The pond shall be located on a parcel at least five (5) acres in total area, and shall be accessory to a principal RURAL USE or RESIDENTIAL USE on the same zoning lot.

4. Ponds shall not exceed ten (10) percent of the total lot area on which they are situated or five (5) acres, whichever is less. Ponds that exceed these criteria shall be subject to the provisions of Section 5.604 (Extractive Operations).

5. The property, as situated at the time application for a pond permit is made, shall not subsequently be split, divided or partitioned in a manner that would result in nonconformance with the requirements contained herein.

6. No pond shall be located upon, across, or extended beyond existing lot boundaries. Pond should be located to minimize chance of pollution from sources such as feedlots, corrals or septic systems.

7. Pond construction shall not commence earlier than 7:00 a.m., and shall not continue after 9:00 p.m.

8. The requirements contained herein shall not relieve the applicant from complying with other land development or environmental standards established by the Township or by other public agencies having jurisdiction.

B. Design Standards.

The following design standards and limitations shall apply to all pond construction or alterations in the Township:

1. Ponds shall only be of an excavation type as defined by the Natural Resources Conservation Service (NRCS) engineering standards, and all ponds shall be constructed to NRCS Standard 378, or another applicable standard accepted by the Township.

2. Designed water depth of pond shall be at least eight (8) feet to ensure proper aeration and circulation of the water. Pond banks shall have a maximum slope of one (1) foot vertical rise in four (4) feet of horizontal distance, which shall extend below the water's surface to a depth of at least eight (8) feet.

3. Shoreline berms shall not exceed a maximum height of six (6) feet and a maximum slope of one (1) foot vertical incline to each four (4) feet of horizontal distance. Escape ramps with shallower slopes shall be provided to allow adequate means for climbing out of the pond.

4. The top of the bank of the pond shall be set back a minimum of 50 feet from all lot boundaries, and a minimum of 25 feet from all structures and easements on the site. The top of the bank of the pond shall be set back a minimum of 100 feet from any on-site wastewater system, as measured from the perimeter of any drainfield or nearest line of the system.

5. All areas disturbed during construction shall be seeded with grasses and maintained in good condition to prevent erosion.

6. Pond excavation and the relocation of excavated materials shall not affect the natural drainage pattern of the area, and shall not cause or exacerbate the drainage of surface water onto adjacent lots or towards any existing structures. Ponds shall be designed and maintained to prevent overflow, spillage or seepage from encroaching upon adjacent lots.

C. Application and Review Procedures.

All necessary permits shall be obtained by the applicant, and proof of all necessary outside agency permits or approvals shall be submitted to the Township prior to construction or alteration of a pond. Such permits and approvals shall include, but shall not be limited to the following:

1. Review and approval of a detailed site plan per Section 12.01 (Site Plan Review).

2. Outside agency permits and approvals may include, but shall not be limited to the Michigan Department of Environmental Quality (MDEQ), Washtenaw County Drain Commissioner, Washtenaw County Environmental Health Division, and Washtenaw County Road Commission.

D. Soil Removal Provisions.

Construction of ponds that result in the removal of excavated materials from the site shall be subject to the following additional standards:

1. An estimate of the cubic yards of soil or similar materials to be removed shall be submitted to the Township.

2. Excavated soil intended for removal from the property shall be removed within 180 days after excavation is complete.

3. Each permittee shall be responsible for the clean up of any spillage of materials, such as dirt, rock, mud, sand, or any debris hauled by vehicles over the designated travel routes. Any such material shall be removed within 24 hours of receipt of notice from the Township.

4. The loading and removal of excavated materials shall be limited to between the hours of 7:00 a.m., and 6:00 p.m., Monday through Friday, and 7:00 a.m., and 12:00 noon on Saturdays. Loading and removal of excavated materials shall be prohibited on Sundays or legal holidays.

E. Performance Guarantee.

The Planning Commission may require the applicant to provide the Township with a performance guarantee per Section 1.08C (Performance Guarantees) to ensure the reclamation and rehabilitation of the site according to the approved site plan.

Section 5.108 Private Riding Arenas and Boarding Stables.

All stables and facilities for the private rearing, schooling and housing of horses, mules, ponies and similar equine riding animals shall be subject to the following:

1. A dwelling in a principal building for the property owner or operator of the private stable shall be located on the same or an adjoining lot.

2. The lot area shall not be less than ten (10) contiguous acres under single ownership.

3. All stable and arena buildings, corrals, and similar structures shall be set back a minimum of 50 feet from all lot boundaries.

4. Such facilities or areas shall not be located within any required front yard setback, and shall be located no closer to any road rights-of-way than rear building line of any dwelling on the subject lot.

5. A fenced area for pasturing, exercising or riding such animals may extend to the front, rear or side lot lines. All such animals shall be kept confined within a fenced area when not being ridden, under harness, or when not in their stable and arena building, corral or similar structure.

6. The facility shall be constructed and maintained in accordance with the Right to Farm Act (P.A. 93 of 1981, as amended) and Generally Accepted Agricultural Management Practices (GAAMPS) from the Michigan Department of Agriculture, so that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.

7. There shall be no commercial activity, other than incidental sales not unusual for a residential use.

8. Approval of a Certificate of Zoning Compliance shall be required per Section 1.07 (Permits and Certificates of Zoning Compliance). No formal site plan shall be necessary unless otherwise required by this Ordinance.

Section 5.109 Public or Commercial Riding Stables.

Public or commercial riding stables and academies for the rearing, schooling and housing of horses, mules, ponies and similar equine riding animals available or intended for use by the public or for hire on a per diem, hourly or weekly basis shall be subject to the following:

1. The minimum gross lot area shall be 20 acres.

2. The applicant shall provide a written statement of the number of horses and ponies which will be accommodated, the nature and duration of any equestrian events which will be held, the planned or agreed use of any other properties for riding or pasturing, and any agreements or arrangements with any equestrian clubs, groups or organizations for facility use.

3. All stable and arena buildings, corrals, and similar structures shall be set back a minimum of 50 feet from all lot boundaries.

4. Fenced areas for pasturing, exercising or riding such animals may extend to the front, rear or side lot lines. All such animals shall be kept confined within a fenced area when not being ridden, under harness, or when not in their stable and arena building, corral or similar structure.

5. The facility shall be constructed and maintained in accordance with the Right to Farm Act (P.A. 93 of 1981, as amended) and Generally Accepted Agricultural Management Practices (GAAMPS) of the Michigan Department of Agriculture, so that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.

6. Parking for patrons and employees shall be provided in compliance with Article 7 (Off-Street Parking, Loading, and Access).

7. Such uses shall be subject to site plan approval per Section 12.01 (Site Plan Review).

Section 5.110 Roadside Stands.

Roadside stands up to 400 square feet in gross floor area shall be permitted accessory to any RURAL USE, subject to the following. Larger stands shall be considered a "farm market" as regulated by this Ordinance:

1. A minimum of one (1) parking space shall be provided outside of the road right-of-way for each 100 square feet of space in the stand.

2. All signs used in connection with the use shall be temporary, and shall be removed when the stand is not in use. All signs shall comply with the requirements of Article 9 (Signs).

3. The stand shall be located outside of the road right-of-way and a minimum of 50 feet from the nearest road pavement or improved surface. Such stands shall be portable, and shall be removed from its roadside location during seasons when it will not be in use.

4. All produce or products for sale shall be grown or produced on the premises or made from produce grown or material produced on the premises.

Section 5.111 Veterinary Clinics and Hospitals.

Veterinary clinics and hospitals shall comply with the following:

1. All activities shall be conducted within a completely enclosed building.

2. All buildings and outdoor pens or enclosures shall be set back at least 50 feet from all road rights-of-way, residential districts, and existing residential uses.

3. Keeping of animals overnight shall be limited to the interior of the principal building. Treatment of non-domesticated animals is permitted. Any overnight care facilities shall meet the requirements for kennels in Section 5.106 (Kennels).

4. Operation shall include proper control of animal waste, odor, and noise. Outdoor exercise areas shall be enclosed by a six (6) foot high solid fence.

Section 5.112 Keeping of Animals

It is the intent of this Section to establish standards for any residential use wherein animals are kept for use by the owner of the premises and immediate family which will ensure compatibility with adjacent land uses. This Section does not intend to limit or revise in any manner the provisions of the Michigan Right to Farm Act or Generally Accepted Agricultural and Management Practices (GAAMPs) developed under the Michigan Right to Farm Act, and all such rights are excluded from the restrictions of this Section.

A. Except as otherwise permitted by the Michigan Right to Farm Act, the keeping of livestock shall only be permitted within the A-1, Agriculture-Conservation zoning district. Maintaining animals in other zoning districts shall be prohibited, except that for each dwelling unit the occupant may keep for his or her personal use domestic pets, provided they are not kept or used for commercial breeding purposes and do not constitute a kennel. Any animal defined in the Michigan GAAMPs shall not be considered a domestic pet.

B. The minimum lot area required to maintain livestock shall be five (5) acres. Adjacent lots may be used to satisfy the five (5) acre minimum upon the written agreement between all affected property owners regarding the shared keeping of animals.

C. **Stocking Density.** Maximum livestock stocking densities shall be as follows:

Acres	Maximum Permitted Animal Units
5-6.99	2
7-8.99	3
9-11.01	5
11.1-20	1 additional animal unit per acre above 11 acres

1 Animal Unit: Cow, Horse, Pony, Llama (or similar size large animal)
0.5 Animal Unit: Sheep, Goats, Pigs (or similar size medium animal)
0.1 Animal Unit: Chickens, Rabbits, Ducks, Geese (or similar size small animal)

SECTION 5.200
RESIDENTIAL USES

Section 5.201 Accessory Dwelling.

It is the intent of this Section to permit accessory dwellings within principal single-family dwellings in the agricultural-conservation and residential zoning districts for the purposes of providing a variety of housing options in the Township; accommodating the desire of some senior citizens, family groups, and other persons with special needs for private housing close to relatives; and providing additional housing accessory to RURAL USES. It is further the intent of this Section to permit dwellings accessory to OFFICE AND SERVICE USES or COMMERCIAL USES in the C-1 (Local Commercial) District, subject to specific standards designed to preserve the predominantly commercial character of these districts.

The standards of this Section are designed to prevent the undesirable proliferation of multiple-family buildings in rural and single-family residential areas of the Township, and to preserve the character and appearance of principal buildings that include an accessory dwelling unit. Accessory dwellings shall be subject to the following standards:

A. Accessory to Detached Single-Family Dwellings.

The following shall apply to dwelling units accessory to detached single-family dwellings in the Rural, Rural Residential, and Residential zoning districts:

1. A maximum of one (1) accessory dwelling unit shall be permitted per principal dwelling.

2. Sufficient land area shall be available for the principal dwelling and accessory dwelling unit to each conform to the minimum lot area requirements for the zoning district, as specified in Article 3 (Dimensional Standards).

3. All accessory dwelling units shall be located entirely within the principal building. Accessory dwelling units shall be prohibited in any detached accessory structures.

4. The exterior of the principal building shall remain unchanged, so that it does not give the appearance of being divided into separate units. Access to an accessory dwelling unit shall be limited to a common front foyer, or a separate entrance door on a sidewall. The use of an exterior stairway to provide access to an upper floor accessory dwelling shall be prohibited.

