

**Blissfield Township
Zoning Ordinance**

April, 2010

Amended February 21, 2017

BLISSFIELD TOWNSHIP ZONING ORDINANCE

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ARTICLE 1

TITLE, PURPOSES, AND LEGAL CLAUSES

SECTION 1.01 TITLE

This Ordinance shall be known and may be cited as "The Blissfield Township Zoning Ordinance of 2010."

SECTION 1.02 REPEAL OF ORDINANCE

The Blissfield Township Zoning Ordinance, and all amendments thereto, and all prior zoning ordinances of Blissfield Township, are hereby repealed effective coincident with the effective date of this Ordinance.

SECTION 1.03 PURPOSES

This Ordinance is established for the purposes of:

- A. Providing for the orderly development of the Township;
- B. Placing no undue burden upon agriculture, developers, industry, commerce, or residents;
- C. Assuring the provision of adequate sites for industry, commerce, or residents;
- D. Providing for the free movement of vehicles upon the proper streets and highways of the Township;
- E. Protecting agriculture, industry, commerce, and residences against incongruous and incompatible uses of land;
- F. Promoting the proper use of land and natural resources for the economic well-being for the Township as a whole;
- G. Assuring the provision of adequate space for the parking of vehicles of customers using commercial, retail, and industrial areas;
- H. Assuring that all uses of land and buildings within the Township be so related as to provide for economy in government, protection of the environment and mutual support; and
- I. Promoting and protecting the public health, safety, comfort, convenience, and general welfare of the residents, merchants, and workers.

SECTION 1.04 SEVERABILITY CLAUSE

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling.

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

SECTION 1.05 CONFLICT WITH OTHER LAWS

- A. Where any condition imposed by any provision of this Ordinance upon the use of any lot, building, or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance or by the provision of an ordinance adopted under any other law, the provision which is more restrictive or which imposes a higher standard or requirement shall govern.

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

SECTION 1.06 EFFECTIVE DATE

This Ordinance was adopted by the Township Board of the Township of Blissfield, Lenawee County, Michigan, at a meeting held on August 10, 2010 and ordered published as required by the Michigan Zoning Enabling Act, Act 110 of 2006, as amended. This Ordinance was effective on August 17, 2010.

On November 6, 2015, the ordinance was amended. These changes became effective December 7, 2015. (*Rev. 12/2015*)

ARTICLE 2

RULES OF CONSTRUCTION AND DEFINITIONS

SECTION 2.01 RULES OF INTERPRETATION

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

- A. The word “person” includes a firm, association, organization, partnership, trust, corporation, or company as well as an individual.
- B. The present tense includes future tense; the singular number includes the plural, and the plural number includes the singular.
- C. The word “shall” is mandatory; the word “may” is permissive.
- D. The words “used” or “occupied” include the words “intended”, “designed”, or “arranged to be used” or “occupied.”

SECTION 2.02 DEFINITIONS

ACCESSORY USE, BUILDING OR STRUCTURE - A use, building or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use, building or structure.

ANIMAL – A non-human zoological species, classified for purposes of this Ordinance as follows:

- A. Class I Animal: Domesticated household pets weighing less than one hundred-fifty (150) pounds.
- B. Class II Animal: An animal, which is normally part of the livestock maintained on a farm including:
 - 1. Bovine and like animals, such as cows.
 - 2. Equine and like animals, such as horses.
 - 3. Swine and like animals, such as pigs and hogs.
 - 4. Ovis (ovine) and like animals, such as sheep and goats.

5. Other animals, similar to those listed in subsection (1-4) above, weighing in excess of seventy-five (75) pounds, and not otherwise specifically classified herein.
- C. Class III Animal; Rabbits (which are not maintained or kept as domesticated household pets); animals considered as poultry, animals considered as waterfowl, such as pheasant, quail, geese or grouse, and other animals weighing less than seventy-five (75) pounds not specifically classified herein.

AUTOMOBILE CAR WASH – A building, or portion thereof, the primary purpose of which is that of washing vehicles either by automatic or self-service means.

AUTOMOBILE REPAIR – Routine maintenance such as checking tire pressure, changing wipers and blades, oil changes, lubrication, change of filters, spark plugs, top off all fluids, emission system maintenance, and vacuuming the interior of the car. Also included in this definition are more extensive maintenance procedures recommended by the manufacturer at certain intervals such as replacement and repair of tires, starting motors, alternators, electrical system components, distributor caps, sensors, internal switches, exhaust systems, and repair or replacement of the emission system.

AUTOMOBILE SERVICE STATION – A building or premises used primarily for the dispensing, sale, or offering for sale of motor fuels directly to users of motor vehicles; together with the sale of minor accessories and services for motor vehicles such as filling tires with air, checking fluid levels, adding water to batteries or radiators, automobile repair and similar activities; as well as selling convenience foods and other such items through a convenience store.

BANQUET/MEETING HALL - A building or part of a building used for the purposes of entertaining a large group of people where food and beverage may be provided; and where a caterer's establishment may be included only if it is in conjunction with a banquet/meeting hall. This use shall also include a building or part thereof in which facilities are provided for such purposes as meeting for groups of civic, educational, political, religious or social purposes.

BASEMENT – That portion of a building, which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than or equal to the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story (Figure 1).

BILLBOARD – See SIGN, OUTDOOR ADVERTISING.

BUILDABLE AREA – The interior portion of the net lot area that remains after the minimum yard requirements have been met pursuant to the application of the appropriate zoning district regulations specified in this ordinance.

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.

BUILDING HEIGHT – The vertical distance measured from average grade to the highest point of a flat roof, to the deck line of mansard roofs, and to the average height between eaves and ridge for gable, hip, and gambrel roofs (Figure 2).

CAMPGROUND – A parcel in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for tents, recreational vehicles or similar facilities.

"Campground" shall not include any use of land involving the operations of programs involving persons sentenced or assigned to said programs for governmental agencies or courts of law having statutory authority to detain persons against their will, a "seasonal mobile home park" licensed under Act No. 419 of the Public Acts of 1976, as amended; being sections 125.1101 to 125.1147 of the Compiled Laws of 1970. For purposes of this Ordinance, the following additional terms are defined:

1. Modern Campground – A campground where water flush toilets and water under pressure are available at a service building or where a water outlet and a sewer connection are available at each site.
2. Primitive Campground – A campground where a service building is typically present and where a water outlet and a sewer connection are not available at each site.
3. Temporary Campground – A campground used on a temporary or short-term basis not to exceed a period of four (4) weeks.
4. Temporary living quarters – As related to camping, means a recreational unit or a building within a modern camp, which is occupied or used for more than four (4) hours between the hours of 10:00 p.m. to 6:00 a.m., which is not intended to be occupied or used in excess of three (3) consecutive months.

CLUB – Buildings and facilities owned and operated by a corporation, or association or persons for social or recreational purposes for members and guests, but not operated primarily for profit or to render a service customarily carried on as a business.

COMMUNITY WASTEWATER UTILITY SYSTEM(S) – A facility, which is owned by a non-governmental entity and is designed, constructed, operated, and maintained to transport, collect, process, and treat sanitary sewage from more than one dwelling unit or structure. The system shall include any individual septic tanks, pumps, lines, and appurtenances serving each dwelling unit or structure in addition to facilities, sewers, and appurtenances that serve more than one dwelling unit or structure.

CONDOMINIUM – Condominiums shall include the following elements:

1. Condominium Act – Refers to Act 59 of the Public Acts of 1978, as amended.

2. Condominium Documents – The master deed, recorded pursuant to the Condominium Act, and any other instrument referred to in the master deed or bylaws, which affects the rights and obligations of a co-owner in the condominium.
3. Condominium Unit – The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed. The condominium unit includes the condominium unit and the contiguous limited common element surrounding the condominium unit, and shall be the counterpart of "lot" as used in connection with a project developed under the Subdivision Control Act, Act 288 of the Public Acts of 1967, as amended.
4. General Common Element – The common elements other than the limited common elements reserved in the master deed for use by all of the co-owners.
5. Limited Common Element – A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
6. Master Deed – The condominium document recording the condominium project, to which are attached as exhibits and incorporated by reference with the bylaws for the project and the condominium subdivision plan for the project, and all other information required by Section 8 of the Condominium Act.
7. Site Condominium – A condominium development in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may be constructed, herein defined as a condominium unit. Such developments are also described in the Master Deed.

CONGREGATE HOUSING – A dwelling providing shelter and services for four (4) or more elderly persons within which are provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services, such as transportation for routine social and medical appointments and counseling.

DAY-CARE FACILITY – Means the following:

1. Day-Care Center – A facility, other than a private residence, receiving one (1) or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. The term "day-care center" includes a facility, which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child-care center, day-care center, day nursery, nursery school, parent cooperative preschool, play group or drop-in center. The term "day-care center" does not include any of the following:

- a. A Sunday school, a vacation bible school or a religious instructional class that is conducted by a religious organization where children are in attendance for not greater than three (3) hours per day for an indefinite period, or not greater than eight (8) hours per day for a period not to exceed four (4) weeks during a twelve (12) month period.
 - b. A facility operated by a religious organization where children are cared for not greater than three (3) hours while persons responsible for the children are attending religious services.
2. Group Day-Care Home – A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. The term "group day-care home" includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. The owner of the child group day-care home business must also be a resident of the private home.
3. Family Day-Care Home – A private home in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. The term "family day-care home" includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year. Child family day care homes are subject to applicable State law and licensing. The owner of the child family day care home business must also be a resident of the private home.

DECK – A structure with or without a roof having a foundation to hold it erect, and attached to or abutting one (1) or more walls of a building or constructed separately from a building, with or without direct access to the ground, the floor of which is above finished grade, and intended for use as an outdoor living area.

DRIVE-THROUGH FACILITY – An establishment that is designed to permit customers to receive products or services while remaining seated in a motor vehicle.

DWELLING AREA – The dwelling area of a dwelling unit is composed of sleeping rooms, kitchen, dining room, den, studio, bathrooms, and family and living rooms.

DWELLING UNIT, MOBILE HOME – A mobile home designed for or occupied by one (1) family only.

DWELLING, MULTIPLE-FAMILY – A building or structure designed for or occupied by two (2) or more families, with separate housekeeping, kitchen and bathroom facilities for each, and conforming in all other respects to the standards in Section 4.08 G., herein.

DWELLING, SINGLE-FAMILY – A building containing not more than one (1) dwelling unit.

DWELLING, TOWNHOUSE – A row of three (3) or more attached one-family dwellings not more than two and one-half (2 1/2) stories in height with separate housekeeping, kitchen and bathroom facilities for each, and with outside exposure front and back, for each dwelling unit and conforming in all other respects to the standards in Section 4.04 C., herein.

DWELLING UNIT – One (1) or more rooms connected together with principal kitchen and bathroom facilities designed as a unit for residence by only one (1) family for living and sleeping purposes, constituting a separate, independent housekeeping establishment, and physically separated from any other rooms or dwelling units which might be in the same structure.

ESSENTIAL SERVICES – The term "essential services" shall mean the erection, construction, alterations, or maintenance by public utilities or municipal departments, commissions, or boards, or by other government agencies of underground, surface, or overhead gas, electric, steam, or water transmission or distribution system, collection, communications, supply or disposal systems, dams, weirs, culverts, bridges, canals, locks, poles, wires, mains, drains, sewers, towers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, or signs and fire hydrants, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or other government agencies, or for the public health, safety, or general welfare, but not including buildings other than those buildings which are primarily enclosures or shelters for the installed central services equipment.

FAMILY – An individual or a group of two (2) or more persons related by blood, marriage, or adoption, including foster children and domestic employees, together with not more than three (3) additional persons not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit.

FARM – As defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, being MCL 286.471 *et seq.*

FARM, AFFILIATED – As defined by the Generally Accepted Agricultural and Management Practices for Farm Markets of the Michigan Department of Agriculture.

FARM ANIMALS – As defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, being MCL 286.471 *et seq.*

FARM BUILDINGS – Any building or structure, other than a dwelling, used on a farm, in a farm operation.

FARM MARKET – As defined by the Generally Accepted Agricultural and Management Practices for Farm Markets of the Michigan Department of Agriculture. This definition includes roadside stands.

