

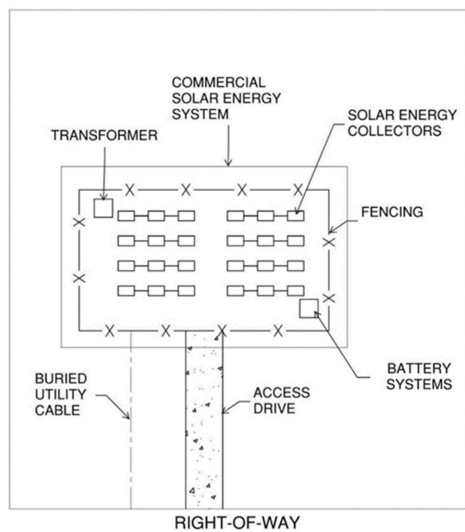
shall expire 1 year after the date of the Planning Commission meeting at which it was approved if the use has not commenced.

**Sec. 2202. Industrial Solar Energy Systems.**

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Industrial solar energy systems include the solar panels, internal and perimeter roadways, spacing for service, fencing, and any other structure, transformer, or devices of the like needed for solar production or operation of the system. See the graphic below.

- Purpose.** Vienna Charter Township permits the use of solar energy within the Township as an alternative energy source. This section provides associated placement, land development, installation and construction regulations for industrial solar energy systems to protect the public health, safety, and welfare while maintaining the township’s rural character, consistent with master plan goals and objectives. These regulations establish minimum requirements, while permitting a renewable energy source in a safe, effective, and efficient manner.



- Setbacks.** Industrial solar energy systems shall comply with the following setback requirements. Setback areas may incorporate visual buffers or landscaping, agricultural uses, or be left in a natural undeveloped state.
  - Residential Property.** Industrial ~~Commercial~~ solar energy systems shall be setback a minimum of 150 feet from the property line of any residentially zoned property or a property on which there is a residential use.

- B. Residential and Public Structures.** ~~Industrial~~ ~~Commercial~~ solar energy systems shall be setback a minimum of 300 feet from any dwelling unit, religious institution, school, or similar principal structure in a residential zoning district.
- C. Right of Way.** ~~Industrial~~ ~~Commercial~~ solar energy systems shall be setback a minimum of 100 feet from the right of way.
- D. All Other Property Lines.** Commercial solar energy systems shall be setback a minimum of 50 feet from any non-residential property line.
3. **Maximum System Area.** A single Industrial Solar Energy System shall not be permitted to be greater than a total of up 49 megawatts ~~160/320/640 acres in area.~~
4. **Separation Distance.** There shall be a minimum distance of 1,000 feet/2,000 feet/1 mile between each industrial solar energy system. This buffer distance shall apply to industrial solar energy systems located in adjacent local units of government as well.
- ~~Minimum Lot Size. An industrial solar energy system shall be constructed upon a parcel of property which has an area of at least 30 acres.~~
5. **Access Roads.** An industrial solar energy system must include access roads which are a minimum of 20 ft wide ~~are adequate to~~ permit fire and public safety access and which are paved or graveled in a manner sufficient to provide a solid base at all times of the year.
6. **Landscape Buffer and Visual Impact.** A landscape buffer shall be established to provide a continuous visual screen between the industrial solar energy system and commercial and residential land uses and zoning districts. The buffer shall be composed of evergreen trees a minimum of 6 feet tall at the time of planting. The evergreen trees shall reach a height of at least ten feet within five growing seasons.
- A. The applicant shall graphically demonstrate the visual impact of the proposed system on adjacent land uses and the right of way as part of the special land use application.
7. **Fencing.** An industrial solar energy system must be surrounded by an eight foot tall chain link fence designed to restrict unauthorized access. The gate must be the same height and constructed in the same manner as the fence.
8. **Height.** The industrial solar energy system must be 15 feet or less in height.
9. **Visual Impact.** An industrial solar energy system must be located in the least visibly obtrusive location where panels would be functional.
10. **Other Zoning Ordinance Standards.** An industrial solar energy system shall be subject to all zoning ordinance standards of the zoning district in which it is located. The industrial solar energy system shall not count toward lot coverage standards.
11. **Wildlife Protection.** An industrial solar energy system shall be constructed in a manner which follows: (i) all recommendations of an analysis by a qualified third party professional to minimize the potential impact upon wildlife and endangered species; (ii) all recommendations of an analysis of post construction wildlife mortality; and (iii) all pre-construction and post construction recommendations of the United States Fish and Wildlife Service which analyses must be submitted with the application for special land use.

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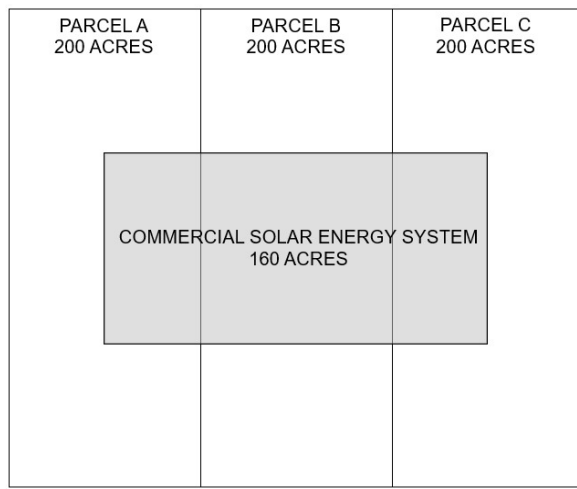
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**12. Environmental Protection.** An industrial solar energy system shall be constructed in a manner which follows all recommendations of an analysis by a qualified third party professional to minimize the potential impact upon the natural environment including wetlands and fragile ecosystems, historical and cultural sites and antiquities. The system shall comply with the applicable provisions of the Michigan Natural Resources and Environmental Protection Act, including the provisions for water resource protection, soil erosion and sedimentation control, inland lakes and streams, and wetlands. This analysis must be submitted with the application for special land use.

