

SOO TOWNSHIP



ZONING ORDINANCE

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Zoning Ordinance

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SOO TOWNSHIP
ZONING ORDINANCE

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Soo Township Planning Commission

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Cheryl Thoresen, Treasurer
Jim Callon, Trustee
Don Kucharczyk, Trustee

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Bill Nelson, Member
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John Zimmerman, Member

SOO TOWNSHIP HALL
639 Three and One-Half Mile Rd.
Sault Ste. Marie, MI 49783
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SOO TOWNSHIP ZONING ORDINANCE

ADOPTED: June 12, 2002

—EFFECTIVE: July 28, 2002

ARTICLE I

1.01 TITLE

An Ordinance enacted pursuant to the authority contained in Act 184 of the Public Acts of Michigan for 1943, as amended, known as the "Township Zoning Act" for the establishment of zoning districts in the unincorporated portions of Soo Township, within which districts the use of land for agriculture, forestry, recreation, industry, trade, migratory labor camps, soil conservation, water supply conservation, and additional uses of land may be encouraged, regulated or prohibited; for the adoption for such districts of provisions designating or limiting the location, height, number of stories, and size of dwellings, buildings and structures, including tents and trailer coaches which may hereafter be erected or altered; for the regulation of the area of yards, courts and other open spaces and the sanitary, safety and protective measures that shall be required for such dwellings, buildings and structures, including tents and trailer coaches; for the designation of the maximum number of families which may be housed in buildings, dwellings and structures, including tents and trailer coaches; to establish a Planning Commission, to grant authority to said board in addition to that expressly provided in said Public Act 184; to provide standards to guide actions and decisions of said board; to provide for the enforcement of the provisions of said Ordinance and penalties and other relief for the violation of said Ordinance; and to provide for the amendment thereof and the repeal of all Ordinances or parts of Ordinances in conflict therewith.

1.02 PREAMBLE

In accordance with the authority and intent of Act 184 of the Public Acts of 1943, as amended, Soo Township desires to provide for its orderly development which is essential to the well-being of the community and which will place no undue burden upon developers, industry, commerce, residents, food producers, the natural resources, or energy conservation. Soo Township further desires to assure adequate sites for industry, commerce, food production, recreation, and residences; to provide for the free movement of vehicles upon the streets and highways of the township; to protect industry, commerce, food producers, natural resources, energy consumption and residences against incongruous and incompatible uses of land; to promote the proper use of land and natural resources for the economic well-being of the township as a whole; to assure adequate space for the parking of vehicles of customers and employees using commercial, retail and industrial areas to assure that all uses of land and buildings within the township are so related as to provide for economy in government and mutual support; and to promote and protect the public health, safety, comfort, convenience and general welfare of all persons and property owners within the township.

1.03 ENACTING CLAUSE

The Township of Soo, County of Chippewa, and State of Michigan hereby ordains:

1.04 SHORT TITLE

This Ordinance shall be known as the Soo Township Zoning Ordinance.

ARTICLE II

DEFINITIONS

2.01 GENERAL

When not inconsistent with the context, words used in the present tense include the future tense, words used in the singular. The word “shall” is mandatory and not merely directory. The word “building” includes the “structure” and vice versa. Terms not herein defined shall have the meanings customarily assigned to them.

2.02 SPECIFIC TERMS

The following terms shall have the following meanings when used in the within Ordinance:

2.03 ACCESSORY BUILDING

Shall mean a building or a portion of a building subordinate to and located on the same lot as a main building and occupied by or devoted exclusively to an accessory use, including, but not limited to, a private garage. An accessory building may be erected prior to the construction of the main building.

2.04 ACCESSORY USE

A use of a building, lot or portion thereof, which is customarily incidental and subordinate to the principal use of a main building or lot.

2.05 APARTMENT HOUSE

A building used and/or arranged for rental occupancy, or cooperatively owned by its' occupants, having three (3) or more dwelling units, and with a yard, compound, service or utilities in common.

2.06 BASEMENT

Is that portion of a building which is partially or wholly below grade but so located that the vertical distance from the average grade to the floor is greater that the vertical distance from the average grade to the ceiling. If the vertical distance from the grade to the ceiling is over five (5) feet, such basement shall be treated as a first story.

2.07 BOARDING HOUSE

A use that is subordinate to the principal use of a dwelling as a single-family dwelling unit in which person reside for more than 7 days at a time on a non-transient basis in return for payment.

2.08 BUILDING

A structure erected on site, a mobile home or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind.

2.09 BUILDING HEIGHT

The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface.

2.10 DOG KENNEL

A place used for keeping, raising, grooming, breeding, selling, or boarding of three (3) or more dogs.

2.10.1 Domestic Animal: Dogs, cats or other house pets.

2.11 DWELLING, SINGLE-FAMILY

A building containing not more than one dwelling unit designed for residential use, complying with the following standards:

1. It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.
2. It has a minimum width across any front, side or rear elevation of 20 feet and complies in all respects with the Michigan State Construction Code under the provision of 1972 PA 230, as amended and as adopted by Chippewa County, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Michigan State Construction Code Commission under the provision of 1972 PA 230, as amended and as adopted by Chippewa County, then and in that event such federal or state standard or regulation shall apply.
3. It is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code as promulgated by the Michigan State construction Commission under the provision of 1972 PA 230, as amended by Chippewa County. It shall have a wall or skirting of the same perimeter dimensions of the dwelling be installed pursuant to the manufacturer's setup instructions. Further, it shall be secured to the

premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a perimeter wall as required above.

4. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage or chassis.
5. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
6. The compatibility of design and appearance shall be determined in the first instance by the Township Zoning Administrator or Designee upon review of the plans submitted for a particular dwelling, subject to appeal by an aggrieved party to the Planning Commission within a period of 45 days from the receipt of notice of said Zoning Administrator or Designee's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling" as well as the character, design, and appearance of one or more residential dwellings located outside of mobile home parks throughout the Township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.
7. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship, as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
8. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" As promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
9. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in the Ordinance of the Township pertaining to such parks.
10. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the Michigan State Construction Code under the provision of 1972 PA 230, as amended and as adopted by Chippewa County and its provisions and requirements.

2.12 DWELLING, TWO-FAMILY

A building containing not more than two separate dwelling units designed for residential use and conforming in all other respects to the standards set forth in Section 2.11 DWELLING, SINGLE-FAMILY.

2.13 DWELLING, MULTIPLE-FAMILY

A building containing three (3) or more dwelling units designed for residential use and conforming in all other respects to the standards set forth in Section 2.11 DWELLING.

2.14 ERECTED

Includes built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises required for the construction. Excavation, fill, drainage, installation of utilities, and the like, shall be considered a part of erection.

2.15 ESSENTIAL SERVICES

The term Essential Services means the erection, construction, alteration or maintenance by public utilities or Township Departments or commissions of underground or overhead gas, electrical, steam or water transmissions or distribution systems, collections, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarms boxes, police call boxes, traffic signals, hydrants, towers, telephone exchange and/or repeater buildings, electric substations and substation buildings, gas regulator stations and regulator buildings and other similar equipment and accessories in connection therewith, excluding telecommunication towers, reasonable necessary for the furnishing of adequate service by such public utilities or Township Departments or commissions or for the public health or safety or general welfare.

2.16 FAMILY

- a. An individual or a group of two or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, with not more than one additional unrelated person, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or
- b. A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

2.17 FENCE, ENCLOSURE

A structure of definite height and location that serves an enclosure in carrying out the requirements of this Ordinance.

2.18 FENCE, PRIVACY

A structure of definite height and location as an obscuring screen in carrying out the requirements of this Ordinance.

2.19 HOME OCCUPATIONS

Occupations engaged in within a dwelling by the resident or residents of the same complying with the following conditions and limitations:

- a. Are operated in their entirety within the dwelling and not within any garage or accessory building located upon the premises, except for incidental storage in or use of a residential-type garage upon the premises.
- b. Are only conducted by the person or persons occupying the premises as their principal residence a major portion of each month; provided, however, the Planning Commission shall have the authority to permit additional subordinate assistants who do not so reside within said dwelling where the same would not materially impair the residential character of the neighborhood or cause traffic congestion or parking problems. In no event, however, shall such additional assistants exceed three (3) in number.
- c. The dwelling has no exterior evidence, other than a permitted sign, to indicate the same is being utilized for any purpose other than that of a dwelling.
- d. The occupation conducted therein is clearly incidental and subordinate to the principal use of the premises for residential purposes.
- e. No goods are sold from the premises, which are not strictly incidental to the principal home occupation conducted therein.
- f. No occupation shall be conducted upon the premises, which would constitute a nuisance or annoyance to adjoining residents by reason of noise, smoke, odor, electrical disturbance, night lighting, or the creation of unreasonable traffic to the premises. Noise, smoke, odor, electrical disturbance or the source of lighting shall not be discernible beyond the boundaries of the property from which the occupation is conducted.

2.21 HOUSE TRAILER OR MOBILE HOME

Any vehicle, whether self-propelled or non self-propelled, used or adapted to be used or so constructed as to permit its being used as a conveyance upon the public streets or highways and for occupancy as a dwelling or sleeping place for one or more persons, office or other business use, and whether or not the same has a foundation thereunder if said foundation is designed to permit the removal of such house trailer and its readaptation to use upon the public streets or highways.

2.22 HOUSE TRAILER PARKS OR MOBILE HOME PARK

Any parcel or tract of land which three (3) or more occupied trailer coaches or mobile homes are located, regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment or facility used, or intended for use, accessory and incidental to such trailer coaches.

2.23 HOUSE TRAILER OR MOBILE HOME SITE OR SPACE

A portion of the mobile home park set aside and clearly marked and designated for occupancy and accommodation of an individual mobile home or trailer coach.

2.24 JUNK

Used rags, paper, used bags, used metal, used tires, used car parts, used appliances or any other type of machinery or automobile when such appliance, machinery or automobile is dismantled or stripped for the sale or recycling of used metal or parts.

2.25 JUNKYARD

A business at a fixed location or locations operated by a person who buys, sells, stores, processes, receives, or recycles used rags, paper, used bags, used metal, used tires, used car parts, used appliances or any other type of machinery or automobile for the purpose of dismantling or stripping for the sale or recycling of used metal or parts.

2.26 LOT

A parcel of land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provision of this Ordinance for a lot in the district in which such lot is situated and having the required frontage on a street.

2.27 LOT AREA

The total horizontal area included within lot lines. Where the front lot line is the centerline of a street or lies in part or in whole in the street area, the lot area shall not include the part of the lot in use or to be used as the street.

2.28 LOT, CORNER

A lot located at the intersection of two streets or a lot bounded on two sides by a curving street, any two chords of which form an angle of 135° or less as measured on the lot side. The point of intersection of the street lot lines is the “corner.” In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above.

2.29 LOT, DEPTH

The mean horizontal distance from the front lot line to the rear lot line.

2.30 LOT INTERIOR

A lot other than a corner lot.

2.31 LOT, FRONT LINE

That side of the lot abutting upon a public or private street right-of-way or abutting upon a lake; in the case of a corner lot, either street right-of-way line may be considered the front line of the lot if it contains the minimum required frontage.

2.32 LOT, REAR LINE

Ordinarily, that lot line which is opposite and most distant from the front lot line as hereinbefore defined. In the case of an irregular-shaped lot, a line 10 feet in length entirely within the lot and parallel to and at the maximum distance from the front lot line shall be considered the rear lot line for the purpose of determining required rear yard setback.

2.33 LOT, SIDE LINE

Any lot line not qualifying as a front or rear lot line. A side lot line separating a lot from a street right-of-way shall be known as a Side Street Lot Line. A side lot line separating a lot from another lot or lots shall be known as an Interior Side Lot Line.

2.34 LOT WIDTH

The mean horizontal distance between the side lines as measured at right angles to such side lot lines. Where side lot lines are not parallel, the lot width shall be the average horizontal distance between such side lot lines.

2.35 MASTER PLAN

The comprehensive plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings, and all physical development for the township and includes any unit or part of such plan, and any amendment to such plan or parts by the Planning Commission and/or Township Board.

2.36 NON-CONFORMING USES OR STRUCTURES

A building or structure or the use of a building, structure or land lawfully existing at the time this Ordinance became effective but which does not conform with the present use regulations of the district in which it is located.

2.37 OFFICE

A room, suite of rooms, or building in which are located desks, chairs, tables, couches, bookcases (accounting, filing, recording, communication and/or stenographic) equipment for current use in the office business, and personnel engaged in executive, administrative professional, political, informative, research and/or clerical duties, and other similar, related or incidental furniture, equipment or personnel connected or concerned with the performance of a personal service which causes or creates no external disturbance, nuisance, or annoyance beyond the confines of said rooms or building.

2.38 RECREATIONAL VEHICLE

A vehicle designed to be used primarily for the recreational purposes, including temporary sleeping quarters and/or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pickup campers, travel trailers, and tent trailers; provided, however, that any such vehicle or unit which is 40 feet or more in overall length shall be considered a mobile home and shall be subject to all regulations of this Ordinance applicable to a mobile home.

2.39 SETBACK

The minimum horizontal distance from a lot line within which no building or structure may be erected.

2.40 SIGN

An outdoor sign, display, figure, painting, drawing, message, placard, poster, billboard or other thing which is designated, intended or used to advertise or inform.

2.41 SPECIAL EXCEPTION

An exception to the general rule as granted by the Planning Commission provided for in this Ordinance under specified conditions.

2.42 STRUCTURE

Anything constructed or erected, excluding fences, which requires permanent location on the ground or attachment to something having such location.

2.43 TEMPORARY BUILDING OR USE

Is A Structure or use permitted by the Planning Commission to exist during periods of construction of the main building or use, or for special events.

2.44 USE

Is the purpose for which land or a building is designed, arranged, or intended to be used, or for which land or building is or may be occupied.

2.45 USE, ACCESSORY

Is a use subordinate to the main use of a lot and used for the purposes clearly incidental to those of the main use.

2.46 USE, MAIN

Is the principal use to which the premises are devoted and the principal purpose for which the premises exist.

2.47 VARIANCE

A deviation from the terms of this Ordinance granted by the Board as authorized by the Enabling Statute, upon which findings of practical difficulties and unnecessary hardship.

2.48 WALL

A completely obscuring masonry structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this Ordinance.

2.49 YARD

The open spaces on the same lot with the main building or main use, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance.

2.50 FRONT YARD

An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line the main building.

2.51 REAR YARD

An open space extending the full width of the lot line, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building.

2.52 SIDE YARD

Is an open space between a main building and a side lot line, extending from the front yard to the rear yard, with width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building.

2.53 ZONES OR ZONING DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of any of the districts or zones shown on the zoning map, the following rules shall apply:

- a. Zone boundary lines are intended to be parallel or perpendicular to street, alley, or lot lines, unless such zone boundary lines are fixed by dimensions, as shown on said zoning map.
- b. Where zone boundaries are indicated as approximately following the street or alley lines or proposed street lines, such lines shall be construed to be such boundaries.
- c. Where zone boundaries are so indicated that they approximately follow lot lines and are not more than 25 feet distant therefrom, such lot lines shall be such boundaries.
- d. If unsubdivided property or where zone boundary divides a lot, the location of any such boundary, unless the same is indicated by dimensions shown on such maps or described in the text of the Ordinance, shall be determined by the use of the map scale shown thereon, and scaled to the nearest foot.
- e. If all or any portion of any public street, alley, right-of-way, easement or land which is not included in any zone shall ever revert to or come into private ownership or shall ever be used for any purpose other than a public purpose, said land shall be subject to all of these regulations which apply within the zone immediately adjacent thereto, or within the most restricted of the immediately adjacent zones, if there be more than one.

ARTICLE III

ZONING DISTRICTS

3.01 SCOPE

The location and boundaries of the zones established in the township shall be shown on a map entitled zoning map of Soo Township and said map, section, or portion thereof together with notations, dimensions and other data shown thereon, are hereby made a part of this Ordinance to the same extent as if the information set forth on said map were fully described and incorporated herein.

3.02 ZONING MAP

The official copy of the zoning map, properly attested, shall be in the custody of the Township Clerk.

3.03 ZONING MAP AMENDMENT

Such zoning map may be amended from time to time to reflect changes in zones and the re-zoning of property shown thereon in the same manner as amendments may be made to the text of this zoning Ordinance. Such changes shall be recorded to scale on duplicate copies of the original official zoning map and shall be accomplished by written legal descriptions in appropriate amending Ordinances.

3.04 DIVISION OF TOWNSHIP

The Township of Soo shall be divided into zoning districts, as hereinafter described, within which districts no buildings or premises shall be used and no building shall hereafter be erected altered, or located except for the uses and purposes hereinafter set forth as “permitted uses” under each separate zoning district classification, or hereinafter set forth as “SPECIAL LAND USES” under each such zoning district classification; subject, however, to such prior approval as is hereinafter required to be obtained from the Planning commission for such SPECIAL LAND USES.

3.A101 “AG” AGRICULTURAL DISTRICT:

3.A102 DEFINITION OF AGRICULTURAL DISTRICT

Agricultural districts are those open areas of the Township where farming, dairying, forestry operations and other such rural –type activities exist and shall be preserved or encouraged. Large vacant areas, low land and wooded areas may also be included. Although the demand for other uses in these districts may ultimately out-weigh their use as zoned, and such zoning changes shall be made cautiously with the realization that adequate food supply is essential to the health and welfare of the Township, county, state and nation.

3.A103 PERMITTED USES

- a. Single family dwellings, barns, stables, silos, temporary housing for farm labor, and accessory buildings, structures and uses customarily incidental to any of the foregoing permitted uses.
- b. Agricultural, horticultural, vita cultural, dairy farming, cattle raising, poultry raising, livestock raising, farm forestry and other similar bona fide farming or agricultural enterprises excluding, however, rendering plants, commercial fertilizer production or garbage feeding or disposal activities.
- c. Greenhouse or nurseries.
- d. Markets for the sale of products grown or produced upon the premises together with incidental products related thereto not grown or produced upon the premises but which are an unsubstantial part of said business including an advertising sign not more than eight square feet in area advertising such products.

- e. Churches and parish houses, public schools and educational institutions and other municipal buildings, structures or uses.
- f. Community buildings, parks, public recreational areas of golf courses.
- g. Essential services, excluding telecommunications towers.
- h. Cemeteries.
- i. Kennels and animal boarding facilities.

3.A104 SPECIAL LAND USES

- a. Public utility and service buildings.
- b. Additional single or two-family homes.
- c. Nursing, convalescent homes, or adult foster care homes.
- d. Commercial Animal feedlots and piggeries.
- e. Earth removal, quarrying, gravel processing, mining and related mineral extraction businesses.
- f. Telecommunication towers.
- g. Home based businesses.
- h. Public storage facilities.
- i. Veterinary Clinics

3.R101 RESIDENCE DISTRICT

3.R102 STATEMENT OF PURPOSE

This (*The PERMITTED USES portion of this*) district classification is designed to be the most restrictive of the residential districts to encourage an environment of predominantly low-density, single-family dwellings, together with a minimum of other residentially related facilities and activities primarily of service to the residents in the area.

3.R103 PERMITTED USES

- a. Private single-family dwelling.
- b. Home occupation. (See Section 5.03,5.04)
- c. School, library, and other municipal structures and uses.

- d. Church.
- e. Licensed family day care home.
- f. Accessory buildings and uses customarily incident to any of the foregoing uses when located on the same lot or parcel of land and not involving the conduct of a business.

3.R104 SPECIAL LAND USES

- a. Private two, three or four family dwelling.
- b. Farming and agricultural operations, together with a reasonable number of accessory buildings, and the right to sell products, poultry or animals produced, raised or grown upon the premises.
- c. Essential public utility service buildings, or gas or electric regulator stations or buildings and telecommunications towers.
- d. Day nurseries
- e. Nursing or convalescent home.
- f. Boarding and lodging houses containing not more than six separate units.
- g. Medical clinics and doctor and dentist office for the treatment of human beings, provided that they are constructed in appearances as a residence.
- h. Veterinary Clinic.
- i. Private club, fraternity and lodge, excepting those of which the chief activity is a service customarily carried on as a business.
- j. Establishments for the retail sale of meals, provided that the same are constructed in appearance as a residence.
- k. Essential public utility service buildings, gas or electric regulator stations or buildings and telecommunications towers.
- l. Mobile home park, together with accessory buildings and uses customarily incident thereto, including a residence for the mobile home park owner or operator and his family, but excluding any retail sales of mobile homes unless the same are located upon a developed mobile home site; subject, however, to the following conditions and limitations:
 - a. Mobile home parks shall comply with the requirements imposed by Michigan Public Act 419 of 1976 and any amendments thereto and with any regulations,

promulgated thereunder by the Michigan Mobile Home Commission and the Michigan Department of Public Health.

- b. Accessory buildings and uses incidental to a mobile home parks such as recreational buildings and facilities, laundry facilities, maintenance garage and storage facilities.

- m. A complex or development of a multiple number of “permitted” or designated “special exception” uses which do not comply with all conditions and limitations pertinent thereto but which will comply with the spirit of this Ordinance with the approval of the Planning Commission under the procedure and standards specified in the Ordinance for SPECIAL LAND USES.

3.C101 COMMERCIAL DISTRICT

3.C102 STATEMENT OF PURPOSE

This district is designed to provide retail sales and commercial service uses catering to the general public as distinguished from industry or general business customers.