FARM OPERATION – As defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, being MCL 286.471 *et seq.*

FARM PRODUCT – As defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, being MCL 286.471 *et seq.*

FENCE – An enclosure, especially an enclosing barrier erected to prevent straying from within or intrusion. Materials and structures specially designed and manufactured for use as fences or barriers shall only be permitted. See Section 5.03 for further details.

FLOODPLAIN – Lands which are subject to periodic flooding and have been defined by the Corps of Engineers, Soil Conservation Service of the U.S. Department of Agriculture, or by any other relevant State or Federal Agency to have alluvial soil deposits, indicating that such flooding has taken place; or as defined by any registered engineer or land surveyor and accepted by the Township Board as such a flood plain.

FLOOR AREA – The sum of the gross horizontal floor areas of the several stories of a building, as measured to the exterior of the face of the exterior walls, plus that area, similarly measured, of all other floors, except basements, that are accessible by a fixed stairway, ramp, escalator, or elevator; including all enclosed porches and balconies, and all stairways, breezeways, storage area, recreational rooms, boiler rooms, and other areas within or contiguous to the structure; and the measurement shall include the floor space of all accessory buildings measured similarly.

FLOOR AREA, DWELLING UNIT – The floor area as defined preceding, except that only those parts of a dwelling unit that are permanent, structural parts of the dwelling, meet all requirements of the Michigan State Construction Code, and are designed, constructed, and heated for a year-round human occupancy, may be included in the computation of floor area used to meet minimum floor area requirements.

FLOOR AREA RATIO – The ratio of the floor area of a building to the area of the lot on which it is located, calculated by dividing the floor area by the lot area and expressing it as a percentage.

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

1. Foster Care Small Group Home, Adult – A facility with the approved capacity to receive twelve (12) or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day,

five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.

2. Foster Care Large Group Home, Adult – A facility with approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.
3. Foster Care Family Home, Adult – A private residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
4. Foster Care Congregate Facility, Adult – An adult foster care facility with the approved capacity to receive more than twenty (20) adults to be provided with foster care.

GARAGE, PRIVATE – An accessory building or structure used principally for storage of automobiles and for other incidental storage purpose only.

GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMPS) – As defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, being MCL 286.471 *et seq.*

GRADE – The degree of rise or descent of a sloping surface (Figure 3).

GRADE, FINISHED – The final elevation of the ground surface after development.

GRADE, NATURAL – The elevation of the ground surface in its natural state, before alternations are made.

HAZARDOUS SUBSTANCES – Hazardous substances include hazardous chemicals as defined by the Michigan Department of Public Health and the Michigan Department of Labor; flammable and combustible liquids as defined by the Michigan Department of State Police, Fire Marshal Division; hazardous materials as defined by the U.S. Department of Transportation; and critical materials, polluting materials, and hazardous waste as defined by the Michigan Department of Natural Resources. Petroleum products and waste oil are subject to regulation under this section.

HOME OCCUPATION – An occupation carried on in the home by resident members of the family, being clearly incidental and secondary to the principal residential use. See Section 5.09 for further details.

HORSE STABLE – A structure used for the shelter and care of horses.

HOSPITAL, GENERAL – An installation providing health services primarily for in-patient medical or surgical care of the sick or injured, and includes related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are integral parts of the facilities.

HOUSING FOR THE ELDERLY – A building or group of buildings containing dwellings intended for, and solely occupied by, elderly persons as defined by the federal Fair Housing Amendments Act of 1988. Housing for the elderly may include independent and/or assisted living arrangements but shall not include convalescent or nursing facilities regulated by the State of Michigan.

INTENSIVE LIVESTOCK OPERATION – An agricultural operation in which Type II and Type III animals are bred and/or raised within a confined area, either inside or outside, generally at densities greater than permitted by Section 6.08 of this Ordinance. Such operations are further characterized as having an animal feeding building or feedlot, which is a facility, other than a pasture, where animals are fed and/or confined.

JUNK YARD – A place, structure, parcel or use of land where junk, waste, discard, salvage or similar materials such as old iron or other metal, wood, lumber, glass, paper, rags, cloth, leather, rubber, bagging, cordage, barrels, containers, etc. are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including auto wrecking yards, inoperative machines, used lumber yards, house wrecking and structural steel materials and equipment and including establishments for the sale, purchase, or storage of salvaged machinery and the processing of used, discarded, or salvaged materials, for any thirty (30) consecutive days.

KENNEL, COMMERCIAL – A commercial kennel shall mean any building, structure, enclosure or premises where five (5) or more dogs or cats, six (6) months of age or older, are kept for commercial purposes, including boarding, breeding, or sale, or the rendering of services for profit. For the purposes hereof, five (5) animals kept and maintained as a hobby kennel or for any other purpose, shall be deemed and considered a commercial kennel.

KENNEL, HOBBY – A hobby kennel shall mean any building, structure, enclosure or other premises where four (4) or less dogs or cats, six (6) months of age or older, are kept, harbored, or maintained for:

1. Showing in recognized dog shows, obedience trails, or field trials.
2. Working and hunting.
3. Improving the variety or breed with a view to exhibition in shows and trials.
4. Household pets.

LANDSCAPING – The following definitions shall apply in the application of this Ordinance:

1. Berm - A landscaped mound of earth, which blends with the surrounding terrain.
2. Buffer - A landscaped area composed of living material, wall, berm, or combination thereof, established and/or maintained to provide visual screening, noise reduction, and transition between conflicting types of land uses.
3. Conflicting Non-residential Land Uses - Any non-residential use, such as office, commercial, industrial, research, parking or public road right-of-way land use which abuts a residential land use.
4. Conflicting Residential Use – Any residential land use developed at a higher density, which abuts a residential land use developed at a lower density.
5. Greenbelt – A landscaped area, established at a depth of the minimum required front yard setback within a Zoning District, which is intended to provide a transition between a public road right-of-way and an existing or proposed land use and/or between a conflicting land use and an existing or proposed land use.
6. Opacity – The state of being impervious to sight.
7. Plant Material – A collection of living evergreen and/or deciduous, woody-stemmed trees, shrubs, vines, and ground cover.

LARGE SCALE RETAIL ESTABLISHMENT - A retail establishment commonly referred to as a “big box” store, which exceeds fifty thousand (50,000) square feet in gross floor area.

LIVESTOCK PRODUCTION FACILITY – A facility where farm animals, as defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, being MCL 286.471 et seq., are confined with a capacity of 50 animal units or greater and/or the associated manure storage facilities. Pasture systems are excluded.

LOADING SPACE, OFF-STREET – Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

LODGING – A series of attached, semidetached or detached rental units containing bedroom, bathroom and closet space. Such units shall provide for overnight lodging offered to the public for compensation, and shall cater primarily to the public traveling by motor vehicle.

LOT – A lot is the contiguous land in the same ownership that is not divided by a street right-of-way or a street or drive easement, including any part thereof subject to any easement for any purpose other than a street or drive, and excluding any portion thereof in a street right-of-way or a street or drive easement of at least sufficient size to meet minimum requirements of the zoning district in which it is located. Such lot shall have frontage on a public street, or on a private street approved by the Township Board, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. Any combination of complete and/or portions of lots of record;
4. A parcel of land described by metes and bounds; or
5. Any parcel of land which constitutes or is treated as a condominium unit in accordance with the Michigan Condominium Act, being P.A. 1978, No. 59, as amended, shall be defined and treated as a lot for all purposes of this ordinance provided that in no case of division or combination shall the area of any lot or parcel created, including residuals, be less than that required by this Ordinance.

LOT COVERAGE – The percentage of the lot area covered by the ground floor of principal and accessory buildings.

LOT DEPTH – The distance between the midpoints of the straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

LOT FRONTAGE – The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under **YARDS** in this section. For determining minimum lot width, the frontage of only one street shall be used.

LOT OF RECORD - A lot which is part of a subdivision and is shown on a plat or map thereof which has been recorded in the Office of the Register of Deeds for Lenawee County prior to the effective date of this Ordinance; or a parcel of land described by metes and bounds which is the subject of a deed or land contract recorded in said office prior to said date.

LOT TYPES -

1. **Corner Lot** – A lot located at the intersection of two (2) or more streets. A lot abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. **Interior Lot** – A lot other than a corner lot with only one (1) frontage on a street.
3. **Through Lot** – A lot other than a corner lot with frontage on more than one (1) street, and may be referred to as a double frontage lot (Figure 4).

LOT WIDTH – The required distance between the side lot lines, measured in a straight line at the two (2) points where the required front setback intersects the side lot lines. For lots located

on the turning circle of a cul-de-sac, the lot width may be reduced to eighty (80) percent of the required lot width.

LOT, ZONING – A tract or parcel of land which is designated by its owner or developer as a tract to be used, developed or built as a unit, under single ownership or control. A Zoning Lot may or may not coincide with a lot of record.

MANUFACTURED HOUSING – A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site and bearing a seal that it is built in compliance with applicable National or State of Michigan Construction Code standards.

MATERIAL CHANGE – Includes (but is not limited to) any commencement of mining, excavation, grading, or land clearance; deposit of refuse, waste, or fill on land not already used for that purpose or permitted to be used for that purpose by the zoning ordinance, or which extends the height of any existing deposit above the level of the land adjoining the site; alteration of a shore, bank, or flood plain of a river, stream, or of any lake or pond, natural or artificial.

MIGRATORY LABOR - Means a person working, or available for work, who moves seasonally one (1) or more times from one (1) place to another from within or without the state for the purpose of such employment or availability or who is employed in the growing of farm products.

MOBILE HOME – A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical system contained in the structure. Mobile home does not include a recreation vehicle.

MOBILE HOME PARK – A parcel or tract of land under the control of a person on which three (3) or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

MOBILE HOME PARK, SEASONAL – A parcel or tract of land under the control of a person on which three (3) or more mobile homes are located on a continual or temporary basis but occupied on a temporary basis only, and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home. A seasonal mobile home park does not include a campground licensed pursuant to laws of the State of Michigan.

MOBILE HOME SITE – The entire area designated for use by a specific mobile home.

MOBILE HOME PAD – That part of a mobile home site specifically designated for the placement of a mobile home.

MOTOR HOME – A self-propelled, licensed vehicle prefabricated on its own chassis, intended for recreation activities and temporary occupancy.

NATURAL FEATURES – A wetland, as defined and regulated by the State of Michigan and shall mean a watercourse, including a lake, pond, river, stream or creek.

NON-CONFORMING USE, BUILDING OR STRUCTURE – A structure or building lawfully constructed that does not conform to the requirements of the district in which it is situated.

NURSING OR CONVALESCENT HOME – A state licensed facility for the care of children, of the aged or infirm, or a place of rest for those suffering bodily disorders. Said home shall conform and qualify for license under State law even though State law has different size regulations.

OPEN AIR BUSINESS USES – Open-air business uses as used herein shall be deemed to include any of the following businesses when said business is not conducted from a wholly enclosed building:

1. Bicycle, trailer, motor vehicle, boats, or home equipment sale or rental services.
2. Outdoor display and sale of garages, swimming pools, and similar uses.
3. Retail sale of trees, fruits, vegetables, shrubbery, plants, seed, topsoil, humus, fertilizer, trellis, lawn furniture, playground equipment, and other home garden supplies and equipment.
4. Tennis courts, archery ranges, shuffleboard, horseshoe courts, miniature golf, golf driving range, amusement park or similar recreational uses.

ORDINARY HIGH WATER MARK – The line between upland and bottomland which persists through successive changes in water levels, below which the presence of action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and vegetation. On an inland lake, which has a level established by law, it means the high-established level. Where water returns to its natural level because of the permanent removal or abandonment of a dam, it means the natural ordinary high-water mark.

PARCEL – A "parcel" is a piece or tract of land.

PARK – A public or private area dedicated to recreation use and generally characterized by its natural historic, and landscape features and used for both passive and active forms of recreation and may be designed to serve the residents of a neighborhood, community, or region.

For purposes of this Ordinance, the following more specific definitions shall apply:

1. Neighborhood Park – A park, which is designed and equipped to primarily serve neighboring residential areas.
2. Community Park – A park, which is designed and equipped to serve the Township, as well as neighboring residential areas.
3. Regional Park – A park, which is designed and equipped to serve areas outside the Township, as well as the Township.

