SANDSTONE CHARTER TOWNSHIP

Zoning Ordinance

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Amendments

YEAR	ARTICLE/SECTION	NAME
2006	Section 14.5	Review (Amendments)
2006	Section 14.6	Conditional Rezoning of Land
2007	Section 4.8	LI Limited Industrial Amendments
2007	Section 5.10	Home Occupation Standards
2008	Section 7.11.22	Wireless Internet Ordinance Amendment (WISP)
2009	Section 7.11.17(A)	Commercial Kennel Acreage
2010	Article 9	Signs
2010	Section 5.17	Wind Energy Conversion Systems
2011	Section 1.2 (others)	PA 110 Act, Amend Multiple Sections
2011	Article 16	Public Notice
2012	Section 9.4.1(C)	Wall Signs
2014	Section 6.3	Administrative Site Plan
2014	Section 6.4	Preliminary Site Plan
2014	Section 7.5	Application and Site Plan Requirements for Conditional Use
2014	Section 4.1.2	Fraternal Organization Conditional Use in AG-1
2018	Section 4.1.2	Veterinary Clinics Conditional Use in AG-1
2018	Section 7.11.2	Veterinary Clinics Amendment
2019	Section 5.18	Donation Box Requirements
2019	Section(s) 4.1.1 through 4.8.1	Small Solar Energy Systems Permitted Use in AG-1, RNF-1, RS-1, RM-1, MHP, C-1, C-2, and LI
2019	Section(s) 4.1.1, 4.6.1, 4.7.1, and 4.8.1	Medium Solar Energy Systems Permitted Use in AG-1, C-1, C-2, and LI
2019	Section(s) 4.1.2 and 4.8.2	Large Solar Energy Systems Conditional Use in AG-1 and LI
2019	Section 5.19	Solar Energy Systems Requirements
2019	Section 4.1.2	Agricultural Commercial/Tourism Business Conditional Use in AG-1
2019	Section 7.11.25	Agricultural Commercial/Tourism Business Requirements
2021	Section 2.1	Definitions: Sport Shooting Range, Target Archery, Field Archery
2021	Section 4.1	AG-1, Agricultural, Residential, District – R)
2021	Section 7.11.26	Gun clubs, Firing and Archery Range
2021	Section 7.11.27	Medical Marihuana Care Provider

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Article 1
Title, Purpose, Construction and Scope

Section 1.1 Title.

This Ordinance shall be known and may be cited as “The Zoning Ordinance of Sandstone Charter Township.” The Zoning Map referred to herein is entitled the “Zoning District Map of Sandstone Charter Township."

Section 1.2 Purpose.

This Ordinance has been established for the purposes permitted by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, to provide for the regulation of land development and the establishment of districts in the portions of the township outside the limits of cities and villages; to meet the needs of the state's citizens for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land; to insure that the use of the land shall be situated in appropriate locations and relationships; to limit the inappropriate overcrowding of land and congestion of population, transportation systems and other public facilities; to facilitate adequate and efficient provision of transportation systems, sewage disposal, water, energy, education, recreation and other public service and facility requirements; and to promote the pubic health, safety and welfare.

In order to most efficiently protect and promote the public health, safety and welfare, and to accomplish the stated goals of the Sandstone Charter Township Master Plan, the Township shall be divided into districts of such number, shape and area as it considers best suited to carry out the Michigan Zoning Enabling Act.

Section 1.3 Construction and Scope.

Every building and structure erected, every use of any lot building or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of or addition to an existing use, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such building, structure or lot is located.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building or structure on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance, provided that construction shall be completed within three hundred sixty-five (365) days from such effective date and be subject thereafter to the provisions of Article 11, Non-Conforming Uses, Structures and Lots of this Ordinance.

Section 1.4 Conflict with Other Laws.

Wherever the requirements of this Ordinance are at variance with any other adopted regulations or ordinances, the most restrictive standards shall govern.

This Ordinance is not intended to abrogate or annul any easement, covenant or other private agreement provided that where any provision of this Ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant or other private agreement, it shall be governed by the provisions of this Ordinance.

Section 1.5 Validity and Severability Clause.

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not included in said ruling. If any court of competent jurisdiction shall declare invalid the application or any provision of this Ordinance to a particular land, parcel, lot, district, use, building or structure, then such ruling shall not affect the application of said provision to any other land, parcel, lot, district, use, building or structure not specifically included in said ruling.

Section 1.6 Period of Effectiveness.

This Ordinance shall remain in full force and effect henceforth unless repealed.

Section 1.7 Repeal of Ordinance.

The Zoning Ordinance of Sandstone Charter Township adopted by the Board of Sandstone Charter Township prior to July 8, 2002 and all amendments thereto are hereby repealed concurrent with the effective date of this Ordinance.

Section 1.8 Effective Date.

This Ordinance was adopted by the Sandstone Charter Township Board at a public meeting held on July 8, 2002 and made effective on August 1, 2002.

Article 2
Definitions and Illustrations of Terms

Section 2.1 Definitions.

For the purpose of this Ordinance, certain terms are herewith defined. When not inconsistent with the context, the present tense includes the future; the words used in the singular number include the plural number, and the plural includes the singular. The word "shall" is always mandatory. The word "person" always includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied".

Any term not defined herein shall have the meaning of common or standard use.

Accessory Buildings. A supplementary building or structure on the same lot or parcel of land as the main building or buildings, or part of the main building occupied by or devoted exclusively to any accessory use.

Accessory Use. A use which is incidental and subordinate to the principle use of the land or buildings.

Adult.

1. A person eighteen (18) years of age or older.

2. A person who is placed in an adult foster care family home or an adult foster care small group home pursuant to Section 5(6) of Act No. 116 of the Public Acts of 1973, as amended, being Section 722.115 of the Michigan Compiled Laws.

Adult Foster Care Facility. A governmental or nongovernmental establishment that provides foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, residential centers for persons released from or assigned to a correctional facility, or any other facilities which have been exempted from the definition of adult foster care facility by the Adult Foster Care Facility Licensing Act, MCL 400.701, et. seq.; MSA 16.610 (61), et. seq., as amended.

Adult Foster Care Large Group Home. A facility with approved capacity to receive at least seven (7) but not more than twenty (20) adults to be provided supervision, personal care, and protection in addition to room and board, twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.

Adult Foster Care Family Home. A private residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

Adult Foster Care Congregate Facility. An adult foster care facility with the approved capacity to receive more than twenty (20) adults to be provided with foster care.

Agricultural commercial/tourism business. The practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, or winery or a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

Alter. Any structural change in the supporting or load bearing members of a building such as bearing walls, columns, beams, joists, girders, and similar components, or any substantial change in the roof or exterior walls.

Automobile Repair. General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair, overall painting, and vehicle rustproofing.

Automobile Service Station. Any premises where gasoline and other petroleum products are sold. An automobile service station may include vehicle repair as defined.

Automobile Wash. A building, or portion thereof, the primary purpose of which is that of washing vehicles either by automatic or self-service means.

Basement. That portion of a building having more than one-half (1/2) of the average height below grade.

Bed and Breakfast. A single-family residential structure that provides sleeping rooms and serves breakfast to its transient tenants.

Bedroom. A bedroom is a dwelling room used for, or intended to be used in whole or in part, for sleeping purposes by human beings.

Board of Appeals. As used in this Ordinance, the term Board of Appeals means Sandstone Charter Township, Michigan, Zoning Board of Appeals.

Building. An enclosed structure having a roof supported by columns or walls.

Building Frontage. The portion of a building that principally faces a public right-of-way.

Building Height. The vertical distance measured from average grade to the highest point of the roof for flat roofs, to the deckline of mansard roofs, and to the average height between eaves and ridges for gable, hip, or gambrel roofs.

Building Setback Line. The line established by the minimum required setbacks forming the area within a lot in which a building may be located, unless otherwise provided for by this Ordinance.

Building, Main or Principal. A building in which is conducted the principal use of the lot on which it is situated.

Campground. A parcel of land in which sites are offered for the use of temporary living quarters for recreational units. For purposes of this Ordinance, the following additional terms are defined:

1. *Recreational Unit*. A tent or vehicular-type structure, primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. A tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles and used for camping outdoors.

2. *Temporary living quarters*. As related to camping, means a recreational unit or a building within a modern camp, which is occupied or used for more than four (4) hours between the hours of 10:00 p.m. to 6:00 a.m., which is not intended to be occupied or used in excess of three (3) consecutive months.

Club. An organization of persons for special purposes or for the promulgation of agriculture, sports, arts, science, literature, politics, or the like, but not operating for profit.

Condominium Development. Any development undertaken under the provisions of the Michigan Condominium Act, Act 59 of Public Acts of 1978, as amended, or any other act of the Legislature of the State of Michigan providing for development of property under joint or concurrent ownership.

The following other definitions shall also apply:

1. *Condominium Documents*. The master deed recorded pursuant to the Condominium Act, and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.

2. *Condominium Lot*. The land in a condominium unit, together with the land in the adjacent and appurtenant limited common element, if there is such a limited common element.

3. *Condominium Subdivision Plan*. The drawings and information prepared in accordance with Section 66 of the Condominium Act.

4. *Condominium Unit*. The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed.

5. *Consolidating Master Deed*. The final amended master deed for a contractible or expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.

6. *Contractible Condominium*. A condominium project from which any portion of the submitted land or buildings may be withdrawn in accordance with this ordinance and the Condominium Act.

7. *Conversion Condominium*. A condominium project containing condominium units some or all of which were occupied before the filing of a notice of taking reservations under Section 71 of the Condominium Act.

Convalescent Home. A convalescent home or nursing home is a state licensed facility for the care of children or the aged or the infirm, or a place of rest for those suffering serious bodily disorders.

Day Care Facilities. The following definitions shall apply in the construction and application of this Ordinance:

1. *Family Day Care Home*. A private home in which one (1) but not more than six (6) minor children are received for care and supervision for periods less than twenty-four (24) hours a day unattended by a parent or legal guardian, excepting children related to an adult member of the Family. It includes a home that gives care to an unrelated child for more than four (4) weeks in a calendar year.

2. *Group Day Care Home*. A private residence in which seven (7) but not more than twelve (12) children are received for care and supervision for periods less than twenty-four (24) hours a day unattended by a parent or legal guardian, excepting children related to an adult member of the Family. It includes a home that gives care to an unrelated child for more than four (4) weeks in a calendar year.

3. *Day Care Center*. A facility, other than a private residence, receiving more than one (1) or more children for care and supervision for periods less than twenty-four (24) hours, and where the parents or guardians are not immediately available to the child.

District. A portion of the Township within which certain uses of land and/or buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

Donation Box. Any metal container, receptacle, or similar device that is located on any parcel or lot of record within the township and that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include mini (or little) free library donation boxes, recycle bins for the collection of

recyclable material, any rubbish or garbage receptacle or any collection box located within an enclosed building.

Drive-In or Drive-Through Establishment. A business establishment that is characterized by providing service to patrons while seated within a vehicle.

Dwelling. A dwelling is any building or portion thereof having cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall a travel trailer, motor home, trailer coach, automobile chassis, tent or other portable building be considered a dwelling in single-multiple- or two-family residential areas.

Dwelling, Single-Family. A detached building designed for or occupied exclusively by one (1) family.

Dwelling, Two-Family. A detached building designed for or occupied exclusively by two (2) families living independently of each other. Also known as a duplex dwelling.

Dwelling, Multiple. A building used for and designed as a residence for three (3) or more families living independently of each other and each having their own cooking facilities therein, including apartment houses, townhouses, and apartment hotels, but not including mobile homes.

Essential Services. The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground, surface, or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, traffic signals, hydrants, towers, poles, and other similar equipment or accessories reasonably in connection therewith for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or general welfare. Wireless communication facilities shall not be considered an essential service.

Excavating. Excavating shall be the removal of sand, stone, gravel, or fill dirt to below-the-average grade of the surrounding land and/or the finished grade, whichever shall be highest, excepting common household gardening.

Family.

1. An individual or a group of two (2) or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, with not more than one (1) additional unrelated person, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or

2. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall

not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

Farm. The land, buildings, and machinery used in the commercial production of farm products. For purposes of this Ordinance, the following additional definitions shall apply:

1. *Farm operation*. A condition or activity which occurs on a farm in connection with the commercial production of farm products, and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

2. *Farm product*. Those plants and animals useful to human beings and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur.

Field Archery. An area designed for shooting at targets of varying distance, often in woodland and rough terrain to simulate a realistic outdoor setting for hunting often referred to as a walking or roving course.

Floor Area. The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The "floor area" of a building shall include the basement floor area when more than one-half (1/2) of the basement height is above the average finished lot grade.

Fraternal Organization. A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements. This definition includes Private Service Club. It is typical (through not required) for these organizations to have a lodge hall for their activities.

Hazardous Substances. Hazardous substances include hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan Department of Labor; flammable and combustible liquids as defined by the Michigan Department of State Police, Fire Marshal Division; hazardous materials as defined by the U.S. Department of Transportation; critical materials, polluting materials, and hazardous waste as defined by the Michigan Department of Natural Resources, and hazardous substances as defined in Michigan Public Act 307 of 1982, as amended, and the Federal Comprehensive Environmental Response Compensation and Utility Act of 1980, Public Act 96-510, 94 STAT 2767, as amended.

Home Occupation/Category One. An occupation, profession, activity, or use that is clearly a customary incidental, and secondary use of a residential dwelling unit and which does not alter the exterior or the property or affect the residential character of the neighborhood.

Home Occupation/Category Two. An occupation, profession, activity or use that is clearly a customary, incidental and secondary use of a residential dwelling unit or approved accessory building in the AG-1 District and which is compatible with the residential and agricultural character of the area.

Hospital. An institution providing health services, primarily for in-patients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities, and staff offices.

Kennel, Commercial. A commercial kennel shall mean any building, structure, enclosure or premises where four (4) or more dogs or cats, six (6) months of age or older, are kept for commercial purposes, including boarding, breeding, or sale, or the rendering of services for profit. For the purposes hereof, animals kept and maintained by a hobby kennel, shall not be deemed and considered a commercial kennel.

Kennel, Hobby. A hobby kennel shall mean any building, structure, enclosure or other premises where three (3) or less dogs or cats, six (6) months of age or older, are kept, harbored or maintained.

Large Animal. Farm animals and other similar animal which are customarily raised on a farm, such as, but not limited to, horses, cattle, pigs, sheep, goats, and ponies.

Livestock Production Facility. An agricultural operation and facility where farm animals as defined in the Right to Farm Act are confined with a capacity of fifty (50) animal units or greater along with the associated manure storage facilities. For purposes of regulation by this Ordinance, a facility with a capacity of less than fifty (50) animal units not otherwise regulated by the State of Michigan shall be considered a livestock production facility.

Loading Space. An off-street space on the same lot with a building or group of buildings, for temporary parking of a commercial vehicle while loading and/or unloading merchandise or materials.

Lot. A lot is a parcel of land occupied or intended to be occupied by a building, structure or use, or by other activity permitted thereon and including the yards and open spaces required under this Ordinance.

Lot Area. The total area within the lot lines of a lot.

Lot, Corner. A lot abutting two (2) intersecting streets.

Lot Depth. The average distance from the front lot line to the rear lot line.

Lot, Double Frontage. A lot, other than a corner lot, having frontage on two (2) roads which are more or less parallel.

Lot, Waterfront. A lot having frontage directly upon a lake, river, or other reasonably sized impoundment of water. The portion adjacent to the water shall be designated as the water frontage of the lot, and the opposite side shall be designated the road frontage of the lot.

Lot, Width. The horizontal distance between the side lot lines measured at the two (2) points where the required front yard setback line intersects the side lot lines.

Lot Lines. Any line dividing one (1) lot from another or from a road right-of-way, and thus constitutes the property lines bounding a lot.

Lot Line, Front. In the case of an interior lot, the front lot line shall mean the line separating the lot from the road right-of-way. In the case of a double frontage lot, the front lot line shall be that line separating said lot from that road right-of-way which is designated as the provided frontage. In the case of a corner lot, there shall be a front yard for each road front.

Lot Line, Rear. The rear lot line is that lot line which is opposite from the designated front lot line of the lot. In the case of an irregular or triangular shaped lot, a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth of rear yard.

Lot Line, Side. Any lot line not a front lot line or a rear lot line. In the case of a corner lot, there shall only be one side lot line.

Lot of Record. A lot of record is a lot, the dimensions of which are shown on a subdivision plat recorded in the Office of the Register of Deeds for Jackson County, or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a Professional Engineer or Registered Surveyor, so designated by the State of Michigan, and said description so recorded or on file with the County.

Mobile Home. A structure, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling with a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. “Mobile Home” does not include a recreational vehicle.

Mobile Home Park. A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continuous non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with a building, structure, enclosure, street, equipment, or facility used or intended for use incidental to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

Motel. A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space

adjacent to a sleeping room. An automobile court or a tourist court with more than one (1) unit or a motor lodge shall be deemed a motel.

Non-Conforming Building. A non-conforming building is a building or portion thereof existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of the Ordinance in the zoning district in which it is located.

Non-Conforming Use. A non-conforming use is a use which occupied a building or land at the effective date of this Ordinance, or amendments thereto, and that does not conform to the use regulations of the zoning district in which it is located.

Occupied. The word "occupied" includes arranged, designed, built, altered, converted to, rented or leased, or intended to be inhabited; not necessarily for dwelling purposes.

Off-Street Parking Lot. A facility providing vehicular parking spaces along with adequate drives and aisles.

Open Air Business. The retail sales of goods which are principally displayed outside, such as automobiles, building material, and nursery and garden products.

Operator. A person who owns, operates or otherwise is in control of donation boxes to solicit collections of salvageable personal property.

Permittee. The entity or person who is issued a permit authorizing placement of donation box(es) on real property.

Person. Person shall include any individual, corporation, or partnership.

Photovoltaic Device. A system of components that generates electric energy from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the electric energy produced for later use.

Porch, Enclosed. A covered entrance to a building or structure which is totally enclosed and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Porch, Open. A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Planned Unit Development (PUD). A form of development usually characterized by the flexible application of zoning district regulations and unified site design for a number of housing units, clustering buildings, providing common open space, and a mix of building types and land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. It also refers to a process, mainly revolving around site-plan review, in which the Township will have considerable involvement in determining the nature of the development.

Property Owner. The person who is an owner of real property where the donation box(es) are located.

Public Utility. Any person, firm, corporation, municipal department, board or commission duly authorized to furnish and furnishing, and under Federal, State or municipal regulations, to the public electricity, gas, steam, communications, telegraph, transportation, or water.

Real Property, Property or Land. A lot of record located in Sandstone Charter Township.

Right-of-Way. A legal right of passage over real property typically associated with roads and railroads.

Self-Storage Facility. A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods.

Setback. The minimum required horizontal distance between the building or structure and the front (street right-of-way), side and rear lot lines.

Sign. A name, identification, description, display, light, balloon, banner, flag or illustration which is affixed to, or painted, or otherwise located or set upon or in a building, structure or parcel of land which directs attention to an object, product, place, activity, person, institution, organization or business and which is visible from any public street, sidewalk, alley, park, public property or from other private property. The definition includes interior signs which are directed at persons outside the premises of the sign owners and exterior signs, but not signs primarily directed at persons within the premises of the sign owners. The definition does not include goods for sale displayed in a business window. The following additional definitions are provided:

1. *Billboard*. An outdoor sign advertising services or products, activities, persons, or events that are not made, produced, assembled, stored, distributed, leased, sold or conducted upon the premises upon which the billboard is located. The definition of billboard shall include the following types of billboards:

    a) *Double-faced*. A billboard with two (2) parallel back-to-back faces, each facing in the opposite direction.

    b) *V-Type*. A billboard with two (2) non-parallel back-to-back faces, each facing in the opposite direction.

    c) *Tandem*. A billboard with two (2) faces, located side-by-side, each facing in the same direction.

    d) *Stacked*. A billboard with two (2) faces, located one on top of the other, each facing in the same direction.

2. *Freestanding Sign*. A sign which is attached to or part of a completely self-supporting structure. The supporting structure shall be placed in or below the

ground surface and not attached to any building or any other structure whether portable or stationary.

3. *Temporary Sign*. A sign which is temporary in nature, easily movable, and not permanently attached to the ground or a building.

4. *Wall Sign*. Any sign that shall be affixed parallel to the wall or printed or painted on the wall of any building; provided, however, said wall sign shall not project above the top of the wall or beyond the end of the building. For the purpose of this ordinance, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign.

5. *Sign Surface*. That part of the sign upon, against, or through which the message is displayed or illustrated.

6. *Total Surface Area of the Sign*. The sum total of all exterior surfaces of the sign, computed in square feet. In the case of a broken sign (a sign with open spaces between the letters, figures, numbers or symbols) the total surface area shall be measured by multiplying the height of the individual letters or combination of letters by the distance between the outer edges of the two (2) outermost letters, figures, numbers or symbols.

Solar Energy System. All exterior and above ground parts of a panel or other solar energy device including legs/braces and/or supporting devices, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating; primarily for on-site use.

Solar Energy System, Large. A utility-scale solar energy conversion system consisting of many ground–mounted solar arrays in rows, and associated control or conversion electronics, occupying more than 10 acres of land, and that will be used to produce utility power to off-site customers.

Solar Energy System, Medium. A private on-site or utility-scale solar energy conversion system consisting of many ground–mounted solar arrays in rows or roof panels, and associated control or conversion electronics, occupying more than one-half acre and no more than 10 acres of land, and that will be used to produce utility power to on-site uses and off-site customers.

Solar Energy System, Small. A single residential use or small business-scale solar energy conversion system consisting of roof panels, ground–mounted solar arrays, or other solar energy fixtures, and associated control or conversion electronics, occupying no more than one-half acre of land, and that will be used to produce utility power primarily to on-site users or customers.

Sport Shooting Range. An area or facility designed and operated for the use of archery and firearms for the practice shooting and for commercial purposes.

Stable, Commercial. A stable with a capacity of five (5) or more horses, mules, or donkeys which are rented, hired, used, or boarded on a commercial basis or for compensation.

Stable, Hobby. A stable with a capacity of four (4) or less horses, mules, or donkeys which are used by the owners of the property.

Story. That portion of a building included between the surface of any floor and the floor above it, or if there be no floor above it, then the space between the floor and the ceiling above it.

Street. The public or private thoroughfare which allows traffic circulation and provides principal means of access to abutting property.

Structure. Anything constructed or erected, the use of which requires a temporary or permanent location on the ground or is attached to something having a permanent location in, on, or below the ground.

Target Archery. An area designed for shooting at stationary circular targets at varying distances from fixed locations.

Use. The lawful purpose for which land or premises or a building thereon is designed, arranged, intended, or for which it is occupied, maintained, let, or leased.

Vehicle. Unless specifically indicated otherwise, a motorized vehicle intended to be driven on roads, trails, such as card, pickup trucks, and motorcycles, and other vehicles defined as motor vehicles by the Michigan Vehicle Code.

Vehicle Collision Repair Facility. A facility which offers and provides frame straightening, repair or replacement of vehicle sheet metal, vehicle painting or repainting, and similar related services.

Vehicle Repair Facility. A repair facility which offers or provides for repair of mechanical, electrical, cooling, exhaust, brake, and power system repairs, including transmission repair shops, as well as shops used for the internal repair of engine components and drive train repair, and radiator repair. Vehicle Collision Repair Facilities are expressly excluded from this definition.

Vehicle Sales and Service Facility. A building or premise used primarily for the sale, lease or rental of new and/or used vehicles. These facilities may also provide both vehicle repair services in a completely enclosed building as an ancillary service.

Wireless Communication Facilities. All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals shall be Wireless Communication Facilities. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, micro-wave relay towers, telephone transmission equipment building, and commercial mobile radio service facilities. Not included within this definition are citizen band radio facilities, short wave facilities, ham, amateur radio facilities, satellite dishes, and governmental facilities which are subject

to state or federal law or regulations which preempt municipal regulatory authority. For purposes of this Ordinance, the following additional terms are defined:

1. *Attached Wireless Communications Facilities*. Wireless communication facilities that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly established shall not be included within this definition.

2. *Wireless Communication Support Structures*. Structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

3. *Collocation*. The location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communication antennas within the community.

Wireless Internet Service Provider (WISP) Tower. Those towers and associated equipment intended and designed to provide wireless internet service with a limited service area and height. For the purpose of this section, "limited service area and height" shall mean a single tower structure that serves individual homes and/or businesses with wireless internet service from a direct signal. A direct signal shall mean the transmission of a radio frequency signal directly from a single tower to individual homes and businesses as opposed to a "cellular network" of multiple towers, equipment, and transmission lines. Wireless internet tower structures, that exceed "limited range and service area" as defined will be treated as a "wireless communication facility" pursuant to Section 7.11.22 and meet all regulations therein.

The maximum height of a wireless internet service provider tower shall be determined during conditional land use review and shall be based on the service needs of the applicant, as well as the overall aesthetics of the area where the tower is proposed. The applicant shall provide written documentation/justification for the tower height for the coverage area needed. The applicant shall make all efforts to minimize the visual impacts on neighboring properties.

Yard, Front. An open, unoccupied space extending the full width of the lot between the front lot line and the nearest line of the principal building on the lot.

Yard, Rear. An open, unoccupied space extending the full width of the lot between the rear line of the lot and the rear line of the principal building.

Yard, Side. An open, unoccupied space extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the side setback line.

Zoning Administrator. The administrative official designated by the Township Board to administer and enforce the Zoning Ordinance.

Section 2.2 Illustrations of Terms.

Illustrations of key zoning terms are provided on the following pages. In all cases, the specific definition as provided in Section 2.1 shall apply.

