

CHAPTER 12
SPECIAL LAND USES; PERFORMANCE STANDARDS
FOR SPECIFIC PERMITTED USES
[Title amended 9/2/15]

SECTION 12.01 PURPOSE. Special land uses are those uses of land which are not essentially incompatible with uses permitted in a district, but possess characteristics or location qualities which require individual review and discretion in order to avoid incompatibility with the character of the surrounding area, overburdening public services and facilities, and conflicts with adjacent uses of land. The purpose of this chapter is to establish equitable procedures and criteria, which shall be applied in the determination of requests to establish special land uses. The criteria for decision and requirements provided for under the provisions of the chapter shall be in addition to those required elsewhere in this Ordinance which are applicable to the special land use under consideration. In addition, this Chapter includes specific performance standards and requirements for certain uses which are permitted in the zoning districts, with site plan approval. **[Section 12.01 amended 9/2/15]**

SECTION 12.02 APPLICATION AND REVIEW PROCEDURES.

- A. An application for permission to establish a special land use shall be submitted in accordance with the following procedures:
1. Applications for a special land use shall be submitted at least 45 days prior to the next Planning Commission meeting through the Township Clerk who will review the application for completeness, then transmit it to the Planning Commission.
 2. A valid application for a special land use approval shall consist of the following:
 - a. Ten copies of a site plan meeting the requirements of Section 11.05.A.4.
 - b. A completed application form, as provided by the Township.
 - c. Payment of a fee, in accordance with a fee schedule, as determined by the Township Board from time to time.
 - d. A legal description, including permanent parcel number, of the entire property which is the subject of the special land use.
 - e. A statement with regard to compliance with the criteria required for approval in Section 12.03, and other criteria imposed by this Ordinance affecting the special land use under consideration.

f. Other materials as required by the Planning Commission.

B. Public Hearing.

1. Upon receipt of a valid application for a special land use, the Planning Commission shall hold a public hearing for the purpose of receiving comments relative to the special land use application.
2. Notice of the public hearing shall be given as provided in Section 15.09 of this Ordinance. **[Section 12.02.B.1-2 amended 8/2/06]**
3. The Planning Commission and Township Board shall review the application for a special land use and make a determination on the application in accordance with:
 - a. The site plan and other materials submitted in relation to the special land use application.
 - b. The standards for approval stated in Section 12.03.
 - c. Other standards contained in this Ordinance which relate to the special land use under consideration.
4. The Planning Commission shall recommend the special land use application to the Township Board with its approval, approval with conditions, or a denial.
5. If denied, the Planning Commission and Township Board, in its minutes, shall state the reasons for such denial and provide the applicant with a copy.

SECTION 12.03 BASIS OF DETERMINATION.

- A. Prior to approval of a special land use application, the Planning Commission and Township Board shall insure that the standards specified in this section, as well as applicable standards established elsewhere in this Ordinance, shall be satisfied by the completion and operation of the special land use under consideration.
1. The Planning Commission and Township Board shall review the particular circumstances of the application under consideration in terms of the following standards, and shall approve a special land use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance.
 - a. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

- b. The special land use shall not change the essential character of the surrounding area.
 - c. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the creation of hazardous or potentially hazardous situations or the excessive production of traffic, noise, smoke, fumes or glare.
 - d. The special land use shall not place demands on public services and facilities in excess of current capacity.
- B. The Township Board may impose conditions with the approval of a special land use which are necessary to insure compliance with the standards for approval stated in this section and any other applicable standards contained in this Ordinance. Such conditions shall be considered an integral part of the special land use application and shall be enforced by the Zoning Administrator.

SECTION 12.04 APPROVAL TERM AND EXPIRATION.