PARKING FACILITY, OFF-STREET – A land surface or area providing vehicular parking spaces along with adequate drives and aisles for maneuvering to provide access for entrance and exit for the parking of motor vehicles.

PARKING SPACE – One (1) unit of parking facility provided for the parking of one (1) vehicle.

PLANNING COMMISSION – Blissfield Township Planning Commission.

PRIVATE ROAD – A means of ingress and egress serving two (2) or more parcels, which is not dedicated for public use to the Lenawee County Road Commission.

PUBLIC UTILITY – Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under federal, state, or municipal regulations, to the public: electricity, gas, steam, communications, telegraph, transportation, water or sanitary sewer facilities.

RECREATIONAL EQUIPMENT – Equipment designed and used primarily for recreational use such as boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases and boxes used for transporting recreational equipment, whether occupied by such equipment or not.

RESTAURANT – Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out restaurant, drive-in restaurant, drive-through restaurant, standard restaurant or bar/lounge, or a combination thereof, as defined below:

1. Carry-out Restaurant – A restaurant whose method of operation involves the sale of food, beverages and/or frozen desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption primarily off the premises.
2. Drive-in Restaurant – A restaurant whose method of operation involves delivery of prepared food to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building.
3. Drive-through Restaurant – A restaurant whose method of operation involves the delivery of prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off the premises.

4. Standard Restaurant – A restaurant whose method of operation involves either:
 - a. The delivery of prepared food by wait staff to customers seated at tables within a completely enclosed building; or
 - b. The acquisition by customers of prepared food at a cafeteria line and its subsequent consumption by the customers at tables within a completely enclosed building.

ROAD - See STREET.

ROADSIDE STAND – See the definition for “FARM MARKET.”

SALVAGE YARD – An open area where waste, used or second-hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. "Salvage yard" includes automobile wrecking yards and any area of more than two hundred (200) square feet used for the storage, keeping or abandonment of salvaged materials, but does not include uses established entirely within enclosed buildings.

SCREEN – A structure providing enclosure, such as a fence, and a visual barrier between the area enclosed and the adjacent property. A screen may also be a non-structure, consisting of shrubs, or other growing materials.

SELF-STORAGE FACILITY – A building consisting of individual, small self-contained units leased for the storage of personal and household goods.

SETBACK – The minimum horizontal distance between the building or structure, excluding steps and unroofed porches, and the adjacent property line, lot line, right-of-way, or easement if for ingress and egress. See Figure 5 for further details.

SHOPPING CENTER – A grouping of commercial establishments with the following characteristics:

1. A parcel of land and buildings under single ownership or control;
2. A single building or a carefully coordinated group of buildings located on contiguous parcels having a variety of stores creating attraction of the unit as a whole; and
3. A large area of free parking.

SIGN – Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or

entity, or to communicate information of any kind to the public. House numbers, addresses, and nameplates not exceeding two (2) square feet shall not be considered signs.

1. **Abandoned Sign:** After a period of two (2) years a sign which no longer directs or exhorts any person, or advertises a bona fide business, lesser, owner, product or activity conducted or product available on the premises where such sign is displayed.
2. **Animated Sign:** Any sign that uses movement or change of lighting to depict action or create a special effect or scene.
3. **Banner:** Any sign of lightweight fabric or similar material that is attached to a pole or a building at one (1) or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.
4. **Beacon:** Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same zoning lot as the light source: also, any light with one (1) or more beams that rotate or move.
5. **Building Marker:** Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into masonry surface or made of other permanent material.
6. **Building Sign:** Any sign attached to any part of a building, as contrasted to a ground sign. Building signs shall include the following types of signs as defined in this section: canopy, projecting, wall, permanent window, and channel letter signs.
7. **Business Center Sign:** A sign, which identifies a group of two (2) or more stores, offices, research facilities, or manufacturing facilities which collectively have a name different from the name of the individual establishments and which have common parking facilities, or which is platted business subdivision.
8. **Canopy Sign:** Any sign part of, or attached to, an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance window, or outdoor service area.
9. **Casual Sales Sign:** A temporary sign used for special sales, not scheduled with any regularity, and includes home garage sales, attic sales, flea market sales, and other occasional casual sales whether or not commercially oriented. The sign must be located on the same lot as the special sale.
10. **Changeable Copy Sign:** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than one (1) time

per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a “time and temperature” portion of a sign and not a changeable copy sign for purposes of this Ordinance.

11. Channel Letter Sign: Any sign installed as a cabinet or as individual letters, with self-contained illumination. Some channel letters may be mounted on a raceway (wire way) while others may be mounted flat against the building wall. Channel letter signs shall not exceed more than twelve (12) inches from the building wall.
12. Commercial Activity Signs: A temporary sign which includes signs advertising the opening of a new business, sales, change in hours of operation, or the conduct of commercial activities during other than regular business hours. Temporary banners are included in this definition.
13. Commercial Message: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
14. District: Zoning District as established by the Blissfield Township Zoning Ordinance.
15. Flag: Any fabric or banner containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.
16. Ground Sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
17. Height of Sign: The vertical distance to the top edge of the copy area or structure, whichever is higher, as measured from the adjacent street grade.
18. Identification Sign: A sign, which carries only the name of the firm, the major enterprise, or the principal product or service offered for sale on the premises or a combination of these signs only to identify location of said premises and not to advertise. Such situated, or on which the principal product is offered for sale.
19. Incidental Sign: A sign, generally information, that has a purpose secondary to the use of a zone lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” handicap,” “no hunting,” “no trespassing” and other similar directives. No commercial message shall be considered incidental.
20. Incidental Business Sign: Signs associated with the drive-thru portion of a business, such as a menu-board sign.

21. Integral Sign: Integral signs are names of buildings, dates of erection, monument citations, commemorative tablets and the like, when carved into stone, concrete or similar material or made of other permanent type construction and made an integral part of the structure.
22. Non-Conforming Sign: Any sign that does not conform to the requirements of this Ordinance.
23. Off-Site Sign (Off-Premises Sign): A sign other than an on-site sign including billboards.
24. On-Site Sign (On-Premises Sign): A sign which advertises or identifies only goods, services, facilities, events, or attractions on the premises where located.
25. Outdoor Advertising Sign: A sign, including billboards, on which the written or pictorial information is intended to advertise a use, product, service, goods, event, or facility located on other premises, and which is intended primarily for advertising purposes.
26. Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
27. Political Sign: A sign relating to the election of a person to public office or relating to a political party or relating to an issue or matter to be voted upon at an election called by a public body. Political signs are temporary signs.
28. Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu and sandwich board signs; balloons used as signs; and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way, unless said vehicle is licensed operable and used in the normal day-to-day operations of the business.
29. Projecting Sign: Any sign affixed perpendicular to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall, with the exception of channel letter signs.
30. Real Estate Sign: A sign advertising that the property said sign is located upon is for sale, rent, or lease. Real estate signs are temporary signs.
31. Residential Entry Sign: A sign at the entrance of a residential development for the purposes of identifying a subdivision, site condominium, multiple family development, or mobile home park.

32. Roof Sign: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
33. Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.
34. Suspended Sign: A sign suspended from the underside of a horizontal plane surface and supported by such surface.
35. Temporary Sign: A sign that is intended to be displayed for a limited period.
36. Wall Sign: A sign attached parallel to a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.
37. Window Sign: Any sign, pictures, symbol, or combination thereof, designed to communicate information about a community activity, business, commodity, event, sale, or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. Political signs, or other non-commercial advertising, shall not be deemed to be window signs for the purpose of this ordinance and shall not be subject to the provisions regulating window signs in this ordinance.

SPECIAL LAND USE – A use, which may be permitted after recommendation by the Planning Commission and approval by the Township Board. A special land use may be granted in a zoning district only when there is a specific provision for such use in this Ordinance. A special land use is a special land use as provided in Act 110, PA 2006, as amended.

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

STORY, ONE-HALF – A story under the gable, hip, or gambrel roof, the wall plates on which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story and the floor area shall not exceed two-thirds (2/3) of the area of the floor below.

STREET – A traffic way which affords the principal means of access to abutting property.

STREET LINE – The right-of-way line of a public street or the easement line of a private street approved by the Township Board.

STRUCTURE – Anything constructed, erected or placed with a fixed location on the ground or affixed to something having a fixed location on the ground.

TIME LIMITS – Time limits shall mean calendar days, unless otherwise specified herein.

TOWNSHIP – The Blissfield Charter Township.

TOWNSHIP BOARD – The Blissfield Township Board.

TRAVEL TRAILER – A vehicular, portable structure built on a non-motorized chassis, designed as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight (8) feet.

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

VARIANCE – A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

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

VEHICLE COLLISION REPAIR FACILITY – A facility, which offers and provides for, vehicle frame straightening, repair or replacement of vehicle sheet metal, vehicle painting or repainting, and similar related services.

VEHICLE REPAIR FACILITY, MAJOR – A facility which offers and provides for, repair of mechanical, electrical, cooling, exhaust, brake, and power system repairs, including, transmission repair shops, shops used for the internal repair or engine components and drive train repair, and radiator repair shops. Collision shops are included in this definition.

VEHICLE REPAIR FACILITY, MINOR – A facility which offers or provides for, repair of mechanical, electrical, cooling, exhaust, brake, and power system repairs. Collision shops, transmission repair shops, shops used for the internal repair of engine components and drive train repair, and radiator repair, are expressly excluded from this definition.

VEHICLE SALES AND SERVICE FACILITY – A building or premises used primarily for the sale, lease, or rental of new and/or used automobiles. These facilities may also provide both minor and major repair services in a completely enclosed building as an ancillary service.

WETLAND – Land characterized by the presence of water or at a frequency and duration sufficient to support and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.

WIRELESS COMMUNICATIONS FACILITIES – All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay facilities, telephone transmission equipment building, and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave receiving facilities; amateur (ham) radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority. For purposes of this Ordinance, the following additional terms are defined:

1. *Attached Wireless Communications Facilities* shall mean wireless communications facilities affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly established shall not be included within this definition.
2. *Wireless communication Support Structures* shall mean structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.
3. *Collocation* shall mean the location by two (2) or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communications antennas within the community.

YARD, FRONT – An open, unoccupied space extending the full width of the lot and situated between the street line and the front building line and parallel to the street line (Figure 5).

YARD, MINIMUM – The minimum distance which any building must be located from a property line, a street right-of-way line, an easement line of an approved private street, or a high water line.

YARD, REAR – An open, unoccupied space extending the full width of the lot and situated between the rear line of the lot and the rear building line and parallel to the rear lot line (Figure 5).

YARD, SIDE – An open, unoccupied space situated between the side building line and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard and parallel to the side lot line (Figure 5).

ARTICLE 3

ADMINISTRATION AND ENFORCEMENT

SECTION 3.01 ENFORCEMENT OFFICER

The provisions of this Ordinance shall be enforced by the Building Inspector or such person who shall be appointed by the Blissfield Township Board.

SECTION 3.02 DUTIES OF ENFORCEMENT OFFICER

The Building Inspector, or person designated by the Township Board, shall have the power to grant zoning compliance and occupancy permits and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building Inspector to approve any plans or issue a building permit for any excavation or construction until such plans have been found to be in conformity with this ordinance. To this end, the Building Inspector shall require that every application for a permit for excavation, construction, moving, or alteration or change in type of use or the type of occupancy, be accompanied by written statement and plans or plats drawn to scale, in triplicate, and showing the following, in sufficient detail, to ascertain whether the proposed work or use is in conformance with this Ordinance.

- A. The actual shape, location, and dimensions of the lot.
- B. The shape, size, and location of all buildings or other structures to be erected, altered, or moved, and of any buildings or other structures already on the lot.
- C. The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
- D. The signature of the fee holder of the premises concerned.
- E. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being observed.
- F. If the proposed excavation, construction, moving, or alteration of use of land as set forth in the application are in conformity with the provisions of this Ordinance, the Building Inspector shall issue a permit. If any application for such permit is not approved, the Building Inspector shall state in writing on the application, the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this Ordinance and a permit issued contrary to the terms of this Ordinance shall be void.

- G. The Building Inspector under no circumstances is permitted to grant exceptions to the actual meaning of any clause, order, or regulation contained in this Ordinance to any person making application to excavate, construct, remove, alter, or use either buildings, structures or land within the Township.