Illustration of Zoning Terms
Basement Definition

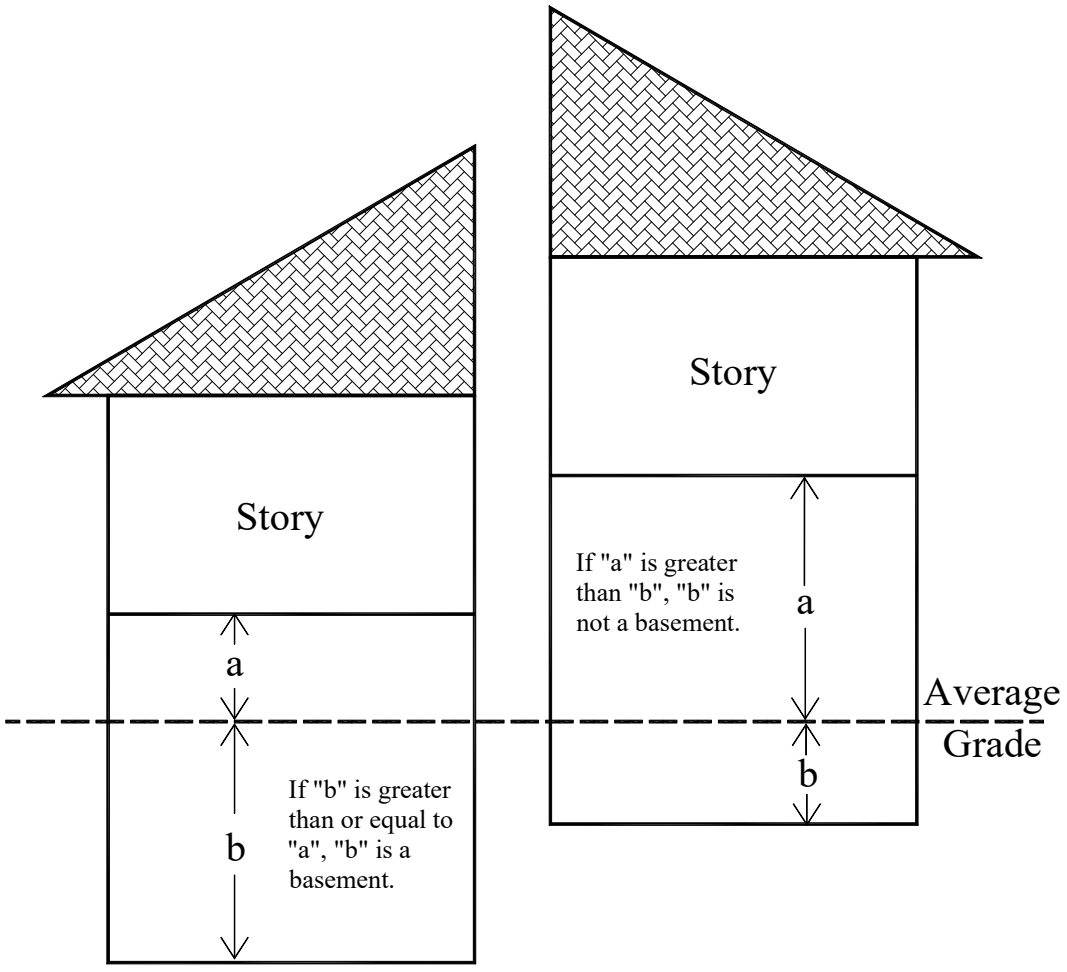


Illustration of Zoning Terms
Measuring Building Height

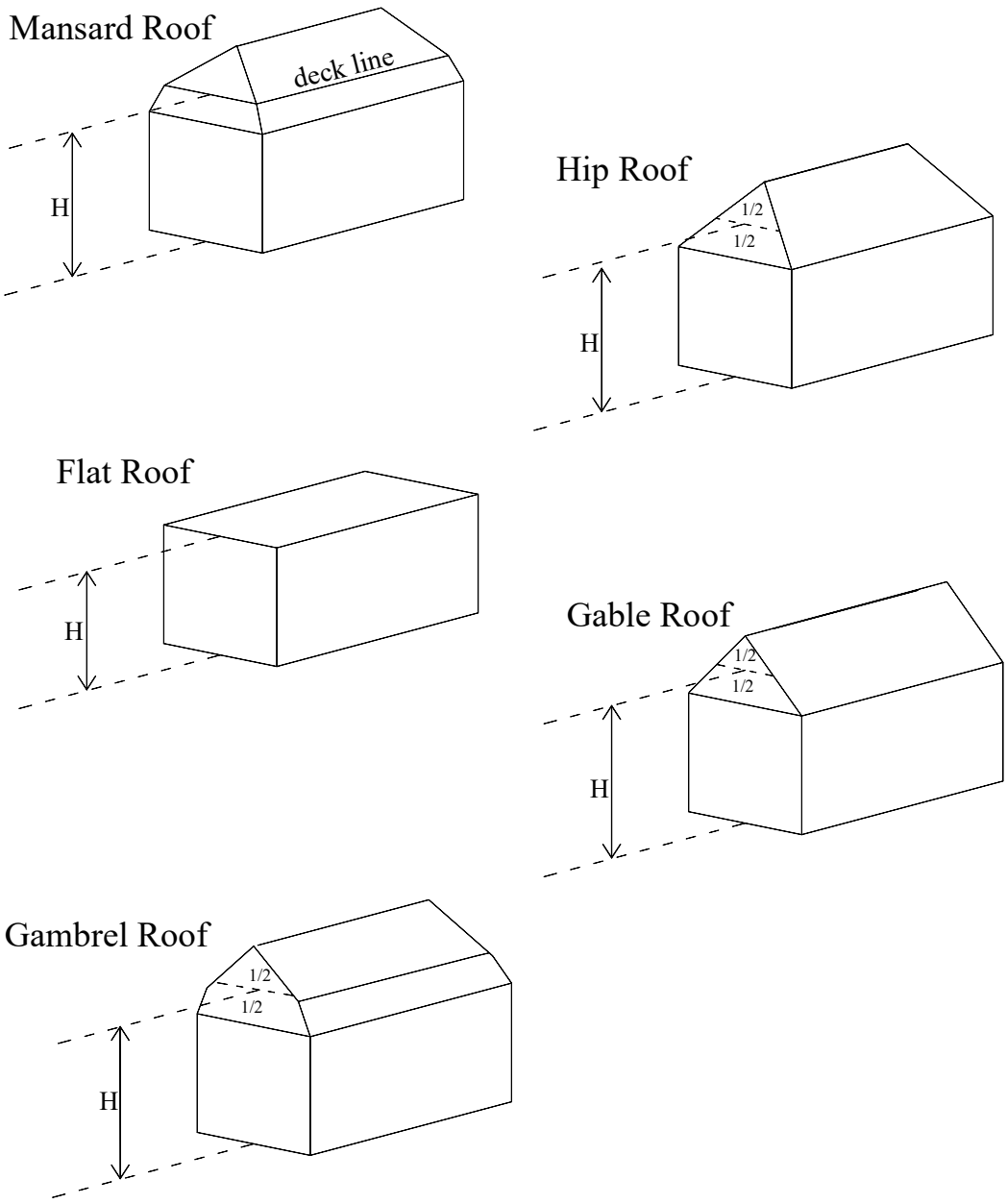


Illustration of Zoning Terms
Clear Vision Requirements

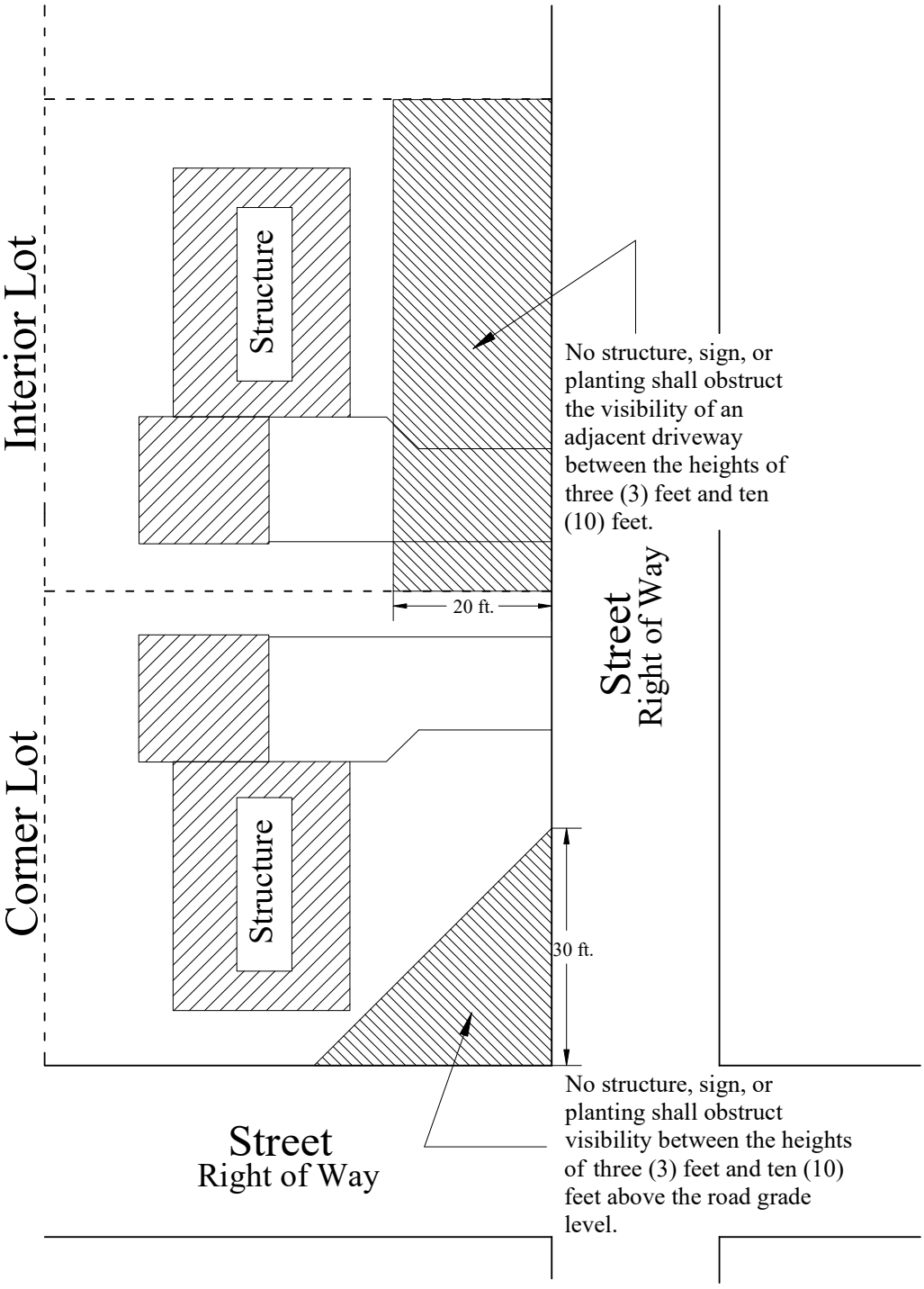


Illustration of Zoning Terms
Corner and Double Frontage Lots

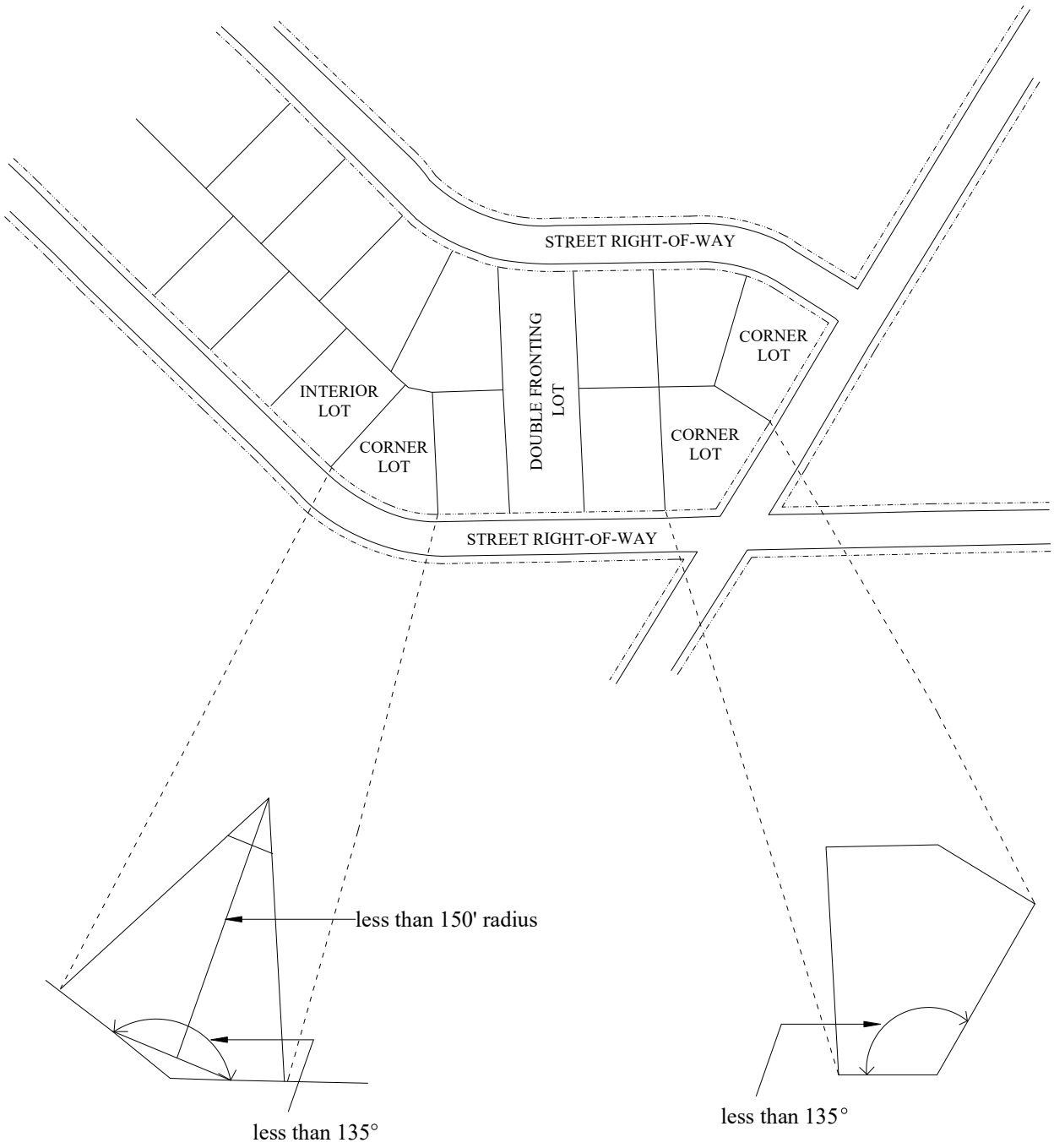


Illustration of Zoning Terms
Lot Lines, Width, Depth

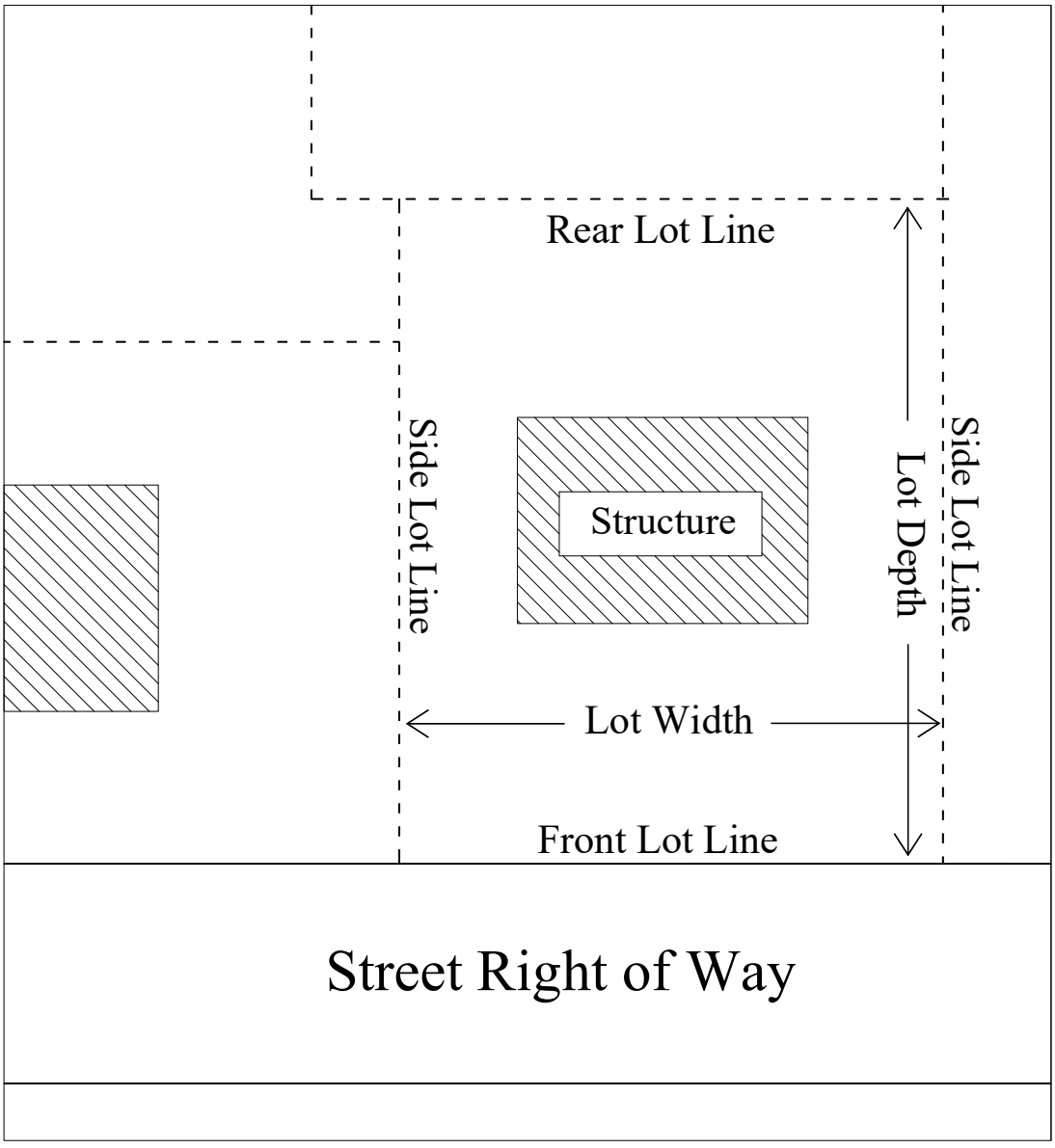
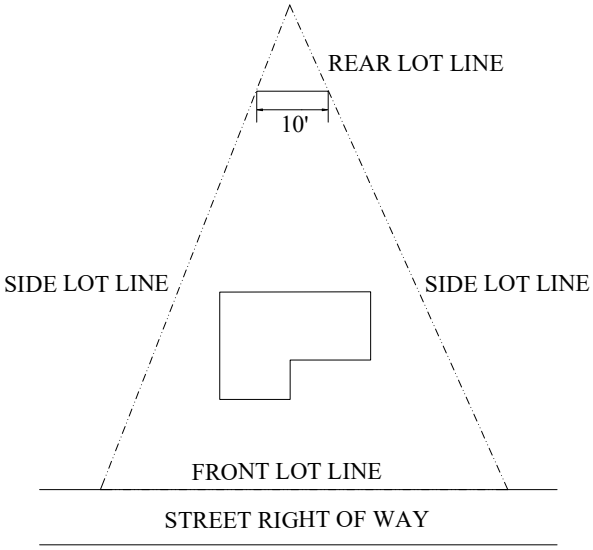
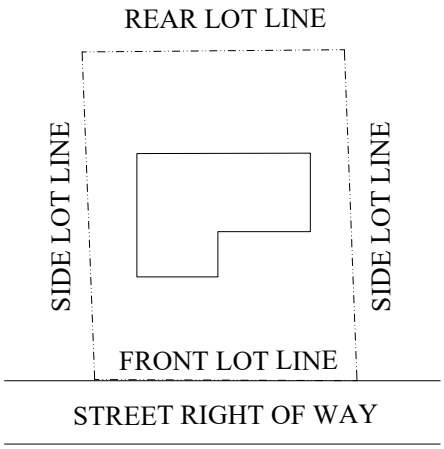


Illustration of Zoning Terms
Lot Lines





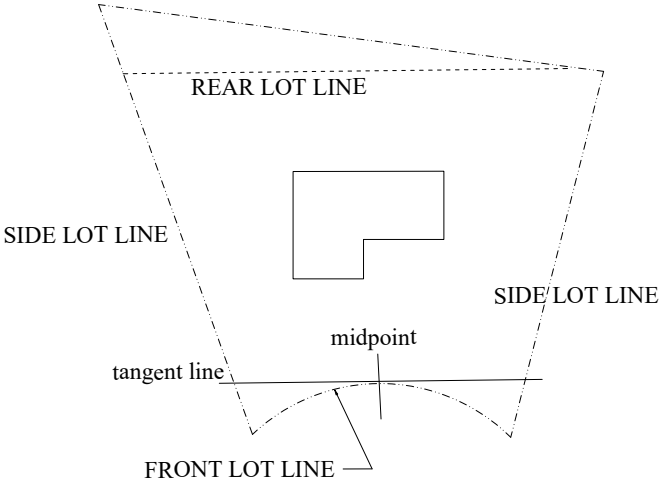
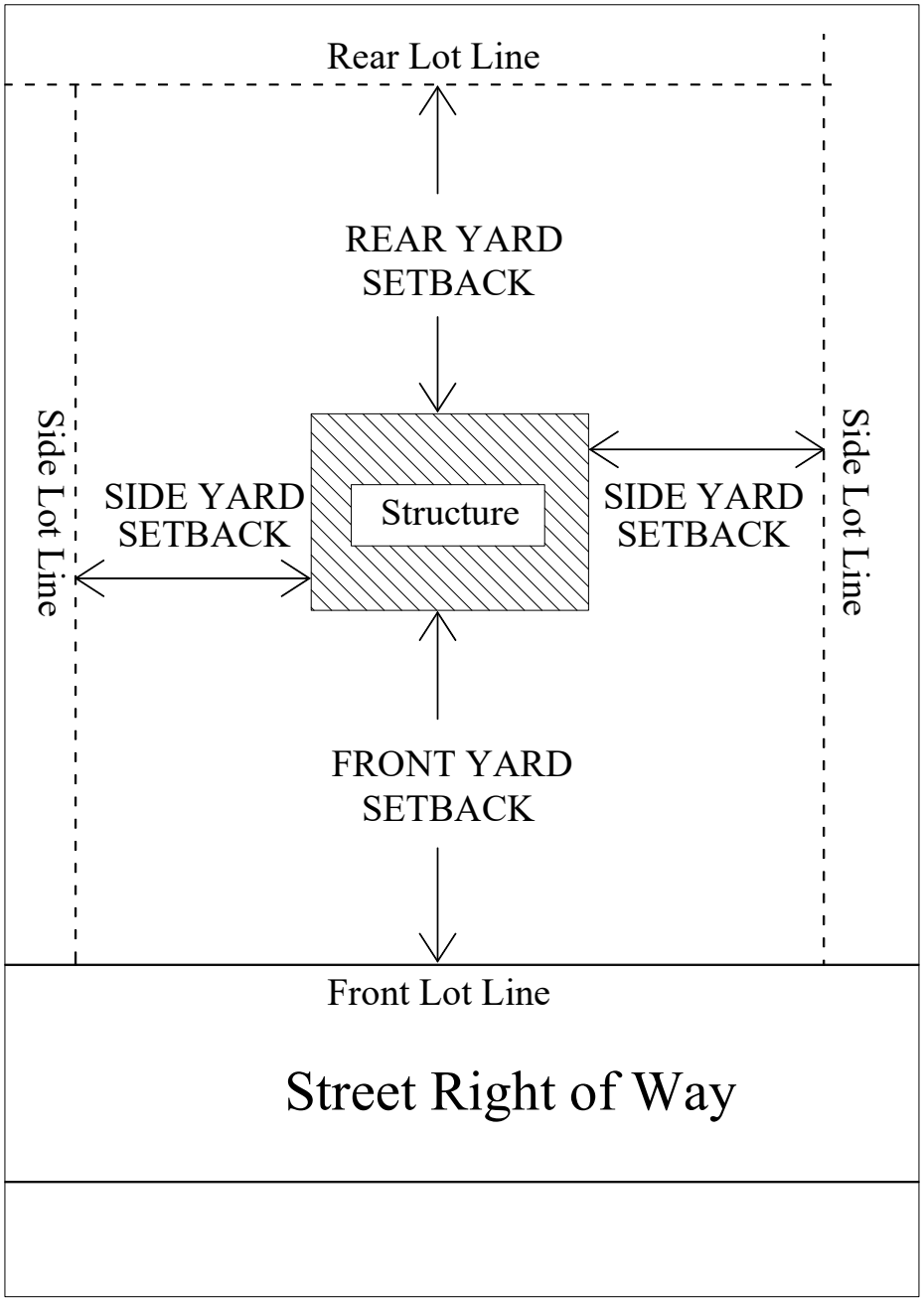


Illustration of Zoning Terms
Setbacks



Article 3
Establishment of Zoning Districts

Section 3.1 Zoning Districts.

For the purpose of this Ordinance, Sandstone Charter Township is hereby divided into the following districts:

AG-1	**Agricultural Residential**
RNF-1	**Rural Non-Farm Residential**
RS-1	**Suburban Residential**
RM-1	**Multiple-family Residential**
MHP	**Mobile Home Park**
C-1	**Local Commercial**
C-2	**General Commercial**
LI	**Limited Industrial**
PUD	**Planned Unit Development**

Section 3.2 Zoning District Map.

3.2.1. *Identified*. The zoning districts as provided in Section 3.1 are bounded and defined as shown on the map entitled "Zoning District Map of Sandstone Charter Township." The Zoning District Map, along with all notations, references, and other explanatory information, shall accompany and be made a part of this Ordinance.

3.2.2. *Authority*. Regardless of the existence of purported copies of the Zoning District Map which may be published, a true and current copy of the Zoning District Map shall be available for public inspection and shall be located in and maintained by the office of the Township Clerk. The Clerk's copy, which bears the signatures of the Township Supervisor and Clerk, shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building, or structure in the Township.

3.2.3. *Interpretation of District Boundaries*. Where uncertainty exists with respect to the boundaries of any of the districts indicated on the Zoning District Map, the following rules shall apply:

A. A boundary indicated as approximately following the centerline of a highway, alley, or easement shall be construed as following such centerline.

B. A boundary indicated as following a railroad line shall be construed as being located midway in the right-of-way.

C. A boundary indicated approximately following a recorded lot line or the line bounding a parcel shall be construed as following such line.

D. A boundary indicated as approximately following a municipal boundary line of a city, village, or township shall be construed as following such line.

E. A boundary indicated as following a shoreline shall be construed as following such shoreline. In the event of a change in the shoreline, it shall be construed as following the shoreline as it exists at the time the interpretation is made.

F. A boundary indicated as following the centerline of a stream, river, canal, lake or other water body shall be construed as following such centerline.

G. A boundary indicated as parallel to, or as an extension of features named in the preceding paragraphs A. through F. shall be so construed.

H. A distance not specifically indicated on the Zoning District Map shall be determined by the scale of the map.

I. Where a physical or cultural feature which exists on the ground is at variance with that shown on the Zoning District Map or any other circumstances not covered by the preceding paragraphs A. through H., the Board of Appeals shall interpret the location of the existing district boundary.

J. Where a district boundary line divides a lot, which is under single ownership at the time of the adoption of this Ordinance, the Board of Appeals may permit an extension of the zoning regulations for either portion of the lot to the nearest lot line. However, the extension shall not extend any further than fifty (50) feet beyond the district line into either portion of the lot.

Section 3.3 Application of District Regulations.

The regulations herein established for each zoning district shall be the minimum regulations for promoting and protecting the public health, safety and general welfare, and shall be uniform for each class of land, building, structure, or use throughout each district. Hereafter, no building shall be erected, altered, or moved, nor shall any building or premises be used for any other purpose than which is permitted in the district in which the said building or premises is located; except by variance as herein described by this Ordinance. Except as hereinafter provided, district regulations shall be applied in the following manner.

3.3.1. *Uses in Districts*.

A. Permitted Uses. Permitted uses shall be allowed by right only if specifically listed as a permitted use in the various zoning districts or are similar to those listed uses.

B. Accessory Uses and Buildings. Accessory uses and buildings are permitted only if such use~~s~~ are clearly incidental to the permitted principle uses.

C. Conditional Uses. Conditional uses are permitted as listed. The permissibility of uses which are similar to the listed conditional uses shall be determined by the Planning Commission.

3.3.2. *Application of Area and Width Regulations*. No lot area or width shall be reduced below the minimum requirements herein established for the district in which said lot is located.

3.3.3. *Application of Yard Regulations*.

A. No part of a yard or other open space required for any building for the purposes of compliance with the provisions of this Ordinance shall be included as part of a yard or other open space similarly required for another building.

B. Lots which abut more than one (1) public road and/or private road easement shall provide the required front yard along every such public road or private road easement.

C. All front yard setback lines shall be the minimum perpendicular distance measured from the road right-of-way line to the nearest point on the front foundation wall of the principle structure.

D. All side and rear yard setback lines shall be the minimum perpendicular distance between the nearest point on the side or rear foundation wall of the structure and the side or rear lot line parallel thereto.

E. Lots which abut on an inland lake shall provide the required front yard along the waterfront and along every public road, private road, and/or recorded easement.

F. Exceptions to Yard Regulations.

(1) Terraces, patios and similar improvements may project into a required yard, provided that such structure be unroofed and without walls or other continuous enclosure. No such improvements shall be permitted nearer than five (5) feet to any property line.

(2) Unenclosed roofed porches may project into a required yard a distance of not more than five (5) feet provided that such porch shall not exceed one (1) story in height. Enclosed porches and other enclosed appurtenance shall be considered an integral part of the building to which they are attached and shall be subject to all yard requirements thereof.

(3) Chimneys, flues, string courses, leaders, sills, pilasters, cornices, eaves, gutters, bay window, and similar features may project into any required yard a maximum of twenty-four (24) inches.

(4) Unenclosed and unroofed fire escapes, outside stairways, and balconies may project into the required yard a maximum of five (5) feet.

3.3.4. *Application of Height Regulations*.

A. No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building is located.

B. Exceptions to Height Regulations. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, steeples, stage lofts, screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks, or similar structures may be erected above the height limits herein prescribed. No such structure shall exceed by more than fifteen (15) feet the height limit of the district in which it is located or be used for any purpose other than a service incidental to the main use of the building.

C. Communications towers shall be subject to the regulations set forth in Section 7.11.22.

3.3.5. *Application of Minimum Street Frontage*. Any parcel of land which is to be occupied by a use or building, other than an accessory use or building, shall have frontage on and direct access to a public street or private road which meets one (1) of the following conditions.

A. A public road which has been accepted for maintenance by the Jackson County Road Commission;

B. A permanent and unobstructed private road of record existing at the time of the adoption of this Ordinance; or

C. A permanent and unobstructed private road approved by the Township Board shall be subject to all procedures and standards set forth in the Sandstone Charter Township Private Road Ordinance.

3.3.6. *Application of Miscellaneous Regulations*.

A. Every building erected, altered or moved shall be located on a lot of record as defined herein, and except in the case of approved multiple-family dwellings, commercial and industrial developments, there shall be no more than one (1) principle building and its permitted accessory structures located on each lot in any district.

B. Wherever any street or other public right-of-way within Sandstone Charter Township shall have been vacated by official government action and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, alley or public right-of-way, such land shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as the lands to which the same shall attach, and that same land shall be used for the same use as is permitted under this Ordinance for such adjoining lands.

Article 4
Zoning District Regulations

The intended permitted uses and special land uses, height, area, density, and setback regulations for each zoning district are set forth in this Article.

4.1 AG-1, Agricultural Residential District

Intent. The AG-1 District is intended to encourage the retention of the best lands in agricultural production, to protect viable agricultural enterprises, and to prevent the encroachment of incompatible land uses into agricultural areas. These areas are also intended to permit single-family dwellings at a very low density. These regulations are designed to exclude uses and buildings which demand public services and infrastructure such as major thoroughfares, public sewer, public water, or drainage facilities.

4.1.1 Permitted Uses

A) Agriculture, including general farming, fruit orchards, sod farming, forestry, tree and plant nurseries, greenhouses and the raising of livestock; and customary farm buildings.

B) Roadside stands involving retail sales of products principally grown on the premises provided that such sales are operated by and for the principal occupants of the premises.

C) Single-family detached dwellings.

D) Conservation and/or recreation areas including forest preserves, game refuges, nature preserves, hunt clubs and similar areas of low intensity use.

E) Home occupation/Category One, subject to the provisions of Section 5.10.1 Category One.

F) Essential Services and Public Utility buildings.

G) Accessory uses and structures.

H) Small solar energy systems subject to the provisions listed in Section 5.19.3.

I) Medium solar energy systems subject to the provisions listed in Section 5.19.4.

4.1.2 Conditional Land Uses

A) Open space residential developments, subject to the provisions of Section 7.11.20.

B) Churches and other buildings used for religious worship, subject to the provisions of Section 7.11.7.

C) Commercial kennels, subject to the provisions of Section 7.11.17.

D) Commercial stables, subject to the provisions of Section 7.11.18.

E) Livestock production facilities subject to the provisions of Section 7.11.16.

F) Mining and extractive operations, subject to the provisions of Section 7.11.21.

G) Airports, subject to the provisions of Section 7.11.1.

H) Parks and playgrounds.

I) Campgrounds, subject to the provisions of Section 7.11.5.

J) Group day care homes, subject to the provisions of Section 7.11.8.

K) Adult foster care large group homes, subject to the provisions of Section 7.11.23.

L) Golf courses and country clubs, subject to the provisions of Section 7.11.11.

M) Cemeteries, subject to the provisions of Section 7.11.6.

N) Public or private elementary, intermediate and/or high schools offering courses in general education, subject to the provisions of Section 7.11.10.

O) Township Offices.

P) Farm implement and garden equipment sales.

Q) Home occupation/Category Two, subject to the provisions of Section 5.10, subsection 5.10.2 Category Two,

R) Private service clubs, fraternal organizations and lodge halls. Indoor and Outdoor sport shooting ranges subject to the provisions of Section 7.11.26.

S) Veterinary clinics where animals are boarded, subject to the provisions of Section 7.11.2.

T) Large solar energy systems subject to the provisions listed in Section 5.19.5.

U) Agricultural Commercial/Tourism Business subject to the provisions listed in Section 7.11.25.

V) Medical Marijuana Caregiver subject to the provisions of Sections 7.11.27

W) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

4.2 RNF-1, Rural Non-Farm Residential District

Purpose. The RNF-1 district is intended to permit single-family residential uses on larger lots than those in the RS-1 District; to provide a transition between the AG-1 District and other districts; to conserve and protect natural features, and the rural character of the Township; and to minimize the demand for public utility services and infrastructure by limiting the district's population density.

4.2.1 Permitted Uses

A) Single-family detached dwelling.

B) Agriculture, including general farming, fruit orchards, sod farming, forestry, nurseries, greenhouses and the raising of livestock; and customary farm buildings.

C) Roadside stands involving retail sales of products principally grown on the premises provided that such sales are operated by and for the principal occupants of the premises.

D) Home occupations/Category One, subject to the provisions of Section 5.10, subsection 5.10.1 Category One.

E) Essential Services and Public Utility buildings.

F) Accessory uses and structures.

G) Small solar energy systems subject to the provisions listed in Section 5.19.3.

4.2.2 Conditional Land Uses

A) Open space developments, subject to the provisions of Section 7.11.20.

B) Public or private elementary, intermediate and/or high schools offering courses in general education, subject to the provisions of Section 7.11.10.

C) Golf courses and country clubs, subject to the provisions of Section 7.11.11.

D) Commercial kennels subject to the provisions of Section 7.11.17.

E) Commercial stables subject to the provisions of Section 7.11.18.

F) Churches and other buildings used for religious worship subject to the provisions of Section 7.11.7.

G) Cemeteries, subject to the provisions of Section 7.11.6.

H) Bed and Breakfasts, subject to the provisions of Section 7.11.14.

I) Group day care homes subject to the provisions of Section 7.11.8.

J) Day care centers subject to the provisions of Section 7.11.9.

K) Adult foster care large group homes subject to the provisions of Section 7.11.23.

L) Parks and playgrounds.

M) Township Offices

N) Medical Marijuana Care giver subject to the provisions of Section 7.11.27

4.3 RS-1, Suburban Residential District

Purpose. The RS-1 District is intended to permit single-family residential uses at higher densities than the AG-1 and RNF-1 Districts. Other private and public uses are permitted subject to conditions which will ensure compatibility with the residential character of these districts. The district shall be located in areas where there is service by public water and public sewer.

4.3.1 Permitted Uses

A) Single-family detached dwellings.

B) Home occupations/Category One, subject to the provisions of Section 5.10, subsection 5.10.1 Category One.

C) Essential Services and Public Utility buildings.

D) Accessory uses and structures.

E) Small solar energy systems subject to the provisions listed in Section 5.19.3.

4.3.2 Conditional Land Uses

A) Open space developments, subject to Section 7.11.20.

B) Golf courses and country clubs subject to the provisions of Section 7.11.11.

C) Public or private elementary, intermediate and/or high schools offering courses in general education, subject to the provisions of Section 7.11.10.

D) Group day care homes subject to the provisions of Section 7.11.8.

E) Day care centers subject to the provisions of Section 7.11.9.

F) Churches and other buildings used for religious worship subject to the provisions of Section 7.11.7.

G) Cemeteries shall be subject to the provisions of Section 7.11.6.

H) Bed and Breakfasts subject to the provisions of Section 7.11.14.

I) Adult foster care large group homes subject to the provisions of Section 7.11.23.

J) Parks and playgrounds.

K) Township Offices.

L) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

4.4 RM-1, Multiple-family Residential District

Purpose. The RM-1 District is intended to allow for multiple-family dwellings at a higher density than single-family development permitted within the Township. The district shall be located in areas where there is service by public water and public sewer. In addition, the RM-1 District is to serve as a transition zone between areas of lower and higher intensity development.

4.4.1 Permitted Uses

A) Single-family detached dwellings subject to all provisions of the RS-1 District.

B) Two-family dwellings subject to the provisions of Section 5.16

C) Multiple-family dwellings subject to the provisions of Section 5.16.

D) Home occupations/Category One, subject to the provisions of Section 5.10, subsection 5.10.1 Category One

E) Essential Services and Public Utility buildings.

F) Accessory uses and structures.

G) Small solar energy systems subject to the provisions listed in Section 5.19.3.

4.4.2 Conditional Land Uses

A) All conditional uses included in the RS-1 District.

B) Hospitals and convalescent homes subject to the provisions of Section 7.11.13.

C) Adult foster care large group homes and adult foster care congregate facilities, subject to the provisions of Section 7.11.23.

4.5 MHP, Mobile Home Park District

Purpose. The MHP District is intended to provide for mobile home residential development, in areas which are served by public utilities and services and public roads are capable of accommodating additional traffic created by high density housing.

4.5.1 Permitted Uses

A) Mobile home parks subject to the provisions of Section 5.15.

B) Home occupations/Category One, subject to the provisions of Section 5.10, subsection 5.10.1 Category One.

C) Parks and playgrounds.

D) Essential Services and Public Utility buildings.

E) Small solar energy systems subject to the provisions listed in Section 5.19.3.

4.5.2 Conditional Uses

A) Group day care homes subject to the provisions of Section 7.11.8.

B) Day care centers subject to the provisions of Section 7.11.9.

C) Golf courses and country clubs subject to the provisions of Section 7.11.11.

D) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

4.6 C-1, Local Commercial District

Purpose. The C-1 District is to provide areas in which local service and convenience shopping facilities can be located to best serve the residents of the Township. These regulations are meant to discourage strip commercial development, and to encourage stable and desirable development in a cluster or planned pattern.

4.6.1 Permitted Uses

A) Retail businesses selling groceries, beverages, meats, dairy products, baked goods, drugs, gifts and notions, or hardware, including convenience stores.

B) Restaurants and taverns, excluding drive-in or drive-through restaurants.

C) Personal service establishments such as beauty and barber shops, repair shops for watches, small appliances and shoes.

D) Laundry and dry-cleaning pickup stations and laundromats.

E) Professional offices of doctors, dentists, veterinarians, lawyers, architects, engineers, and other similar professions.

F) Financial and business service establishments, banks, credit unions, insurance offices.

G) Essential services and Public Utility buildings.

H) Township or other government unit offices.

I) Small solar energy systems subject to the provisions listed in Section 5.19.3.

J) Medium solar energy systems subject to the provisions listed in Section 5.19.4.

4.6.2 Conditional Uses

A) Automobile service stations, and automobile washes, subject to the provisions of Section 7.11.3.

B) Adult foster care congregate facilities subject to the provisions of Section 7.11.23.

C) Veterinary clinics where animals are boarded, subject to the provisions of Section 7.11.2.

D) Vehicle repair facility subject to the provisions of 7.11.4.

4.7 C-2, General Commercial District

Purpose. The C-2 District is intended to provide for a broader range of retail, service and office uses than the C-1 District to serve the needs of the Township as a whole.

4.7.1 Permitted Uses

A) All permitted uses in the C-1 District.

B) Restaurants and taverns, including drive-in or drive-through restaurants.

C) Movie theaters.

D) Private service clubs, fraternal organizations and lodge halls.

E) Essential Services and Public Utility buildings.