- A. A special land use approval shall be valid for one year from the date of approval, unless approval is revoked as provided in Section 12.05, or the special land use has been initiated, or construction necessary for such use has been initiated and is proceeding meaningfully toward completion, in which case the approval shall remain valid indefinitely, unless the use is abandoned or discontinued for six consecutive months, in which case the approval shall be deemed expired as of the end of such period of six consecutive months and thereupon shall no longer be valid. **[Section 12.04.A amended 10/6/93]**
- B. If, by the end of this one-year period, the special land use has not been initiated or construction necessary for such use has not been initiated or, if construction has been initiated but is not proceeding meaningfully toward completion, then the special land use shall be deemed expired and no longer valid. The Planning Commission may, upon application, without further public hearing, grant an extension of this one-year period for a period to expire not more than three years following the initial approval, upon determination that there has been no change in conditions in the area which would result in a change in the approval or conditions imposed on the special land use. **[Section 12.04.B amended 9/2/15]**
- C. A special land use approval, including conditions imposed, is attached to and shall run with the land for which the approval is granted, and shall be binding upon subsequent owners and all occupants of the subject land.
- D. Reapplication for approval of an expired special land use approval shall be considered in the same manner as the original application.

SECTION 12.05 REVOCATION OF SPECIAL LAND USE APPROVAL.

- A. If the applicant fails to comply with any of the applicable requirements in this chapter, any conditions placed on the approval by the Township Board, or any other applicable provisions of this Ordinance the Township Board shall so notify the applicant of the applicable infractions. If these infractions are not corrected within the stated time, the Township Board may revoke the special land use approval and all rights associated with said use shall cease.
- B. Prior to revoking a special land use approval, the Planning Commission shall conduct a public hearing and give notice of such hearing in accordance with Section 12.02.B.
- C. Following the public hearing, the Planning Commission shall make a recommendation to the Township Board regarding the special land use. Such recommendation may be that the special land use shall be modified, shall be revoked, or that it shall remain in effect with all of the original conditions and requirements. If such recommendation is that the special land use be modified, the Planning Commission shall include in its recommendation the conditions, requirements, or other matters as to which modification is recommended. The Township Board shall thereafter determine whether the special land use shall be modified, revoked or remain in effect without change. If the conditions and requirements of the special land use are not modified, and if the applicant is not in compliance therewith, the applicant shall be given a reasonable period of time, as determined by the Township Board, in which to correct any violations so as to cause the special land use to be fully in compliance with all of the established conditions and requirements. [Section 12.05.C amended 10/6/93]
- D. Notwithstanding the provisions of this section, the Township may enforce the correction of any violation of this Ordinance through the provisions of Section 15.08.

SECTION 12.06 EXISTING SPECIAL EXCEPTIONS. Uses of land and/or development projects granted special exception status by the Township prior to the adoption of this Zoning Ordinance may continue this status, provided the rules, regulations, requirements, and conditions of the special exception are met.

SECTION 12.07 SPECIFIC SPECIAL LAND USE STANDARDS; PERFORMANCE STANDARDS FOR SELECTED PERMITTED USES. The following special land uses or land uses permitted by right shall be subject to the requirements of the district in which they are located, in addition to all the applicable conditions, standards and regulations as are cited in this ordinance. The following uses have such conditions, standards or regulations: [Section 12.07 opening paragraph amended 9/2/15]

- A. Country clubs, golf courses, riding stables, and publicly-owned athletic grounds and parks, including related uses, such as snack bars, small retail shops selling

goods directly related to the primary use, and other similar uses integral to the main use.

- B. Roadside stands with more than 200 square feet of sales area for sale of produce grown on the premises.
- C. Commercial greenhouses and nurseries, when operated primarily as wholesaling operations and limited retail sales.
- D. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.
- E. Public or private campgrounds.
- F. Multiple family dwellings.
- G. State licensed residential group care facilities.
- H. Group and commercial day care homes and facilities.
- I. Funeral homes and mortuary establishments.
- J. Hotels and motels.
- K. Theaters, or similar places of public assembly, as determined by the Zoning Administrator.
- L. Restaurants with drive-through facilities.
- M. Vehicle service stations, excluding body shops.
- N. Vehicle wash establishments, either self-serve or automatic.
- O. Open air businesses.
- P. Veterinary hospitals, animal clinics, and commercial kennels.
- Q. Bowling alleys.
- R. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- S. Body shops.
- T. Lumber and planing mills.
- U. Metal plating, buffing, and polishing.