SECTION 3.03 PERMITS

The following shall apply in the issuance of any permit:

- A. **PERMIT REQUIRED.** It shall be unlawful for any person to commence excavation for, construction of any building or structure, structural changes, or repairs in any existing building or structure, or moving of an existing building, without first obtaining a Building Permit from the Building Inspector. No permit shall be issued for construction, alteration or remodeling of any building or structure until an application has been submitted in accordance with the provisions of this Ordinance showing that the construction proposed is in compliance with the provisions of this Ordinance and with the Building Code, and with other applicable codes and ordinances.
 - 1. No plumbing, electrical, drainage, or other permit shall be issued until the Building Inspector has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform to the provisions of this Ordinance.
 - 2. "Alteration" or "repair" of an existing building or structure, shall include any changes in structural member, stairways, basic construction type, kind or class of occupancy, light or ventilation, means of ingress and egress, or any other changes affecting or regulated by the Building Code, or this Ordinance, except for minor repairs or changes not involving any of the aforesaid provisions.
- B. **Permits for New Use of Land.** A permit shall also be obtained for the new use of land, whether the land is presently vacant or a change in land use is proposed.
- C. **Permits for New Use of Buildings or Structures.** A permit shall also be obtained for any change in use of an existing building or structure to a different class or type.
- D. **Single-Family Construction or Additions: Potential Multiple Use; Restrictive Covenant.** In those instances where the Building Inspector determines that because of the nature of the floor plan and construction of a single-family home or an addition to a single-family home, there is a significant potential for multiple use of a property zoned for single-family use, the Building Inspector may require that the owners of record of the subject property sign a restrictive covenant on a form as developed by the Building Inspector. The purpose of such covenant shall be to make clear the zoning limitation with regard to the property. The cost of recording such covenant shall be paid by the applicant.

1. If it should appear to the Building Inspector that the proposed construction or addition in fact creates a multiple use either by virtue of its size or the division of space within the structure, the Building Inspector shall deny the application.

SECTION 3.04 CERTIFICATES OF OCCUPANCY

It shall be unlawful to use or permit the use of any land, building, or structure for which a building permit is required, and to use or permit to be used any building or structure hereafter altered, extended, erected, repaired or moved, until the Building Inspector has issued a Certificate of Occupancy stating that the provisions of this Ordinance have been complied with.

- A. **CERTIFICATE OF OCCUPANCY.** The Certificate of Occupancy is required for occupancy or use of new construction or of renovations to existing buildings and structures as approved by the Building Code.
- B. **RECORDS OF CERTIFICATES.** A record of all Certificates of Occupancy shall be kept in the office of the Building Inspector, and copies of such Certificates of Occupancy shall be furnished upon request to a person or persons having a proprietary or tenancy interest in the property involved.
- C. **CERTIFICATE FOR ACCESSORY BUILDINGS TO DWELLINGS.** Accessory buildings or structures to dwellings shall not require a separate Certificate of Occupancy, but rather, may be included in the Certificate of Occupancy for the principal dwelling, building, or structure on the same lot when such accessory buildings or structures are completed at the same time as the principal use.
- D. **CERTIFICATES FOR PARTS OF BUILDINGS.** The Building Inspector shall, upon request, issue a Certificate of Occupancy for a part of a building or structure prior to the completion of the entire building or structure if the Building Inspector shall determine that the occupancy or use of the completed part shall not materially interfere with or be interfered or endangered by the completion of the remainder of the building or structure and that the remainder of the building or structure can reasonably be completed within one (1) year from the issuance of the Certificate of Occupancy for the part and if the person to whom the Building Permit shall have been issued shall certify that the remainder of the building or structure shall be completed within one (1) year. If, after the issuance of such Certificate of Occupancy for a portion of a building or structure, the Building Inspector shall determine that the conditions for issuance of such permit no longer subsist or that the building or structure cannot or will not be completed within the time specified above, the Building Inspector shall revoke such Certificate of Occupancy and the person to whom such revoked permit shall have been issued shall, forthwith upon receipt of notice of such revocation, terminate and abandon or cause the termination or abandonment of such occupancy or use.

- E. APPLICATION FOR CERTIFICATES OF OCCUPANCY. Any person applying for a Building Permit shall, at the same time, apply to the Building Inspector in writing for a Certificate of Occupancy. It shall be the duty of such person to notify the Building Inspector upon completion of the building or structure. The Building Inspector shall, within five (5) business days after actual receipt of such notification, inspect such building or structure, and, if he shall determine that the building or structure, or part thereof, or the proposed use of the premises is in conformity with this and other applicable ordinances and laws, the Building Inspector shall forthwith issue a Certificate of Occupancy therefore. If the Building Inspector shall determine that a violation exists, he shall not issue a Certificate of Occupancy and shall forthwith notify the applicant of such refusal and the cause therefore.
- F. CERTIFICATES FOR COMMERCIAL AND INDUSTRIAL USES. In all cases where the Certificate of Occupancy is for a commercial or industrial use, the inspection, as set in Subsection E. above, shall be conducted by the Building Inspector.

SECTION 3.05 FEES, ESCROW ACCOUNTS AND BONDS

- A. Fees shall be assessed and collected in advance of the issuance of permits and the commencement of the work on a project for covering the cost of administering the file, inspecting the work, and reproducing copies therein as required under the provisions of this Ordinance. These fees may be set by a resolution of the Township Board from time to time.
- B. A deposit of funds shall be placed in escrow with the Building Inspector for the inspection of all site improvements and related reports and recommendations by the Township Engineer, Township Planning Consultant and/or other designee as may be required to assist in the certification process. The amount of escrow deposit shall be set by a resolution of the Township Board from time to time and any unused portion of an escrow account shall be refunded to the applicant upon issuance of a final certificate of occupancy.
- C. Bond Requirements.
 - 1. SITE IMPROVEMENTS:
 - a. Site preparation activities, including without limitation excavations, tree removal, land balancing, top-soil removal, septic installation are prohibited prior to the issuance of all applicable construction permits, and compliance with the bond requirements of this section.
 - b. If all site improvements are not completed prior to the request for a certificate of occupancy, the Building Inspector may issue a temporary Certificate of Occupancy provided the applicant has filed a site improvement bond, with the Township Clerk, insuring completion of site

improvements as identified by the Building Inspector. The site improvement bond shall be a cash bond in the form of a cash deposit, certified check, or irrevocable bank/title company letter of credit payable to Blissfield Township, or a surety bond acceptable to Blissfield Township, equal to one hundred twenty-five (125) percent of the estimated costs of the incomplete site improvements as determined by the Building Inspector.

2. **BUILDING CONSTRUCTION BOND.** Prior to the issuance of a building permit, the applicant shall file with the Township Clerk, a cash bond in the form of a cash deposit, certified check or an irrevocable bank/title company letter of credit made out to Blissfield Township or a surety bond acceptable to Blissfield Township, assuring completion of the construction phase of the project.
3. **PRIVATE ROAD IMPROVEMENT BOND.** On any project, which requires construction, modification or improvement of a private road, no building permit shall be issued until the applicant files with the Township Clerk, a cash bond in the form of a cash deposit, certified check, an irrevocable bank/title company letter of credit, payable to Blissfield Township, or a surety bond acceptable to Blissfield Township in an amount equal to one hundred twenty-five (125) percent of the estimated cost of the completion of the private road as determined by the Township's construction engineers.
4. **RELEASE OF BOND.** A building permit bond, site improvement bond or private road bond shall not be released until the requirements of the bond have been met and all improvements and/or corrections to work installed incorrectly are complete in accordance with all of the codes and ordinances of the Township of Blissfield. Provided, however, monies deposited in the form of a cash deposit or an irrevocable bank/title company letter of credit may be released in proportion to a percentage of the work completed as certified by the Building Inspector and approved by Township Board. Up to fifteen (15) percent of any bond may be held for six months after completion of all work covered to apply on any defects that appear after completion.
5. **WAIVER OF BOND ON SINGLE LOT RESIDENTIAL CONSTRUCTION.** The Building Inspector may waive or modify bond requirements for construction of a single-family dwelling on any single parcel.

SECTION 3.06 NUISANCE PER SE

Uses of land, and dwelling, building, or structure, including tents, trailer coaches and mobile homes, used, erected, altered, razed, or converted in violation of any provision of this Ordinance, are hereby declared to be nuisances per se.

ARTICLE 4

DISTRICT REGULATIONS

SECTION 4.01 ESTABLISHMENT OF DISTRICTS

A. The Township is hereby divided into Zones or Districts as shown on the Official Zoning Map and shall include the following (*Rev. 12/2015*):

AA	Agriculture
RR	Rural Residential
VR	Village Residential
C	Commercial
I	Industrial
RC	Resource Conservation

SECTION 4.02 MAP

A. The boundaries of these districts are shown on the map attached hereto and made a part of this Ordinance, which said map is designated as the Official Zoning Map of the Township of Blissfield. The Zoning Map shall be maintained and kept on file with the Township Clerk, and all notations, references, and other information shown thereon are incorporated herein by reference and have the same force and effect as if the said Zoning Map and all such notations, references and other information shown thereon were fully set forth or described herein.

SECTION 4.03 INTERPRETATION OF DISTRICT BOUNDARIES

A. Except where referenced on the Official Zoning Map to a street or other designated line by the dimensions shown on said Map, the district boundary lines follow lot lines or the centerlines of the street, alleys, railroads, or such lines extended and the corporate limits of the Township as they existed at the time of the adoption of this Ordinance.

Where a district boundary line, as established at this Section or as shown on said Map, divides a lot, which was in a single ownership and of record at the time of enactment of this Ordinance, the use authorized thereon and the other district requirements applying to the least restricted portion of such lot, under this Ordinance, shall be considered as extending to the entire lot, provided that the more restricted portion of such lot is entirely within twenty-five (25) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

Questions concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals according to rules and regulations, which may be adopted by it.

SECTION 4.04 INTENT, PERMITTED USES AND SPECIAL USES WITHIN ZONING DISTRICTS

The following subsections set forth the intent, permitted uses, and conditional uses within each Zoning District.

A. Agriculture (AA)

1. Intent. This district is intended to protect and stabilize the essential characteristics of agricultural areas within the Township, and to insure proper maintenance of conditions for healthful and economically productive agricultural activities by preserving those areas which are predominately agricultural in nature, and which are most appropriate for present and future agricultural developments. The requirements of this district are designed so as not to impede necessary urban expansion, but to prevent unwarranted premature urban development from encroaching upon legitimate agricultural areas, thus disrupting the agricultural resources, environment, and economy, including the tax base. It is essential that development in areas which are predominately agriculture be based on sound principles which realize the importance of such activities to the economy and welfare of the Township. The following reasons are given in evidence to support the purposes for which this zoning district is intended to accomplish:

- A. Land containing agricultural value should be preserved because it is a vital resource.
- B. Agricultural zoning permits the timing of land allotments to suburban purposes in keeping with a theory of maximizing and supporting public utilities so as to achieve the greatest amount of service for each dollar of capital expenditure.
- C. Indiscriminate suburbanizing of agricultural lands adversely affects the remaining owners of land pursuing agricultural endeavors by creating suburban land values.

2. Permitted Uses

- A. Farms and farming operations for the development of farm products.
- B. Farm markets and roadside stands for the marketing of agricultural products from the affiliated farm, and that follow GAAMPs for Farm Markets, as outlined by the Michigan Department of Agriculture subject to Section 6.16.
- C. Equestrian stables and riding academies, subject to Section 6.30.
- D. Single-family detached dwellings, both farm and non-farm related.
- E. Any residential use wherein animals are kept for the use of the owner of the premises and the immediate family subject to Section 6.08.
- F. Public or private conservation areas and structures.

3. Special Uses

- A. Home occupations subject to Section 5.09.
- B. Cluster single-family subdivisions pursuant to requirements to Section 6.02.
- C. Housing of migratory labor, subject to the federal Migrant and Seasonal Worker Protection Act, and Michigan Department of Agriculture regulations.
- D. Places of worship and other facilities customarily incidental to principal permitted uses subject to Section 6.06.
- E. Cemeteries subject to Section 6.07.
- F. Public, parochial, and other private elementary, intermediate, and/or high schools subject to Section 6.09.
- G. Public and private camping grounds subject to Section 6.12.
- H. Snow-mobile or other motorized recreational vehicle facilities, subject to Section 6.13.
- I. Public or private parks, country clubs, golf courses, and driving ranges subject to Section 6.15
- H. Veterinarian office, animal clinic, and kennel, subject to Section 6.17.
- I. Parking of commercial trailers, trucks and/or equipment with a rated capacity exceeding 10,000-pound Gross Vehicle Weight (GVW) as regulated in Section 6.21.