5. Accessory dwelling units shall have a minimum gross floor area of 300 square-feet, and shall not occupy more than twenty five percent (25%) of the principal building's gross floor area.

6. The principal building shall be the primary and permanent legal residence of the owner(s) of the property. The owner(s) of the property shall occupy a minimum of 1,200 square feet of gross floor area within the principal building. Permitted

accessory dwelling units shall be clearly secondary to the use of the dwelling as a residence.

B. Accessory to Office and Services Uses or Commercial Uses.

The following shall apply to dwelling units accessory to OFFICE AND SERVICES USES or COMMERCIAL USES in the C-1 (Local Commercial) District:

1. Accessory dwelling units shall be located within the principal building.

2. Accessory dwelling units shall be prohibited on the ground floor or street level of the building.

3. Each accessory dwelling unit shall have separate kitchen, bath, and toilet facilities and a private entrance. Where there is more than one (1) accessory dwelling unit in a building, such entrances may be provided from a common hallway.

C. Approval Required.

Construction or expansion of an accessory dwelling unit shall be subject to site plan approval per Section 12.01 (Site Plan Review). The site plan application shall include submittal of floor plans, building elevation drawings, and a plot plan of the lot to verify conformance with the standards of this Ordinance. For dwellings served by privately owned well or septic facilities, proof of adequate system capacity shall be provided to the Township.

Section 5.202 Bed and Breakfast Inns.

Bed and breakfast inns shall comply with the following:

1. **Primary residence.** The structure shall be the primary and permanent residence of the bed and breakfast inn operator. Meals or other services provided on the premises shall only be available to residents, employees, and overnight guests of the establishment.

2. **Guests.** A guest may stay no longer than 14 days in succession or a total of 60 days in any 12-month period.

3. **Limitations.** A bed and breakfast inn shall have direct access to a public road. Bed and breakfast inns shall be prohibited on lots abutting and with primary access to private roads, and on lots located in a platted subdivision or a site condominium project.

4. **Use standards.** The following additional use standards shall apply to all bed and breakfast inns:

   a. There shall be no separate kitchen facilities for exclusive use by bed and breakfast guests.

b. No retail or other sales shall be permitted, except incidental sales associated with the bed and breakfast operation.

c. Signs associated with the bed and breakfast shall comply with Article 9 (Signs) standards for the principal RURAL USE or RESIDENTIAL USE of the lot.

d. A bed and breakfast operation shall provide a minimum of one (1) full bathroom facility for the owner, plus a minimum of one (1) separate full bathroom facility for each two (2) permitted sleeping rooms.

e. The location of exits, emergency exit routes, and tornado protection locations should be clearly posted on the interior of each guest room door.

f. Parking for patrons and employees shall be provided in compliance with Article 7 (Off-Street Parking, Loading, and Access), and shall not be located in any required front yard. Stacking of more than two (2) vehicles in a driveway is prohibited.

5. **Approval.** Bed and breakfast inns shall be subject to site plan approval per Section 12.01 (Site Plan Review). The site plan application shall include floor plans with the dimensions and floor areas of all rooms and areas to be used by guests (sleeping rooms, bathrooms, dining areas, etc.), and the locations of required exits, emergency exit routes, tornado protection locations, smoke detectors, and carbon monoxide detectors.

Section 5.203 Farm Labor Housing.

Dwelling units for temporary housing for workers and their families during the season in which they are employed in the planting, harvesting, or processing of crops or other essential but temporary agriculturally related employment associated with an active farm operation shall comply with the following:

1. All structures for farm labor housing shall comply with the standards of Article 3 (Dimensional Standards) for the zoning district, and all provisions of state laws regulating farm labor or migrant labor housing.

2. Construction, expansion, and alteration of farm labor housing shall be subject to site plan approval per Section 12.01 (Site Plan Review).

3. Proof of all required outside agency permits and approvals for construction, expansion or alteration of farm labor housing shall be provided to the Township, prior to the start of construction on the site.

Section 5.204 Home Occupations.

Home occupations shall be subject to the following:

A. Use Standards.

1. **Intensity of use.** Home occupations must be clearly incidental and secondary to the use of the dwelling as a residence. No more than twenty percent (20%) of the habitable floor area of the dwelling may be used for the home occupation. The home occupation shall be conducted within the principal dwelling or any accessory structure.

2. **Employment.** No persons shall be employed in the home occupation, other than the dwelling occupants.

3. **Retail sales limitation.** No article shall be sold or offered for sale on the premises, except as prepared as part of the home occupation or provided incidental to the service or profession conducted as a home occupation.

4. **Customer or client visits.** A home occupation shall not generate more than ten (10) customer or client visits per day, or more than 20 customer or client visits per week. No more than two (2) customers or clients may be present at any given time.

6. **Signs.** Signs associated with the home occupation shall comply with Article 9 (Signs) standards for the principal RURAL USE or RESIDENTIAL USE of the lot.

5. **Parking and deliveries.** Home occupations shall be limited to a maximum of two (2) spaces, in addition to spaces permitted for the dwelling. Delivery vehicles used to deliver goods to a home occupation shall be limited to automobiles, passenger vehicles, mail carriers and express package carriers.

6. **Hours of operation.** Customer or client visits, and deliveries associated with the home occupation shall be limited to between the hours of 7:00 a.m. and 8:00 p.m.

7. **Prohibited activities.** Home occupations shall not include:

   a. Outdoor display or storage of materials, goods, supplies, or equipment used in the home occupation.

   b. The use of machinery, equipment or facilities not commonly incidental or accessory to a residential dwelling.

   c. Changes or alterations to the character or appearance of the residence, or parking that cannot be accommodated on the site.

B. Permitted Home Occupations.

The following uses shall be permitted as home occupations.

1. Home offices for such professionals as architects, doctors, brokers, engineers, insurance agents, lawyers, realtors, accountants, writers, salespersons and similar occupations.

2. Personal services, including hair or nail care, grooming, catering, and chauffeuring services.

3. Home office for a massage therapist, subject to the standards of Section 5.307 (Therapeutic Massage).

4. Music, dance, art and craft classes, tutoring, and studios for artists, sculptors, musicians and photographers.

5. Workshops for tailors, dressmakers, milliners, and craft persons, including weaving, lapidary, jewelry making, cabinetry, and woodworking.

6. Repair services, limited to watches and clocks, small appliances, computers, electronic devices, and similar small devices.

7. Any home occupation not specifically listed may be permitted as a special land use, subject to the provisions of this Section and Section 12.02 (Special Uses).

C. Prohibited Uses.

The following uses are expressly prohibited as a home occupation:

1. Motor vehicle, recreational vehicle or boat repair, bump and paint shops, and salvage or storage yards.

2. Kennels and veterinary clinics.

3. Medical or dental clinics.

4. Retail sales of merchandise, and eating or drinking establishments.

5. Undertaking and funeral homes.

6. Adult uses and sexually oriented businesses.

7. Uses similar to the above listed uses, or any use which would, in the determination of the Planning Commission or Zoning Inspector, result in nuisance factors as defined by this Ordinance.

Section 5.205 Manufactured Housing Parks.

Manufactured housing parks shall be subject to all the rules and requirements of the Mobile Home Commission Act (P.A. 96 of 1987, as amended), the Manufactured Housing Commission General Rules, and the following minimum requirements:

A. Plan Review.

The preliminary plan for a manufactured housing park shall be submitted to the Township and reviewed by the Planning Commission in accordance with the application requirements and procedures specified in Section 11 of the Mobile Home Commission Act (P.A. 96 of 1987, as amended). The Planning Commission shall take action to approve or deny the preliminary plan, or approve the preliminary plan subject to conditions, within 60 days after the Township officially receives a complete and accurate application. The Planning Commission may table an application for further study, or to obtain additional information, provided that final action is taken within the 60-day review period. A copy of the state-approved final construction plan shall be submitted to the Township prior to the start of construction on the site.

B. Minimum Area for a Manufactured Housing Park.

The minimum parcel size for manufactured housing parks shall be 20 acres, excluding adjacent parcels proposed for expansion.

C. Minimum Manufactured Housing Site Size.

Manufactured housing parks shall be developed with a minimum manufactured housing site size of 5,500 square feet. Individual sites may be reduced to as small as 4,400 square feet, provided that for every square foot of land gained through such reduction, at least an equal amount of land shall be dedicated as open space for the collective use and enjoyment of all manufactured housing park residents. This open space shall be in addition to the minimum open space required under Section 5.105K (Open Space), or the Manufactured Housing Commission rules.

D. Setbacks.

Manufactured houses shall comply with the following minimum setbacks:

1. For a home not sited parallel to an internal road, 20 feet from an adjacent home, including an attached structure that may be used for living purposes for the entire year.

2. For a home sited parallel to an internal road, 15 feet from an adjacent home, including an attached structure that may be used for living purposes for the entire year if the adjacent home is sited next to the home on and parallel to the same internal road or an intersecting internal road.

3. Ten (10) feet from an attached or detached structure or accessory of an adjacent home that may not be used for living purposes for the entire year.

4. 50 feet from any permanent building.

5. 100 feet from any baseball, softball or similar recreational field.

6. Seven (7) feet from the back of curb or edge of pavement for an internal road.

7. Seven (7) feet from an adjacent home site's parking space or off-site parking bay.

8. Seven (7) feet from a common sidewalk.

9. All mobile homes, accessory buildings and parking shall be set back not less than 20 feet from any manufactured housing park boundary line, except that a minimum setback of 50 feet shall be provided from the road rights-of-way of public roads abutting the park.

10. 50 feet from the edge of any railroad right-of-way.

E. Maximum Height.

The maximum height of any community or similar building in a manufactured housing park shall not exceed two (2) stories or 35 feet, whichever is less. Storage or service buildings shall not exceed one (1) story or 15 feet.

F. Roads.

Roads shall satisfy the minimum dimensional, design, and construction requirements in the Manufactured Housing Commission Rules. The main entrance to the park shall have access to a public road by a permanent easement, which shall be recorded by the developers. All roads shall be hard-surfaced.

G. Parking.

Each manufactured housing site shall be provided with two (2) parking spaces per the Manufactured Housing Commission Rules.

H. Common Storage Areas.

If boats, boat trailers and utility trailers are permitted to be parked within the manufactured housing park, adequate parking spaces for such vehicles shall be provided in a central or collective parking area. This area shall be in addition to the automobile parking requirements of this Section, and shall be adequately locked, fenced and permanently buffered.

I. Sidewalks.

Concrete sidewalks having a minimum width of three (3) feet shall be provided on at least one side of internal manufactured housing park roads. In addition, a five (5) foot wide concrete sidewalk shall be constructed along any public road abutting the manufactured housing park.

J. Accessory Buildings and Facilities.

1. Accessory buildings and structures, including park management offices, storage buildings, laundry facilities or community facilities, shall be designed and operated for the exclusive use of park residents.

2. Site-built buildings and structures within a manufactured housing park, such as a management office or clubhouse, and any addition to a manufactured house that is not certified as meeting the standards of the U.S. Department of Housing and Urban Development (HUD) for manufactured houses, shall be constructed in

compliance with applicable state building, electrical and fire codes and shall be subject to approval of appropriate permits and certificates of occupancy by the Township.