F) Indoor and outdoor commercial recreation including bowling, miniature golf courses, outdoor skating rinks and similar uses.

G) Health and fitness clubs.

H) Funeral homes.

I) Printing establishments.

J) Nursery and garden supply sales.

K) Township or other governmental unit offices.

L) Small solar energy systems subject to the provisions listed in Section 5.19.3.

M) Medium solar energy systems subject to the provisions listed in Section 5.19.4.

4.7.2 Conditional Land Uses

A) Hospitals and convalescent homes subject to the provisions of Section 7.11.13.

B) Golf driving ranges, subject to the provisions of Section 7.11.12.

C) Automobile and vehicle sales, subject to the provisions of Section 7.11.4.

D) Vehicle repair, subject to the provisions of Section 7.11.3.

E) Automobile service stations and automobile washes subject to the provisions of Section 7.11.3.

F) Farm implement and garden equipment sales.

G) Motels subject to the provisions of Section 7.11.15.

H) Self-storage facilities subject to the provisions of Section 7.11.19.

I) Day care centers subject to the provisions of Section 7.11.9.

J) Adult foster care congregate facilities subject to the provisions of Section 7.11.23.

K) Veterinary clinics where animals are boarded, subject to the provisions of Section 7.11.2.

4.8 LI, Limited Industrial District

Purpose. The LI District is intended to create a low density development with spacious yards to provide attractive settings as well as to help ensure compatibility with non-industrial neighboring lots. This district is intended to permit only those uses which emit a minimum of noise, vibration, smoke, dust and dirt, gases or offensive odors, glare, and radiation.

The LI District is so structured as to permit, along with any specific uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material. It is further intended that the processing of raw material for shipment in bulk form, to be used in an industrial operation at another location, is not permitted.

4.8.1 Permitted Uses

A) Manufacturing, research, assembly, testing and repair of components, devices, equipment and systems of professional, scientific and controlling instruments, photographic and optical goods, and electronic and electrical equipment including the following:

1) Communication, transmission and reception equipment such as coils, tubes, semi-conductors, navigation control equipment and systems guidance equipment.

2) Data processing equipment and systems.

3) Graphics and art equipment.

4) Metering instruments.

5) Optical devices, equipment and systems.

6) Phonographs, audio units, radio equipment and television equipment.

7) Photographic equipment.

8) Radar, infra-red and ultra-violet equipment and systems.

9) Scientific and mechanical instruments such as calipers and transits.

10) Testing equipment.

11) Electrical machinery, equipment and supplies, electronic components and accessories.

12) Office, computing and accounting machines.

B) Manufacturing, processing, packaging or assembling of pharmaceutical preparations, cosmetics, and toiletries.

C) Manufacturing, processing or packaging of plastic products such as laminate, pipe, plumbing products, and miscellaneous molded or extruded products.

D) Office buildings for the use of the following occupations: Executive, administrative, professional, accounting, writing, clerical, stenographic, drafting, and sales.

E) Research and design centers where said centers are intended for the development of pilot or experimental products, together with related office buildings for such research facilities where said offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.

F) Data processing and computer centers including the servicing and maintenance of electronic data processing equipment.

G) Warehousing, refrigerated and general storage, but not including self-storage facilities.

H) Printing, publishing and related activities.

I) Essential Services and Public Utility buildings.

J) Vehicle repair facility subject to the provisions of Section 7.11.3.

K) Farm machinery sales, service and repair.

L) Small solar energy systems subject to the provisions listed in Section 5.19.3.

M) Medium solar energy systems subject to the provisions listed in Section 5.19.4.

4.8.2 Conditional Land Uses

A) Self storage facility subject to the provisions of Section 7.11.19.

B) Building material sales.

C) Tool and die, job, machine, and skilled trade shops.

D) Metal fabrication.

E) Recycling centers.

F) Skilled trade and general construction contractor's offices, warehouses and yards.

G) Airports subject to the provisions of Section 7.11.1.

H) Semi-truck and Trailer sales, service, service and repair.

I) Vehicle sales and service facility.

J) Large solar energy systems subject to the provisions listed in Section 5.19.5.

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Section 4.9 Schedule of Regulations
Sandstone Charter Township, Jackson County

	Minimum Lot Size		Maximum Building Height		Minimum Yard Setback			Lot Area Coverage	Footnotes
Zoning District	Area (Acres)	Lot Width (Feet)	Stories	Height (Feet)	Front Yard (Feet)	Side Yard (Feet)	Rear Yard (Feet)	Maximum Percent for all Buildings	
Agricultural, AG-1									
Single-family Detached Dwellings	2.5	200	2.5	35	60	30	50	20%	1, 4, 5
All Other Uses	10.0	330	2.5	35	60	30	50	20%	
Rural Non-Farm Residential, RNF-1									
Single-family Detached Dwelling	1.5	150	2.5	35	35	20	35	20%	1, 4, 5
All Other Uses	2.5	200	2.5	35	35	20	35	20%	
Suburban Residential, RS-1	1.0	100	2.5	35	35	15	25	20%	1, 4, 5
Multiple-family, RM-1	5.0	200	2.5	35	50	50	50	25%	1, 2, 4, 5
Mobile Home Park, MHP	15.0	330	2.5	35	50	50	50	25%	3
Local Commercial, C-1	0.5	100	2.5	35	35	15	25	25%	1, 4, 5
General Commercial, C-2	1.0	150	2.5	30	50	20	20	25%	1, 4, 5
Limited Industrial, LI	1.0	150	2.5	30	50	20	20	40%	1, 4, 5

1. On all corner lots, the minimum front yard setback shall be met on both road frontages.
2. Single-family detached dwellings are subject to all RS-1 regulations. See specific multiple-family regulations in Section 5.16.
3. See specific mobile home park regulations in Section 5.15.
4. See Section 5.5 for setbacks pertaining to accessory buildings.
5. All permitted and conditional uses shall meet the minimum lot size, building height and yard setback unless otherwise specified elsewhere in this Ordinance.

Article 5
General Provisions

Section 5.1 Intent.

The intent of this Article is to provide for those regulations which generally apply regardless of the particular zoning district.

Section 5.2 Landscaping, Greenbelts and Buffers, and Screening.

5.2.1. *Intent*. The intent of this section is to promote the public health, safety, and welfare and improve the visual appearance of the Township by requiring landscaping for each proposed development. No site plan, site condominium plan, or subdivision plat shall be approved unless a landscape plan is provided which meets the requirements set forth herein.
The landscape plan shall demonstrate that all requirements of this Section are met and shall include, but not necessarily be limited to, the following items:

A. Location, spacing, size, root type, and descriptions for each proposed plant type.

B. Minimum scale: 1" = 50' for property less than three (3) acres or 1" = 100' for property three acres or more.

C. On parcels of more than one (1) acre, existing and proposed contours on-site and fifty (50) feet beyond the site at intervals not to exceed two (2) feet.

D. Significant construction details to resolve specific site conditions and to ensure proper installation and establishment of proposed plant materials.

E. Identification of existing trees and vegetative cover to be preserved.

F. Identification of landscape maintenance program including statement that all diseased, damaged, or dead materials shall be replaced in accordance with standards of this Ordinance.

5.2.2. *Screening Between Land Uses*.

A. Whenever a non-residential land use abuts a residentially zoned or used property, a landscape buffer shall be constructed to create a visual screen at least six (6) feet in height along all adjoining boundaries. A landscape buffer may consist of earthen berms and/or living materials so as to maintain a minimum opacity of at least eighty (80) percent. Opacity shall be measured by observation of any two (2) square yard area of landscape screen between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen. The

plantings must meet this standard based upon reasonably anticipated growth over a period of three (3) years.

B. Where there is a need to provide a greater noise or dust barrier or to screen more intense development, a solid wall or fence shall be required by the Planning Commission. Such wall or fence shall be a minimum of six (6) feet in height as measured on the side of the proposed wall having the higher grade.

C. The Planning Commission and the Building Official shall approve the construction materials of the wall or fence which may include face brick, poured-in-place simulated face brick, precast brick face panels having simulated face brick, stone or wood.

D. Planning Commission Modification. Any of the requirements of this section may be waived or modified through Site Plan approval, provided the Planning Commission first makes a finding:

(1) That the topographic features or special characteristics of the site create conditions so that the strict application of the provision of this section will result in less effective screening and landscaping than alternative landscape designs.

(2) That the public benefit intended to be secured by this section will exist with less than the required landscaping or screening.

5.2.3. *Greenbelts*. Greenbelts shall be provided in accordance with the following requirements:

A. The depth of the greenbelt shall equal the required front yard of the zoning district in which the proposed use is located.

B. The greenbelt shall be landscaped with a minimum of one (1) tree not less than twelve (12) feet in height or a minimum caliper of two and a half (2 1/2) inches (whichever is greater at the time of planting) for each thirty (30) lineal feet, or major portion thereof, of frontage. The remainder of the greenbelt shall be landscaped in grass, ground cover, shrubs and other natural landscape materials.

C. Access drives from public rights-of-way through required greenbelts shall be permitted.

5.2.4. *Subdivision and Site Condominium Landscaping.* Landscaping for single-family residential subdivisions and site condominiums shall be provided in accordance with the following requirements:

A. Screening From Public Roads. Where a subdivision or site condominium abuts a public road right-of-way located outside of the

proposed subdivision or site condominium, the screening requirements set forth in Section 5.2.2. shall be met.

B. Other Site Improvements. A landscape plan for a subdivision or site condominium development shall also include landscaping details of the entrance to the development, stormwater retention and/or detention areas, community buildings and other recreational areas, and any other site improvements which would be enhanced through the addition of landscaping.

5.2.5. *Screening of Trash Containers*. Outside trash disposal containers shall be screened on all sides with an opaque fence or wall, and gate at least as high as the container, but no less than six (6) feet in height, and shall be constructed of material which is compatible with the architectural materials used in the site development.

5.2.6. *Landscape Elements*. The following minimum standards shall apply:

A. Berms. Berms shall be constructed with slopes not to exceed a 1:3 gradient. Berm slopes shall be protected with sod, seed, or other form of natural ground cover.

B. Existing Trees. The preservation and incorporation of existing

Section 5.3 Fence, Wall and Screen Restrictions.

5.3.1. In all residential districts, the following regulations shall apply:

A. Fences constructed in the front setback of any residential districts shall not exceed a maximum height of four (4) feet.

B. Fences located in a side or rear yard shall not exceed a maximum height of six (6) feet.

5.3.2. In any commercial or industrial district no fence, wall, or other screening structure shall exceed twelve (12) feet in height.

Section 5.4 Clear Vision Requirement.

A. On any corner lot, no fence, wall, screen, hedge, sign, or other structure or planting shall obstruct the visibility between the heights of three (3) feet and ten (10) feet above the road grade level in an area measured a distance of thirty (30) feet from the point of intersection of the street right-of-way lines and the tangent connecting the thirty (30) foot extremities of the intersecting street right-of-way lines (see illustration).

B. On any interior lot, no fence, wall, screen, hedge, sign, or other structure or planting shall obstruct the visibility of a driveway, either on a parcel or on an adjacent parcel, between the height of three (3) feet and ten

(10) feet measured a distance of twenty (20) feet back from the point where the driveway intersects the street right-of-way (see illustration).

Section 5.5 Accessory Uses and Buildings.

5.5.1. *Application to Single-family Residential uses*.

A. Nothing contained herein shall be construed to limit the size of accessory buildings in conjunction with a legitimate farm operation as defined by this Ordinance provided all yard requirements are met.

B. An accessory building which is structurally attached to a principal building shall be subject to all setback regulations applicable to principal buildings.

C. Detached accessory buildings shall be located a minimum of ten (10) feet from a principal building. Detached accessory buildings under one thousand-five hundred (1,500) square feet in size shall be located a minimum of ten (10) feet from any side or rear lot line. Detached accessory buildings one thousand-five hundred (1,500) square feet and over shall be located a minimum of twenty (20) feet from any side or rear lot line.

D. In no instance shall an accessory structure be located within a dedicated easement or right-of-way.

E. Accessory buildings shall not exceed the maximum permitted height of the district in which located.

F. Private swimming pools shall be subject to the following:

(1) Front yard and side yard setbacks shall be the required setbacks for the zoning district in which the pool is located, as specified in Section 4.9, Schedule of Regulations.

(2) All swimming pools shall be enclosed in accordance with applicable Township building codes.

5.5.2. *Application to All Other Uses*. Accessory buildings and uses for all uses other than those listed above shall comply with applicable setback and height restrictions specified for the zoning district in which the accessory use or structure is located.

Section 5.6 Minimum Dwelling Unit Floor Area.

5.6.1. The minimum floor area per dwelling unit shall be in accordance with the following schedule.

Type of Dwelling Unit	First Floor Area (Sq. ft.)	Total Floor Area (Sq. ft.)
Single-family		
One Story	1,000	1,000
One and One Half Stories	850	1,000
Two Stories	800	1,600
Two and Multiple-family		
Efficiency/One Bedroom		600
Two Bedroom		800
Three Bedroom		1,000

Section 5.7 Single-family Dwellings, Mobile Homes, Modular and Prefabricated Housing.

5.7.1. No site built single-family dwelling, mobile home, modular housing, or prefabricated housing located outside a mobile home park or mobile home subdivision shall be permitted unless said dwelling unit conforms to the following standards.

A. Square Footage. Each dwelling unit shall comply with the minimum square footage requirements of this Ordinance for the zone in which it is located.

B. Dimensions. Each such dwelling unit shall have a minimum width across any front, side, or rear elevation of twenty (20) feet.

C. Foundation. Each such dwelling unit shall be firmly attached to a permanent continuous foundation constructed on the site in accordance with Michigan State Construction Code Commission. All dwellings shall be securely anchored to the foundation in order to prevent displacement during storms.

D. Undercarriage. Dwelling units shall not be installed with attached wheels. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage or chassis.

E. Sewage Disposal or Water Supply. Each such dwelling unit shall be connected to a public sewer and water supply or to a private facility approved by the Jackson County Health Department.

F. Storage Area. Each such dwelling unit shall contain a storage area either in a basement located under the dwelling, in an attic area, or in a separate or attached structure of standard construction similar to or of better quality than the principle dwelling. Such storage area shall be equal to ten (10) percent of the square footage of the dwelling unit or one hundred (100) square feet, whichever is less.

G. Architecture and Compatibility. The compatibility of design and appearance shall be determined by the Zoning Administrator.

(1) All dwellings shall be aesthetically compatible in design and appearance with other residences in the vicinity.

(2) All homes shall have a roof overhang of not less than six (6) inches on all sides or drainage systems concentrating roof drainage at collection points along the sides of the dwelling.

(3) The dwelling shall not have less than two (2) exterior doors with the second one being on either the rear or side of the dwelling. Steps shall also be required for exterior doors or porches connected to said doors where a difference in elevation requires it.

(4) Any determination of compatibility shall be based upon the character, design, and appearance of one (1) or more residential dwellings located outside of mobile home parks within two thousand (2,000) feet of the subject dwelling where such area is developed with dwellings to the extent of not less than twenty (20) percent of the lots situated with said area; or where said area is not so developed by the character, design, and appearance of one (1) or more residential dwellings located outside of mobile home parks throughout the Township.

(5) The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, land contour or relief from the common or standard home design.

5.7.2. *Additions*. Each such dwelling unit shall contain no addition or room or other area which is not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and foundation as required herein.

5.7.3. *Code Compliance*. Each such dwelling unit shall comply with all pertinent building and fire codes. In the case of a mobile home, all construction and plumbing, electrical apparatus, and insulation within and connected to said mobile home shall be of a type and quality conforming to the *Mobile Home Construction Safety Standards* as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended.

5.7.4. *Building Permit*. All construction required herein shall commence only after a building permit has been obtained in accordance with the applicable Michigan State Construction Code provisions and requirements.

5.7.5. *Exceptions*. The above standards shall not apply to a mobile home located in a licensed mobile home park, except to the extent required otherwise by this Ordinance or by state or federal law.

Section 5.8 Temporary Dwelling Permits.

5.8.1. No mobile home or recreational vehicle shall be used as a temporary dwelling except in accordance with the provisions contained herein. Any person may request a temporary dwelling permit from the Zoning Administrator by filing a completed application form with the Township Clerk.

5.8.2. The Zoning Administrator shall have authority to grant a permit for the temporary occupancy of mobile homes or recreational vehicles subject to the following conditions.

A. The temporary dwelling permit shall be issued only after the footings for the proposed dwelling have been installed.

B. Where a temporary dwelling permit has been issued, the period of construction of a new permanent dwelling shall not exceed a period of twelve (12) consecutive months. The owner of the permanent dwelling and members of such owner's immediate family shall be permitted to occupy the temporary residence situated at the construction site provided such owner intends to occupy the dwelling as a residence upon completion of its construction.

C. Such temporary dwelling shall not be located within the front yard setback.

D. The temporary dwelling shall contain sleeping accommodations, a flush toilet, and a tub or shower adequate to serve the occupants thereof. The temporary dwelling shall be properly connected to a septic sewage disposal system which is approved by the Jackson County Health Department.

E. The performance guarantee required in conformance with Section 12.6 shall be forfeited to Sandstone Charter Township and the temporary dwelling shall be immediately removed should a violation of any of the conditions of the permit or applicable provision of this Ordinance occur.

5.8.3. No unoccupied temporary mobile home shall be stored on any lot beyond the time period of the temporary dwelling permit.

5.8.4. A basement shall not be used as a temporary dwelling while the remaining portion of the dwelling is either under construction or is incompleted.

Section 5.9 Temporary or Seasonal Uses.

5.9.1. A temporary land use permit is subject to the approval of the Zoning Administrator.

5.9.2. All such sales shall be conducted so as to not create a traffic hazard or nuisance to neighboring properties.

5.9.3 Upon discontinuance of the seasonal use, any temporary structures shall be removed.

5.9.4 Signs shall conform to the provisions of the district in which the seasonal use is located, as set forth in Article 9 Signs.

Section 5.10 Home Occupations.

5.10.1 *Category One.*

A. A home occupation/Category One shall be a permitted use in any Zoning District.

B. A home occupation/Category One must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes, and shall not change the character of the residential nature of the premises, both in terms of use and appearance. Such home occupation shall be carried on within the dwelling that is occupied by the owner of the home occupation/Category One. Outdoor storage of goods or materials associated with a home occupation/Category One is strictly prohibited.

C. A home occupation/Category One use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area by reason of noise, vibration, glare, fumes, odor, unsanitary or unsightly conditions, fire hazards, or the like, involved in or resulting from such home occupation.

D. No employees shall be permitted, either gratuitously or for compensation of any kind, other than members of the resident family.

E. There shall be limited additional vehicular traffic permitted for the home occupation/Category One, such as is normally generated for a dwelling unit in a residential area, both as to volume and type of vehicles.

F. Any application for a home occupation/Category One permit shall be in writing and subject to the approval of the Zoning Administrator. Such approved applications shall be forwarded to the Planning Commission and kept on file in the Township Offices.

5.10.2 *Category Two.*

A. A home occupation/Category Two shall be a conditional use solely in the AG-1 District and shall be reviewed in accordance with the procedures and standards set forth in Article 7 Conditional Land Use Provisions.

B. A home occupation/Category Two must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes, and

shall be compatible with the character of the agriculture and residential nature of the premises, both in terms of use and appearance. Such home occupation shall be carried on either within the dwelling that is occupied by the owner of the home occupation or within an approved accessory building located on the same parcel as the dwelling unit.

C. New accessory structures constructed for the purpose of accommodating a Category Two home occupation shall not exceed five hundred (500) square feet in area. Up to seven hundred fifty (750) s.f. of an existing accessory structure may be used for a Category Two home occupation upon recommendation of the Sandstone Township Planning Commission and approval of the Township Board.

D. Outdoor storage of goods or materials associated with a home occupation/Category Two shall be strictly prohibited.

E. A home occupation/Category Two use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area by reason of noise, vibration, glare, fumes, odor, unsanitary or unsightly conditions, fire hazards, or the like, involved in or resulting from such home occupation.

F. No employees shall be permitted, either gratuitously or for compensation of any kind, other than members of the resident family.

G. The nature, location and size of the home occupation/Category Two shall not change the essential character of the surrounding area or disrupt the orderly and proper development of the AG-1 District.

H. The Township may impose additional conditions and regulations, as it deems necessary, to adequately protect adjoining residents and property owners including the provision of screening between the structure which houses the home occupation and any adjacent residentially used property as set forth in Section 5.2.2 of the Zoning Ordinance. It may require that the particular business be operated only for a specified period of months or years unless an additional permit is granted. A home occupation/Category Two shall operate within the hours and days, as set in the conditional land use permit.

I. Any expansions to the building or structure approved to contain the home occupation/Category Two, or any additional buildings or structures proposed to be built on the subject property that will increase or expand the home occupation/Category Two shall be considered an amendment to the original permit, subject to review and approval by the Township Board, upon a review and recommendation by the Planning Commission.

J. An application for a home occupation/Category Two permit shall be submitted to the Township Clerk in accordance with Section 7.4 of the Zoning Ordinance.

Section 5.11 Buildings to be Moved.

No building or structure to be placed on property within the Township shall be moved into or within the Township unless the Building Inspector has made an inspection of the building to be moved. The Building Inspector shall find that the building to be moved is structurally safe, will not adversely affect the character of existing buildings in the neighborhood of the new location, and will fully comply with the Building Code and other codes regulating the health, safety and general welfare of the Township.

Section 5.12 Environmental Performance Standards.

5.12.1. *Flood Plains.* Notwithstanding any other provision of this Ordinance, land subject to periodic flooding shall be used only for agriculture and recreation uses. The location and boundaries of land subject to periodic flooding shall be determined by reference to the U.S. Soil Conservation Service, the U.S. Army Corps of Engineers, or other official authority.

5.12.2. *Airborne Emissions.*

A. Odors. Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped, or so modified as to remove the odor.

B. Gases. The escape or emission of any gas which is injurious or destructive, harmful to person or property, or explosive shall be unlawful and shall be abated.

5.12.3. *Noise.*

A. Noise which is objectionable as determined by the Township due to volume, frequency, or beat shall be muffled, attenuated, or otherwise controlled subject to the following schedule of maximum noise levels permitted:

Octave Band in Cycles Per Second	Along Residential District Boundaries (max. decibels)	Along Non-Residential District Boundaries (max. decibels)
0 to 150	70	70
150 to 300	60	66
300 to 600	52	60
600 to 1200	46	53
1200 to 2400	40	47
Above 2400	34	41

B. In addition, objectionable sounds of an intermittent nature, or sounds characterized by high frequencies, even if falling below the aforementioned decibel readings, shall be so controlled so as to not become a nuisance to adjacent uses. Air-raid sirens and related apparatus used

solely for public purposes are exempt from this requirement. Noise resulting from temporary construction activity shall also be exempt from this requirement.

5.12.4. *Electrical Disturbance, Electromagnetic, or Radio Frequency Interference.*

A. No use shall create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of the disturbance.

B. No use shall cause, create, or contribute to the interference with electronic signals (including television and radio broadcasting transmission) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

5.12.5 *Glare and Exterior Lighting.*

A. Glare from any process which emits harmful ultraviolet rays shall be performed in such a manner that cannot be seen from any point beyond the property line, and does not create a public nuisance or hazard.

B. All developments shall be designed to ensure that glare from vehicle headlights are not be directed into any adjacent property, particularly residential property. The Planning Commission may require specific screening measures to attenuate glare from vehicle headlights in accordance with Section 5.2.2.

C. Exterior lighting shall be located and maintained to prevent the reflection and glare of light in a manner which creates a nuisance or safety hazard to operators of motor vehicles, pedestrians and neighboring land uses. This provision is not intended to apply to public street lighting.

Section 5.13 Outdoor Storage.

For those uses located solely within the C-1, C-2, and LI Districts, the outdoor storage of goods, materials, and equipment, except trucks operated by the principal business, shall be subject to the following conditions:

5.13.1 The location and size of areas for such storage, nature of items to be stored therein, and details of the enclosure, including description of materials, height, and typical elevation of the enclosure shall be provided as part of the information submitted under Article 6, Site Plan Review.

5.13.2 Such storage shall not be located within the area between the front face of the building, as extended across the entire width of the lot, and the street right-of-way.

5.13.3 Such storage shall not be located in any required parking or loading space.

5.13.4 Such storage shall be strictly and clearly incidental to the principal use and only products and materials owned or produced by the principal business, and equipment owned and operated by the principal use shall be permitted for storage. Such storage shall not be permitted as a principal use of a lot.

5.13.5 The area for such storage shall be screened from view on all sides in a manner as approved by the Planning Commission and indicated on the site review.

Section 5.14 Essential Services

Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township. The construction of buildings associated with essential services shall be subject to the provisions of Article 6, Site Plan Review. Otherwise, the construction, maintenance, and alteration of essential services shall be exempt from the provisions of this Ordinance, except where otherwise regulated herein.

Section 5.15 Mobile Home Park

5.15.1. Site Design Requirements. The Mobile Home Code, as established by the Mobile Home Commission and the Michigan Department of Public Health Rules under the authority of 1987 PA 96, as amended, regulates development of mobile home parks. All mobile home parks must be constructed according to the standards of the Code.

In addition to the rules and standards of the State of Michigan, Sandstone Charter Township imposes the following conditions:

A. Mobile Home Parks shall be constructed, licensed, operated, and managed in accordance with the provisions of the Mobile Home Commission Act, Act 419, P.A. 1976, and subsequently adopted rules and regulations governing mobile home parks.

B. Mobile Home Parks shall not be permitted on parcels less than fifteen (15) acres in size.

C. Individual mobile home sites within a mobile home park shall have a minimum lot size of five thousand-five hundred (5,500) square feet per mobile home being served. This five thousand-five hundred (5,500) square foot minimum may be reduced by twenty (20) percent, provided that the individual site shall be equal to at least four thousand-four hundred (4,400) square feet. For each square foot of land gained through this reduction of the site below five thousand-five hundred (5,500) square feet, an equal amount of land shall be dedicated as open space. In no case shall the open space requirements be less than that required by the Mobile Home Code.

D. The minimum setback for mobile home parks shall be fifty (50) feet from a public right-of-way. Mobile home parks shall be landscaped as follows:

(1) If the mobile home park abuts an existing residential development, the park shall be required to provide screening along the park boundary abutting the residential development.

(2) If the park abuts a non-residential development, the park need not provide screening.

(3) In all cases, however, a park shall provide screening along the park boundary abutting a public right-of-way.

The landscaping shall consist of evergreen trees or shrubs of minimum three (3) feet in height which are spaced so they provide a continuous screen at maturity. Alternative screening devices may be utilized if they conceal the mobile home park as effectively as the required landscaping described above.

E. Mobile Home Parks shall be subject to preliminary plan review requirements in accordance with 1987 PA 96, as amended.

F. A permit shall not be required for the construction or erection of canopies or awnings which are open on three (3) sides. A building permit shall be required, however, before the construction of erection of any screened, glassed-in, or otherwise enclosed awning or canopy.

Section 5.16. Multiple-family Residential District (RM-1).

5.16.1. *Intent.* RM-1 Multiple-Family Residential District is intended to provide sites for low-rise multiple-family dwellings and related uses. The Districts shall be located in areas which can be adequately supplied with utilities and public service. It is also the intent of the RM-1 District to encourage the provision of recreational amenities and facilities designed to serve the needs of residents of multiple-family dwelling developments.

The RM-1 District is intended to allow low density multiple-family development. The density and character of development in the RM-1 District shall be consistent with and compatible to single-family uses in the surrounding area.

5.16.2. *Site Design Requirements.* All permitted and conditional uses shall conform to the following site design requirements:

A. Density - Two-family and multiple-family dwellings shall be subject to the following density requirements based on gross site acreage, not including public road rights-of-way:

Unit Type	Square feet of Site Area Per Dwelling Unit
Efficiency/One Bedroom	6,000
Two Bedroom	9,000

Three Bedroom	12,000
Each Additional Bedroom	3,000

B. Setbacks and Distance Between Buildings.

(1) In the case of multiple-family dwellings, no building shall be located closer than fifty (50) feet from any perimeter property line.

(2) In the case of two-family dwellings, no buildings shall be located closer than thirty (30) feet from any perimeter property line.

(3) All developments shall be subject to the following yard requirements:

Minimum Distance Between Buildings

Dwelling Type	Minimum Setback from Internal Drive/Street	Side/Side	• Side/Front • Side/Rear	• Front/Front • Front/Rear • Rear/Rear
Multiple-family	40	40	50	70
Two-family	30	20	30	50

C. The minimum setback requirements from internal drive or streets shall not apply to parking areas or service drives. The minimum setback from parking areas and service drives shall be ten (10) feet.

D. Recreation Space. All multiple-family developments in an RM-1 District shall contain an area or areas provided for common recreation of three hundred (300) square feet per dwelling unit. Such common recreation areas shall be located and designed in a manner which is appropriate to meet the recreational needs of the prospective residents of the development. Such recreational facilities may include, but not be limited to, swimming pools, tennis courts, playgrounds, picnic areas, playfields, and jogging trails.

Section 5.17. Wind Energy Conversion Systems.

A. Intent. It is the intent of the Township to permit the effective and efficient use of Wind Energy Conversion Systems (WECS) by regulating the siting, design, and installation of such systems to protect the public health, safety, and welfare, and to ensure compatibility of land uses in the vicinity of WECS.

B. Approval Required. It shall be unlawful to construct, erect, install, alter, or locate any WECS within the Township except in compliance with

this section. A building permit is required for any WECS as well as a Zoning Compliance Permit pursuant to Section 12.4 and this Section.

C. Permitted Use.

(1) Roof mounted WECS shall be considered a permitted accessory use and may exceed the height limit of the district in which the system is located by fifteen (15) feet.

(2) On-site WECS (non-roof mounted) less than seventy (70) feet in height shall be considered a lawful accessory use on parcels with an area of two and a half (2 1/2) acres or greater in the following zoning districts pursuant to this Section: AG-1 and RNF-1.

D. Conditional Use.

(1) In all Zoning Districts, on-site WECS not in conformance with the preceding Section shall be allowed only as a conditional use subject to the provisions of this Section and Article 7, Conditional Land Use Provisions.

(2) Commercial WECS shall be considered a conditional use in all Zoning Districts and shall be subject to the provisions of this Section and Article 7, Conditional Land Use Provisions.

E. Application – On-site WECS as an Accessory use. The application for an On-site WECS when permitted as an accessory use shall include the following:

(1) Applicant Information. Name, address and contact information.

(2) Project Description. A general written description of the proposed project as well as a legal description (property identification number) of the property on which the project would be located.

(3) Plot Plan and Documentation. The Plot Plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed project. The plot plan shall include all informational requirements of Section 12.4.1.B. Zoning Compliance Permits, as well as the following additional information:

a. The project area boundaries.

b. The location, height and dimensions of all existing and proposed structures and fencing.

c. Distance of proposed structure from all property lines and permanent structures.

d. The location, grades and dimensions of all temporary and permanent On-site access roads.

e. Sufficient information (spot elevations) to determine site topography. Full site topography is not required.

f. Water bodies, waterways, wetlands, and drainage ditches, and drains

g. All new infrastructure above ground related to the project.

h. The location of all overhead utility wires.

(4) Additional Documentation.

a. Insurance: Proof of the applicant's appropriate liability insurance.

b. Sound Pressure Level: Documentation of the manufacturers designed sound pressure levels (decibels) for unit to be installed.

c. Grant of Authority: The applicant shall provide evidence of ownership of the land on which the WECS is to be located and the written consent of the land owner if different from the applicant. If the applicant is leasing land the applicant shall provide a copy of the lease agreement and the land owner's written authorization for the applicant to construct the structure.

F. Application – On-site WECS as Conditional Use. The application for a WECS when permitted as a conditional use shall meet all of the requirements for a conditional use permit application. The information noted in Sections E.3 and E.4 above are required in lieu of a full site plan unless (i) the proposed WECS involves changes to the site outside the footprint of the WECS, or (ii) the Zoning Administrator finds that the intent of Section 36-176 (Purpose of Site Plan Review) warrants the submission of a full site plan.

G. Application – Commercial WECS. The application for a Commercial WECS shall meet the provisions of Article 7 Conditional Land Use Provisions and shall include a complete site plan in accordance with Article 6 Site Plan Review.

H. Standards and Requirements. All WECS shall meet the following additional standards and requirements:

(1) Property setbacks.

a. The distance between a WECS and the nearest property line shall be at least one and a half (1 1/2) times the height of the WECS.

b. No part of the WECS structure, including guy wire anchors, may extend closer than ten (10) feet to the owner's property line.

c. The distance between a WECS and a private road easement or a public right-of-way shall be at least one and a half (1 1/2) times the height of the WECS.

d. Roof mounted WECS that extend no more than fifteen (15) feet above the height of the structure are exempt from the setback provisions above.

(2) Noise.

a. Wind Energy Conversion Systems (WECS) shall not exceed the noise levels permitted and found in Section 5.12.3 (Noise) of this Ordinance.

I. Construction Codes, Towers & Interconnections Standards:

(1) Every WECS shall comply with all applicable Federal, State, and local building and construction codes.

J. Safety:

(1) Design Safety Certification. The safety of the design of every WECS shall be certified by the applicant's professional engineer registered in the State of Michigan and reviewed by the Township. If WECS construction is approved, the professional engineer shall certify that the construction and installation of the WECS meets or exceeds the manufacturer's construction and installation standards, and any applicable State and Federal laws and regulations prior to operation.

(2) Controls and Brakes. Every WECS shall be equipped with controls to limit rotation of blades to a speed not to exceed the designed limits of the WECS. The applicant's professional engineer must certify that the rotor and overspeed control design and fabrication conform to applicable design standards. No changes or alterations from certified design shall be permitted unless

accompanied by a professional engineer's statement of certification approved by the Township.