AA-Agriculture District – Special Uses (Cont.)

- J. Government and community-owned buildings
- K. Airports.
- L. Public utility buildings and uses, but not including service and storage yards, when operating requirements necessitate locating within the district to serve the immediate vicinity.
- M. Wireless communication facilities subject to Section 6.25.
- N. Wind energy conservation systems, subject to Section 6.26.
-). Extractive operations subject to Section 6.27.
- P. Salvage yards subject to Section 6.28.
- Q. Landfills subject to Section 6.29.

4. Accessory Structures and Uses

- A. Signs as permitted in Article 13.
- B. Swimming pools, private, within rear or side yards, subject to Section 5.07.
- C. Other accessory land and/or structure uses customarily incidental to principal permitted uses and special land uses.

5. Restrictions on Accessory Structures and Uses

No accessory structure shall be constructed on any lot prior to the time of construction of the principal structure or establishment of the principal use to which it is accessory.

6. Farm Development Program (Rev. 2/2017)

- A. The owner(s) of agricultural lands abutting a public roadway may divide said lands into separate parcels for residential use based on the following acreage:
 - 1. Parcels in existence on the effective date of this section having an acreage of at least twenty (20) acres shall be allowed one (1) lot split of a minimum of 10 acres for residential purposes.
 - 2. Parcels in existence on the effective date of this section having an acreage of at least forty (40) acres shall be allowed two (2) lot splits of a minimum of 13.3 acres each for residential purposes.
 - 3. Parcels in existence on the effective date of this section having an acreage of at least sixty (60) acres shall be allowed three (3) lot splits of a minimum of 15 acres each for residential purposes.
 - 4. Parcels in existence on the effective date of this section having an acreage of at least eighty (80) acres shall be allowed four (4) lot splits of a minimum of 16 acres each for residential purposes.
 - 5. No parcel in existence on the effective date of this Ordinance may be split to create additional parcels, which may then be divided pursuant to this Ordinance.
- B. Any lot split for residential purposes shall meet the following lot size and location requirements.
 - 1. No lot sold shall be less in size/acreage than the minimum lot size required by the Lenawee County Health Department for residential purposes/construction. (Rev. 12/2015)
 - 2. Any lot sold shall be subject to the setback requirements of the Blissfield Township Zoning Ordinance and no lot sold pursuant to this section of the Ordinance shall be less than the minimum front yard, side yard, and rear yard setback requirements of this Ordinance. Parcels in existence on the effective date of this Ordinance shall be considered a non-conforming lot, per Section 15.05 of this Ordinance. (Rev. 12/2015)

B. Rural Residential (RR)

- 1. Intent.** This district is intended to provide for single-family dwellings on large parcels suitable for on-site wells and septic systems. Low density is provided for in this district in order to preserve the rural qualities of the community and to reduce the need for public services. Platting is permitted in this district.

2. Permitted Uses

- A. Single-family detached dwellings.
- B. Parks and playgrounds, private, for the use of residents in subdivisions and other residential developments.
- C. Publicly owned and operated parks, play fields and other recreation facilities.
- D. Nature and wildlife preserves.
- E. Farms and farming operations for the development of farm products.
- F. Farm markets and roadside stands for the marketing of agricultural products from the affiliated farm, and that follow GAAMPs for Farm Markets, as outlined by the Michigan Department of Agriculture and subject to Section 6.16.
- G. Any residential use wherein animals are kept for the use of the owner of the premises and the immediate family subject to Section 6.08.

3. Special Uses

- A. Home occupations subject to Section 5.09.
- B. Cluster single-family subdivisions pursuant to requirements to Section 6.02.
- C. Manufactured homes located outside of manufactured home parks subject to Section 6.04.
- D. Places of worship and other facilities customarily incidental to principal permitted uses subject to Section 6.06.
- E. Cemeteries subject to Section 6.07.
- F. Public, parochial, or other private elementary, intermediate, and/or high schools offering courses in general education provided they are not operated for profit and that the parcel to be developed has a minimum site size of ten (10) acres, and further subject to Section 6.09.
- G. Child day care and nursery school facilities (not including dormitories) subject to Section 6.10.
- H. Colleges, universities, and other such institutions of higher learning, public, and private, offering courses in general, technical, or religious education subject to Section 6.11.
- I. Golf clubs/golf courses, which may or may not be operated for profit, subject to Section 6.15
- J. Public utility buildings and uses, but not including service and storage yards, when operating requirements necessitate locating within the district to serve the immediate vicinity.
- K. Wireless communication facilities, subject to Section 6.25.

4. Accessory Structures and Uses

- A. Signs as subject to Article 13.
- B. Swimming pools, private, within rear or side yards, subject to Section 5.07.
- C. Stadiums and sports arenas accessory to schools and colleges and universities.
- D. Other accessory land and/or structure uses customarily incidental to principal permitted uses and special land uses.

5. Restrictions on Accessory Structures and Uses

No accessory structure shall be constructed on any lot prior to the time of construction of the principal structure or establishment of the principal use to which it is accessory.

C. Village Residential (VR)

- 1. Intent.** This district is intended to encourage innovative, traditional residential mixed and multiple-use developments so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings. Land development practices that protect the public health, safety, and welfare should be promoted in this district. Traditional neighborhoods are the desired alternative to conventional modern, use-segregated developments such as large lot suburban subdivisions and strip commercial developments. Residential/mixed-use development should be encouraged in a manner consistent with the preservation and enhancement of property values within existing residential areas, and to:
- Promote the creation of places, which are oriented to the pedestrian,
 - Promote citizen security, and social interaction,
 - Promote development of mixed-use structures or mixed-use development with offices, multiple-family residential and retail uses located with related community facilities, and
 - Discourage commercial or industrial uses that create objectionable noise, glare and odors.

2. Permitted Uses

- A. Single-family detached dwellings.
- B. Two-family dwellings subject to the conditions provided herein.
- C. Multiple-family dwellings including townhouses, row-houses, and apartments provided that the development sites directly adjoin a county primary road.

3. Special Uses

- A. Public swimming pools, parks, playgrounds, and playfields subject to Section 5.07.
- B. Home occupations subject to Section 5.09.
- C. Convalescent and/or nursing homes.
- D. Activity center specifically for the elderly when on a minimum lot size of two (2) acres.
- E. Bed and breakfast inns subject to Section 6.05.
- F. Places of worship subject to Section 6.06.
- G. Cemeteries subject to Section 6.07 and funeral homes.
- H. Day care facilities and group day care homes subject to Section 6.10.
- I. Government or community-owned buildings.
- J. Banks and other financial institutions, except drive through facilities.
- K. Professional and business offices.
- L. Retail sales of goods and services.
- M. Restaurants except drive-through facilities.
- N. Essential public service buildings and uses without storage yards when operating requirements necessitate their location within the district to serve the immediate vicinity.

4. Accessory Structures and Uses

- A. Signs as subject to Article 13.
- B. Swimming pools, private, within rear or side yards and as regulated in Section 5.07.
- C. Other accessory land and/or structure uses customarily incidental to principal permitted uses and special land uses.

5. Restrictions on Accessory Structures and Uses

No accessory structure shall be constructed on any lot prior to the time of construction of the principal structure or establishment of the principal use to which it is accessory.

D. Commercial (C) (Rev. 2/2017)

1. Intent. The Commercial district is intended to permit retail business and service uses which are needed to serve the nearby residential areas. In order to promote such business developments so far as is possible and appropriate in each area, uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare or heavy truck traffic. The intent of this District is also to encourage the concentration of local business areas to the mutual advantage of both the consumers and merchants and thereby to promote the best use of land at certain strategic locations and to avoid the continuance or encouraging multi-tenant "strip commercial" development along heavily traveled roads.

2. Permitted Uses

- A. Office buildings and uses when goods or wares are not commercially created, exchanged, or sold.
- B. Medical or dental clinics.
- C. Financial establishments such as banks, credit unions, savings and loan associations.
- D. Township buildings and uses.
- E. Public utility buildings and uses but not including storage yards, when operating requirements necessitate locating within the district to serve the immediate vicinity.
- F. Business and private schools operated within a completely enclosed building.
- G. Photographic studios.
- H. Funeral homes.
- I. Retail establishments for the sale of alcoholic beverages, baked goods, bicycles, books, confection drugs, flowers, groceries, hardware, hobby equipment, jewelry, music, notions, paints, periodicals, sundry small household articles, tobacco, and similar establishments.
- J. Personal service establishments performing services on the premises, such as barber and beauty shops, watch, radio, television, clothing and shoe repair, tailor shops, locksmiths and similar establishments.
- K. Laundry or dry cleaning customer outlets, coin-operated laundromats, self-serve dry cleaning centers and the like. Dry cleaning or laundry plants serving more than one customer service outlet are prohibited.
- L. Eating and drinking establishments when food or beverage is consumed within a completely enclosed building. Establishments with a character of a drive-in or open front store are not permitted
- M. Private service clubs, fraternal organizations and lodge halls.
- N. Lodging
- O. Automobile service stations subject to Section 6.13 and vehicle wash establishments.
- P. Restaurants and establishments that serve alcohol.
- Q. Police and fire stations and public office buildings.
- R. Farm markets and roadside stands for the marketing of agricultural products from the affiliated farm, and that follow GAAMPS for Farm Markets, as outlined by the Michigan Department of Agriculture.

3. Special Uses

- A. Places of worship, when bordering residential districts, subject to Section 6.06.
- B. Day care facilities and group day care homes subject to Section 6.10.
- C. Eating and drinking establishments of a drive-in or open front store character in conformance with Section 6.18.
- D. Open air businesses, subject to Section 6.19.
- E. Automobile service station subject to the requirements to Section 6.22.
- F. Truck stop facilities subject to Section 6.23.
- G. Arcades.
- H. General or specialty hospitals.
- I. Essential public service buildings and uses without storage yards when operating requirements necessitate their location within the district to serve the immediate vicinity
- J. Indoor recreation such as bowling, gymnasiums, ice and/or roller skating rinks, tennis clubs and court sports and similar recreational uses.

E. Industrial (I)

1. Intent The Industrial district is designed to accommodate a variety of light industrial, applied technology, research, and related office uses within a planned environment through the coordinated application of development standards such as access control, signage, landscaping, and other unifying elements.

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

The uses permitted in this district and the application of required development standards will create compatible and orderly development of the area and will promote both safe and convenient vehicular and pedestrian traffic.

The district is to be used only in those areas of the Township which are served by adequate water and sanitary sewer facilities, and where storm drainage is sufficient to handle an intense development. All uses in the I district shall also be subject to the Environmental Performance Regulations, Article 12.

2. Permitted Uses

- A. Manufacturing, research, assembly, testing and repair of components, devices, equipment, and systems of professional, scientific, and controlling instruments, photographic and optical goods, and electronic and electrical equipment including the following:
 - 1. Communication, transmission and reception and equipment such as coils, tubes, semi-conductors, navigation control equipment, and systems guidance equipment.
 - 2. Data processing equipment and systems.
 - 3. Graphics and art equipment.
 - 4. Metering instruments.
 - 5. Optical devices, equipment and systems.
 - 6. Phonographs, audio units, radio equipment and television equipment.
 - 7. Photographic equipment.
 - 8. Radar, infrared and ultra-violet equipment systems.
 - 9. Scientific and mechanical instruments such as calipers, and transits.
 - 10. Testing equipment.
 - 11. Electrical machinery, equipment and supplies, electronic components and accessories.
 - 12. Office, computing, and accounting machines.
- B. Manufacturing, processing, packaging, or assembling of pharmaceutical preparations, cosmetics, and toiletries.
- C. Manufacturing, processing or packaging of plastic products such as laminate, pipe, plumbing products, and miscellaneous molded or extruded products.
- D. Research and design centers where said centers are intended for the development of pilot or experimental products, together with related office buildings for such research facilities where said offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.
- E. Printing, publishing, and related activities.
- F. Artist, pottery, and recording studios.
- G. Employee Services: Employee services such as a cafeteria, snack bar or exercise gym may be permitted as an accessory use to a permitted or conditional land use in this district, provided such services are contained wholly within the principal structure and are offered to employees only.
- H. Office and warehouse of skilled trade contractors such as electrical, heating, and plumbing contractors.
- I. Office and warehouse of service contractors such as cleaning services and home maintenance and repair.