3. **Storage accessory to a manufactured home.** One (1) storage shed with a maximum area of 144 square feet may be placed upon any individual manufactured home site for the storage of personal property. Such structures shall be constructed in accordance with applicable standards of the State Construction Code enforced by Washtenaw County. Except as otherwise noted in this Section, no personal property (including tires) shall be stored outside or under any manufactured home, or within carports which are open on any side. Bicycles and motorcycles may be parked in carports. Seasonal outdoor storage of outdoor cooking grills is permitted, so long as they are kept on either a finished wooden deck, a concrete or asphalt patio, or equivalent type of surface associated with the home.

K. Open Space.

Any manufactured housing park containing 50 or more manufactured housing sites shall provide a minimum of 25,000 square feet of dedicated and contiguous open space, which shall be shown on the preliminary plan. Any other open space areas or recreational improvements provided at the developer's option shall also be shown on the preliminary plan. This open space may include the two percent (2%) minimum open space requirement established in the Manufactured Housing Commission General Rules.

L. Perimeter Screening.

Where a manufactured housing park abuts an existing residential development, screening shall be provided along the boundary abutting the residential development. If the manufactured housing park abuts non-residential development, screening shall not be required.

M. Screening Along Public Rights-of-Way.

A landscaped screen shall be provided along all public roads abutting the manufactured housing park. This screen shall consist of evergreen trees or shrubs at least three (3) feet in height, planted so as to provide a continuous screen at maturity.

N. Alternative Screening.

Alternative screening devices may be utilized if they conceal the manufactured housing park as effectively as the required landscaping elements described above.

O. Parking Lot Landscaping.

Landscaped planting strips and islands shall be dispersed throughout all parking lots to direct traffic flow, create shade and break-up large expanses of pavement. Parking lot landscaping shall be subject to the following standards:

1. All landscaped areas shall be designed to ensure proper protection of the plant materials. Where adjacent to roads, driveway aisles, or parking areas, shall be

protected with concrete curbing. Plant materials used shall be hardy, salt-tolerant species characterized by low maintenance requirements.

2. The size and number of planting islands and proposed plantings shall be in scale with the overall site, and shall clearly define the egress/ingress points, interior circulation system and fire lanes. Landscaping shall not obscure traffic signs or lighting, access to fire hydrants or motorist sight-distance.

3. Planting islands shall have a minimum width of five (5) feet and a minimum area of 100 square feet. A minimum of one (1) deciduous shade tree shall be provided for each 100 square feet of planting area within the island. Ornamental trees, shrubs, mulch or groundcover shall be used to cover all unplanted areas of the island.

P. Trash Disposal.

The proposed method(s) and location(s) of trash storage and disposal shall conform to the requirements of Part 5 of the Michigan Department of Environmental Quality (MDEQ) Manufactured Home Park Standards, and shall be identified on the preliminary plan.

Q. Awnings.

Awnings may be attached to any manufactured house. Awnings shall comply with the setback and distance requirements set forth in this Section, and shall require a permit.

R. Sewer Service.

Public sewer systems shall be required in a manufactured housing park, if available within 200 feet of the park boundaries at the time of preliminary plan approval. If a public sewer system is unavailable, the development shall connect to a state-approved sewage system.

S. Water Service and Storm Drainage Systems.

Water supply and drainage systems shall conform to the requirements of Part 2 – 4 of the Michigan Department of Environmental Quality (MDEQ) Manufactured Home Park Standards.

T. Telephone and Electric Service.

All electric, telephone, cable TV, and other lines within the park shall be underground per the Manufactured Housing Commission Rules.

U. Fuel Oil and Gas.

Any fuel oil and gas storage shall be located in underground tanks, at a safe distance from all manufactured housing sites. All fuel lines leading to manufactured housing sites shall be underground and designed in conformance with the Manufactured Housing Commission Rules and other applicable local, county and state regulations.

V. Operational Requirements.

1. **Permit.** It shall be unlawful for any person to operate a manufactured housing park unless that individual obtains a license for such operation in compliance with

the requirements of the Mobile Home Commission Act (P.A. 96 of 1987, as amended). The Zoning Inspector shall communicate recommendations regarding the issuance of such licenses to the Director of the Bureau of Construction Codes and Fire Safety, Michigan Department of Labor and Economic Growth.

2. **Violations.** Whenever, upon inspection of any manufactured housing park, the Zoning Inspector finds that conditions or practices exist which violate provisions of this Section, the Zoning Inspector shall give notice in writing by certified mail to the Director of the Bureau of Construction Codes and Fire Safety, Michigan Department of Labor and Economic Growth, including the specific nature of the alleged violations and a description of possible remedial action necessary to effect compliance. This process shall be governed by Sections 17(2) and 36 of the Mobile Home Commission Act (P.A. 96 of 1987, as amended).

   The notification shall include such other information as is appropriate in order to fully describe the violations and potential hazards to the public health, safety and welfare resulting from the violation. A copy of such notification shall be sent by certified mail to the last known address of the park owner or agent.

3. **Inspections.** The Zoning Inspector or other authorized Township agent is granted the authority, as specified in the Mobile Home Commission Act, P.A. 96 of 1987, as amended, to enter upon the premises of any manufactured housing park for the purpose of determining compliance with the provisions of this Ordinance or other regulations referenced herein.

4. **License.** A manufactured housing park shall not be operated until a license has been issued by the State of Michigan.

W. Sale of Mobile Homes.

The business of selling new or pre-owned manufactured homes as a commercial operation in connection with the operation of a manufactured housing community shall be prohibited. The operator of a manufactured housing community, or designee, who is an authorized licensed manufactured home retailer or broker, is permitted to feature and sell in-park model homes to be located on a variety of sites within the manufactured housing community.

New or pre-owned manufactured houses located on sites within the manufactured housing park, to be used and occupied on that site, may be sold by a authorized licensed manufactured home retailer or broker, or by a resident of the manufactured housing park, provided the park's regulations permit such sale.

X. Mailbox Clusters.

The United States Postal Service may require that manufactured housing parks be served by clusters of mailboxes serving several sites rather than individual mailboxes serving individual sites. If mailbox clusters are required, they shall be located at least 200 feet from any intersection of a manufactured housing park road with a public road.

Section 5.206 Multiple-Family Housing.

All multiple-family dwellings and developments (including two-family (duplex) dwellings, apartment buildings, townhouses, stacked flats, senior and independent elderly housing, nursing homes, assisted living facilities, and dependent elderly housing) shall comply with the following:

A. General Standards.

1. **Frontage, access and vehicle circulation.** Multiple family developments shall have direct vehicle access to a major road or primary road as classified in the master transportation plans for the Township, or county or state road authorities.

    a. All interior roads, drives, and parking areas within a multi-family development shall be hard surfaced with asphalt, concrete or other paving materials approved by the Township. Roadway drainage shall be appropriately designed such that storm water from the roadway will not drain onto adjacent lots or across road rights-of-way.

    b. Ingress-egress to parking facilities shall be arranged to minimize curb cuts directly onto the public road.

    c. Such uses shall be screened from abutting single-family residential districts or uses in accordance with Section 8.04 (Methods of Screening).

2. **Pedestrian circulation.** Concrete sidewalks with a minimum width of five (5) feet shall be provided from all building entrances to adjacent parking areas, public sidewalks and recreation areas, along with barrier-free access ramps.

3. **Recreation areas.** Passive or active recreation areas (including but not limited to seating areas, playgrounds, swimming pools, walking paths and other recreational elements in accordance with the intended character of the neighborhood) shall be provided at a ratio of at least fifteen percent (15%) of the gross area of the development.

    a. The minimum size of each area shall be 5,000 contiguous square feet, and the length to width ratio of each area, as measured along the perimeter, shall not exceed four to one (4:1).

    b. Such areas shall be centrally and conveniently located to be physically and visibly accessible to residents, and shall not be located within any required yard setbacks or building separations.

    c. Off-road parking areas, driveways, basins, ponds, and accessory uses or areas shall not be counted as required open space.

4. **Other requirements.** Parking or storage of recreational vehicles, boats, utility trailers or similar items shall be prohibited, except in areas designated on an approved final site plan.

B. Senior Housing and Independent Elderly Housing.

The following additional standards shall apply to senior and independent elderly housing:

1. **Minimum floor area.** Dwelling units within a building shall average 350 square feet in floor area (not including kitchen and sanitary facilities).

2. **Accessory uses.** Accessory retail, restaurant, office, and service uses may be permitted within the principal building(s) for the exclusive use of residents, employees and guests. No exterior signs of any type are permitted for these accessory uses.

C. Nursing Homes, Assisted Living Facilities, and Dependent Elderly Housing.

The following additional standards shall apply to nursing homes, assisted living facilities, and dependent elderly housing:

1. **State and federal regulations.** Such facilities shall be constructed, maintained, and operated in conformance with applicable local, state, and federal laws.

2. **Accessory uses.** Accessory retail, restaurant, office, and service uses may be permitted within the principal building(s) for the exclusive use of residents, employees and guests. No exterior signs of any type are permitted for these accessory uses.

Section 5.207 Single-Family Dwellings, Detached

Detached single-family dwellings, except manufactured housing units located in an approved and licensed manufactured housing park, shall comply with the following standards:

A. General Standards for All Single Family Detached Dwellings.

1. All dwellings shall have a minimum width across all front, side, or rear building façade elevations of 24 feet (see illustration), and shall comply with the minimum floor area requirements of the zoning district in which they are located.

2. All dwellings shall be constructed or placed upon and anchored to a foundation that complies with the applicable provisions of the State Construction Code enforced by Washtenaw County and completely encloses the area under the building. A manufactured home may be installed and anchored pursuant to the manufacturer's setup instructions and the applicable Michigan Manufactured Housing Commission General Rules, provided that its wheels and towing mechanism have been removed and the undercarriage has been secured and screened from view with permanent skirting or similar measures.

3. All dwellings shall be constructed with a minimum roof pitch of 3:12 [three (3) inches vertical rise for every twelve (12) inches horizontal run].

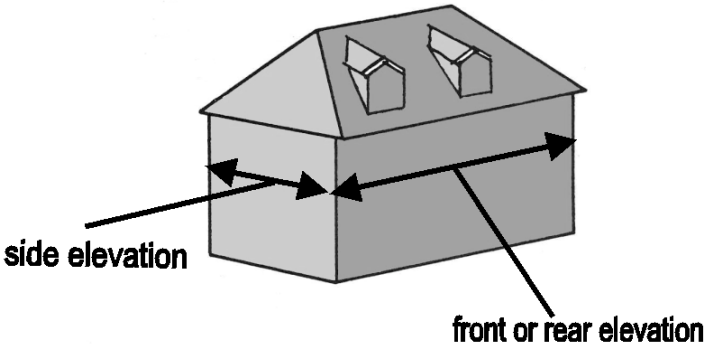
4. Each dwelling shall have a minimum of two exterior doors. One (1) exterior door shall be located on the front elevation of the building, and the second required exterior door shall be located on the side or rear elevation. Permanent steps, porches or barrier free access ramps shall be provided where there is a difference in elevation between a doorway and grade level.