(3) Lightning. Every WECS shall have lightning protection.

(4) Guy Wires. If an On-site WECS is supported by guy wires, the wires shall be clearly visible to a height of a least six (6) feet above the guy wire anchors. Every Commercial WECS must be of a freestanding monopole design and guy wires shall not be used.

(5) Grade Clearance. The minimum vertical blade tip clearance from grade shall be twenty-five (25) feet for any WECS employing a horizontal axis rotor.

(6) Color. Towers and blades shall be of a non-reflective neutral color designated on the application and approved by the Township or as otherwise required by law.

K. Removal of Abandoned On-Site WECS. In the event an On-Site WECS is abandoned or unused for a period of one hundred and eighty (180) days, or if a WECS is damaged, the owner of the tower or the land shall promptly remove the tower and all related equipment. Failure to remove the tower and related equipment in accordance with the foregoing shall be considered a violation of this ordinance.

Section 5.18 Donation Boxes.

A. *Intent* The donation boxes ordinance is intended to be a regulatory ordinance in the public's health, safety and welfare for the protection of all citizens who use donation boxes. The intent of this ordinance is to impose restrictions and conditions on all donation boxes in the township so that they are, and remain, clean, safe and do not create hazards to pedestrians and to vehicular traffic.

B. *Donation box permit.* No person shall place, operate, maintain or allow any donation box on any real property without first obtaining an annual permit issued by the Zoning Administrator, to locate a donation box.

C. *Application for a permit.* Any person desiring to secure a permit shall make an application to the Zoning Administrator.

(1) The applicant shall furnish the following information:

a. Documentation of 501(c)(3) nonprofit corporation status in Michigan.

b. Name, address and email of all partners or limited partners of a partnership applicant.

c. Whether the applicant has previously received a permit for a donation box in the township or operates a donation box or similar type receptacle without a permit in the township.

d. The name, address, email and telephone number of a contact person for all matters relating to a donation box located in the township.

(2) The physical address of the real property where the donation box is proposed to be located.

(3) A dimensioned drawing to illustrate the proposed location of the donation box on the real property.

(4) If not the owner of the real property, an affidavit from the property owner providing written permission to place the donation box(es) on the property.

D. Within ten (10) days of receiving an application for a permit, the Zoning Administrator shall notify the applicant whether the permit is granted or denied. If the Zoning Administrator denies an application, the Zoning Administrator shall state in writing the specific reasons for denial.

E. No person to whom a permit has been issued shall transfer, assign or convey such permit to another person or legal entity.

F. A person shall be issued a permit by the Zoning Administrator if the requirements of this article are satisfied.

G. *Requirements for a permit.* A permittee shall operate and maintain, or cause to be operated and maintained, all donation boxes located in the township for which the permittee has been granted a permit as follows:

(1) Donation boxes shall be metal and be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be free of graffiti.

(2) Donation boxes shall be locked or otherwise secured in such a manner that the contents cannot be accessed by anyone other than those responsible for the retrieval of the contents.

(3) Donation boxes shall have, at minimum, one-half-inch type visible from the front of each donation box the name, address, email, website and phone number of the operator, as well as whether the donation box is owned by a for profit company and operated by a nonprofit company. The donation box shall not have information, advertising or logos other than those relating to the operator.

(4) Donation boxes shall be serviced and emptied as needed, at minimum every thirty (30) days.

(5) The permittee and property owner shall maintain, or cause to be maintained, the area surrounding the donation boxes, free from any junk, debris or other material. The property owner shall be responsible to the extent provided by law for the township's cost to abate any nuisance, in accordance with the Township Code.

(6) Donation boxes shall:

a. Not be permitted on any land occupied by a residential use;

b. Not be permitted on any unimproved or vacant parcel, nor where the principal use of the land has been closed or unoccupied for more than thirty (30) days;

c. Not exceed two (2) donation boxes on a single lot of record and shall be side by side and not more than one (1) foot apart;

d. Not exceed seven (7) feet in height, six (6) feet in width and six (6) feet in depth;

e. Not cause a visual obstruction to vehicular or pedestrian traffic;

f. Not be placed closer than ten (10) feet from: (i) a public or private sidewalk except that this provision does not apply to a private sidewalk as long as the private sidewalk maintains a five (5) foot clearance; (ii) a public right-of-way; (iii) a driveway; or (iv) a side or rear property line of adjacent property used for residential purposes;

g. Not cause safety hazards with regard to a designated fire lane or building exit;

h. Not: (i) interfere with an access drive, off-street parking lot maneuvering lane and/or required off-street parking space to an extent which would cause safety hazards and/or unnecessary inconvenience to vehicular or pedestrian traffic; (ii) encroach upon an access drive, off-street parking lot maneuvering lane and/or required off-street parking space; and

i. Be placed on a level, hard (asphalt or concrete) paved, dust-free surface.

Section 5.19 Solar Energy Systems.

5.19.1. *Intent.* The intent of this Ordinance is to add provisions to the Zoning Ordinance to address the permitting of small, medium, and large solar energy systems. The Ordinance recognizes the potential need for solar energy systems, while also supporting agricultural and habitat conservation. These changes are also necessary and appropriate to improve and enhance public welfare and safety for Sandstone Charter Township.

5.19.2. *Approval Required*. It shall be unlawful to construct, erect, install, alter, or locate any Solar Energy System within the Township except in compliance with this section. A building permit is required for any Solar Energy System as well as a Zoning Compliance Permit pursuant to Section 12.4 and this Section.

5.19.3. *Small Solar Energy Systems.*

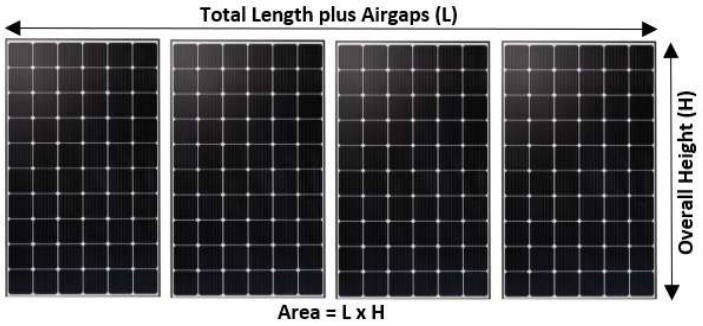
A. Small solar energy systems may be installed and operated in all districts, provided the systems meet setback and other standards, as provided in this section.

(1) Small solar energy systems may be approved through the issuance of a Building Permit provided the application meets setback requirements and other standards, as provided in this Section, and provided solar panels are roof mounted. If the Building Official has a good faith belief that the solar energy system could have a specific, adverse impact upon the public health and safety, the Official may require the applicant to apply for a site plan approval to the planning commission. All ground mounted solar panels require approval by the planning commission.

(2) Approval by the planning commission is required for all small solar energy systems that do not meet (1) above.

(3) The requirement for a complete, professionally-prepared site plan shall not apply to applications proposing 1) only roof mounted solar panels or 2) proposing ground mounted panels that do not exceed 8,000 square feet in total area. When a full site plan is not required, a sketch plan shall be submitted. A sketch plan, drawn to scale, shall show existing and proposed structures, driveways, adjacent structures within 100 feet, and any other information requested by the planning commission that is necessary to determine compliance with this ordinance.

Area of ground mounted solar panels shall be calculated as follows:



(4) Photovoltaic solar energy systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

(5) Solar water or swimming pool heating systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

(6) Excluding solar collection panels, solar energy system equipment may be installed within the required side and rear yard but shall not be closer than five (5) feet from any property line.

(7) Ground mounted solar collection panels, where the solar panels are attached to the ground by a pole, metal frame or other similar support structure, shall comply with existing regulations for accessory structures but in no instance shall the panels exceed twenty (20) feet in height in residential zones and must meet a rear yard setback of five (5) feet. Any mechanical equipment used as part of the solar system shall be screened from view from any public street, residential district or agricultural district by use of a masonry screen wall, evergreen vegetation or other screening of a similar effectiveness and quality, as determined by the planning commission.

(8) Solar panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties or roadways. Traffic safety shall be protected, and adjacent properties shall be protected from unreasonable glare and radiation. The applicant shall submit documentation to verify compliance with this section. When deemed appropriate, the planning commission may require a report from a registered civil engineer or other professional the planning commission finds to be qualified to address this issue.

(9) If more than 8,000 square feet of impervious surface will be located on the site, the application shall include a drainage plan

prepared by a registered civil engineer showing how stormwater runoff will be managed and demonstrating that runoff from the site will not exceed the agricultural runoff rate or otherwise cause undue flooding. If detergents will be used to clean solar panels, details on the type of detergent, frequency and quantity of use, and stormwater quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided.

(10) If solar energy system ceases to operate or is abandoned for a period of six months or is deemed by the Building Official to be unsafe or not consistent with code, the Applicant shall repair and restore the system to good working order within a reasonable time set by the Building Official or, if no longer operating or no longer in compliance with federal, state or local codes, it shall remove the system in its entirety. This shall include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

(11) When a ground mounted solar panel(s) is located adjacent to a residential or agricultural district (i.e., properties zoned AG-1, RNF-1, RS-1, RM-1, or MHP) or public right-of-way, a 25-foot wide (minimum) greenbelt shall be constructed to provide a buffer between the panels and the adjacent residential/agricultural or public property. The planning commission may waive or reduce the greenbelt requirement upon a determination that the solar panels are located more than 200 feet from an adjacent property zoned residential or agricultural or from any public right-of-way. The planning commission may waive or reduce the greenbelt requirement if the adjacent residential or agricultural property is likely to remain undeveloped, or existing natural features to remain provide adequate screening. Greenbelts shall be planted as part of an approved site plan and shall thereafter be maintained in a healthy, growing condition to provide a screen to abutting properties. Specific planting requirements for greenbelts are as follows:

a. The planting strip shall be no less than twenty-five (25) feet in width.

b. Plant materials shall not be placed closer than four (4) feet from the property line.

c. A minimum of one (1) evergreen tree shall be planted at twenty (20) foot intervals (on average).

d. A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.

5.19.4. *Medium Solar Energy Systems.*

A. Medium solar energy systems may be installed and operated in the districts that refer to this section, provided the systems meet setback and other standards, as provided in this section.

(1) Medium-sized solar energy systems may be approved through the site plan approval process, which requires action by the planning commission.

(2) Photovoltaic solar energy systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

(3) Solar water or swimming pool heating systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the district in which it is located, or if this exceeds the height limit of an accessory structure.

(4) Excluding solar collection panels, solar energy system equipment may be installed within the required side and rear yard but shall not be closer than five (5) feet from any property line.

(5) Ground mounted solar collection panels shall comply with existing regulations for accessory structures but in no instance shall the panels exceed twenty (20) feet in height in residential zones and must meet a rear yard setback of five (5) feet.

(6) Medium solar facilities proposed in agricultural (AG-1) are encouraged to locate on predominantly (more than 60 percent) non-prime farm lands. If they do not meet this standard, the use shall be deemed a conditional land use, which requires a public hearing. The Application for a conditional land use permit shall include an analysis of the potential for agricultural use on the subject site by an expert in agriculture or soil science, as determined by the planning commission.

(7) Ground-mounted solar facilities shall meet the front, rear, and side yard setback requirements of the zone in which they are located, with the following exception: In all zones abutting a residential district (including AG-1) or residential use, the setbacks shall be at least 50 feet from all property lines adjoining said district(s) or use.

(8) Ground-mounted solar facilities shall meet the height limit requirements of the zone in which they are located.

(9) Any mechanical equipment used as part of the solar system shall be screened from view from any public street, residential district or agricultural district by use of a masonry screen wall, evergreen vegetation or other screening of a similar effectiveness and quality, as determined by the planning commission.

(10) Solar panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties or roadways. Traffic safety shall be protected, and adjacent properties shall be protected from unreasonable glare and radiation. The applicant shall submit documentation to verify compliance with this section. When deemed appropriate, the planning commission may require a report from a registered civil engineer or other professional the planning commission finds to be qualified to address this issue.

(11) The applicant shall submit documentation to verify compliance with this section. When deemed appropriate, the planning commission may require a report from a registered civil engineer or other professional the planning commission finds to be qualified to address this issue.

(12) The application shall include a drainage plan prepared by a registered civil engineer showing how stormwater runoff will be managed and demonstrating that runoff from the site will not exceed the agricultural runoff rate or otherwise cause undue flooding. If detergents will be used to clean solar panels, details on the type of detergent, frequency and quantity of use, quantity and source of water, and stormwater quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided. Applicant shall demonstrate the use of well water shall not negatively impact the function of existing wells in the area.

(13) If solar energy system ceases to operate or is abandoned for a period of six months or is deemed by the Building Official to be unsafe or not consistent with code, the Applicant shall repair and restore the system to good working order within a reasonable time set by the Building Official or, if no longer operating or no longer in compliance with federal, state or local codes, it shall remove the system in its entirety. This shall include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

(14) The Applicant shall post a performance guarantee (cash, letter of credit or bond deemed suitable by the Township attorney) to cover the cost of removal of the equipment, structures and foundations related to the solar system in the event of abandonment

or failure to comply with federal, state or local laws (after being given reasonable time to remedy the problem).

(15) When a ground mounted solar panel(s) is located adjacent to a residential or agricultural district (i.e., properties zoned AG-1, RNF-1, RS-1, RM-1, or MHP) or public right-of-way, a 25-foot wide (minimum) greenbelt shall be constructed so as to provide a buffer between the panels and the adjacent residential / agricultural or public property. The planning commission may waive or reduce the greenbelt requirement upon a determination that the solar panels are located more than 200 feet from an adjacent property zoned residential or agricultural or from any public right-of-way. The planning commission may waive or reduce the greenbelt requirement if the adjacent residential or agricultural property is likely to remain undeveloped, or existing natural features to remain provide adequate screening. Greenbelts shall be planted as part of an approved site plan and shall thereafter be maintained in a healthy, growing condition to provide a screen to abutting properties. Specific planting requirements for greenbelts are as follows:

a. The planting strip shall be no less than twenty-five (25) feet in width.

b. Plant materials shall not be placed closer than four (4) feet from the property line.

c. A minimum of one (1) evergreen tree shall be planted at twenty (20) foot intervals (on average).

d. A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.

5.19.5. *Large Solar Energy Systems.*

A. Large solar energy systems may be installed and operated in the districts that refer to this section, provided the systems meet setback and other standards, as provided in this section.

B. Large solar energy systems shall meet all the requirements of Section 5.19.4. Medium Solar Energy Systems, provided that all Large Solar Energy Systems shall be treated as a conditional land use in AG-1 and LI Zoning Districts.

C. All Large Solar Energy Systems in AG-1 and LI Zoning Districts shall be treated as a conditional land use subject to the provisions of this section and Article 7, Conditional Land Use Provisions. In reviewing the application, the planning commission shall particularly focus on the ability of the use to be in harmony with the surrounding area. Potential impact on neighboring properties in terms of glare, stormwater runoff, property

values, aesthetics, and screening shall be considered by the planning commission in determining whether the use is appropriate on the subject property.

Article 6
Site Plan Review

Section 6.1 Site Plan Review Required in Specific Districts.

The intent of this section is to require site plan review and to provide for consultation and cooperation between the developer and the Township so as to realize maximum utilization of land and minimum adverse effects upon the surrounding land uses. Through application of these provisions, compliance with the Zoning Ordinance and the Master Plan of the Township will be assured, and the Township will develop in an orderly fashion consistent with public health, safety, and welfare.

Section 6.2. When Site Plan Review Is Required.

6.2.1. Preliminary site plans shall be required for all conditional land uses as set forth in Article 7 Conditional Land Use Provisions. A preliminary site plan shall meet all of the criteria and standards set forth in Section 6.3.

6.2.2. Final site plan review and approval as set forth in Section 6.4 is required for all proposed uses within the Township, except for one-family detached dwellings and agricultural uses. Site plan review and approval shall also be required for all site condominium projects, as set forth in Section 6.10.

6.2.3. Final site plan review and approval as set forth in Section 6.4 is required for existing principal or accessory structures or uses where an alteration, addition, expansion, change or conversion:

A Constitutes an increase to the existing structure or use of one thousand (1,000) or more square feet or ten (10) percent, whichever is less; or

B. Would require a variance from the provisions of this Ordinance, regardless of its size.

Section 6.3 Administrative Site Plan.

6.3.1. The Zoning Administrator may review a site plan without submission to the Planning Commission, subject to all of the criteria, requirements and standards set forth in this Article and the following standards:

A. The Zoning Administrator may review and consider for approval, conditional approval or denial of site plans without submission to the Planning Commission in the following cases:

(1) Expansion or reduction to an existing conforming structure or use of 2,000 square feet or less or five percent (5%) of the floor area for the structure, whichever is less.

(2) Provision for additional parking, loading/unloading spaces and landscape improvements as required by Ordinance.

B. The Zoning Administrator may, with authorization from the Township, use the Township Planner, Township Engineer or other experts to assist in the review of site plans submitted under this Section.

C. At the direction of the Zoning Administrator, any information required in Section 6.7 may be required for administrative site plan approval. However, at a minimum, submissions of an administrative site plan shall include the following information:

(1) Proprietors', applicants', and owners' names, addresses and telephone numbers.

(2) Date (month, day, year), including revisions.

(3) Title block and scale.

(4) North point.

(5) Proposed and existing structures, utilities, parking areas, etc. on the parcel, and within 100 feet of the parcel.

D. The Zoning Administrator shall consider the criteria set forth in Section 6.6 in the review of site plans submitted under this section.

Section 6.4 Preliminary Site Plan.

6.4.1 A preliminary site plan is a generalized site plan required to be submitted for review of conditional land uses by the Township Planning Commission. An applicant may also elect to submit a preliminary site plan as an optional step in the overall site plan review process to obtain feedback on a proposed development. The purpose of such preliminary review is to confirm compliance with Township standards, policies and relationship to the Master Plan, as well as to suggest changes necessary, if any, for the final site plan approval.

6.4.2. Any applicant shall file a preliminary site plan in conjunction with a conditional land use application, as set forth in Section 7.4.

6.4.3. Information Required for Review - Every preliminary site plan submitted to the Planning Commission shall include the following information:

A. The description, location, size and shape of the property involved.

B. The shape, size and location of existing and proposed buildings, parking areas and service drives, loading zones, location of existing and proposed public streets serving the property, and natural features including topography and soils.

C. The location of all existing and proposed water and sewage treatment systems serving the property.

D. Any other information deemed necessary to properly illustrate the development concept to the Planning Commission.

6.4.4. Planning Commission Action - The Planning Commission shall review the preliminary site plan to determine if a conditional land use may be approved.

Approval of the conditional land use and preliminary site plan by the Planning Commission shall constitute approval of the conditional use but shall vest no rights in the applicant regarding approval of the final site plan in as much as the specific details of a site plan prepared in accordance with Section 6.4 serve as the basis for determining that all Township standards have been met.

Section 6.5. Final Site Plan.

6.5.1. All final site plans shall be submitted to the Zoning Administrator at least twenty-one (21) days prior to the next scheduled meeting of the Planning Commission and must contain the following to be accepted:

A. A completed application signed by the owner; if the owner is a corporation, the application must be signed by a corporate officer; if the owner is a partnership, the application must be signed by a general partner; if the owner is an individual or individuals, each individual owner must sign the application.

B. Sufficient copies, as determined by the Zoning Administrator, of the site plan meeting all informational requirements set forth in Section 6.7. Incomplete plans will not be accepted.

C. All items as required by Section 6.7. shown on the site plan.

D. Required fees.

E. Upon receipt of a complete application and site plan, the Zoning Administrator shall place review of the site plan on the next Planning Commission agenda.

F. The Township may refer the site plan to the Township Planner and Engineer for review.

6.5.2. *Planning Commission Review.* The Planning Commission will consider the application and take one of the following actions:

A. Approval. Upon finding that the application and final site plan meet the criteria of site plan review in Section 6.6, the Planning Commission shall recommend approval.

B. Approval with Minor Revisions. Upon finding that the Application and final site plan meet the criteria of site plan review in Section 6.6, except for minor revisions which can be made and confirmed without further technical review, the Planning Commission may recommend approval, conditioned upon said revisions being made and reviewed by appropriate Township staff and/or consultants.

C. Tabling. Upon finding that the application and final site plan do not, but could, meet the criteria of site plan review in Section 6.6 upon the making of revisions, confirmation of which requires further technical review, the Planning Commission may table its recommendation until the revised Plan is resubmitted to the Planning Commission.

D. Denial. Upon finding that the application and final site plan do not meet one or more of the criteria of site plan review in Section 6.6 and that revisions necessary to meet said criteria are so extensive as to require the preparation of a new site plan, the Planning Commission shall recommend denial.

Section 6.6. Criteria of Final Site Plan Review.

The site plan shall be reviewed and approved upon a finding that the following conditions are met:

6.6.1. The proposed use will not be injurious to the surrounding neighborhood.

6.6.2. There is a proper relationship between major thoroughfares and proposed service drives, driveways and parking areas and provisions have been made for acceleration, deceleration and passing lanes or approaches so as to preserve the safety and convenience of pedestrian and vehicular traffic.

6.6.3. The location of buildings, outside storage receptacles, parking areas, screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and surrounding areas.

6.6.4. It provides for proper development of roads, easements and public utilities and protects the general health, safety, welfare and character of the Township.

6.6.5. It meets the requirements and standards for grading and surface drainage and for the design and construction of storm sewers, stormwater facilities, parking lots, driveways, water mains, sanitary sewers and for acceleration, deceleration and passing lanes or approaches as determined by the Township Engineers and as set forth in any Township design and construction standards, which may be established.

6.6.6. Proper access to all portions of the site and all sides of any structure is provided. All structures or groups of structures shall be so arranged as to permit emergency vehicle access by some practical means to all sides. Site features such as, but not limited to, trees and other plant materials, fences, retaining walls, berms, outdoor furniture, outdoor structures, and natural and artificial water bodies shall be arranged to permit adequate emergency vehicle access.

6.6.7. Natural resources will be preserved to the maximum extent possible in the site design by developing in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, groundwater and woodlands.

6.6.8. The proposed development respects the natural topography to the maximum extent possible by minimizing the amount of cutting, filling and grading required.

6.6.9. The proposed development will not cause soil erosion or sedimentation.

6.6.10. Storm water management systems and facilities will preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and will not substantially reduce or increase the natural retention or storage capacity of any wetland, water body or water course, or cause alterations which could increase flooding or water pollution on or off site.

6.6.11. Wastewater treatment systems, including on-site septic systems, will be located and designed to minimize any potential degradation of surface water or groundwater quality.

6.6.12. Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater or nearby water bodies.

6.6.13. The location of buildings, parking, drives, landscaping and other improvements on the site is appropriate and consistent with good design standards for the lot size, shape and general location.

6.6.14. Landscaping, including grass, trees, shrubs and other vegetation is provided to maintain and improve the aesthetic quality of the site and area.

6.6.15. The proposed use is in compliance with all Township Ordinances and any other applicable laws.

Section 6.7. Information Required on Final Site Plan.

Final site plans shall consist of an overall plan for the entire development. Sheet size shall be at least 24" x 36" with plan view drawn to a scale of 1" = 50' for property less than three (3) acres or 1" = 100' for property three (3) or more acres. A final site plan submitted for review and approval shall contain all of the following data prior to its submission to the Planning Commission for review.

6.7.1. *General Information.*

A. Proprietors', applicants, and owners' names, addresses and telephone numbers.

B. Date (month, day, year), including revisions.

C. Title block.

D. Scale.

E. North point.

F. Location map drawn at a scale of 1" = 2,000' with north point indicated.

G. Architect, Engineer, Surveyor, Landscape Architect, or Planner's seal.

H. Existing lot lines, building lines, structures, parking areas, etc., on the parcel, and within one hundred (100) feet of the site.

I. Proposed lot lines, property lines and all structures, parking areas, etc. within the site, and within one hundred (100) feet of the site.

J. Centerline and existing and proposed right-of-way lines of any street.

K. Zoning classification of petitioner's parcel and all abutting parcels.

L. Gross acreage figure.

M. Proximity to major thoroughfares and section corners.

6.7.2. *Physical Features.*

A. Acceleration, deceleration and passing lanes and approaches.

B. Proposed locations and dimensions of access drives, street intersections, driveway locations, sidewalks, bike paths, curbing and areas for public use.

C. Location of existing and proposed service facilities above and below ground, including:

(1) Well sites.

(2) Septic systems and other wastewater treatment systems. The location of the septic tank and the drainfield (soil absorption system) should be clearly distinguished.

(3) Chemical and fuel storage tanks and containers.

(4) Storage, loading, and disposal areas for chemicals, hazardous substances, salt and fuels.

(5) Water mains, hydrants, pump houses, standpipes and building services and sizes, where applicable.

(6) Sanitary sewers and pumping stations, where applicable.

(7) Storm water control facilities and structures including storm sewers, swales, retention and detention basins, drainageways, and other facilities, including calculations for sizes.

(8) Location and dimension of all easements.

D. Location and dimensions of all existing and proposed structures with dimensioned floor plans, setback and yard dimensions, and typical elevation views.

E. Dimensioned parking spaces and calculation, drives and method of surfacing.

F. Exterior lighting locations and illumination patterns.

G. Location and description of all existing and proposed landscaping, berms, fencing and walls.

H. Trash receptacle and transformer pad location and method of screening.

I. Dedicated road or service drive locations.

J. Entrance details including sign locations and size.

K. Designation of fire lanes.

L. Any other pertinent physical features.

6.7.3. *Natural Features.*

A. Soil characteristics of the parcel to at least the detail provided by the U.S. Soil Conservation Service "Soil Survey of Jackson County, Michigan," 1981.

B. Existing topography with a maximum contour interval of two (2) feet, both on the site and beyond the site for a distance of one hundred (100) feet in all directions. Grading plan, showing finished contours at a maximum interval of two (2) feet, correlated with existing contours so as to clearly indicate required cutting, filling and grading.

C. Location of existing drainage courses and associated bodies of water, on and off site, and their elevations.

D. Location of existing wetlands.

E. Location of natural resource features, including woodlands and areas with slopes greater than ten (10) percent (one (1) foot of vertical elevation for every ten (10) feet of horizontal distance).

6.7.4. *Additional Requirements for Residential Developments.*

A. Density calculations by type of unit by bedroom counts.

B. Designation of units by type and number of units in each building.

C. Carport locations and details where proposed.

D. Specific amount and location of recreation spaces.

E. Type of recreation facilities to be provided in recreation space.

F. Details of Community Building and fencing of swimming pool if proposed.

6.7.5. *Additional Requirements for Commercial and Industrial Developments.*

A. Loading/unloading areas.

B. Total and usable floor area.

C. Number of employees in peak usage.

Section 6.8. Notice of Action or Recommendation.

The Planning Commission shall note on a final site plan any action or recommendation regarding that plan and provide at least one (1) copy of that plan together with any required written findings, conditions or reasons to the Clerk. A copy of the Planning Commission minutes shall be sufficient to satisfy this requirement.

Section 6.9. Building Permits and Conformity to Final Site Plan.

After filing of the approved application and final site plan, satisfaction of any conditions of said approval and compliance with this and other Township Ordinances, a building permit may be issued. All development and construction shall be in complete conformity with the site plan as approved, together with any conditions imposed.

Section 6.10. Expiration of Approval.

Final site plan approval is valid for a period of one (1) year from the date of Planning Commission action within which time all necessary building or construction permits shall be secured and construction commenced. The Planning Commission may grant an extension of site plan approval for up to one (1) year. All requests for extensions shall be made in writing and include a statement of why the extension is necessary and confirmation of ability to complete construction in conformity with the final site plan as approved.

Section 6.11. Site Condominium Project Regulations.

6.11.1. *Intent.* Pursuant to the authority conferred by the Condominium Act, final site plans, condominium documents, and engineering plans shall be regulated by the provisions of this Ordinance and reviewed by the Planning Commission.

6.11.2. *General Requirements.*

A. Each condominium lot shall be located within a zoning district that permits the proposed use.

B. Each condominium lot shall front on and have direct access to a public street or a private street approved by the Township Board. Approval for a private street may be conferred by the Township Board following final site plan approval by the Planning Commission.

C. For the purposes of this ordinance, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which located, and the provisions of any other statutes, laws, ordinances, and/or regulations applicable to lots in subdivisions.

6.11.3. *Site Plan Approval Requirements.* Final approval of the site plan and condominium documents by the Planning Commission shall be required as a condition to the right to construct, expand or convert a site condominium project. Preliminary and final approval shall not be combined.

A. Final Site Plan Approval.

(1) A final site plan pursuant to the standards and procedures set forth in Article 6 of this Ordinance shall be submitted to the Planning Commission for review.

(2) If the site plan conforms in all respects to applicable laws, ordinances and design standards, approval shall be granted by the Planning Commission.

(3) If the site plan fails to conform, the Planning Commission shall either deny the application, or grant approval with conditions, provided such conditions are met before condominium document and engineering plan approval.

B. Condominium Document and Engineering Plan Approval.

(1) Following final site plan approval, the applicant shall submit the condominium documents to the Township for the review by the Township Attorney and other appropriate staff and consultants. The condominium documents shall be reviewed with respect to all matters subject to regulation by the Township including, without limitation: ongoing preservation and maintenance of drainage, retention, wetland and other natural and/or common area; maintenance of private roads, if any; and maintenance of stormwater, sanitary, and water facilities and utilities.

(2) Following receipt of final site plan approval, the applicant shall also submit engineering plans in sufficient detail for the

Township, to determine compliance with applicable laws, ordinances and design standards for construction of the project. The Township shall submit engineering plans to the Township Engineer and Planner for review.

(3) Upon completion of the review of the condominium documents and engineering plans and receipt of the recommendations and findings from the Township Attorney, Engineer and Planner, the condominium documents and engineering plans shall be submitted to the Planning Commission for final review.

(4) If the condominium documents and engineering plans conform in all respects to applicable laws, ordinances and design standards, final approval shall be granted by the Planning Commission.

(5) If the site plan, condominium documents and engineering plans fail to conform, final approval shall be denied by the Planning Commission.

(6) In the interest of insuring compliance with this Ordinance and protecting the health, safety, and welfare of the residents of the Township, the Planning Commission shall require the applicant to deposit a performance guarantee as set forth in Section 12.6 for the completion of improvements associated with the proposed use as a condition of final approval of he condominium documents and engineering plans.

6.11.4. *Information Required Prior to Occupancy.* Prior to the issuance of occupancy permits for any condominium units, the applicant shall submit the following to the Township Clerk:

A. A copy of the recorded condominium documents (including exhibits).

B. A copy of any recorded restrictive covenants.

C. A copy of the final site plan on laminated photostatic copy or mylar sheet.

D. Evidence of completion of improvements associated with the proposed use including two copies of an "as-built survey".

6.11.5. *Revision of Site Condominium Plan.* If the site condominium subdivision plan is revised, the final site plan shall be revised accordingly and submitted for review and approval or denial by the Planning Commission before any building permit may be issued, where such permit is required.

6.11.6. *Amendment of Condominium Documents.* Any amendment to a master deed or bylaws that affects the approved final site plan, or any conditions of approval of a final site plan, shall be reviewed and approved by the Township Attorney and Planning Commission before any building permit may be issued, where such permit is required. The Planning Commission may require its review of an amended site plan if, in its opinion, such changes in the master deed or bylaws require corresponding changes in the site plan.

Article 7
Conditional Land Use Provisions

Section 7.1 Purpose.

There are conditional land uses which may be necessary or desirable to allow in certain districts; however, because of their actual or potential impact on neighboring uses or public facilities, these uses need to be carefully regulated with respect to their location for the protection of Sandstone Charter Township.

Section 7.2 Applicability.

The provisions of this article shall apply to all conditional land uses.

Section 7.3 Authority to Grant Permits.

The Township Board, upon a review and recommendation by the Planning Commission, as hereinafter provided, shall have the authority to deny, approve, or approve with conditions, requests for conditional land uses. The decision on a conditional land use shall be incorporated in a statement of conclusions relative to the use under consideration. The decision shall specify the basis for the decision and any conditions imposed.

Section 7.4 Application and Fee.

Application for any conditional land use permissible under the provisions of this Ordinance shall be made to the Clerk by filing an application form; submitting a preliminary site plan in accordance with Section 6.3 and depositing the required fee as established by resolution of the Sandstone Charter Township Board, except that no fee shall be required of any governmental body or agency. No part of such fee shall be returnable to the applicant.

Expansion or alteration of an existing conditional land use shall be considered an amendment to such use and subject to the review and approval of the Township Board, upon a review and recommendation by the Planning Commission in accordance with all procedures and standards set forth herein.

Section 7.5 Application and Site Plan Requirements.

An application for a conditional land use permit shall include the applicant's name and address in full, a statement of the applicant's ownership of the property or that the applicant is acting on the owner's behalf, the address of the property involved, and a preliminary site plan meeting the requirements of Section 6.4.

In those cases where a conditional use is proposed as a part of a new development, or which proposes the expansion of an existing structure of over 1,000 square feet, or where a conditional land use requires the provision of new parking to accommodate the use, final site plan review pursuant to Section 6.5 shall be required after the conditional use is approved by the Township Board. This shall be considered a second step to this process.

Section 7.6 Public Hearing.

Following a review and recommendation by the Planning Commission, the Township Board shall hold a public hearing upon any application for conditional land use permit in accordance with Article 16 of this Ordinance.

Section 7.7 Required Standards and Findings for Making Determinations.

The Planning Commission and the Township Board shall review the proposed conditional land use application and preliminary site plan in terms of the following standards, and shall find and record adequate data, information and evidence showing that such a use on the proposed site, lot or parcel meets or does not meet these standards.

7.7.1. The proposed conditional land use shall be harmonious with and in accordance with the general objectives, intent, and purposes of this Ordinance.

