

PROPOSED REVISIONS TO

ARTICLE V. SPECIAL LAND USE DISTRICTS

Sec. 82-481. Authorized.

(a) The development and execution of this chapter is based upon the division of the township into districts, within any one of which the use of land and buildings and the bulk and location of buildings or structures, as related to the land, are essentially uniform. It is recognized, however, there are special uses that, because of their unique character, cannot be properly classified in any particular district without consideration in each case of the impact of those uses upon neighboring lands and upon public need for the particular use or the particular location. Such special uses normally fall into two categories:

- (1) Uses operated by a public agency or publicly regulated utility, or uses traditionally affected with a public interest.
- (2) Uses entirely private in character, but of such a nature that the operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

(b) The planning commission may authorize the location of ~~the following~~ buildings or uses in the districts specified in ~~this subsection~~ each individual district as set out in this ordinance, which are in addition to the principal permitted and accessory uses as set forth in the specific district zoning regulations:

<i>Special Use</i>	<i>Districts Allowed In</i>
<del>(1) Any public or publicly regulated utility or Community building facility</del>	<del>All districts</del>
<del>(2) Airports, heliports or landing fields</del>	<del>E and F districts</del>
<del>(3) Cemeteries</del>	<del>All districts</del>
<del>(4) Broadcasting towers and stations</del>	<del>All districts except A-1, A-2 and B</del>
<del>(5) Off-site, accessory parking</del>	<del>All districts</del>
<del>(6) Hospitals and nursing homes</del>	<del>All districts except E and F</del>
<del>(7) Colleges, universities and private boarding schools</del>	<del>All districts except E and F</del>
<del>(8) Private and public recreational activities</del>	<del>All districts except E and F</del>
<del>(9) Medical, dental or professional building and clinics</del>	<del>All districts except E and F</del>
<del>(10) Mortuaries</del>	<del>All districts except E and F</del>
<del>(11) Stables of horses for hire, riding academies, gun clubs, raising of fur-bearing animals, kennels and similar uses</del>	<del>A-A district</del>
<del>(12) Office of a veterinarian, animal clinic and similar uses</del>	<del>A-A district</del>

(c) In addition to the special uses referred to in each individual district in ~~subsection (b)~~, any use not designated as a permitted principal use or a permitted accessory use as set forth in the specific zoning

regulations shall be deemed a special use of land in the township and shall be subject to the requirements of this article.

(d) All requests for special use permits shall be submitted to the planning commission in writing, describing the proposed use of the property, together with a site plan and any supporting material considered to be appropriate to the request, by the planning commission, in accordance with Article 12 82-836, et seq. of this ordinance.

(e) Prior to the granting of any special use, the planning commission shall conduct a public hearing on the special use request and shall so advise any property owner or the occupant of any structure located within 300 feet of the property being considered for a special use. Notice of the public hearing shall be published in a newspaper that circulates in the township, in accordance with section 16b of Public Act No. 184 of 1943 (MCL 125.286b, MSA 5.2963, (16b)).

(f) Following the public hearing, the planning commission shall review the application for the special use permit, together with the public hearing findings, reports, and recommendations of township staff, consultants, and other reviewing agencies. The planning commission shall submit its recommendation to the township board to deny, approve, or approve with conditions, the request for special use approval. Such decision shall include the standards relied upon, findings of fact, conclusions, approval or denial, and conditions, if any, attached to any recommendation to either deny or approve.

~~(f)~~ (g) The planning commission may stipulate such additional conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as deemed necessary for the protection of the public interest as deemed necessary by the planning commission.

~~(g) The following sets of standards shall serve as the basis for decisions involving special land use and other discretionary decisions contained in this article:~~

~~(1) — Be compatible with adjacent uses of land;~~

~~(2) — Be consistent with, and promote the intent and purpose of this article;~~

~~(3) — Be consistent with the capacities of public services and facilities affected by the proposed use;~~

~~(4) — Protect the public health, safety and welfare.~~

(h) Approval of a special use permit shall be based on the determination that the proposed use will comply with the requirements of this ordinance. In addition, the following standards shall be met:

(1) The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and zoning of land.