3. I – Industrial District - Special Uses

- A. Computer, business or scientific equipment sales and service facilities.
- B. Research or testing facilities for small mechanical, electrical, electronic, and industrial components. Chemical, biological, and biochemical uses shall be prohibited.
- C. Office buildings for any of the following type uses: executive, administrative, accounting, data processing, writing, clerical, graphic, drafting, or sales.
- D. Banks, credit unions, savings and loan associations.
- E. Accessory buildings and uses customarily incidental to the above permitted principal uses except separate warehousing and storage facilities.
- F. Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services, when included as part of a building or development containing a permitted use.
- G. Warehousing, wholesaling, refrigerated, and general storage, when conducted as a principal use, but not including self-storage facilities.
- H. Tool and die, and machine shops.
- I. Retail sales, when conducted in conjunction with a principal permitted, or a special use. Floor area devoted to retail sales shall not exceed ten (10) percent of gross floor area.
- J. Essential public service buildings and uses when operating requirements necessitate their location within the district to serve the immediate vicinity.
- K. Wireless Communication Facilities, subject to Section 6.25.
- L. Biodiesel, ethanol, and other alternative fuel production facilities, subject to state and federal regulations.

F. Resource Conservation (RC)

- 1. Intent.** It is recognized that Blissfield Township has an abundance of significant natural resources and features. The RC district is intended to provide for those uses of land that are compatible with the need to protect and enhance vital Township natural resources and amenities, fish and wildlife habitat, woodlands, wetlands and water resources, and encourage compatible agricultural and other resource-based production.

2. Permitted Uses

- A. Nature trails, botanical gardens, woodland preserves, wildlife preserves, or similar facilities provided such uses do not result in a material modification of the natural appearance of the site.
- B. Farms and farming operations for the development of farm products
- C. Farm markets and roadside stands for the marketing of agricultural products from the affiliated farm, and that follow GAAMPs for Farm Markets, as outlined by the Michigan Department of Agriculture and subject to Section 6.16.
- D. Tree and shrub nurseries.
- E. Single-family detached dwellings.
- F. Any residential use wherein animals are kept for the use of the owner of the premises and the immediate family subject to Section 6.08

3. Special Uses

- A. Equestrian stables and riding academies, subject to Section 6.30.
- B. Environmental education centers.

SECTION 4.07 SCHEDULE OF REGULATIONS (Rev. 12/2015)

<i>Zoning District</i>	Minimum Lot Size^b		Maximum Building Height		Minimum Yard Setback (feet)				Max. Lot Coverage^l	Minimum Floor Area Per Dwelling Unit^d
	<i>Area^h</i>	<i>Lot width (feet)</i>	<i>Stories</i>	<i>Feet</i>	<i>Front^a</i>	<i>Least Side^c</i>	<i>Total Side^c</i>	<i>Rear</i>	<i>Percent</i>	<i>Square Feet</i>
AA, Agriculture ^k	3.5 acres ^g	330	3	40	50 ^e	25 ^e	50 ^e	25 ^e	30	1,000
RR, Rural Residential	3.5 acres ^g	165	2 ½	35	50 ^e	25 ^e	50 ^e	25 ^e	30	1,000
VR, Village Residential	15,000 s.f.	100	2 ½	35	35	10	20	25	30	1,000
C, Commercial	25,000 s.f.	100	2	35 ^j	40	25 ^f	50 ^f	25 ^f	50	---
I, Industrial	50,000 s.f.	200	2	35 ^j	50	40 ^f	80 ^f	40 ^f	i	---
RC, Resource Conservation	10 acres	330	2	25	75	50	100	50	5	---

SECTION 4.08 FOOTNOTES TO THE SCHEDULE OF REGULATIONS *(Rev. 2/2017)*

- A. Parking, Loading, and Unloading Restrictions.
1. In all residential districts, the minimum front yard shall not be used for off-street parking, and shall remain as open space, unoccupied and unobstructed from the ground up except for landscaping plant materials or vehicle access drives. All yards abutting upon a public street shall be considered as a front yard for setback purposes.
 2. In all nonresidential districts, the front yard shall not be used for off-street loading or unloading purposes.
- B. Though the Schedule of Regulations outlines the requirements for minimum lot sizes and other dimensions, no parcel shall be so deep that it exceeds four (4) times the lot width.
- C. In all residential districts, the width of side yards, which abut upon a street on the same side or on the opposite side of the same block, upon which other residential lots front, shall not be less than the required front yard setback for said homes which front upon said side street. If no other residential lots front on the same side or on the opposite side of the same block, the width must meet required side yard setback for the district in which the lot is located.
- D. Required minimum floor area for each dwelling unit shall not include area of basements, breezeways, porches or attached garages.
- E. All farm buildings for uses other than those usually incidental to the dwelling, shall be located not less than one hundred (100) feet from any dwelling and not less than twenty-five (25) feet from any lot line or property boundary, and in no case shall the main farm building be less than one hundred and fifty (150) feet from the front property line. This requirement shall not apply to the alteration or addition to an existing barn and other farm buildings, except dwellings, which are located closer to the road and which existed prior to the adoption of this Ordinance. These placement requirements do not apply to farm buildings or structures that are specifically regulated by a GAAMP as adopted and published by the Michigan Department of Agriculture, or its successor, and as amended from time to time.
- F. Loading space shall be provided in the side or rear yard, as well as meet the requirements in Section 10.04. This regulation shall not be applicable to loading space provided totally within a building or structure, which has door enclosures facing other than the front property line.
- G. Cluster subdivisions approved in the AA-Agriculture and RR-Rural Residential districts shall permit lot sizes and width of lesser areas and dimensions as provided for and regulated under Section 6.02.

- H. If the site has frontage on one (1) road, the minimum frontage shall be four hundred (400) feet. If the site has frontage on two (2) roads, both frontages may be counted to satisfy this minimum total frontage. In no case may a site have less than four hundred (400) feet depth.
- I. The maximum coverage of a lot by all buildings shall be subject to providing adequate setbacks, parking, landscaping, and other site improvements as required by this Ordinance.
- J. Non-residential uses may be increased in height over the maximum permitted provided for every one (1) foot of height over the maximum, the minimum setback is increased by two (2) feet.

ARTICLE 5

GENERAL PROVISIONS

SECTION 5.01 APPLICABILITY

Except as hereinafter specifically provided, the following general regulations shall apply:

SECTION 5.02 ACCESSORY BUILDINGS AND STRUCTURES

Accessory buildings or structures shall be permitted in all districts and are subject to the following regulations:

- A. Accessory buildings and structures in residential districts.
 - 1. Accessory buildings or structures shall not be permitted in any residential district by themselves on vacant land. Accessory buildings or structures and the principal building or structure may be constructed and occupied simultaneously.
 - 2. All accessory buildings and structures which are structurally attached to a main or principal building or structure, and all accessory buildings in RR-Rural Residential district, whether attached or detached from a main or principal building, shall be subject to and must conform to all regulations of this ordinance applicable to main or principal buildings or structures, except for square footage requirements as regulated in this Section.
 - 3. Detached accessory buildings or structures shall not be erected in any residential front yard, except as permitted for farms and farming operations, as outlined below and footnote “e” in Section 4.08.
 - 4. An accessory building or structure or any combination of all accessory buildings or structures on any single lot in Blissfield Township must meet the frequency and area limits as follows:
 - a. There shall be no more than one (1) detached accessory building on any single lot in the VR-Village Residential zoning district and there shall be no more than two (2) detached accessory buildings on any single lot in the RR-Rural Residential zoning district.
 - b. There shall be no more than two (2) accessory structures on any single lot in the VR-Village Residential zoning district. Additional accessory buildings may be constructed on a parcel in the RR-Rural Residential district if such construction is consistent with qualified farming operations conducted in Blissfield Township.

- c. The total area of any combination of attached and detached accessory buildings in the VR-Village Residential zoning district shall not exceed one thousand (1,000) square feet.
- d. Detached accessory buildings in the VR-Village Residential zoning district shall cover no more than ten (10) percent of the total area of the rear, even if the area in paragraph “c” above has to be less than one thousand (1,000) square feet.
- e. The total area of any combination of attached and detached accessory buildings in the RR-Rural Residential district shall not exceed the total square footage of the living area of the principal building or one thousand two hundred (1,200) square feet, whichever is greater. The square footage of finished or unfinished basements shall not be considered when determining accessory building area. The area of detached accessory buildings may be increased by four hundred (400) square feet for each acre over two and a half (2-1/2) acres where additional acreage is part of a single lot or parcel.

Restriction: Additional acreage used to increase the size of accessory structures in an RR-Rural Residential district cannot be split off from the acres upon which the principal building is located.

- 5. When an accessory building or structure is located on a corner lot, said building or structure shall meet the standards found in Section 4.08 C.
- 6. In the RR-Rural Residential district, except as provided under Section 4.08 E., no detached accessory building shall be located closer than twenty-five (25) feet to any main or principal building, nor shall any detached accessory building or structure be located closer than twenty-five (25) feet to any side or rear lot line. In the VR-Village Residential district, no detached accessory building or structure shall be located closer than ten (10) feet to any main or principal building or structure nor shall it be located closer than five (5) feet to any side or rear lot lines.
- 7. In the AA-Agriculture, and RR-Rural Residential districts, accessory buildings or structures shall not exceed forty (40) feet in height, where such buildings are part of farmland in Blissfield Township as defined in Article 2 of this ordinance, and twenty (20) feet for all other non-farmland uses in the RR-Rural Residential district. In all other districts, accessory buildings or structures shall not exceed fourteen (14) feet in height.
- 8. Radio and/or television antennas, church steeples, or other accessory features may exceed the maximum height in the district in which the accessory feature is located provided that the distance between the accessory feature and the property lines is equal to the height of such antenna or feature.

B. Accessory buildings and structures in non-residential districts.

1. All accessory buildings, structures, or apparatus, which are structurally attached to main or principal buildings shall be subject to and must conform to all regulations of this Ordinance applicable to main or principal buildings, except for the square footage requirements.
2. Detached accessory structures shall not be erected in any front yard or in any side or rear minimum yard setback area.
3. Radio and/or television antennas, chimneys, church steeples, or other accessory features may exceed the maximum height in the district in which the accessory feature is located provided that the distance between the accessory feature and the property lines is equal to the height of such feature.
4. Satellite antennas and/or other accessory apparatus shall be so mounted on the ground, on the wall, or on the roof to maximize the screening of such apparatus without impeding signal reception or prescribed use.
5. Wireless communication facilities may be an accessory use in a nonresidential district provided they meet all of the requirements of Section 6.25 of this Ordinance. Wireless communication facilities located in nonresidential districts shall be located only on parcels of five (5) acres or greater.

C. Accessory structures in the RR-Rural Residential district involving farms and farming operations in Blissfield Township.

1. In those cases where the Building Inspector, or other designated by the Township Board, determines that the principal use of the applicant's premises is farming, and not residential, the Building Inspector may authorize the erection of farm-related buildings on the premises even though such buildings do not conform to the other subsections of this Section.
 - a. In reaching such a determination, the Building Inspector shall consider the occupation of the persons occupying the premises, the source of income for the family occupying the premises, the amount of income produced by the farming occupation, relevant State Statutes and Rules, and all like information.
 - b. This subsection is not intended to permit deviation from the standards of this Section in the case of part-time farms or farmers, "gentlemen farmers" or like situations. This section is intended to promote and protect farms and farmers, and not to encourage deviation or variations based on the allegation of farming where the allegation is not supported by sufficient fact.

- c. When a farm ceases to operate as a financial use as defined in Article 2 and the owner requests the land to be split, the non-farm regulations of this Ordinance shall be applied to the principal and accessory buildings and structures to determine the total acreage required around the original principal and accessory buildings and structures before the remainder of the land, which is vacant, is divided into parcels to be equal to or greater than what is required pursuant to the zoning district or districts in which the vacant land is located.