5. Dwellings shall contain an indoor storage area within the dwelling or a separate accessory structure equal to a minimum of ten percent (10%) of the total residential floor area or 100 square feet, whichever is less.

6. Dwellings shall be connected to an approved water supply and sanitary sewerage or septic system.

7. New construction and additions to existing dwellings shall conform to all requirements of this Ordinance.

ILLUSTRATION



Dwelling Elevations

SECTION 5.300
OFFICE, SERVICE, AND COMMUNITY USES

Section 5.301 Cemeteries.

Cemeteries and similar uses shall be subject to the following:

1. **Minimum lot area.** The minimum lot area for any new cemetery shall be ten (10) acres.

2. **Ingress and egress.** All access shall be provided from a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

3. **Screening.** The cemetery shall be secured by a fence, and screened from abutting residential districts or existing residential uses per Section 8.04 (Methods of Screening).

4. **Setback.** All crypts, mausoleums, and other buildings containing bodies or remains, other than a subterranean grave, shall be set back a minimum of 100 feet from all lot boundaries.

5. **Continuity.** The location shall not disrupt the convenient provision of utilities to adjacent properties, nor disrupt the continuity of the public road system.

6. **Compliance.** An approved cemetery shall comply with all federal, state and local laws, and applicable regulations of the State of Michigan.

Section 5.302 Day Care Centers, Group Day Care Homes, and Adult Foster Care Large Group Homes.

The following regulations shall apply to group day care homes, child day care centers, and adult foster care large group homes:

1. **Licensing.** In accordance with applicable state laws, such facilities shall be registered with or licensed by the State of Michigan, and shall comply with the minimum standards outlined for such facilities.

2. **Outdoor recreation area.** All day care facilities shall provide an on-site, outdoor recreation area for the users of the facility.

3. **Access.** Adequate areas shall be provided for employee and resident parking, and pick-up and drop-off of children or adults, in a manner that minimizes pedestrian-vehicle conflicts, and allows maneuvers without affecting traffic flow on the public road. Child day care centers shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

4. **Separation requirements.** New group child day care homes shall be located a minimum of 1,500 feet from any other state licensed residential facility, as measured between the nearest points on the property lines of the lots in question. The Planning Commission may permit a smaller separation upon determining that such action will not result in an excessive concentration of such facilities in a single neighborhood or the Township overall.

5. **Hours of operation.** Day care facilities in the Rural, Rural Residential, and Residential zoning districts shall operate a maximum of 16 hours per day.

Section 5.303 Funeral Parlor or Mortuary.

Funeral parlors and mortuaries shall be subject to the following:

1. **Assembly area.** An adequate assembly area shall be provided off-street for funeral processions and activities. All maneuvering area and exit aprons shall be located within the site and may be incorporated into the required off-street parking. Streets and alleys shall not be used for maneuvering or parking of vehicles.

2. **Screening.** The service and loading area shall be screened from adjacent residential districts or existing residential uses per Section 8.04 (Methods of Screening).

3. **Caretaker's residence.** A caretaker's residence shall be permitted accessory to a funeral home or mortuary, in accordance with the following:

   a. An accessory dwelling unit within the principal building shall be subject to the requirements of Section 5.201 (Accessory Dwelling).

   b. A detached single-family dwelling located on the same lot with the principal use shall be subject to the requirements of Section 5.207 (Single-Family Dwellings, Detached).

4. **Crematoriums.** Crematoriums are an INDUSTRIAL, RESEARCH, AND LABORATORY USE subject to the standards of Article 4 (Land Use Table) and Section 5.503 (Intensive Industrial Operations).

Section 5.304 Institutional Uses.

The following shall apply to all educational, social and religious institutions, public and private elementary and secondary schools, institutions for higher education, auditoriums, and other places for assembly, and centers for cultural activities:

1. **Height.** The maximum height of the principal building containing an institutional use shall be subject to the following conditions and exceptions:

a. The building height shall be permitted to exceed the maximum height requirements of the district up to a maximum height equal to twice the permitted maximum height of the district, provided that the minimum required front, side and rear yard setbacks shall be increased to equal the height of the building wall abutting each yard.

b. The highest point of chimneys, stage towers of scenery lofts, church spires, cupolas, and domes may be erected to a height not exceeding twice the height of the building, provided that no such structure shall occupy more than twenty percent (20%) of the roof area of the building.

2. **Frontage and access.** Institutional uses shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

3. **Traffic impacts.** A traffic impact study and proposed mitigation measures may be required by the Planning Commission, per Section 7.14(Traffic Impact Studies), for facilities that have a seating capacity of over 500 persons.

Section 5.305 Private Recreational Facilities.

Private parks and recreational facilities (including but not limited to private parks, country clubs, golf courses, golf driving ranges, sportsman's clubs and other privately-owned recreational facilities shall be subject to the following:

A. General Requirements.

The following general standards shall apply to all private recreational facilities:

1. Structures associated with such uses shall be located at least 250 feet from a lot line or any adjacent residence or residential district.

2. Such uses shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

3. All primary activities associated with such operations and conducted out-of-doors or fashion that would create significant or undue disturbance to adjacent uses shall be limited to hours of operation that shall not exceed 7:00 a.m. to 10:00 p.m.

4. Construction, expansion, and alteration of private recreational facilities shall be subject to site plan approval per Section 12.01 (Site Plan Review).

5. The Planning Commission may require the applicant to submit an impact assessment of the proposed use to determine potential impacts on surrounding properties and uses, and proposed mitigation measures.

B. Sportsman's Clubs and Ranges.

The following additional standards shall apply to all sportsman's clubs, shooting ranges, and similar uses:

1. **Minimum land area.** Such facilities shall be located on a parcel of land not less than ten (10) acres in gross lot area.

2. **Security fencing and signage.** Such facilities shall be secured by perimeter fencing with a minimum height of six (6) feet, and posted through both symbol and written statement so as to inform the public of the nature of the facility at frequent intervals not to be greater than 50 feet apart.

3. **Compliance with standards.** Design and operation of such facility shall also be in accordance with current National Rifle Association specifications and practices and applicable state and federal laws.

4. **Indoor ranges.** Indoor firearms ranges shall be insulated with sound dampening materials, and shall be set back a minimum of 500 feet from all lot boundaries.

5. **Outdoor ranges.** Outdoor firearms ranges shall be surrounded by berms or other suitable containment and noise dampening measures, and set back a minimum of 1,500 feet from all lot boundaries.

6. **Noise impacts.** All facilities shall be designed to contain projectiles within the site, and to minimize noise impacts on surrounding properties and uses.

C. Golf Course and Driving Range Regulations.

The following minimum acreage and road frontage requirements shall apply to all golf courses and driving ranges, in addition to the general standards above:

Type of Course	**Minimum Lot Area** (acres)	**Minimum Road Frontage** (feet)
Nine (9) hole, Par 3	20	330
Nine (9) hole	80	660
18 hole	140	1,320

1. The course shall be designed and maintained to prevent golf balls or other course activities from encroaching on abutting lots or uses.

2. The use of netting or similar materials to contain errant golf balls within the site shall be prohibited, except where the Planning Commission determines that it would be compatible with surrounding uses.

3. The site plan shall include illustration of expected ball trajectories and dispersion patterns along fairways and for driving ranges located within 500 feet of a building, parking lot, lot boundary or road right-of-way.

Section 5.306 Recreational Vehicle Parks and Campgrounds.

Recreational vehicle parks and campgrounds shall be subject to the following:

1. **Lot area.** Minimum site area shall be ten (10) acres.

2. **Screening and security.** The Planning Commission may require a fence up to six (6) feet in height around the perimeter of the site, and may require screening from road rights-of-way and abutting residential uses in accordance with Section 8.04 (Methods of Screening).

3. **Setbacks.** Structures and areas designated for camping shall be located a minimum of 100 feet from all lot boundaries. The storage of vehicles not set up for occupancy shall be located a minimum of 200 feet from all lot boundaries, and shall be screened in accordance with Section 8.04 (Methods of Screening).

4. **Additional standards.** Campgrounds shall comply with all applicable county and state regulations. Each campsite shall either be provided with approved potable water and sanitary sewer or septic hookups, or shall have convenient access to approved bathrooms, toilets, and shower facilities.

5. **Access.** Recreational vehicle parks shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

6. **Parking.** The site shall include adequate vehicle access and parking facilities. All parking for campgrounds and recreational vehicle parks shall be set back a minimum of 40 feet from any residential district.

7. **Use standards.**

   a. **Temporary residency.** Campgrounds and recreational vehicle parks shall be for seasonal recreation use only. This provision shall not apply to the manager or caretaker.

   b. **Impact on surrounding uses.** The location, layout, design, or operation of campgrounds and recreational vehicle parks shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby lots. Such uses shall not generate excessive noise, odors, dust, or other impacts that impair the continued use and enjoyment of adjacent lots.

   c. **Accessory retail facilities.** Limited retail uses shall be permitted accessory to a campground or recreational vehicle park, provided that such uses are designed to serve only campground or park patrons.

Section 5.307 Therapeutic Massage.

Massage therapy clinics and uses shall be subject to the following conditions:

1. Massage therapy services shall be permitted as a use accessory to hospitals, nursing homes, and medical clinics or offices. Massage therapy shall also be permitted as a principal use as specified in Article 4 (Land Use Table).

2. All massage therapists shall be licensed (where such licenses are available), and shall be certified members of the American Massage and Therapy Association or International Myomassethics Federation. Proof of such licenses or certifications shall be provided to the Township.

3. All activities that meet the definition of an adult use or sexually oriented business shall be prohibited.

Section 5.308 Workshops or Studios.

Workshops, studios, showrooms or offices of photographers, skilled trades, decorators, artists, upholsterers, tailors, taxidermists and similar businesses; or for repair and service of bicycles, electronics, small appliances, furniture, shoes, and similar items shall be subject to the following standards by zoning district:

1. **Industrial-Research District.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the use.

2. **Commercial Districts.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall occupy a minimum of fifty percent (50%) of the usable floor area occupied by the use, and shall include the street level façade.

SECTION 5.400

COMMERCIAL USES

Section 5.401 Amusement Centers.

Indoor and outdoor amusement centers, arcades that provide space for patrons to engage in the playing of mechanical amusement devices, and similar activities shall be subject to the following:

1. **Access and location.** All amusement centers and arcades shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

2. **Outdoor amusement centers.** Outdoor amusement centers also shall be subject to the standards of Section 5.409 (Outdoor Sales or Display Areas).

Section 5.402 Bakeries.

Bakeries shall be subject to the following standards by zoning district:

1. **Industrial-Research District.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the use.

2. **Commercial Districts.** Showrooms or sales and display areas for sales of products or services at retail on the premises shall occupy a minimum of fifty percent (50%) of the usable floor area occupied by the use, and shall include the street level façade.

Section 5.403 Big Box COMMERCIAL USES.

COMMERCIAL USES with more than 50,000 square-feet of total gross floor area (including "Big-Box" stores, supermarkets, and wholesales stores, and multi-tenant shopping centers with more than 50,000 square-feet of total gross floor area in a single building footprint) shall be subject to the following:

1. **Access and circulation.** Vehicular circulation patterns shall be designed to eliminate potential conflicts between traffic generated by the site, and traffic and adjacent streets and streets, and the number and location of curb cuts shall be the minimum necessary to provide adequate access to the site.

    a. Sites shall have frontage on a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.

b. A traffic impact study and proposed mitigation measures shall be required, per Section 7.14 (Traffic Impact Studies).