- V. Commercial storage warehouses.
- W. The manufacture, compounding, processing, packaging, or treatment of products requiring stamping or punch press operations.
- X. Junk yards/salvage yards.
- Y. Adult uses.
- Z. Warehousing, bulk storage, and transport of propane, liquid petroleum, fuel oil, and similar fuels, not including gasoline, used by consumers in the Township and surrounding areas. **[Section 12.07.Z added 1/3/96]**
- AA. Towers in excess of 50 feet in height for commercial wireless telecommunication services, and related equipment and accessory structures. (11-5-97)
- BB. Oil and gas structures. **[Section 7.07.BB added 7/2/14]**

Specific Special Land Use Standards, for Special Land Use (List Details).

- A. Country clubs, golf courses, riding stables, and publicly-owned athletic grounds and parks, including related uses, such as snack bars, small retail shops selling goods directly related to the primary use, and other similar uses integral to the main use.
 - 1. The use shall be located on property with direct access to a public street.
 - 2. Any outdoor activity areas shall be set back a minimum of 50 feet from any residential district or use.
 - 3. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.
 - 4. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or any other driveway.
 - 5. Buildings housing animals, storage equipment, or other similar buildings shall be located at least 50 feet from any lot line.
- B. Roadside stands with more than 200 square feet of sales area for sale of produce grown on the premises.
 - 1. A five foot fence or wall shall be constructed along the rear and sides of the area used for such use, capable of keeping trash, paper, and other debris from blowing off the premises.
 - 2. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or driveway.

3. No lighting shall be provided for any such use.
 4. Any building or display area shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.
- C. Commercial greenhouses and nurseries, when operated primarily as wholesaling operations and limited retail sales.
1. The lot area used for parking, display, or storage shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.
 2. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or driveway.
 3. Lighting for parking and outdoor storage areas shall be shielded to prevent light from spilling onto any residential district or use property line.
 4. Any display materials or equipment stored or displayed outside of an enclosed building shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.
- D. Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.

The Township Board shall not approve such use until the following information is provided and the Township Board finds that the proposed use will not unduly impact surrounding properties and the Township in general, in accordance with the following.

1. The size of the property from which such topsoil, sand, gravel or other such materials are to be removed.
2. The amount of topsoil, sand, gravel or other such materials which is to be removed.
3. The purpose of such removal.
4. The effect of such removal on adjoining property; all removal activities shall be set back a minimum of 100 feet from any adjoining residential district or use.
5. The effect of such removal in causing a safety hazard, creating erosion problems, or altering the groundwater table.
6. The potential for such removal to cause the creation of sand blows, stagnant water pools, or swampy areas.

7. The effect of such removal on the environment and the natural topography, and the potential destruction of any natural resources.
8. Potential traffic congestion and problems because of trucks or other vehicles or means utilized to haul and transport the materials removed.
9. Any change of the natural contour of the land, both during mining operations and at the time of abandonment, shall be maintained in a safe condition.
10. No business or industrial buildings or structures of a permanent nature shall be erected, except where such building is a permitted use within the district in which the extraction activity is located.
11. No storage or truck parking shall be located within 200 feet of any adjacent residence or within 50 feet of any other adjacent property.
12. All of the operation shall be screened with an evergreen screen planting on any side adjacent to residentially occupied property.
13. As the natural resources are being removed, the property shall be restored by the placement of topsoil where feasible; and all excavations shall be sloped to a gradient with not more than a 30 degree slope and the contour be caused to blend as nearly as possible with the natural surroundings.
14. All truck operations shall be directed away from residential streets and utilize county primary roads wherever possible.
15. The Township Board may require such bond as deemed necessary to insure that requirements are fulfilled, and may revoke permission to operate at any time specified conditions are not maintained.
16. Topsoil or sand may be removed from a lot for the purpose of erecting or constructing a building or structure on the lot, provided a permit is first obtained from the Zoning Administrator. If any removal from a parcel shall exceed 500 cubic yards of material, then the applicant shall comply with the provisions of this section. In addition, topsoil or sand may be moved from one part of a lot to another part if such action will not cause, or be likely to cause, sand blows, stagnant water pools, bogs or possible future injury to adjoining properties.
17. The applicant shall secure all necessary permits from Township, county and state authorities.