(2) The proposed use shall promote the use of land in a socially and economically desirable manner. The proposed use shall not adversely impact the social and economic well-being of those who will use the proposed land use or activity; residents, businesses, and landowners immediately adjacent; or the township as a whole.



- (3) The proposed special use shall be compatible with and in accordance with the general principles and future land use configuration of the township master plan and shall promote the intent and purpose of this ordinance.
- (4) The planning commission and township board shall find that a need for the proposed use exists in the community at the time the special use application is considered.
- (5) The proposed use shall be designed, constructed, operated, and maintained so as to assure long-term compatibility with surrounding land uses. Consideration shall be given to.
  - a. The size, placement, and materials of construction of the proposed use in relation to the surrounding development.
  - b. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
  - c. The location and height of buildings; the location, nature and height of walls and fences; and the nature and extent of landscaping.
  - d. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
  - e. The hours of operation of the proposed use. Approval of a special use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
  - f. Potential environmental impact of any part of the proposed development.

(i) The proposed special use shall demonstrate that such use will comply with all applicable requirements of local, state, and federal law.

(j) The location of the proposed special use within a zoning district shall minimize the impact of traffic generated by the proposed use. Consideration shall be given to the following:

- a. Proximity and access to major thoroughfares.
- b. Estimated traffic generated by the proposed use.
- c. Proximity and relation to intersections.
- d. Location of and access to off-street parking.
- e. Required vehicular turning movements.
- f. Provision for pedestrian traffic.

(k) The proposed special use shall be consistent with existing and future capabilities of public services and facilities affected by the proposed use.

(l) The proposed use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental to public health,

safety, and welfare. Site layout shall be such that operations will not be objectionable to nearby dwellings by reason of noise, fumes, glare or flashing lights.

(m) The proposed use shall be compatible with the natural environment.

(n) The proposed use shall conform to any standards set forth for that use elsewhere in this ordinance

~~(h)~~ (o) In all cases in which a special use is granted, the planning commission shall require such evidence and guarantees as it deems necessary as proof that the conditions it stipulates are being and will be complied with before the special use permit is issued. Special use permits shall expire one year from the date of planning commission approval unless all future conditions and requirements are met.

(p) In addition to the provisions of subparagraph (o), approval of a special use permit and site plan may be revoked by the township board if construction is not in conformance with the approved plans, or if the special use is not in compliance with all conditions and/or restrictions attached to the granting of the special use permit. In such case, the township shall place the special use on the agenda for board consideration and shall give written notice to the applicant at least 5 days prior to such meeting. The applicant shall be given an opportunity to address the charged violations and answer board questions.

(q) Any special use not implemented within 6 months of the date of approval, shall automatically lapse and may be revoked by the township board upon written notice to the applicant. Additionally, any special use granted upon a property, which is then not at use at any future time for a period of 6 months or more may be revoked by the township board upon written notice to the applicant. In such case, the township shall place the special use revocation on the agenda for board consideration and shall give written notice to the applicant at least 5 days prior to such meeting.

(Ord. eff. 12-23-1994, § 15.340)

PROPOSED REVISIONS TO

DIVISION 2. A-A RURAL DISTRICT REGULATIONS\*

Sec. 82-66. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the A-A district.

Sec. 82-67A Use Regulations [Permitted By Right](#).

In the A-A district, a building or premises shall be used only for the following purposes:

- (1) Farming, truck gardening and nurseries, including the sale and distribution of agricultural products and products other than machinery that are to be used for agricultural purposes.
- (2) Railroad tracks and yards and similar railroad facilities.
- (3) Single-family dwellings.
- (4) Public elementary and high schools, or charter and/or private schools with a curriculum the same as ordinarily given in public elementary schools and high schools.
- (5) Fruit exchanges and related fruit and/or vegetable processing and packing; provided that adequate provision satisfactory to the health officer is made for water supply and sanitary sewage disposal.
- (6) Accessory buildings and uses customarily incident to any of the uses given in subsections (1) – (5), including bulletin boards and signs not exceeding 12 square feet in area appertaining to the lease, hire or sale of a building or premises or to any material that is mined, manufactured, grown sold, or treated within the district; however, such signs shall be located upon or immediately adjacent to the building or in the area in which such materials are treated, processed, stored or sold.
- (7) Signs. See article IX of this chapter.
- (8) Pole or power lines, together with apparatus and equipment for such lines, of any public utility of the size and character corresponding to similar installments that any such utility had installed in any public highway, street, or alley in the township.
- (9) Migratory farm housing for temporary farm equipment.
- (10) Agricultural buildings.