**13. Communications Impact.** An industrial solar energy system shall be constructed in a manner which follows all recommendations of an analysis by a qualified third party professional to minimize the potential interference with any telecommunication systems being operated in the township which analysis must be submitted with the application for special land use.

**14. Multiple Parcel Sites.** If an industrial solar energy system is located on multiple parcels that form a single contiguous site, required property line setbacks may be waived by the Planning Commission upon a finding that there will be no adverse impacts on surrounding properties or the character of the area. The location of the system shall be distributed as equally as possible between the parcels and comply with the other standards in this Section.



**15. Decommissioning.** Industrial solar energy facilities must provide a Decommissioning Plan acceptable to the Planning Commission to ensure that structures and appurtenances are properly decommissioned upon the end of their operational life, inoperability or abandonment.

**A.** A Decommissioning Plan shall be submitted for review and approval detailing the expected duration of the project, how the improvements will be decommissioned, a professional engineer's estimated cost of decommissioning, the financial resources to be used to

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accomplish decommissioning, and the surety bond holder with which the financial resources shall be deposited.

- B. Any industrial solar energy system that is not operated or found to be inoperable due to disrepair for a continuous period of six (6) months shall be considered abandoned. If it is found that a commercial SES is abandoned, the Planning Commission upon notice by the zoning administrator, or their assign, shall provide written notice to the applicant/owner/operator of a hearing before the Planning Commission to hear evidence that the system should not be decommissioned.
- C. If an industrial solar energy system is repaired, a professional engineer (hired at the expense of the owner or operator) shall certify the system's safety prior to the resumption of operation.
- D. Within 90 days of the hearing where the Planning Commission has determined that a system is abandoned or inoperable, the owner/operator shall obtain a demolition permit to remove the system.
- (1) Failure to obtain a demolition permit within the 90-day period provided in this subsection shall be grounds for the Township to remove the system at the owner's expense.
- E. Decommissioning shall include removal of all equipment associated with the industrial solar energy system, including all materials above and below ground. The site shall be restored to a condition that reflects the specific character of the site including topography, vegetation, soils, drainage, and any unique environmental features.
- (1) The restoration shall include: road repair and hazardous waste cleanup, if any, all re-grading, soil stabilization, and re-vegetation necessary to return the subject property to a stable condition consistent with conditions existing prior to establishment of the solar energy system.
- (2) The restoration process shall comply with all state, county, or local erosion control, soil stabilization and/or runoff requirements or ordinances and shall be completed within 1 year.
- (3) Extensions may be granted upon request to the Planning Commission prior to that expiration of the 1 year requirement for completed decommissioning.
- F. The decommissioning plan shall also include an agreement between the applicant and Vienna Charter Township that includes, but is not limited to the following conditions:
- (1) The financial resources for decommissioning shall be in the form of a surety bond with a replenishment obligation and shall be deposited by a bonding agent acceptable to Vienna Charter Township.
- (2) The financial resources for decommissioning shall be 125% of the estimated removal and restoration cost. The Planning Commission shall require independent verification of the adequacy of this amount from a professional engineer.
- (3) The Planning Commission shall regularly review the amounts deposited or bonded for removal, site restoration, and administration costs to ensure they are adequate for

these purposes. If the Planning Commission determines that these amounts are not adequate, Vienna Charter Township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.

(4) The Township shall have access to the surety bond funds for the expressed purpose of completing decommissioning. If decommissioning is not completed by the applicant within 1 year of the end of project life, as specified in the decommissioning plan, surety bond funds may be used for administrative fees and costs associated with decommissioning.

(5) The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

(6) The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the surety bond amount and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have any interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.

(7) Any engineer required to create a cost estimate or conduct any analysis under this subsection shall be selected by Vienna Charter Township, with the industrial solar energy system owner or operator responsible for associated fees.

16. Licensing. An industrial solar energy system must comply with the Vienna Township Industrial Solar Collector System Licensing Ordinance.

~~A. If a special land use is not established within one year of the date authorization was granted for the use, the authorization shall automatically be null and void.~~

~~B. Approval for a special land use can be revoked by the planning commission under the same procedure used for approval if it is found that it no longer meets the standards of this ordinance.~~

~~C. Special land uses designated:~~

~~D. The following are uses identified as special land uses accompanied by the provisions or conditions that must be met in order to be approved:~~

~~E. Home occupations, subject to the following:~~

~~F. The exterior appearance of the structure shall not be altered or the occupations within the residence be conducted in a manner which would cause the premises to differ from its residential character, either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises or vibrations.~~

~~G. No more than one person, other than members of the immediate family occupying the dwelling, shall be employed.~~

~~H. The occupations shall occupy no more than 25 percent of the floor area of the dwelling.~~

~~I. There shall be no outside storage of any kind related to any home occupation.~~

**Commented [JB32]:** This has a companion ordinance (No. 448, §§ 4.01—4.20, 8-12-2019). Is it appropriate for the Planning commission to consider changes, or should the township board be consulted first?

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J. — The use may not increase vehicular traffic flow and parking by more than one additional vehicle at a time, unless off-street parking space as set forth in the off-street parking regulations in ARTICLE 19 is provided.