7.7.2. The proposed conditional land use shall be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with existing or intended character of the general vicinity.

7.7.3. The proposed conditional land use shall be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such service.

7.7.4. The proposed conditional land use shall not be hazardous or disturbing to existing or future neighboring uses.

7.7.5. The proposed conditional land use shall not create excessive additional requirements for public facilities and services at the public's cost.

7.7.6. Development requirements for specific conditional land uses as listed under Section 7.11 are met.

Section 7.8 Approval of Conditional Land Use Permit.

Upon review of the application and preliminary site plan in accordance with the standards established in Section 7.7, findings of the public hearing held in accordance with Article 16, and review of requirements of other provisions of this Ordinance as they apply to the proposed conditional land use, the Township Board shall approve, approve with conditions, or deny the conditional land use permit within thirty (30) days following the public hearing. This time limit may be extended beyond the thirty (30) day limit by the Township Board with good cause.

Upon approval of the conditional land use permit, a copy of the approved preliminary site plan shall be forwarded to the applicant, Clerk, the Zoning Administrator, along with full documentation regarding the findings of the review and the approval or denial.

Section 7.9 Imposition of Conditions.

7.9.1. Upon review of the application and preliminary site plan in accordance with the standards established in Section 7.7 and the requirements of the other provisions of this Ordinance, the Township Board may require additional reasonable conditions necessary to accomplish the following:

A. Ensure that public services and facilities affected by the proposed land use or activity shall be capable of accommodating increased service and facility loads generated by the land use or activity.

B. Protect the natural environment and conserve natural resources and energy.

C. Ensure compatibility with adjacent land uses.

D. Promote the use of land in a socially and economically desirable manner.

7.9.2. Conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged except upon mutual consent of the Township Board and the landowner.

7.9.3 Any approval of a conditional land use shall be considered the final step in the conditional land use process unless new development or construction meeting the threshold noted in Section 7.5 is met. In the case where the threshold of new development or construction is met pursuant to Section 7.5 a final site plan prepared and reviewed in accordance with Section 6.4 of this ordinance shall be required prior to the issuance of a zoning compliance permit. As noted above, this shall be considered a second step in the process.

Section 7.10 Voiding of Conditional Land Use Permit.

Any conditional land use permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use is commenced within one year (365 days).

A violation of a requirement, condition or safeguard shall be considered a violation of this Ordinance and grounds for the Planning Commission to terminate and cancel such conditional land use permit.

Section 7.11 Additional Development Requirements for Certain Uses.

A conditional land use permit shall not be issued for the uses specified in this subsection unless complying with the site development requirements as herein specified. The Township Board may impose additional conditions and safeguards when deemed necessary.

7.11.1. *Airports.*

A. The area proposed shall be sufficient to meet the applicable Michigan Aeronautics Commission and Federal Aeronautics Administration's requirements for the class of airport proposed.

B. There are no existing flight obstructions such as towers, chimneys or other tall structures, or natural obstructions outside the proposed airport which would fall within the approach zone to any of the proposed runways or landing strips of the airport.

C. There is sufficient distance between the end of each usable landing strip and the airport boundary to satisfy the requirements of the Federal Aeronautics Administration or any other appropriate authority. In cases where air rights or easements have been acquired from the owners of abutting properties in which approach zones fall, satisfactory evidence thereof shall be submitted with the application.

D. Any building, hangers, or other structures shall be at least one hundred (100) feet from any street or lot line.

E. The site plan submitted for review and approval shall, in addition to the information required in Sections 6.3, 6.4 and 7.11.1.A-D. shall include the proposed layout of runways, landing strips or areas, taxi trips, aprons, roads, parking areas, hangers, buildings, and other structures and facilities; the location and height of all buildings, structures, trees, and overhead wires falling within the airport approach zone and less than five hundred (500) feet distance from the boundary lines of the airport.

7.11.2. *Veterinary Clinics.*

A. Site Requirements - Lot Size.

1) AG-1, Agricultural Residential District.

a. The minimum lot area shall be five (5) acres. If large animals (cattle, horses, pigs, etc., See Definition of Large Animals) are to be served on site, the minimum lot area shall be ten (10) acres.

b. The subject property must also be so located as not to hinder the natural and presumed residential development of the area.

2) C-1, Local Commercial District or C-2, General Commercial District.

a. The minimum site size and width shall be in accordance with the C-1 or C-2 District Schedule of Regulations under Section 4.9.

b. Outdoor runs or other outdoor facilities will be evaluated on a case by case basis.

B. Yard and Placement Requirements

1) In the AG-1, Agricultural Residential District no building or outdoor runs or other outdoor facilities shall be closer than 150 feet from any abutting property line.

2) In the C-1 or C-2 Commercial Districts, no structure or area occupied by animals shall be within one hundred (100) feet of the property line of any adjacent lot. Exceptions may be granted to the setback requirement by the Township Board where noise does not constitute a nuisance to neighboring properties. Setbacks shall not be reduced to less than the minimum requirement of the District in which the clinic is located, as outlined in the Schedule of Regulations under Section 4.9.

C. Off-Street Parking Requirements

1) One parking space shall be provided for each employee (including owner if working on site), plus one parking space for each 150 square feet of usable floor area.

2) Off-street parking which abuts residentially zoned or used property shall be screened in accordance with Section 5.2.2.

3) All off-street parking, loading, and site access shall meet all applicable requirements of Article 10.

D. Required Conditions

1) The Planning Commission may require adequate means of noise and odor control, including but not limited to buffering, use of berms, inside night time (also potentially day time) housing of animals, and any other reasonable means to insure adequate protection and enjoyment of neighboring properties. Failure by the developer of a veterinary clinic to demonstrate in his/her proposal the adequate provision of means to control noise and odor shall be grounds to deny special land use approval.

2) Noise control shall be subject to Section 5.12.

3) Odor control shall be subject to Section 5.12.

7.11.3. *Automobile Service Stations and Automobile Washes.*

A. All gasoline pumps shall be located not less than fifteen (15) feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while encroaching upon or interfering with any public sidewalk, street or right-of-way.

B. All activities related to vehicle washing, service and repair equipment shall be entirely enclosed within a building.

C. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.

D. Vehicle sales shall not be permitted on the premises of any automobile service station or automotive wash.

E. Lighting shall be directed to prevent glare onto a public right-of-way or neighboring property.

F. Outdoor storage or parking of wrecked or partially dismantled vehicles shall be prohibited for a period of greater twenty-four (24) hours unless enclosed within an area which is completely screened from view by a solid fence of at least eight (8) feet in height. In no case shall storage be permitted in front of the front building line.

7.11.4. *Vehicle Repair and Automobile and Vehicle Sales.*

A. All activity related to vehicle and/or equipment repair shall be conducted entirely within an enclosed building and shall be located not less than one hundred (100) feet from any residentially zoned property.

B. Outdoor storage or parking of wrecked or partially dismantled vehicles shall be prohibited for a period of greater than twenty-four (24)

hours unless enclosed within an area which is completely screened from view by a solid fence of at least eight (8) feet in height. In no case shall storage be permitted in front of the front building line.

C. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.

D. Lighting shall be directed to prevent glare onto a public right-of-way or neighboring property.

7.11.5. *Campgrounds.*

A. The minimum lot area shall be twenty (20) acres.

B. A minimum one hundred (100) foot perimeter buffer shall be provided between any campsite, cabin, bathroom, picnic shelter, or storage building and adjacent residentially zoned or used properties.

(1) The perimeter buffer shall be maintained in its natural state.

(2) Where the natural vegetation or land contours are insufficient to buffer the campground from the adjacent residentially zoned or used properties, the Township Board may require additional setback, landscaping and/or berming.

C. Mobile homes shall not be permitted to be located within a campground, except one (1) mobile home may be permitted as a caretaker's quarters.

D. The use and occupancy of a campground shall be in strict compliance with the current laws and requirements which govern such uses in the State of Michigan.

7.11.6. *Cemeteries.*

A. Principal access shall be restricted to a County primary road or State highway.

B. The minimum lot area shall be five (5) acres.

C. No mausoleum, crematory, or chapel shall be erected within fifty (50) feet of the property boundary.

D. The perimeter of the site shall be secured with a fence a minimum of four (4) feet in height.

7.11.7. *Churches and other Buildings for Religious Worship.*

A. The minimum lot area shall be three (3) acres.

B. The minimum lot width shall be three hundred (300) feet.

C. All front, side and rear yard setbacks shall be a minimum of fifty (50) feet.

7.11.8. *Day Care Home, Group.*

A. The subject parcel shall meet the minimum lot size and yard requirements for the zoning district in which it is located. Group day care homes located within an RM-1 or MHP District shall meet the minimum lot area and yard requirements of the RS-1 District.

B. The property shall be maintained in a manner that is consistent with the character of the neighborhood.

C. There shall be an outdoor play area that is at least one thousand-five hundred (1,500) square feet. Said play area shall not be located within a required front yard setback. All outdoor play areas shall be enclosed by a fence that is designed to discourage climbing, and is at least four (4) feet in height but no higher than six (6) feet.

D. The hours of operation shall not exceed sixteen (16) hours within a twenty-four (24) hour period with a limitation on activity between the hours of 10:00 p.m. and 6:00 a.m.

E. Appropriate licenses with the State of Michigan shall be maintained.

F. Is not located closer than one thousand-five hundred (1,500) feet to any of the following:

(1) Another licensed group child care home.

(2) An adult foster care small group home or large group home licensed under the adult foster care licensing act.

(3) A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the public health code.

(4) A community correction center, resident home, half-way house or other similar facility which houses an inmate population under jurisdiction of the Department of Corrections.

7.11.9. *Day Care Center.*

A. The subject parcel shall meet the minimum lot area and yard requirements for the zoning district in which located. Day care centers located in an RM-1 or MHP District shall meet the minimum lot size and yard requirements of the RS-1 District.

B. The Day Care Center shall be served by public sewer and water or private water and waste water treatment system approved by the Jackson County Health Department.

C. A safe means of drop-off and pick-up area shall be provided and located so as to not create congestion on the site or within a public roadway.

D. There shall be an outdoor play area that is at least three thousand (3,000) square feet. Said play area shall not be located within a required front setback. All outdoor play areas shall be enclosed by a fence that is designed to discourage climbing and is at least four (4) feet in height but no higher than six (6) feet.

E. Appropriate licenses with the State of Michigan shall be maintained.

F. Is not located closer than one thousand-five hundred (1,500) feet to any of the following:

(1) Another licensed group child care home.

(2) An adult foster care small group home or large group home licensed under the adult foster care licensing act.

(3) A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the public health code.

(4) A community correction center, resident home, half-way house or other similar facility which houses an inmate population under jurisdiction of the Department of Corrections.

7.11.10. *Public or Private Elementary, Intermediate, and High Schools.*

A. All schools shall conform to applicable State statutes regarding site design.

B. All schools shall conform to the minimum yard requirements for the district in which it is located.

7.11.11. *Golf Courses and Country Clubs including accessory clubhouses, driving ranges, pro shops, maintenance buildings and recreational facilities.*

A. The minimum site area shall be sixty (60) acres for a nine (9) hole course and one hundred twenty (120) acres for an eighteen (18) hole course. The minimum site area for a par-3 course may be reduced by fifty (50) percent.

B. The location of structures such as the clubhouse and accessory buildings and their operations shall be reviewed by the Township Board to insure minimum disruption of the adjacent properties and as much distance as is practical shall be provided between golf course structures and activities and abutting residential properties. In no case shall any structure be located any closer than two hundred (200) feet from adjacent residentially zoned or used property.

C. All outdoor storage, service and maintenance areas when visible from adjoining residentially zoned or used land shall be screened from view either by a wall or fence at least six (6) feet in height or landscaped in accordance with the requirements of Section 5.2.2.

7.11.12. *Golf Driving Ranges.*

A. Adequate fencing and/or buffering shall be provided to prevent golf balls from landing on adjacent property.

B. Lighting shall be directed to prevent glare onto a public right-of-way or neighboring property.

C. All outdoor storage, service and maintenance areas when visible from adjoining residentially zoned or used land shall be screened from view either by a wall or fence at least six (6) feet in height or landscaped in accordance with the requirements of Section 5.2.2.

7.11.13. *Hospitals and Convalescent Homes.*

A. All such facilities shall be developed only on sites consisting of at least ten (10) acres in area or one thousand-five hundred (1,500) square feet per bed, whichever is greater.

B The proposed site shall have direct access to a County primary road or State or Federal Highway. The Township Board may permit access to a local road in cases where the traffic impact will not place an inordinate burden on the roadway or adjacent properties.

C. The minimum distances between any hospital structure or accessory use and any adjacent residentially zoned or used property shall be at least one hundred (100) feet.

D. Unless otherwise specified, hospitals and convalescent homes shall comply with the minimum yard requirements of the district in which it is located.

7.11.14. *Bed and Breakfasts.*

A. Each premise must be occupied and operated by its owner.

B. The proposed use shall not cause a nuisance to adjoining residences due to noise, odor, lighting, or traffic.

C. No bed and breakfast sleeping room shall be permitted that does not comply with the construction code.

D. There shall be no separate cooking facilities used for bed and breakfast stay.

E. Bed and breakfast bedrooms shall be a minimum of one hundred twenty (120) square feet for the first two (2) occupants and an additional thirty (30) square feet for each additional occupant.

F. The stay of bed and breakfast occupants shall be no more than thirty (30) consecutive days and not more than sixty (60) days in any one (1) calendar year.

G. One (1) bathroom for every three (3) sleeping rooms shall be provided, with a minimum of two (2) bathrooms.

H. Every bed and breakfast bedroom shall contain a functioning smoke detector. An approved fire extinguisher shall be located on each floor on which such sleeping room is located.

I. One (1) identification sign shall be permitted subject to the approval by the Township Board.

J. One (1) off-street parking space shall be provided within the interior side yard or rear yard area for each bed and breakfast bedroom. The Township Board may increase or decrease required parking in order to meet the purposes of this Section and protect the public health and safety.

7.11.15 *Motels.*

A. Each unit shall contain not less than two hundred fifty (250) square feet of floor area.

B. Cooking and/or kitchen facilities may be provided upon demonstration by the applicant that the provisions of all applicable Fire Prevention and Building Codes have been complied with.

C. The stay of occupants shall be no more than thirty (30) consecutive days and not more than sixty (60) days in any one (1) calendar year.

D. Every room shall have a functioning smoke detector. An approved fire extinguisher shall be located on each floor on which such room is located.

7.11.16. *Intensive Livestock Operations.*

A. The design and construction of all equipment, facilities, and structures to be used for disposal of animal waste, shall be approved by and meet the current requirements and standards of the State of Michigan. Evidence that these requirements have been met and approvals obtained shall be provided to the Township Zoning Administrator prior to the start of operation of the waste disposal equipment, facilities and structures.

The design, installation, and operation of all facilities and equipment required to monitor ground water, soil, and air contamination, including monitoring and test wells, shall meet the current requirement specified by the State of Michigan.

A copy of all reports and results of ground water, soils, and/or air quality tests required by the State of Michigan shall be provided to the Township Zoning Administrator.

B. Livestock production facilities which are not subject to regulation by the State of Michigan shall be subject to the following:

(1) There shall be adequate fencing, or other restraining device, for the purpose of maintaining animals within a restricted area.

(2) The refuse and wastes resulting from the feeding and maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses and prevent the contamination of groundwater and surface waters. At the time of application for the conditional land use, the applicant shall provide a specific plan for the management of refuse and wastes.

(3) All feed and other materials used for the maintenance of animals shall be appropriately stored so as to not attract rats, mice, or other vermin.

(4) Feedlots and structures housing animals shall be located at a minimum of five hundred (500) feet from any dwelling which exists

on an adjacent lot at the time of special land use approval, three hundred (300) feet from any public right-of-way.

7.11.17. *Commercial Kennels.*

A. A minimum lot size of ten (10) acres in the AG-1 and five (5) acres in all other districts shall be maintained.

B. Any building or fenced area where animals are kept shall be located a minimum of two hundred (200) feet from any public right-of-way, one hundred (100) feet from any property line, and one hundred-fifty (150) feet from any residential dwelling located off the premises.

C. The kennel shall be established and maintained in accordance with all applicable State, County and Township sanitation regulations. The kennel operation shall not generate objectional odor, dust noise, drainage or insects that may be found to be a nuisance to adjoining properties as determined by the Township Zoning Administrator.

7.11.18. *Commercial Stables.*

A. The minimum lot area required for a commercial stable shall be ten (10) acres. Six (6) horses shall be permitted for the first ten (10) acres. Thereafter, one (1) additional horse shall be permitted for each full one (1) acre in excess of ten (10) acres.

B. A commercial stable shall be established and maintained in accordance with all applicable State, County and Township sanitation regulations.

C. Animals shall be confined in a suitable fenced area.

7.11.19. *Self-Storage Facilities.*

A. Self-storage facilities shall be devoted exclusively to the rental of enclosed storage space and outside storage space for vehicles. No wholesale, retail, industrial, or other business use on or operated from the facility shall be allowed.

B. The storage of any toxic, explosive, corrosive, flammable, or hazardous material is prohibited.

C. Other than the storage of vehicles, all storage shall be contained within a building. All vehicle storage shall be screened from the view of neighboring properties and public roads in accordance with Section 5.2.2.

D. All storage units must be accessible by safe drives which are clearly marked to distinguish direction of traffic flow and separated from the

parking lanes. Parking lanes a minimum of ten (10) feet wide shall be provided for loading and unloading adjacent to all storage units. A combination parking lane-driveway must meet the following minimum standards:

(1) When storage units open on one (1) side only maneuvering aisles a minimum of twenty-four (24) feet in width shall be provided.

(2) When storage units open onto both sides, maneuvering aisles a minimum of thirty-two (32) feet in width shall be provided.

7.11.20. *Open Space Residential Developments.*

A. Intent. It is the intent of this section to promote the goals of the Sandstone Charter Township Master Plan to permit the development of single-family dwellings in patterns which will:

(1) Protect rural character and productive agricultural lands.

(2) Minimize demand for public services.

(3) Encourage a more creative approach to single-family residential development than conventional land division and allow greater flexibility in the siting of units.

(4) Provide a more desirable living environment through the preservation and conservation of natural features such as topography, wetlands, woodlands, water bodies, and other natural assets.

(5) Reduce the number of driveways accessing County primary and local roads.

(6) Encourage the provision of open space.

B. Where Applicable. The open space development option may be permitted as a conditional use in the AG-1, RNF-1, RS-1 and RM-1.

C. Criteria. In the review of a proposed development under this section, the Township Board shall make a finding that the intent of the open space development option, as set forth in Section 7.11.20.A and one (1) or more of the standards set forth below are met:

(1) The parcel contains natural assets which would be preserved through the use of cluster development. Such asset may include natural stands of large trees; land which serves as a natural habitat for wildlife; wetlands; bodies of water (i.e., streams, rivers, and

lakes); unusual topographic features; or other natural assets which should be preserved.

(2) The parcel contains productive agricultural lands which would be preserved through the use of cluster development.

(3) The parcel contains major topographic conditions which make development under the normal subdivision approach impractical.

(4) The parcel contains substantial portions of flood plain and wetlands, as verified by a flood plain and wetlands map, issued by the appropriate Federal, State, County, or Township agency, or prepared by a qualified wetlands consultant.

(5) Due to the size and shape of the parcel, utilization of the open space development option would result in the more creative and efficient use of the property and would not create a negative impact upon surrounding properties.

D. Site Design Requirements. All open space developments submitted under this option shall conform to the following site design requirements:

(1) Type of Dwelling Unit Permitted. Development is restricted to single-family detached dwelling units.

(2) Density. The number of dwelling units permitted under the open space development option shall not exceed the number of dwelling units if the site were developed with a conventional layout and all applicable ordinances and laws observed, as demonstrated by a concept site plan.

(3) Common Access. No lot or parcel shall have direct driveway access to County designated primary or local roads. All lots or parcels shall have frontage on and direct access to a newly constructed public or private road which meets one (1) of the following conditions:

a. A public street which has been accepted for maintenance by the Jackson County Road Commission;

b. A permanent and unobstructed private road approved and built in accordance to the Sandstone Charter Township standards for private roads.

(4) Setbacks. Minimum setback requirements shall be established in a manner which permits variation in the siting of

individual dwelling units in order to encourage creativity in design and compatibility with natural resource features. The following minimum setback requirements for each dwelling unit shall be applied:

Minimum Setbacks Per Dwelling Unit (in Feet)

Setbacks/Districts	AG-1	RNF-1	RS-1	RM-1
Front	35	25	25	25
Rear	35	25	25	25
Side				
Least	20	10	10	10
Total of Same Lot	40	20	20	20

(5) Open Space. When completed, the development shall have significant areas devoted to open space for the use and enjoyment of residents of the development, subject to the following standards:

a. Designated open space shall remain either in its natural state and/or used for specifically designated recreational purposes.

b. Designated open space shall include area within any greenbelts required by subsections 6 and 7, below.

c. Designated open space shall not include: rights-of-way or easements designated for road purposes; areas within lots; or, land which is under water (lakes, streams, water courses, and other similar bodies of water).

(6) Greenbelt Adjacent and Parallel to County Primary and Local Roads. It is the intent of the Township that open space developments shall not appear to be more intense developments than conventional developments as viewed from off-site. In addition to any required minimum setback specified in subsection 4, a greenbelt, having the minimum width of one hundred (100) feet, shall be required along any adjacent County primary or local road. The greenbelt shall be measured from the future right-of-way line. The Township at its discretion, may permit either minor reductions in width or variations in width of the greenbelt taking into consideration topographic and/or other natural resource conditions, density of existing vegetation to be preserved, and size and shape of the development site.

(7) Transition from Adjacent Parcels. In order to provide an orderly transition of density when a open space development abuts

a single-family residential district of equal or lower density, the Township, at its discretion, shall require designation of open space along the common boundaries; screening in accordance with the requirements of Section 5.2.2; and/or an area or row of lots of commensurate size as neighboring residential lots.

E. Grant of Approval. Upon the grant of conditional land use approval under this section, the Township shall stipulate the general development concept and all discretionary decisions made under this section as part of the approval process, and all conditions imposed as part of the approval.

F. Preservation and Maintenance: The effectiveness of any approval of an open space development under this section shall be conditioned upon recordation of appropriate conservation easements or other instruments for the purpose of providing for long-term maintenance and preservation of common areas, open space areas, wooded areas, and/or other areas with natural resources or features to be preserved on the property. Such easement and/or other instrumentation shall be in a form and contain the content approved by the Township attorney.

7.11.21. *Mining and Extractive Operations.*

A. There shall be not more than one (1) entrance way from a public road to said lot for each five hundred (500) feet of front lot line.

B. Such removal, processing, transportation and activities relating to storage such as stockpiling shall not take place before sunrise or after sunset.

C. On said lot, no digging or excavating shall take place closer than one hundred (100) feet to any lot line.

D. On said lot, all roads, driveways, parking lots, and loading and unloading areas within one hundred (100) feet of any lot line shall be paved, oiled, watered, or chemically treated so as to limit adjoining lots and public roads the nuisance caused by windborne dust.

E. Any odors, smoke, fumes, or dust generated on said lot by any digging, excavating, processing, stockpiling, or transportation operation and borne or able to be borne by the wind shall be confined within the lines of said lot as much as possible so as to not cause a nuisance or hazard on any adjoining lot or public road.

F. Such removal, processing or storage shall not be conducted as to cause the pollution by any material of any surface, or subsurface water, watercourse, or other body of water outside the line of the lot on which such use shall be located.

G. Such removal processing or storage shall not be conducted as to cause or threaten to cause the erosion by water of any land outside of said lot or of any land on said lot so that earth materials are carried outside of the lines of said lot, that such removal shall not be conducted as to alter the drainage pattern of surface or subsurface waters on adjacent property, and that in the event that such removal, processing, or storage shall cease to be conducted, it shall be the continuing responsibility of the owner or operator thereof to assure that no erosion or alteration of drainage patterns, as specified in this paragraph, shall take place after the date of the cessation of operation.

H All fixed equipment and machinery shall be located at least one hundred (100) feet from any lot line and five hundred (500) feet from any residential zoning districts, but that in the event the zoning classification of any land within five hundred (500) feet of such equipment or machinery shall be changed to residential subsequent to the operation of such equipment or machinery, the operation of such equipment or machinery may continue henceforth but in no case less than one hundred (100) feet from any lot line.

I. There shall be erected a fence not less than six (6) feet in height around the periphery of the development. Fences shall be adequate to prevent trespassing and shall be placed no closer than fifty (50) feet to the top edge of any slope.

J. All areas shall be progressively rehabilitated to mitigate hazards and to blend with the general surrounding ground form so as to appear reasonably natural.

K. The operator shall file with the Township Board and the Zoning Administrator a detailed plan for the restoration of the development area which shall include the anticipated future use of the restored land, the proposed final topography which shall not exceed a one to three (1:3) gradient, steps which shall be taken to conserve topsoil, proposed and final landscaping, and the location of future roads, drives, drainage courses, and/or other improvements contemplated. Said plans shall be subject to review and modification from time to time by the Township Board. The anticipated costs of carrying out the plans of restoration shall be included with said plan.

L. The operator shall file a performance bond payable to Sandstone Charter Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The amount of the required bond which will reflect the anticipated cost of restoration shall be fixed by the Sandstone Charter Township Board. The bond shall be released upon written certification of the Zoning Administrator that the restoration is complete and in compliance with the restoration plan. Governmental units are exempt.

M. The permit, or each renewal thereof, shall be for a period of not more than five (5) years and shall be renewable only upon reapplication, a redetermination by the Township Board and a filing of a performance bond, said redetermination to be made in accordance with the requirements of this Ordinance for the issuance of a conditional use permit. Governmental units are exempt.

7.11.22. *Wireless Communication Facilities.*

A. Purpose and Intent. It is the general purpose and intent of the Township to carry out the will of the United States Congress by authorizing communication facilities needed to operate wireless communication systems. However, it is the further purpose and intent of the Township to provide for such authorization in a manner which will retain the integrity of neighborhoods and the character, property values, and aesthetic quality of the community at large. In fashioning and administering the provisions of this section, an attempt has been made to balance these potentially competing interests.

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

(1) Facilitate adequate and efficient provision of sites for wireless communication facilities.

(2) Establish predetermined districts or zones of the number shape, and in the location considered best for the establishment of wireless communication facilities, subject to applicable standards and conditions.

(3) Recognize that operation of a wireless communication system may require the establishment of facilities in locations not within the predetermined districts or zones. In such cases, it has been determined that it is likely that there will be greater adverse impact upon neighborhoods and areas within the community. Consequently, more stringent standards and conditions should apply to the review, approval, and use of such facilities.

(4) Ensure that wireless communication facilities are situated in appropriate locations and relationships to other land uses, structures, and buildings.

(5) Limit inappropriate physical and aesthetic overcrowding of land use activities and avoid adverse impact upon existing population, transportation systems, and other public services and facility needs.

(6) Promote the public health, safety, and welfare.

(7) Provide for adequate information about plans for wireless communication facilities in order to permit the community to effectively plan for the location of such facilities.

(8) Minimize the adverse impacts of technological obsolescence of such facilities, including a requirement to remove unused and/or unnecessary facilities in a timely manner.

(9) Minimize the negative visual impact of wireless communication facilities on neighborhoods, community landmarks, historic sites and buildings, natural beauty areas, and public rights-of-way. This includes the establishment of as few structures as reasonably feasible, and the use of structures which are designed for compatibility, including the use of existing structures and the avoidance of lattice structures that are unnecessary, taking into consideration the purposes and intent of this section.

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

B. Authorization.

(1) Subject to the standards and conditions set forth in Subsection C, wireless communication facilities shall be permitted uses in all Zoning Districts under the following circumstances:

a. Location upon any existing structure, including a public electric utility tower or pole, which will serve as an Attached wireless communication facility where the existing structure is not, in the discretion of the Zoning Administrator, proposed to be either materially altered or materially changed in appearance.

b. A proposed collocation upon an existing attached wireless communication facility or wireless communication support structure which had been pre-approved for such collocation as part of an earlier approval by the Township.

c. New wireless communication facilities shall be a permitted use within five hundred (500) feet of the right-of-way of I-94.

(2) If it is demonstrated by an applicant that a wireless communication facility is required to be established outside of a district identified above, in order to operate, such wireless communication facilities may be permitted elsewhere in the Township as a conditional land use, subject to the following:

a. Locations outside of the district identified in Subsection B.1, shall be permitted on the following sites, subject to application of all other standards contained in this section:

1. Township owned site.

2. Other governmentally owned site.

3. Religious or other institutional site.

4. Public park.

5. Public or private school site.

6. Other locations if none of the above is available.

b. At the time of the submittal, the applicant shall demonstrate that a location within the districts identified in Subsection B.1 cannot reasonably meet the coverage and/or capacity needs of the applicant.

c. Wireless communication facilities shall be of a design which is compatible with the existing character of the proposed site, neighborhood and general area, as approved by the Township.

d. All other criteria and standards set forth in Subsection C and D are met.

C. General Regulations.

(1) Standards and Conditions Applicable to All Facilities.

All applications for wireless communication facilities shall be reviewed in accordance with the following standards and conditions, and, if approved, shall be constructed and maintained in accordance with such standards and conditions. In addition, if the facility is approved, it shall be constructed and maintained with any additional conditions imposed by the Township Board in its discretion:

a. Facilities shall not be demonstrably injurious to neighborhoods or otherwise detrimental to the public safety and welfare.

b. Facilities shall be located and designed to be harmonious with the surrounding areas.

c. Wireless communication facilities shall comply with applicable federal and state standards relative to the environmental effects of radio frequency emissions. Evidence of compliance shall be provided by the applicant if requested by the Township.

d. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights.

e. The following additional standards shall be met:

1. The maximum height of the new or modified support structure and antenna shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant (and by other entities to collocate on the structure). The accessory building contemplated to enclose such things as switching equipment shall be limited to the maximum height for accessory structures within the respective district.

2. The setback of the support structure shall be at least the height of the highest point of any structure on the premises.

3. There shall be unobstructed access to the support structure, for operation, maintenance, repair and inspection purposes, which may be

provided through or over an easement. This access shall have a width and location determined by such factors as: the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the tower and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing disturbance to the natural landscape; and, the type of equipment which will need to access the site.

4. The division of property for the purpose of locating a wireless communication facility is prohibited unless all zoning requirement and conditions are met.

5. Where an attached wireless communication facility is proposed on the roof of a building, if the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed, and maintained to be architecturally compatible with the principal building. The equipment enclosure may be located within the principal building or may be an accessory building. If proposed as an accessory building, it shall conform with all district requirements for principal buildings, including yard setbacks.

6. The Township Board shall, with respect to the color of the support structure and all accessory buildings, review and approve so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly condition.

7. The support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements indicating the suitability of soil conditions for the proposed use. The requirements of the

Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be noted.

8. A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the site plan for the proposed facility. Such plan shall be designed to ensure the long term, continuous maintenance to a reasonably prudent standard. Evidence of compliance shall be provided by the applicant of requested by the Township.

(2) Standards and Conditions Applicable to Conditional Land Use Facilities.

Applications for wireless communication facilities which may be approved as conditional land uses, shall be reviewed, and if approved, constructed and maintained, in accordance with the standards and conditions in Subsection C-1 and in accordance with the following standards:

a. The applicant shall demonstrate the need for the proposed facility to be located as proposed based upon the presence of one (1) or more of the following factors:

1. Proximity to an interstate or major thoroughfare.

2. Areas of population concentration.

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

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

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

6. Other specifically identified reason creating facility need.

b. The proposal shall be reviewed in conformity with the collocation requirements of this section.

D. Application Requirements.

(1) A site plan prepared in accordance with Section 6.6 shall be submitted, showing the location, size, screening and design of all buildings and structures, including fences, and the location and size of outdoor equipment, and the location, number, and species of proposed landscaping.

(2) The site plan shall also include a detailed landscaping plan where the support structure is being placed at a location which is not otherwise developed, or where a developed area will be disturbed. The purpose of landscaping is to provide screening and aesthetic enhancement for the structure base, accessory buildings and enclosure. In all cases, there shall be shown on the plan fencing which is required for protection of the support structure and security from children and other persons who may otherwise access facilities.

(3) The application shall include a signed certification by a State of Michigan licensed professional engineer with regard to the manner in which the proposed structure will fall, which certification will be utilized, along with other criteria such as applicable regulations for the district in question, in determining the appropriate setback to be required for the structure and other facilities.

(4) The application shall include a description of security to be posted at the time of receiving a building permit for the facility to ensure removal of the facility when it has been abandoned or is no longer needed, as provided in Subsection F Removal below. In this regard, the security shall, at the election of the applicant, be in the form of: (1) cash; (2) surety bond; (3) letter of credit; or, (4) an agreement in a form approved by the Township Attorney and recordable at the office of the Register of Deeds, establishing a promise of the applicant and owner of the property to timely remove the facility as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the Township in securing removal.

(5) The application shall include a map showing existing and known proposed wireless communication facilities within the Township, and further showing existing and known proposed wireless communication facilities within areas surrounding the borders of the Township in the location, and in the area, which are

relevant in terms of potential collocation or in demonstrating the need for the proposed facility.

(6) The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.

E. Collocation.

(1) Statement of Policy:

It is the policy of the Township to minimize the overall number of newly established locations for wireless communication facilities and wireless communication support structures within the community, consistent with the statement of purpose and intent, set forth in Subsection A. Each licensed provider of a wireless communication facility must, by law, be permitted to locate sufficient facilities in order to achieve the objectives promulgated by the United States Congress. However, in light of the dramatic increase in wireless communication facilities anticipated to occur, it is the policy of the Township that all users should collocate.