E. Public or Private Campgrounds.

1. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or any other driveway.
2. The applicant shall secure all necessary permits from Township, county and state authorities.
3. Minimum lot area shall be five acres.
4. Retail commercial uses may be permitted within the campground provided that the following requirements are met:
 - a. All commercial uses allowed shall occupy no more than 5 percent of the lot for building and parking areas.
 - b. No merchandise for display, sale or lease shall be located in any manner outside the main building.
 - c. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.

F. Multiple Family Dwellings.

1. All dwelling units in the building shall have a minimum of 750 square feet per unit.
2. Parking areas shall have a front yard setback of 20 feet and side and rear yard setbacks of ten feet.
3. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or any other driveway.
4. Buildings shall not be constructed closer than a distance equal to one and one-half times the height of the taller building.
5. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.

G. State Licensed Residential Group Care Facilities.

1. Such facilities shall not be located closer than 1,500 feet from an existing or proposed similar state licensed residential facility, including group care facilities, but not including state licensed residential facilities caring for four or less minors.

H. Group and Commercial Day Care Homes and Facilities.

1. A drop off/pick up area shall be provided for motorists off the public street, which permits vehicles to exit the property without backing into the street.
2. Fencing no less than four feet nor more than six feet in height shall be provided around all outdoor areas accessible to children.
3. There shall be a contiguous open space of a minimum of 1,200 square feet provided on the subject parcel. Said open space shall not be located within a required front yard setback area. This requirement may be waived by the Township Board if public open space is available within 500 feet of the subject parcel, measured from the nearest lot line of the use to the nearest lot line of the public open space.

I. Funeral Homes and Mortuary Establishments.

1. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.
2. Minimum lot area shall be one acre and minimum lot width shall be 150 feet.
3. An off-street vehicle assembly area shall be provided to be used in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.
4. No waiting lines of vehicles shall extend off-site or onto any public street.
5. Access driveways shall be located no less than 25 feet from the nearest part of the intersection of any street or any other driveway.

J. Hotels and Motels.

1. Minimum lot area shall be four acres and minimum lot width shall be 200 feet.
2. Parking areas shall have a front yard setback of 20 feet and side and rear yard setbacks of ten feet.
3. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or any other driveway.

- K. Theaters, or similar places of public assembly, as determined by the Zoning Administrator.
1. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.
 2. Main buildings shall be set back a minimum of 100 feet from any residential property line.
 3. For uses exceeding a seating capacity of 250 persons, a traffic impact study shall be required to be submitted by the applicant which describes internal circulation and projected impacts on traffic operations, capacity, and access on adjacent and nearby streets which are likely to provide access to the site.
 4. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or any other driveway.
- L. Restaurants with Drive-Through Facilities.
1. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of ten stacking spaces for the service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the drive-through portion of the facility.
 2. In addition to parking space requirements, at least three parking spaces shall be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.
 3. Parking areas shall have a front yard setback of 20 feet and side and rear yard setbacks of ten feet.
 4. Access driveways shall be located no less than 25 feet from the nearest part of the intersection of any street or any other driveway.
- M. Vehicle Service Stations, Excluding Body Shops.
1. Minimum lot area shall be one acre and minimum lot width shall be 250 feet.
 2. Pump islands shall be a minimum of 15 feet from any public right-of-way or lot line.

3. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed building.
4. Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited.
5. If retail sales of convenience goods are conducted on the premises, parking for such uses shall be computed and provided separately for that use.
6. Canopy roofs shall be permitted to encroach into any required yard, provided that a minimum setback of five feet is maintained, and further provided that the fascia of such canopy is a minimum of ten feet above the average grade.
7. Access driveways shall be located no less than 25 feet from the nearest part of the intersection of any street or any other driveway.
8. Where adjoining residentially zoned or used property, a solid wall or fence, six feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition.

N. Vehicle Wash Establishments, Either Self-Serve or Automatic.

1. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of 15 stacking spaces for an automatic wash facility shall be provided. For self-service establishments, each stall shall have at least two stacking spaces at the entrance and one space at the exit.
2. Vacuuming activities, if outdoors, shall be at least 100 feet from any residential district or use property line. Wash bays for self-service establishments shall be located at least 50 feet from any residential district or use property line.
3. Should self-service wash bays be located with openings parallel to an adjacent street, they shall be screened by a solid wall or fence, six feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition.
4. Only one access driveway shall be permitted on any single street. All access driveways shall be located no less than 25 feet from the nearest part of the intersection of any street or driveway.

5. Where adjoining residentially zoned or used property, a solid wall or fence, six feet in height shall be erected along any common lot line. Such fence shall be continuously maintained in good condition.
6. Lighting for parking and outdoor storage areas shall be shielded to prevent light from spilling onto any residential district or use property line.

O. Open Air Businesses.

1. A five foot fence or wall shall be constructed along the rear and sides of the lot, capable of keeping trash, paper, and other debris from blowing off the premises.
2. The lot area used for parking, display, or storage shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.
3. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or driveway.
4. Lighting for parking and outdoor storage areas shall be shielded to prevent light from spilling onto any residential district or use property line. Any display materials or equipment stored or displayed outside of an enclosed building shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.

P. Veterinary Hospitals, Animal Clinics, and Commercial Kennels.

1. Buildings, dog runs, and/or exercise areas, or any other area where animals are kept shall be set back 100 feet from any property line.

Q. Bowling Alleys.

1. The principal and accessory buildings and structures shall be located no closer than 100 feet to any residential district or use property line.
2. Minimum lot area shall be one acre and minimum lot width shall be 150 feet.
3. Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or driveway.

R. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.

1. Any such buildings shall be generally compatible, with respect to materials and color, with the surrounding neighborhood.

2. Any such building shall comply with the yard setback requirements of the district in which it is located.

S. Body Shops.

1. The principal and accessory buildings and structures shall not be located within 100 feet of any residential district or use property line.
2. Minimum lot area shall be one acre and minimum lot width shall be 150 feet.
3. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed building.
4. Inoperative vehicles left on the site shall, within 48 hours, be stored within an enclosed building, or in an area screened by an opaque fence not less than six feet in height. Such fence shall be continuously maintained in good condition.
5. Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited.
6. Access driveways shall be located no less than 25 feet from the nearest part of the intersection of any street or driveway.
7. Where adjoining residentially zoned or used property, a solid wall or fence, six feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition.

T. Lumber and Planing Mills.

1. The principal and accessory buildings and structures shall not be located within 200 feet of any residential district or use property line.

U. Metal Plating, Buffing, and Polishing.

1. The principal and accessory buildings and structures shall not be located within 200 feet of any residential district or use property line.

V. Commercial Storage Warehouses.

1. Minimum lot area shall be two acres.
2. A residence may be permitted on the premises for security personnel or on-site operator. The residence shall conform to the minimum requirements for a single-family detached dwelling in the R-2 District.

3. Parking and circulation:
 - a. One parking space shall be provided for each ten storage cubicles, equally distributed throughout the storage area. The parking requirement may be met with the parking lanes required for the storage area.
 - b. Two parking spaces shall also be required for the residence of security personnel or on-site operator employed on the premises.
 - c. One parking space shall also be required for every 20 storage cubicles, up to a maximum of ten spaces, to be located adjacent the rental office, for the use of customers.
 - d. The following parking lanes and access aisles shall be required. The parking lanes may be eliminated when the access aisle does not serve storage cubicles.