Sec. 82-67B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Cemeteries
- (3) Broadcasting towers and stations
- (4) Off-site, accessory parking
- (5) Hospitals and nursing homes
- (6) Colleges, universities and private boarding schools
- (7) Private and public recreational activities
- (8) Medical, dental, or professional building and clinics
- (9) Mortuaries
- (10) Stables of horses for hire, riding academies, gun clubs, raising of fur bearing animals, kennels and similar uses
- (11) Office of a veterinarian, animal clinic and similar uses.
- (12) Churches

**(All other sections of this Division – Sec. 82-68, Sec. 82-69 and Reserved Secs. 82-70 – 82-90 shall remain unchanged)**

## PROPOSED REVISIONS TO

### DIVISION 3. A-1 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS

#### Sec. 82-91. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the A-1 district.

#### Sec. 82-92A Use Regulations Permitted By Right.

In the A-1 district, a building or premises shall be used only for the following purposes:

- (1) Single-family dwellings when provided with parking as set forth in article IV of this chapter.
- (2) Parks, playgrounds, and community buildings owned or operated by a public agency.
- (3) Public libraries.
- (4) Public schools, elementary and high, or charter and/or private schools having a curriculum equivalent to a public elementary school or public high school.
- (5) Accessory buildings and accessory uses, customarily incident to the uses specified in subsections (1) – (4) (not involving the conduct of a business), including a private garage, home occupations, the use of a lot or building site for a vegetable or flower garden not on a commercial basis or on a scale reasonably objectionable to adjacent property owners. However, The parking or storing of trucks, buses or similar commercial vehicles exceeding a three-fourths-ton capacity shall be prohibited on residential property.
- (6) Public utility uses of the public service type, including distribution and communication lines and mains and their appurtenances, but not including towers, telephone exchanges, gas regulators, and electric transformer or substations and other buildings; however such excluded uses may be authorized by the township board, by special permit as provided below and in article V of this chapter, ~~upon finding that the use is reasonably necessary for the public convenience and welfare.~~

#### Sec. 82-92B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Cemeteries

- (3) Off-site, accessory parking
- (4) Hospitals and nursing homes
- (5) Colleges, universities and private boarding schools
- (6) Private and public recreational activities
- (7) Medical, dental, or professional building and clinics
- (8) Mortuaries

**(All other sections of this Division – Sec. 82-93, Sec. 82-94 and Reserved Secs. 82-95 – 82-115 shall remain unchanged)**



PROPOSED REVISIONS TO

DIVISION 4. A-2 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS

Sec. 82-116. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the A-2 single-family dwelling district.

Sec. 82-117A Use Regulations Permitted By Right.

The use regulations permitted by right in the A-2 district are the same as those in the A-1 district.

Sec. 82-117B Use Regulations Permitted By Special Use Permit.

The use regulations permitted by special use permit in the A-2 district are the same as those in the A-1 district.

**(All other sections of this Division – Sec. 82-143, Sec. 82-144, 82-145 and Reserved Secs. 82-146 – 82-165 shall remain unchanged)**

PROPOSED REVISIONS TO

DIVISION 5. B TWO-FAMILY DWELLING DISTRICT REGULATIONS

Sec. 82-141. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the B district regulations.

Sec. 82-142A Use Regulations Permitted By Right.

A building or premises in the B district shall be used only for the following purposes:

- (1) Any use permitted in the A-1 district.
- (2) Two-family dwelling.
- (3) Accessory building and uses customarily incident to either of the uses in subsection (1) or (2) when located on the same lot and not involving the conduct of business. If a garage is not a part of the main building, it shall be located not less than 60 feet from the front street line.

Sec. 82-142B Use Regulations Permitted By Special Use Permit.

The use regulations permitted by special use permit in the B district are the same as those in the A-1 and A-2 districts.