3.C103 PERMITTED USES

- a. Retail sales businesses where no assembling, treatment or manufacturing is required.
- b. Office and clinics.
- c. Banks, building and loan associations, and other lending institutions.
- d. Funeral parlors.
- e. Restaurants.
- f. Essential public utility services.
- g. Indoor theaters.
- h. Hotels, motels, and apartment houses.
- i. Cleaning and laundry service customer stations.
- j. Craft or art supply sales.
- k. Barber shops and beauty parlors.
- l. Shoe repair shops.

- m. Churches.
- n. Accessory buildings and uses customarily incident to any of the foregoing, not including any manufacturing or treatment activities.
- o. Public storage facilities.
- p. Veterinary Clinics

3.C104 SPECIAL LAND USES

- a. Automatic dry cleaning or laundry facilities.
- b. Bait houses.
- c. Gasoline stations.
- d. Automobile repair garages.
- e. Outdoor automobile sales.
- f. Indoor commercial recreation facilities.
- g. Mining operation or Sand and or Gravel Extraction
- h. Outdoor theaters.
- i. Veterinary hospitals.
- j. Kennels and pet shops.
- k. Bus terminals.
- l. Outdoor commercial recreation facilities.
- m. Drive-in eating or fast food establishments.
- n. Wholesale sales.
- o. Enclosed warehouses.
- p. Farming and agricultural operations, together with a reasonable number of accessory buildings, and the right to sell products, poultry or animals produced, raised or grown upon the premises.

- q. Sign shop.
- r. Cemeteries.
- s. Nursery and greenhouses.
- t. Accessory building and uses customarily incident to any of the foregoing uses when located on the same lot or parcel of land.
- u. Automobile body and automobile paint shops.
- v. Lumber yards.
- w. Telecommunications towers.

A complex or development of a multiple number of “permitted” or designated “special land uses” which do not comply with all conditions and limitations pertinent thereto but which still comply with the spirit of this Ordinance with the approval of the Planning Commission under the procedure and standards specified in the Ordinance for SPECIAL LAND USES.

3.I101 INDUSTRIAL DISTRICT

3.I102 STATEMENT OF PURPOSE

This district is designed for manufacturing, assembling and fabricating businesses and commercial activities which cause a minimum of adverse effect beyond the boundaries of the site upon which they are located.

3.I103 PERMITTED USES

- a. Any use permitted in the Commercial District.
- b. Industrial manufacturing operations and operations for the servicing, compounding, assembling or treatment of articles or merchandise which do not emanate noise, smoke, odors, dust, dirt, noxious gases, glare, heat, vibration or psychological ill effects which would be a nuisance or annoyance to owners or occupants or surrounding premises and which are wholly contained within fully enclosed buildings except for the following permissible outdoor activities:
 - a. Outdoor storage in the rear yard area which must not exceed 20 % of the square foot area of the principal building upon the premises and which must be screened from adjoining premises of a higher use district classification and

from public streets by a solid fence, wall or natural screening adequate for the purpose.

- c. Delivery operations to and from said business.
- d. Farming and agricultural operations, together with a number of reasonable accessory buildings, and the right to sell products, poultry or animals produced, raised or grown upon the premises.

3.I104 SPECIAL LAND USES

- a. Motor freight warehousing businesses.
- b. Gasoline and petroleum storage.
- c. Ready-mix concrete and asphalt plants.
- d. Lumber yards.
- e. Auto body and auto paint shops.
- f. Such other outdoor storage or activities as may be allowed.
- g. Building material storage yards for new material.
- h. Storage yards for machinery, trucks, or equipment in operating condition, provided adequate screening is installed and maintained, screening the same from adjoining premises and public highways.
- i. Slaughter houses.

3.W101 WATERFRONT DISTRICT

3.W102 STATEMENT OF PURPOSE

These districts are created to promote the proper use, enjoyment and conservation of water, resources and shoreline property. To facilitate such use, certain commercial and other service uses may be provided by Special Approval.

3.W103 Permitted USE

No land shall hereafter be used, and no building or structure erected and used for other than one of the following purposes;

1. Primary uses:
 - a. One-family dwellings, rental cottages, and cabins.
 - b. Parks, playgrounds, and picnic areas.
 - c. Facilities for sports and outdoor recreation.
 - d. Camps and clubs

3.W104 Special Land Use;

- e. Retail stores and shops.
- f. Recreational establishments other than camps and clubs operated for profit.
- g. Boat liveries, marinas, and launching ramps.
- h. Golf courses, country clubs, including miniature golf.

2. Accessory Uses:

- a. Uses, building, and structures customarily incidental to any Primary use or use by Special Approval.

3.W105 MINIMUM LOT AREA: DWELLINGS

Intensive Use Area: Every dwelling (cottages, cabins) hereafter erected shall be located on a lot not less than 15,000 square feet in area, and not less than 100 feet in width or a depth of 130 feet. In the event a lot on record at the Chippewa County Register of Deeds office on the effective date of this Ordinance has a width less than required by the provisions of the District wherein located, such lot may be used for erection of a one-family dwelling in the Districts Residential and A and each side yard reduced to not less than 10% of the width of the lot.

3.W106 MINIMUM YARDS

1. Front Yards: Every dwelling (cottage cabin) hereafter erected shall be located not less than 30 feet from the front lot line or right-of-way line of any road or public highway upon which the lot abuts in either front or rear, and not less than 30 feet from the known high water level of any body of water upon which the premises abut.

2. Side Yards: Every dwelling (cottage, cabin) hereafter erected shall be located not less than 10 feet in width, and a rear yard not less than 20 feet in depth. In the event a lot on record at the Chippewa county Register of Deeds Office on the effective date of this Ordinance has a width less than required by the provisions of the district wherein located, such lot may be used for erection of a one-family dwelling in the Districts Residential and A and each side yard reduced to not less than 10% of the width of the lot.

3.W107 MINIMUM FLOOR AREA: DWELLINGS

Every one-family dwelling hereinafter erected shall contain not less than 600 square feet of floor area exclusive of any area in an included garage, open porch, or other attached structure.

3.W108 USE AREAS

Shoreline area along the upper and lower St. Mary's River and Neebish Island.

3.W109 WATERFRONT DISTRICT WIDTH

Waterfront district shall be a minimum of 500 feet in depth, measured from the known high water level, along the entire St. Mary's River and Neebish Island shoreline.

3.F101 FORESTRY / RECREATION (F/RC)

3.F102 STATEMENT OF PURPOSE

These districts are created to promote proper use, enjoyment and conservation of water, animal, land, topographic, and vegetative resources and the economic return of Forest Land and Woodlots. To facilitate such use, certain commercial and other service uses may be provided by Special Approval.

3.F103 Permitted USES

No land shall hereafter be used, and not building or structure erected and used for other than one of the following purposes:

1. Primary Uses
 - a. One-family dwellings, rental cottages and cabins.
 - b. Parks, playgrounds, and picnic areas.
 - c. Facilities for sports and outdoor recreation.
 - d. Camps and clubs.
 - e. Production of wood products, lumber, and pulpwood.

- f. Hunting, fishing and trapping.

3.F104 Special Land Use

- g. Retail stores and shops.
- h. Recreational establishments other than camps and clubs operated for profit.
- i. Boat liveries, marinas, and launching ramps.
- j. Golf courses, country clubs, including miniature golf.
- k. Mobile Home, residential developments.

2. Accessory uses

Uses, buildings, and structures customarily incidental to any Primary use or Use by Special Approval.

3.F105 MINIMUM LOT AREA: DWELLINGS

Every dwelling (cottages, cabins) hereafter erected shall be located on a lot not less than 15,000 square feet in area, and not less than 100 feet in width or a depth of 130 feet. In the event a lot on record at the Chippewa County Register of deeds Office on the effective date of this Ordinance has a width less than required by the provision of the district wherein located, such lot may be used for the erection of a one-family dwelling in Districts Residential. F/RC and A and each side yard reduced to not less than 10% of the width of the lot.

3.F106 FRONT YARDS

Every dwelling (cottage, cabin) hereafter erected shall be located not less than 30 feet from the front lot line or right-of-way line of any road or public highway upon which the lot abuts in either front or rear, and not less than 30 feet from the known high water level of any body of water upon which the premises abuts.

3.F107 SIDE AND REAR YARDS

Every building hereafter erected shall have side yards on each side not less than 10 feet in width and a rear yard not less than 20 feet in depth on which the lot abuts in either front or rear, and not less than 30 feet from the known high water level of any body of water upon which the premises abuts. In the event lot on record at the Chippewa County Register of Deeds office on the effective date of this Ordinance has a width less than required by the provision of the district wherein located, such lot may

be used for the erection of a one-family dwelling in Districts RESIDENTIAL, F/RC and A and each side yard reduced to not less than 10% of the width of the lot.

3.F108 MINIMUM FLOOR AREA: DWELLINGS

Every one-family dwelling hereafter erected shall not contain not less than 600 square feet of floor area exclusive of any area in an included garage, open porch, or other attached structure.

ARTICLE IV

SETBACK AND SIDE LINE SPACING

4.01 SETBACK AND SIDELINE SPACING FOR AG, Residential

In "AG" Agricultural Districts, Residence Districts there shall be setback from street right-of-way lines of not less than 30 feet for buildings, provided that when 25% or more of the frontage on one side of a street between two intersecting streets has, at the time of the passage of this Ordinance, been built up with permanent residences, the average setback of such residences, but not more than 30 feet, shall be the minimum setback line for that side of such street between such intersecting streets; no building in such districts shall be erected closer than 10 feet or 10% (which ever is smaller) to the interior side or rear line of the lot or parcel of property upon which the building is located; provided, however that detached private garages, erected not less than 60 feet from the front street line, may be erected not less than 10 feet from the interior side line. When computing setback any attachment will be included as curtilage.

4.02 SETBACK AND SIDELINE SPACING FOR COMMERCIAL AND INDUSTRIAL

In Class Commercial Districts, Industrial Districts, the minimum setback line for commercial and industrial buildings shall be 75 feet from street right-of-way lines abutting the property and there shall be a minimum setback line for the parking or storage of automobiles and vehicles outside buildings or structures of not less than 25 feet; provided, however, that in any such districts where there are commercial and industrial buildings (other than private residences or buildings originally constructed private residences) already existing on the effective date of this amending Ordinance, on the side of the street between two intersecting streets, the minimum setback for buildings on such side of the street between such intersecting streets shall be to the depth as established by such existing commercial or industrial building which is closest to the street line. In no event, however, shall vehicle parking be owed on private premises closer than 25 feet to the street right-of-way line abutting such premises except where such parking is presently being conducted on the permit parking beyond said 25 foot setback requirement. There shall be no side or rear line restriction from interior lot lines for commercial and industrial buildings within such commercial and industrial districts unless otherwise specified in this Ordinance. Any residential buildings, however, constructed within said district shall be set back not less than five feet from such interior, side and rear lot lines.

4.03 SETBACK AND SIDELINE SPACING EQUIPMENT AND BUILDINGS

It is further provided that notwithstanding anything herein contained to the contrary, the minimum setback line shall be 15 feet for gasoline pumps, display racks, air pumps, and other equipment; 75 feet for cars, stored or placed upon property used for storage of, or occupancy by, junk cars or used cars for the purpose of sale of parts or junk there from; and 25 feet from cars and other vehicles on property used for the sale of used cars. The minimum setback line for poultry or animal shelters, coops, barns, kennels or sheds shall be 75 feet; provided, however, that in platted property no such structure shall be erected closer than 20 feet to the interior sideline of the lot upon which such structure is located.

4.04 TEMPORARY TOILETS

No temporary outside toilets shall be erected closer than 15 feet to the side line of the premises upon which such structure is to be placed; provided, however, that such structure shall not be erected closer than 25 feet to any building being used as a permanent habitation upon adjoining premises.

4.05 AREA REQUIREMENTS: PRIVATE DWELLING

Private dwelling units hereafter constructed containing not more than two bedrooms shall contain not less than 750 square feet of first-floor space as measured around the exterior of said dwelling. All private dwelling units hereafter constructed containing more than two bedrooms shall contain an additional 150 square feet of habitable floor area for each bedroom in excess of two within said dwelling unit; provided however, that a three-bedroom, single-level private dwelling unit shall contain not less than 900 square feet of first floor space as measured around the exterior of said dwelling.

4.06 AREA REQUIREMENTS: PRIVATE WIDTH

No dwelling shall be less than 24 feet in width as measured along the exterior front elevation of the dwelling.

4.07 AREA REQUIREMENTS: HABITABLE FLOOR AREA

In the event of any controversy concerning what constitutes habitable floor area, the board of appeals is hereby given the authority to determine the same upon application thereto by either the township Zoning Administrator or Designee or by the applicant for a building permit.

ARTICLE V

GENERAL REGULATIONS

5.01 STATEMENT OF PURPOSE

The general provision of this Article shall apply to all districts, except as noted herein. Where the requirements of a general provision and a district regulation differ, the more restrictive requirement shall prevail.

5.02 CONSTRUCTION: RULES APPLYING TO TEXT

The following rules of construction apply to the text of this Ordinance:

1. The particular shall control the general.
2. In case of any difference of meaning or implication between the text of this Ordinance and any caption, diagram or sketch, the text shall apply.
3. The word "shall" is always mandatory and not discretionary. The word "may" is discretionary.
4. Words used in the present tense shall include the future, and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The work "person" includes a corporation as well as an individual.
7. The words "used" or "occupied", as applied to any land or building, shall be construed to include the words "intended", "arranged", or "designed to be used" or "occupied."
8. Any word at term not defined herein shall be used with a meaning of common or standard utilization.
9. The term "adjoining lots and parcels" is intended to include lots and parcels separated by highways, roads, streets, or rivers.

5.03 HOME OCCUPATIONS

Home Occupations shall be incidental or subordinate to the principal use of the dwelling for residential purposes and shall not detract from the residential character of the premises or neighborhood.

Home Occupations shall not result in the creation of conditions that would constitute a nuisance to neighboring property owners or the Township as a whole, including, but not limited to:

1. Traffic and delivery or pickup of goods shall not exceed that normally created by residential uses.

2. Any machinery, mechanical devices or equipment employed in the conduct of a Home Occupation shall not generate noise, vibration, radiation, odor, glare, smoke, steam, or other conditions not associated with the use of the dwelling for residential purposes.
3. The outdoor storage of goods and/or materials of any kind is prohibited.
4. No goods or materials shall be sold that are not associated with the conduct of the Home Occupation.
5. No process chemicals, or materials shall be used which are contrary to any applicable State or Federal laws.

5.04 HOME BASED BUSINESSES

Home based business is defined as a business where the primary activities take place at locations other than the home. The home may serve as the office where materials are stored, work is scheduled and billings are sent out. Businesses which will be classified as home based businesses include landscaping contractors, plumbing contractors, building contractors, electrical contractors, similar trades and service type business. Home based business would also include business and professional offices, telecommuting business and the manufacture of hand crafted products subject to the following conditions:

- a. A home based business shall be clearly secondary and incidental to the use of the premises, as the residence.
- b. All activities shall be conducted within the interior of the principal dwelling and accessory buildings.
- c. Home based business shall be owned and operated solely by persons residing in the residence, except that one (1) person not in residence on the premises may be employed.
- d. No alterations to the exterior of the dwelling, accessory building or yard shall be permitted which alters residential character of the premises.
- e. Parking shall be allowed only within driveway areas.
- f. Any sign used to identify the businesses shall be limited to ten (10) square feet.
- g. No sales or rental of goods shall be permitted on the premises, except as may be incidental to the furnishing of a service.
- h. No use shall generate automobile or truck traffic in excess of that normally associated with the residence.
- i. No equipment shall be used in the home based business that will create electrical interference for surrounding properties.
- j. The use shall not generate noise, vibration, odor, glare or air-borne particles other than those customarily associated with the residence, beyond the property line of the home based business.
- k. Instructions in crafts and fine arts are recognized as permitted home based business, if they meet the above conditions.

1. The outdoor storage of vehicles, trailers, goods and/or materials of any kind is prohibited unless screened (wood fence, greenbelt buffer, landscaped bean, etc.) from view from neighboring properties and road right-of-ways. The type of screening shall be approved by the Planning Commission.
2. Home based businesses shall not result in the creation of condition that would \constitute a nuisance to neighboring property owners or the Township as a whole.
3. Employees or other traffic for the pickup or delivery of goods or equipment shall not exceed that normally created by residential uses. Any machinery, mechanical devises or equipment employed in the conduct of the home based business shall not generate noise, vibration, radiation, odor, glare, smoke, stream, or other conditions not associated with the use of the premises for residential purposes.
4. Home based businesses shall be conducted only by the person(s) residing on the premises. The Planning Commission may allow between 1 and 10 non-resident employees. This number will be determined by the Planning Commission prior to approval of the Special Approval.
5. A “not to exceed” number of vehicles that may be parked on the property at any given time shall be established by the Planning Commission during the review and approval process.
6. The activity will be served adequately by essential public services or facilities.
7. The activity will not create additional public costs and will not be detrimental to the economic welfare of the Township.

5.05 RESIDENTIAL BUFFER AREA

As a result of the lack of zoning prior to the adoption of this Ordinance, many residential dwellings have been constructed and located within areas that are now predominately commercial or industrial areas. In order to protect such existing dwellings from new commercial or industrial activities or structures, it is herein provided that no new commercial or industrial activities or structures shall hereafter be located closer than 100 feet to any such existing dwelling which is occupied for dwelling purposes and further such new commercial or industrial structure or activity shall be screened from such adjoining dwelling in accordance with the provision of Article IV of this Ordinance.

5.06 USABLE AREA

The foregoing provision shall not, however, operate to reduce the usable area of the adjoining commercial or industrial property under bona fide separate ownership on the effective date of this Ordinance below 50%. If the same would cause such a result, this buffer area shall be accordingly reduced to permit such 50% use.

5.07 GENERAL LIGHTING AND SCREENING REQUIREMENTS

All lighting upon any premises, regardless of zone, shall be so arranged that such lighting does not produce any glare which is a nuisance or annoyance to residents or occupants of adjoining premises or to the traveling public on public highways.

5.08 BUSINESS, COMMERCIAL OR INDUSTRIAL PURPOSES

Except as otherwise provided in this zoning Ordinance, all premises used for business, commercial or industrial purposes and located within a Commercial District or lower district classification shall be screened from adjoining premises located in an Residence District or higher district classification by any of the following”

1. A natural compact planting area of evergreens or shrubbery which maintain their density and screening effect throughout the calendar year, not less than four feet in height at the time of planting and maintained in a neat and attractive manner commensurate with the adjoining residential district.
2. An artificial wall or fence of sufficient density or compactness to screen the structures and activities of the business from the view of occupants or adjoining premises, not less than five feet in height and maintained in a neat and attractive manner, commensurate with the adjoining residential district.
3. No such planting area, wall or fence shall be closer than 10 feet from any adjoining street right-of-way line.

5.09 REVIEW

In the event of any controversy as to the adequacy of any proposed or existing screening or the creation of any nuisance or annoyance by artificial lighting, the Planning Commission shall have the right and is hereby given the authority to determine whether the same is in violation of these screening and lighting provisions and the purpose herein sought to be accomplished of the screening of abutting business and residential properties and the prevention of nuisance from artificial lighting.

5.10 TENTS AND TRAVEL TRAILERS: MOBILE HOMES

Tents, travel trailers and/or automobile trailers shall not be used for dwelling purposes within the township limits; provided, however, that travel trailers or automobile trailers may be used for temporary dwellings for a total period of not more than 30 days in any one year when located upon premises having running water and sewage facilities, and provided further that automobile trailers and travel trailers may be occupied for dwelling purposes within duly licensed travel trailer camps and subject to the requirements thereupon imposed.

5.11 PERMIT FOR TEMPORARY RESIDENCE: MOBILE HOME

Mobile homes which do not conform to the standards of Section 2.11 of this Ordinance shall not be used for dwelling purposes within the Township unless located within a mobile home park or a mobile home plat zoned for such uses, or unless used for temporary residence purposes as hereinafter provided. A permit may be secured from the Planning Commission to use a mobile home as a temporary residence for a period not to exceed one year provided that the ability and intent to erect a house on the premises is shown; provided that the mobile home is located upon premises having running water and sewage facilities; and provided further than upon expiration of the on-year period, the Planning Commission may renew the permit for an additional period of one year upon sufficient showing that the house construction could not be completed within said one year but has substantially progressed during said period. Said board may require a performance bond conditioned upon the removal of the mobile home from the premises within the time limited in an amount satisfactory to said board.

MISCELLANEOUS PROTECTION REQUIREMENTS

5.12 WATER

Every structure hereafter erected for dwelling purposes shall be provided with running water, adequate inside water closet accommodations and sewage facilities.

5.13 TOILETS

No outside toilets shall hereafter be erected except such as may temporarily be needed during the construction on the premises.

5.14 BASEMENTS

No structure, the major portion of which consists of a basement, shall be occupied for living and/or sleeping purposes by human beings except under a variance permit from the Planning Commission for a limited period of two years to permit the construction of the above grade dwelling superstructure as shown on appropriate plans submitted by the applicant and provided said Board is satisfied of the applicant's ability and intent to complete such construction within said period.

5.15 GARAGE

Any building erected as a garage or in which the main portion is a garage shall in no case be occupied for dwelling purposes unless it is auxiliary to a residence already being occupied upon the premises and unless it complies with all the provisions of this Ordinance relating to buildings for residential purposes.