K. — Mechanical or electric equipment in connection with the home occupation shall be comparable to machinery or equipment customarily found in a home that is associated with a hobby or avocation.

L. — Only one nameplate shall be allowed in accordance with the sign regulations at 144 square inches. The nameplate may display only the name of the resident, the business or occupation of the resident or address.

M. — Manufactured one-family detached dwelling units may be permitted after review and approval of an applicant's request, subject to the following:

N. — The applicant shall submit such plans, photographs, elevations and similar documentation as deemed necessary to permit a complete review and evaluation of the proposal.

O. — In reviewing any such proposed dwelling unit with respect to items 7(5) through 7(8) of Sec. 403.2.a, architectural variation shall not be discouraged but reasonable compatibility with the character of residential dwelling units shall be provided, thereby protecting the economic welfare and property value of surrounding residential areas and of the township at large.

P. — Churches and other facilities normally incidental thereto, subject to the following conditions:

Q. — The site shall contain a minimum of three acres, exclusive of any dedicated public road right-of-way.

R. — All principal buildings shall have a setback of not fewer than 50 feet unless exceeded by the requirements of Sec. 404.2.

S. — Off-street parking spaces and drives or aisles shall not be located within 20 feet of a side or rear lot line when such lot line abuts an RSA or RU-1 district. This minimum setback area shall be landscaped as a greenbelt and shall include the wall or berm as required by Sec. 2011.

T. — All accessory buildings shall have a setback of not fewer than 50 feet from any RSA or RU-1 district unless such district is occupied by an existing use other than one-family detached dwellings and unless exceeded by the requirements of Sec. 403.

U. — Garages for the storage of or the outside storage of more than two buses or vans shall not be considered as normally accessory to a church use.

V. — Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations when operating requirements necessitate locating within the district in order to serve the immediate vicinity, provided that:

W. — Building setbacks shall not be less than 40 feet.

X. — A landscape plan shall be submitted in accordance with Sec. 2010.

Y. — Private noncommercial recreation areas, institutional or community recreation centers, a nonprofit swimming pool club, all subject to the following restrictions:

~~Z. — Any use permitted in this subsection shall be developed only on acreage of at least two acres in area, and shall not be permitted on a lot or group of lots of record of less than two acres.~~

~~AA. — The proposed site for any of the uses permitted in this subsection which would attract persons from, or are intended to serve, areas beyond the immediate neighborhood shall have at least one property line abutting a major or secondary thoroughfare or collector street as designated on the thoroughfare plan.~~

~~BB. — Setbacks shall be at least 80 feet and shall be landscaped in trees, shrubs and grass. All such landscaping and planting shall be maintained in a healthy, growing condition, neat and orderly in appearance. Setbacks adjacent to nonresidential districts or uses shall not be fewer than ten feet.~~

~~CC. — Buildings erected on the premises shall not exceed one story or 15 feet in height except where due to topography a lower level shall be permitted when such lower level is entirely below the grade of the major thoroughfare abutting the parcel in question.~~

~~DD. — Off-street parking shall be provided so as to accommodate at least one-half of the member families and/or individual members. Bylaws of the organization shall be provided to the planning commission in order to establish the membership involved for computing parking requirements. In those cases wherein the proposed use organization does not have bylaws or formal membership, the off-street parking requirement shall be determined by the planning commission on the basis of use.~~

~~EE. — Whenever a pool is involved, such pool area shall be provided with a protective fence five feet in height and entry shall be provided by means of a controlled gate or turnstile.~~

~~FF. — The organization proposing any such use permitted in this subsection shall have at least two-thirds of its membership composed of residents of the township.~~

~~GG. — Golf courses, not including driving ranges or miniature golf courses, which may or may not be operated for profit subject to the following conditions:~~

~~HH. — The site shall contain a minimum of 80 acres.~~

~~I. — Accessory uses not strictly related to a golf course which are generally of a commercial nature such as a restaurant and bar shall be housed in the main clubhouse. Accessory uses which are strictly related to the operation of the golf course itself, such as a maintenance garage and pro shop or golf shop, may be located in separate structures.~~

~~JJ. — Buildings, outdoor swimming pools, tennis courts or similar concentrated recreation use areas (not including fairways or greens) shall have setbacks of not fewer than 200 feet.~~

~~KK. — Lighting of playing areas of the golf course for night use shall be prohibited.~~

~~LL. — The minimum number of off-street parking spaces to be provided shall be six spaces per hole plus one space per employee plus spaces as required under Sec. 1900, off-street parking requirements for each accessory use, such as a restaurant or a bar.~~

~~MM. — Whenever a swimming pool is to be provided, said pool shall be enclosed with a protective fence five feet in height, and entry shall be by means of a controlled gate.~~

~~NN. — Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, subject to the following conditions:~~

~~OO. — Any use permitted herein shall be developed only on sites of at least 40 acres in area, and shall not be permitted on any portion of a recorded subdivision plat.~~

~~PP. — Buildings and other uses of land, except landscape passive areas, shall have setbacks of at least 100 feet.~~

~~QQ. — Height of buildings in excess of the minimum requirements may be allowed if, in the opinion of the planning commission, such exception would create interest and variety in the visual environment.~~

~~RR. — Those buildings to be used for servicing or maintenance, such as heating, plants, garages, storage structures and the like, shall not be located on the outer perimeter of the site where abutting property is zoned for residential purposes.~~

~~SS. — Hospitals, provided that the following conditions are met:~~

~~TT. — All such hospitals shall be developed on sites consisting of at least 20 acres in area.~~