**(All other sections of this Division – Sec. 82-93, Sec. 82-94 and Reserved Secs. 82-95 – 82-115 shall remain unchanged)**

## PROPOSED REVISIONS TO

### DIVISION 6. C MULTIPLE DWELLING DISTRICT REGULATIONS

#### Sec. 82-166. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the C district.

#### Sec. 82-167A Use Regulations Permitted By Right.

In the C district, a building or premises shall be used only for the following purposes:

- (1) Any use permitted in the B district.
- (2) Multiple dwellings
- (3) Boarding houses and lodging houses, and mobile home parks by special permit as provided in ~~section 82-481~~ Article V of this ordinance.
- (4) Private clubs, fraternities, sororities and lodges, excepting those the chief activity or which is a service, customarily carried on as a business.
- (5) Accessory buildings and accessory uses, customarily incident to the uses specified in subsections (1) – (4), including storage garages, where the lot is occupied by a multiple dwelling, hospital or institutional building. If a storage garage is not a part of the main building, it shall be located not less than 60 feet from the front street line.

#### Sec. 82-167B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Cemeteries
- (3) Broadcasting towers and stations
- (4) Off-site, accessory parking
- (5) Hospitals and nursing homes
- (6) Colleges, universities and private boarding schools



(7) Private and public recreational activities

(8) Medical, dental, or professional building and clinics

(9) Mortuaries

(10) Churches

**(All other sections of this Division – Sec. 82-168, Sec. 82-169, Sec. 82-170, and Reserved Secs. 82-171 – 82-190 shall remain unchanged)**

PROPOSED REVISIONS TO

DIVISION 7. D-1 COMMERCIAL DISTRICT REGULATIONS

Sec. 82-191. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the D-1 district.

Sec. 82-192A Use Regulations [Permitted By Right](#).

A building or premises in the D-1 district shall be used only for the following purposes:

- (1) Any use permitted in the D-2 district
- (2) Bank
- (3) Barbershop, beauty parlor, chiropody, massage, or similar personal service shop
- (4) Bicycle sales and repair shop
- (5) Dancing or music academy
- (6) Custom dressmaking, millinery, tailoring, shoe repairing, household utility articles or similar trade; but not more than five employees shall be engaged upon the premises at any one time.
- (7) Dyeing and cleaning works employing not more than five persons on the premises.
- (8) Food storage lockers
- (9) Automobile repair shops, but no outside storage of wrecked, unrepaired or dismantled cars.
- (10) Storage garages, parking ramps, lots or other similar parking facilities.
- (11) Animal hospitals, shelters or clinics, but no open kennels
- (12) Hotel, tourist home or motel
- (13) Key and gun shops
- (14) Launderettes
- (15) Laundry employing not more than five persons on the premises
- (16) Medical and dental clinic or office

- (17) Messenger and telegraph service station
- (18) Nursery or greenhouse
- (19) Business and professional office, including research facilities
- (20) Photography services and retail supplies
- (21) Receiving store for dry or steam cleaning, which cleaning shall be done elsewhere
- (22) Restaurant, cafeteria and automat
- (23) Shop for the repair of electrical, radio and television equipment and other similar commodities employing not more than five persons on the premises, and not involving the conduct of any manufacturing on the premises
- (24) Store or shop for the conduct of a retail business
- (25) Theater
- (26) Undertaking establishment
- (27) Signs, according to article IX of this chapter
- (28) Accessory buildings and uses customarily incident to the uses given in subsections (1) – (27), including parking lots
- (29) Bowling alleys and other related commercial recreational activities such as but not limited to pool halls, miniature golf courses and driving ranges not a part of golf courses.
- (30) Bars, taverns and lounges serving alcoholic beverages provided they are properly licensed by the state and otherwise approved by the township.
- (31) Temporary roadside states
- (32) Power or electrical poles, towers and substations
- (33) Regional shopping centers
- (34) Adult entertainment, adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, or massage parlors; however none of these establishments shall be located within 1,000 feet of any church, school ground, college campus, residence, dwelling or rooming unit, or branch of the public library or any other place of business classified under this subsection. In determining



the distance from a church, school ground, college campus, residence, dwelling or rooming unit, or branch of the public library or any other place of business classified under this subsection, the distance shall be measured from the center of the nearest permanent entrance of these buildings following the usual and customary path of pedestrian travel to the center of the main entrance of the establishment classified under this subsection.