Lane/Aisle	Aisle/Lane Width (ft.)		# Lanes/Aisles Required	
	One-Way	Two-Way (each lane or aisle)	One-Way	Two-Way
Parking Lane	10	10	1	1
Access Aisle	15	12	1	2

- e. All driveways, parking, loading, storage, and vehicular circulation areas shall be paved.
- W. The manufacture, compounding, processing, packaging, or treatment of products requiring stamping or punch press operations.
1. The principal and accessory buildings and structures shall not be located within 200 feet of any residential district or use property line.
- X. Junk Yards/Salvage Yards.
1. Requests for a special land use approval for establishment of a salvage or junk yard shall also require submission of a detailed proposal identifying the predominant type of salvage or junk to be received, the methods of separation and/or recycling, and ultimate destination of waste materials. The applicant shall be required to submit written materials outlining measures taken to comply with all necessary state, county, and local laws.
 2. The site shall be provided with suitable access to a collector or arterial road to ensure safe, direct transport of salvage to and from the site.
 3. No portion of the storage area shall be located within 200 feet of any residential district or use property line.

4. Any outdoor storage area shall be completely enclosed by a fence or wall at least six feet in height constructed of a sturdy, durable material and sufficiently opaque to ensure that salvage is not visible from outside the storage area. The fence or wall shall have a minimum of two non-transparent gates not exceeding 48 feet in width providing access to the storage area for vehicles but shall not allow direct view of the storage area from adjacent properties or streets. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.
5. Stored materials shall not be stacked higher than ten feet and shall be stored in a manner so as not to be visible from adjoining properties or rights-of-way. In no case shall salvage or junk be stored at a height exceeding the height of the storage area fence or wall.
6. The fence or wall enclosing the storage area shall meet the applicable building setback requirements.
7. A management office shall be provided on site. A residence may be permitted for security personnel or on-site operator.
8. Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety.
9. All portions of the storage area shall be accessible to emergency vehicles.
10. Vehicles or vehicle bodies shall be stored in rows with a minimum of 20 foot continuous loop drives separating each row of vehicles.
11. All batteries shall be removed from any vehicle, and all radiator and fuel tanks shall be drained prior to the vehicle being placed in the storage yard. Salvaged batteries, oil and other such substances shall be removed by a licensed disposal company or be stored in a manner which prevents leakage of battery fluid. No fluids removed from vehicles shall be applied as a dust control method.
12. Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the fence enclosing the salvage yard.
13. The property shall include at least six acres.
14. All fences shall be setback a minimum of 50 feet from any residential district or use property line.
15. In order to protect surrounding areas, the crushing of vehicles or any part thereof shall be limited to daylight hours.

16. The Township Board may impose other conditions, such as greenbelts, landscaping, and other items, which have a reasonable relationship to the health, safety and general welfare of the Township. These conditions can include a provision for an annual inspection by the Zoning Administrator to ensure continuing compliance with the above standards.

Y. Adult Uses.

1. The lot or parcel on which the use is located shall not be closer than 1,000 feet from any residential district or use, school, church, or park, as measured from the nearest part of the each lot line.
2. The use is not located within a 1,000 foot radius of any other such use, as measured from the nearest part of the each lot line.

Z. Warehousing, bulk storage, and transport of propane, liquid petroleum, fuel oil, and similar fuels, not including gasoline, used by consumers in the Township and surrounding areas.