(2) Feasibility of collocation:

Collocation shall be deemed to be "feasible" for purposes of this section where all of the following are met:

a. The wireless communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.

b. The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.

c. The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structures, antennas, and the like.

d. The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the Township, taking into

consideration the standards set forth in this Ordinance.

(3) Requirements for collocation:

a. A conditional land use permit for the construction and use of a new wireless communication facility shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.

b. All new and modified wireless communication facilities shall be designed and constructed so as to accommodate collocation.

c. The policy of the community is for collocation. Thus, if a party who owns or otherwise controls a facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible collocation, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.

d. If a party who owns or otherwise controls a facility shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new facility, the party failing or refusing to permit a feasible collocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the Township, and, consequently such party shall take responsibility for the violation, and shall be prohibited from receiving approval for a new wireless communication support structure within the Township for a period of five (5) years from the date of the failure or refusal to permit the collocation. Such a party may seek and obtain a variance from the Zoning Board of Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five (5) year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.

F. Removal.

(1) The Township reserves the right to request evidence of ongoing operation at any time after the construction of an approved tower.

(2) A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one (1) or more of the following events:

a. When the facility has not been used for one hundred eighty (180) days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.

b. Six (6) months after new technology is available at reasonable cost as determined by the municipal legislative body, which permits the operation of the communication system without the requirement of the support structure.

(3) The situations in which removal of a facility is required may be applied and limited to portions of a facility.

(4) Upon the occurrence of one (1) or more of the events requiring removal, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Zoning Administrator.

(5) If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn or collected from the security posted at the time application was made for establishing the facility.

7.11.23. *Wireless Internet Service Provider (WISP) Towers*.

Wireless internet service provider towers with limited range and service area (as defined) are permitted within any Zoning District in Sandstone Township as a conditional land use subject to Article 7 (Conditional Land

Use provisions) of this Ordinance. A final site plan as noted in Section 7.5 shall not be required.

In addition to the provisions of Article 7, the applicant must demonstrate the following:

A. The setback to any property line, road right-of-way, or habitable structure of the tower shall be at least equal to the highest point of the tower structure.

B. The Township Board shall, with respect to the color of the support structure and all accessory buildings, review and approve so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly condition.

C. The support system shall be constructed in accordance with all applicable building codes, as well as current FCC standards in place. Proof of compliance with these codes must be provided to the Township prior to the issuance of any building permit for the project.

D. A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the review process for the proposed facility. Such plan shall be designed to ensure the long term, continuous maintenance to a reasonably prudent standard. Evidence of compliance shall be provided by the applicant upon the request of the Township.

E. In all case, there shall be fencing which is required for protection of the support structure and security from children and other persons who may otherwise access facilities.

F. The application shall include a description of security to be posted at the time of receiving a building permit for this facility to ensure removal of the facility when it has been abandoned or is no longer needed. In this regard, the security shall, at the election of the applicant, be in the form of: (1) cash; (2) surety bond; (3) letter of credit; or (4) an agreement in a form approved by the Township Attorney and recordable at the office of the Register of Deeds, establishing a promise of the applicant and owner of the property to timely remove the facility as required under this section of the ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorney's fees incurred by the Township in securing removal.

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

H. Removal.

(1) The Township reserves the right to request evidence of ongoing operation at any time after the construction of an approved tower.

(2) A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one (1) or more of the following events:

a. When the facility has not been used for one hundred eighty (180) days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.

b. Six (6) months after new technology is available at reasonable cost as determined by the municipal legislative body, which permits the operation of the communication system without the requirements of the support structure.

(3) The situations in which removal of a facility is required, may be applied and limited to portions of a facility.

(4) Upon the occurrence of one (1) or more of the events requiring removal, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Zoning Administrator.

I. Collocation

Wireless Internet Service Provider Towers shall be subject to collocation pursuant to Section 7.11.22.E of the Sandstone Charter Township Zoning Ordinance. It is the general policy that all new towers be constructed to allow the collocation of other wireless communication facilities, and wireless internet service facilities.

7.11.24 *Adult Foster Care Facilities.*

A. Intent. It is the intent of this section to establish standards for adult foster care facilities which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

B. Application of Regulations

(1) A State licensed Adult Foster Care Small Group Home serving six (6) persons or less and Adult Foster Care Family Home shall be considered a residential use of property and a permitted use in all residential districts.

(2) The Township Board may, by issuance of a conditional use permit, authorize the establishment of an Adult Foster Care Large Group Home in the following zoning districts: AG-1, RNF-1, RS-1 and RM-1. Such facilities shall be prohibited in all other districts.

(3) The Township Board may, by issuance of a conditional use permit, authorize the establishment of an Adult Foster Care Congregate Facility in the following zoning districts: RM-1, C-1 and C-2. Such facilities shall be prohibited in all other districts.

C. Standards for Adult Foster Care Large Group Homes. Such homes shall be considered as conditional land use in accordance with the requirements and standards of Article 7 and the following additional standards:

(1) A preliminary site plan in accordance with the requirements of Section 6.3 shall be submitted.

(2) The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located, provided there is a minimum site area of three thousand (3,000) square feet per adult, excluding employees and/or care givers.

(3) The property is maintained in a manner that is consistent with the character of the neighborhood.

(4) One (1) off-street parking space per employee and/or caregiver shall be provided.

(5) In its sole discretion, the Township Board may determine that landscape screening in accordance with Section 5.2.2 is required.

(6) Appropriate licenses with the State of Michigan shall be maintained.

D. Standards for Adult Foster Care Congregate Facilities. Such facilities shall be considered as a conditional land use in accordance with the requirements and standards of Article 7 and the following additional standards:

(1) A preliminary site plan, in accordance with Section 6.3, shall be required to be submitted.

(2) The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located, provided there is a minimum site area of three thousand (3,000) square feet per adult, excluding employees and/or caregivers.

(3) Parking requirements as required for convalescent homes and similar facilities, set forth in Section 10.4 shall be met.

(4) In its sole discretion, the Township Board may determine that landscape screening in accordance with Section 5.2.2. is required.

(5) Appropriate licenses with the State of Michigan shall be maintained.

7.11.25 *Agricultural commercial/tourism business.*

A. *Intent*. It is the intent of the township to allow, through a conditional land use permit, uses of a commercial/tourism nature that are complementary and accessory to the primary agricultural land use in the AG-1, Agricultural Residential zoning district. It is also the intent to:

- Promote and maintain local farming and the provision of open space within the township.
- Maintain both an agricultural heritage and rural character.
- Encourage new agriculturally based businesses that contribute to the general economic conditions of the township and surrounding region.

B. *Purpose*. The purpose of this designation is to provide a clear understanding of the expectations for agricultural commercial/tourism businesses for operators, local residents, other businesses, and local officials.

C. The following agricultural commercial/tourism businesses may be permitted after conditional land use review, pursuant to Section 7.5 through Section 7.9 of this chapter.

(1) Cider mills or wineries selling product, in a tasting room, containing at least 50 percent of crops or produce grown on-site.

(2) Seasonal outdoor mazes of agricultural origin such as straw bales or corn.

(3) Bed and breakfast operation in accordance with the State Construction Code, Act 230 of 1972, as amended.

(4) The processing storage and retail or wholesale marketing of agricultural products into a value-added agricultural product in a farming operation if at least 50 percent of the stored or processed, or merchandised products are produced by the farm operator.

(5) U-pick orchard operations.

(6) Community supported agriculture or CSA.

(7) Uses (1) through (6) listed above may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the farm is maintained and the income from these activities represents less than 50 percent of the gross receipts from the farm.

a. Value-added agricultural products or activities, such as education tours of processing facilities, etc.

b. Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides).

c. Petting farms, animal display, and pony rides.

d. Wagon, sleigh and hayrides.

e. Nature trails.

f. Open air or covered picnic area with restrooms.

g. Educational classes, lectures, seminars.

h. Historical agricultural exhibits.

i. Kitchen facilities, for the processing, cooking, and/or baking of goods containing at least 50 percent produce grown on site.

j. Gift shops for the sale of agricultural products and agriculturally related products. Gifts shops for the sale of non-agriculturally related products such as antiques or crafts, limited to 25 percent of gross sales.

(8) Other commercial/tourism business that are complementary and accessory to the primary agricultural land use of the subject property, including but not limited to:

a. Small-scale entertainment (e.g., music concert, car show, art fair).

b. Organized meeting space (e.g., for use by weddings, birthday parties, and corporate events).

c. Designated, permanent parking for more than 20 vehicles.

D. *Supplemental regulations.*

(1) Minimum lot area of ten (10) acres.

(2) The uses listed in subsections C. (1), (2), (7), and (8) of this section must have direct access to a public or private road which conforms to the Jackson County Road Commission standards.

(3) All other uses permitted by this section, not noted above, may have access on any road type within the township with the condition that the increase in traffic shall not create a nuisance to nearby residents by way of traffic or noise, or increase the public cost in maintaining the roadway.

(4) A 200-foot open buffer shall be provided on all sides of the property not abutting a roadway. Agricultural commercial/tourism business activities shall not be allowed within this buffer area. Where possible, crops shall remain within this buffer area to help maintain the agricultural character of the site.

(5) Buffer plantings shall be provided along the property line where there is an abutting residence. Greenbelt plantings are intended to screen views of the proposed operation from the adjacent home or property. Buffer plantings shall meet the standards of Section 5.2 through Section 5.4.

(6) Must provide off-street parking to accommodate use as outlined in Article 10.

a. Parking facilities may be located on a grass or gravel area for seasonal uses such as roadside stands, u-pick operations, and agricultural mazes. All parking areas shall be defined by either gravel, cut lawn, sand, or other visible marking.

b. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.

c. Paved or unpaved parking areas shall not be located in required setback or buffer areas. Paved parking areas must meet all design, and landscape screening requirements as set forth in this zoning ordinance.

(7) The following additional operational information must also be provided as applicable:

a. Ownership of the property.

b. Months (season) of operation.

c. Hours of operation.

d. Anticipated number of customers.

e. Maintenance plan for disposal, etc.

f. Any proposed signs, subject to the requirements of Article 9.

g. Any proposed lighting, subject to the requirements of Section 5.1.

h. Maximum number of employees at any one time.

i. Restroom facilities.

j. Verification that all outside agency permits have been granted, i.e., federal, state and local permits.

(8) All areas of the property to be used including all structures on site must be clearly identified.

(9) All structures used for commercial like purposes shall meet the requirements and standards of the Michigan Building Code.

7.11.26 *Gun Clubs, Firing and Archery Ranges.*

A. *Firearms Range – Enclosed within a building:*

(1) A minimum lot area of not less than (40) acres shall be maintained, unless the Planning Commission permits a smaller area for plans prepared in compliance with Section 7.11.26 G.

(2) Indoor ranges must be designed so projectiles cannot penetrate the walls, floor or ceiling, and ricochets or back splatter cannot harm range users. Lead exposure shall follow EPA and OSHA guidelines to make sure that the facility is properly ventilated.

(3) Walls and partitions shall be designed to stop all projectiles fired on the range by containing or redirecting bullets to the backstop.

(4) Floors, walls, backstops, and ceilings must be able to contain the sound in addition to the bullets fired and be made of an acceptable engineering standard compliant with standards applicable under A (2) of this section.

(5) Fully automatic firearms are prohibited. Firearm use shall be limited to .45 caliber or less, provided the facility is designed to meet all standards listed in this section.

(6) This structure shall be not less than five hundred (500) feet from any RNF-1, RS-1, RM-1, MHP, C-1, C-2, L1 Districts, public right-of-way, or a residential structure.

(7) A license for such a range be obtained from the Township Board. The initial license shall be issued after all applicable zoning requirements and inspections are completed and approved. Annual approval and license fee shall be paid for renewal and be performed by the Zoning Administrator and Police Department.

(8) Public liability and property damage insurance for injuries arising from the operation of the range shall be maintained.

(9) There shall be continuous supervision by 1 or more employees when such range is in operation.

B. Firearms Range – Outdoors:

(1) A minimum lot area of not less than one hundred (100) acres or as specified shall be maintained, unless the Planning Commission permits a smaller area for plans prepared in compliance with Section 7.11.26 G.

(2) The gun firing lines of the range shall be not less than five thousand (5,000) feet in length from the firing point, and shall be at least on-quarter (1/4) mile from the nearest RNF-1, RS-1, RM-1, MHP. C-1. C-2, or L1 Districts in any direction from the firing point.

(3) The firing line must be no closer that (1/4) mile from the nearest occupied structure.

(4) No incendiary, explosive and/or tracer ammunition.

(5) The shooters shall fire in a northerly direction at all times, and away from any traveled highways.

(6) Shooters shall fire into a thirty (30) foot high hill or suitable backstop to be approved by the Zoning Administrator and Police Department.

(7) A six (6) foot chain link fence shall be provided and maintained to prevent persons from moving into the area and firing line. Signage must be maintained and be posted at a minimum of 200-foot intervals by durable, weatherproof signs not less than two square feet in size with a minimum of two-inch lettering, containing the following in large print: **DANGER SHOOTING RANGE**.

(8) A license for such a range be obtained from the Township Board. The initial license shall be issued after all applicable zoning requirements and inspections are completed and approved. Annual approval and license fee shall be paid for renewal and be performed by the Zoning Administrator and Police Department.

(9) Public liability and property damage insurance for injuries arising from the operation of the range shall be maintained.

(10) There shall be continuous supervision by 1 or more employees when such range is inn operation.

(11) Shooters shall fire from a structure constructed to standards not less that hose required as minimum safety standards by the National Rifle Association.

(12) Shooting on the range shall be limited to the hours between sunrise and sunset but not prior to 7:00 a.m. or later than 8:00 p.m.

C. *General Standards Sport Shooting Ranges:*

(1) Noise shall be limited to 67dBA at the property line.

(2) The facility shall be designed to meet and comply with applicable federal and state laws, county, and local ordinances and guidelines, such as but not limited to, the Environmental Protection Agency (EPA), Occupational Safety & Health Administration (OSHA), and National Rifle Association (NRA) Range Source Book (current edition), the Bureau of Alcohol, Tobacco, Firearm and Explosives (ATF) registration requirements, local health department, and building code requirements and the generally accepted operation practices adopted by the Michigan Department of Natural Resources.

(3) The range facility shall not be within 1,000 feet of a school and shall not be located directly adjacent to a residential zoned district (RNF-1, RS-1, RM-1, of MHP), church, or childcare facility.

(4) The range owner/operator shall submit to the Township prior to operation, and maintain as a condition for operation, a Range Safety Plan that addresses the following items at a minimum and all rules and regulations must be compiled with:

a. Firearm Handling Rules

i. Address how firearms will be handled on site in a safe manner.
ii. Guns shall be stored where they are not accessible to unauthorized persons.

b. General Range Rules

iii. Range commands.
iv. Designated range officer.

c. Specific Range Rules based on type of facility

i. Types of firearms permitted on site.
ii. Types of activities permitted on site.
iii. Caliber restrictions.

d. Administrative Rules and Regulations

i. Who is authorized to use the facilities? (members, public, law enforcement, etc.)
ii. How are authorized personnel identified?
iii. Who will enforce rules and penalties?
iv. What type of targets will be used?
v. Hours of operation?
vi. Barrier free accessibility shall be provided for use of the facility.
vii. What shooting activities are allowed and not allowed?
viii. Alcohol and controlled substances shall not be permitted at the facility.
ix. What age restrictions will be utilized for the facility or what safety procedures will be in place for minors?
x. How will firearms be transported into the facility?
xi. What procedures will be utilized to protect patrons and employees from health hazards such as lead contamination that includes but is not limited to, lead contamination monitoring, disposal methods, etc. to ensure a safe environment?
xii. Will food be served on site?

e. The facility must be under its ownership's supervision and control while open and in use.

f. No sport shooting range shall create a nuisance that interferes with others' rights to safety and enjoyment of their own property.

g. The Sandstone Charter Township Police Authority or his designee shall be made available a minimum of two times a year at a time of their choosing to perform an inspection of the facility to make sure the firearm range safety plan is being followed and that the facility is safe for use.

D. Outdoor Archery Ranges are permitted under the following conditions:

(1) Activities are limited to archery use only.

(2) Specific land area requirements:

a. For target archery ranges, a site shall be at a minimum of ten (10) acres in size.

b. For field archery ranges, a site shall be at a minimum thirty (30) acres in size. One acre shall be provided per target.

[i](3) An applicant is encouraged to provide a recommendation for reasonable hours of operation for use of the facility. However, the hours of operation shall be determined by the Planning Commission. In no event, shall exterior lighting be provided on the range area that encourages shooting activities after dusk to protect the rural character of the Agriculture zoning district.

(4) A minimum of forty-eight (48) square feet shall be provided for each shooting station with a dimension of eight feet wide by six (8x6) feet deep.

(5) Target areas and shooting line areas shall be identified on a site plan for target archery.

(6) Spectator areas shall be separated from the range to prevent anyone from entering the down range area and shall be placed behind the shooting line.

(7) Backstops shall be placed immediately behind targets that consists of bales of excelsior, straw bales, netting, or similar materials to keep arrows on-site.

(8) Restrooms shall be provided within enclosed buildings.

(9) Berms shall be placed downrange from the target area along with dense evergreen plantings near the property line.

(10) Target areas shall be setback at least 300 feet from the property line and must be at least 1,500 feet from dwellings downrange. Indoor archery may be permitted as an ancillary use to the outdoor facilities.

(11) Fencing and gates shall be provided around the shooting range facility to maintain a level of security at the range with a minimum height of six feet tall to prevent unauthorized access. Signage must be maintained and be posted at a minimum of 200-foot intervals by durable, weatherproof signs not less than two square feet in size with a minimum of two-inch lettering, containing the following in large print: DANGER SHOOTING RANGE

(12) Specific land area requirements:

a. For target archery ranges, a site shall be at a minimum of ten (10) acres in size.

b. For field archery ranges, a site shall be at a minimum thirty (30) acres in size. One acre shall be provided per target.

F. Any violation of Section 7.11.26 shall be cause for revocation of the Special Use Permit.

G. The proposed facility and any alternate designs shall be in compliance with "Range

Design Criteria" as published by the U.S. Department of Energy Office of Health, Safety and Security or criteria established by any of the following: Environments Protection Agency (EPA), Occupational Safety & Health Administration (OSHA), and National Rifle Association (NRA) Range Source Book (current edition), the Bureau of Alcohol, Tobacco, Firearm and Explosives (ATF) registration requirements, local health department, and building code requirements and the generally accepted operation practices adopted by the Commission of Natural Resources will be considered by the Planning Commission. The Applicant will need to provide documentation from a design professional of the suitability of any design.

7.11.27 Medical Marihuana Care Provider

A. A registered primary caregiver, operating in compliance with the Michigan Medical Marihuana Act, hereinafter ("MMMA"), the MMMA General Rules, and the requirements of this section, shall be permitted as regulated by this subsection. The Charter Township of Sandstone makes the following findings, in support of its determination that the regulation of registered primary caregivers as a permitted and are consistent with the purposes and intent of the MMMA:

(1) The MMMA does not create a general right for individuals to use, possess, or deliver marihuana in Michigan.

(2) The MMMA's protections are limited to individuals suffering from serious or debilitating medical conditions or symptoms, to the extent that the individuals' marihuana use is carried out in compliance with the provisions of the MMMA, including the provisions related to the operations of registered primary caregivers.

(3) The MMMA's definition of "medical use" of marihuana includes the "transfer" of marihuana "to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition," but only if such "transfer" is performed by a registered primary caregiver who is connected with the same qualifying patient through the registration process established by the Department of Licensing and Regulatory Affairs, and who is otherwise operating in strict compliance with the MMMA and the MMMA General Rules.

(4) The MMMA provides that a registered primary caregiver may assist no more than five (5) qualifying patients with their medical use of marihuana.

(5) The MMMA does not, therefore, create a new vocation for entrepreneurs or others who wish to engage in the sale of marihuana to more than five persons in a commercial setting. Instead, the MMMA is directed at improving the health and welfare of qualifying patients.

(6) The health and welfare of qualifying patients is improved by permitting the operations of registered primary caregivers, because this allows qualifying patients who suffer from serious or debilitating medical conditions symptoms to obtain the benefits of the medical use of marihuana in a residential setting, without having to unnecessarily travel into commercial areas.

(7) By permitting the operations of registered primary caregivers within residential districts rather than in a commercial setting, this promotes the MMMA's purpose of ensuring that:

i. a registered primary caregiver is not assisting more than five (5) qualifying patients with their medical use of marihuana, and

ii. a registered primary caregiver does not unlawfully expand its operations beyond five (5) qualifying patients, so as to become an illegal commercial operation, in the nature of a marihuana collective, cooperative or dispensary.

B. The following standards and requirements shall apply to the location at which the medical use of marihuana is conducted by a primary caregiver:

(1) A registered primary caregiver shall not possess marihuana, or otherwise engage in the medical use of marihuana, in a school bus, on the grounds of any preschool or primary or secondary school, or in any correctional facility.

(2) Not more than two (2) registered primary caregivers, who shall also be full-time residents of the dwelling, shall be permitted to operate at any one property.

(3) The medical use of marihuana shall be conducted entirely within a dwelling or attached garage, except that a registered primary caregiver may keep and cultivate, in an "enclosed, locked facility" (as that phrase is defined by the MMMA), up to twelve (12) marihuana plants for each registered qualifying patient with whom the registered primary caregiver is connected through the registration process established by the Department of Licensing and Regulatory Affairs, and up to twelve (12) additional marihuana plants for personal use, if the primary caregiver is also registered as a qualifying patient under the MMMA.

(4) A sign identifying, image or otherwise, or indicating that the medical use of marihuana is taking place on the premises, shall not be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.

(5) Except for lighting, heating, watering, drying or other equipment, or fertilizers, herbicides or other chemicals directly related to the medical use of marihuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted.

(6) Distribution of marihuana or use of items in the administration of marihuana shall not occur at or on the premises of the primary caregiver. A qualifying patient shall not visit, come to, or be present at the residence of the primary caregiver to purchase, smoke, consume, obtain, or receive possession of any marihuana.

(7) Except for the primary caregiver, no other person shall deliver marihuana to the qualifying patient.

(8) No one under the age of 18 years shall have access to medical marihuana.

(9) No on-site consumption or smoking of medical marihuana by qualifying patients shall be permitted within the dwelling (or on the property) of a primary caregiver, except for lawful medical marihuana consumption by the primary caregiver if registered as a qualifying patient under the MMMA.

(10) Medical marihuana shall not be grown, processed, handled, or possessed at the dwelling of the primary caregiver beyond that which is permitted by law.

(11) All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marihuana are located or used.

(12) If marihuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.

(13) Related merchandise or products shall not be sold or distributed from the dwelling or property of the primary caregiver, apart from the permitted quantity of medical marihuana or medical marihuana derivatives.

(14) To ensure compliance with all applicable requirements and laws, the portion of a building or other structure, such as a cultivation room, where energy use and heating requirements exceed typical residential limits and chemical storage occurs, are subject to inspection and approval by the Charter Township of Sandstone's Building Inspector or other individual designated by the township.

(15) The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the Charter Township of Sandstone's Building Inspector, any law enforcement officer, or other individual designated by the township.

(16) The operations of a registered primary caregiver, shall be permitted only with the prior issuance of a Township permit.

(17) A complete and accurate application shall be submitted on a form provided by the township and an application fee in an amount determined by resolution of the Township Board shall be paid.

(18) The permit application shall include the name and address of the applicant; the address of the property; proof, such as a driver's license, voter registration card or similar record showing that the dwelling is the applicant's full-time residence; a current state registration card issued to the primary caregiver; a full description of the nature and types of equipment which will be used in marihuana cultivation and processing; and a description of the location at which the use will take place. The zoning administrator may require additional information necessary to demonstrate compliance with all requirements. The Sandstone Township Police Authority or designee shall review the application to determine compliance with this Ordinance.

(19) A permit shall be granted if the application demonstrates compliance with this Ordinance. The use shall be maintained in compliance with the requirements of this Ordinance. Any departure shall be grounds to revoke the permit and take other lawful action. If a permit is revoked, the applicant shall not engage in the activity unless and until a new permit is granted.

(20) Information treated as confidential under the MMMA, including the primary caregiver registry identification card and any information about qualifying patients associated with the primary caregiver, which is received by the Township, shall be maintained separately from public information submitted in support of the application. It shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act.

C. Except as otherwise permitted by Township ordinance, or the Michigan Medical Marihuana Facilities Licensing Act, it is unlawful to establish or operate a for-profit or nonprofit medical marihuana dispensary, collective or cooperative within the Township, even if such use is intended for the medical use of marihuana.

D. The use of the dwelling or other permitted facility of a qualifying patient to cultivate medical marihuana in accordance with the MMMA, solely for personal use, does not require a permit under this subsection; however, all applicable Township ordinance requirements must be met.

E. The provisions of this subsection do not apply to the personal use and/or internal possession of marihuana by a qualifying patient in accordance with the MMMA, for which a permit is not required.

F. Should any section, sub-section, provision, word, or phrase of this Ordinance be determined to be invalid, the remaining portions of the Ordinance shall remain in full force and effect.

G. Subject to the requirements of Home Occupations Section 5.10.1, Category One

7.11.27 Medical Marihuana Care Provider

A. A registered primary caregiver, operating in compliance with the Michigan Medical Marihuana Act, hereinafter ("MMMA"), the MMMA General Rules, and the requirements of this section, shall be permitted as regulated by this subsection. The Charter Township of Sandstone makes the following findings, in support of its determination that the regulation of registered primary caregivers as a permitted and are consistent with the purposes and intent of the MMMA:

(1) The MMMA does not create a general right for individuals to use, possess, or deliver marihuana in Michigan.

(2) The MMMA's protections are limited to individuals suffering from serious or debilitating medical conditions or symptoms, to the extent that the individuals' marihuana use is carried out in compliance with the provisions of the MMMA, including the provisions related to the operations of registered primary caregivers.

(3) The MMMA's definition of "medical use" of marihuana includes the "transfer" of marihuana "to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition," but only if such "transfer" is performed by a registered primary caregiver who is connected with the same qualifying patient through the registration process established by the Department of Licensing and Regulatory Affairs, and who is otherwise operating in strict compliance with the MMMA and the MMMA General Rules.

(4) The MMMA provides that a registered primary caregiver may assist no more than five (5) qualifying patients with their medical use of marihuana.

(5) The MMMA does not, therefore, create a new vocation for entrepreneurs or others who wish to engage in the sale of marihuana to more than five persons in a commercial setting. Instead, the MMMA is directed at improving the health and welfare of qualifying patients.

(6) The health and welfare of qualifying patients is improved by permitting the operations of registered primary caregivers, because this allows qualifying patients who suffer from serious or debilitating medical conditions symptoms to obtain the benefits of the medical use of marihuana in a residential setting, without having to unnecessarily travel into commercial areas.

(7) By permitting the operations of registered primary caregivers within residential districts rather than in a commercial setting, this promotes the MMMA's purpose of ensuring that:

i. a registered primary caregiver is not assisting more than five (5) qualifying patients with their medical use of marihuana, and

ii. a registered primary caregiver does not unlawfully expand its operations beyond five (5) qualifying patients, so as to become an illegal commercial operation, in the nature of a marihuana collective, cooperative or dispensary.

B. The following standards and requirements shall apply to the location at which the medical use of marihuana is conducted by a primary caregiver:

(1) A registered primary caregiver shall not possess marihuana, or otherwise engage in the medical use of marihuana, in a school bus, on the grounds of any preschool or primary or secondary school, or in any correctional facility.

(2) Not more than two (2) registered primary caregivers, who shall also be full-time residents of the dwelling, shall be permitted to operate at any one property.

(3) The medical use of marihuana shall be conducted entirely within a dwelling or attached garage, except that a registered primary caregiver may keep and cultivate, in an "enclosed, locked facility" (as that phrase is defined by the MMMA), up to twelve (12) marihuana plants for each registered qualifying patient with whom the registered primary caregiver is connected through the registration process established by the Department of Licensing and Regulatory Affairs, and up to twelve (12) additional marihuana plants for personal use, if the primary caregiver is also registered as a qualifying patient under the MMMA.

(4) A sign identifying, image or otherwise, or indicating that the medical use of marihuana is taking place on the premises, shall not be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.

(5) Except for lighting, heating, watering, drying or other equipment, or fertilizers, herbicides or other chemicals directly related to the medical use of marihuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted.

(6) Distribution of marihuana or use of items in the administration of marihuana shall not occur at or on the premises of the primary caregiver. A qualifying patient shall not visit, come to, or be present at the residence of the primary caregiver to purchase, smoke, consume, obtain, or receive possession of any marihuana.

(7) Except for the primary caregiver, no other person shall deliver marihuana to the qualifying patient.

(8) No one under the age of 18 years shall have access to medical marihuana.

(9) No on-site consumption or smoking of medical marihuana by qualifying patients shall be permitted within the dwelling (or on the property) of a primary caregiver, except for lawful medical marihuana consumption by the primary caregiver if registered as a qualifying patient under the MMMA.

(10) Medical marihuana shall not be grown, processed, handled, or possessed at the dwelling of the primary caregiver beyond that which is permitted by law.

(11) All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marihuana are located or used.

(12) If marihuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.

(13) Related merchandise or products shall not be sold or distributed from the dwelling or property of the primary caregiver, apart from the permitted quantity of medical marihuana or medical marihuana derivatives.

(14) To ensure compliance with all applicable requirements and laws, the portion of a building or other structure, such as a cultivation room, where energy use and heating requirements exceed typical residential limits and chemical storage occurs, are subject to inspection and approval by the Charter Township of Sandstone's Building Inspector or other individual designated by the township.

(15) The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the Charter Township of Sandstone's Building Inspector, any law enforcement officer, or other individual designated by the township.

(16) The operations of a registered primary caregiver, shall be permitted only with the prior issuance of a Township permit.

(17) A complete and accurate application shall be submitted on a form provided by the Township and an application fee in an amount determined by resolution of the Township Board shall be paid.

(18) The permit application shall include the name and address of the applicant; the address of the property; proof, such as a driver's license, voter registration card or similar record showing that the dwelling is the applicant's full-time residence; a current state registration card issued to the primary caregiver; a full description of the nature and types of equipment which will be used in marihuana cultivation and processing; and a description of the location at which the use will take place. The zoning administrator may require additional information necessary to demonstrate compliance with all requirements. The Sandstone Township Police Authority or designee shall review the application to determine compliance with this Ordinance.

(19) A permit shall be granted if the application demonstrates compliance with this Ordinance. The use shall be maintained in compliance with the requirements of this Ordinance. Any departure shall be grounds to revoke the permit and take other lawful action. If a permit is revoked, the applicant shall not engage in the activity unless and until a new permit is granted.

(20) Information treated as confidential under the MMMA, including the primary caregiver registry identification card and any information about qualifying patients associated with the primary caregiver, which is received by the Township, shall be maintained separately from public information submitted in support of the application. It shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act.

C. Except as otherwise permitted by Township ordinance, or the Michigan Medical Marihuana Facilities Licensing Act, it is unlawful to establish or operate a for-profit or nonprofit medical marihuana dispensary, collective or cooperative within the Township, even if such use is intended for the medical use of marihuana.

D. The use of the dwelling or other permitted facility of a qualifying patient to cultivate medical marihuana in accordance with the MMMA, solely for personal use, does not require a permit under this subsection; however, all applicable Township ordinance requirements must be met.

E. The provisions of this subsection do not apply to the personal use and/or internal possession of marihuana by a qualifying patient in accordance with the MMMA, for which a permit is not required.

F. Should any section, sub-section, provision, word, or phrase of this Ordinance be determined to be invalid, the remaining portions of the Ordinance shall remain in full force and effect.

G. Subject to the requirements of Home Occupations Section 5.10.1, Category One

Article 8
PUD - Planned Unit Development District

Section 8.1. Purpose and Intent.

Planned Unit Development (PUD) district regulations are intended to provide for various types of land uses planned in a manner which shall encourage the use of land in accordance with its character and adaptability; conserve natural resources and energy; encourage innovation in land use planning; provide enhanced housing, employment, shopping, traffic circulation and recreational opportunities for the people of the Township; and bring about a greater compatibility of design and use. The provisions of this Article provide enabling authority and standards for the submission, review, and approval of applications for planned unit developments.

Section 8.2. PUD Regulations.

8.2.1. A planned unit development (PUD) may be applied for in any zoning district. The grant of a planned unit development application shall require a rezoning by way of amendment of this Ordinance upon the recommendation of the Planning Commission and approval of the Township Board.

8.2.2. Any land use authorized in this Ordinance may be included in a planned unit development, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development to ensure the compatibility of varied land uses both within and outside the development.

8.2.3. The applicant for a planned unit development must demonstrate all of the following criteria as a condition to being entitled to planned unit development treatment:

A. Grant of the planned unit development will result in one (1) of the following:

(1) A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or

(2) Long-term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or

(3) A non-conforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.

B. The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, roads and utilities.

C. The proposed development shall be consistent with the public health, safety, and welfare of the Township.

D. The proposed development shall not result in an unreasonable negative environmental impact on the subject site or surrounding land.

E. The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.

F. The proposed development shall be under single ownership and/or control such that there is a single person having responsibility for completing the project in conformity with this Ordinance.

G. The proposed development shall be consistent with the Goals and Policies of the Sandstone Charter Township Master Plan.

Section 8.3 Project Design Standards.

8.3.1. *Residential Design Standards.*

A. Residential uses shall be permitted with the following maximum density, based upon the zoning district in which the property is situated immediately prior to classification under this Article. Land area under water, public road rights-of-way, and private road easements shall not be included in the gross density calculation.