2. **Outlots.** The site design, circulation, parking layout and building architecture of any outlots shall be complementary to and fully integrated with the design of the overall site. Separate curb cuts for any outlots shall be prohibited, except where determined to be necessary by the Planning Commission.

3. **Screening.** Screening shall be required from adjacent residential districts in accordance with Section 8.04 (Methods of Screening), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.

4. **Loading areas.** Loading/unloading of merchandise or equipment, and trash disposal or compaction shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. Trucks or trailers parked at a loading dock may be unloaded onto the loading dock between the hours of 10:00 p.m. and 7:00 a.m., provided that all activity occurs inside the truck or trailer or within the building.

5. **Pedestrian access.** A minimum six (6) foot wide concrete sidewalk shall be provided through the parking areas to all public entrances in a manner that effectively separates pedestrians from vehicular traffic. Driveway crossings shall be clearly delineated with pavement striping.

Section 5.404 Car Washes.

Automobile, truck, and recreational vehicle wash facilities shall be subject to the following:

A. Use Standards.

1. All washing facilities shall be completely within an enclosed-building, and exit lanes shall be sloped to drain water back to the wash building or to drainage grates.

2. Steam used in the cleaning process shall be contained within an enclosed building.

3. Vacuuming facilities shall be prohibited within the front yard, and shall be set back a minimum of 100 feet from any RESIDENTIAL USE.

B. Ingress/Egress.

Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives or traffic generated by other buildings or uses.

1. Driveways serving a wash facility shall be set back a minimum of 100 feet from the intersection of any two (2) public roads.

2. Public roads shall not be used for maneuvering or parking by vehicles to be serviced by the car wash. Sufficient space shall be provided on the lot so that

vehicles do not enter or exit the wash building directly from an adjacent public road.

3. All maneuvering areas, stacking lanes, and exit aprons shall be located within the car wash lot.

C. Screening.

Screening shall be required from adjacent RESIDENTIAL USES per Section 8.04 (Methods of Screening), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.

Section 5.405 COMMERCIAL USES Permitted as an Accessory Use in an Industrial Zoning District.

COMMERCIAL USES permitted in an industrial zoning district shall be accessory to and incidental to a principal INDUSTRIAL, RESEARCH, AND LABORATORY USE. Showrooms or sales and display areas for sales of products or services on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the use.

Section 5.406 Drive-in or Drive-through Facilities.

Drive-in and drive-through lanes, facilities or establishments shall be subject to the following:

1. Such facilities shall be set back a minimum of 100 feet from abutting RESIDENTIAL USES. Screening shall be required from adjacent RESIDENTIAL USES per Section 8.04 (Methods of Screening), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.

2. Driveways serving a drive-in or drive-through facility shall be set back a minimum of 100 feet from the intersection of any two (2) public roads. No more than one (1) driveway shall be permitted per road frontage.

3. A bypass lane or similar means of exiting or avoiding the drive-through facility shall be provided, subject to Planning Commission approval.

4. Devices for the transmission of voices shall be directed and designed to prevent transmitted sound from being audible beyond the lot boundaries.

5. Sales of alcoholic beverages through any drive-through or drive-in service window or facility shall be prohibited.

6. Menu boards may be installed and maintained for the drive-through facility, subject to the following:

   a. Such signs shall be located on the interior of the lot, and shall be shielded to minimize visibility from all road rights-of-way and abutting lots.

b. The location, size, and manner of illumination shall not create or exacerbate a traffic or pedestrian hazard, or impair vehicular or pedestrian traffic flow.

c. The total sign area of all permitted menu boards shall not exceed 48 square feet.

Section 5.407 Motion Picture Cinemas.

Indoor or outdoor motion picture cinemas shall be subject to the following:

1. **Screening.** Screening shall be provided in accordance with Section 8.04 (Methods of Screening) where the site abuts a residential district or use.

2. **Access.** Sites shall have frontage on a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.

3. **Traffic impacts.** A traffic impact study and proposed mitigation measures may be required by the Planning Commission, per Section 7.14 (Traffic Impact Studies), for facilities that have a seating capacity of over 500 persons.

Section 5.408 Motor Vehicle Service Centers and Repair Garages, and Fueling Stations.

The following regulations shall apply to automobile, truck and other motor vehicle fueling (gas) stations, repair garages, and service centers:

A. Use Standards.

1. **Repair and service use limitations.** All equipment and service bays, hoists, pits, and other facilities shall be entirely within an enclosed building, and all repair work shall be conducted completely within an enclosed building. Repair stations shall not be permitted on sites immediately adjacent to any adjacent RESIDENTIAL USE.

2. **Noise and odors.** There shall be no external evidence of service and repair operations, in the form of dust, odors, or noise, beyond the interior of the service building. Buildings containing service and repair activities shall have appropriate filtering systems to prevent emission of odors. Building walls facing any residential districts or uses shall be of masonry construction with soundproofing.

3. **Pollution prevention.** The applicant shall submit a Pollution Incidence Protection Plan (PIPP) describing measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as special check valves, drain back catch basins and automatic shut off valves.

4. **Storage.** The storage, sale, rental or display of new, used, inoperable, wrecked or partially dismantled automobiles, trucks, trailers, and any other vehicles,

vehicle components and parts, materials, commodities, supplies or equipment on the premises is prohibited except in conformance with the requirements of this Section and Ordinance:

a. Outdoor storage shall be prohibited accessory to a fueling (gas) station, unless separate approval has been granted for a vehicle repair use.

b. Suitable containers shall be provided and utilized for the disposal of used parts or materials, which shall be stored at least 18 inches above the ground and screened from public view.

c. Storage of vehicles rendered inoperative, either through damage or disrepair or any other cause, and vehicles without current license plates, shall be limited to a period of not more than 30 days. Such storage shall not occur in front of the front building line. Such inoperative vehicles shall not be sold or advertised for sale on the premises.

B. Pump Island Canopy.

All lighting fixtures under the canopy shall be fully recessed into the canopy structure. The Planning Commission may permit a maximum intensity of 20.0 footcandles for lighting under the canopy as part of site plan approval, provided that site lighting is otherwise in compliance with Article 10 (Exterior Lighting). The proposed clearance of any pump island canopy shall be noted on the site plan, along with any signs, logo or identifying paint schemes on the canopy.

C. Lot and Setback Standards

1. **Minimum lot area.** The minimum lot area for such uses shall be 15,000 square feet.

2. **Minimum lot width.** The minimum lot width for such uses shall be 150 feet.

3. **Minimum setbacks.** The following setbacks shall apply to such uses:

   a. **Principal building.** Buildings shall comply with the setback requirements for the district in which the use is located. However, a minimum setback of 40 feet shall be maintained on all sides that abut a residential district or RESIDENTIAL USE.

   b. **Pump island structures.** Pump islands shall be set back a minimum of 25 feet from all lot boundaries and road rights-of-way. Pump island canopy structures shall set back a minimum of 20 feet from all lot boundaries and road rights-of-way. A minimum setback of 40 feet shall be maintained on all sides that abut a residential district or RESIDENTIAL USE.

D. Ingress and Egress.

Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives or traffic generated by other buildings or uses.

1. The maximum widths of all driveways at the right-of-way line shall be 30 feet.

2. Driveways shall be set back a minimum of 100 feet from the intersection of any two (2) public roads, and a minimum of 20 feet from abutting lot boundaries. All setbacks shall be measured along the road right-of-way line.

3. No more than one (1) driveway shall be permitted per road frontage.

E. Screening.

All wrecked or damaged vehicles shall be screened from public view, and shall not be parked or stored within any front yard area. Open service bays and overhead doors shall not face towards an adjacent residential district or RESIDENTIAL USE unless screened in accordance with Section 8.04 (Methods of Screening). Outdoor storage of parts or materials shall be screened in accordance with Section 8.04 (Methods of Screening).

Section 5.409 Outdoor Cafés and Eating Areas.

Outdoor eating areas and sidewalk cafés shall be permitted as an accessory use, subject to the following:

1. **Accessory use.** Such uses shall be accessory to and incidental to a principal restaurant or similar food or beverage service use.

2. **Site plan approval.** Creation, expansion or alteration of outdoor eating areas on a zoning lot shall be subject to site plan approval per Section 12.01 (Site Plan Review).

3. **Use standards.** The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required. Broadcasting of music or any other amplified sound shall be prohibited.

4. **Signs.** Additional signs shall not permitted beyond those allowed for the principal use.

Section 5.410 Outdoor Sales or Display Areas.

Outdoor sales or display areas for sales or rentals of motor vehicles, recreational vehicles, building supplies, equipment, boats, merchandise or similar items shall be subject to the following:

A. Use Standards.

1. **Broadcasting Devices Prohibited.** Devices for the broadcasting of voice, telephone monitoring, music or any other amplified sound shall be prohibited outside of any building.

2. **Location.** The location of all sales activity and the display of all merchandise shall be maintained in the area specified on an approved plan. No sales activity

or display of merchandise shall be permitted in the public right-of-way or any required setback.

3. **Hours of operation.** Where the use abuts a residential district, the maximum hours of operation shall be limited to between the hours of 9:00 a.m. and 9:00 p.m., Monday through Friday; and between 10:00 a.m. and 6:00 p.m. on Saturdays.

B. Site Standards.

1. **Setbacks.** Outdoor sales or display areas shall be set back a minimum of ten (10) feet from any parking area, driveway or access drive, and 20 feet from any road right-of-way. No outdoor sales area shall be located within 50 feet of any residential district or use.

2. **Exterior lighting of outdoor sales or display area.** The Planning Commission may permit a maximum intensity of 20.0 footcandles for lighting within the outdoor sales or display area, provided that site lighting is otherwise in compliance with Article 10 (Exterior Lighting).

3. **Signs.** Additional signs shall not be permitted beyond those permitted for the principal use.

4. **Sidewalk standards.** The proposed activity shall be located so as to ensure safe vehicular and pedestrian circulation.

5. **Grading, surfacing, and drainage.** Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be hard-surfaced with concrete or bituminous material, and shall be graded and drained so as to effectively dispose of or retain surface waters.

6. **Screening.** Such sales or display area shall be screened from adjacent residential districts in accordance with Section 8.04 (Methods of Screening).

SECTION 5.500
INDUSTRIAL, RESEARCH, AND LABORATORY USES

Section 5.501 INDUSTRIAL, RESEARCH, AND LABORATORY USES Where Permitted as Accessory Uses.

Where permitted in agricultural zoning districts, such uses shall be accessory to and incidental to a principal RURAL USE. Where permitted in commercial zoning districts, such uses shall be accessory to and incidental to a principal COMMERCIAL USE.

Section 5.502 Hazardous Materials Storage.

Such uses shall comply with all standards of this Ordinance, and all standards established by the U.S. Environmental Protection Agency, U.S. Department of Agriculture, Michigan Department of Environmental Quality, Michigan State Police, Washtenaw County Environmental Health Division, and other agencies with jurisdiction.