Any building used primarily for any of these purposes may have not more than 40 percent of the floor area devoted to storage purposes incidental to such primary use.

Sec. 82-192B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Cemeteries
- (3) Broadcasting towers and stations
- (4) Off-site, accessory parking
- (5) Hospitals and nursing homes
- (6) Colleges, universities and private boarding schools
- (7) Private and public recreational activities
- ~~(8) Medical, dental, or professional building and clinics~~
- (9) Mortuaries
- (10) Gas Stations

(11) Churches

**(All other sections of this Division – Sec. 82-193, Sec. 82-194, Sec. 82-195, Sec. 82-196, Sec. 82-197 and Reserved Secs. 82-198 – 82-220 shall remain unchanged)**

PROPOSED REVISIONS TO

DIVISION 8. D-2 COMMERCIAL DISTRICT REGULATIONS

Sec. 82-221. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the D-2 district.

Sec. 82-222A Use Regulations Permitted By Right.

A building or premises in the D-2 district shall be use only for the purpose of office buildings used for professional and other similar services

Sec. 82-222B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Cemeteries
- (3) Broadcasting towers and stations
- (4) Off-site, accessory parking
- (5) Hospitals and nursing homes
- (6) Colleges, universities and private boarding schools
- (7) Private and public recreational activities
- ~~(8) Medical, dental, or professional building and clinics~~
- (9) Mortuaries
- (10) Churches

**(All other sections of this Division – Sec. 82-223, Sec. 82-224, Sec. 82-225, Sec. 82-226, and Reserved Secs. 82-227 – 82-245 shall remain unchanged)**

PROPOSED REVISIONS TO

DIVISION 9. E RESTRICTED INDUSTRIAL DISTRICT REGULATIONS

Sec. 82-246. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the district regulations of the E district.

Sec. 82-247A Use Regulations Permitted By Right.

A building or premises in the E district may be used for any purpose except the following:

- (1) Acetylene gas manufacture or storage
- (2) Acid manufacture
- (3) Alcohol manufacture
- (4) Ammonia, bleaching powder or chlorine manufacture
- (5) Arsenal
- (6) Asphalt manufacture or refining
- (7) Auto wrecking, salvage or storage and junk yards
- (8) Bag cleaning
- (9) Blast furnaces
- (10) Boiler works
- (11) Brick, tile, pottery or terra cotta manufacture
- (12) Cement, concrete, lime, gypsum or plaster of Paris manufacture
- (13) Coke ovens
- (14) Creosote manufacture or treatment
- (15) Disinfectants manufacture
- (16) Distillation of bones, coal or wood



- (17) Dyestuff manufacture
- (18) Explosives or fireworks manufacture or storage
- (19) Fat rendering
- (20) Fertilizer manufacture
- (21) Forge plant
- (22) Garbage, offal or dead animals reduction or dumping
- (23) Gas manufacture or storage
- (24) Glue, size or gelatin manufacture
- (25) Iron, steel, brass or copper foundry or fabrication plant
- (26) Oilcloth or linoleum manufacture
- (27) Oiled rubber goods manufacture
- (28) Ore reduction
- (29) Paint, oil, shellac, turpentine or varnish manufacture
- (30) Paper and pulp manufacture
- (31) Petroleum or its products, refining or wholesale storage of
- (32) Rock crusher
- (33) Rolling mill
- (34) Rubber or gutta-percha manufacture or treatment
- (35) Shoe polish manufacture
- (36) Smelting of tin, copper, zinc or iron ores
- (37) Stockyards or slaughter of animals or fowls
- (38) Stone mill or quarry

- (39) Tanning, curing or storage of raw hides or skins
- (40) Tar distillation or manufacture
- (41) Tar roofing or waterproofing manufacture
- (42) Yeast plant
- (43) Blacksmith shop
- (44) All other uses that may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, or noise
- (45) Any use requiring large amounts of water to be disposed on in sanitary sewers unless a written certification is first obtained from the township engineer, stating that the existing sanitary sewers are adequate to accommodate the proposed use, and provided further that uses listed in article V of this chapter follow the requirements of this section
- (46) Residential Dwellings of any kind

Sec. 82-247B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Airports, heliports or landing fields
- (3) Cemeteries
- (4) Broadcasting towers and stations
- (5) Off-site, accessory parking
- (6) Churches

**(All other sections of this Division – Sec. 82-248, Sec. 82-249, Sec. 82-250, Sec. 82-251, and Reserved Secs. 82-252 – 82-270 shall remain unchanged)**

PROPOSED REVISIONS TO

DIVISION 10. F HEAVY INDUSTRIAL DISTRICT REGULATIONS

Sec. 82-271. Generally.