~~UU. — In the event one or more boundaries of the proposed site lies opposite or continuous to a residential property, the minimum distance between any hospital structure or accessory use and the residential property boundary shall be at least 100 feet for buildings 30 feet or less in height, the building shall be set back from the initial 100-foot setback an additional one foot for each foot of additional height above 30 feet.~~

~~VV. — The minimum setback from any street line shall not be fewer than 40 feet for buildings 30 feet or less in height, while buildings above 30 feet shall be set back an additional one foot for each foot of height above 30 feet regardless of the zoning district in which it is situated.~~

~~WW. — The minimum setback from any nonresidential interior lot line shall not be fewer than 25 feet.~~

~~XX. — Convalescent and/or nursing homes, when the following conditions are met:~~

~~YY. — The site shall be so developed as to create a land-to-building ratio on the lot or parcel whereby for each one bed in the convalescent home there shall be provided not less than 1,500 square feet of open space. The 1,500 square feet of land area per bed shall provide for landscaping, off-street parking, service drives, loading space, yard requirements and space required for accessory uses.~~

~~ZZ. — No building shall be closer than 40 feet from any property line and any use permitted herein may not be located in the interior of any block unless it is situated next to multiple family type housing or nonresidential land use.~~

~~AAA. — State licensed adult foster care group homes for seven to 20 adults. A state licensed residential care facility pursuant to the requirements of state law, namely Section 206 of Public Act No. 110 of 2006 (MCL 125.3206), as amended, provided further that:~~

~~BBB. — The facility is within the meaning and intent of residential care facilities as defined by Public Act No. 218 of 1979 (MCL 400.701 et seq.), as amended, which provides resident services for six or fewer persons under 24-hour supervision.~~



CCC. — No licensed facility shall be located within a 1,500-foot radius of an existing licensed facility.

DDD. — No building shall be located closer than 60 feet to any property line. Front yard setbacks shall be 75 feet.

EEE. — All ingress and egress to the off-street parking area, for guests, employees and staff, as well as others users of the facility, shall be designated side or rear yard and shall be accessible directly from a major or secondary thoroughfare or collector road.

FFF. — The gross land area of the site shall be not less than 5,500 square feet for each bed in the care facility. This land area shall provide for on-site water supply and sewage disposal as well as provide for landscape setbacks, off-street parking, service drives, loading space, yard requirements and space for accessory uses.

GGG. — Additional land area may be required if deemed necessary by the county health department for adequate on-site sewage disposal.

HHH. — Nursery schools, day nurseries, and day care centers, subject to the following conditions:

III. — At least one side lot line of the zoning lot abuts an RMC, RM, MHP, AR, O, C, I, or P-1 district or a site occupied by a use other than one-family residential in a RSA or RU-1 district.

JJJ. — The site shall contain a minimum area of one acre, exclusive of any dedicated public road rights-of-way.

KKK. — All principal buildings shall have a setback of not fewer than 40 feet unless exceeded by the requirements of Sec. 404.2 section 425.2.

LLL. — All accessory buildings shall have a setback of not fewer than 40 feet from any one-family residential district unless occupied by an existing use other than a one-family detached dwelling and unless exceeded by the requirements of Sec. 404.2 section 425.2.

MMM. — An outdoor play space shall have a total area of 5,000 square feet or 150 square feet for each child, whichever is the greater.

NNN. — Automobile carwashes subject to the following:

OOO. — All washing facilities shall be within a completely enclosed building.

PPP. — Vacuuming and drying areas may be located outside the building but shall not be in any required yard abutting a street.

QQQ. — Access points shall be located at least 200 feet from the intersection of any two streets.

RRR. — All off-street parking and waiting areas shall be hard surfaced and dust free.

SSS. — One traffic lane shall be provided as a means of exiting the facility without having to enter the carwash building; such lane shall be in addition to those, which would be used by customers obtaining gasoline and waiting in line for the carwash. Such lane shall not be counted as part of the required reservoir parking space.

TTT. — Reservoir stacking space equal in number to five times the maximum capacity of the auto-wash shall be provided. Maximum capacity shall mean the greatest number of vehicles

possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by 20.

UUU. — All buildings, vehicular stacking spaces, vacuuming or other outside use areas, except employee parking, shall have a minimum setback of 100 feet from a residential district, unless the district is separated by a major or secondary thoroughfare or collector street.

VVV. — Outdoor sales space for exclusive sale of new or secondhand automobiles, house trailers, or rental of trailers or automobiles, subject to the following:

WWW. The lot or area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.

XXX. — Ingress and egress to the outdoor sales area shall be at least 60 feet from the right-of-way intersection of any two streets.

YYY. — No major repair or major refinishing shall be done on the lot.

ZZZ. — Display of vehicles is, for the purposes of this ordinance, an accessory use. Such use may be permitted within a front yard except that a 20-foot landscaped open space shall be provided between any street and the display area.

AAAA. — Motels or hotels, subject to the following conditions:

BBBB. — Ingress and egress shall be provided so as not to conflict with the adjacent business uses or adversely affect traffic flow on a major thoroughfare.

CCCC. — Each unit shall contain no less than two 200 square feet of floor area.

DDDD. — Guests shall not establish residence at a motel for more than 30 days within any calendar year.

EEEE. — Drive-in restaurants subject to the following:

FFFF. — Vehicular access drives to a drive-in restaurant shall be located at least 60 feet from the right-of-way of any intersecting street.

GGGG. — No spaces set aside for the stacking of vehicles waiting to be served from a drive-in window shall be closer than 45 feet to any adjacent residential zoning lot, except when such lot is occupied by use other than a residential use.