1. All federal and state requirements for construction, location, installation, containment areas, and similar matters shall be satisfied. All necessary permits shall be obtained and submitted to the Township prior to construction.
2. The Planning Commission shall determine that vehicles entering and leaving the proposed site will not cause unreasonable danger to traffic.
3. The proposed site shall abut a state highway or county primary road.
4. Retail sales shall not be permitted.
5. No storage shall take place closer than 100 feet from any property line, or a greater distance if required by applicable state or federal regulations. No storage of explosive, volatile, or toxic chemicals in gaseous form shall be closer than 250 feet from any existing dwelling, school, hospital, or place of public assembly.
6. Accessory buildings, if any, shall be approved by the Planning Commission in connection with the special land use approval.
7. Fencing, lighting, security, and other appropriate conditions, which may be more stringent than, but not inconsistent with, federal or state requirements may be imposed.
8. Outdoor storage of empty tanks for sale or lease to the public shall be prohibited in the R-R District and shall be subject to all applicable requirements of the C and LI Districts.

9. The site shall be designed so as to permit easy access by emergency vehicles.
 10. Total liquid storage capacity on the proposed site shall not exceed 75,000 gallons in the C and I Districts, and 50,000 gallons in the RR District. **[Section 12.07.Z amended 1/3/96]**
- AA. Towers in excess of 50 feet in height for commercial wireless telecommunication services, and related equipment and accessory structures. (Amended 11-5-97)
1. Antennas and other equipment for commercial wireless telecommunication services shall be required to locate on any existing approved tower within a one mile radius of the proposed tower unless one or more of the following conditions exists:
 - a. The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and registered professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.
 - b. The planned equipment would cause interference materially affecting the usability of other existing or planned equipment at the tower or building as documented by a qualified and registered professional engineer and the interference cannot be prevented at a reasonable cost.
 - c. Existing or approved towers and buildings within a three mile radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and registered professional engineer and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.
 - d. Other unforeseen reasons that make it infeasible to locate the planned equipment upon an existing tower or building.
 2. Any proposed tower for commercial wireless telecommunication services shall be designed, structurally, electrically, and in all other respects, to accommodate both the applicant's equipment and comparable equipment for at least two additional users. Towers must be designed to allow for future rearrangement of equipment upon the tower and to accept equipment mounted at varying heights.
 3. Towers for commercial wireless telecommunication services shall be designed to blend into the surrounding environment through the use of

color and architectural treatment, except in instances where color is dictated by other state or federal authorities. Towers shall be of a monopole design unless the Planning Commission determines that an alternative design would better blend into the surrounding environment.

4. Any part of the structures or equipment placed on the ground pertaining to the tower for commercial wireless telecommunication services shall comply with the following setbacks:
 - a. **Residential Districts.** The Planning Commission shall not approve any tower for commercial wireless telecommunication services located such that any part of which is located within 200 feet of any residential district lot line.
 - b. **Nonresidential Districts.** Any part of a commercial wireless telecommunication services tower or associated equipment shall be set back for a distance equal to the setbacks for main buildings for the district in which it is located, except that in no case shall such structures or equipment be located less than 25 feet from any adjacent lot line or main building, nor less than 200 feet from any residential district lot line.
 - c. These provisions shall not apply to towers located on existing buildings, towers, or other existing structure.
5. The Planning Commission may require such structures or equipment on the ground to be screened with landscaping, berms, walls, or a combination of these elements.
6. Towers for commercial wireless telecommunication services shall not be illuminated unless required by other state or federal authorities. No signs or other advertising not related to safety or hazard warnings shall be permitted on any part of the tower or associated equipment or buildings.
7. Towers for commercial wireless telecommunication services which are abandoned or unused shall be removed, along with any associated structures or equipment, within 12 months of the cessation of operations, unless a time extension is granted by the Zoning Administrator. One three month extension shall be permitted only if the Zoning Administrator finds that the owner or former operator of the facility is taking active steps to ensure its removal.

BB. Oil and Gas Structures.