5.16 LIMITATIONS

Not more than one dwelling shall be constructed on any lot consisting of one-fourth of an acre or less.

5.17 DOMESTIC ANIMALS

The keeping of more than three (3) dogs and/or cats, the keeping of pigeons having free access outside their cages, or the keeping of poultry, pigs, hogs, horses or livestock is prohibited within or upon any properties zoned for residential and waterfront purposes or within or upon any area located within 100 feet of such aforesaid properties unless such latter area is located in a Commercial District classification or lower; provided, however, that any litter of dogs or cats which causes the aforesaid limit of three (3) to be exceeded shall not constitute a violation of this provision for a period of 4 months after birth; and provide further, however, that no more than two such litters shall be allowed to so remain on the afore described premises within any consecutive 12-month period. All such poultry, pigs, hogs, horses, livestock or more than three (3) dogs and/or cats shall also be prohibited in any area of the Township if the same become obnoxious by reason of odor or noise. The determination of the Planning Commission or the Zoning Administrator or Designee under the Nuisance Ordinance (Ordinance No. 1 of 2001), established under statute and this Ordinance, shall, in the absence of fraud, be conclusive on the questions of whether such are so obnoxious.

ARTICLE VI

NON-CONFORMING USES

6.01 NON-CONFORMING USES

The following regulations shall control lawful non-conforming uses in existence at the time of passage of this Ordinance.

6.02 SCOPE

Lawful non-conforming uses or structures in existence at the time of passage of this Ordinance may be continued but shall not be extended, added to or altered unless such extension, alterations or additions are in conformity with the provisions of this Ordinance.

6.03 DESTRUCTION OF NONCONFORMING USE

If the cost of repair or replacement of a non-conforming use or structure which has been destroyed by reason of windstorm, fire, explosion, act of God, or act of war the public enemy exceeds 50% of the total replacement cost of the use or structure, such use or structure shall not be continued or rebuilt except in conformity with the provision of this Ordinance.

6.04

ABANDONMENT OF NON-CONFORMING USE

If a property owner has an intent to abandon a non-conforming use or structure, and in effect abandons this non-conforming use or structure for a period of one (1) year or more, then any subsequent use of the property or structure shall conform to the requirements of this Ordinance. When

determining the intent of the property owner to abandon a non-conforming use or structure, the Planning Commission shall consider the following factors:

- a. Whether utilities such as water, gas and electricity to the property have been disconnected.
- b. Whether the property, building and grounds have fallen into disrepair.
- c. Whether signs or other indications of the existence of a non-conforming use have been removed.
- d. Whether equipment or fixtures necessary for the operation of the non-conforming use have been removed.
- e. Other information or actions that evidence an intention on the part of the property owner to abandon the non-conforming use or structure.

6.05 CHANGE OF NON-CONFORMING USE

If a non-conforming use is changed to a permitted or more restrictive use in the district in which it is located, it shall not revert or be changed back to a non-conforming less restrictive use.

6.06 NONCONFORMING LOTS

- a. Any lot, as defined in Article II, that exists on the effective date of this Ordinance shall be exempt from the minimum width and area requirements as long as such lot has a minimum width of 60 feet and a minimum area of 6,000 square feet.
- b. If two (2) or more lots or a combination of lots and portions of lots are contiguous and in single ownership on the effective date of this Ordinance or amendments thereto the land involved shall be considered to be a single, undivided lot for the purpose of this Ordinance.
- c. No portion of any lot shall be used or sold in a manner that diminishes compliance with lot width and area requirements established by this Ordinance nor shall any division of any lot be made that creates a lot width or area below the requirements stated in this Ordinance.
- d. Notwithstanding the foregoing, home located in a zone which does not permit the same may still be altered, expanded and/or rebuilt.

ARTICLE VII

SITE PLAN REVIEW

7.01 PURPOSE

The intent of this section is to provide for consultation and cooperation, between the land developer and the Township Planning Commission may accomplish his or her objectives in the utilization of the land within the regulations of this Zoning Ordinance and with minimum adverse effect on the use of adjacent streets and highways and on existing and future uses in the immediate area and vicinity.

7.02 APPROVAL PROCESS

Except as hereinafter set forth, the Zoning Administrator or Designee shall not issue a permit for any construction or uses until a site plan, submitted in accordance with this section, shall have been reviewed and approved by the Township Planning Commission.

- A. Single or two-family homes under separate ownership on an individual and separate lot for each one.
- B. Interior accessory and subordinate buildings requiring no new or additional means of access thereto from adjoining public roads or highways and complying with all zoning Ordinance requirements.
- C. Projects involving the expansion, remodeling or enlargement of existing buildings which comply with all zoning Ordinance requirements and involve no new or additional means of access thereto from adjoining public roads or highways.

Special exceptions uses, buildings, and structures where site plan review shall be conducted by the Planning Commission under the standards controlling SPECIAL LAND USES as well as the standards contained in this Site Plan Review Section.

7.03 SKETCH PLAN REVIEW

Preliminary sketches of proposed site and development plans shall be submitted for review to the Township Planning Commission prior to final approval. The purpose of such procedure is to allow discussion between a developer and the Township Planning Commission to better inform the developer of the acceptability of his proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval. Such sketch plans shall include as a minimum the following:

- A. The name and address of the applicant or developer, including the names and addresses of any officers of a corporation or partners of a partnership;
- B. A legal description of the property; and

- C. Sketch plans, drawn to scale, showing tentative site and development plans.

The Planning Commission shall not be bound by any tentative approval given at this time.

7.04 APPLICATION PROCEDURE

Requests for final site plan review shall be made by filing the following with the Township Clerk:

- A. A review fee as determined by resolution of the township Board based upon the cost of processing the review and as shall be on file with the township clerk for public information.
- B. Seven (7) copies of the completed application form for site plan review which shall contain as a minimum the following:
 - 1. The name and address of applicant
 - 2. The legal description of the subject parcel of land.
- C. The area of the subject parcel of land stated in acres or if less than an acre in square feet.
- D. The present zoning classification of the subject parcel.
- E. A general description of the proposed development.

7.05 CONTENTS OF PROPOSED SITE PLAN

Seven (7) copies of the proposed site plan which shall include as a minimum, the following:

- A. A scale drawing of the site and proposed development thereon, including the date, name and address of the preparer;
- B. The topography of the site and its relationship to adjoining land
- C. Existing man-made features;
- D. Dimensions of setbacks, locations, heights and size of structures and other important features;
- E. Percentage of land covered by buildings and that reserved for open space;
- F. Dwelling unit density where pertinent;
- G. Location of public and private rights-of-way and easements contiguous to and within the proposed development which are planned to be continued, created, relocated, or abandoned, including grades and types of drainage, sanitary sewers, storm sewers, and other facilities;
- H. Fences;

- I. Landscaping;
- J. Screening;
- K. Proposed earth changes;
- L. Environmental impact of the project;
- M. Signs and on-site illumination;
- N. All access points adjoining public roads or highwaysO. And any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be demanded by the Township Zoning Administrator or Designee and/or the Township Planning Commission.

7.06 ACTION ON APPLICATION AND PLANS

Upon receipt and review of the completed application and plans, the Township Zoning Administrator or Designee shall record the date of the receipt thereof and transmit five (5) copies thereof to the Chairman of the Township Planning Commission:

- A. In the event that the application is incomplete, the Township Zoning Administrator or Designee shall send a letter to the applicant setting forth the deficiencies. If the application is incomplete, the Chairman of the Township Administrator may deny the application as incomplete.
- B. A hearing shall be scheduled by the Chairman of the Township Planning Commission for a review of the application and plans as well as the recommendations of the Zoning Administrator or Designee with regard thereto. Members of the Township Planning Commission shall be delivered copies of the same prior to the hearing for their preliminary information and study. The hearing shall be scheduled within not more than 45 days following the date of the receipt of the complete plans and application by the Zoning Administrator or Designee.
- C. The applicant shall be notified of the date, time and place of the hearing on his application not less than three (3) DAYS PRIOR TO SUCH DATE.
- D. Following the hearing, the Township Planning Commission shall have the authority to approve, disapprove, or approve, with conditions, in accordance with the purpose of the site plan review provisions of the Township Zoning Ordinance and criteria therein contained. Any required modification or alternation shall be stated in writing, together with the reasons therefore, and delivered to the applicant. The Township Planning Commission may either approve the plans contingent upon the required alterations or modifications, if any, or may require a further review after the same have been included in the proposed plans for

the applicant. The decision of the Township Planning Commission shall be made by said Commission within 10 days of the receipt of the application by the Township Clerk.

- E. Two copies of the approved final site plan with any required modifications thereon shall be maintained as part of the Township Records for future review and enforcement. One copy shall be returned to the applicant. Each copy shall be signed and dated with the date of approval by the Chairman of the Planning Commission for identification of the finally approved plans. If any variances from the zoning Ordinance have been obtained from the board of appeals, the minutes concerning the variance, duly signed, shall also be filed with the Township Records as a part of the site plan and delivered to the applicant for his information and directions.

7.07 CRITERIA FOR REVIEW

In reviewing the application and site plan and approving, disapproving or modifying the same, the Township Planning Commission shall be governed by the following standards:

- A. That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrances and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic. MDOT Access Management techniques shall be applied as part of the review.
- B. That the buildings, structures and entryways thereto proposed to be located upon the premises are so situated and designed as to minimize adverse effects there from upon owners and occupants of adjacent properties and the neighborhood.
- C. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.
- D. That any adverse effects of the proposed development and activities emanating therefrom upon adjoining residents or owners shall be minimized by appropriate screening, fencing or landscaping.
- E. That all provision of the Township Zoning Ordinance are complied with unless an appropriate variance therefrom has been granted by the Township Planning Commission or Township Planning Commission.
- F. That all buildings and structures are accessible to emergency vehicles.
- G. That the proposed site plan is consistent with the Township Master Plan.

7.08 CONFORMITY OF APPROVED SITE PLAN

Property which is the subject of the site plan approval shall be developed in strict compliance with the approved site plan and any amendments thereto which have received the approval of the Township Planning Commission. If construction and development does not conform with such approved plan, and after notice has been given and a hearing held, the approval thereof shall be forthwith revoked by the Township Zoning Administrator or Designee by written notice of such revocation posed upon the premises involved and mailed to the developer at his last known address. Upon revocation of such approval, all further construction activities shall cease upon the site, other than for the purpose of correcting the violations. However, the Township Planning Commission may, upon proposed application of the developer and after a hearing, approve a modification in the site plan to coincide with the developer's construction provided such construction complies with the criteria contained in the site plan approval provision and with the spirit, purpose and intent of the Township Zoning Ordinance.

Approval of the site plan shall be valid for a period of one year after the date of approval. If a building permit has not been obtained on an-site development actually commenced within said one year, the site plan approval shall become void and a new application for site plan approval shall be required and new approval shall be required and obtained before any construction or earth change is commenced upon the site. Violation of this section is a civil infraction.

7.09 AMENDMENT TO SITE PLAN

Amendments to an approved site plan shall be permitted only under the following circumstances:

- a. The owner of property for which a site plan has been approved shall notify the Zoning Administrator or Designee of any desired change to the approved site plan. Minor changes may be approved by the Zoning Administrator or Designee upon determining that the proposed revision(s) will not alter the basic design and character of the site plan, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 1. Reduction of the size of any building and/or sign.
 2. Movement of buildings and/or signs by no more than ten (10) feet.
 3. Landscaping approved in the site plan that is replaced by similar landscaping to an equal or greater extent.
 4. Changes in floor plans that do not exceed five (5%) percent of the total floor area and which do not alter the character of the development or increase the amount of required parking.
 5. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.

6. Changes related to items (1) through (5) above, required or requested by the Township, the County, or other state or federal regulatory agencies in order to conform with other laws or regulations; provided the extent of such changes does not alter the basic design and character of the site plan, nor any specified conditions imposed as part of the original approval.
 7. All amendments to a site plan approved by the Zoning Administrator or Designee shall be in writing. After approval by the Zoning Administrator or Designee, the Applicant shall prepare a revised site plan showing the approved amendment. The revised site plan shall contain a list of all approved amendments and a place for the Zoning Administrator or Designee to sign and date all approved amendments.
- b. An amendment to an approved site plan that cannot be processed by the Zoning Administrator or Designee under subsection (a) above shall be processed in the same manner as the original site plan application.

ARTICLE VIII

SPECIAL LAND USES

SECTION 1 INTRODUCTION

8.01 SPECIAL LAND USES

Zoning has traditionally regulated the uses of land and of structures by assigning such uses to one or more land use districts. With the increasing size and complexity of development projects being proposed and carried out, new and more flexible procedures have had to be worked out to meet the needs of the developer and at the same time to more effectively protect the environment and the interest of the community. Article XI, Special Land Use Permits, affords such procedures, as provided in the 1979 amendments to the Township Rural Zoning Act, PA 184 of 1943.

8.02 DEFINITION

A special use is a use having greater than usual impact on the environment, the community and/or the neighboring property holders. Plans for development for a special use are presented at a public hearing, reviewed by the Planning Commission and reviewed by all affected government agencies. The Planning Commission recommends Approval or Denial of a Special Land Use Permit.

8.03 INTENT

It is the intent and purpose of this Article to provide a set of procedures and standards for the granting of special land use permits in each of the districts in which SPECIAL LAND USES are identified, at all times maintaining provisions for the protection of the health, safety, convenience and general welfare of the Township's residents. Because of the complexity and unique characteristics of many special uses, this

Article shall provide for detailed review giving particular consideration to the welfare of adjacent lots and to the potential impact on the environment and on the community as a whole. In addition to approving a special land use permit, a final site plan must also be approved.

8.04 PRE-EXISTING USE

Any existing use actually undertaken, which is permissible by right in the district, shall continue as a permissible use even if that use is later designated a special use. Any expansion of the original permissible use, later designated special, must proceed through the special use process for approval.

8.05 REVIEWING AUTHORITY

All applications for special land use permits shall be considered by the Planning Commission. The Commission shall have a quorum to consider a special land use application, and shall require a majority of the full Commission to recommend approval or denial of the special land use permit. The Commission's recommendation shall be forwarded to the Township Board for approval or denial.

8.06 ELIGIBILITY

Only those SPECIAL LAND USES and activities specifically set forth, as eligible for consideration in the particular zoning district in which they are to be located, may be considered for a special land use permit.

8.07 PRE-APPLICATION CONFERENCE

An applicant may request an informal conference to discuss a proposed preliminary site plan, or to assess the feasibility of a project. The request may be put on the agenda of a scheduled meeting of the Commission. If the applicant wishes to avoid premature publicity, he may request a meeting upon payment of an established fee. The Chairman of the Commission shall appoint the committee, which shall not include a quorum of the Commission and which may include board members, a member of the Zoning Board of Appeals, or whoever he/she finds qualified and appropriate.

8.08 APPLICATION AND FEE

All applications for a special land use permit shall be submitted to the Planning Commission through the Township Clerk on a form available from the Township Clerk. The application shall provide eight (8) copies of the application together with all accompanying data. Each application shall be made by the owner(s) of record of the property on which the proposed land use is to exist or be conducted, and shall be accompanied by the payment of a fee as set forth in the schedule established by the Township Board to cover the costs of processing the application and of site plan review. No part of any fee shall be refunded, even in the event of withdrawal of the application.

8.09 COPIES TO OTHER AGENCIES

The applicant shall submit a copy of the application and two (2) copies of the site plan to each of the following agencies: County Road Commission, County Drain Commissioner, District Health Department, County Soil Erosion Control Officer, Township Fire Department and the County Building Department. Upon delivery of the application and site plans, the applicant shall obtain a receipt from each agency as proof of delivery, or a stamped, signed site plan indicating no comment.

8.10 NOTIFICATION OF THE DNR

If the application shows any wetland areas on the site plan or on a required map showing creeks, streams, lakes, ponds, or wetland areas within one thousand five hundred (1,500) feet of the property in question, the Secretary of the Commission shall send the Department of Natural Resources a notice of any meetings and/or hearings, with copies of the application, the site plan, the maps submitted, and any other pertinent material; and the DNR shall be asked to express any concerns they may have. This does not relieve the applicant of any responsibility to obtain a wetlands permit from the DNR.

8.11 DATA REQUIRED

A. All applications for Special Land Use Permits are subject to SITE PLAN REVIEW, and the following information is necessary:

1. A detailed description of the proposed special use for which the permit is requested, and the title of the project.
2. Project completion schedule/development phases.

B. The following additional information shall accompany the application:

1. A site plan drawn at a minimum scale of one inch equals fifty feet (1" = 50'), sufficient to show the lot/lots on which the proposed special use is to exist or be conducted, including soils, natural features, vegetation and topography; location of all internal and abutting streets and roads, and parking areas; existing buildings and structures if any, and the proposed location of buildings and structures to be constructed or used as part of the proposed special use; location of onsite sources of water, lagoons and other sewer plans; utility lines and pipes.
2. Site plans for large scale projects may not be feasible for review at a scale of 1" = 50'. In these cases, a site plan drawn at a smaller scale may be submitted with Planning Commission approval.

3. A statement which may be included in the site plan, setting forth the height of existing and of proposed structures, as well as the total acreage of the property involved.

8.12 PROCEDURE UPON RECEIPT OF APPLICATION

Upon receipt of a special land use application which is supported by the data required above, the application shall be put on the agenda for the earliest Commission meeting practicable, for preliminary consideration. The Township Clerk shall see that notices are published and mailed to neighbors.

8.13 CONDITIONS AND SAFEGUARDS

Additional conditions and safeguards may be imposed by the Commission if reasonable, and necessary to protect the natural environment or to conserve natural resources or energy, to ensure compatibility with adjacent uses of land, to promote the use of the land in a socially and economically desirable manner, and to ensure that public serves and facilities affected by the proposed land use or activity will be capable of accommodating the increased activity.

Any conditions so imposed shall meet the following requirements:

- A. Be designated to protect natural resources, including but not limited to modification of setback requirements and limitations on the area to be developed.
- B. Be designed to protect the health, safety, welfare, social and economic well-being of those who will be using the proposed special land use or activity under construction.
- C. Be designed to protect Township residents, and lot owners adjoining the proposed special land use or activity, including but not limited to requirements such as screening, or the erection of natural or artificial barriers, or limitations on the time of day during which construction may occur, or during which special use activities may be carried on.
- D. Be necessary to meet the intent and purposes of this Ordinance, and be related to the standards established for the land use activity under consideration, and be necessary to ensure compliance with those standards.
- E. Be necessary to ensure compliance with any part of the application received and approved by the Commission.
- F. Be recorded as part of the special land use permit.

8.14 PUBLIC HEARINGS

Following preliminary consideration, if the Commission is satisfied with the data submitted, or promised, the Commission shall set a date for a public hearing on the special land use application. A notice of the hearing shall be published, and mailed to the applicant and to the adjoining residents and property owners, as was done for the preliminary consideration upon receipt of the application. Subsequent meetings shall require only a published notice.

8.15 VARIANCES

Where the applicant is dependent upon the grant of any dimensional variances by the Zoning Board of Appeals, said favorable action by the Zoning Board of Appeals is necessary before a special land use permit is granted and final site plan approval given. An approved site plan shall include a note referencing the case number and date of all variances granted.

8.16 REAPPLICATION

No application for a special land use permit which has been denied wholly or in part by the Commission, shall be resubmitted until the expiration of one hundred and twenty (120) days from the date of denial, except on grounds of newly discovered evidence or proof of changed conditions. Where the Zoning Board of Appeals has considered a variance pursuant to Section 15, the one hundred and twenty (120) days shall be calculated from the date on which the Zoning Board of Appeals took action.

8.17 BINDING EFFECT

Any special land use permit approved by the Commission pursuant to the provisions of this Ordinance shall be binding between the parties, and said use shall not be substantially modified, altered,, expanded or otherwise changed, unless the developer reapplies for a special land use permit and repeats the process outlined in this Article. Further, such conditions shall run with the land, and be binding on the land owner, his successor, heirs and assigns.

8.18 INSPECTIONS

The County Building Department shall be responsible for the inspection of all improvements for conformance to the approved final site plan. All sub grade improvements, such as utilities, sub base and base installations for streets, drives and parking lots, and similar improvements shall be inspected by the Board or other appropriate official, and approved before covering. But it is the responsibility of the applicant to request such necessary inspections at the appropriate times. The Board shall make a report on the progress being made. The Board shall notify applicant, in writing, of any failure to meet the requirements of the site plan and special use permit, and report on steps being taken to ensure compliance. The fee schedule established by the Township Board shall include special fees to cover large and complex projects, reflecting the costs to the Township of such repeated inspections.

8.19 STANDARDS FOR SPECIAL LAND USES

The following standards apply to the special land uses permitted by special approval of the Special Land Use Ordinance. The regulations and standards contained in this Article shall be applied in addition to any other applicable standard or regulation contained elsewhere in this Ordinance unless specifically noted otherwise. The Special Land Use Ordinance includes general standards applicable to all special land uses. These sections include standards which are applicable to specific special land uses as designated.

NURSING HOMES

A. The following site and developmental requirements shall apply:

1. All ingress and egress for the site shall be from a paved minor or major thoroughfare.
2. No building shall be closer than fifty (50) feet to any lot line.

B. Special Performance standards:

1. Parking areas shall not be located within fifty (50) feet of a residential district or use.
2. All facilities shall be licensed by the Michigan Department of Public Health and shall conform to applicable state and federal laws.