HHHH. — Business in the character of a drive-in or open front store, subject to the following conditions:

III. — Ingress and egress points shall be located at least 60 feet from the right-of-way intersection of any two streets.

JJJJ. — A minimum of five vehicle stacking spaces shall be provided per drive-through lane with a minimum of three additional spaces for the location at which orders are taken. Stacking lanes shall have a minimum width of eight feet and shall not conflict with parking or ingress and egress drives. The length of one stacking space is 20 feet. Stacking shall not be permitted within a required front yard.

KKKK. — Veterinary hospitals or clinics, subject to the following conditions:

LLLL. — All activities shall be conducted within a totally enclosed building;

~~MMMM. — All buildings shall have a minimum setback of 100 feet from any RSA, RU 1 or RM district unless the district is separated from the use by a major or secondary thoroughfare.~~

~~NNNN. — General automotive repairs when the following conditions are met:~~

~~OOOO. — All activities shall be conducted within a completely enclosed building.~~

~~PPPP. — Outside storage of vehicles or parts must be completely screened from public streets or residential districts in accordance with Sec. 2011 obscuring walls and landscaped berms.~~

~~QQQQ. — No outside storage of discarded or salvaged materials, junk vehicles or junk parts shall be permitted on the premises.~~

~~RRRR. — Main buildings shall have a minimum setback of 100 feet from an R, RMC or RM district unless the district is separated from the use by a major or secondary thoroughfare or collector street.~~

~~SSSS. — Gasoline service stations and light automotive repair, as defined in this ordinance, subject to the following conditions:~~

~~TTTT. — The minimum lot area shall be one-half acre.~~

~~UUUU. — A minimum frontage of 120 feet must be provided on any one road.~~

~~VVVV. — A maximum of two drives shall be permitted for interior parcels.~~

~~WWWW. — The curb cuts for ingress and egress to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than 50 feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.~~

~~XXXX. — Off-street unloading space for liquid fuels, of ten feet by 50 feet, shall be provided but may be located in any required yard, notwithstanding Sec. 1902. If the use includes floor space for the sale of convenience items, an additional unloading space shall be provided in the ratio of at least ten square feet per front foot of building. Such space shall not be located in the front yard.~~

~~YYYY. — Outside storage of vehicles or parts shall be prohibited.~~

~~ZZZZ. — Repair work shall be permitted as an accessory use only.~~

~~AAAA. — Oil change facilities upon the condition that three stacking spaces shall be provided for each stall, rack or pit and subject to the following:~~

~~BBBB. — Stacking lanes shall have a minimum width of eight feet and shall not conflict with parking or ingress and egress drives.~~

~~CCCC. — The length of one stacking space is 20 feet.~~

~~DDDD. — Stacking shall not be permitted within a required front yard.~~

~~EEEE. — Bowling alleys, indoor archery ranges, indoor tennis courts, indoor skating rinks or similar form of indoor commercial recreation, provided that main buildings shall have a minimum setback of 100 feet from an RSA, RU 1 or RMC district unless the district is separated from the use by a major or secondary thoroughfare.~~

~~FFFF. Outdoor space for seating areas accessory to a restaurant subject to the following conditions:~~

~~GGGG. — Such outdoor space shall not be located within 200 feet of a residential district or the residential portion of a PUD, unless separated from such residential area by a major or secondary thoroughfare.~~

~~HHHH. — The floor area devoted to such use shall not exceed 400 square feet or 50 percent of the usable floor area of the principal use, whichever is the greater.~~

~~IIII. — No outside sound amplification or loudspeakers shall be permitted.~~

~~JJJJ. — The conduct of such use shall not interfere with pedestrian circulation to and from adjacent uses or on sidewalks nor interfere with the sight distances of vehicular traffic.~~

~~KKKK. Such outdoor use may be located in a required setback, provided that there are no permanent structures and provided that required open space areas and landscaped setbacks are not utilized for this purpose.~~

~~LLLL. — Off street parking shall be provided on the basis of one space for each 100 square feet of usable floor space.~~

~~MMMM. — Exterior lighting fixtures shall not be located more than ten feet above the grade level below the light fixture, and the light source shall be totally shielded with opaque material on all sides and on top and the plane of the light diffusing media shall be parallel to the horizontal plane of the area to be lighted.~~

~~NNNN. — Ministorage buildings, with limited access to the building from outside, when the following conditions are met:~~

~~OOOO. — Doors providing access to individual storage units shall not be permitted on the front yard side of the building, or on any side abutting a public street, a residential district or the residential portion of a PUD.~~

~~PPPP. Building facades adjacent to a residential district, the residential portion of a PUD or a public street shall be of the same finish material and be similar in appearance to the facade of the building abutting the front yard.~~

~~QQQQ. — Vehicular aisles providing access to units on both sides of the aisles, whether interior or exterior, shall be not fewer than 30 feet wide.~~

~~RRRR. Aisles providing access to units on only one side of the aisle shall not fewer than 24 feet wide, provided that there is more than one aisle available for circulation around a building. If there is only one aisle, then the aisle shall be not fewer than 30 feet wide.~~

~~SSSS. — There shall be no outdoor storage and no storage of hazardous, toxic or volatile substances.~~

~~TTTT. — The maximum percent of the zoning lot area covered by buildings shall be 50 percent.~~

~~UUUU. — For any building facade that exceeds 200 feet in length, the setback of that portion of the building shall be increased by an additional one foot for each ten feet of length, provided that if greater setbacks are required by other sections of this ordinance, the greater setback shall be provided.~~

~~VVVVV. Retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies; provided that such use shall be located at the exterior end of the building mass located in a C-3 district and not near the intersection of two thoroughfares.~~