- D. Wireless communication facilities in the AA-Agriculture and RR-Rural Residential districts as accessory structures.
 - 1. Wireless communication facilities may be an accessory use in the AA-Agriculture, and RR-Rural Residential districts.
 - 2. The wireless communication facility shall meet the requirements of Section 6.25.
 - 3. Any new and unrelated structures being constructed on a site with a wireless communication facility shall be set away a distance equal to the height of the wireless communication facility structure.
 - 4. Wireless communication facilities located in the AA-Agriculture or RR-Rural Residential districts as an accessory use shall be located only on parcels of forty (40) acres or greater. This regulation shall not prohibit the division of the forty (40) acre parcel after the wireless communication facility is established as long as all other provisions of this Ordinance are met.

SECTION 5.03 FENCE REGULATIONS

- A. General Requirements - It shall be unlawful for any person, firm, or corporation to construct, or cause to be constructed, any fence on any property within Blissfield Township, except in accordance with these regulations. A permit to construct a fence shall not be required.

- B. Location of Fences.
 - 1. All fences shall be located entirely on the property of the owner of the fence. Adjoining property owners may jointly install a fence on the common property line.
 - 2. No fence shall be located within a public easement in which public utilities are located or are proposed to be located without first receiving the approval of the public utility responsible.

3. Where stockade or other similar style fencing is proposed, the finished side of the fence must face outward toward neighboring properties. In the case where a fence abuts a public right-of-way, or private roadway, the finished side must face the public right-of-way, or private roadway.
4. Continuity in the style of fencing shall be maintained along each separate property line. This provision does not require a uniform fence style along each separate property line, but rather prohibits abrupt changes in fence style along a property line.

C. Height Regulations.

1. Fences located on residential lots shall comply with the following regulations:
 - a. Only ornamental type fences shall be located in a required front setback or in a required side setback adjoining a public or private street and shall not exceed four (4) feet in height. Ornamental fencing includes wrought iron, wood “picket” fencing and other similar styles.
 - b. Fences located in any required side setback not adjoining a street or in any required rear setback shall not exceed eight (8) feet in height.
2. Fences on any commercial or office lot shall not exceed six (6) feet in height. Fences in a front setback or a street setback shall not be permitted in a commercial or office commercial district except where required by the Township Planning Commission.
3. Fences on any industrial lot shall not exceed twelve (12) feet in height.
4. Fences enclosing land used for agricultural purposes or the keeping of Class II animals shall be exempt from the regulations of this subsection.
5. Fence height shall be the vertical distance from finished grade to the top of the highest point of the fence structure. When located on or adjacent to a property line, the finished grade shall match the grade on either side of the property line. The mounding of soil shall not be permitted for the purpose of a higher fence height.

D. Safety of Fences

1. No spikes, nails, barbed wire, or other pointed objects or sharp protrusions shall be placed on, attached to, or permitted to remain on, any fence below the height of ten (10) feet, except in the case of fences that enclose farmland, in which case barbed wire may be permitted at any height of the fence.

2. Fences shall not contain any electric charge or current, except fences that enclose land used for agricultural purposes, in which case electrically charged fence wires shall be permitted, provided such wires shall be attached to the inside face of the fence posts. All electrically charged fences shall be of a type and make approved by Underwriters Laboratories.
 3. Fences may be constructed of woven wire, metal, wood, plastic, or masonry. Masonry walls shall require a foundation equal to the depth of the frost line, or forty-two (42) inches. Posts or anchoring devices for all other fences shall be placed at a depth of not less than thirty (30) inches.
- E. Retaining Walls - A retaining wall shall be regulated as a fence if the wall projects more than eighteen (18) inches above the grade of the ground being retained.
- F. Public Utility Fences - Fences that enclose public utility installations shall not be located in any required setback where the lot is located in a residential zoning district. Such fences may be located in any required setback where the lot is located in any other zoning district. Such fences shall comply with all other provisions of this Ordinance.
- G. Maintenance - Fences shall be maintained so as not to endanger life or property. Any fence which, through lack of repair, type of construction, or otherwise endangers life or property, is hereby deemed a nuisance. If an unsafe condition exists concerning a fence, the Building Inspector or other authorized person shall serve written notice to the owner, agent, or person in control of the property on which such fence is located. The notice shall describe the unsafe conditions, shall specify the repairs or modifications required to make the fence safe, or shall require an unsafe fence or any portion thereof to be removed. The notice shall provide a time limit for such repairs, modifications, or removal to be made.
- H. Exemptions – Fences enclosing land used for agricultural purposes shall be exempt from the regulations and requirements of this Section.

SECTION 5.04 ONE LOT, ONE PRINCIPAL BUILDING IN SINGLE-FAMILY RESIDENTIAL DISTRICTS

In single-family residential districts, only one (1) principal building shall be placed on a lot of record.

SECTION 5.05 REQUIRED STREET FRONTAGE

Any parcel of land which is to be occupied by a use or building, other than an accessory use or building, shall have frontage on and direct access to a public street or private easement, which meets one of the following conditions:

- A. A public street which has been accepted for maintenance by the Road Commission for Lenawee County; or
- B. A permanent and unobstructed private easement of record at the Lenawee County Register of Deeds where said easement is constructed in accordance with the Blissfield Township ordinance regulating the construction of private roads; or
- C. Frontage on a cul-de-sac in which case said road frontage may be less than the minimum required by the zoning regulations for the zoning district in which the parcel is located, so long as the cul-de-sac is constructed in accordance with County or Township standards, and so long as the lot width on said lots front building setback line is at least the minimum as set forth in the zoning regulations.
- D. In the case of a single building site, a driveway which serves that single site only, and which accesses a public street or permanent private easement as described in paragraphs A. or B. above. Such easement shall be at least twenty (20) feet wide and shall become a recorded easement for ingress and egress, or be owned in fee simple by the parcel served. Such easement or fee simple parcel shall also be for the exclusive use of the parcel served.

SECTION 5.06 PARKING PROHIBITED IN RESIDENTIAL DISTRICTS

- A. Automotive vehicles or trailers of any kind without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.
- B. Commercial highway trailers and trucks and equipment with a rated capacity exceeding 10,000 pounds, Gross Vehicle Weight (GVW) shall not be parked or stored in any VR-Village Residential district.

SECTION 5.07 CONSTRUCTION AND OPERATION OF SWIMMING POOLS

The construction and operation of swimming pools shall be subject to the regulations of the Michigan Residential Code.

SECTION 5.08 CONDOMINIUM PROJECT REGULATIONS

All condominium projects within the Township shall comply with the provisions of this Ordinance with those exceptions as hereinafter set forth. It is recognized that residential condominiums differ from other residential subdivisions in numerous respects, particularly as to development standards in ownership with individual units and jointly held common areas. The purpose of this Ordinance Section is to address the special attributes of condominium projects and to adopt development standards, which will protect both the community and the purchasers

of condominiums. With that purpose in mind, the Planning Commission is granted broad power to apply the Ordinance standards to condominium developments in a manner reasonably consistent with the intent of the Ordinance in recognition of the fact that specific strict compliance to the letter of the Ordinance may not always be obtained.

A. Section 5.04 notwithstanding, site condominium projects are permitted in the Township subject to the following:

1. The developer of the site condominium projects shall submit to the Township twelve (12) copies of an application for a preliminary approval of the site condominium project. Such applications shall be accompanied by preliminary plans for the project. The preliminary plans shall show the name, location, and position of the project, and the plan shall also show the layout of the project in sufficient detail on the topographic map to enable the Planning Commission members to determine whether or not the project meets the requirements for size and shape of units, setbacks, streets, roads, highways, and such other requirements as are normally attendant to single-family developments. The preliminary plan shall be drawn to a scale of not more than two hundred (200) feet to one (1) inch. The plan shall also identify the Developer and the Surveyor or Engineer.
2. The Building Inspector, and such consultants as the Building Inspector may determine are necessary, shall review the preliminary plan and comment thereon to the Developer. Such review and comment shall be completed within forty-five (45) days of the submission of the plan. Following such review and comment, the preliminary plan shall be submitted to the Planning Commission for hearing. Such hearing shall be held at a regular Planning Commission meeting, but such hearing need not be a "Public Hearing" within the meaning of the State Enabling Act. The Planning Commission may, by majority vote, determine to have a public hearing on the plan.
3. The Planning Commission shall determine whether the plan meets the setback requirements, unit size requirements, lot or dedicated limited open or common space requirements consistent with the Blissfield Township lot size standards, and such other requirements as are applicable to single-family developments. Following such determination, the Planning Commission shall advise the Developer of its findings and recommendations.
4. If the Planning Commission determines that the plan, or its alternates, conforms to this Ordinance and all other applicable Ordinances in all respects, the plan shall be approved. Following approval, the Developer shall have one (1) year within which to complete the final plans for the development. All such final plans shall be in the same form and prepared in the same manner as plans for subdivisions, consistent with the Blissfield Township Subdivision Control Ordinance.
5. Following submission of the final plans to the Township, the Planning Commission shall likewise determine that all Ordinance criteria for the Township

of Blissfield have been met, and if all such criteria have been met, the final plans shall be approved. Such approval shall confer upon the Developer one (1) year within which to make substantial progress toward construction of the condominium project.

6. Following final site plan approval, the Developer shall forthwith submit engineering plans to the Township for review by the Building Inspector, and such other consultants as the Building Inspector may determine are necessary for the approval of such plans. All engineering shall conform to the standards as set forth in the Blissfield Township Subdivision Control Ordinance. The following special provisions shall apply to single family site condominium projects within Blissfield Township:

a. Each building site shall front on and have direct access to a public or private street, which public or private street shall be constructed in compliance with the standards for public roads as promulgated by the Lenawee County Road Commission or, in the case of private street, the standards of the Lenawee County Road Commission as applicable to a large lot subdivision with asphalt or concrete surface.

B. Multiple-family condominium projects shall be constructed in accordance with the same standards as well as all other multiple housing projects as provided in this Ordinance and in the Building Code. In addition, the following special provisions shall apply:

1. Each single unit in a condominium project shall have locks using combinations, which are interchange-free from locks used in all other separate dwellings within the project. This specification is intended to prohibit master keys.

2. A minimum of ninety (90) cubic feet of storage space shall be provided outside the dwelling unit for each unit, and such storage space shall have a minimum area of twenty-four (24) square feet of enclosed, lockable storage space.

3. Each utility that is consumed within the individual units shall be separately metered in such a way that the unit owner can be separately billed for its use. All utility meters shall be placed underground or screened architecturally or with landscaping or placed within the buildings.

4. Each unit shall have its own circuit breaker panel for all electrical circuits and outlets which serve the unit. Such panel shall be accessible within or close to the unit.

C. Condominiums for all offices shall comply in all respects with all applicable Township Ordinances, including this Ordinance, with regard to office buildings.

- D. Condominiums for retail establishments or purposes other than residential or office shall comply with all Township Ordinances applicable to the purposed use and type of building.
- E. As an aspect of site plan approval, the Developer of any condominium project of any nature whatsoever shall provide twelve (12) copies of the proposed Master Deed and restrictions to the Township for distribution to the Planning Commission members and to such other consultant or experts as the Township may deem necessary to call upon.
- F. It shall be unlawful to develop any condominium project, or record any documents of any nature whatsoever establishing a condominium project, in Blissfield Township without approval of the Township and the manner as provided in this ordinance.

SECTION 5.09 HOME OCCUPATION

The following regulations for permitting certain home occupations after special land use approval are enacted for the purpose of preserving the residential character of the community, to render the area quiet and peaceful for the surrounding residents, to provide for the safety of the adjacent residents and the well being of all of the residents on the street where such a use may be permitted. The general health, safety, and welfare of the neighborhood outweigh any benefit derived from the establishment and/or continuance of any home occupation after special land use approval.