AUTOMOBILE SERVICE AND REPAIR STATIONS

A. The following site and developmental requirements shall apply:

1. The site shall be no less than two hundred (200) feet from any place of public assembly, including any hospital, sanitarium, school, church or other institution. Measurement shall be the closest distance between exterior lot lines.
2. All undergrounds storage tanks shall be three hundred (300) feet from any residential well and two thousand (2,000) feet from any public water well.
3. Ingress and egress to the facility shall be only from a paved major or minor thoroughfare.
4. No more than two (2) driveways onto a roadway shall be permitted per site. Driveway approach width shall not exceed thirty-five (35) feet.
5. All gasoline pumps shall be located not less than fifteen (15) feet from any lot line or within thirty (30) feet from the street right-of-way and shall be arranged so that motor vehicles using them will not be parked on or overhanging any public sidewalk or street right-of-way.
6. The entire area used for vehicle service shall be paved and adequately drained.

B. Special Performance Standards:

1. Hydraulic hoists, service pits, lubricating, greasing, washing, and repair equipment and operations shall be located within a completely enclosed structure.

2. Vehicles rendered inoperative for any reason, and vehicles without current license plates, and registration, shall not be maintained on the property for more than thirty (30) days. Such vehicles shall not be parked or stored in a front or side yard.
3. A car wash may be established as part of the principal structure or as a separate structure but shall conform to all setback requirements for a principal structure.

BED AND BREAKFAST

A. The following site and developmental requirements shall apply:

1. No bed and breakfast use shall be permitted within a platted subdivision or condominium development, or on any property where there exists more than one (1) other bed and breakfast use within one thousand (1,000) feet, measured between the closest lot lines.
2. One (1) parking space per room to be rented shall be provided on site, in addition to the parking required for a single family dwelling. Parking shall be arranged so as not to pose negative impacts on adjacent properties or necessitate on-street parking.

ADULT FOSTER CARE FACILITY, GROUP HOME

A. The following site and developmental requirements shall apply:

1. A state licensed adult foster care group home shall not be located within fifteen hundred (1,500) feet of another similar state licensed facility.

B. Special Performance Standards:

1. One (1) on-site parking space shall be provided for each employee in addition to the parking required for the dwelling unit. The driveway may be used for this purpose.
2. Adult foster care property, including landscape and structural elements, shall be maintained in a manner that is consistent with the residential character of the neighborhood.
3. Adult foster care group homes serving twelve (12) or more individuals shall provide a loading/unloading area of adequate dimensions near a barrier-free entrance to the facility for persons, and provide a loading/unloading area of adequate dimensions for delivery vehicles servicing the facility.

DRIVE-IN ESTABLISHMENTS

A. The following site and developmental requirements shall apply:

1. All egress and ingress to the site shall be from a paved major or minor thoroughfare.

B. Special Performance Standards:

1. The outdoor space used for parking and vehicular stacking shall be hard surfaced.
2. No driveway shall be closer than seventy-five (75) feet to any other driveway and the maximum number of driveways permitted is two (2).

DAY CARE FACILITY, GROUP HOME

A. The following site and developmental requirements shall apply:

1. A group day care home shall not be located closer than one thousand, five hundred (1,500) feet to any of the following facilities, as measured along a street, road, or other public thoroughfare, excluding an alley:
 - a. Another licensed group day care home.
 - b. An adult foster care large group home licensed by the State of Michigan.
 - c. A facility offering substance abuse treatment and rehabilitation services to seven (7) or more people, which is licensed by the State of Michigan.
 - d. A community correction center, resident home, halfway house or other similar facility, which houses an inmate population under the jurisdiction of the Department of Corrections.

B. Special Performance Standards:

1. All outdoor play areas shall be enclosed with fencing, a minimum of four (4) feet high.
2. The property, including landscape and structural elements, shall be maintained in a manner that is consistent with the character of the neighborhood. The front yard shall not be the location of play equipment, except on a corner lot.
3. One identification sign shall be permitted. Such sign face shall not be greater than two (2) square feet, shall be mounted flush to a wall, made of a material that is compatible with the dwelling unit, and shall not be illuminated. Sign text shall be limited to the name of the facility and an address.
4. At least one (1) off-street parking space shall be provided for each non-family employee of the group day care home in addition to the parking normally required for the residence. A driveway may be used for this purpose. An off-street drop-off area is to be provided with the capability to accommodate at least two (2) automobiles in addition to the parking required for non-family employees of the dwelling and the parking normally required for the residence.
5. Hours of operation shall not exceed sixteen (16) hours in a twenty-four (24) hour period.

MINI STORAGE FACILITIES

A. The following site and developmental requirements shall apply:

1. The facility shall have direct access to a paved minor or major thoroughfare.
2. The minimum lot or parcel size shall be five (5) acres.

3. One (1) parking space shall be provided for each twenty (20) rental units within the buildings, and one (1) parking space shall be provided for each employee.
4. There shall be a minimum of thirty-five (35) feet (forty-five (45) feet if the driveway is two-way) between warehouses for driveway, parking and fire lane purposes. Where no parking is provided within the building separation areas, said building separation need only be twenty-five (25) feet. Traffic direction and parking shall be designated by signaling or painting.
5. The lot area used for parking and access shall be graded and drained so as to dispose of all surface water. This provision shall not apply to outdoor storage areas.

B. Special Performance Standards:

1. No retail, wholesale, fabrication, manufacturing, or service activities may be conducted from the storage units by the lessees.
2. No more than three thousand, six hundred (3,600) square feet in total area shall be occupied or used by any single tenant.
3. Storage spaces shall not contain more than 400 square feet each.
4. Storage of goods shall be limited to personal property with no commercial distribution allowed.
5. Outdoor storage shall be limited to motor vehicles including watercraft. All outdoor storage areas shall be within a rear yard, conform to setbacks for principal buildings, and be screened from public roads and adjacent properties.
6. The exterior of mini-storage buildings shall be of finished quality and maintained so as not to be offensive to adjacent property or abutting streets.
7. No storage of hazardous, toxic, or explosive materials shall be permitted at the facility. Signs shall be posted at the facility describing such limitations.

OPEN AIR BUSINESSES

A. The following site and developmental requirements shall apply:

1. All buildings and areas used for loading and unloading shall be set back a minimum of fifty (50) feet from any lot line.
2. Storage yards associated with home and garden centers, lumber yards and nurseries shall be completely obscured from view from public streets.

B. Special Performance Standards:

PUBLIC FACILITIES

A. The following site and developmental requirements shall apply:

1. No building or outdoor storage area shall be closer than ten (10) feet to any property or street right-of-way line.
2. Facilities shall provide off-street parking and passenger loading areas at least twenty-five (25) feet from residential lot lines.
3. All parking areas shall be surfaced or so treated as to prevent any dust nuisance.

4. All sports fields shall be a minimum of one hundred (100) feet from any lot line and two hundred (200) feet from any dwelling.

B. Special Performance Standards:

1. All buildings shall be harmonious in appearance with the surrounding area.

JUNKYARDS

A. The following site and developmental requirements shall apply:

1. The minimum lot or parcel size for junkyards shall be ten (10) acres.
2. Ingress and egress to the facility shall be only from a paved major thoroughfare. The Planning Commission may approve access to a minor thoroughfare, if the Commission finds that such access point will further minimize impact on other properties.
3. All activities shall be enclosed by a wall, fence, or berm, including any: storage of materials; stockpiling of materials; disassembly of materials, parts and vehicles; and the storage or parking of all operative and inoperative vehicles. There shall be no stocking of material above the height of the fence, wall, or berm, except that moveable equipment used on the site may exceed that height. NO equipment, material, signs or lighting shall be used or stored outside the enclosed area.
4. No portion of the enclosed area shall be located within one hundred (100) feet of a lot line nor within two hundred (200) feet of residentially zoned properties, schools, day care facilities, churches, hospitals and convalescent or nursing homes.
5. Adequate parking and unloading facilities shall be provided at the site so that no loaded vehicle at any time stand on a public right-of-way awaiting entrance to the site.
6. A solid fence, wall or earthen berm at least eight (8) feet in height shall be provided around all sides of the enclosed area and suitably landscaped. Such fence, wall or berm, shall be of sound construction, painted or otherwise finished neatly and inconspicuously. Such fence, wall or berm shall be of permanent finish and construction.

B. Special Performance Standards:

1. No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing or packaging shall be conducted within a completely enclosed building.
2. All roads, driveways, parking lots, and loading and unloading areas within any junk yard shall be paved, watered, or chemically treated so as to limit the nuisance caused by wind-borne dust on adjoining lots and public roads.
3. The operation shall be licensed by the Michigan Secretary of State, if it handles vehicles or vehicle parts.

4. Any materials listed on the Michigan Critical Materials Register (gasoline and solvents) require secondary containment and a Pollution Incident Protection Plan filed with the Michigan Department of Natural Resources.
5. Hours of operation shall not exceed 7:00 a.m. to 6:00 p.m., Monday through Friday, and 7:00 a.m., to 12:00 noon on Saturdays.

GOLF COURSES AND COUNTRY CLUBS

A. The following site and developmental requirements shall apply:

1. The site shall be located on a paved minor or major thoroughfare.
2. The lot shall have a minimum width and frontage of six hundred (600) feet and a minimum area of eighty (80) acres for a nine hole golf course and one hundred sixty (160) acres for an eighteen (18) hole course.
3. No parking areas shall be located within seventy-five (75) feet of a property line.
4. There may be a maximum of two (2) identification signs. Each sign may have a maximum area of thirty (30) square feet. Both signs may be lighted but not be internally.
5. A fifty (50) foot minimum buffer zone between turf areas and natural water bodies, watercourses or wetlands must be maintained, as part of a golf course. The buffer zone may be selectively pruned or thinned, and weeds and dead plant material may be removed. However, the buffer must consist of natural vegetation and shall not be chemically treated.

B. Special Performance Standards:

1. Accessory uses may include: clubhouse/pro shop, managerial facilities, maintenance shed, toilets, lockers, standard restaurant and drinking establishments, tennis, racket sport and swimming facilities.
2. The clubhouse design is to be of a residential character and exterior materials are to be primarily wood or brick.
3. Major accessory uses such as a standard restaurant and bar shall be housed in a single building with the club house. Minor accessory uses strictly related to the operation of the golf course itself, such as maintenance garage and pro shop or golf shop may be located in separate structures.
4. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet from any lot line.
5. All parking areas shall be surfaced or so treated as to prevent any dust nuisance.
6. All principal or accessory buildings and parking areas shall be not less than two hundred (200) feet from any lot line.
7. The total lot area covered with principal and accessory buildings shall not exceed five percent (5%).
8. A golf driving range accessory to the principal use of the golf course is permitted provided the area devoted to this use shall maintain a seventy-five (75) feet front yard and a one hundred (100) foot side and rear yard setback. The area shall be buffered by natural vegetation and

fencing to minimize the impact upon adjoining properties. In the consideration of golf driving ranges additional buffering conditions necessary to minimize the impact of possible safety threats from projectiles upon adjacent land uses may be imposed by the Board.

DRIVING RANGE AND MINIATURE GOLF/PUTT PUTT

A. The following site and developmental requirements shall apply:

1. The site shall be located on a paved minor or major thoroughfare.
2. The lot shall have a minimum width and frontage of three hundred thirty (330) feet and a minimum area of ten (10) acres, except that a lot used for miniature golf without a driving range need only be three (3) acres in area and two hundred (200) feet in width and frontage.
3. No buildings or parking areas shall be located within seventy-five (75) feet of a property line.

B. Special Performance Standards:

1. The area devoted to a driving range shall maintain a seventy-five (75) foot front yard and a one hundred (100) foot side and rear yard setback. The area shall be buffered by vegetation and fencing to minimize the impact upon adjoining properties. In the consideration of golf driving ranges, additional buffering conditions necessary to minimize the impact of possible safety threats from projectiles upon adjacent land uses may be imposed by the Board.
2. No temporary sanitary facility or trash receptacle shall be located within two hundred (200) feet of an existing dwelling.
3. All sanitary facilities shall be designed and constructed in strict conformance with County and State Health Department regulations.
4. Operating hours shall be determined by the Planning Commission based on the nature of the use and the nuisance potential to adjoining property owners. The maximum range of hours is Monday through Sunday from 7:00 a.m. to 10:00 p.m., and may be prohibited on legal holidays.

ADULT RELATED BUSINESSES

A. Purpose: The provisions of this Section were created with the understanding that Soo Township acknowledged that there are some uses which, because of their very nature, have serious objectionable impacts when concentrated in location and cause deleterious effects upon adjacent residential and commercial use areas. The Township recognized that regulation of adult related businesses is necessary to insure that adverse effects will not contribute to the blighting or downgrading of surrounding residential neighborhoods and retail areas.

B. Definitions

1. Adult Related Business: Any business, club or organization where one or more persons display "*specified anatomical areas*" or engage in "*specified sexual activities*" as defined in this Section, either in person or by photographs, motion picture, television or other type of image.

This definition includes the following, as defined by this Section: “*adult bookstore*”, “*adult theater*”, “*massage parlor*”, “*public bath*” and “*taxi dance hall*”.

2. **Adult Bookstore:** An establishment having as a substantial or significant portion of its stock and trade, books, magazines, periodicals, video tapes, photographs, or motion picture films, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “*specified sexual activities*” or “*specified anatomical areas*”, as defined by this Section, or an establishment with a segment or section devoted to the sale or display of such material.
3. **Adult Theater:** Any establishment presenting material or activity distinguished or characterized by an emphasis on matter depicting, describing or relating “*specified sexual activities*” or “*specified anatomical areas*”, as defined by this Section, for observation by patrons or customers.
4. **Massage Parlor:** An establishment in which a substantial or significant portion of the business conducted involved the administration of non-therapeutic massage, erotic touching, or fondling of such body areas, as human genitals, pubic region, buttock or breasts. The term “*massage parlor*” does not include medical or therapeutic massage services or any state licensed practitioners or medical or related services such as chiropractors or physical therapists.
5. **Public Bath:** An establishment providing common bathing facilities or hot tubs for use for a fee. Shower facilities, swimming pools, saunas and similar facilities intended as accessory uses in a school, health club, motel or similar facility are no “*public baths*”.
6. **Specified Anatomical Areas:** Human genitals, pubic regions, buttock or any portion of the female breast below a point immediately above the top of the areola, when less than completely and opaquely covered, in addition to human genitals in a discernible turgid state, even if completely and opaquely covered.
7. **Specified Sexual Activities:** Human genitals in a state of stimulation or arousal; acts of human or animal masturbation, sexual intercourse (homosexual or heterosexual), or sodomy; fondling of or erotic touching of human genitals, pubic region, buttock or female breast; bestiality; fellatio or cunnilingus; sadomasochistic abuse; and human excretory functions.
8. **Taxi Dance Hall:** An establishment which provides dance partners for one or more dances as the direct or indirect result of payment of a fee.

C. The following site and developmental requirements shall apply:

1. No adult related business shall be established on any premises where there exists more than one (1) other adult related business within one thousand (1,000) feet, measured between the closest property line.
2. The property on which an adult related business is located shall be situated at least five hundred (500) feet from a residential zoning district, church, or school, as measured between the closes property lines.

D. Special Performance Standards:

1. Adult related businesses shall not be located within a building in which one (1) or more dwelling units are located.
2. Activities conducted within buildings housing the aforementioned uses shall be shielded in such a manner that no person outside the building can see said activities, provided however that such shielding shall not consist of a curtain alone, shall not obstruct the exit sign or directional or instructional signs regarding emergency egress, nor be constructed in such a way as to block an exit.

EXTRACTION OPERATIONS

A. The following site and developmental requirements shall apply:

1. Minimum lot area shall be forty (40) acres and the minimum lot width and frontage shall be six hundred (600) feet.
2. Notwithstanding any other minimum setbacks required by this Ordinance, extraction activities shall be set back a minimum of one hundred (100) feet from all lot lines and any watercourse or wetland. All permitted buildings, structures and stationary equipment associated with extraction activities shall be located a minimum of three hundred (300) feet from all lot lines.
3. A perimeter landscape buffer zone (which may consist of naturally occurring vegetation) shall be provided, a at minimum, of fifty (50) feet in width.

B. Special Performance Standards:

1. Public streets within one thousand, five hundred (1,500) feet of the exit of the extractive use site shall be kept clear of mud, dirt and debris from vehicles exiting the site.
2. No operation shall be conducted in a manner so as to raise or lower the water table on surrounding properties except as may be authorized by a Department of Natural Resources permit.
3. If, in the opinion of the Planning Commission, any extractive use operation might present a dangerous condition, if left unprotected, the area involved in the use shall be enclosed by a chain link or similar fence of a minimum of eight (8) feet in height.
4. Topsoil stockpiles shall be seeded or covered to prevent wind and water erosion.
5. All extraction activities shall use measures to substantially reduce the potential for erosion and limit the amount of sediment reaching surface waters.
6. Disturbed area shall be graded in a fashion which will not cause water to accumulate in stagnant pools.
7. Trees and other vegetation or ground cover shall not be prematurely stripped off the surface of the ground so as to unnecessarily expose areas of ground that are prone to wind or water erosion that will cause ground or dust to be carried by wind or water onto adjoining or surrounding properties, or onto public or private roads, or to create a nuisance.

8. Air pollution, noise and vibrations shall be minimized from any effect upon adjacent properties by adequate soundproofed equipment and buildings designed to accomplish such minimization and by the proper use of berms, walls, and natural planting screens.
9. The hours of operation shall be set by the Planning Commission after consideration of the surrounding land uses and the particular traffic patterns on public haul routes in the area. The maximum range of hours is Monday through Friday from 7:00 a.m. to 6:00 p.m. and from 7:00 a.m., to 12:00 p.m. (noon) on Saturday, and shall be prohibited on legal holidays and Sundays. The Board may provide temporary exemptions from house of operation for a public emergency or for an operator who must repair equipment that does not require the operation of a motor for such repairs.
10. Incoming and outgoing truck and heavy vehicle traffic related to extraction operations shall be limited to those thoroughfares, as designated as haul routes in the approved site plan. The applicant shall submit to the Board, a letter from the Chippewa County Road Commission regarding the Road Commission's comments on the proposed haul routes.
11. Equipment or machinery for the operations on the premises shall not be permitted unless specifically applied for in the application and covered by the permit issued.
12. All reclamation activities shall be initiated at the earliest possible date. Reclamation of the site concurrent with extraction activities shall be undertaken to the extent that the reclamation activities will not interfere with the excavating activity or if the excavating activity will not damage the reclaimed areas. However, no extraction work can extend more than ten (10) acres in area until reclamation of all previously excavated areas is satisfactory completed or underway. Excavated areas shall be reclaimed pursuant to a phasing plan approved by the Planning Commission and shall comply with the following standards.
 - a. Vegetation shall be restored by the appropriate application of topsoil and seeding of grasses, and/or the planting of trees and shrubs, to establish a permanent vegetative cover on the land surface to minimize erosion.
 - b. When extraction operations are completed, the excavated area shall be graded so that no gradients in disturbed earth are steeper than a slope of 4:1 (horizontal-vertical).
 - c. Extraction which has created or extended lakes, ponds or other bodies of water shall meet standards and specification (particularly with respect to underwater slopes and drop-offs) promulgated by the U.S. Department of Agriculture, Natural Resource Conservation Service, and shall be approved by that agency.
 - d. Where extraction operations result in a body of water, the owner or operator shall place appropriate "Keep Out – Danger" signs around said premises not more than one hundred, fifty (150 feet apart.
 - e. Backfill and grading materials shall not be noxious, flammable or toxic, and subject to review and approval.
 - f. Fill and soils shall not be overly compacted and be of sufficient quality to be well drained, non-swelling. If the re-use plan involves development of dwellings or other buildings, fill and soils shall be of property bearing capacity to support foundations and septic systems.

g. All temporary structures shall be removed from the premises upon completion of the extraction activity unless said structures are of sound construction and are compatible with the reclamation goals. Said structures shall be accurately depicted upon the approved reclamation plan.

h. If the re-use plan involves a recreational or wildlife facility, reclamation plans shall be reviewed by recreation, fisheries and wildlife specialists in the Michigan Department of Natural Resources.

13. The excavator shall be required to post an acceptable performance bond pursuant to this Ordinance in the amount up to one hundred (100) percent of the estimated reclamation costs for each ten (10) acres of land to be disturbed or excavated or fraction thereof. Extraction activities shall not be initiated on any location of the site until such performance bond has been posted for that area of the site.

C. Additional Application Materials to be Submitted for Special Land Use Review. In addition to the data requirements of this Ordinance, each application shall be accompanied by plans, drawings, and information prepared by appropriate registered professionals depicting, at a minimum:

1. Name and address of surface owner and/or mineral rights owner of land from which extraction activities will take place.
2. Name, address and telephone number of operator (person, firm or corporation who will be conducting the actual extraction).
3. Location, size and legal description of the total site area to be excavated. Include legend showing a north point scale and date.
4. Location, width and grade of all easements or rights-of-way on or abutting the area subject to extraction.
5. A statement from the applicant identifying all other federal, state and local permits required, if any.
6. Proof of liability insurance from the operator.
7. Notification of any deed restrictions on the property.
8. Provisions for buffer zone, landscaping and screening.
9. Existing and proposed topography at two (2) foot contour intervals. Such topography shall extend a minimum of one hundred, fifty (150) feet beyond the top of the bank of extraction.
10. A hydro-geologic report of the proposed extraction site. Such a report shall, at a minimum, provide:
 - a. A detailed description of subsurface conditions.
 - b. Depth of water table throughout the planned extraction area.
 - c. A map depicting the thickness and depths of material to be excavated.
 - d. A discussion of the environmental impacts of the proposed extraction, including but not limited to the impact of the proposed extraction upon existing area wells.
 - e. A recommendation of the necessity to install monitoring wells.
11. A discussion of the proposed method of extraction, including:
 - a. The area and amount of material to be excavated in cubic yards.