The regulations set forth in this division or set forth elsewhere in this chapter when referred to in this division are the F district regulations.

Sec. 82-247A Use Regulations Permitted By Right.

Any building or premises in the F district may be used for any purpose not in conflict with any ordinances regulating nuisances; however, no building shall be erected, reconstructed or structurally altered for residential purposes except for resident watchmen and caretakers employed on the premises; further, uses listed as Special Land Uses, ~~in Section 82-481~~, follow the procedures of ~~that section~~ Article V of this ordinance; and further, no building or occupancy permit shall be used for any of the following uses until and unless the location of such uses shall have been approved by the township board after report by the chief of the fire department and the planning commission:

- (1) Acid manufacture
- (2) Cement, lime, gypsum, or plaster of Paris manufacture
- (3) Distillation of bones
- (4) Explosives manufacture or storage
- (5) Fat rendering
- (6) Fertilizer manufacture
- (7) Gas manufacture
- (8) Garbage, offal or dead animals reduction or dumping
- (9) Glue manufacture
- (10) Refining of petroleum or its products
- (11) Smelting of tin, copper, zinc or iron ores
- (12) Stockyards or slaughter of animals
- (13) Wholesale storage of gasoline

- (14) Auto wrecking yards, salvage or storage yards, coal yards, lumberyards, or contractors' storage yards, junk, iron or rags, storage or baling, except where otherwise licensed by the township board and where the premises upon which such activities are conducted are wholly enclosed within a building or by a tight fence not less than eight feet in height, the material and construction of which shall conform to specifications of and be approved by the building inspector and which fence is erected within all yard lines. Stored material shall not be piled at a height of more than six feet. No advertising may be placed on the fence.

Sec. 82-247B Use Regulations Permitted By Special Use Permit.

The following uses may be permitted upon approval by the Township Board, who may require special conditions after review by the Planning Commission in accordance with the provisions of this ordinance relating to Special Use Permits.

- (1) Any public or publicly regulated utility or community building facility
- (2) Airports, heliports or landing fields
- (3) Cemeteries
- (4) Broadcasting towers and stations
- (5) Off-site, accessory parking
- (6) Churches

**(All other sections of this Division – Sec. 82-273, Sec. 82-274, Sec. 82-275, and Reserved Secs. 82-276 – 82-295 shall remain unchanged)**



(2) For commercial and all nonresidential buildings and uses in business zones, required parking shall be provided within 300 feet of the building or use they are required to serve.

(3) For industrial buildings or uses, required parking shall be provided within 1,000 feet of the buildings or uses they are required to serve.

(Ord. eff. 5-21-1966, § 15.336)

**Sec. 82-450. Development of parking facilities.**

(a) Off-street parking facilities shall be effectively screened on any side that adjoins or faces premises situated in any residence zone by either:

(1) A solid, uniformly painted fence of continuous and uniform material and construction or wall not less than four or more than six feet in height maintained in good condition; or

(2) A screening of hedge or other natural landscaping not less than four feet properly maintained and uniformly trimmed.

(b) The space between such fence and the adjoining lines of premises situated in residence zones shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.

(c) All facilities used for parking shall be constructed and maintained in such a manner so as to be free of nuisances.

(d) Any lighting shall be arranged so that the source not visible from nor glare is produced upon any adjoining premises in residential zones.

(Ord. eff. 5-21-1966, § 15.337)

**Secs. 82-451—82-480. Reserved.**

**ARTICLE V. SPECIAL LAND USE DISTRICTS**

**Sec. 82-481. Authorized.**

(a) The development and execution of this chapter is based upon the division of the township into districts, within any one of which the use of land and buildings and the bulk and location of buildings or structures, as related to the land, are essentially uniform. It is recognized, however, there are special uses that, because of their unique character, cannot be properly classified in any particular district without consideration in each case of the impact of those uses upon neighboring lands and upon public need for the particular use or the particular location. Such special uses normally fall into two categories:

(1) Uses operated by a public agency or publicly regulated utility, or uses traditionally affected with a public interest.