District	Maximum Density Permitted (Dwelling Units/Gross Acres)
AG-1	1.0 unit per 10.0 acres
RNF-1	1.0 unit per 2.5 acres
RS-1	1.0 unit per 1.0 acres
RM-1	Same as Sec. 5.16
MHP	Same as Sec. 5.15

B. The Township Board, in its sole discretions, may consider additional density based upon a demonstration by the applicant that the proposed PUD project is consistent with the Township Master Plan and will result in a material benefit to the Township, adjacent land uses, and/or the ultimate users of the project, where such benefit would otherwise be unlikely to be achieved without the application of the PUD regulations.

8.3.2. *Non-Residential Design Standards.*

A. Non-residential uses may be permitted in combination with other non-residential uses or as part of a common development with residential uses.

B. The non-residential uses, including parking and vehicular traffic ways, shall be separated and buffered from residential units in a manner consistent with good land and community planning principles.

8.3.3. *General Design Standards.*

A. All regulations applicable to setback, parking and loading, general provisions, and other requirements shall be met in relation to each respective land use in the development based upon zoning districts in which the use is listed as a principal permitted use. In all cases, the strictest provisions shall apply.

Deviations from specific regulations may be granted as part of the overall approval of the planned unit development, provided there are features or elements demonstrated by the applicant and deemed adequate by the Township designed into the project plan for the purpose of achieving the objectives of this Article.

B. To the maximum extent feasible, the development shall be designed so as to preserve the natural resources and natural features.

C. There shall be a perimeter setback and berming, as found to be necessary by the Township Board, for the purpose of buffering the development in relation to surrounding properties. If the planned unit development project includes non-residential uses adjacent to residential uses, such perimeter setback shall be established with a dimension from the property line of up to one hundred (100) feet in the discretion of the Township Board. The setback distance need not be uniform at all points on the perimeter of the development.

D. Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.

E. There shall be underground installation of utilities, including electricity and telephone, as found necessary by the Township Board.

F. The pedestrian circulation system, and its related walkways and safety paths, shall be separated from vehicular thoroughfares, as found necessary by the Township Board.

G. Signage, lighting, landscaping, building materials for the exterior of all structures, and other features of the project shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.

H. Where non-residential uses adjoin residentially zoned property, noise reduction and visual screening mechanisms such as earthen and/or landscape berms and/or decorative walls, shall be employed. The Township Board, in its discretion, shall review and approve the design and location of such mechanisms.

I. The Township Board upon the recommendation of the Planning Commission shall resolve all ambiguities as to applicable regulations using the Zoning Ordinance, Master Plan, and other Township standards or policies as a guide.

Section 8.4. Procedure for Review.

8.4.1. *Preapplication Conference* - Prior to the submission of an application for planned unit development approval, the applicant shall meet with the Township Supervisor, together with any staff and consultants the Supervisor deems appropriate. The applicant shall present at such conference, a sketch plan of the proposed planned unit development, as well as the following information: Total number of acres in the project; a statement of the number of residential units, if any; the number and type of nonresidential uses; the number of acres to be occupied by each type of use; the known deviations from ordinance regulations to be sought; the number of acres to be preserved as open or recreational space; and, all known natural resources and natural features to be preserved.

8.4.2. *Preliminary Plan* - Following the pre-application conference, the applicant shall submit a preliminary site plan of the proposed planned unit development. A narrative report shall accompany the site plan providing a description of the project, discussing the market concept and feasibility of the project, and explaining the manner in which the criteria set forth in Section 8.3 have been met.

A. Information Required. The preliminary site plan for a PUD shall contain at a minimum the following information set forth below.

(1) Evidence of ownership, location, and description of site dimensions and areas.

(2) General topography; soil information.

(3) Scale, north arrow, date of plan.

(4) Existing zoning of site; existing land use and zoning or adjacent parcels; location of existing buildings, drives, and streets on the site and within five hundred (500) feet of the site.

(5) Location, type, and land area of each proposed land use; dwelling unit density (dwelling units per acre).

(6) Location, size, and uses of open space.

(7) General description of the organization which will maintain common areas and facilities.

(8) General landscape concept showing tree masses to be preserved or added, buffer areas, and similar features.

(9) General descriptions of proposed water, sanitary, and storm drainage systems with calculations for sizing retention and detention basins.

(10) Existing natural and man-made features to be preserved or removed; location of existing structures, streets, and drives; location, width, and purpose of existing easements.

(11) General location, function, surface width, and right-of-way of proposed public and private streets.

(12) General location of proposed parking areas and approximate number of spaces to be provided in each area.

(13) Location and area of each development phase.

B. Planning Commission Action. The Preliminary Plan shall be noticed for public hearing in accordance with Article 16 of this Ordinance before the Planning Commission. Following the hearing, the Planning Commission shall review the preliminary site plan and shall take one (1) of the following actions:

(1) Approval. Upon finding that the Preliminary Plan meets the criteria set forth in Section 8.2, the Planning Commission shall grant preliminary approval. Approval shall constitute approval of the uses and design concept as shown on the Preliminary Plan and shall confer upon the applicant the right to proceed to preparation of the Final Plan.

Approval of the Preliminary Plan by the Planning Commission shall not bind the Township Board to approval of the Final Plan.

(2) Tabling. Upon finding that the Preliminary Plan does not meet the criteria set forth in Section 8.2, but could meet such criteria if revised, the Planning Commission may table action until a revised Preliminary Plan is resubmitted.

(3) Denial. Upon finding that the Preliminary Plan does not meet the criteria set forth in Section 8.2, the Planning Commission shall deny preliminary approval.

8.4.3. *Final Plan* - Within six (6) months following receipt of the Planning Commission comments on the preliminary plan, the applicant shall submit a final plan and supporting materials conforming with this Section. If a final plan is not submitted by the applicant for final approval within six (6) months following receipt of Planning Commission comments, the preliminary plan approval becomes null and void.

A. Information Required. A final site plan and application for a PUD shall contain the following information:

(1) A final site plan meeting all requirements of Section 6.4.

(2) A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article.

(3) A specific schedule of the intended development and construction details, including phasing or timing.

(4) A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.

(5) A specification of the exterior building materials with respect to the structures proposed in the project.

(6) Signatures of all parties having an interest in the property.

B. Planning Commission and Township Board Action. The final plan shall constitute an application to amend this Ordinance, and shall be noticed for public hearing before the Planning Commission in accordance with Article 16 of this Ordinance, and otherwise acted upon by the Planning Commission, the County, and the Township Board, as provided by law.

The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the planned unit development project including, without limitation, recommendations with respect to matters on which the Township Board must exercise discretion.

Section 8.5. Conditions.

8.5.1. Reasonable conditions may be required with the approval of a planned unit development, to the extent authorized by law, for the purpose of ensuring that public services and facilities will be sufficient to serve the proposed land use, protecting the natural environment, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.

8.5.2. Conditions imposed shall be designed to protect public health, safety, and welfare reasonably related to the purposes affected by the planned unit development; necessary to meet the intent and purpose of this Ordinance; and related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the record of the approved planned unit development.

Section 8.6. Phasing and Commencement of Construction.

8.6.1. *Phasing* - Where a project is proposed for construction in phases, each completed phase shall be capable of standing on its own in terms of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, in developments which include residential and non-residential uses, the relative mix of uses and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the Township Board after recommendation from the Planning Commission.

8.6.2. *Commencement and Completion of Construction* - Construction shall be commenced within one (1) year following final approval of a planned unit development and shall proceed substantially in conformance with the schedule set forth by the applicant, as required by Section 8.4.3. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void provided an extension for a specified period may be granted by the Township Board upon good cause shown if such request is made to the Board prior to the expiration of the initial period. Moreover, in the event a site plan has expired, the Township Board, based on a recommendation from the Planning Commission, shall be authorized to rezone the property in any reasonable manner, and, if the property remains classified as PUD, a new application shall be required, and shall be reviewed in light of then existing and applicable law and ordinance provisions.

Section 8.7. Effect of Approval.

When approved, the planned unit development amendment, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such amendment. Notice of adoption of the final PUD plan and conditions shall be recorded at the Jackson County Register of Deeds.

Article 9
Signs

Section 9.1 Intent and Purpose.

The intent of this Ordinance is to regulate the location, size, construction, and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, safety, and welfare. While this Ordinance recognizes that signs and outdoor advertising are necessary to promote commerce and public information, failure to regulate them may lead to poor identification of individual businesses, deterioration and blight of the business and residential areas of the Township, conflicts between different types of land use, and reduction in traffic safety to pedestrians and motorists.

Section 9.2 General Conditions.

9.2.1. *Location.* All signs must advertise a business or service on the premises upon which the sign is located and to which the sign is accessory, unless otherwise specified herein.

9.2.2. *Illumination.*

A. No sign shall be illuminated by other than electrical means.

B. The light from illuminated signs shall be directed in a manner that will not interfere with vehicular traffic or interfere with the enjoyment or use of adjacent properties.

9.2.3. *Safety.*

A. All signs shall be erected and maintained in compliance with all applicable building code, and other applicable ordinances governing construction within the Township. In the event of conflict between this Ordinance and other laws, the most restrictive shall govern.

B. All signs shall be so placed as to not interfere with the visibility or effectiveness of any official traffic sign or signal; driver vision at any access point or intersection; or, pedestrian movement on any public sidewalk.

C. No sign shall be erected, relocated or maintained so as to obstruct fire fighting or prevent free access to any door, window or fire escape.

9.2.4. *Signs Prohibited in All Districts.*

A. Roof signs.

B. Signs containing flashing, intermittent or moving lights, moving or revolving parts, or reflecting parts which may distract drivers. This provision is not intended to exclude those signs which give the time or temperature, provided no other animated messages are displayed.

C. Signs affixed to trees, rocks, shrubs, or similar natural features except signs denoting a site of historic significance.

D. Signs which imitate traffic signals, traffic direction signs, or similar traffic control devices, and signs which make use of words such as "Stop", "Look", "Danger", or any other words, phrases, symbols, or characters in such a manner as to interfere with, mislead, or confuse traffic.

E. Temporary signs mounted upon trucks, vans, or other wheeled devices, except for political signs. Signs permanently painted on or otherwise permanently displayed upon a vehicle, licensed and operating on the public streets and highways, identifying the owner's occupation or livelihood, shall be allowed.

F. Signs other than those erected by a public agency which are located within or overhang the public right-of-way or on public property.

G. Any sign or sign structure which constitutes a hazard to public health and safety due to inadequate maintenance.

H. Any sign unlawfully installed, erected, or maintained.

9.2.5. *Signs allowed in All Districts without permit.*

A. Nameplates not exceeding two (2) square feet in size.

B. Political signs for public office or issues to be determined by election may be erected forty-five (45) days prior to an election. Such signs shall be erected on private property only and no less than one hundred (100) feet from any entrance to a building in which a polling place is located. All such signs shall be removed five (5) days following Election Day.

C. Directional signs which indicate the direction of traffic flow on private property. Directional signs shall not exceed two (2) square feet in size, shall contain no advertising, and may be illuminated.

D. Street numbers.

E. Signs displayed by individuals on their own property advertising garage and other incidental sales of personal merchandise, sales of seasonal items, and similar items. This includes signs in agricultural zoned or used property for the sale of products grown on the premises. The types of signs above shall not exceed twelve (12) square feet.

F. Real Estate signs of six (6) square feet or less per Section 9.5.1 of this Ordinance.

Section 9.3 Freestanding Signs.

9.3.1. *General Requirements.*

A. One (1) freestanding sign shall be allowed per lot which has frontage on only one (1) public road. For the purposes of determining freestanding sign requirements, two (2) or more lots used in combination for a single business and/or development shall be considered a single lot.

B. Two (2) freestanding signs shall be allowed per lot which has frontage on two (2) public roads. For the purposes of determining freestanding sign requirements, two (2) or more lots used in combination for a single business and/or development shall be considered a single lot. One (1) sign shall not exceed the area requirements set forth herein. The second sign shall not exceed fifty (50) percent of the area requirements set forth herein.

C. All freestanding signs shall be located outside of the Jackson County Road Right-of-way or private road easement, and a minimum of ten (10) feet to any adjacent property line.

9.3.2. *Specific Requirements.* Freestanding signs shall be allowed by District in accordance with the following requirements.

	District	Maximum Height	Maximum Area
A.	C-1 District. All permitted and conditional uses.	Twelve (12) feet	Thirty-two (32) square feet per side, not to exceed a total of sixty-four (64) square feet.
B.	C-2 and LI Districts. All permitted and conditional uses.	Twelve (12) feet	Fifty (50) square feet per side, not to exceed a total of one hundred (100) square feet.
C.	All other Districts - For non-residential permitted and special uses. - Identification signs for subdivisions or other residential developments.	Six (6) feet	Thirty-two (32) square feet per side, not to exceed a total of sixty-four (64) square feet,
	- Home Occupation.	Four (4) feet	Six (6) square feet per side, not to exceed a total of twelve (12) square feet.

Section 9.4 Wall Signs.

The following wall signs shall be allowed in the following districts in accordance with the regulations herein.

9.4.1. *General Requirements.*

A. No wall sign shall be erected to extend above the top of the wall to which it is attached, nor extend beyond the ends of the wall to which it is attached. Signs erected on the vertical portion of the mansard roof are considered to be wall signs.

B. All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts, or expansion screws. In no case shall any wall sign be secured with wire, or nails.

C. Multiple wall signs may be permitted on one (1) building provided the total square foot area requirements set forth in Section 9.4.2. are not exceeded.

9.4.2. *Specific Requirements.* Wall signs shall be allowed by the District in accordance with the following requirements.

	District	Area
A.	C-1, C-2, and LI Districts. All permitted and conditional uses.	One (1) square foot for each lineal foot of building frontage not to exceed a total of one hundred (100) square feet.
B.	All other Districts.	One (1) square foot for each lineal foot of building frontage not to exceed a total of twenty (20) square feet.
	- For non-residential permitted and special uses.	
	- Home Occupations.	Three (3) square feet maximum.

Section 9.5 Real Estate Signs.

9.5.1 One (1) nonilluminated sign used for advertising land or buildings for rent, lease, or sale shall be allowed in any district provided such signs are located on the property intended to be rented, leased, or sold. Such signs shall not exceed an area of six (6) square feet and a height of four (4) feet in all districts. Such signs shall be allowed in all districts without a permit. Such sign shall be removed within seven (7) days within sale rental or leasing.

9.5.2 Temporary portable real estate directional sign, not exceeding three (3) s.f. in area and four (4) in number, saying "Open House" and/or showing a directional arrow and placed back of property lines outside the public right-of-way shall be allowed on approach routes to an open house, only for the day of the open house. The top of such signs shall not exceed three (3) feet in height, nor may such signs be displayed for more than two (2) days in any seven (7) day period. No such signs shall be placed on private property without the consent of the owner. A permit is not required for this type of sign.

9.5.3 *Unilluminated on-site temporary.* Real Estate and Development Signs may be erected in accordance with the regulations of this ordinance:

A. Large tract residential development (more than two [2] residential units). In all residential districts, one (1) sign for each public street advertising an approved residential development shall be allowed. Each sign shall not exceed twenty (20) s.f. in area. Such a sign may indicate the development name and the address or telephone number where the inquiry can be made. It shall have a maximum height of ten (10) feet and shall be set back at least twenty (20) feet from any street right-of-way or private road easement. Each sign shall be removed after the sale of ninety (90) percent of all lots or units within said development or within two (2) years after date of erection, whichever occurs first.

B. Large tract commercial and/or industrial development (five [5] acres or more). Such developments may have temporary signs identifying the site as for sale or lease of up to a maximum of one hundred (100) s.f. One (1) sided signs only are allowed. Location shall be generally parallel to the right-of-way and shall be on the tract identified. It shall have a maximum height of ten (10) feet and shall be set back at least twenty (20) feet from any street right-of-way or private road easement. These signs shall be removed when approximately seventy-five (75) percent of the tract is leased or sold or after five (5) years has elapsed from erecting, whichever comes first. These limits may be extended upon application to the Township Zoning Administer in one (1) year increments.

9.54 One (1) nonilluminated freestanding sign listing persons or firms connected with construction work being performed. Such signs shall not exceed twenty (20) square feet in area and a height of twelve (12) feet, and shall be removed upon completion of said construction work or one (1) year after the date of erection, which ever occurs first.

Section 9.6 Billboards.

The following regulations shall apply to billboards:

9.6.1. *Where Allowed.* Billboards shall be allowed only in the LI-Limited Industrial District, subject to the standards contained herein, and the Highway Advertising Act of 1972, as amended.

9.6.2. *Spacing.*

A. Not more than three (3) billboards may be located per linear mile of street or highway regardless of the fact that such billboards may be located on different sides of the street or highway. Double-faced and V-type billboard structures having only one (1) face visible to traffic proceeding from any given direction on a street or highway shall be considered as one billboard. Additionally, billboard structures having tandem or stacked billboard faces shall be considered as one (1) billboard. Otherwise, billboard structures having more than one (1) billboard face shall be considered as two (2) billboards and shall be prohibited in accordance with the minimum spacing requirement set forth in Subsection B below.

B. No billboard shall be located within one thousand (1,000) feet of another billboard abutting either side of the same street or highway.

C. No billboard shall be located within two hundred (200) feet of residentially zoned or used property. An illuminated billboard shall be located at least three hundred (300) feet from residentially zoned or used property.

D. No billboard shall be located closer than seventy-five (75) feet from a property line adjoining a public right-of-way or ten (10) feet from any interior boundary lines of the premises on which the billboard is located.

9.6.3. The height of a billboard shall not exceed thirty (30) feet above the level of the street or road upon which the billboard faces or to which the message upon the billboard is directed. In the event that the billboard is situated upon two (2) streets or roads having different levels, the height of the billboard shall be measured from the higher street or road.

9.6.4. *Surface Area.* The surface display area of any side of a billboard may not exceed three hundred (300) square feet. In the case of billboard structures with tandem or stacked billboard faces, the combined surface display area of both faces may not exceed three hundred (300) square feet.

9.6.5. *Illumination.* A billboard may be illuminated, provided such illumination is concentrated on the surface of the sign and is located so as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of on-coming vehicles or any adjacent premises. In no event shall any billboard have flashing or intermittent lights, nor shall the lights be allowed to rotate or oscillate.

9.6.6. *Construction and Maintenance.*

A. No billboard shall be on top of, cantilevered, or otherwise suspended above the roof of any building.

B. A billboard must be constructed in such a fashion that it will withstand all wind and vibration forces that can normally be expected to occur in the vicinity. A billboard must be maintained so as to assure proper alignment of structure, continued structural soundness and continued readability of message.

Section 9.7 Miscellaneous Signs.

9.7.1. *Directory Signs.* For office park and industrial park development, directory signs which identify only the names and locations of occupants or uses within a building on a lot shall be allowed in addition to other signs allowed under these regulations.

A. No more than one (1) directory sign per lot is allowed.

B. No directory sign shall exceed twenty-four (24) square feet in area or six (6) feet in height from finished grade.

C. A directory sign shall be located in a manner which does not interfere with vehicular and pedestrian circulation but enhances the visibility of and direction to office or industrial park tenants.

9.7.2 *Menu Board.* One (1) menu board for a drive-in or drive-through restaurant shall be allowed in addition to other signs allowed under these regulations, provided such sign does not exceed sixteen (16) square feet in area or six (6) feet in height from finished grade.

9.7.3. *Off-premise Directional Signs.* Off-premise directional signs directing vehicular traffic to a church, governmental building, or educational institution may be permitted in all districts subject to the review of the Planning Commission and the following standards:

A. No more than two (2) signs per use shall be allowed.

B. The size of an off-premise directional sign shall not exceed four (4) square feet in size.

C. The height of an off-premise directional sign shall be no less than three (3) feet nor exceed six (6) feet. However, variations in height may be granted by the Planning Commission.

D. Illumination shall not be allowed.

E. Proof shall be supplied by the applicant that all appropriate standards of the Jackson County Road Commission are met. Permission of the property owner where the proposed sign is to be located must be provided.

9.7.4 Temporary signs which include signs advertising the opening of a new business, sales, change in hours of operation, and the conduct of commercial activities during other than regular business hours. Temporary banners and tethered balloons are part of this section. The temporary signs noted in this section may not be displayed more than ten (10) consecutive days in any thirty (30) day period.

Section 9.8 Permits Required.

9.8.1. It shall be unlawful to display, erect, relocate, or alter any sign without obtaining a sign permit. A permit shall be issued by the Zoning Administrator only if the proposed sign meets all requirements of the Ordinance.

9.8.2. When a sign permit has been issued by the Township, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the building official. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Township.

9.8.3. The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his authorized agent, or a sign contractor. Such applications shall be made in writing on forms furnished by the Township and shall be signed by the applicant.

9.8.4. The application for a sign permit shall be accompanied by the following plans and other information;

A. The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.

B. The location by street address of the proposed sign structure.

C. Complete information as required on application forms including a site plan and elevation drawings of the proposed sign, caption of the proposed sign, and such other data as are pertinent to the application.

D. Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports and footings, and materials to be used.

E. Application for, and required information for such application, an electrical permit for all electrical signs if the person building the sign is to make the electrical connection.

F. A statement of valuation.

Article 10
Off-Street Parking, Loading, and Site Access

Section 10.1 Intent and Purpose.

The purpose of this section is to ensure the provision of off-street parking, loading, and drive-through facilities that are sufficient in number, adequately sized and properly designed to meet the range of needs and demands that are associated with land uses allowed by this Ordinance. It is also the purpose of this section to regulate access to sites in the interest of public safety.

Section 10.2 Off-Street Parking.

10.2.1. *Where Required.*

A. Off-street parking for motor vehicles shall be provided as herein prescribed for the use of occupants, employees, and patrons of a principal use hereafter erected, altered, or expanded after the effective date of this Ordinance. Required off-street parking shall be maintained so long as the principal use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

B. No off-street parking which exists at the time this Ordinance becomes effective or which is provided for the purpose of complying with provisions of this Ordinance, shall thereafter be reduced below the requirements established by this Ordinance.

10.2.2. *Parking and Vehicle Storage Restrictions.*

A. Residential Districts.

(1) Outside parking of motor vehicles for each dwelling unit in residential districts shall be limited to passenger vehicles, and not more than one commercial vehicle of the light, delivery type, not to exceed one (1) ton. Parking of any type of vehicle shall be permitted provided such parking shall be in garages conforming with the provisions of this Ordinance. Agricultural equipment in an AG-1 District shall be exempt from the provisions of this section.

(2) The parking of a recreational vehicle shall be confined to a side or rear yard or behind the front yard setback. Parking shall be located no nearer than ten (10) feet from a property boundary. A recreational vehicle may be used for the purpose of temporary lodging within the residential and agricultural residential districts for a period not to exceed thirty (30) days.

B. Commercial Districts.

(1) The requirement for off-street parking is not intended to provide for the storage of vehicles or prolonged parking in any such parking area.

(2) Parking or storage of trucks over one (1) ton and semi-trailers, except those owned and operated by the principal use of the lot, shall be prohibited for a period of more that twenty-four (24) hours in a month.

(3). The only exception to this requirement shall be vehicle storage space used in conjunction with a motor vehicle repair use.

C. All Districts.

(1) Storage of products, materials, or equipment in semi-trailers shall be prohibited in any zoning district, except in the LI District.

(2) Sales of products, merchandise, or other materials from semi-trailers shall be prohibited in any zoning district.

(3) Storage in semi-trailers in the AG District shall be limited to farms as defined by this Ordinance, restricted to products and other material required to support a farm operation, located on the premises of a farm operation, and subject to applicable setback restrictions set forth in Section 5.5.

10.2.3. *Location of Parking.*

Off-street parking for all uses, shall be located on the same lot or parcel as the building or buildings they are intended to serve.

10.2.4. *Required Screening.*

Off-street parking which abuts residentially zoned or used property shall be screened in accordance with Section 5.2.2.

10.2.5. *Units and Methods of Measurement.* For the purpose of determining off-street parking requirements, the following units of measurement shall apply:

A. Floor Area. Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area, except that floor area within the principal building used for parking, housing of mechanical equipment, heating systems and similar uses need not be included.

B. Employees. For requirements stated in terms of employees, the calculation shall be based upon the maximum number of employees likely to be on the premises during the largest shift.

C. Places of Assembly. In stadiums, sports arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each twenty-four (24) inches of such shall be counted as one (1) seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.

10.2.6. *Off-Street Parking Requirements.*

A. Any use which requires a site plan under the provisions of Article 6 shall comply with the provisions of this Section. The amount of required off-street parking spaces for new uses or buildings, and additions to existing buildings shall be determined in accordance with the schedule set forth in Section 10.2.7. Where multiple uses occur, parking shall be calculated on the basis of each use.

B. Similar Uses and Requirements. When a use is not specifically mentioned, the requirements of off-street parking for a similar use shall apply.

10.2.7. *Schedule of Off-Street Parking Requirements*.

Use		Required No. of Parking Spaces Per Each Unit of Measure as Follows:	
A. Residential Uses.			
(1)	Single- or Two-Family Dwelling	2	Per each dwelling unit
(2)	Multiple-Family Dwelling	2 1	Per each dwelling, plus Per each five (5) dwelling units
(3)	Senior Citizen Housing	1.5	Per each dwelling unit
(4)	Mobile Home Park	2 1	Per each mobile home site, plus Per each five (5) dwelling units
B. Institutional Uses.			
(1)	Churches	1 5	Per each three (3) seats based on maximum seating capacity in the main place of assembly therein, plus Per each classroom
(2)	Private Clubs and Lodges	1	Per each three (3) individual members allowed within the maximum occupancy load as established by fire and/or building codes.
(3)	Hospitals	1 1	Per each administrative, professional and staff member, plus Per each three (3) beds
(4)	Convalescent Homes, Homes for the Aged, Nursing Homes, Children's' Homes	1 1	Per each administrative, professional and staff member, plus Per each five (5) beds
(5)	High Schools, Trade Schools, Colleges, and Universities	1 8	Per each administrative and staff member, plus Per each classroom
(6)	Junior High Schools	1 2	Per each administrative and staff member, plus Per each classroom
(7)	Elementary Schools	1 2	Per each administrative and staff member, plus Per each classroom
(8)	Child Care Center, Group Day Care Homes, and Nursery Schools	1 1	Per each administrative and staff member, plus Per each four (4) students of licensed capacity
(9)	Stadiums, Sports Arenas, and Auditoriums	1	Per each four (4) seats, based on maximum seating capacity
(10)	Libraries and Museums	1 1	Per each 200 sq. ft. of floor area, plus Per each employee

	Use		Required No. of Parking Spaces Per Each Unit of Measure as Follows:
C. General Commercial Uses			
(1)	Retail Stores, except as otherwise specified herein	1	Per 100 sq. ft. of floor area
(2)	Supermarkets, drugstores, and other self-serve retail establishments	1	Per 150 sq. ft. of floor area
(3)	Convenience Stores	1	Per 100 sq. ft. of floor area
(4)	Planned shopping center	1 1	Per l00 sq. ft. of floor area for the first 15,000 sq. ft., plus Per 150 sq. ft. of floor area in excess of 15,000 sq. ft.
(5)	Furniture, Appliances, Hardware, and Household Equipment Sales	1	Per each 300 sq. ft. of floor area
(6)	Motels and Hotels	1.5	Per each guest bedroom, plus amount required for accessory uses, such as a restaurant or cocktail lounge
(7)	Fast Food Restaurants	1	Per each 75 sq. ft. of floor area
(8)	Sit-Down Restaurants	1	Per each two (2) seats, based on maximum seating capacity
(9)	Taverns and Cocktail Lounges (other than fast food restaurants)	1	Per each two (2) persons allowed within maximum occupancy load as established by fire and/or building codes
(10)	Garden Stores, Building Material Sales, and Open Air Businesses	1 1 1	Per each 400 sq. ft. of building floor area devoted to sales and display, plus Per each 1500 sq. ft. of warehouse floor area, plus Per each 1000 sq. ft. of lot area used for open air display and sales
(11)	Movie Theaters	1	Per each three (3) seats based on the maximum seating capacity
D. Automotive Uses			
(1)	Auto Sales	1 3	Per each 200 sq. ft. of showroom floor area, plus Per each service stall
(2)	Automobile Repair Facilities, including Collision and Bump Shops	3 1	Per each service stall Per each service vehicle

	Use		Required No. of Parking Spaces Per Each Unit of Measure as Follows:
(3)	Automobile Service Stations without Convenience Store	1 3	Per pump unit, plus Per each service stall
(4)	Automobile Service Station with Convenience Store	1 3 1	Per pump unit, plus Per each service stall, plus Per each 100 sq. ft. of floor area devoted to retail sales and customer service
(5)	Automobile Washes (self-serve)	3 1	Per each service stall, plus Per each vacuum station
(6)	Automobile Washes (Automatic)	1 1	Per 200 sq. ft. of floor area of customer waiting and service area, plus Per each vacuum station
E.	**Office and Service Uses**		
(1)	Medical and Dental Office	1	Per each 150 sq. ft. of floor area
(2)	Business and Professional Offices	1	Per each 200 sq. ft. of floor area
(3)	Banks	1	Per each 200 sq. ft. of floor area
(4)	Barber and Beauty Shops	3	Per each chair
(5)	Funeral Homes	1	Per each three (3) persons allowed with maximum occupancy load as established by fire and/or building codes.
F.	**Recreational Uses**		
(1)	Bowling Alleys	4	Per bowling lane, plus Amount required for accessory uses such as a restaurant or cocktail lounge
(2)	Private Tennis, Swim or Golf Clubs, or other similar uses	1	Per each three (3) persons allowed with maximum occupancy load as established by fire and/or building codes.
(3)	Golf Course	5	Per each hole, plus amount required for accessory uses such as a restaurant or cocktail lounge
(4)	Equestrian Training Facilities	1 1	Per each two stalls, plus Per each employee

	Use		Required No. of Parking Spaces Per Each Unit of Measure as Follows:
G. Industrial Uses			
(1)	Industrial, Manufacturing, or Research Establishments	1 1	Per 200 sq. ft. of office floor area, plus Per each 500 sq. ft. of floor area
(2)	Warehouses and Wholesale Establishments	1 1	Per each 200 sq. ft. of office floor area, plus Per each 1,500 sq. ft. of floor area
(3)	Contractors Office	1 1 1	Per 200 sq. ft. of office floor area, plus Per 1500 sq. ft. of warehouse floor area, plus Per each vehicle or item of equipment stored outside of the building

10.2.8. *Off-Street Parking Design and Construction.*

A. All parking lots, maneuvering lanes, driveways, or loading areas required for uses other than single- or two-family residences shall be hard-surfaced with asphalt or concrete and shall be completed prior to a Certificate of Occupancy being issued. The Planning Commission shall have the discretion of waiving certain hard surface paving requirements provided the following conditions are met:

(1) The proposed driveways, loading, turn-around, or storage areas will receive only limited use and are not used for employee parking, customer parking, or primary access.

(2) Gravel surfacing and potential problems arising from dust or scattered gravel shall not impact neighboring properties.

(3) Hard surfacing will significantly increase stormwater run-off and create a potential for flooding and/or soil erosion.

B. Lighting of all parking lots shall be shielded to prevent glare onto neighboring properties and public roads.

C. Ingress and egress to the parking lot shall be provided by limited and clearly defined drives. All internal access drives and/or maneuvering lanes which provide the principal means of access for emergency vehicles to the site and/or buildings shall be a minimum of twenty-two (22) feet in width.

D. Wheel stops or curbing shall be provided to prevent any vehicle from encroaching upon pedestrian walkways or damaging required landscaping.

E. Access to parking spaces shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress to and egress from all parking spaces to ensure ease of mobility, ample clearance, and safety of vehicles and pedestrians.

F. Plans for the layout of automobile off-street parking facilities shall be in accordance with the following minimum regulations.

	Maneuvering Lane Width		Parking Space Dimensions	
Parking Pattern	One-way	Two-way	Regular Car Width	Regular Car Length
0º Parallel	12 ft	20 ft	9 ft	24 ft
30º - 53º	12 ft	20 ft	9 ft	18 ft
54º - 74º	15 ft	22 ft	9 ft	18 ft
75º - 90º	20 ft	22 ft	9 ft	18 ft

H. Truck and Recreational Vehicle Parking. In addition to parking required for passenger vehicles set forth in Section 10.2.7, off-street parking for buses, trucks, and recreational vehicles at restaurants, service stations, and similar establishments shall be of sufficient size to adequately serve such vehicles and not interfere with other vehicles that use the same facilities. Such space shall not be less than ten (10) feet in width and fifty-five (55) feet in length. Upon review of the site plan, the Planning Commission shall determine if separate truck and recreational vehicle parking is required for the proposed use.

I. Barrier-Free Parking. In addition to parking required for passenger vehicles set forth in Section 10.2.7, off-street barrier-free parking facilities shall be designed in accordance with applicable State and/or Federal standards

Section 10.3 Off-Street Loading Requirements.

10.3.1. On the same premises as any use which involves the receipt or distribution of vehicles, material or merchandise, adequate space shall be provided and maintained for standing, loading and unloading of delivery vehicles in order to avoid interference with or congestion of adjacent streets, neighboring sites, or off-street parking facilities. The required number of loading spaces shall be determined by the Planning Commission at the time of site plan review.

10.3.2. Such loading and unloading space, unless completely and adequately provided for within a building, shall be an area ten (10) feet by fifty-five (55) feet, with fourteen (14) foot height clearance sufficient to accommodate vehicles using the loading space.

10.3.3. Loading and unloading space provided by truck wells located below surface grade shall be of sufficient width to accommodate truck maneuvering but shall be no less than ten (10) by fifty-five (55) feet. Exposed sides shall be protected by iron railings or guard rails. Drainage shall be provided to prevent the collection of stormwater at the bottom of the truck well.