- b. Proposed side slopes and depths for all portions of the excavated area.
 - c. Proposed drainage system, settling ponds and retention ponds, as appropriate.
 - d. The time, duration, phasing and proposed work schedule of the total project.
 - e. The proposed location of any buildings, storage areas, stockpiling areas, and sorting or crushing equipment, as appropriate.
 - f. Area from which extraction will take place in the first year of operation and likewise for each successive year to completion.
12. The proposed location of access points to the site and proposed haul routes from disposal of excavated material.
13. Proposed plans for fencing, and signs.
14. A detailed reclamation plan, drawn to an acceptable scale, and program to be performed upon completion of each phase of the project. At a minimum, the plan of reclamation shall include:
- a. Physical descriptions of the location of each phase of the extraction activities, the number of acres included in each phase, and the estimated length of time to complete each phase. No phase shall be more than twenty (20) acres in area.
 - b. Depiction of finished, stabilized, side slopes, including methods and plat materials proposed for use.
 - c. Landscape plan for the portion of the property disturbed by extraction and associated activities, including an inventory of plant/tree species to be used.
 - d. A re-use plan for the site once extraction is complete.
15. Site plan and associated background reports shall document the method of compliance with the performance standards of this section.

D. Other conditions: The conditions of a Zoning Permit issued under this section apply not only to the owner but also the operator who is either an owner or lessee of mineral rights, or any other person engaged in or preparing to engage in extraction.

1. When an operator disposes of his interest in extraction area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Board may release the operator from the duties and obligations imposed upon him by this Ordinance as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the zoning permit may be transferred.
2. Extraction operations authorized by the zoning permit shall be inspected with reasonable frequency to determine compliance with this Ordinance and permits issued pursuant to this Ordinance.
3. The general site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology or to correct an oversight.
4. When activities on or use of the area subjected to extraction, or any portion thereof, have ceased for more than one (1) year, the operation shall be considered abandoned and a new permit necessary before additional extraction can occur. Cessation may be determined by any of the following events:

- a. The completion of the extraction according to the current site plan.
- b. The Township has received notification from the owner that operations are complete.
- c. A zoning permit for the extraction has expired.

E. Existing Extraction Areas: A commercial extraction operations existing on the effective date of this Ordinance shall be subject to the regulations above with regard to future operations. For the purposes of this Section, future operations shall be interpreted to mean any extraction activities which are not permitted according to the originally issued permit for the extraction operation, including expansion into areas of the site not covered by a Township issued permit validly in place at the effective date of this Ordinance, and shall require special approval.

F. Two Year Review Required: Upon receipt of a zoning permit for extraction operations, the applicant shall submit to the Planning Commission, at intervals of no great than two (2) years, plans and/or other materials documenting that the applicant has been in full conformance with the provisions and standards of this Ordinance and the zoning permit issued. Failure to submit such evidence, in the discretion of the Planning Commission, shall be grounds for the voiding of the extraction zoning permit.

COMMERCIAL COMMUNICATION TOWERS

A. The following site and developmental requirements shall apply:

1. A minimum lot area of three (3) acres is required.
2. The communication tower shall be located so that there is sufficient radius of clear land around the tower so that its collapse would be completely contained on the property.
3. The base of the tower shall be fenced with a minimum eight (8) foot chain-link fence.

B. Special Performance Standards:

1. All structures shall be located at least two hundred (200) feet from any dwelling.
2. All towers shall be equipped with an anti-climbing device to prevent unauthorized access.
3. Towers shall be placed so that they do not interfere with reception in nearby residential areas.
4. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes including wind load standards.
5. All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.
6. No part of any tower or antenna shall be constructed, located or maintained at any time, permanently or temporarily, in or upon any required setback area for the district in which the antenna or tower is to be located.
7. Towers shall not be artificially lighted unless required by the Federal Aviation Administration or other public agency.

8. Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.
9. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least fifteen (15) feet above the ground at all point, unless buried underground.
10. Towers shall be located so there is room for vehicles doing maintenance to maneuver on the property.
11. Minimum spacing between tower locations shall be one (1) mile. The Planning Commission may waive this standard where the proposed location of the tower will serve to cluster two (2) or more towers in close proximity to one another, and, thereby, minimize the visual impacts upon panoramic views in the Township.
12. Height of the tower shall be less than two hundred (200) feet from grade.
13. There shall not be display advertising or identification of any kind intended to be visible from the ground or other structures.
14. Structures shall be subject to any state and federal regulations concerning non-ionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform or the permit will be subject to revocation by the Township Board. Cost for testing and verification of compliance shall be borne by the operator of the antenna.
15. Communication towers shall be of moderate construction only. Towers of lattice construction or which use guide wires are prohibited.
16. Communication towers shall be designed and/or painted to minimize their visual appearance to the greatest extent feasible.
17. Collocation
 - a. Statement of Policy: It is the policy of the Township to minimize the overall number of newly established locations for communication towers within the community, and encourage the use of existing structures or towers while promotion the public health, safety and welfare and minimizing negative impacts of such sites. If a provider fails or refuses to permit collocation on a facility owned or otherwise controlled by it, where collocation is feasible, the result will be that a new and unnecessary additional structure will be compelled, contrary to the Township's policy for collocation. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the Township.
 - b. Feasibility of Collocation: Collocation shall be deemed to be "feasible" for purposes of this section where all of the following are met:
 - 1) The communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.
 - 2) The site on which collocation is being considered, taking into consideration reasonable modification, is able to provide structural support.

3) The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.

4) The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the Planning Commission, taking into consideration the standards contained in this Section.

c. Requirements for Collocation:

1) A permit for the construction and use of a communication tower shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.

2) All new construction towers shall be designed and constructed so as to accommodate collocation.

3) If a party who owns or otherwise controls a communication tower, shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new communication tower, the party failing or refusing to permit a feasible collocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the Township, and, consequently such party shall be in violation of this Ordinance.

18. Removal

a. A condition of every approval of a communication tower shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events.

1) When the facility has not been used for one hundred, eighty (180) days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of non-use.

2) Six (6) months after new technology is available at reasonable cost, as determined by the Planning Commission, which permits the operation of the communication system without the requirement of the support structure, or with a support structure which is lower and/or less incompatible with the area.

b. The situations in which removal of a facility is required, as set forth in paragraph (a) above, may be applied and limited to portions of a facility.

c. Upon the occurrence of one or more of the events requiring removal, specified in paragraph (a) above, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal, restoring the premises to an acceptable condition as reasonably determined by the Planning Commission.

- d. If the required removal of a facility or a port thereof has not been lawfully completed within the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof, with its actual costs and reasonable administrative charge to be drawn, collection and/or enforced from or under the security posted at the time application was made for establishing the facility.
- e. The person who had used the facility shall immediately notify the Township Clerk, in writing, if and as soon as, use of the facility ceases.

AMUSEMENT CENTER

Amusement centers that provide space for patrons to engage in the playing of mechanical amusement devices, recreational games, and similar recreational activities of a commercial character, shall be subject to the following:

1. Outdoor amusement center shall be subject to the standards of outdoor sales and displace areas.
2. Pool and billiard parlors, pinball/video game parlors and arcades shall be permitted as an amusement center.
3. Such uses shall comply with any applicable standards and licensing requirements imposed by the State or County.
4. The outdoor area shall be kept clean, litter-free and with a well-kept appearance within and immediately adjacent to the area of any tables or chairs. Additional outdoor space for waste receptacles may be required.
5. Exterior lighting for the outdoor amusement center shall not constitute a nuisance or hazard to adjoining lots and uses.
6. Broadcasting music or other amplified sound shall be prohibited.
7. Additional signs shall not be permitted beyond those allowed for the principal use.

MARINAS

All boat docking and launching facilities shall be subject to the standards and permits required by the Michigan Department of Natural Resources and Environment and the United States Army Corps of Engineers.

1. Any commercial marina or docking facilities require a special use permit. Request for a Special Land Use Permit can be made before or after the DNRE and Corps of Engineers' approval.
2. Residential docks do not require Township review or permits.

MINING AND RELATED MINERAL EXTRACTION BUSINESSES

Earth Removal, Quarrying, Gravel Processing, Mining and Related Mineral Extraction Businesses. Prior to the approval by the Planning Commission of a Special Land Use for the earth removal, quarrying, gravel

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processing, mining and related mineral extraction businesses in any area of the Township, said Planning Commission shall be satisfied the following conditions and limitations are or shall be, strictly complied with, in addition to any other requirements contained in the Township Zoning Ordinance or in any other Township Ordinance controlling such operations.

A. Location

1. All such operations shall be located on a primary road, as defined by the Chippewa County Road Commission, for ingress and egress thereto, or on a road which does not create traffic through an area developed primarily for residential purposes. Where necessary, said Planning Commission may require the applicant to construct and/or improve a road to accommodate the truck travel necessitated by the operations as a condition to such operations, and for the purpose of routing traffic around residential areas and preventing the breaking up of existing roads which are not "all weather" roads.
2. Sufficient setbacks shall be provided from all property lines and public highways to assure adequate lateral support for adjacent public and private property. No such excavations operation shall be permitted closer than 150 feet to interior boundary lines of the property or such larger setback as may be required by the Planning Commission to adequately protect adjoining properties. However, if the adjoining property is also used for such mining and excavation operation, then the Planning Commission may reduce or eliminate the required setback from the interior boundary line. In addition, such setback may be temporarily reduced to 50 feet if reclamation of the land is promptly effective to increase the setback to at least 150 feet in accordance with the reclamation plan approved by the board and adequate lateral support as set forth at all times maintained.
3. No such excavation operation shall be permitted within 50 feet of adjoining public rights-of-way except for the lowering of land adjoining said rights-of-way to the grade level of said rights-of-way. Such excavation businesses shall at no time be permitted where adequate lateral support for the maintenance of adjoining lands is not maintained.
4. The permanent processing plant and its accessory structure shall not be located closer than 250 feet from the interior property lines and adjoining public rights-of-way and shall, where practicable, be located at a lower level than the surrounding terrain to lessen visual and noise impact. In addition, the foregoing shall apply to the digging or excavating apparatus and to the stockpiling or loading of materials and to the location of transportation equipment.
5. No such excavation operation shall be located within 100 feet of the banks of any stream or waterway unless previously approved, in writing, by the Michigan Water Resources Commission, or such other state commission having jurisdiction thereof. No such mining operations shall interfere with the natural established flow of surface waters to the detriment or damage of adjoining public or private properties.

B. Sight Barriers

1. Sight barriers shall be provided along all boundaries of the site which lack natural screening conditions through existing contours or evergreen growth. Such barriers shall consist of one or more of the following:
 - a. Earth berms constructed to a height of six feet above the mean elevations of The centerline of the adjacent public highway or six feet above the general level of terrain along interior property lines, as the case may be. Such berms shall have slopes that are not in excess of one foot vertical to three (3) feet horizontal and shall be planted with grass, trees or shrubs.
 - b. Plantings of evergreens trees or shrubbery in rows parallel to the boundaries of the property, not less than four feet in height at the time of planting and which grow to not less than six feet in height at maturity and sufficiently spaced to provide effective sight barriers when six feet in height.
 - c. Masonry walls or attractive solid fences made of uniform new materials, constructed to a height of not less than six feet and maintained in good repair.

C. Nuisance Abatement

1. Noise and Vibration. Noise and vibration shall be minimized in their effect upon adjacent properties by the utilization of modern equipment designed to accomplish such minimization and by the proper use of berms, walls, and natural planting screens. All equipment shall be maintained and operated in such a manner so as to eliminate, as far as practicable, excessive noise and vibrations which are not necessary in the operation of such equipment.
2. Air Pollution. Air pollution in the form of dust and dirt shall also be kept to a minimum by the use of modern equipment and methods of operation designed to avoid any excessive dust or dirt or other air pollution injurious or substantially annoying to adjoining property owners. Interior and adjoining roads used in the operations shall have their surface treated to minimize any such nuisance.
3. Hours. The operation shall be restricted to the hours of 7 o'clock a.m. until 7 o'clock p.m. and no operations shall be allowed on Sundays.
4. Fencing. All dangerous excavations, pits, and pond areas, banks or slopes shall be fenced and posted with signs around the perimeter thereof and maintained to prevent injury to children or others, and shall be eliminated as expeditiously as possible.

D. Reclamation of Mined Areas

1. Reclamation and rehabilitation of mined areas shall be accomplished as soon as practicable following the mining or excavation of an area. Rehabilitation and reclamation shall be commenced immediately upon the termination of the mining or excavation operations in any area consisting of one acre or more. Substantial completion of reclamation and rehabilitation shall be effected within one year after termination of mining or excavation activity. Inactivity for a 12-month consecutive period shall constitute, for this purpose, termination of mining activity.
2. The following standards shall control reclamation and rehabilitation:
 - A. All excavation shall be either to water-producing depth of not less than five feet below the average summer level of water in the excavation, or shall be graded or backfilled with non-noxious, non-flammable and non-combustible solids to insure:
 - i. That the excavated area shall not collect stagnant water and not permit the same to remain therein; or,
 - ii. That the surface of such area which is not permanently submerged is graded or back-filled as necessary to produce a gently rolling surface that will minimize wind and water erosion, and which will be generally compatible with the adjoining land area.
 - B. The banks of all excavations shall be sloped to the water line in a water producing excavation, and to the pit floor in a dry operation at a slope which shall not be steeper than one foot vertical to three (3) feet horizontal.
 - C. Top soil of a quality equal to that occurring naturally in the area shall be replaced on excavated areas not covered by water, except where streets, beaches, or other planned improvements are to be completed within a one-year period. Where used, top soil shall be applied to a minimum depth of four inches sufficient to support vegetation.
 - D. Vegetation shall be restored by the appropriate seeding of grasses or the planting of trees and shrubs to establish a permanent vegetative cover on the land surface and to minimize erosion.
 - E. Upon cessation of mining operations by abandonment or otherwise, the operating company, within a reasonable period of time not to exceed 12 months thereafter, shall remove all plant structures, foundations, buildings, stockpiles and equipment, provided that buildings and structures which have a function under the reclamation plan and which can be lawfully used under the requirements of the zoning district in which they will be located under such plan may be retained.

E . Performance Bond

A performance bond or cash shall be furnished the Township Clerk insuring the proper rehabilitation and reclamation of the mined and excavated areas prior to the commencement of any such mining or excavation operations. The amount of guarantee shall be an amount determined by the Planning Commission proposed to be mined or excavated in the following 12 months' period and which has previously been mined or excavated during any preceding period and not reclaimed and rehabilitated in accordance with this Ordinance and the applicant's filed plan. Mined areas resulting in water depth of five feet or more shall be deemed to be reclaimed areas to within 15 feet of any vertical shoreline thereof and to the extent of the shoreline where the same as been sloped to a grade of not more than one (1) vertical to three (3) horizontal for the purpose of this financial guarantee. Such financial guarantee shall be reviewed annually on or about the anniversary date of the excavation permit for adjustment and compliance with the foregoing requirements by the Zoning Administrator or Designee or the Township Planning Commission.

F. Submission of Operational and Reclamation Plans

- A. No earth removal , quarrying, gravel processing, mining and related mineral extraction businesses shall be allowed or commenced until a plan has been submitted to the Township Planning Commission disclosing compliance with all of the provisions of the within Ordinance or the manner in which compliance will be secured by the applicant. Such plans shall include, among other things, the following:
 1. A contour map of the tract of land involved in the operations, including dimensions of the same, access thereto abutting public streets, and whether or not the same are "all weather" roads, additional roads, if any, to be constructed, and the location and nature of abutting improvements on adjoining property.
 2. The number of acres and the location of the same proposed to be operated upon within the following 12-month period after commencement of operations.
 3. The type of mining or processing proposed to be conducted and the nature of the equipment to be used.
 4. The location of the principal processing plant and the distance of any proposed excavation or mining from the boundaries of the site.
 5. Soil boring tests shall be made around the perimeter of the excavation site in the event excavation or activities are to be conducted closer than 150 feet from the boundaries of the site, and soil boring tests shall disclose conditions satisfactory for lateral support of adjacent premises as determined by the professional engineer. The written consent of the owners of adjoining premises and of the Planning Commission shall be required if mining operations shall be closer than specified in the within Ordinance to the boundaries of the site.
 6. A map or plan disclosing the final grades and elevations to be established following the completion of the mining operations, including the proposed uses then contemplated for the land, future lakes and roads and such other matters as may evidence the bona fide

nature of the reclamation and rehabilitation plans and the fact that the land will not be devastated and rendered unusable by the proposed mining activities.

G. Hearing.

1. After receiving an application for the grant of a special exception permit for an earth removal, quarrying, gravel processing, mining, and related mineral extraction business accompanied by the required plans and specifications and permit fees, the Planning Commission shall hold a public hearing upon such application in the same manner preceded by the same notice as set forth in Section 8.03 of this Ordinance pertaining to SPECIAL LAND USES.
2. Opportunity shall be given to all present to be heard at such hearing.
3. Following such hearing, said Planning Commission shall grant or deny the application and set forth its reasons for its decision. Such decision shall be based upon the criteria set forth in the within Ordinance and shall be based, in addition, on a consideration of the following:
 - a. The most advantageous use of the land, resources and property.
 - b. The character of the area in question and its peculiar suitability, if any, for particular uses.
 - c. Conservation of property values, as well as natural resources and the general and appropriate trend and character of development in the subject area.
 - d. The protection and preservation of the general health, safety and welfare of the Township.
 - e. The scarcity or value of the minerals sought to be mined as compared with the effect upon the adjacent community of the proposed operations.
 - f. Whether or not the operations were previously in existence proper to the adoption of the text provision concerning the same and the extent and character of such previous operations.
 - g. In making any decision, the Township Planning Commission shall have the right and authority to impose such additional conditions and safeguards as it deems necessary for the protection of the health, safety and general welfare of the neighborhood and of the adjoining residents and property owners. It may also limit the length of time, its special exception permit is to be effective and may provide for a periodic review of the proposed operations to ascertain compliance with the conditions and

limitations imposed upon the same. It shall be empowered to renew or extend a special exception permit where all standards and conditions are complied with and may revoke or refuse to renew the same where non-compliance exists. No revocation or failure to renew or extend a permit shall release the applicant from the duty of rehabilitation and reclamation of said mined or disturbed area. No permit shall be revoked or not renewed until the operator has been given written notice of any violations forming the basis of such revocation or denial of renewal and not less than 30 days have elapsed to correct the said violation. All permits shall be reviewed by the Planning Commission annually.

- h. The operator shall be required to pay an annual fee to cover the cost of by the Township.

H. Liability Insurance

All operators shall be required to carry personal injury and property damage insurance while any un-reclaimed or un-rehabilitated area exists, in the amount of not less than \$100,000.00 for each person or property injured or damaged and not less than \$300,000.00 for injury or damage to more than one person or one person or one person 5 property arising out of one occurrence. Such insurance shall cover injury or result of conditions or activities existing upon the site. A copy of the policy shall be filed with the Township Clerk.

ARTICLE IX

MULTIPLE USE DEVELOPMENT

9.01 SPECIAL LAND USE

A multiple use development shall be recognized as a Special Land Use and controlled by the guidelines thereof. Control of such developments shall be responsibility of the Township Planning Commission, but shall only be permitted as a Special Land Use in Zones Agricultural, Residence and Commercial.

9.02 PURPOSE

The purpose of these regulations is to permit greater flexibility and consequently, more creative and imaginative design in the development of residential areas that is generally possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, the integration of necessary commercial and community facilities and the preservation of open space for park and recreational use. A permit may be issued for construction and occupancy of a multiple use development subject to compliance with the requirements, standards and procedures forth in this Ordinance.

9.03 GENERAL REQUIREMENTS FOR MULTIPLE USE DEVELOPMENTS

Any application for a Special Land Use permit must meet the following condition to qualify for consideration as a multiple use development.

1. Minimum area: the minimum area required to qualify for a multiple use development special exception permit shall not be less than 10 contiguous acres of land.
2. Ownership: The tract of land for a project must be either in one ownership or the subject of an application filed jointly by the owners of all properties included (the holder of a written option to purchase land or the holder of an executor land contract shall, for purposes such application, be deemed to be an owner of such land).
3. Location: Multiple use developments shall be allowed only within the Residence or Commercial zoning districts and providing the applicant can demonstrate that the proposed character of development will meet the objectives of multiple use developments.
4. Utilities: Public water, sanitary sewage and storm drainage facilities shall be provided as part of the site development. All electric and phone transmission wires shall be placed underground.
5. Approval: Approval by the Planning Commission of a sketch plan and detailed site plan for all multiple use developments is required.