(2) Uses entirely private in character, but of such a nature that the operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

(b) The planning commission may authorize the location of the following buildings or uses in the districts specified in this subsection, which are in addition to the principal permitted and accessory uses as set forth in the specific district zoning regulations:

*Special Use*

*Districts Allowed In*

- |  |                                     |
|--|-------------------------------------|
| (1) Any public or publicly regulated utility or community building facility  | All districts                       |
| (2) Airports, heliports or landing fields  | E and F districts                   |
| (3) Cemeteries   | All districts                       |
| (4) Broadcasting towers and stations   | All districts except A-1, A-2 and B |
| (5) Off-site, accessory parking  | All districts                       |
| (6) Hospitals and nursing homes  | All districts except E and F        |
| (7) Colleges, universities and private boarding schools  | All districts except E and F        |
| (8) Private and public recreational activities   | All districts except E and F        |
| (9) Medical, dental or professional building and clinics   | All districts except E and F        |
| (10) Mortuaries  | All districts except E and F        |
| (11) Stables of horses for hire, riding academies, gun clubs, raising of fur bearing animals, kennels and similar uses | A-A district                        |
| (12) Office of a veterinarian, animal clinic and similar uses  | A-A district                        |

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(c) In addition to the special uses referred to in subsection (b), any use not designated as a permitted principal use or a permitted accessory use as set forth in the specific zoning regulations shall be deemed to be a special use of land in the township and shall be subject to the requirements of this article.

(d) All requests for special use permits shall be submitted to the planning commission in writing, together with any supporting material considered to be appropriate to the request.

(e) Prior to the granting of any special use, the planning commission shall conduct a public hearing on the special use request and shall so advise any property owner or the occupant of any structure located within 300 feet of the property being considered for a special use. Notice of the public hearing shall be published in a newspaper that circulates in the township, in accordance with section 16b of Public Act No. 184 of 1943 (MCL 125.286b, MSA 5.2963, (16b)).

(f) The planning commission may stipulate such additional conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as deemed necessary for the protection of the public interest as deemed necessary by the planning commission.

(g) The following sets of standards shall serve as the basis for decisions involving special land use and other discretionary decisions contained in this article:

- (1) Be compatible with adjacent uses of land;
- (2) Be consistent with, and promote the intent and purpose of this article;
- (3) Be consistent with the capacities of public services and facilities affected by the proposed use;
- (4) Protect the public health, safety and welfare.

(h) In all cases in which a special use is granted, the planning commission shall require such evidence and guarantees as it deems necessary as proof that the conditions it stipulates are being and will be complied with before the special use permit is issued. Special use permits shall expire one year from the date of planning commission approval unless all future conditions and requirements are met.

(Ord. eff. 12-23-1994, § 15.340)

#### ARTICLE V.5. COMMUNICATION TOWERS

##### Sec. 82-482. Short title.

This article shall be known and cited as the "Benton Charter Township Communication Tower Ordinance."

(Ord. No. 82-482, § I, eff. 5-11-2001)

##### Sec. 82-483. Purpose.

It is the general purpose and intent of this article to comply with the intent and purpose of the Federal Telecommunications Act of 1996, as amended and the Michigan Telecommunications Act of 1995, as amended, by authorizing communication facilities needed to operate wireless communications systems. It is the further purpose and intent of this article to establish general guidelines for the siting of wireless communication towers and antennas. The goals of this article are to:

- (1) Protect residential areas from potential adverse impacts of towers and antennas;
- (2) Encourage the location of towers in nonresidential areas;
- (3) Minimize the negative visual impact of towers throughout the community;
- (4) Strongly encourage the joint use of new and existing tower sites rather than construction of additional single-use towers;
- (5) Require the disclosure of information about plans for wireless communication facilities so as to permit the township to effectively plan for the location of such facilities, and
- (6) Minimize the adverse affect of technological obsolescence of such facilities, including a requirement to remove unused and/or unnecessary facilities in a timely manner.

(Ord. No. 82-482, § II, eff. 5-11-2001)