1. No oil and gas production facility or structure, including any processing or sweetening facility, except access roads and pipelines, for the processing, treatment, or transport of any gas or oil containing hydrogen sulfide in a

concentration exceeding .1 parts per million (ppm) shall be constructed, located, or used within 1,300 feet of an existing dwelling, commercial or other non-residential building or structure located and occupied on property adjacent to or separate from the property for which the special use permit is sought; access roads and pipelines shall not be located within 600 feet of an existing dwelling, commercial or other non-residential building or structures located and occupied on property adjacent to or separate from the property for which the special use permit is sought. Such distance shall be measured from the exterior of the perimeter of the facility, access road, or pipeline proper, and not the boundary of the property on which it is located or to be located.

2. No oil and gas structure, except access roads and pipelines, for the processing, treatment, or transport of hydrogen sulfide in a concentration exceeding .1 parts per million (ppm) shall be constructed, located or used within 1,300 feet of an existing subdivision, apartment buildings, residential developments, mobile home parks, residential uses whose occupants are relatively immobile and which are hard to quickly and efficiently evacuate such as hospitals, nursing homes, residential care centers, or other land uses that involve dense population; access roads, and pipelines shall not be located within 600 feet of such uses and structures. The distance shall be measured from the exterior of the perimeter of the facility, access road, or pipeline proper, and not the boundary of the property on which it is located or to be located.
3. In addition to the bulk, area, and minimum lot size requirements of this chapter, the minimum lot size for a hydrogen sulfide sweetening facility or other similar process facility for the removal or treatment of hydrogen sulfide shall be ten acres, with minimum lot width of 400 feet, measured at the narrowest point between lot lines.
4. All oil and gas processing or sweetening facilities having buildings, plant, equipment and/or machinery located above ground, will be screened from view from all nearby roads, dwellings and commercial uses by vegetation or berm, or a combination of both, placed near or at the perimeter boundary of the project site.
5. Any oil and gas production structure or pipeline including processing or sweetening facilities, that will treat or process natural gas or oil not containing hydrogen sulfide in a concentration exceeding .1 parts per million (ppm) does not have to meet the requirements of subparagraphs 1 and 2 of this paragraph, provided, however, that such facility shall not be closer than the applicable front yard setback under this chapter for the district in which any adjacent dwelling, building, or structure is located, and provided, further, that the oil and gas production use or structure

meets all other standards and criteria for a special use permit set forth in this Ordinance.

6. In the case of a bulk storage facility, all tanks and other storage facilities, pumps and other equipment shall be completely enclosed within a berm to minimize the visual impact on adjacent land uses.
7. All lights or other illumination devices shall be shaded and/or screened by the vegetation, berm and/or by other apparatus such that direct glare is not visible beyond the perimeter boundary of the property.
8. The project site shall be secured to prevent pedestrians and other unauthorized persons from gaining access to the project site.
9. All emissions and/or effluent discharges from the oil and gas processing or sweetening facility shall meet or exceed all applicable state and federal air pollution, surface and ground water quality standards. All hazardous wastes shall be transported off-site by a Michigan licensed industrial waste hauler and disposed of in a properly licensed landfill. Tanks constructed of steel or other material approved in accordance with federal and state law shall be used for storage of all liquid materials, including brine, except that lined mud pits may be allowed for emergency backup purposes, provided that after the emergency has ceased the materials will be hauled off site within forty eight hours. Sulfur, once separated from natural gas, shall be incinerated and technology which chemically changes the sulfur to its elemental form, or other form suitable for resale, or more advanced technology recognized by the American Petroleum Institute or American Gas Association and approved by the Township shall be used.
10. Sweetening plants shall be fitted with a warning siren audible for one mile in all directions on a calm (no wind) day, which is triggered to sound when air concentrations of hydrogen sulfide exceed 10 ppm within the project site. The siren shall be periodically tested and maintained on a regular basis during the life of the plant.
11. Odors shall not be detectable by normal human senses under normal operating conditions at a distance of 1,300 feet from an oil and gas processing or sweetening facility.
12. The applicant shall submit a site and facility reclamation plan to restore the property to its original or nearly original condition, and capable of being completed within one year of the cessation of the operations of the project. **[Subsection BB added 7/2/14]**