The applicant shall submit an impact assessment with any plan submitted for review, which shall describe the expected impacts associated with the use and any mitigation measures to be employed. The assessment shall include the following minimum information and documentation:

1. Description of all planned or potential discharges of any type of wastewater to a storm sewer, drain, river, stream, wetland, other surface water body or into the groundwater.

2. Description of storage area for any salt, oil or other potentially hazardous materials including common name, name of chemical components, location, maximum quantity expected on hand at any time, type of storage containers or base material, and anticipated procedure for use and handling.

3. Description of any transportation, on-site treatment, cleaning of equipment, and storage or disposal of hazardous waste or related containers.

4. Description of all secondary containment measures, including design, construction materials and specifications, and security measures

5. Description of the process for maintaining and recording of all shipping manifests.

Section 5.503 Intensive Industrial Operations.

Intensive industrial operations shall be subject to the following:

1. **Setbacks and screening.** Sites shall not be located within 500 feet of any residential district or use, and shall be screened from all road rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening).

2. **Parking and loading.** All parking, loading and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.

3. **Impact assessment.** The applicant shall submit an impact assessment describing the expected impacts associated with the use and any mitigation measures to be employed.

Section 5.504 Outdoor Storage, General.

Outdoor storage of equipment, products, machinery, lumber, landscaping and building supplies or similar Items shall be subject to the following:

1. **Screening.** The storage area shall be enclosed within a solid wall or fence at least six (6) feet and no more than eight (8) feet in height. The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening).

2. **Setbacks.** Any storage area shall comply with the minimum setback requirements for the district in which the facility is located. No storage shall be permitted in any required setback areas.

3. **Use standards.**

   a. No junk or junk vehicles shall be stored, and no trailer, manufactured home or truck trailer shall be stored or used for storage.

   b. The storage of soil, fertilizer and similar loosely packaged materials shall be contained and covered to prevent them from blowing into adjacent lots or rights-of-way.

   c. Any outside storage area shall be paved or surfaced with a gravel or similar hard surface material, and shall include an approved stormwater management system.

   d. No materials shall be stored above the height of the required wall or fence.

   e. In no case shall used oil or other petrochemicals be dumped or stored, except at an authorized waste oil recovery facility.

Section 5.505 Outdoor Storage, Dismantling or Recycling of Motor Vehicles, Recreational Vehicles, Boats, Manufactured Houses, and Similar Items.

Junkyards, salvage yards, and similar outdoor vehicle storage, dismantling or recycling facilities shall be subject to the following:

1. The storage area shall be enclosed within a solid wall or fence at least six (6) feet and no more than eight (8) feet in height. Strips of metal, plastic or other materials inserted into wire fences shall be prohibited.

2. The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening).

3. Such uses shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

4. Automobiles, trucks, and other vehicles or materials shall not be stacked higher than the top of the fence surrounding the junkyard.

5. Junk materials shall be stored in organized rows with open intervals at least 20 feet wide between rows for purposes of fire protection access and visitor safety. The junkyard shall be maintained in such a manner as to prevent the breeding or harboring of rats, insects or other vermin.

6. Where such uses are established and located within 1,000 feet of existing residential zoning districts or RESIDENTIAL USES, as measured on a straight-line distance, hours of operation shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, and between 7:00 a.m. and 6:00 p.m. on Saturdays.

7. Burning shall be prohibited except within an enclosed incinerator approved by the Saline Area Fire Chief and Washtenaw County.

8. All flammable liquids shall be drained immediately from automobiles and other vehicles brought to the facility. Such liquids shall be stored in containers approved by the Saline Area Fire Chief.

9. There shall be not more than one (1) entryway from each public road that adjoins the junkyard. All drives, parking areas, and loading/unloading areas shall be paved or hard surfaced with gravel or similar approved materials.

Section 5.506 Self-Storage Warehouses.

The following regulations shall apply to self-storage warehouses:

1. **Lot area.** The minimum lot area for mini-warehouses shall be two (2) acres.

2. **Permitted use.** Self-storage-warehouse establishments shall be limited to storage of household goods and non-hazardous commercial goods. Storage of recreational vehicles and recreational equipment shall be subject to the following:

   a. Such storage shall be incidental to the main use of enclosed storage.

b. Such storage shall be located to the rear of the lot and subject to any additional screening as determined by the Planning Commission at site plan review.

c. All such recreational vehicle and equipment storage must be operable and licensed to operate on the highways of the State of Michigan.

d. All internal circulation routes shall be at least 24 feet wide.

3. **Screening.** Sites shall be visually screened from all road rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening).

4. **Caretaker's residence.** A caretaker's residence may be provided within the principal building as an accessory dwelling unit, or on the site as a detached single-family dwelling.

Section 5.507 Slaughter Houses, Rendering Plants, Stockyards or Similar Facilities.

Such uses shall be subject to the following:

1. **Separation requirements.** The above uses shall be located at least 500 feet from Rural Residential and Residential zoning districts and RESIDENTIAL USES.

2. **Sanitation requirements.** The waste and by-products obtained from the slaughtering operations conducted on the premises may be transported to some other location to be rendered. No rendering shall be permitted on products originating outside of the slaughterhouse, and only dry rendering processes shall be used. Sanitary facilities shall be subject to approval by the Washtenaw County Environmental Health Division or other agency with jurisdiction, and all waste and manure shall be removed daily.

3. **Parking and loading.** All parking, loading and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.

4. **Impacts.** The applicant shall submit an impact assessment describing the expected odors, aesthetics, environmental impacts, vehicular and truck traffic impacts associated with the use, and any mitigation measures to be employed.

SECTION 5.600

OTHER USES

Section 5.601 Adult Entertainment Uses.

It is recognized that there are some uses that, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several such uses are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of property values of the surrounding neighborhood.

Accordingly, it is the intent and purpose of Saline Township to adopt reasonable regulations for adult entertainment uses in the Township, so as to minimize the adverse effects caused by this activity on the public health, safety, and welfare of persons and property within the Township. Therefore, in addition to other regulations set forth in this Ordinance, the operation or expansion of any and all adult entertainment uses, whether conducted as a separate business activity or in conjunction with another use, shall conform to the following requirements:

A. Minimum Separation.

The following minimum separation distances shall be measured by a straight line between a point on the boundary of a zoning district listed below or a lot occupied by a use listed below nearest to the contemplated structure or contemplated location of the structure containing the adult entertainment use and the nearest point on the contemplated structure or contemplated location of the structure containing the adult entertainment use.

1. No adult entertainment use shall be located within 1,000 feet of any other adult entertainment uses.

2. No adult entertainment use shall be located within 1,000 feet of any amusement centers or ice or roller skating rinks; indoor or outdoor movie theaters; institutional uses, as defined in Section 18.02 (Definitions); child day care facilities; or boundary of any Rural Residential or Residential zoning district.

B. Use Standards.

The following standards shall apply to such uses:

1. All adult entertainment uses shall be contained in a freestanding building. Enclosed malls, commercial strip stores, common wall structures, and multi-tenant buildings shall not constitute a freestanding building.

2. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas from any public way or from any property not regulated as an adult entertainment use. This provision shall apply to any display, decoration, sign, window or other opening. Shielding shall not consist of a curtain alone.

3. Adult entertainment uses shall not be located within or attached to a building occupied by any dwelling unit, or on the same lot where one (1) or more dwelling units are located.

4. Hours of operation shall be limited to between 11:00 a.m. and 2:00 a.m.

5. Every place on the premises to which patrons are permitted access shall be illuminated with overhead lighting fixtures at a minimum intensity of one (1) footcandle, measured at floor level.

6. The applicant shall submit a diagram of the premises showing a plan thereof and specifying the location of one (1) or more manager's stations, the location of all overhead lighting fixtures, and the intensity of each fixture. Each manager's station shall not exceed 30 square feet of floor area.

7. The premises shall be so configured and designed to provide an unobstructed view of each area of the premises to which any person is permitted access for any purpose from at least one (1) of the manager's stations.

8. All changing of attire by employees or performers shall be within a completely enclosed room into which access by patrons shall be prohibited.

Section 5.602 Aircraft Landing Strips.

Private aircraft landing strips, hangers, masts, and related facilities shall comply with the following:

1. The aircraft landing strip site and design shall comply with the standards established by the FAA and the Michigan Department of Aeronautics concerning obstruction to air navigation.

2. All required "clear zones" (as defined by the FAA) shall be owned by the aircraft landing strip owner, or set aside as permanent open space by a recorded conservation easement.

3. The number of permitted runways shall not exceed a maximum of two (2).

4. Sufficient parking shall be provided for aircraft storage areas, offices and other uses associated with the landing strip.

5. An emergency access road shall be provided and maintained to the landing strip for access by fire and emergency vehicles constructed of either asphalt, concrete, or compacted gravel.

6. The plans for such facilities shall be subject to approval by the Federal Aviation Agency (FAA) and the Michigan Department of Aeronautics, where required by these agencies. Use of the landing strip shall be limited to aircraft classified as airplane design group (ADG) Group 1 and 2 by federal standards.

Section 5.603 Composting Centers.

Composting centers and support facilities shall be subject to the following:

A. Size and Location.

1. The minimum size of a composting facility shall be 20 acres.

2. A composting facility shall not be allowed in any 100-year floodplain, groundwater recharge area or regulated wetland.

B. Ground and Surface Water Quality.

1. To ensure that ground or surface waters are not contaminated, monitoring wells shall be installed by the owner, operator or lessee on site prior to construction of the composting facility. The location of such wells shall be determined on a site-by-site basis, subject to review and approval by a professional acceptable to the Township. All review costs shall be assumed by owner/operator and/or lessee.

2. Any stream or wetland present on the site shall be buffered by a 100 foot unoccupied setback measured from the outer edge of the wetland, floodplain, or all alluvial soils to ensure that the stream or wetland is adequately protected from pollution.

3. The surface and ground waters at a composting facility shall comply with the water quality requirements of applicable state and federal laws.

4. Sampling of groundwater monitoring wells must start before operations begin, continue quarterly during the active life of operations, and quarterly for a two year period after operations cease for compliance with applicable state and federal laws. The monitoring shall be done by a professional acceptable to the Township. All costs for such monitoring shall be assumed by owner/operator or lessee.

5. Should test wells reveal violation of the water quality requirements of applicable state and federal laws, the petitioner shall be required to install a groundwater remediation system. The system shall be subject to review and approval by a professional acceptable to the Township. All costs shall be assumed by owner/operator or lessee.

6. Surface water monitoring shall also be required in addition to groundwater monitoring to assess the adequacy of leachate containment and runoff control and for compliance with applicable state and federal laws. Such monitoring shall be required quarterly. The monitoring shall be done by a professional acceptable to the Township. All costs for such monitoring shall be assumed by the owner/operator or lessee.

7. Analysis for all ground and surface water monitoring events shall be submitted to the Township within 60 days after analyses.

8. Discharge of water collected in an on-site retention basin shall only be reintroduced into the compost pile, directed into a sanitary sewerage system, or transported and disposed of off-site by a liquid industrial waste hauler.