9.04 PERMITTED USES

No structure or part thereof shall be erected, altered, or used and no land shall be used except for one or more of the following regardless of the zoning district in which the same is located:

1. Residential Uses:
 - a. Single-family detached dwellings, excluding mobile homes
 - b. Two-family dwellings
 - c. Apartments
 - d. Townhouses
 - e. Condominiums
 - f. Other multi-family dwellings

2. Commercial Uses Designed and Intended to Serve the Convenience Needs of the People Residing in the Multiple Use Development:
 - a. Food Stores
 - b. Bakeries (retail only)
 - c. Barber or Beauty Shops
 - d. Banks and Financial Institutions
 - e. Shoe Sales and Repair stores
 - f. Florist and Garden Shops
 - g. Hardware Stores
 - h. Variety Stores
 - i. Book and Stationary Stores
 - j. Dry Cleaning (pickup or coin operated only)
 - k. Wearing Apparel Shops
 - l. Offices
 - m. Drug Stores
 - n. Post Office
 - o. Full course menu, table top, indoor restaurants conforming in appearance to a residence; providing no "drive-in", short order or car service food or drink facility; and where any alcoholic beverages served are incidental to the sale of food
 - p. Private clubs, excepting those of which the chief activity is a service customarily carried on as a business

6. Accessory and Associated Uses Designed and Intended to Serve the Convenience Needs of the People Residing in the Multiple Use Development:
 - a. Private Garages
 - b. Storage Sheds
 - c. Recreational Play Areas
 - d. Churches
 - e. Elementary and Secondary Schools

9.05 DESIGN REQUIREMENTS

Within the multiple use development approved under this section, the requirements hereinafter set forth shall apply in lieu of any conflicting regulations set forth in the district in which the development is located:

1. Number of Dwellings Units Permitted:

The maximum number of dwelling units permitted within the project shall be determined by dividing the new multiple use development area by the minimum residential lot area per dwelling unit required by the district in which the project is located. In the event the project lies in more than one zoning district, the number of dwelling units shall be computed for each district separately.

2. Application for Sketch Plan Approval:

- a. Sketch Plan. In order to allow the Planning Commission and the developer to reach an understanding of basic design requirements prior to detailed site design investment, the developer shall submit a sketch plan of his proposal to the Planning Commission. The sketch plan shall be drawn to approximate scale and clearly show the following information:

1. Boundaries of the property.
2. Location and height of all buildings.
3. Interior roadway system, parking facilities and all existing rights-of-way and easements, whether public or private.
4. Delineation of the various residential and/or commercial areas indicating for each such area its size, number of buildings and composition in terms of total

number of dwelling units, approximate percentage allocation by dwelling unit type, plus a calculation of the new residential density and commercial density.

5. The interior open space system.
 6. The overall storm water drainage system.
 7. If grades exceed 30% of portions of the site, have a moderate to high susceptibility to erosion or a moderate to high susceptibility to flooding and/or ponding, an overlay outlining the above susceptible soil shall be provided.
 8. Principal ties to the neighborhood and community with respect to transportation, water supply and sewage disposal.
 9. General description of the provision of other community facilities, such as schools, recreational facilities, fire protection services, and cultural facilities, if any and some indication of how these needs are proposed to be recommended.
 10. A location map showing uses and ownership of abutting lands.
- b. Accompanying Documentation. The following documentation shall accompany the Sketch Plan:
1. Evidence that the proposal is compatible with the objectives of the community's plan.
 2. General statement as to how common open space is to be owned and maintained.
 3. The Sketch Plan shall show the intended total project. If the development is to be constructed in phases, a general indication of how the sequence of phases is to proceed shall be identified.
- c. Public Hearing. The Township Planning Commission shall hold a public hearing or hearings on the application for multiple use development in accordance with the provision of the Ordinance for SPECIAL LAND USES.
- d. Decision. Following the public hearing, the Township Planning Commission shall, within 60 days, approve or disapproved the Sketch Plan or make modification thereto and so notify the applicant of its decision.
- e. Approval of Sketch Plan. Approval of the Sketch Plan shall not constitute approval of the detailed site plan but shall be deemed an expression of approval of the layout as a guide to the preparation of the detailed plan.
- f. Request for Changes in Sketch Plan. If it becomes apparent that certain elements of the Sketch Plan, as it has been approved by the Township Planning Commission,

become unfeasible and in need of modification, the applicant shall then resubmit this entire Sketch Plan, as amended, to the Township Planning Commission pursuant to the above procedures.

9.06 APPLICATION FOR DETAILED SITE PLAN APPROVAL

- a. After receiving approval from the Planning Commission of a Sketch Plan, the applicant may prepare his detailed site plan and submit it to the Planning Commission for approval. However, if more than six months has elapsed between the time of Sketch Plan approval, the Planning Commission may require a resubmission of the Sketch Plan for further review and possible revision.
- b. The detailed site plan shall conform to the Sketch Plan that has been given approval. It should incorporate any revisions or other features that may have been recommended by the Planning Commission at the preliminary review. All such compliances shall be clearly indicated by the applicant on the appropriate submission.
- c. The detailed Site Plan shall include the following information:
 1. Area Map. An area map showing the applicant's entire holding, that portion of the applicant's property under consideration, and all properties, subdivisions, streets, utilities, and easements within 300 feet of applicant's property.
 2. Topographical Map. A topographic map showing contour intervals of not more than four feet of elevation shall be provided.
 3. Proposed Uses. A site plan showing location, proposed use, and height of all buildings, location of all parking areas, with access and egress drives thereto, location of outdoor storage, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences, description of method of water supply and sewage disposal and location of such facilities; location and size of all signs; location and design of lighting facilities; and the amount of building area proposed for non residential uses, if any.
 4. Overlay. A tracing overlay showing all soil types, their location, and those areas, if any, with moderate to high susceptibility to erosion. For areas with potential erosion problems, the overlay shall also include an outline and description of existing vegetation.
 5. Required Standards for Approval. The Planning Commission's review of the detailed Site Plan shall include the following:
 - a. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, channelization, traffic controls and pedestrian movement.

- b. Location, arrangement, appearance, and sufficiency of off-street parking.
- c. Location, arrangement, size and entrances of buildings, walkways and lighting.
- d. Relationship of the various uses to one another.
- e. Adequacy, type and arrangement of trees, shrubs, and other landscaping constituting a visual and/or a noise deterring screen between adjacent uses and adjoining lands.
- f. In the case of residential uses, the adequacy of useable open space for playgrounds and recreation.
- g. Adequacy of water supply, storm water and sanitary waste disposal facilities.
- h. Adequacy of structures, roadways, and landscaping in areas with moderate to high susceptibility to flooding, ponding and/or erosion.
- i. Compliance with all regulations of the township zoning Ordinance.
- j. Compatibility of adjoining uses on and off the site and preservation thereof.

ARTICLE X
OFF-STREET PARKING OF MOTOR VEHICLES

10.01 STATEMENT OF PURPOSE

Every property owner shall provide and maintain at all times an adequate number of off-street parking spaces, and the necessary loading and unloading facilities associated thereto in each district for all occupants, employees and patrons of said property.

10.02 PLAN

A plan showing the required parking and loading spaces including the means of access and interior circulation, except for one-family and two-family dwellings, shall be provided at the time of application for a zoning permit for the erection or enlargement of any building.

10.03 PARKING SPACE LOCATIONS

Parking space shall be provided in the manner and locations herein specified.

1. No parking area, parking space or loading space which exists at the time of this Ordinance becomes effective or which subsequent thereto is provided for the purpose of complying with the provisions of this Ordinance shall thereafter be relinquished or reduced in any manner below the requirements established by this Ordinance unless additional parking area or space is provided sufficient for the purpose of complying with the provisions of this Ordinance within 300 feet of the proposed or existing uses for which such parking will be available.
2. Parking of motor vehicles in residential zones, except those used for farming, shall be limited to passenger vehicles, and not more than one commercial vehicle of the light delivery type not to exceed one and one half (1.5) tons. The parking of any other type of commercial vehicles, or buses, except for those parked on school property or school buses parked at the driver's home, is prohibited in a residential area.

10.04 REQUIREMENTS FOR ALL PARKING SPACES AND PARKING LOTS

1. Each automobile parking space shall be not less than 200 square feet or less than 20 feet wide exclusive of driveway and aisle space.
2. All off-street parking facilities shall be drained so as to prevent damage to abutting properties or public streets and shall be constructed of materials which will have a dust-free surface resistant to erosion.
3. Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residential lots.
4. No parking space shall be closer than five feet from the property line.
5. Off-street parking facilities in non-residential zones shall be effectively screened on any side which adjoins or faces property in any residential zone by a wall, fence or compact planting not less than four feet or more than six feet in height. Plantings shall be maintained in good condition and not encroach on adjoining property. Screening shall not be so placed or maintained as to provide a traffic hazard through obstruction of visibility.
6. All off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, provided that this prohibition shall not apply off-street parking areas of one or two-family dwellings.
7. Space for all necessary loading and unloading operations for any commercial, industrial or other use must be provided in addition to the required off-street parking space. All loading and unloading operations must be carried on entirely within the lot area of the use it serves and shall not interfere with pedestrian or vehicular movement.

8. Requirements for the provision of parking facilities with respect to two or more property uses of the same or different types may be satisfied by the permanent allocations of the requisite number of spaces for each use in common parking facility, cooperatively established and operated, provided that the number of spaces designated is not less than the sum of individual requirements and provided further that the specifications in regard to location, plan, etc., are complied with.
9. The number of parking spaces required for land or buildings used for two or more purposes shall be the sum of the requirements for the various individual uses, computed in accordance with this section; parking facilities for one use shall not be considered as providing the required parking facilities for any other use.

10.05 MINIMUM REQUIRED PARKING SPACES

1. **Apartment houses:** Two parking spaces per family unit.
2. **Office buildings:** One parking space for each 200 feet of floor space utilized for work space for employees.
3. Retail stores, supermarkets, department stores, personal service shops, and shopping centers: One parking space for each 100 square feet area in the basement and on the first floor used for retail sales; one space for each 150 square feet of floor area on the second floor unused for retail sales; one space for each 300 square feet of floor area on the third floor used for retail sales; and one space for each 400 feet of any additional floor used for retail sales.
4. Manufacturing buildings: One parking space for each three (3) employees on the maximum shift.
5. Libraries, museums and post offices: One parking space for each 100 square feet of floor area.
6. Bowling alleys: Three parking spaces for each alley.
7. Motels and tourist homes: One parking space for each separate unit.
8. Theaters, auditoriums, stadiums and churches: One parking space for each four seats.
9. Dance halls, assembly halls and convention halls without fixed seats: One parking space for each 100 square feet of floor area if to be used for dancing or assembly.
10. Restaurants and night clubs: One parking space for each 100 square feet of area.

11. Roadside stand: Two parking spaces.
12. Schools: One parking space for each employee normally engaged in or about the building or grounds. Senior high schools and institutions of higher learning: One parking space for each employee normally engaged in or about the building or grounds and one additional space for each five students enrolled in the institution.
13. Other uses not specifically mentioned: In the case of buildings which are used for uses not specifically mentioned, those provisions for off-street parking facilities for a use which is so mentioned and to which said use is similar in terms of parking demand shall apply.
14. Mixed uses in the same building: In the case of mixed uses in the same building, the amount of parking space for each use specified shall be provided and the space for one use shall not be considered as providing required spaces for any other use except as to churches and auditoriums incidental to public and parochial schools permitted herein.

10.06 VARIANCES

The Planning commission shall have authority to grant variances from the foregoing pursuant to the requirements set forth in this Ordinance.

ARTICLE XI

SIGNS AND BILLBOARDS

11.01 STATEMENT OF PURPOSE

The purpose and intent of this section is to preserve the desirable character of Soo Township, as well as to recognize the need for and privilege of advertising, so that people unfamiliar with the area, such as tourist and transients, may avail themselves of the goods and services afforded by the local business people. At the same time, Soo Township recognizes the right of residents to be free of advertising that could affect property values and create an unpleasant or less than desirable atmosphere. The use and erection of all outdoor signs shall be subject to all federal, state, and local statutes and regulations and regulations of this Ordinance. As a result, these regulations permit signs and other displays that are needed for the purposes of identification or advertising, subject to the following objectives;

1. By reason of their size, location, spacing, construction or manner of display, signs shall not endanger life or limb, confuse or mislead traffic, obstruct vision necessary for traffic safety, or otherwise endanger the public health or safety.

2. Sign should enhance the aesthetic appeal of the Township. Thus, these regulations are intended to:
 - a. Regulate oversized signs that are out-of-scale with the surrounding buildings and structures.
 - b. Prevent an excessive accumulation of signs which cause visual clutter and distraction.

DEFINITIONS

11.02 SIGN

A structure, including its base, foundation and erection supports upon which is displayed any words, letters, figures, emblems, symbols, designs, or trademarks by which any message or image is afforded public visibility from out of doors on behalf of and for the benefit of any product, place, activity, individual, firm, corporation, institution, profession, association, business or organization.

11.03 SIGN, FREESTANDING OR GROUND

A sign supported by permanent uprights or braces in the ground.

11.04 SIGN, IDENTIFICATION

An on-premise sign whose copy is limited to the name and address of a building, institution, person and/or the activity or occupation being identified.

11.05 SIGN, OFF PREMISES

Any sign neither relating to subject matter nor conducted on the premises on which the sign is located.

11.06 SIGN, ON PREMISES

Any sign relating in this subject matter to the premises on which it is located, or to the products, accommodations, services or activities on the premises.

11.07 SIGN, OUTDOOR BUSINESS OR INFORMAL

A freestanding, overhanging, or wall mounted sign located outside a structure on which is displayed information pertaining to a product, use, occupancy, function, service, or activity located within that structure, on the same property as the sign, or at a location different than the property on which the sign is located.

11.08 SIGN OVERHANGING

A sign that extends beyond any structure wall and is affixed to the structure so that its sign surface is perpendicular to the structure wall.

11.09 SIGN, PORTABLE

A sign that is designed to be transported, including but not limited to signs:

- a. With wheels removed.
- b. With chassis or support constructed without wheels.
- c. Designed to be transported by trailer or wheels.
- d. Converted A or T frame signs.
- e. Attached temporarily to the ground, a structure, or another sign.
- f. Mounted on a vehicle for advertising purposes, parked and visible from the public right-of-way, except signs identifying the business for which the vehicle is being used in normal day-to-day operations of that business.

11.10 SIGN SURFACE

That portion of a sign excluding its base, foundation and erection supports on which information pertaining to a product, use, occupancy, function, service, or activity is displayed.

11.11 SIGN, WALL

Any sign attached parallel to or painted on the exterior surface of a building or structure wall in such a manner that the sign does not extend beyond the surface of the wall it is attached.

11.12 SIGN, WINDOW

Any sign, picture, symbol or combination thereof, designed to communicate information about any activity, business, commodity, event, sale, or service that is placed on a window pane of glass so that it is visible from the out-of-doors.

REGULATIONS

11.13 SIGNS NOT REQUIRING A SIGN PERMIT

The following signs may be placed in any zoning district without a sign permit, provided such signs comply with any applicable federal or state law or regulation and are located so as not to cause a nuisance or safety hazard:

1. One non-illuminated identification sign per use, not exceeding two square feet of sign surface.
2. Street name signs, route markers and other traffic control signs erected or approved by state, county or village agencies when necessary to give proper directions or to otherwise safeguard the public.
3. Non-advertising signs erected by any organization, person, firm, or corporation that is needed to warn the public of dangerous conditions and unusual hazards including but not limited to:
 - a. Road hazards;
 - b. High voltage;
 - c. Fire danger;
 - d. Explosives;
 - e. Severe visibility.
4. Non-advertising signs exclusively devoted to controlling property access (no trespassing, private property, keep out, not hunting, hiking trail, day use only, and similar instructional messages), provided the sign surface does not exceed the maximum sign limitations in Section 11.16.
5. Non advertising signs marking a historically significant place, building or area when sanctioned by a national, state, or local historic organization recognized by the Planning Commission, provided the sign surface does not exceed the maximum sign limitations in Section 11.16.
6. Signs that have been approved in conjunction with a valid site plan or zoning permit for a principal or accessory use, and signs required by federal or state agencies in connection with federal or state grant programs.
7. Temporary real estate signs, not exceeding 10 square feet, on individual lots advertising a premise for sale or rent.
8. Signs advertising sales such as garage, estate, auction, moving, and yard sales, which last no more that 7 consecutive days, provided the sign surface does not exceed the maximum size limitation of section 11.16.
9. Political and noncommercial signs provided the sign surface does not exceed the maximum size limitations of Section 11.16.

11.14 SIGNS REQUIRING A SIGN PERMIT

Except as otherwise provided in Section 11.13 above, no sign shall be erected within any zoning district until a sign permit is issued by the Zoning Administrator or Designee. Sign permit fees may be established by the Township Board as provided in this Ordinance. Before issuing a sign permit, the Zoning Administrator or Designee shall determine that the proposed sign complies with all requirements of this section.

11.15 SIGNS AUTHORIZED BY ZONING DISTRICT

- 1. Unless otherwise prohibited in this Ordinance, an outdoor business or informational sign, off-premise sign or temporary sign shall be permitted on property within the Commercial and Planned Unit Development District and on property in any zoning district on which a home occupation is located, if and only if all of the requirements of this section are met.
- 2. Unless otherwise prohibited in this Ordinance an outdoor business or informational sign, temporary sign, or one identification sign at each entrance to residential subdivision or developments shall be permitted on property with Residence Districts

11.16 SIZE REGULATIONS

- 1. The sign surfaces of all outdoor business or informational signs, off-premise signs, portable signs, and signs expressing noncommercial views shall not exceed the following size limitations:

| <u>Zoning District</u> | <u>Maximum Size of Sign Surface</u> |
|------------------------|-------------------------------------|
| Residence | Ten Square Feet |
| Commercial | Thirty-two square feet |

- 2. All identification signs located at the entrance to residential subdivisions and developments shall be no more that sixteen square feet per sign.

11.17 LOCATION REGULATIONS

The following regulations apply to all signs regardless of the zoning district in which they are located:

- 1. No off premise sign shall be permitted in Residence zoning districts.
- 2. No freestanding sign shall exceed a maximum height of twenty feet, as measured from the ground to the top of the sign.
- 3. Both sides of any freestanding or overhanging sign may be used as a sign surface.
- 4. Before erecting an overhanging sign above a public right-of-way, the owner of the sign shall receive the written approval of the proper governmental agency having jurisdiction over the right-of-way. An overhanging sign shall not project beyond the structure wall to

which it is attached more than five feet and shall be no less than fourteen feet above the public right-of-way.

5. Freestanding signs may be permitted in a front yard, provided the sign is located no less than ten feet from the front line.
6. In no case shall a wall sign or window sign exceed a total of ten percent of the area of the building wall to which it is attached.
7. No sign shall be placed at any location which obstructs the vision of drivers using a public or private street or alley or which obstructs the vision of drivers using any driveway, parking lot or other route providing ingress or egress to any premise.
8. A commercial use located in any zoning district shall not have more than two off-premise signs related to that commercial use and such signs shall be permitted in the Commercial zoning districts. Not more than one off-premise sign shall be allowed in the Commercial zoning districts per 300 feet of road frontage or one off-premise or on-premise sign per lot, whichever allows more signs.
9. No sign shall be located on the roof any building or structure.

11.18 SIGN LIGHTING

The following regulations apply to all signs regardless of the zoning district in which they are located.

1. Signs may be illuminated, provided the lighting is directed, shaded, or designed so as to not interfere with vision of persons or adjacent highways, streets or properties and is not directed skyward as to unnecessarily illuminate the night sky.
2. Except for time and temperature signs containing flashing, intermittent or moving lights are prohibited.
3. For internally lighted signs, the sign backboard or field shall be opaque. Letters, numerals, logos and similar message elements may be of a transparent material to permit the internal lighting to reveal the message or information on the sign surface.

11.19 TEMPORARY SIGNS

The following regulations apply to all temporary signs regardless of the zoning district in which they are located.

1. Portable signs shall be allowed for a maximum of thirty days within any calendar year.
2. In the case of a special event, which occurs no more than once every six months and lasts for a period of not to exceed twenty one consecutive days, advertising devices such as banners, balloon, flags, pennants, pinwheels, searchlights or other devices with

similar characteristics are permitted for a period of not more than seven days prior to the special event and not more than one day after the completion of the special event.

3. In the case of a special event lasting more than seven consecutive days that occurs periodically throughout the year, the same times, and for the same duration, advertising such as banners, balloons, flags, pennants, pinwheels, searchlights or other devices with similar characteristics are permitted pursuant to an annual zoning permit for a period not more than seventy two hours prior to the special event and not more than twelve hours after the completion of the special event.
4. Signs advertising sales such as garage, estate, auction, moving and yard sales which last no more than seven consecutive days, shall be permitted no more than forty-eight hours prior to the sale, provided the signs are removed immediately after the sale.

11.20 SIGN MAINTENANCE

A property owner may maintain or improve an existing conforming sign without a sign permit, provided the type, size, shape, height and use remains the same.

11.21 NONCONFORMING SIGNS

Any sign lawfully in existence prior to the enactment of this section which does not meet the requirements of this section may continue in use as a nonconforming sign. The maintenance, reconstruction, alteration, discontinuation or change in a nonconforming sign shall be governed by this Ordinance.

11.22 VARIANCES

The Planning Commission shall have the power to authorize upon an appeal, specific variances from the requirements of this section. The request for a variance from the requirements of this section shall be governed by the rules and procedures relating to variances contained in this Ordinance.