~~WWWWW. — Automobile service centers when the following conditions are met:~~

~~XXXXX. Light automobile repair uses shall be a part of a large planned shopping center designed so as to integrate the uses within the site plan and architecture of the total shopping center; and~~

~~YYYYY. A building permit shall not be issued separately for the construction of any light automobile repair use within the C-3 district.~~

~~ZZZZZ. Industrial uses of a similar nature to the uses permitted in Sec. 1501 and no more objectionable character and which will not be injurious or have an adverse effect on adjacent areas, and may, therefore, be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.~~

~~AAAAA. — Indoor tennis or racquet court facilities, indoor ice or roller skating arenas and other similar uses which require large structures such as are normally found in industrial districts. The main building shall have a minimum setback of 100 feet from an RSA or RU-1 district unless the district is separated from the use by a major or secondary thoroughfare or collector street.~~

~~BBBBB. — Adult entertainment facilities, subject to the following conditions:~~

~~CCCCC. — No adult entertainment facility shall be permitted within 400 feet of a church or public or private school property.~~

~~DDDDD. — No adult entertainment facility shall be permitted within 400 feet of a residence or a district zoned for residential use.~~

~~EEEEEE. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property line upon which the proposed use is to be located and the zoning district boundary, property or residence from which the proposed land use is to be separated.~~

~~FFFFF. Junkyards, provided the following conditions are met:~~

~~GGGGG. — The site is located not closer than 1,000 feet to any residential district.~~

~~HHHHH. — The minimum zoning lot shall be not fewer than 40 acres. The planning commission will determine, as a function site plan review, what percentage of the property should be used for storage or disassembly functions and what portions are needed to effectively screen the use from public view.~~

~~IIIII. — The use shall have direct frontage on a road classified as a major or secondary thoroughfare.~~

~~JJJJJ. — The site shall be located within one mile of a state highway, federal highway or freeway interchange.~~

~~KKKKK. — Such uses must be entirely enclosed within a building or within solid masonry or brick obscuring wall a minimum of eight feet high.~~

~~LLLLL. No articles shall be stacked or piled so as to exceed the height of the wall.~~

~~MMMMMM. — There shall be no burning on the site.~~

~~NNNNNN. — All industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.~~

~~OOOOO. — Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, subject to the following conditions:~~

~~PPPPPP. — Such use shall be enclosed within a building or within an obscuring wall, fence or berm on those sides abutting all residential or business districts, and on any yard abutting a public street.~~

~~QQQQQ. — The extent of such wall, fence or berm may be determined by the planning commission on the basis of use.~~

~~RRRRR. — Such wall, fence or berm shall not be less than six feet in height, and may, depending on land usage, be required to be eight feet in height. A chainlink type fence, with heavy evergreen shrubbery inside of said fence, may be considered to be an alternative to a wall or berm.~~

~~SSSSS. Heating and electric power generating plants, provided that outside storage shall be completely screened from adjacent roads or residential districts with landscape berms.~~

~~TTTTT. Outdoor theaters subject to the following conditions:~~

~~UUUUU. — Vehicular access shall be directly to a major or secondary thoroughfare.~~

~~VVVVV. — All vehicles waiting or standing to enter the facility shall be provided off street parking and waiting space and vehicles shall not be permitted to wait or stand within a public dedicated right of way.~~

~~WWWWW. — All lighting used to illuminate the area shall be installed so as to be directed to and be confined to the premises.~~

~~XXXXX. — Commercial or public television or radio towers, public utility transmitting towers, public utility microwaves and their attendant facilities, provided that the tower shall be located centrally on a continuous parcel having a dimension of at least equal to the height of the tower measured from the center of the base of the tower to all points of each property line.~~

~~YYYYY. Nursery gardens and garden supplies subject to the following conditions:~~

~~ZZZZZ. The zoning lot shall contain a minimum area of ten acres.~~

~~AAAAA. — Vehicular access shall be in accordance with Sec. 2004.3.~~

~~BBBBB. — No building or storage area shall be permitted closer than 100 feet to any residence outside the boundary of the site.~~

~~CCCCC. — No building, structure or storage area shall be located closer than 50 feet to any public right of way.~~

~~DDDDD. — Solid waste and/or sanitary landfills subject to:~~

~~EEEEEE. — State statutes.~~

~~FFFFFF. — The township's natural resource recovery ordinance and sanitary landfill licensing ordinance.~~

~~GGGGGG. — This use shall not be permitted in any definable surface water runoff, catchment area, or floodplain.~~

~~HHHHHH. — The zoning lot shall contain a minimum area of five acres. Said parcel shall have one property line abutting a paved road or have access across private property to a paved public road.~~

~~IIIIII. — Vehicular access to the site shall be directly from a major or secondary thoroughfare.~~

~~JJJJJJ. — The use shall not be permitted when the number of dwelling units within a one-half mile radii of the boundary of the zoning lot exceeds one unit for each five acres on the total land area within these radii.~~

~~KKKKKK. — The use shall not be permitted when a group of ten or more dwelling units or lots for such dwelling units are within 500-foot radii of the boundary of the zoning lot.~~

~~LLLLLL. All uses shall be enclosed by a fence, six feet or more in height on all property lines and access shall be by a gate of the same height.~~

~~MMMMMM. All areas within any development shall be rehabilitated progressively as they are worked out or abandoned so that they shall be:~~