C. Site Plan Requirements for Composting Facilities.

This section establishes the requirements and procedures for operation of composting facilities for all facilities to be operated in Saline Township. All composting facilities shall submit a site plan to Saline Township for approval, containing the following:

1. Access route traffic patterns as well as on-site traffic patterns.

2. Maintenance plan for all outdoor areas where compost materials are received, processed, cured or stored to prevent rutting that would allow on-site ponding of water in places other than a retention basin.

3. Written documentation addressing the following:

   a. Hours of operation.

   b. Methods of controlling fugitive dust, noxious odors, noise, vibration, light, and blowing debris.

   c. Method of receiving compost materials.

   d. Method of sorting and handling composting materials on-site.

   e. Measures to be taken should anaerobic conditions arise.

   f. Expected frequency of removal of composted materials.

   g. Expected frequency for turning of composting windrows.

   h. Fire protection.

   i. Description of daily cleanup procedures.

   j. Measures to be taken should surface or groundwater contamination take place.

   k. The capacity of the composting facility in terms of cubic yards, and the maximum amount of compost material to be accepted annually.

4. A Level I Environmental Assessment of the site shall be conducted prior to site plan review. This assessment will include, at a minimum, systematic visual inspection for signs of adverse environmental activity; review of aerial photographs from a historical perspective; review of property ownership records and permit activities from the regulating agencies; and interviews with selected neighboring landowners for their knowledge of any activity on the site. Based upon the site inspection and data review, a chronological description of activity

on the site will be established in a written report submitted with the application for approval.

D. Use Standards.

Compost materials shall not be accepted on site in an anaerobic condition. Such facilities shall be closed when anaerobic conditions arise, with operations limited to correcting the condition. Determination of anaerobic conditions may be made by the Township Zoning Inspector, Washtenaw County, or a consultant hired by the operator, Township or County. If anaerobic conditions arise more than two (2) times in a 30 calendar day period, the Township Board may take action to require closure of the facility for a maximum of 60 calendar days. After two (2) such closures within one (1) calendar year, the Township Board may order the site to be closed permanently.

E. Screening and Separation Standards.

To ensure proper buffering of the composting facility from nearby land uses that may be adversely affected by the facility, the following requirements shall apply:

1. An isolation distance shall be maintained between the beginning of the program area designated to the composting facility and residential land uses. No composting facility shall be constructed within 1,000 feet of a residential zoning district or existing RESIDENTIAL USE.

2. The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening).

F. Maintenance.

This subsection is enacted to ensure that tracking of mud or compost materials from composting areas onto public off-site roads will be minimized and to assure that mud or compost materials that are tracked off-site are adequately removed. At the time of site plan approval, the operator of the composting facility shall submit a maintenance plan that addresses the following minimum provisions:

1. Method of dislodging mud and/or composting materials from the vehicles or undercarriage.

2. An on-site traffic control pattern, including a by-pass road around the truck cleaning area if applicable.

3. Method for removing soil, dust, and/or compost materials attributable to the composting operations from public roads within 1,500 feet of the composting area entrance and exits.

4. Methods of cleaning trucks and off-site roads as often as necessary to prevent the occurrence of nuisances resulting from the tracking of mud or compost materials.

G. Fugitive Dust, Noxious Odors, Noise, Vibration, Light, and Blowing Debris.

The operation of a composting facility shall not result in unreasonable off-site deterioration of air quality, cause unreasonable interference with the comfortable enjoyment of life and property, or cause injurious effects to human health, safety, and welfare. All composting facilities shall be designed, constructed and operated so that fugitive dust, noxious odors, noise, vibration, light, and blowing debris are controlled and do not cause off-site problems or nuisances.

The applicant shall submit with the site plan an operations plan to minimize the off-site occurrences of fugitive dust, noxious odors, vibrations, light, and blowing debris. This plan may include such measures as: restricting the daily work area, refusing to accept certain compost materials, or other appropriate measures. This plan shall be subject to Planning Commission approval.

Failure to meet minimum performance standards or maintain the site in compliance with the approved plans shall be considered a use violation of this Ordinance, subject to all applicable penalties

H. Compost Storage.

The height of compost material shall not exceed eight (8) feet, and storage of any material, other than compost, shall not be allowed on-site. No sludge of any kind shall be stored or deposited on composting facility property.

I. Closure Plan.

A closure plan shall be submitted which shall detail the final end use of the property should use of the facility be discontinued for more than 365 consecutive days.

1. The plan shall describe:

    a. How the existing site will be cleaned up.

    b. How and where the existing surface debris will be disposed.

    c. What the final disposition of the land will be.

2. The petitioner shall, prior to commencement of operations, deposit with the Township an amount sufficient to ensure site clean up should operations cease. The deposit shall be in the form of a cash or certified check deposit, or irrevocable bank letter of credit in an amount acceptable to the Township Board.

3. Violation of any of the provisions of this Section shall result in the Township having the right to close or cleanup the composting facility and operation at the expense of the owner/operator or lessee of the composting facility.

4. The Township may, at such time, direct the owner/operator or lessee to close or clean up the composting facility at the owner/operator or lessee's expense.

J. Right of Entry and Inspection.

All composting areas are subject to inspection by the Township Zoning Inspector, code enforcement officer, consultant or other designated agent during reasonable hours. The designated Township agent shall be empowered to collect and examine samples as deemed necessary to perform the duties prescribed herein, and to take photographic, videotape, or other representation of conditions existent at the composting area. No person shall hinder, obstruct, delay, resist, or prevent any inspection made or any sample collected and examined. Based on an alleged violation of this Ordinance, the designated Township agent may enter the disposal area when accompanied by a representative of the facility.

Section 5.604 Extractive Operations.

The purpose of this Section is to provide for the proper development and utilization of mineral resources existing within the Township, while at the same time making proper provisions for the present and future health, safety and welfare of the people of the community. The development and utilization of mineral resources in the Township shall be subject to appropriate regulations of the Township and other regulating authorities.

Such regulations shall consider the conduct of the extractive operation and the reuse of the extractive operation site upon termination of the activity. It is the intent of this Section that parcels subject to the extractive operations shall, upon termination of such operations, be reclaimed and rendered fully useful for one or more of the uses permitted as principal uses within the various districts included in this ordinance. Extractive operations shall be subject to the following:

A. Scope.

The following types of extractive activities shall be subject to the regulations of this Section:

1. The removing or extracting of any soil, sand, peat, marl, clay, gravel, stone, or similar materials.

2. The processing, storage, loading, and transportation of the above-mentioned materials.

These regulations, however, shall not affect the excavations of residential dwellings, commercial or industrial buildings, roads, wells, parking lots, sewer or water lines, or similar uses pursuant to the State Construction Code enforced by Washtenaw County.

B. General Requirements.

1. **Extractive operations.** Except by special permit from the Township Board, the extractive process, loading process, and public loading process shall be permitted only between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 7:00 a.m. and 12:00 noon on Saturdays. Extractive operations shall not be permitted on Sundays or legal holidays, except under exceptional circumstances (i.e., shutting down of kilns or furnaces).

a. Each permittee shall be held responsible for the clean up of any spillage of materials, such as: dirt, rock, mud, sand, or any debris hauled by vehicles over the designated travel route(s). Any such material shall be removed within 24 hours of receipt of notice from the Township.

b. Travel routes for trucks shall be submitted to and have written approval of the Washtenaw County Road Commission.

c. Any odors, smoke, fumes or dust generated on the extractive operations site by any digging, excavating, loading or processing activities shall be in conformance with the performance standards of this Ordinance and the applicable provisions of the Natural Resources and Environmental Protection Act, Part 55, Air Pollution Control, as administered by the Michigan Department of Environmental Quality.

d. Any noise generated on the extractive operations site by any digging, excavating, loading or processing activities shall not exceed a reading of 65 decibels at the property line.

e. The extractive operation shall be conducted in accordance with the Natural Resources and Environmental Protection Act, Part 31, Water Resources Protection, as administered by the Michigan Department of Environmental Quality and in conformance with the rules promulgated thereunder.

f. The extractive operation shall be conducted in accordance with the provisions of the Natural Resources and Environmental Protection Act, Part 91, Soil Erosion and Sedimentation Control, as administered by the Washtenaw County Drain Commissioner.

2. **Reclamation activities.** All abandoned extractive operations shall be rehabilitated progressively to a condition entirely lacking hazards, inconspicuous, and blended with the general surrounding environment and topography. Upon abandonment of the extractive operations, the permittee shall, within a reasonable period of time not to exceed 365 calendar days, remove all plant structures, stockpiles, and equipment. Structures that have a function under the reclamation plan may be retained.

3. **Blasting activities.** Blasting or the setting off of an explosive shall be restricted to the hours between 8:00 a.m., and 2:00 p.m., on weekdays except in case of extreme emergency. No blasting shall be permitted on Sundays or legal holidays.

a. Any applicant blasting or setting off an explosive within the Township, shall give the Township an estimated schedule of blasting operations and will also give notice to the Township as to the time and occurrence of each blast prior thereto by at least four (4) hours. A blasting notice shall also be given by the applicant to residents living within one-half mile of the blasting site.

b. The Township shall have the right to have a staff representative on site at the time of each blast to insure its compliance with the provisions of this Ordinance.

c. The type of explosive and detonating equipment, including size, timing and frequency of the blast shall be limited based on the physical conditions of the site so as to prevent: (1) injury to persons, (2) damage to public and private property outside the permit area, (3) adverse impaction of any underground mine; and, (4) change in the course, channels or availability of ground or surface water outside the permit area.

d. The intensity of ground motion produced by blasting operations shall not exceed the limit recommendations for residential structures developed by the U.S. Bureau of Mines, as follows:

(1) Vibration frequencies less than 15 Hz:

(2) 0.75 inches per second for drywall construction

(3) 0.50 inches per second for plaster construction

e. Vibration frequencies of 15 Hz to 40 Hz shall be measured as follows: Peak particle velocity = 0.05 X frequency. For example a peak particle velocity limit at 30 Hz = 1.5 inches per second.

f. Vibration frequencies of 40 Hz and higher shall not exceed 2.00 inches per second

g. The maximum peak particle velocity limits shall apply to each of the mutually perpendicular directions (longitudinal, transverse or vertical). Refer to the U.S. Bureau of Mines Report – Blasting, Impulsive Noise and Vibration (Ord. No. 232-2, R.I. 8507 of Appendix B).

h. An independent testing laboratory shall be provided by the applicant and approved by the Township, who shall provide adequate equipment for the purpose of monitoring the blast and shall be further required to maintain records prepared by an individual certified in the operation of said equipment and able to further attest to the accuracy of the blast monitoring records. Copies of these records shall be provided to the Township.

i. The applicant shall maintain a log detailing the location of the blast, the pattern and depth of the drill holes, the amount of explosive per hole, and the order and length of delay in the blasts. The log shall be maintained for a period not less than three (3) years and shall be made available to the Township upon request.