ARTICLE XII

RESERVED

ARTICLE XIII

TELECOMMUNICATION TOWERS

12.01 PURPOSE

The purpose of this Ordinance is to establish general guidelines for the location of wireless telecommunication towers, alternative tower structures and antennas to provide reasonable or adequate coverage. The Township recognizes that it is in the public interest to permit the location of

wireless telecommunication towers, alternative tower structures and antennas within the township. The Township also recognizes the need to protect the scenic beauty of Soo Township from unnecessary and unreasonable visual interference, and that wireless telecommunication towers, alternative tower structures and antennas may have negative aesthetic impacts upon adjoining and neighboring uses. As such, this Ordinance seeks to:

- a. Protect residential areas from potential adverse impact of towers and antennas such as causing visual pollution, creating safety hazards, or reducing property values on adjacent properties;
- b. Encourage the location of towers in nonresidential areas;
- c. Minimize the total number of towers throughout the community;
- d. Encourage the joint use of new and existing tower sites rather than the construction of additional towers;
- e. Encourage developers of towers and antennas to configure them in a way that minimizes their adverse visual impact;
- f. Comply with provision of State and Federal law;
- g. Consider the public health and safety of telecommunication towers and alternative tower structures;
- h. Avoid potential damage to adjacent property from tower failure;
- i. Preserve the scenic rural character and appearance of the township while simultaneously allowing adequate personal wireless services to be developed.
- j. Minimize the total number of height of towers throughout the township.

12.02 LIMITATIONS

- a. Telecommunication towers and facilities and alternative tower structures, are subject to Article 13 of the Zoning Ordinance.
- b. It is the intention of this Ordinance to exempt such essential services as defined in Article 2 from the application of this Ordinance. Telecommunication towers, alternative tower structures and antennas shall be regulated and permitted to pursuant to this Ordinance and shall not be regulated or permitted as essential services, public utilities or private utilities.
- c. In addition to the standards set forth in a particular zone and the standards set forth in Article 13 of this Ordinance, the uses below must meet the additional standards:

12.03 LOCATION

- a. Antenna co-located on Telecommunications towers or alternative tower structures which have received Special Approval which included review of the standards set forth in Article 13 of this Ordinance are specifically permitted in any zone.
- b. Telecommunication towers shall not be located in any area designated by the Soo Township Master Plan, as amended or revised from time-to-time.
- c. No structure more than one hundred fifty feet (150) tall can be built within a diameter of ten thousand feet from the airport or within the conical airspace which extends four thousand (4,000) feet beyond that diameter.
- d. The use of repeaters to assure adequate coverage, or to fill holes within areas of otherwise adequate coverage, while minimizing the number of towers is permitted and encouraged.
- e. An applicant who has received Special Approval may, within thirty (30) days written notice to the Planning Commission and Township Board, install one or more additional repeaters by right.
- f. Site plan Review before the Planning Commission shall be required.
- g. The Planning Commission shall publish written notice of the public meeting as specified in Article 13 of this Ordinance.
- h. The applicant shall detail the number, location, power output and coverage of proposed repeaters in their systems and provide engineering data to justify their use.

12.04 REQUIREMENTS: APPLICATION

The following information shall be provided in support of an application to construct a wireless telecommunication tower:

1. Certification from a Michigan licensed professional engineer as to manner in which the proposed wireless telecommunication tower is designed to collapse.
2. A map depicting the existing and known proposed location of wireless telecommunication facilities, including wireless telecommunication antenna attached to alternative tower structures, within Soo Township as well as within the proposed service area radius.
3. The name, address and telephone number of the person to contact regarding site maintenance or other notification purposes. This information shall be periodically updated by the tower owner.
4. A statement which indicates the applicant's intent to allow the co-location of other antenna, provided that the cost of modifying the existing tower is borne by the co-location entity and reasonable compensation is paid by the co-locating entity.
5. The applicant shall provide written documentation for each facility site listed:

- a. Exact location in longitude and latitude to degrees, minutes and seconds.
 - b. Ground elevation
 - c. Height of tower or structure
 - d. Type of antennas
 - e. Antenna gain
 - f. Height of antennas on tower or structure
 - g. Output frequency
 - h. Number of channels
 - i. Power input
 - j. Maximum power output per channel
 - k. Potential adjustments to these facility sites, including changes in antenna type, orientation, gain, height or power output.
 - l. Radial plots from each of these facilities sites, as they exist, and with adjustments as above.
6. Upon submission of an application, the Planning Commission shall recommend that the Township Board hire an independent consultant who services shall be paid for by the applicant. These consultants shall each be qualified professionals with a record of service to municipalities in one of the following fields:
- a. Telecommunications engineering
 - b. Structural engineering
 - c. Monitoring of electromagnetic fields, and if determined by the Planning Commission
 - d. Other consultants
7. The Planning Commission may require the applicant to arrange and fly or raise upon a temporary mast, a three (3) foot diameter, brightly colored balloon at the maximum height and at the location of the proposed tower, in a timely fashion. The balloon shall be flown for at least four (4) consecutive hours sometime between 9:00 a.m. and 5:00 p.m. on the chosen dates.
8. The applicant shall inform the Planning Commission and the Township Board in writing of the dates and times of the test, at least fourteen days in advance of the test.

9. The applicant shall advertise in the local newspaper, the dates (including a second date, in case of poor visibility of the initial date), times and location of this balloon test. The advertisement shall appear seven (7) days and fourteen (14) days in advance of the first date.

12.05 REQUIREMENTS: EVIDENTIARY

1. The applicant must demonstrate that no existing tower, alternative tower structure or alternative technology not requiring the use of towers or alternative tower structures can accommodate the applicant's proposed antenna.
2. An applicant shall submit information requested by the Planning Commission related to the availability of suitable existing towers, other alternative towers or alternative technology.
3. Evidence submitted to demonstrate that no existing tower, alternative tower structure or alternative technology can accommodate the applicant's proposed antenna shall consist of all of the following:
 - a. No existing towers or alternative tower structures are located within the geographical area which meet applicant's engineering requirements.
 - b. Existing towers or alternative tower structures are not of sufficient height to meet applicant's engineering requirements.
 - c. Existing towers or alternative tower structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or alternative tower structures, or the antenna on the existing towers or alternative tower structures would cause interference with the applicant's proposed antenna.
 - e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or alternative tower structure or to adapt an existing tower or alternative tower structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
 - g. The applicant demonstrates that an alternative technology that does not require the use of towers or alternative tower structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireless system is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

4. The applicant must provide an agreement to rent or lease available space on the tower, under the terms of a fair-market lease, without discrimination to other personal wireless service providers.
5. The applicant shall demonstrate that the proposed personal wireless service facility or tower will not have an undue adverse impact on historical resources, scenic views, residential property values, natural or man-made resources.
6. The applicant shall demonstrate that all reasonable measures will be taken to mitigate potential adverse impacts of the facilities.
7. The applicant shall demonstrate that the required monitoring program is in place and will be paid for by the applicant.
8. The independent consultant shall prepare a report of the pre-testing monitoring results and submit copies to the Planning Commission, the Township Board, the Health Department, the Township Zoning Administrator or Designee and the Township Clerk.
9. After transmission begins, the owner(s) of any personal wireless service facility(s) located on any facility site shall pay for an independent consultant, hired by the Township, to conduct testing and monitoring of EMF radiation emitted from the site.
10. The independent consultant shall submit a report of routine annual monitoring which includes the following:
 - a. Reports of routine annual monitoring of emissions using actual field measurements of radiation, utilizing the monitoring protocol.
 - b. This monitoring shall measure levels of EMF radiation from the facility site's primary antennas, as well as from repeaters (if any).
 - c. If any major modifications are made to the existing facility, or any additional permitted channels are activated, then, new monitoring shall be conducted.
11. The independent consultant shall prepare a report of the annual monitoring results and submit copies to the Planning Commission, the Township Board, the Health Department, the Township Zoning Administrator or Designee and the Township Clerk.
12. If the monitoring of a facility site indicates that the site exceeds the FCC 96-326 standard, then the owner(s) of all facilities utilizing this site shall be notified. The owner(s) shall submit a plan or the reduction of emissions to a level that complies with the FCC 96-326 standard within ten business days of notification of non compliance to the Planning Commission.
13. The plan for reduction of emissions shall reduce emissions to the standard immediately after initial notification of non compliance.
14. Failure to accomplish this reduction of emission immediately after the initial notification of the non compliance shall be a violation of Special Approval and subject to the penalties and fines of

this Ordinance. Such fines shall be payable by the owner(s) of the facilities with antennas on the facility site until compliance is achieved.

15. Tower owner(s) shall pay for an Independent Consultant (a licensed professional structural engineer), hired by the Township, to conduct inspections of the tower's structural integrity and safety.
16. Guyed towers shall be inspected every three (3) years. Monopoles and non guyed lattice towers shall be inspected every five years.
17. The Independent Consultant shall prepare a report of the inspections and submit the report to the Planning Commission.
18. Any major modification of the existing facility which includes changes to the tower dimensions, antenna numbers or types of antennas shall require a new structural inspection.
19. If the inspection of any tower reveals any structural defect(s), which in the opinion of the Independent Consultant render(s) that tower unsafe, then the following actions must be taken:
 - a. Within ten (10) business days of notification of unsafe structure, the owner(s) of the tower shall submit a plan to remediate the structural defect(s).
 - b. This remediation plan shall be initiated within ten days of the submission and completed as soon as reasonably possible.
 - c. Failure to accomplish this remediation of structural defect(s) within ten (10) business days of initial notification shall be a violation of the Special Approval and subject to the penalties and fines specified by the Township Board.
 - d. Such fines shall be payable by the owner(s) of the tower until compliance is achieved.

12.06 SETBACKS

The following setback requirements shall apply to all towers for which Special Approval is required:

- a. Towers must be set back a distance equal to at least seventy five percent (75%) of the height of the tower from any adjoining lot line.
- b. Guys and accessory buildings must satisfy the minimum zoning district setback requirements.

12.07 FENCING: SECURITY

Towers and attendant accessory structures shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device.

12.08 LANDSCAPING

The following requirements shall govern the landscaping surrounding towers for which Special Approval is required:

- a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound.
- b. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived.
- c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer.

12.09 REQUIREMENTS: COUNTY, STATE AND FEDERAL

1. The applicant must demonstrate that the tower meets or exceeds current standards.
2. All towers must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the county, state or federal government with the authority to regulate towers and antennas.
3. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency.
4. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

12.10 COMPLIANCE: MONITORING & EVALUATION

1. Pretesting shall be conducted after the granting of Special Approval and before the Applicant's personal wireless service facilities begin transmission.
2. The applicant shall pay for an Independent Consultant, hired by the Township Board, to monitor background levels of EMF radiation, around the proposed facility site and/or repeater locations to be utilized for the Applicant's personal wireless service facilities.
3. The Independent Consultant shall use monitoring protocol.
4. Applicant shall demonstrate that towers and antennas meet the following requirements:
 - a. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.

- b. At a tower site, the design of the buildings and related structures shall use material, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
- c. Where feasible, alternative exists, towers, alternative tower structures and supporting structures shall not utilize a power source which generates noise able to be heard by a person of normal aural acuity and adjoining property lines or public property; however, this section shall not be construed as limiting the use of temporary generators or similar devices used to create power during periods of interruption of the primary power source.

12.11 LIGHTING

Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the applicant must demonstrate that the lighting alternatives and design chosen cause the least disturbance to the surrounding views.

12.12 TOWER HEIGHT

- 1. Towers shall meet the following height and usage criteria:
 - a. For a single user, up to ninety (90) feet in height.
 - b. For two users, up to one hundred-twenty (120) feet in height.
 - c. For three (3) or more users, up to one hundred-fifty (150) feet in height.

12.13 CODES: COMPLIANCE

- 1. The applicant must demonstrate that the antenna and metal towers are grounded for protection against a direct strike by lightning and comply as to electrical connections and wiring and as to structural integrity with all applicable state and local building codes and the applicable standards for towers published by the Electronic Industries Association, as amended from time-to-time.
- 2. The applicant must demonstrate that the tower shall be located so that it does not interfere with television and radio reception to neighboring residential areas.

12.14 SIGNS

No signs shall be allowed on an antenna or tower; except signs required pursuant to federal, state or local statute, Ordinance or rule.

12.15 SPACING

Towers shall be located no closer than one (1) mile from an existing telecommunication tower or alternative tower structure, as measured in a straight line between the base of the existing tower and the proposed base of the proposed tower.

A tower shall not be located within two hundred (200) feet or three hundred (300) percent of the height of the tower, whichever is greater, of a single family or multiple family dwelling unit, church, school, or other structure normally used and actually used for the congregation of persons.

Distance for the purpose of this section shall be measured from the base of the tower structure to the lot line of the single family or multiple family dwelling unit, church, school or other structure normally used and actually used for the congregation of persons.

12.16 ABANDONED ANTENNAS AND TOWERS: REMOVAL

Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within ninety (90) days of receipt of notice from the Township notifying the owner of such abandonment.

Along with said removal, said owner shall restore the site of said antenna or tower to its original condition prior to location of the antenna or tower subject to reasonable wear and tear.

Failure to remove an abandoned antenna or tower within said ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense.

If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

The Planning Commission must require the applicant to file a bond equal to the reasonable cost of removing the tower, antenna, alternative tower structure or other supporting structure(s) as a condition of Special Approval given pursuant to this section.

ARTICLE XIV

RESERVED

ARTICLE XV

ZONING BOARD OF APPEALS

13.01 CREATION AND MEMBERSHIP

There is hereby established a Board of Zoning Appeals, herein referred to as the "Board of Appeals," which shall perform its duties and exercise its powers as provided in Act 184 of the Public Acts of 1943, as amended, in such a way that the objectives of this Ordinance shall be observed, public safety secured, and substantial justice done. The Board of Appeals shall consist of five (5) members, as follows:

1. The first member shall be a member of the Township Planning Commission.

2. The remaining members shall be selected and appointed by the Township Board from among the electors residing in the unincorporated area of the Township.
3. The first member of the Board of Appeals shall serve during his tenure of office on the Planning Commission. The second and third members shall serve for an Initial period of three (3) years. The fourth and fifth members shall serve for an initial period of two (2) years. Upon reappointment the terms of the offices for the fourth and fifth members shall be for three (3) years.
4. One member may be a member of the Township board and his membership term shall be limited to the time he is a member of the Township board. An elected officer of the Township shall not serve as chairperson of the Board of Appeals. An employee or contractor employed by the Township shall not serve as chairperson of the Board of Appeals.
5. Members of the Board of Appeals shall be removable by the Township board for non-performance of duty or misconduct in office, upon filing of written charges and after public hearing before the Township Board. Any vacancy for an unexpired term shall fill out the remainder of the unexpired term.

13.02 JURISDICTION

The Board of Appeals shall have all jurisdiction and powers granted by the Zoning Act, all jurisdiction and powers prescribed in other Articles of this Ordinance and the following specific jurisdiction and powers:

- a. To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by any administrative official in carrying out or enforcing any provisions of this Ordinance.
- b. To hear and decide in accordance with the provision of this Ordinance, requests for exceptions, for interpretations of the Zoning map, and for decisions on special approval situations on which this Ordinance specifically authorizes the Board of Appeals to pass.
- b. To authorize, upon an appeal, a variance from the strict application to the provisions of this Ordinance where by reason of the exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.

The Board of Appeals shall not have the power to alter or change the Zoning District classification of any property, nor to make any change in terms of this Ordinance nor to permit any use in a district in which it is not permitted.

13.03 MEETINGS OF THE BOARD OF APPEALS

All meetings of the Board of Appeals shall be held at the call of the Chairman, and at such times as the Board of Appeals may determine. The Board of Appeals shall not conduct business unless three (3) members of the Board of Appeals are present. All meetings of the Board of Appeals shall be open to the public. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member on each questions, or if absent or failing to vote, indicating such fact, and shall keep records of its findings, proceedings at hearings, and other official actions, all of which shall be immediately filed in the office of the Township Clerk and shall be a public record.

The Chairman of the Board of Appeals or in his absence the Acting chairman shall have the power to compel the attendance of witnesses and administrator oaths.

13.04 APPEAL PROCEDURE

An appeal may be taken to the Board of Appeals by any person, firm or corporation, or by any officer, department, board or bureau affected by a decision of the Zoning Administrator or Designee. Such appeals shall be taken within such time as shall be prescribed by the Board of Appeals by general rule, by filing with the Zoning Administrator or Designee a notice of appeal, specifying the grounds thereof. The Zoning Administrator or Designee shall forthwith transmit to the Board of Appeals all of the papers constituting furtherance of the action appealed from unless the Zoning Administrator or Designee certifies to the Board of Appeals after notice of appeal has been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by a court of record.

13.05 SCHEDULE OF FEES AMENDMENTS

The Township board may from time to time prescribe and amend by resolution a reasonable schedule of fees to be charged to applicants for appeals to the Board of Appeals. At the time the notice for appeal is filed said fee shall be paid to the Township Treasurer.

13.06 SPECIFIC CASES

The Board of Appeals shall make no recommendation except in a specific case and after a public hearing conducted. It shall by general rule or in specific cases, determine the interested parties who, in the opinion of the Board of Appeals, may be affected by any matter brought before it, which shall in all cases include all owners of record of property and the occupants of all single-family and two-family dwellings within three hundred (300) feet of the premises in questions, such notices to be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll. If the tenant's name is not known, the term occupant may be used. The Board of Appeals may give such notice to other interested parties as it shall prescribe.

13.07 NOTICE AND PLACE OF HEARING

The Board of Appeals shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the parties and shall render a decision on the appeal without unreasonable delay. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.

13.08 DECISION PROCESS

The majority vote of three (3) members of the Board of Appeals shall be necessary to reverse any order, requirements, decision, or determination of the Zoning Administrator or Designee, or to decide in favor of the applicant any matter upon which it is authorized by the Ordinance to render a decision. Nothing herein contained shall be construed to give or grant to the Board of Appeals the power or authority to alter or change this Ordinance or the Zoning map, such power and authority being reserved to the Soo Township Board, in the manner provided by law.

13.09 GRANTING OF VARIANCES

No variance in the provisions or requirements of this Ordinance shall be authorized by the Board of Appeals unless it is found from the evidence that all of the following conditions exist:

- a. There are exceptional or extraordinary circumstances or conditions applying to the property in question which are different than other properties in the same zoning district or the variance would make the property consistent with the majority of other properties in the vicinity;
- b. The variance is necessary for the preservation and enjoyment of a substantial property right;
- c. Granting the variance will not impair an adequate supply of light and air to adjacent property or unreasonable increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of Soo Township.

13.10 CONDITIONS

In granting a variance the Board of Appeals may attach thereto such conditions regarding the location, character, and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance.

13.11 OFFICIAL RECORD: FINDINGS OF FACT

Minutes shall be kept of each meeting. The Board of Appeals shall record into the minutes all relevant findings, conditions, facts and other relevant factors, including the vote of each member upon each question, or if absent or failing to vote, and all of its official actions. To this end the Board of Appeals shall prepare an official record for all appeals and shall base its decision on this record. The official record shall, at a minimum, include the following items:

- a. The relevant administrative records and orders issued relating to the appeal;
- b. The notice of the appeal;
- c. Such documents, exhibits, photographs or written reports as may be submitted to the Board of Appeals for its consideration.
- d. The finding of the Board of Appeals, stating the facts of the appeal, the decision, and conditions of the decision and the reasons for reaching such a decision.

13.12 ORDERS

In exercising the above powers, the Board of Appeals may reverse or affirm wholly or partly, or may modify the orders, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Zoning Administrator or Designee from whom the appeal is taken.

13.13 MISCELLANEOUS

Decisions and orders of the Board of Appeals shall become effective five days after the decision is reached, unless the Board of Appeals shall find immediate effect is necessary to preserve a substantial property right and shall so certify in the record.

13.14 VALIDITY OF ORDER: LENGTH OF TIME

No order of the Board of Appeals permitting the erection of a building shall be valid for period longer than 12 months, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

13.15 VALIDITY OF ORDER SPECIAL CIRCUMSTANCE

No order of the Board of Appeals permitting a use of a building or premises shall be valid for a period longer than six months unless such use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

13.16 RE-FILING FOR VARIANCE

No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted within one (1) year from the date of the original filing of an application for the variance,

except on grounds of new evidence or proof of changed conditions relating to the reasons for the denial or the original appeal found by the Board of Appeals to be valid.

13.17 FINAL DECISION

The decision of the Board of Appeals shall be final. Appeals from decisions of the Board of Appeals shall be to the Chippewa county Circuit Court, as provided by law.

ARTICLE XVI ADMINISTRATION AND ENFORCEMENT

ZONING PERMITS AND CERTIFICATES OF ZONING COMPLIANCE

14.01 PERMIT

No structure shall be erected, altered, or excavations started until a zoning permit for such erection or alteration shall have been issued.

14.02 UNLAWFUL USES

It shall be unlawful to use or permit the use of any building or premises or part thereof hereafter created, located, erected, changed, converted or enlarged wholly or partly until a certificate of zoning compliance has been issued for that premises certifying that the structure or use complies with the provisions of this Ordinance. Such certificates of zoning compliance shall be granted or denied within 30 days from the date that a written application is filed with the township Zoning Administrator or Designee.