10.3.4. *Required Greenbelt, Setbacks, and Screening.*

A. Off-street loading areas, including maneuvering lanes, shall not be located within the front greenbelt required in accordance with Section 5.2. Off-street parking shall be permitted within the required side or rear yard setbacks, provided a minimum ten (10) foot setback is maintained between off-street loading and the abutting side and rear lot lines.

B. Off-street loading which abuts residentially zoned or used property shall be screened in accordance with Section 5.2.2.

10.3.5. *Double Count.* Off-Street loading space areas shall not be counted toward supplying off-street parking.

Section 10.4 Off-Street Drive-Through and Waiting Space.

10.4.1. *Drive-Through Facilities.* In addition to meeting off-street parking requirements, all uses which provide drive-through facilities for serving customers within their automobile shall provide adequate off-street stacking space within a defined stacking lane which meets the following requirements:

A. Each stacking lane shall be one-way and a minimum of twelve (12) feet in width.

B. Clear identification and delineation between the drive-through facility and parking lot shall be provided. Drive-through facilities shall be designed in a manner which promotes pedestrian and vehicular safety.

C. Each drive-through facility shall have an escape lane to allow other vehicles to pass those waiting to be served.

D. The number of stacking spaces per service lane shall be provided for the uses listed below. Each stacking space shall be computed on the basis of twenty (20) feet in length. When a use is not specifically mentioned, the requirements for off-street stacking space for the similar use shall apply.

Use	Stacking Spaces Per Service Lane
Banks, Photo Service, Dry-Cleaning	4
Fast-food Restaurants	6
Auto Washes (self-service)	
Entry	3
Exit	1
Auto Washes (Automatic)	
Entry	6
Exit	2

10.4.2. *Off-Street Waiting Space.* Uses such as day cares, schools, hospitals, nursing homes, and churches shall provide a safe and efficient means for passengers to be dropped off and picked up. Such off-street waiting spaces shall be clearly marked so as to ensure the safety of pedestrians and motorists.

Section 10.5 Site Access Control.

10.5.1. All sites shall comply with the minimum street frontage and access requirements set forth in Section 3.3.5 and Section 4.9 Schedule of Regulations.

10.5.2. *General Provisions.*

All principal permitted and conditional uses that are subject to site plan review shall meet the requirements contained in this Section. Access to public roads shall be controlled in the interest of public safety. Each building or group of buildings used for non-residential purposes, and its parking or service area, shall be physically separated from public roads by a curb or other suitable barrier against unchanneled motor vehicle access, except as authorized herein.

10.5.3. *Driveway Performance Standards.* Driveways shall conform to standards adopted by the Jackson County Road Commission, and the following additional standards:

A. Driveway design and placement must be compatible with internal circulation and parking design such that the entrance can absorb the maximum rate of inbound traffic during a normal weekday peak traffic period.

B. There must be sufficient on-site stacking to accommodate vehicles waiting to park or exit without using any portion of the public right-of-way, obstructing existing vehicle sight distance, or otherwise interfering with street traffic.

C. Provisions for circulation between adjacent parcels are encouraged through coordinated or joint parking systems.

D. Driveways shall be designed to accommodate all vehicle types having occasion to enter and exit the site, including delivery vehicles. There shall be clear delineation of entry and exit lanes within driveways.

E. Driveway design and location shall ensure that loading and unloading activities will not hinder vehicle ingress or egress.

F. Driveway design and location shall meet the sight distance requirements of the Jackson County Road Commission.

10.5.4. Driveway spacing will be determined according to the standards adopted by the Jackson County Road Commission

10.5.5 *Traffic Impact Analysis.* The Township may require a traffic impact analysis in order to analyze the effect of development upon existing street traffic. The traffic impact analysis shall examine existing and proposed traffic flows, trip generation studies, impacts on major intersections, turning movement analysis, roadway capacity, parking generation, and site ingress/egress. The traffic impact analysis shall be prepared by a registered professional engineer or transportation planner.

Article 11
Non-Conforming Uses, Structures and Lots

Section 11.1 Intent.

Certain existing lots, structures, and uses of lots and structures were lawful before this Ordinance was adopted, but have become non-conforming under the terms of this Ordinance and its amendments. It is the intent of this Ordinance to permit such non-conformities to remain until they are discontinued or removed, but not to encourage their survival or, where discontinuance or removal is not feasible, to gradually upgrade such non-conformities to conforming status. Non-conformities shall not be enlarged, expanded, or extended, except as provided herein, and shall not be used as grounds for adding other structures and uses of lots and structures which are prohibited. Non-conformities are declared by this Ordinance to be incompatible with the structures and uses permitted in the various Districts.

Section 11.2 Non-Conforming Lots.

In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district provided that yard dimensions and other requirements, not involving area or width, or both, of the lots shall conform to the regulations for the district in which such lot is located.

Section 11.3 Non-Conforming Uses of Land.

Where, at the effective date of adoption or amendment of this Ordinance, lawful use of land exists that is made no longer permissible under the terms of the Ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

11.3.1. No such non-conforming uses shall be enlarged or increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.

11.3.2. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance.

11.3.3. If such non-conforming use of land ceases operation with the intent of abandonment for a period of more than six (6) months, any subsequent use of such land shall conform to the regulations specified by the Ordinance for the district in which such land is located.

Section 11.4 Non-Conforming Structures.

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

11.4.1. No such structure may be enlarged or altered in a way which increases its non-conformity.

11.4.2. Should such structure be destroyed by any means to an extent of more than fifty (50) percent of replacement value at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Ordinance.

11.4.3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 11.5 Non-Conforming Uses of Structures and Land.

If a lawful use of a structure, or of structure and land in combination, exists at the effective date of adoption or amendment of this Ordinance that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject of the following provisions:

11.5.1. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

11.5.2. Any non-conforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use, and which existed at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.

11.5.3. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations pertaining to the uses permitted in the district in which such structure is located, and the non-conforming use may not thereafter by resumed. Subparagraph 11.4 of this section shall apply to any non-conformity relating to the structure(s).

11.5.4. If such non-conforming use of land and structures ceases operation with the intent of abandonment for a period of more than six (6) months, any subsequent use of such land shall conform to the regulations specified by this Ordinance pertaining to the uses permitted in the district in which such land is located. Structures occupied by seasonal uses shall be excepted from this provision only so long as seasonal uses shall continue.

11.5.5. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

11.5.6. If no structural alterations are made, any non-conforming use of structure, or structure and premises, may be changed to another non-conforming use of the same or a more restricted classification provided that the Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this Ordinance. Where a non-conforming use of a structure, land, or structure and land in combination is hereafter changed to a more restrictive classification, it shall not thereafter be changed to a less restricted classification.

Section 11.6 Repairs and Maintenance.

On any building devoted in whole or in part to any non-conforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing to an extent not exceeding fifty (50) percent of the replacement value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this Ordinance shall not be increased.

Section 11.7 Change of Tenancy or Ownership.

There may be a change of tenancy, ownership, or management of any existing non-conforming uses of land, structures, and premises provided there is no change in the nature or character of such non-conforming uses except in conformity with the provisions of this Ordinance.

Article 12
Administration of the Ordinance

Section 12.1 Purpose.

It is the purpose of this Article to provide the procedures for the administration of this Ordinance, issuance of permits, inspection of properties, collection of fees, handling of violators, and enforcement of the provisions of this Ordinance and amendments thereto.

Section 12.2 Administration.

Except when herein otherwise stated, the provisions of this Ordinance shall be administered by the Zoning Administrator.

Section 12.3 Duties of Zoning Administrator.

The Zoning Administrator shall:

12.3.1. Receive all applications for site plan review and conditional use permits which the Planning Commission is required to decide under this Ordinance and implement the decisions of the Planning Commission.

12.3.2. Receive all applications for appeals, variances, or other matters which the Zoning Board of Appeals is required to decide under this Ordinance and refer such applications with recommendations to the Zoning Board of Appeals for determination.

12.3.3. Receive all applications for amendments to this Ordinance and report to the Planning Commission all such applications together with recommendations.

12.3.4. Maintain a map or maps showing the current zoning classifications of all land in the Township, which will conform to the true copy to be maintained by the Township Clerk.

12.3.5 Maintain written records of all actions taken by the Zoning Administrator and meet with the Planning Commission upon request.

12.3.6 Be responsible for providing forms required by the Planning Commission, Township Board, or Zoning Board of Appeals, as required by this Ordinance, and be responsible for information necessary on such forms for the effective administration of this Ordinance, subject to the general policies of the Township Board, Planning Commission, and Zoning Board of Appeals.

12.3.7 Grant zoning compliance permits, temporary dwelling permits, certificates of occupancy, and make periodic site inspections of the Township to determine Ordinance compliance and answer complaints on Zoning Ordinance violations.

Section 12.4 Zoning Compliance Permits.

12.4.1. *Issuance of Zoning Compliance Permits.*

A. No building or structure, or part thereof, shall hereafter be located, erected, constructed, reconstructed, altered, converted, or enlarged or moved; nor shall any change be made in the use of any building, structure, or land without a zoning compliance permit having been obtained from the Zoning Administrator for such building, structure, or land. A zoning compliance application shall be filled out and submitted to the Zoning Administrator.

B. The Zoning Administrator may require that all applications for zoning compliance permits shall be accompanied by plans and specifications including a plot plan in duplicate, drawn to scale, showing the following information:

(1) The actual dimensions and shape of the lot to be built upon; and

(2) The exact size and location of existing structures on the lot, if any; and

(3) The location and dimensions of the proposed structure or alteration.

When required, one (1) copy of the plans shall be returned to the applicant by the Zoning Administrator after such copy has been approved or disapproved, and attested to same by the Zoning Administrator's signature on such copy. The Zoning Administrator shall retain the original copy, similarly marked, for his files.

C. Whenever the buildings, structures, and uses as set forth in the application are in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue the applicant a zoning compliance permit within ten (10) days of the filing thereof. Where action of the Board of Appeals, Planning Commission, or the Township Board is required in any case, as set forth in this Ordinance, the Zoning Administrator shall issue such permit promptly following such action.

12.4.2. *Voiding of Zoning Compliance Permit.* Any zoning compliance permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use is completed within five hundred forty-five (545) days of the date of issuance. A zoning compliance permit shall be renewable upon reapplication and upon payment of the fee, subject however, to the provisions of all ordinances in effect at the time of renewal.

Section 12.5 Certificate of Occupancy, Final Inspection.

12.5.1. *Issuance of Certificate of Occupancy.* No land, building or structure, or part thereof, shall be occupied by or for any use for which a zoning compliance permit is required by this Ordinance unless and until a certificate of occupancy shall have been issued for such use. The holder of a zoning compliance permit for the construction, erection, or moving of any building, structure of part thereof, or for the establishment of a use, shall make application to the Zoning Administrator immediately upon the completion of the work authorized by the zoning compliance permit for a final inspection.

A certification of occupancy shall be issued by the Zoning Administrator within five (5) days after receipt of such application if it is found that the land, building or structure, or part thereof, is in accordance with the provisions of this Ordinance.

12.5.2. *Voiding of Certificate of Occupancy.* Any certificate of occupancy granted under this Ordinance shall become null and void if such use, buildings, or structure for which said certificate was issued are found by the Zoning Administrator to be in violation of this Ordinance. The Zoning Administrator, upon finding such violation, shall immediately notify the Sandstone Charter Township Board of said violation and void the certificate of occupancy.

12.5.3 *Application for Temporary Dwelling.* In applying for a temporary dwelling permit, there shall be compliance with the provisions and procedures of Section 5.8.

12.5.4 *Fees, Charges, and Expenses.* The Sandstone Charter Township Board shall establish a schedule of fees, charges, and expenses, and a collection procedure for site plans, conditional land uses, rezonings, zoning compliance permits, certificates of occupancy, appeals, temporary dwelling permits and application for appeal and other matters pertaining to the Ordinance. The schedule of fees shall be posted in the Township office, and may be altered or amended only by the Sandstone Charter Township Board. No permit, certificate, conditional use on approval, temporary dwelling permits, application for appeal, or variance shall be issued unless or until such costs, charges, fees, or expenses listed in this Ordinance have been paid in full, nor shall any action be taken on proceedings before the Board of Appeals, unless or until preliminary charges and fees have been paid in full.

From time to time, the Sandstone Charter Township Board may refer any matter pertaining to the administration or enforcement of this Ordinance to one (1) or more expert consultants. The cost of such services shall be borne by the applicant.

12.5.5 *Violations and Penalties: Nuisance per se: Abatement*

A. Notice of Violation - The Zoning Administrator shall serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension repair, use or occupancy of a structure or lot in violation of this Ordinance, or in violation of a certificate of zoning compliance issued hereunder. Such order shall direct the discontinuance of the illegal action or condition, and abatement of the violation.

B. Stop-Work Order - Upon notice from the Zoning Administrator that work on any structure or premises is in violation of the provisions of this Ordinance, such work shall be immediately stopped. Written notification of the stop of work shall be given to the owner of the property or to the owner's authorized agent, and shall state the conditions under which the work may be resumed. The stop work order shall also be visibly posted on the premises in question. Any person who shall continue any work after having been served with a stop-work order, except such work as directed by the Zoning Administrator to perform in order to remove violations or unsafe conditions, shall be liable for the penalties set forth in Paragraph C below.

C. Violations Penalties - any person who shall violate a provision of this ordinance or shall fail to comply with any of its requirements, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Zoning Administrator, or of a certificate or permit issued under this ordinance, shall be guilty of a misdemeanor. Upon conviction, such person shall be punishable by a fine of not more than five hundred (500) dollars or by imprisonment not exceeding ninety (90) days or both. Each day a violation occurs shall be deemed a separate offense.

D. Nuisance Per Se - Any structure which is erected, altered, or converted, or any use of any structure or lot which is commenced or changed after the effective date of this Ordinance, in violation of any of the provisions herein, is declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction.

E. Rights and Remedies - The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

F. General Responsibility - The Township Board or its duly authorized representative is hereby charged with the duty of enforcing the Ordinance and said Board is hereby empowered, in the name of said Sandstone Charter Township to commence and pursue any and all necessary and appropriate actions and/or proceedings in the Circuit Court of Jackson County, Michigan, or any other court having jurisdiction, to restrain and/or prevent any non-compliance with or violation of any of the provisions of this Ordinance, and to correct, remedy and/or abate such non-compliance or violation.

Section 12.6. Performance Guarantee Required

In the interest of ensuring compliance with the Zoning Ordinance provisions, protecting the natural resources and the health, safety, and welfare of the residents of the Township and future users or inhabitants of an area for which a site plan for a proposed use has been submitted, the Township Board upon the recommendation of the Planning Commission shall require the applicant to deposit a performance guarantee as set forth herein. The purpose of the performance guarantee is to ensure completion of improvements connected with the proposed use as required by this Ordinance, including but not limited to, roadways, lighting, utilities, sidewalks, safety paths, drainage, fences, screens, walls, landscaping, and widening strips.

12.6.1. Performance guarantee as used herein shall mean a cash deposit, certified check, irrevocable bank letter of credit, or corporate surety bond in the amount of the estimated cost of the improvements to be made as determined by the applicant and verified by the Township.

12.6.2. Where the Township Board requires a performance guarantee, said performance guarantee shall be deposited with the Township Treasurer prior to the issuance of a building permit by the Township for the development and use of the land. Upon the deposit of the performance guarantee the Township shall issue the appropriate building permit.

12.6.3. The approval shall also prescribe the period of time, which not exceed the time period set forth in Section 12.4.2., within which the improvements for which the performance guarantee has been required are to be completed. The period will begin from the date of the issuance of the building permit.

12.6.4. The Zoning Administrator, upon the written request of the obliger, shall rebate portions of the performance guarantee upon determination that the improvements for which the rebate has been requested have been satisfactorily completed. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvement.

12.6.5. Upon the satisfactory completion, as determined by the Township, of the improvement for which the performance guarantee was required, the Township shall return to the applicant the performance guarantee deposited and any interest earned thereon. However, the Township is not required to deposit the performance guarantee in an interest-bearing account.

12.6.6. In the event the applicant defaults in making the improvements for which the performance guarantee was required within the time period established by the Township, the Township shall have the right to use the performance guarantee deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the performance guarantee is not sufficient to allow the Township to complete the improvements for which it was posted, the applicant shall be required to pay the Township the amounts by which the costs of completing the improvements exceeds the amount of the performance guarantee deposited. Should the Township use the performance guarantee, or a portion thereof, to complete the required improvements, any amounts remaining after said completion shall be applied first to the Township's administrative costs including, without limitation, attorney fees, planning consultant fees, and engineering consultant fees in completing the improvement with any balance remaining being refunded to the applicant. If the applicant has been required to post a performance guarantee or bond with another governmental agency other than the Township to ensure completion of an improvement associated with the proposed use prior to the Township conditional approval, the applicant shall not be required to deposit with the Township a performance guarantee for that specific improvement. At the time the performance guarantee is deposited with the Township and prior to the issuance of a building permit, the applicant shall enter an agreement incorporating the provisions hereof with the Township regarding the performance guarantee.

Article 13
Zoning Board of Appeals

Section 13.1 Authority.

There is hereby established a Zoning Board of Appeals, the membership, powers, duties of which are prescribed in Act 110 of the Public Acts of the State of Michigan for 2006, as amended. The Zoning Board of Appeals in addition to the general powers and duties conferred upon it, by said Act No. 110, in specific cases and subject to appropriate conditions and safeguards, shall interpret and determine the application of the regulations established under this Ordinance in harmony with their purpose and intent as hereinafter set forth.

Section 13.2 Membership.

The Board shall consist of five (5) members, appointed by the Township Board.

13.2.1. The first member shall be a member of the Township Planning Commission.

13.2.2. The second member may be a member of the Township Board, but shall not service as chairperson.

13.2.3. The additional members shall be selected from among the electors residing in the unincorporated area of the Township.

13.2.4. An employee or contractor of the Township Board shall not serve as a member of the Board.

13.2.5. The terms of membership for Board member shall be three (3) years, except for members serving because of their membership on the Planning Commission or Township Board, whose terms shall be limited to the time they are members of the Planning Commission or Township Board, respectively, and the period stated in the resolution appointing them. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired.

13.2.6. All vacancies for unexpired terms shall be filled by appointment of the Township Board for the remainder of such term.

13.2.7. Members of the Board shall be removable by the Township Board for non-performance of duty or misconduct in office upon written charges and after public hearing.

13.2.8. A Township Board may appoint not more than two (2) alternate members for the same term as regular members to the Zoning Board of Appeals. An alternate member may be called by the Chairman of the Zoning Board of Appeals to serve as a regular member of the Board in the absence of a regular member if the regular member is absent from or will be unable to attend one (1) or more consecutive meetings. An alternate member may also be called to serve as a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until final decision is made. The alternate member has the same voting rights as a regular member of the Board.

Section 13.3 Meetings.

13.3.1. All decisions of the Board shall be made at a meeting open to the public. All deliberations of the Board constituting a quorum of its member shall take place at a meeting open to the public except as provided in compliance with the Open Meetings Act, Act 267 of 1976 as amended.

13.3.2. A majority of the members of the Board shall constitute a quorum for purposes of transacting the business of the Board and the Open Meetings Act, Act 267 of 1976, as amended. Each member of the Board shall have one (1) vote.

13.3.3. Regular meetings of the Board shall be called as needed in response to receipt of a Notice of Appeal, so long as the meeting is scheduled within twenty (20) days of the notice of Appeal. The meeting can be called by the Township Clerk, the Chairman of the Appeals Board, or, in his absence, the acting Chair. Public notice of a meeting must state the date, time, and place of a public meeting of the Board and shall be posted by the Secretary in the Sandstone Charter Township Hall at least seven (7) days before the meeting.

13.3.4. The business of the Board of Appeals shall be conducted in accordance with its adopted bylaws.

Section 13.4 Powers and Duties.

13.4.1. *General.* The Board has the power to act on matters as provided in this Ordinance and Act 110, of the Public Acts of 2006, as amended. The Board shall not have the power to alter or change zoning district boundaries, land use classifications of any property, or Zoning Ordinance text. The specific powers of the Board are enumerated in the following sections of this Article.

13.4.2. *Administrative Review.* The Board shall hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal made by the Zoning Administrator or other duly authorized enforcing agent, in enforcing any provision of this Ordinance.

13.4.3. *Interpretation.*

A. The Board shall hear and decide requests for interpretation of this Ordinance or the Zoning Map taking into consideration the intent and purpose of the Ordinance and the Township Master Plan.

B. A record shall be kept by the Board of all decisions for interpretation of this Ordinance or Zoning Map and land uses which are approved under the terms of this section. The Board shall request the Planning Commission and Township Board to review any ordinance amendment it deems necessary.

13.4.4. *Variances.*

A. The Board shall have the power to hear and decide specific appeals and authorize such variances from the provisions of this Ordinance which will not be contrary to the public interest. A variance may be granted by the Board where, due to special conditions, a literal enforcement of the provisions of this Ordinance would result in practical difficulty. A variance shall not be granted by the Board unless all of the following conditions are met:

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same Zoning District.

(2) Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of this Ordinance.

(3) The special conditions and circumstances referenced in sub-paragraph 1. do not result from the actions of the applicant.

(4) The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

(5) The granting of the variance will be in harmony with the general purpose and intent of this Ordinance and Master Plan, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

B. In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards pursuant to Section 13.5.7.

Section 13.5 Procedure for Appeal.

13.5.1. An applicant requesting any action by the Board shall commence such request by filing a notice of appeal, on the form supplied by the Township, accompanied by such appeal fee as determined by the Township Board, and all plans, studies and any other information and data as applicable, all of which shall be made a part of the record.

13.5.2. Every appeal from a determination of the Zoning Administrator or other duly authorized enforcing agent shall be made by the applicant within thirty (30) days of the date of the order issuance or refusal to issue permit, requirement, or refusal.

13.5.3. The Board shall fix a time for a hearing on the appeal, and shall notify the parties of the time and place of such hearing. Following receipt of a request for a variance, the Board of Appeals shall schedule a public hearing in accordance with Article 16 of this Ordinance.

13.5.4. Any person may appear in person at the public hearing, or be represented by an agent or attorney, and present any evidence in support of their appeal. The Board of Appeals shall have the power to require the attendance of witness, administer oaths, compel testimony, and otherwise cause the production of books, papers, files, and other evidence pertaining to matters properly coming before the Board of Appeals.

13.5.5. The Board shall not decide an appeal until after a public hearing. The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Building Inspector or other duly authorized enforcing agent, or to decide in favor of the applicant any matter upon which they are required to pass under this Ordinance, or to affect any variance from the terms of this Ordinance.

A member shall disqualify himself from a vote in which he has a conflict of interest. Failure of a member to disqualify himself from a vote in which he has a conflict of interest shall constitute misconduct in office.

13.5.6. The Board may reverse, affirm vary, or modify, any order, requirement, or determination as to which it has the power to consider, and have all the powers of the officer or body from whom the appeal was taken and may issue or direct the issuance of a permit.

13.5.7. The Board may impose conditions with any decision. Violations of any of these conditions shall be deemed a violation of this Ordinance, enforceable as such, and/or may be grounds for revocation or reversal of such decision. Such conditions imposed shall meet all of the following requirements:

A. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

B. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.

C. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

13.5.8. All decisions of the Board shall be in writing and so far as it is practicable, in the form of a general statement or resolution reciting the conditions, facts, and findings of the Board. The applicant shall be advised of the decision after the public hearing unless the Board moves for a continuation of such hearing.

13.5.9. Any decision of the Board favorable to the applicant shall remain valid only as long as the information or data relating thereto are found to be correct, and the conditions upon which the decision was based are maintained.

13.5.10. The Board may reconsider an earlier decision, if, in the opinion of the Board, circumstances justify taking such action.

13.5.11. No order of the Board of Appeals permitting the erection or alteration of a building shall be valid for a period of longer than one (1) year, unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

13.5.12. No order of the Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one (1) year, unless such use is established within such period; provided, however, that such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period, and such erection or alteration is started and proceeds to completion in accordance with such permit.

13.5.13. Any person or persons, or any board or department of the Township having an interest aggrieved by a decision of the Board shall have the right to appeal to the circuit court on questions of law and fact. Such appeal must be taken within thirty (30) days after the Board certifies its decision in writing or approves the minutes of its decision. A request for reconsideration under subsection 13.5.10 above shall not be counted against the time for taking such appeal. In the event a request for reconsideration is granted, the time period for appeal shall commence from the approval of the minutes of the meeting where the appeal was reconsidered. In any event, only one request for reconsideration on each appeal shall be allowed.

Article 14
Amendments

Section 14.1 Initiating Amendments.

The Township Board may, from time to time, amend, modify, supplement, or revise the district boundaries or the provisions and regulations of this Ordinance. Amendments may be initiated by the Township Board, the Township Planning commission, by petition of one (1) or more property owners of Sandstone Charter Township, or by one (1) or more persons acting on behalf of a property owner(s) of Sandstone Charter Township. All proposed amendments shall be referred to the Township Planning Commission for review, public hearing, and recommendation before action may be taken thereon by the Township Board.

Section 14.2 Fees.

The Township Board shall establish, by resolution, fees for zoning amendment petitions. Such fee shall be paid in full at the time of application and no part of such fee shall be returnable to the petitioner. Fees shall not be required for amendments proposed or requested by any government agency or body.

Section 14.3 Amendment Procedure.

The procedure for amending this Ordinance shall be in accordance with Act 110 of the Public Acts of 2006, as amended.

Application for amendment shall be made by submitting the application, along with required information and the required fee, to the Township office. After receipt of filing, the Clerk shall transmit a copy of the application and required information to the Planning Commission. The Planning Commission shall establish a date for a public hearing on the application; give proper notice of the hearing in accordance with Article 16 of this Ordinance.

Requirements of written notice to property owners shall not apply to comprehensive revisions to the zoning ordinance. Public hearing requirements shall apply to amendments initiated by the Township Board, the Township Planning Commission and by any other governmental agency or body.

Section 14.4 Information Required.

A. If a petition involves an amendment to the official zoning map, the petitioner shall submit the following information:

(1) A legal description of the property, including a street address and tax code number(s).

(2) A scaled map of the property, correlated with the legal description, and clearly showing the property's location.

(3) The name and address of the petitioner, the record owner, and all other parties claiming an interest in said property.

(4) The petitioners interest in the property. If the petitioner is not the owner of record, the name and address of the owner(s) of record, and other interested parties signed consent to the petition. The consent of mortgagees, lienors, and similar such parties shall not be required.

(5) Signature(s) of petitioner(s) and owner(s) certifying the accuracy of the information.

(6) Identification of the zoning district requested and the existing zoning classification of property.

(7) A vicinity map showing the location of the property, and adjacent land uses and zoning districts.

B. If a petition involved a change in the text of the zoning ordinance, the petitioner shall submit the following information:

(1) A detailed statement of the proposed amendment, clearly and completely setting forth all proposed provisions and regulations, including all changes in the zoning ordinance necessary to accommodate the proposed amendment.

(2) Name and address of the petitioner.

(3) Reasons for the proposed amendment.

Section 14.5 Review

A. In reviewing any petition for a zoning amendment, the Planning Commission shall evaluate all factors relevant to the petition and shall make its recommendations for disposition of the petition, to the Township Board within a period of sixty (60) days from the date of the Public Hearing. The time limit may be extended by mutual written agreement between the Planning Commission and the applicant.

B. The factors to be considered by the Planning Commission may include, but shall not be limited to, the following:

(1) Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.

(2) The precedents and the possible effects of such precedents, which might result from approval or denial of the petition.

(3) The capability of the Township or other government agencies to provide any services, facilities, and/or programs that might be required if the petition were approved.

(4) Effect of approval of the petition on the condition and/or value of property in the Township or in adjacent civil divisions.

(5) Effect of approval of the petition on adopted development policies of Sandstone Charter Township and other government units.

C. All findings shall be made a part of the public records of the meetings of the Planning Commission and the Township Board.

Section 14.6 Conditional Rezoning of Land

As an alternative to a rezoning amendment as described in Section 14.1 of this Ordinance, Sandstone Charter Township may allow conditional rezoning to help ensure the proper use of land and natural resources and to allow for a more flexible approach to the rezoning process in accordance with Act No. 184 of Public Acts of Michigan of 1943 as amended. It is recognized that, in certain instances, it would be an advantage to both the Township and petitioners seeking Rezoning of land if a site plan, along with conditions and limitations that may be relied upon by the Township, could be proposed as part of a petition for Rezoning. Conditional rezoning of land must follow the standards and procedures as noted below.

A. The amendment procedure for a conditional rezoning shall follow the same procedure as a traditional rezoning amendment pursuant to Article 14 of this Ordinance.

B. In addition to the procedures as noted in Section 14.3, the following specific procedures, standards, and requirements apply to all proposed conditional rezoning requests.

(1) A conditional rezoning request must be voluntarily offered by an owner of land within the Township. All offers must be made

in writing and must provide the specific conditions to be considered by the Township as a part of the rezoning request. All offers shall be in the form of a written agreement approvable by the Township and property owner, incorporating the conditional rezoning site plan and setting forth any conditions and terms mutually agreed upon by the parties relative to the land for which the conditional rezoning is sought.

(2) Conditional rezoning shall not allow a use or activity that would not otherwise be allowed in the proposed zoning district.

(3) Conditional rezoning shall not alter any of the various zoning requirements for the use(s) in question, i.e. parking, landscaping, lot area, lot width, building height, setbacks, lot area coverage, etc. Conditional rezonings shall not grant zoning variances of any kind. Any zoning variance must follow the provisions of Article 13 of this Ordinance.

(4) Conditional rezoning shall not grant conditional land use approval. The process for review and approval of conditional land uses must follow the provisions of Article 7 of this Ordinance.

(5) All conditions offered by a land owner in relation to a rezoning request must have a direct relationship to the rezoning itself. The provisions to allow conditional rezoning shall not be construed to allow rezoning by exaction.

(6) In addition to the informational requirements provided for in Section 14.4 of this ordinance the applicant must provide a conditional rezoning site plan prepared by a licensed professional allowed to prepare such plans under this Ordinance, that may show the location, size, height or other measures for and/or of buildings, structures, improvements and features on, and in some cases adjacent to, the property that is the subject of the conditional rezoning of land. The details to be offered for inclusion in the conditional rezoning site plan shall be determined by the applicant, subject to approval of the Township. A conditional rezoning site plan shall not replace the requirement under this Ordinance for site plan review and approval, or subdivision or site condominium approval, as the case may be.

C. Time Limits and Reversion of Land to Previous District.

(1) If the proposed conditions of rezoning are acceptable to the Township, the Township may establish a time period during which the conditions apply to the property and must be met. If the

conditions are not satisfied within the time specified under this section, the property shall revert to its former zoning classification unless an extension is granted as noted below. Reversion of a property back to its former classification must follow the rezoning amendment provisions as provided in Section 14.3 of the Zoning Ordinance.

(2) Unless a reversion of the zoning takes place as described in the section above, the approved conditional rezoning shall be binding upon the subject property owner, their heirs, successors, assigns, and transferees.

(3) Upon approval of a conditional rezoning, a copy of the written agreement between the property owner and Township shall be filed with the Jackson County Register of Deeds, which shall act to provide notice to all subsequent owners of the property of the conditions approved and agreed to by the Township.

(4) The Township may not add to or alter any conditions approved as a part of a rezoning during the time period specified above.

(5) The time limits specified and approved by the Township may be extended upon the application of the landowner and approval of the Township.

D. Review Procedures. The factors found in Section 14.5 of this Ordinance must be considered in any conditional rezoning request.

Section 14.7 Conformance to Court Decree

Any amendment for the purpose of conforming to a provision thereof to the decree of a court of competent jurisdiction shall be adopted by the Township Board and the amendment published without referring same to any other board or agency.

Section 14.8 Publication

Following Township Board approval of a petition to amend the zoning ordinance, notice of the amendment shall be published within fifteen (15) days after adoption in a newspaper of general circulation within Sandstone Charter Township. The notice of adoption shall include the following information:

A. Either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.

B. The effective date of the amendment.

C. The place and time where a copy of the ordinance may be purchased or inspected.

Article 15
Repeal of Existing Zoning Ordinance

Section 15.1 Repeal.

The existing zoning regulations of the Charter Township of Sandstone are hereby repealed. The adoption of this Ordinance, however, shall not affect or prevent any pending or future prosecution of, or action to abate, any existing violation of the aforementioned Ordinance, as amended, if the use so in violation is in violation of the provisions of this Ordinance.

Article 16
Public Notice

Section 16.1 Public Notification

All applications for development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006 and the provisions of this section with regard to public notification.

A. Responsibility. When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Township Clerk shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Township and mailed or delivered as provided in this Section.

B. Content. All mail, personal and newspaper notices for public hearings shall:

(1) Describe nature of the request: identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.

(2) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property. Street addresses are not required to be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation not involving a specific property.

(3) When and where the request will be considered: indicate the date, time and place of the public hearing(s).

(4) Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear at the public hearing in person or by an agent or other representative.

(5) Provide information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.

C. Personal and mailed notice.

(1) General. When the provisions of this Ordinance or state law require that personal or mailed notice be provided, notice shall be provided to:

a. The owners of property for which approval is being considered, and the applicant, if different than the owner(s) of the property.

b. Except for rezoning request involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; notice shall be given to all persons whom real property is assessed within three (300) hundred feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of the Township. If the name of the occupant is not known, the term "occupant" may be used in making notification.

(2) Notice by mail/affidavit. Notice shall be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The Township Clerk shall prepare a list of property owners and registrants to whom notice was mailed, as well as anyone to whom personal notice was delivered.

D. Timing of notice. Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance where applicable, notice of a public hearing shall be provided as follows:

(1) For a public hearing on an application for a rezoning, text amendment, special land use, planned unit development, variance, appeal, or ordinance interpretation: not less than fifteen (15) days before the date the application will be considered for approval.

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