~~NNNNNN. — Lacking hazards;~~

~~OOOOOO. — Inconspicuous; and~~

~~PPPPPP. — Blended with surrounding ground contours.~~

~~QQQQQQ. — All permitted installations shall be maintained and operated in a neat, orderly condition so as to prevent discharge of materials deposited on the property to other properties and so as to prevent injury to any other property, individual, or the township in general.~~

~~RRRRRR. — Natural resource recovery/earth removal subject to:~~

~~SSSSSS. — a. — State statutes.~~

~~TTTTTT. — The township's natural resource recovery ordinance.~~

~~UUUUUU. — Nothing herein shall be construed to prohibit the disposition of clean earth (absent from foreign matter such as building materials, refuse, garbage, chemical or industrial wastes), or the moving of earth in connection with a building permit.~~

~~VVVVVV. — No earthen fill materials shall be permitted within any definable surface water runoff, catchment area or floodplain.~~

~~WWWWWW. No excavation, truck parking, material storage, or fill shall take place within 200 feet of a dwelling unit, a residential lot of record, or any residential district. Such activity may take place not closer than 50 feet to any other property line. Sublateral support shall be provided to surrounding property.~~

~~XXXXXX. — No fixed machinery or temporary buildings shall be erected or maintained within 50 feet of any property line.~~

~~YYYYYY. — No slope shall exceed an angle of 45 degrees with the horizontal.~~

~~ZZZZZZ. — Access to the property shall be directly to a major or secondary thoroughfare. That portion of access road within the property shall be provided with a dustless surface.~~

~~AAAAAAA. — The planning commission shall establish routes for truck movement in order to ensure minimum wear on public streets and damage to community properties.~~

~~BBBBBBB. — All operations adjoining a residential use or residential district shall be screened as per Sec. 2011.~~

~~CCCCCCC. — Permitted installations shall be maintained in a neat orderly condition so as to prevent injury to other properties, any individual, or the township in general.~~

~~DDDDDDD. — A schematic land use plan for potential development of the site, after removal or recovery is complete, shall be submitted for review by the planning commission.~~

~~EEEEEEE. — All areas within the development shall be rehabilitated progressively as they are worked out or abandoned so that they shall be:~~

~~FFFFFFF. — Lacking hazards;~~

~~GGGGGGG. — Excavated areas shall be graded so that no gradient is steeper than three horizontal to one vertical;~~

~~HHHHHHH. — A layer (four inches minimum) of top soil, as approved by the building inspector, shall be spread over the excavated areas, except areas lying below water level in accordance with a contour plan approved by the planning commission; and~~

~~IIIIIII. — The area shall be seeded with perennial rye grass and maintained until the area is stabilized and approved by the planning commission.~~

~~JJJJJJJ. — Private recreational parks, facilities or sports stadiums, subject to the following conditions:~~

~~KKKKKKK. — The minimum zoning lot shall not be less than 80 acres except that the planning commission may permit the use on a smaller parcel of land if the minimum size cannot be achieved because of extraordinary circumstances.~~

~~LLLLLLL. — Vehicular access to the site shall be directly from a major or secondary thoroughfare.~~

~~MMMMMMM. — Commercial airport/landing fields, together with accessory buildings and hangers, offices, repair shops, and incidental uses, subject to the following conditions:~~

~~NNNNNNN. — The minimum area required for commercial airport/landing field and/or facilities improvements shall be 160 acres.~~

~~OOOOOOO. — Vehicular access to the site shall be directly from a major or secondary thoroughfare.~~

~~PPPPPPP. — The planning commission shall be assured that there is a clear and unobstructed 50:1 glide slope approach to all landing strips and that no obstruction falls within the required approach zones.~~

~~QQQQQQQ. — Private aircraft landing strips subject to the following conditions:~~



~~RRRRRRRR. — The minimum parcel size and lot dimension configuration must be adequate to permit a runway easement of at least 250 feet by 2,000 feet.~~

~~SSSSSSSS. — The planning commission shall be assured that there is a clear and unobstructed glide slope approach to the landing strip.~~

~~TTTTTTTT. — Forestry, including commercial logging operations, clearing, or destruction of forested or wooded areas, selective cutting or clearing for commercial or other purposes, or clearing of vegetation, subject to the following standards and regulations:~~

~~UUUUUUUU. — Clear cutting of all vegetation shall not exceed areas of more than five acres or more than 20 percent of the forest, whichever is less, except where pursuant to a state forestry cutting program or where class I, II or III agricultural soils are to be converted to agricultural uses.~~

~~VVVVVVVV. — A reforestation program shall be submitted which shall show a program for re-establishment of the forest on a sustained yield basis, except where clearing is for agricultural use as in subsection a. above.~~

~~WWWWWWW. — For commercial uses, a long range cutting program shall be submitted to ensure that the forest is retained as an entity during the entire program. Such a program shall indicate the condition of the forest on a map showing:~~

~~XXXXXXXX. — Adjoining lands and neighbors;~~

~~YYYYYYYY. — The year of each cutting and reforestation; and~~

~~ZZZZZZZ. — Species of trees in reforestation.~~

~~AAAAAAAA. — For clearing purposes, the proposed future use must be stated if any is identified.~~

~~BBBBBBBB. — All plans shall show how the general habitat and visual block of the forest is to be maintained so that the forest retains its visual and habitat qualities at all stages of the long range cutting plan.~~

~~CCCCCCCC. — Post a bond to ensure reforestation.~~

~~DDDDDDDD. — Sign an agreement to be recorded that no cutting or clearing shall be considered to reduce the area of forest for any development.~~

~~EEEEEEEE. — Publicly owned and operated utility or service facilities, with negative impact, subject to the following:~~