C. Design Requirements.

1. **Extractive Operations**. The following design requirements shall apply to all extractive operations:

   a. There shall be not more than one (1) entranceway from a public road for each 660 feet of front lot line. Said entrance shall be located not less than 500 feet from an intersection of two (2) or more public roads.

   b. No digging, stockpiling, excavating or equipment storage and repair shall take place closer than 250 feet from any lot line, and 300 feet from an existing RESIDENTIAL USE or residential zoning district. If inactive for more than one (1) year, stockpiles of surface overburden shall be seeded with grass or other materials so to prevent erosion onto other premises.

   c. All fixed equipment and machinery shall be located at least 100 feet from any lot line and 500 feet from any existing residential zoning district. In the event the zoning classification of any land within 500 feet of such equipment or machinery shall be changed to a residential classification subsequent to the operation of such machinery or equipment, the operation of such equipment or machinery may continue henceforth, but in no case less than 100 feet from any lot line adjacent to said residential district.

   d. During the site plan review process, the Planning Commission shall determine whether a fence will be required. If required, the location of the fence, type of fence and any posting requirements shall also be determined as part of the site plan review process.

   e. The slope of the banks within 500 feet measuring from the near edge of a public right-of-way or within 500 feet measuring from the property line of an adjoining land owner shall not exceed one (1) foot vertical drop to each four (4) feet horizontal.

   f. A permanent or portable processing plant and its accessory structures shall not be closer than 250 feet from any property line not associated with the extractive operation or a public right-of-way.

   g. The Township may require such other requirements as may be deemed necessary in the interest of public health, safety, and general welfare of Township residents.

2. **Reclamation activities.** The following design requirements shall apply to all reclamation activities:

   a. Submerged slopes of any body of water shall not exceed one (1) foot vertical drop to each four (4) feet horizontal to a depth of eight (8) feet.

   b. The surface of the extractive operation which is not permanently submerged shall be graded or backfilled with local surface overburden

materials as necessary to produce a topography similar to that in the surrounding area or of a gentle rolling surface, that will minimize wind and water erosion. Topsoil, of a quality similar to the area, shall be applied in a thickness of no less than six (6) inches over the surface overburden.

c. Vegetation common to the area shall be restored by the seeding of grasses and subsequent planting of trees and shrubs to establish a self-sustaining vegetative cover on the land surface, to minimize erosion.

D. Application Procedures and Review Process.

All blasting and extractive operation activities shall be carried out under the conditions of a special use approval. At the time of application for special use approval for an extractive operation, the applicant shall submit an extractive and reclamation plan to the Planning Commission.

1. The applicant shall file an extractive and reclamation site plan in accordance with the requirements of this Subsection. This plan may be in the form of a plat or map, and shall carry evidence of review and approval if required by any county or state agency of competent jurisdiction. On the basis of this plan, the operating company shall file a statement of the area to be excavated.

2. Before commencement of extractive operations, a zoning permit shall be issued by the Zoning Inspector upon payment of any annual escrow deposit for inspections in accordance with the Schedule of Fees as adopted by the Township Board. This escrow deposit shall defray any administrative expense rising out of the extractive operation.

3. A yearly zoning permit shall also be required for any blasting done within the Township. The permit shall be issued by the Zoning Inspector and shall be in accordance with the Schedule of Fees as adopted by the Township Board.

E. Site Plan Requirements.

1. **The extractive operations component.** The following information shall be included with the site plan for an extractive operation, in addition to the information requirements of Section 12.01 (Site Plan Review):

   a. Recent aerial photos [within the last five (5) years] showing the extractive area and adjacent property, location and outline of wooded areas, streams, wetlands, and other natural features;

   b. Location of existing and planned site improvements such as buildings, equipment, stockpiles, roads or other features necessary to the extractive operation;

   c. Total area to be affected by the extractive operation, including a final grading plan;

d. Location and description of soil types;

e. The type and an estimate of the amount of material to be extracted from the site and the expected termination date of the extractive operations;

f. Description of all activities to be conducted on the premises such as, but not limited to, operating hours, methods of extractive, sorting and washing operations, and the type, size and nature of the equipment to be used;

g. Required affidavits or permits of operation secured from County, State or Federal agencies, addressing pollution or erosion control measures adopted by the extractive operation;

h. Certified statement by a professional geologist with supporting data and analyses, concerning expected impact on groundwater resources and water supply wells in the vicinity of the site. To verify this information, the Township may require any or all of the following:

(1) Information regarding the water table through the planned extractive operation area and within one-half (½) mile of the site;

(2) An opinion on all impacts on the water table and private wells within the reasonably anticipated area of impact during and subsequent to the extractive operation. Each private well should be referenced on the site plan;

(3) Information on the quality and anticipated impacts on surface water, groundwater and the watershed during and subsequent to the extractive operation.

i. A map showing truck routes to and from the site; as approved by the Washtenaw County Road Commission. Such routes shall be limited to public roads classified as major roads or primary roads on the master transportation plans of the Township, or county or state road authorities.

j. Name, address, and telephone number of person with official authority to represent operation in extractive matters.

2. **The reclamation component.** The following information shall be included with the site plan for the reclamation component, in addition to the information requirements of Section 12.01 (Site Plan Review)::

a. The planned date for completing the extractive operation.

b. Schedule and areas of progressive rehabilitation;

c. The proposed use of the site when restored.

d. Provisions for grading, re-vegetation and standardization that will minimize erosion, sedimentation and public safety problems; and

e. Name, address, and telephone number of a person with official authority to represent operator in reclamation matters.

F. Financial Guarantees.

The applicant shall provide the Township with a financial security, in the form and amount acceptable to the Township Board, to guarantee the reclamation and rehabilitation of the site according to the approved plan.

1. The applicant shall also provide the appropriate permitting information regarding financial guarantees, if required, from the Washtenaw County Road Commission, for the maintenance of the approved haul routes traversed by their vehicles.

2. The applicant shall also provide proof of liability insurance with Saline Township and its current and past officials, boards, commissions, employees, representatives, agents, and designated consultants listed as additional insured.

G. Inspection and Conformance.

The Township Zoning Inspector, code enforcement officer, consultant or other agent designated by the Township Board shall make at least four (4) inspections of the extractive operation per calendar year, to ensure conformance with the requirements of this Ordinance. The applicant shall pay the required inspection escrow deposit to the Township for such inspections pursuant to the fee schedule established by the Township Board.

1. Any violations shall be reported in writing to the Township Board. The report shall be forwarded with a request for compliance, to the permittee.

2. Failure on the part of the permittee to correct a reported violation within 30 days after such request is made by the Township, shall be reason for revocation or suspension of the permit. Additional time for correction of the cited violation may be allowed upon submission to the Township Board of good and sufficient cause by the permittee.

Section 5.605 Private Off-Road Courses.

Private recreational motocross or BMX courses and similar off-road courses shall be subject to the following:

1. The principal dwelling of the property owner for the subject parcel shall be located on the same or an adjoining parcel.

2. The lot area shall not be less than 10 contiguous acres under single ownership.

3. Grading for the course shall be kept to a minimum. Site grading that would change the general topography of the site or adversely impact drainage patterns or adjacent watercourses shall be prohibited.

4. All structures, improvements, and other elements of the course shall be set back a minimum of 50 feet from all lot boundaries and road rights-of-way, and 150 feet from dwellings on abutting parcels.

5. There shall be no excessive noise, or obnoxious odors, or other nuisances caused by course activity.

6. The hours of operation for such courses shall be limited to between the hours of 8:00 a.m. and 8:00 p.m.

7. Use of the course shall be limited to the family and guests of the property owner. Such courses shall not be open to the general public, and shall not be available for public tournaments or for rent. There shall be no commercial activity, other than incidental sales not unusual for a residential use.

8. Approval of a Certificate of Zoning Compliance shall be required per Section 1.07 (Permits and Certificates of Zoning Compliance). No formal site plan shall be necessary unless otherwise required by this Ordinance.

Section 5.606 Racetracks.

Racetracks and similar facilities shall be subject to the following:

1. **Frontage and access.** Racetracks and similar facilities shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

2. **Accessory uses.** Retail, restaurant, office, and service uses may be permitted within a racetrack facility for the exclusive use of patrons, employees, and guests.

3. **Screening.** The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 8.04 (Methods of Screening). The racetrack, grandstands, and service areas shall be enclosed within a solid wall or fence at least six (6) feet and no more than eight (8) feet in height.

4. **Setbacks.** All structures and racetrack facilities shall be set back a minimum of 300 feet from all lot boundaries and road rights-of-way, and a minimum of 1,000 feet from the boundary of Rural Residential and Residential zoning districts and abutting RESIDENTIAL USES.

5. **Parking and loading.** All parking, loading and maneuvering space shall be contained within the site.

6. **Impact assessment.** The applicant shall submit an impact assessment describing the expected impacts associated with the use and any mitigation measures to be employed. At a minimum, the assessment shall address the following:

   a. Anticipated levels and costs of necessary public services associated with the proposed racetrack use. Any additional public services not currently available shall be identified, along with proposed measures to secure such services.

   b. Anticipated noise levels shall be provided at the lot boundaries and road rights-of-way, and any proposed noise mitigation measures.

   c. Anticipated traffic impacts, including operational plans to ensure that traffic to and from the site does not adversely impact public roads, or the public health, safety or welfare.

   d. Any other anticipated impacts of the proposed use.

7. **Insurance certificate.** The applicant shall submit a valid certificate of insurance, to be renewed annually, listing the Saline Township as the certificate holder and naming the Saline Township, its past, present and future elected officials, representatives, employees, boards, commissions, agents, and designated consultants as additional named insured. The certificate shall also state that if any of the described policies are to be canceled before the expiration date thereof, the issuing company will mail thirty days written notice to the Township as certificate holder. The Township may require the applicant to supply a $1,000.00 cash bond to the Township, which shall be used to reimburse administrative expenses in the event the certificate is allowed to lapse.

Section 5.607 Topsoil Removal or Stockpiling on Sites Under Development.

The removal or temporary stockpiling or of topsoil on a site under development in Saline Township shall comply with all applicable federal, state, and local laws, regulations, codes, and ordinances; and shall be subject to the following:

1. **Development sites and site plan approval.** Removal or temporary stockpiling of topsoil on a site under development shall be prohibited, except where a site plan has received final approval from the Township. Expiration of site plan approval shall also cause any zoning permit for removal or temporary stockpiling of topsoil to immediately expire.

2. **Zoning permit.** Approval of a zoning permit per Section 1.07 (Zoning Permits) shall be required for removal or temporary stockpiling of topsoil from any site in the Township. The permit application shall include a plan showing areas of temporary topsoil stockpiling, proposed methods of containment, and proposed truck route(s) for any removal of topsoil from the site. Calculations of the

volume of existing topsoil on the site, minimum volume required to support the planned use of the site, and any volume anticipated to be removed from the site shall also be provided.

3. **Setbacks.** Topsoil stockpiling areas shall comply with the minimum setback requirements for the district, and shall be set back a minimum of 100 feet from the boundary of any residential zoning district or any lot boundary abutting an existing RESIDENTIAL USE.

4. **Access.** All truck access to the site for removal of topsoil shall be from a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities. Removal of topsoil using local roads shall be prohibited.

5. **Containment and screening.** Stockpiled topsoil shall be contained to prevent blowing of materials or dust upon adjacent properties. Such stockpiled areas shall be screened from abutting road rights-of-way and residential districts or uses per Section 8.04 (Methods of Screening).

6. **Limitation on removal.** Topsoil removal from the site shall be limited to the amount determined to be unnecessary for the planned use of the site, as demonstrated on a plan submitted for zoning permit approval.