14.03 COMPLIANCE WITH REGULATIONS

Prior to the issuance of such certificate of zoning compliance, the Township Zoning Administrator or Designee shall be satisfied that the building to be erected or that the alterations to be done shall comply in all respects with the health laws and Ordinances and the provision of these regulations. It shall be the duty of the applicant for such certificate of zoning compliance to permit to furnish to the Zoning Administrator or Designee such plans or other information as the Zoning Administrator or Designee may require in order to be reasonably satisfied that the building to be erected or altered will so comply. Fees shall be charged and paid to the Township Treasurer upon the issuance by the Zoning Administrator or Designee of certificates of zoning compliance for all new construction projects, alterations, additions to, or repairs on all existing buildings or structures, to wit: as shall be determined by resolution of the Township Board.

14.04 ISSUANCE OF A ZONING PERMIT

Whenever the information supplied in above is determined to be in conformity with the provisions of this Ordinance, the Zoning Administrator or Designee shall issue the owner a Permit within 10 days of such determination. In any case, where a Permit is refused, the cause shall be stated in writing to the applicant. A zoning permit is not automatically transferable. A permit to be transferred shall be

reviewed by the Zoning Administrator or Designee with the proposed recipient to insure a clear understanding of the requirements of the permit.

14.05 EXPIRATION

Any Zoning Permit under which no substantive work has been undertaken within 12 months from the date of issuance shall expire by limitation but shall be renewable upon re-application and payment of appropriate fees as determined by the Township and subject to the provision of all Ordinances in effect at the time of renewal.

14.06 REVOCATION

The Zoning Administrator or Designee shall have the power to revoke or cancel any Zoning Permit in case of failure or neglect to comply with the provision of this Ordinance, or in the case of false statement or misrepresentation made in the application. The owner or applicant shall be notified of such revocation in writing as shall the Chippewa County Building Inspector.

ENFORCEMENT

14.07

Any land, dwellings, buildings, or structures, including tents and trailer coaches, used erected, altered, razed or converted in violation of this Ordinance or in violation of any regulations, conditions, permits or other rights granted, adopted or issued pursuant to this Ordinance are hereby declared to be a nuisance per se.

14.08

Any person, partnership, corporation, or association who creates or maintains a nuisance per se as defined in subsection 20.2001 above or who violates or fails to comply with this Ordinance or permit issued pursuant to this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than five hundred and 00.100 (\$500.00) dollars. Every day that such violation continues shall constitute a separate and distinct offense under the provision of this Ordinance. Nothing in this section shall exempt the offender from compliance with the provision of this Ordinance.

14.09

The Township of Zoning Administrator or Designee is hereby designated as the authorized township official to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

14.10

In addition to enforcing this Ordinance through the use of municipal civil infraction proceeding, the Township may initiate proceedings in the Chippewa County Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

**ARTICLE XVII
REZONING AND AMENDMENTS**

15.01 STATEMENT OF PURPOSE

Amendments or supplements to this Ordinance may be made from time to time in the manner provided by law.

15.02 WHO MAY REQUEST AN AMENDMENT

The following may request an amendment to the Ordinance Text or Map:

1. The Township Board.
2. The Planning Commission.
3. The Zoning Board of Appeals.
4. The Zoning Administrator or Designee.
5. The resident of, or owner of land in Soo Township.

15.03 PROCEDURE

The following steps must be followed:

1. A request shall be made upon the filing of a form for an Ordinance Amendment which shall be obtainable from the Township Zoning Administrator or Designee or the Township Clerk.
2. This form shall be filled out in its entirety and be accompanied by a non-refundable application fee as specified in the Soo Township schedule of Fees as adopted and amended from time to time by the Township Board.
3. An Application for a rezoning of a parcel of property shall contain, at a minimum, the following information:
 - a. The legal description of the premises involved.

- b. The zone in which such premises are presently situated.
 - c. The zone into which the applicant desires such premises to be situated.
 - d. The name and address of the applicant.
 - e. The name and address of the property owner if other than the applicant.
 - f. Reasons for requesting the rezoning.
4. An application for an amendment to the text of the Zoning Ordinance shall contain, at a minimum, the following information:
 - a. The language requested to be changed, added or deleted.
 - b. The reason for the requested change.
 - c. The impact, expected or desired result of amending the text of the Ordinance.
 - d. The name and address of the applicant.
 5. The application and fee shall be submitted to the Zoning Administrator or Designee who shall review the submitted application for completeness and accuracy.
 6. Upon a determination that all required materials and information has been submitted, the Zoning Administrator or Designee shall notify the Secretary of the Planning Commission who shall cause a public hearing to be scheduled.

15.04 PLANNING COMMISSION: ACTION AND APPLICATION

1. Said application shall be scheduled for a public hearing by the Planning Commission at its next meeting following the receipt thereof by the Secretary of the Planning Commission, provided however, that there is adequate and sufficient time for giving all public notices by law.
2. For text amendment requests, the Planning Commission may recommend to the Township Board, modification, rejection, or the adoption of said proposal either in its original or changed form.
3. For the rezoning requests, the planning Commission may recommend the rezoning of all property to be zoned requested, a portion of the property to the zone requested or recommend denial of the rezoning request.

15.05 PLANNING COMMISSION: RESPONSIBILITIES

1. Before taking any action or making any recommendation on a map or text amendment, the Planning Commission shall hold a minimum of one public hearing.

2. When an application for an Ordinance amendment filed in proper form and with the required data, the Secretary shall immediately place the application upon the calendar for hearing and cause notices stating time, place, and object of the hearing to be served.
3. Notice of the hearing shall be by two publications in a newspaper that circulates the Township, the first to be published not more than 30 days or less than 20 days and the second not more than 8 days before the date of the hearing.
4. If an individual property or several adjacent properties are proposed for rezoning, notices shall be served personally or by mail at least 8 days prior to the day of such hearing, upon the applicant, the property owner, the Zoning Administrator or Designee, and all persons assessed for any real property within 300 feet of the premises in question and to the occupants of all structures or dwelling units within 300 feet of the premises in question.
5. Such notices shall be served personally or by regular mail, addressed to the respective owners and tenants at the address given in the last assessment roll. If the name of the occupant is unknown, the term Occupant may be used in making notification.
6. Any party may appear at such hearings in person or by agent or by attorney.
7. A notice shall be mailed by first class mail to all utilities operating or having business interests within the Township no less than 20 days prior to the public hearing provided said utility registers its name and mailing address with the Planning Commission for the purpose of receiving such notice.
8. An affidavit of mailing shall be retained n file with the application for text or map amendment.
9. All notices shall contain a summary or complete text or effect of the proposed change, the time, date, and location of the public hearing.
10. In addition, the notice shall state the times and locations where proposed changes as well as currently existing Ordinance can be examined or purchased.
11. Following such public hearing, the Planning Commission shall submit the proposed amendment or supplement, a summary of the contents received as well as the recommendations of the Planning Commission and the rationale supporting the recommendation to the Township Board and to the Chippewa County Planning Commission for its review.
12. The County Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment(s).
13. The Chippewa County Planning Commission shall have 30 days or such additional time as may be allowed by the Township to review and provide comments back to the Township.

14. After the Township Board had received the recommendation of the Planning Commission and the Chippewa County Planning Commission or after 30 days has passed since the Planning Commission submitted their recommendation to the County Planning Commission, the Township Board may take action.
15. The Township Board may hold a public hearing if it so desires or shall hold public hearing if requested by certified mail by a property owner.
16. Should the Township Board hold a public hearing, it shall publish one notice no more than 15 days and not less than 5 days prior to the hearing.
17. Should the Township Board elect to consider changes to the text or map amendment as recommended by the Planning Commission, it shall refer the changes to the Planning Commission and request a report to be submitted back to the Township Board within a specified time period.
18. The Township Board may take action at a regular or specially scheduled meeting called for that purpose, may adopt the amendment(s) by a majority of the full Township Board.
19. Within 15 days after the adoption by the Township Board, the Township Board shall publish the amendment or a summary of the regulatory effect of the amendment along with an effective date of the amendment.
20. Should the Township Board not specify an effective date, the amendment shall take effect 30 days after publication.
21. The publication shall contain the location and hours at which the Ordinance can be reviewed or purchased.

15.06 STANDARDS: ACTIONS

To enable the Planning Commission and the Township Board to objectively determine whether a proposed zoning amendment should be granted, the following issues should be addressed prior to making a decision:

1. Text amendment for the purpose of adding land uses to a zone district classification:
 - a. Is the use already provided for in another zone district in the Ordinance?
 - b. Is the use compatible with uses already permitted by right and by special land use in that district?
 - c. How does the use relate to and is it supported by the Master Plan?

- d. Does the use meet the spirit and purpose of the Ordinance, and with the intent of the zoning district?
 - e. Would the use be more appropriately be located in another zone district of this Ordinance?
 - f. Would the use be more appropriate if permitted as a special land use?
 - g. Is there a reason or need to add the use to this district?
2. For text amendments to change or add additional regulation or standards:
- a. Does the proposed rule, change or addition reinforce or assist in implementing the Master Plan?
 - b. Is the proposed rule, change, or addition in keeping with the spirit and purpose of the Ordinance, and with the objectives of valid public purpose?
 - c. Is this the best means to address the issue? Can it be accomplished in another, more appropriate fashion? Does this address a new problem, concern or use that is not currently addressed in this Ordinance?
 - d. Is the proposed text change endorsable?
3. For rezoning requests to change, create, extend or reduce a mapped a zoning district:
- a. Are there substantial reasons why the property cannot be reasonable used as currently zoned?
 - b. Is the use desired to be established in the new district more appropriately handed as a special land use in the existing district or another district?
 - c. If the zone changed is proposed, is it supported by the Master Plan?
 - d. What impact would a change have upon the area? Would a change of present district boundaries be compatible with the existing land uses in the land area? Will it adversely affect property values?
 - e. Are adequate sites available elsewhere that are already properly zoned to accommodate the proposed use?
 - f. Would the rezoning constitute a spot zone granting a special privilege to one landowner not available to others?
 - g. Was there a mistake in the original zoning classifications?
 - h. Has there been a change of conditions in this portion of the Township that would support the proposed rezoning?

- i. Would the change severely impact traffic, public facilities, and the natural characteristics if the area, or significantly change population density? Is the change consistent with the purposes for which zoning is adopted?
- j. Is the proposed change out of scale with the needs of the community?
- k. If the change is approved, what will be the probable effect on stimulation of similar zoning requests in the vicinity? Would this secondary affect negatively impact community plans and public services?
- l. Is the proposed change precedent setting?
- m. Is the proposed boundary appropriate?

As a rule, Township concerns regarding a rezoning are embodied in the following question. Is this an appropriate location for all the uses which are permitted under the requested zone district?

15.07 POWER OF REVOCATION

The Township Board shall have the power to revoke or cancel any change of zoning affected for any failure or neglect to comply with any provisions of this Ordinance, or in case any false statement or misrepresentation is made in the application filed pertaining to rezoning proceedings. This shall be undertaken using the process set forth above for the original amendment.

ARTICLE XVIII VALIDITY

16.01 VALIDITY

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

16.02 REVOCATION

A body which grants approval of a permit or application under this Ordinance, such as in the case of the Board Designee's approval of a plot plan and the Township Board's approval of a Special Land Use application, may revoke or cancel such approval in case of failure or neglect to comply with this Ordinance, or in the case of any false statement or misrepresentation made in the application. The Board Designee may issue a stop work order to halt all construction activities and usage pending a decision on the revocation.

- A. At the revocation proceedings, the body holding such proceedings shall state the basis for the revocation and the permit holder shall be given the opportunity to present evidence and testimony against such revocation
- B. Following proceeding, the approving body may revoke the permit, delay such revocation for a specified time period to permit the permit holder time to correct specified violations, or find there is no basis for such revocation.
- C. Upon permit revocation, or in the case where revocation is delayed to correct violations, all further construction and usage shall cease other than for the purpose of correcting violations, unless specifically provided for otherwise by the revocation body. Failure to comply with a revocation order is declared to be a nuisance per se and a violation of this Ordinance.

**ARTICLE XIX
EFFECTIVE DATE AND REPEALER**

17.01 EFFECTIVE DATE AND REPEALER

This zoning Ordinance shall become effective thirty days following its publication of this Ordinance or a summary thereof in a newspaper of general publication in the Township. The previous zoning Ordinance of Soo Township, dated September 8, 1965 and amended, is hereby repealed.

17.02 REVOCATION

A body which grants approval of a permit or application under this Ordinance, such as in the case of the Board Designee's approval of a plot plan and the Township Board's approval of a Special Land Use application, may revoke or cancel such approval in case of failure or neglect to comply with this Ordinance, or in the case of any false statement or misrepresentation made in the application. The Board Designee may issue a stop work order to halt all construction activities and usage pending a decision on the revocation.

A. At the revocation proceedings, the body holding such proceedings shall state the basis for the revocation and the permit holder shall be given the opportunity to present evidence and testimony against such revocation








B. Following proceeding, the approving body may revoke the permit, delay such revocation for a specified time period to permit the permit holder time to correct specified violations, or find there is no basis for such revocation.

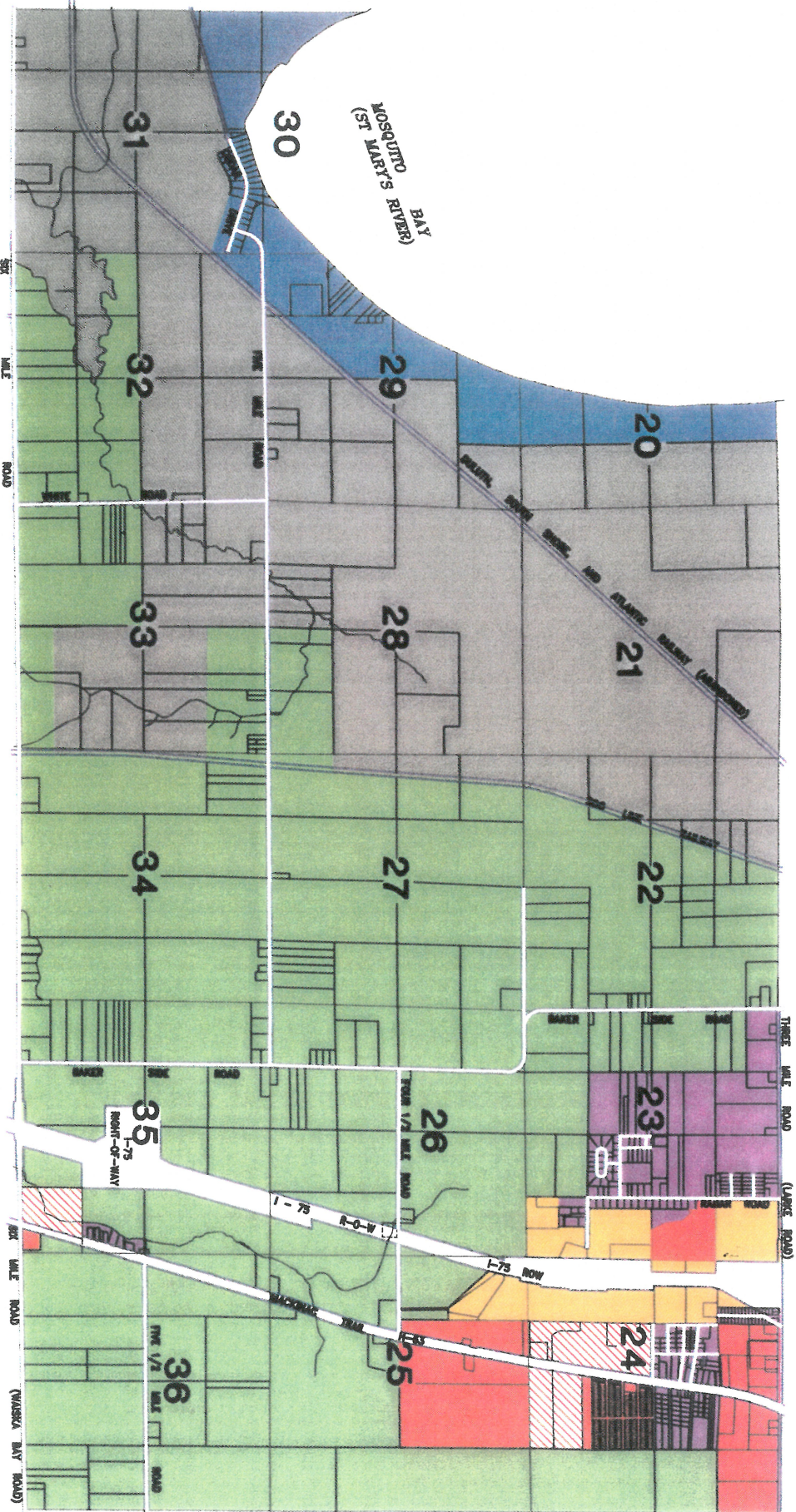
C. Upon permit revocation, or in the case where revocation is delayed to correct violations, all further construction and usage shall cease other than for the purpose of correcting violations, unless specifically provided for otherwise by the revocation body. Failure to comply with a revocation order is declared to be a nuisance per se and a violation of this Ordinance.

SOO TOWNSHIP T47N R1W

Soo Township Zoning Map

LEGEND








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|---|------------------------|
|  | WATERFRONT RESIDENTIAL |
|  | AGRICULTURAL |
|  | COMMERCIAL |
|  | FOREST/RECREATIONAL |
|  | INDUSTRIAL |
|  | RESIDENTIAL |
|  | INSTITUTIONAL |



SOO TOWNSHIP T47N R1E

Soo Township Zoning Map

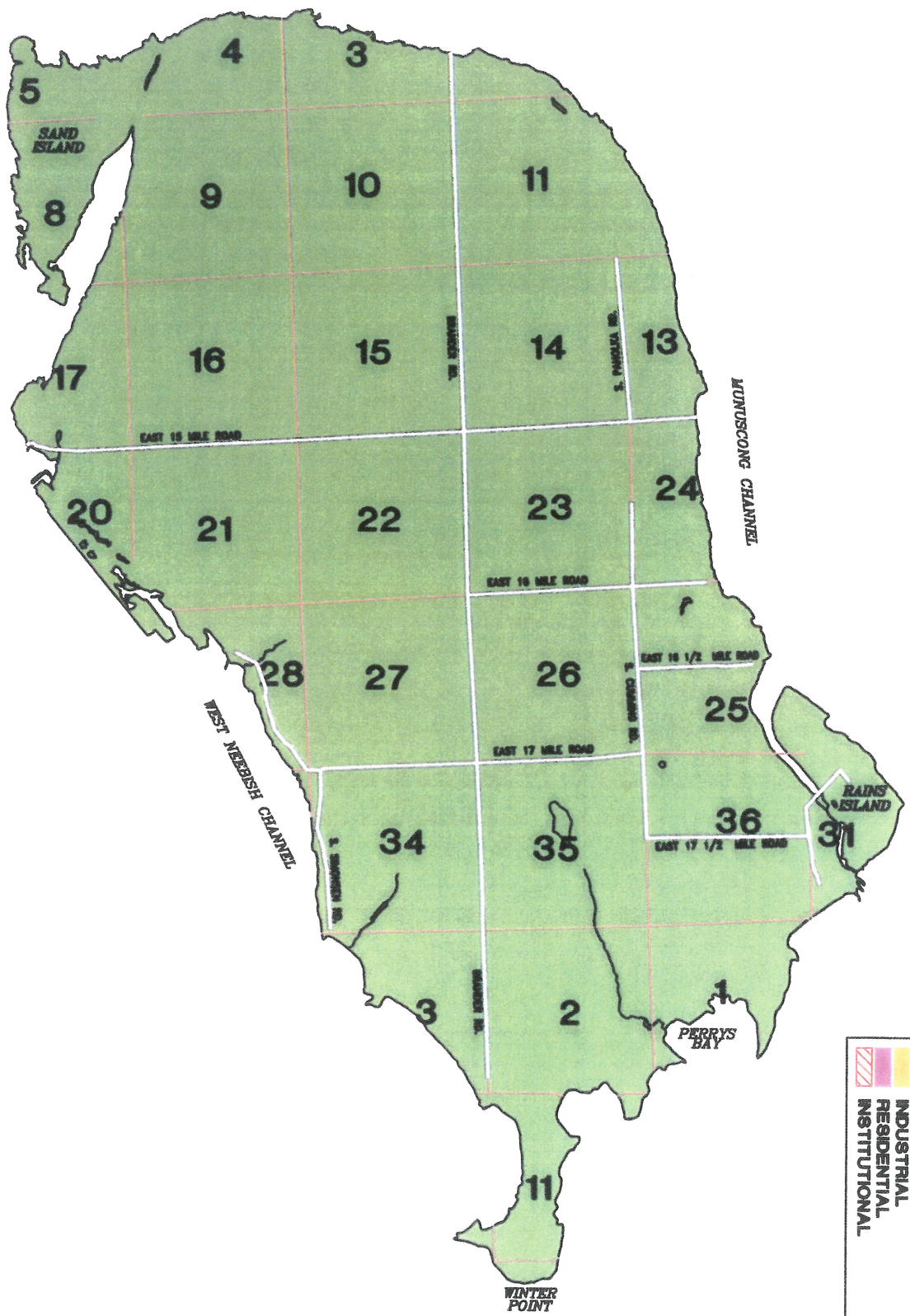
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|  | WATERFRONT RESIDENTIAL |
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|  | INSTITUTIONAL |



**SOO TOWNSHIP
NEEBISH ISLAND**

**Soo Township
Zoning Map**



LEGEND

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|--|------------------------|
| | WATERFRONT RESIDENTIAL |
| | AGRICULTURAL |
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