~~FFFFFFF. — Any facility, which may have offensive odors or is otherwise unsightly, shall have a land area sufficiently large enough to overcome any potential detrimental impacts of odors or unsightliness. This determination will be made by the planning commission as a function of the approval of the site development plan.~~

~~GGGGGGGG. — Where there are potentially offensive odors, noise or air pollution, the facility which is the cause of said emissions shall not be situated within 1,000 feet of a lot line in the direction of the prevailing summer wind pattern and 300 feet from all other lot lines.~~

~~HHHHHHHHH. — Where there are potentially unsightly conditions associated with the use, such conditions shall not be located within 300 feet of any lot line. Other appropriate measures shall also be employed to screen unsightly land uses.~~

~~HHHHH. — The planning commission shall determine whether or not such facility must have direct access to a major or secondary thoroughfare.~~

~~JJJJJJJ. Bed and breakfast as a secondary use subject to the following conditions:~~

~~KKKKKKKKK. — The principal use of the zoning lot is one-family residential and is owner occupied at all times.~~

~~LLLLLLLLL. — The zoning lot conforms with the lot area and width requirements and the building conforms with the height and setback requirements of ARTICLE 18 schedule of regulations.~~

~~MMMMMMMMM. — Vehicular access to the zoning lot shall be in accordance with Sec. 2004.3.~~

~~NNNNNNNNN. No more than 35 percent of the residential floor area of the dwelling unit shall be used for bed and breakfast sleeping rooms.~~

~~OOOOOOOOO. One off-street parking space shall be provided for each leasable bedroom in addition to the two residential spaces and shall be subject to the applicable requirement of Sec. 1901.~~

~~PPPPPPPPP. — Low intensity outside lighting for nighttime security and safety may be permitted subject to approval of the planning commission.~~

~~QQQQQQQQQ. One nonilluminated sign, not more than two square feet in area and, if freestanding, not more than 4½ feet high may be permitted. Such sign may be permitted within a minimum yard setback area but shall not be nearer than ten feet to any road right-of-way and shall adhere to the requirements of Sec. 2005 corner clearance.~~

~~RRRRRRRRR. — An industrial solar energy collector system is subject to the following:~~

~~SSSSSSSSS. — The parcel lines of a parcel of property upon which an industrial solar energy collector system is constructed shall be at least 125 feet from any parcel line of a parcel of property upon which is located any residential dwelling, church, school, family or group child day care home, bed and breakfast establishment, or any other residential facility.~~

~~TTTTTTTTT. — An industrial solar energy collector system shall be constructed upon a parcel of property which has an area of at least 30 acres.~~

~~UUUUUUUUU. An industrial solar energy collector system must be located at least 125 feet from any lot line of the parcel of property upon which it is located.~~

~~VVVVVVVVV. — An industrial solar energy collector system must include access roads which are at least 30 feet wide and which are paved or graveled in a manner sufficient to provide a solid base at all times of the year.~~

~~WWWWWWWWW. — An industrial solar energy collector system must have a landscape buffer between any lot line and any structure of the industrial solar energy collector system that is at least 20 feet wide. The landscape buffer must have evergreen trees planted no more than eight~~

feet apart. The evergreen trees must be four feet tall when planted and reach a height of at least ten feet within three growing seasons.

XXXXXXXX. — An industrial solar energy collector system must be surrounded by an eight foot tall chain link fence woven with green opaque material which restricts the view into the industrial solar energy collector system. The fence shall be installed at the setback line for the facility. The fence shall be designed to restrict unauthorized access. The gate must be the same height and constructed in the same manner as the fence. All structures must be at least 30 feet from the fence.

YYYYYYYY. — An industrial solar energy collector system must be 15 feet or less in height.

ZZZZZZZZ. — An industrial solar energy collector system must be located in the least visibly obtrusive location where panels would be functional.

AAAAAAAAAA. — An industrial solar energy collector systems must conform to all standards of the zoning district in which it is located.

BBBBBBBBBB. — An industrial solar energy collector system shall be constructed in a manner which follows: (i) all recommendations of an analysis by a qualified third party professional to minimize the potential impact upon wildlife and endangered species; (ii) all recommendations of an analysis of post construction wildlife mortality; and (iii) all pre construction and post construction recommendations of the United States Fish and Wildlife Service which analyses must be submitted with the application for site plan approval. This determination shall be made by the planning commission as a function of the approval of the site development plan.

CCCCCCCCCC. — An industrial solar energy collector system shall be constructed in a manner which follows all recommendations of an analysis by a qualified third party professional to minimize the potential impact upon the natural environment including wetlands and fragile ecosystems, historical and cultural sites and antiquities which analysis must be submitted with the application for site plan approval. This determination shall be made by the planning commission as a function of the approval of the site development plan.

DDDDDDDDDD. An industrial solar energy collector system shall be constructed in a manner which follows all recommendations of an analysis by a qualified third party professional to minimize the potential interference with any telecommunication systems being operated in the township which analysis must be submitted with the application for site plan approval. This determination shall be made by the planning commission as a function of the approval of the site development plan.

EEEEEEEEEE. — An industrial solar energy collector system shall be constructed in a manner which complies with the applicable provisions of the Michigan Natural Resources and Environmental Protection Act, including the provisions for water resource protection, soil erosion and sedimentation control, inland lakes and streams, and wetlands. This determination shall be made by the planning commission as a function of the approval of the site development plan.

FFFFFFFFFF. — An industrial solar energy collector system's lighting system must contain light poles not more than 18 feet tall, and must be installed to minimize any adverse effect upon adjacent parcels of property. This determination shall be made by the planning commission as a function of the approval of the site development plan.