- A. Procedures for obtaining special land use approval for a home occupation. Any resident seeking special land use approval to conduct a home occupation within a residentially zoned district must file an application with the Blissfield Township Planning Commission that contains, at a minimum, the following information:
 - 1. A description of the property involved, the uses of all properties adjacent to the applicant's property, the distance from the area of the proposed home occupation and any adjacent residential dwelling, the type of activity proposed to be conducted, where the activity is to be conducted on the property, and the persons to be involved in the activity.
 - 2. The application for a home occupation special use should describe in detail how the use will meet the standards as set forth below.
 - 3. The application, when completed, shall be submitted to the Township for review as to completeness and accuracy before submission to the Planning Commission.
 - 4. Uses that can be considered as a home occupation shall be submitted to the Planning Commission and reviewed according to the standards of paragraph B below.

- B. Standards for approval. In any building used as a dwelling, small, unobtrusive, and unobstructive businesses may be conducted provided that:
1. The primary use of the structure is a dwelling unit or approved accessory building.
 2. The proposed use shall be conducted entirely within the dwelling unit or approved accessory building.
 3. No person other than resident members of the family occupying the dwelling unit shall be engaged in or employed in the home occupation.
 4. No alteration of the residential appearance of the premises shall occur, including the creation of a separate entrance to the dwelling or utilization of an existing entrance exclusively for the business.
 5. The home occupation shall be restricted to fifteen (15) percent of the dwelling, and shall be clearly secondary to the use of the house for dwelling purposes.
 6. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other restricted materials shall be used or stored on the premises.
 7. The home occupation shall not cause any noise, odor, gas, smoke, dust, dirt, glare, heat, fire hazard, or vibration to occur outside of the building in which such activities occur.
 8. No mechanical or electrical equipment is to be utilized except that which is necessarily, customarily, or ordinarily used for household or leisure purposes.
 9. There are no outside operations, storage, or display of materials or products.
 10. No process is used which is hazardous to public health, safety, or welfare.
 11. Visitors, customers, or deliveries shall not exceed that normally and reasonably occurring for a residence and not more than two (2) deliveries of products or materials per week.
 12. The home shall not be the gathering point for other employees, nor shall any employee leave vehicles at the home and be transported to other locations.
 13. One business vehicle may be permitted at the dwelling. Business vehicles larger than a pickup truck or domestic van shall meet the requirements of Section 5.06 of the Zoning Ordinance, if eligible.
 14. No additional on-site parking associated with the business other than the space available for parking by the resident of the property is permitted.

15. No on-street parking associated with the business is permitted.
 16. One non-illuminated nameplate, not more than two (2) square feet in area, may be attached to the building, which may contain only the name and/or occupation of the resident.
- C. Conditions of approval. Any permitted home occupation use after special approval shall be permitted to continue provided it meets the following conditions:
1. The home occupation shall continue to meet the standards as set forth in this Section.
 2. The Planning Commission may stipulate additional specific standards that a particular home occupation must comply with relative to the special circumstances on or adjacent to the subject property.
 3. The home occupation may be subject to an annual review by the Planning Commission or more frequently upon presentation of information not previously considered by the Planning Commission.
 4. The home occupation may be subject to a time limit such as: a) one (1) year; b) five (5) years; c) as long as the current owner of the residence is the person conducting the home occupation; or d) other time limits as may be stipulated by the Planning Commission.
 5. The Planning Commission may also stipulate other general conditions that an applicant for a home occupation special approval must abide by in order to maintain their home occupation that the Planning Commission deems in their best judgment is necessary for the health, safety, and welfare of the Township.

SECTION 5.10 SCOPE OF PROVISIONS

- A. No building or structure, or part thereof, shall hereinafter be erected, constructed, reconstructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance.
1. No building shall be erected, converted, enlarged, reconstructed, or structurally altered, except in conformity with the area and placement regulations of the district in which the building is located.
 2. No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except that penthouses or roof structures for the housing of

elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts, and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks, or similar structures may be erected above the height limits herein prescribed. No such structure shall be erected more than fifteen (15) feet above of the maximum height of the district in which it is located; nor shall such exempt structure have a total area greater than ten (10) percent of the roof area of the building; nor shall such exempt structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building.

3. Architectural features, as defined, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard and may extend or project into a required front yard or rear yard not more than three (3) feet. An open, unenclosed porch or paved terrace may project into a front yard for a distance not exceeding ten (10) feet.
4. Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. A slope grade shall be established and maintained from the center of the front or rear lot line to the finished grade line at the front or rear of the building, both grades sloping to the front lot or both. However, this shall not prevent the grading of a yard space to provide sunken or terraced areas, provided proper means are constructed and maintained to prevent the run-off surface water from flowing onto the adjacent properties. Grade elevations shall be determined by using the elevation at the centerline of the road in front of the lot as the established grade or such grade determined by the Township Engineer or Building Inspector.

When a new building is constructed on a vacant lot between two existing buildings or adjacent to an existing building, the existing established grade shall be used in determining the grade around the new building and the yard around the new building shall be graded in such a manner as to meet existing grades and not to permit run-off of surface water to flow onto the adjacent property.

5. No permit shall be granted for the moving of buildings or structures from without or within the limits of the Township to be placed on property within said limits until the applicant provides the building inspector with certification that all applicable building codes have been met and have found that it is structurally safe, will not adversely affect the character of existing buildings in the neighborhood of the new location and will fully comply with all other codes regulating the health, safety and general welfare of the Township.
6. Land balancing of any kind on vacant land shall not be permitted without permission of the building official or designee.

7. The construction, maintenance or existence of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, or wells, which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, this Section shall not prevent any excavation under a permit issued, pursuant to this Ordinance, where such excavations are properly protected and warning signs posted in such a manner as may be approved by the Building Inspector; and provided further, that this Section shall not apply to streams, natural bodies of water or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan.
8. Nothing in this Ordinance shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the Building Inspector, or required to comply with his lawful order.
9. The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a public election.
10. From and after the effective date of this Ordinance, it shall be unlawful for any person, firm, corporation, partnership, or other organization or entity to use land for filling with material of any kind without approval of the Township Board.

Essential services shall be permitted as authorized under any franchise or that may be regulated by any law of the State of Michigan or any Ordinance of the Township, subject to the requirements of this and other applicable chapters.

ARTICLE 6

SUPPLEMENTARY REGULATIONS

SECTION 6.01 PURPOSE

It is the purpose of this Article to provide regulations for specific uses, which may be regulated as either a permitted or special land use.

SECTION 6.02 CLUSTER HOUSING OPTION

- A. Intent: The intent of the cluster housing option is to permit the development of single-family and two-family residential patterns, which through design innovation, will:
1. Allow greater flexibility;
 2. Encourage a more creative approach to the development of single-family residential areas;
 3. Encourage a more efficient, aesthetic, and desirable use of the land;
 4. Provide a more desirable living environment through the preservation and conservation of natural features such as topography, wetlands, woodlands, bodies of water, and other natural assets;
 5. Encourage the provision of open space so that benefits may accrue directly to the residents of the development;
 6. Provide for optimum setbacks from major thoroughfares; and
 7. Provide for the sound physical development and handling of site situations where a conventional subdivision approach would be unnecessarily restrictive.
- B. Applicability: The cluster housing option may be applied for in the AA-Agricultural and RR-Rural Residential zoning districts. The following standards shall determine whether the cluster housing option is treated as a permitted or special land use:
1. As a permitted use: The cluster housing option shall be a permitted use where a minimum of fifty (50) percent of the net site area is permanently preserved in an undeveloped state, subject to all applicable standards set forth herein. Application for cluster housing as a permitted use shall be the option of the applicant.

2. As a special land use: The cluster housing option shall be a special land use in all other circumstances where it is not a permitted use, subject to all applicable standards set forth herein.
- C. Criteria: In the review of any proposed development under this section, the Township shall make a finding that the intent of the cluster housing option, as set forth in Section 6.02 A. and one (1) or more of the standards set forth below are met:
1. The parcel contains natural assets, which would be preserved using a cluster development. Such assets may include natural stands of large trees, land which serves as a natural habitat for wildlife, wetlands, bodies of water (i.e., streams, rivers, and lakes), unusual topographic features, or other natural assets.
 2. The parcel contains major topographic conditions, which make development under the subdivision approach impractical. In considering qualification under this subsection, the Township shall determine that the following conditions exist:
 - a. The natural landforms are so arranged that the change of elevation within the site include slopes in excess of fifteen (15) percent between these elevations. These elevation changes and slopes shall appear as the predominant feature of the site rather than the exception or infrequent feature of the site.
 - b. Mass grading of the site would be necessary to achieve the optimal road grade permitted by the Lenawee County Road Commission.
 - c. The use of cluster housing will allow for a greater preservation of a desirable natural setting.
 3. The parcel contains substantial portions of floodplain and wetlands, as verified by a floodplain and wetlands map, issued by the appropriate federal, state, county or township agency, or prepared by a qualified wetlands consultant.
 4. Due to the size and shape of the parcel, utilization of the cluster housing option would result in the more creative and efficient use of the property and would not create a negative impact upon surrounding properties.
- D. Procedures for Review and Approval: A two (2) part process will be followed in the review and approval of applications for the cluster housing option, as described below:
1. Concept Plan Review: The application for a cluster housing option shall require the review of concept plans and relevant supportive material by the Planning Commission. The following procedures shall be followed:
 - a. The applicant shall file a request for a concept review by the Planning Commission by filing with the Township, an application, the applicable

fee, and the following information, in the number of copies as required by the Township:

- i. Project Narrative and Site Analysis: A summary explanation and graphic illustration of the development concept and the manner in which the criteria in Section 6.02 C. are met.
 - ii. Density Concept Plan: A plan, which illustrates achievable development of the property without application of the cluster option and with all applicable Ordinances and laws observed. The Density Concept Plan shall not rely upon community septic and sewer systems, as defined by the Ordinance, to justify achievable density.
 - iii. Cluster Concept Plan: A plan which illustrates development of the property with application of the cluster option.
- b. Both the Density and Cluster Concept Plans shall contain the following information:
- i. Evidence of ownership; location and description of site; dimensions and areas.
 - ii. General topography, soils information, woodlands, wetlands, floodplains, and surface water.
 - iii. Scale, north arrow, and date of plan.
 - iv. Existing zoning of site; existing land use and zoning of adjacent parcels; location of existing buildings, drives and streets on the site and within one hundred (100) feet of the site.
 - v. Lot and street layout.
 - vi. Location, size, and uses of open space.
 - vii. General description of proposed water, sewage disposal, and storm drainage systems.
- c. Upon receipt of an application for concept plan review, the Township Clerk shall transmit the application and related material to the Planning Commission, Township Planner, and Township Engineer. Concept plan review shall be scheduled at the first available Planning Commission meeting.

- d. The Planning Commission shall review concept plans and relevant supportive material and shall be entitled to make reasonable inquiries of and receive answers from the applicant. The official minutes shall reflect the recommendations of the Planning Commission.
 - e. Specific details of the site plan prepared in accordance with Article 7 shall serve as the basis for determining that all Township standards have been met.
2. Final Review: Within six (6) months following the Township's review of the concept plan, the applicant shall submit a final plan in accordance with the procedures set forth in Section 7.04, Final Site Plan, and conforming to this Section. If a final plan is not submitted by the applicant for approval within six (6) months following receipt of Township comments, the concept review becomes null and void.
- E. Site Design Requirements: All cluster developments submitted under this option shall conform to the following site design requirements:
- 1. Type of Dwelling Unit Permitted: Development is restricted to single- and two-family dwelling units.
 - 2. Density: Whether a permitted use or special land use, the number of dwelling units permitted under the cluster housing option shall not exceed the number of dwelling units if the site were developed with a conventional layout and all applicable ordinances and laws observed, as demonstrated by the density concept site plan submittal in accordance with Section 6.02 D.1.a.ii.
 - 3. Open Space: Cluster housing treated as a permitted land use shall have a minimum of fifty (50) percent of the net site area devoted to open space, provided such open space is left in an undeveloped state, as defined by this Ordinance.

Cluster housing treated as a special land use shall have significant areas devoted to open space for the use and enjoyment of residents of the development and the preservation of natural features. Designated open space shall remain either in an undeveloped state and/or used for specifically designated recreational purposes.

In all cases, designated open space shall be subject to the following standards:

- a. Designated open space shall include area within any greenbelts pursuant to Section 11.02.
- b. Designated open space shall not include rights-of-way or easements designated for road purposes, areas within lots, or, land, which, is under water (lakes, streams, watercourses, and other similar bodies of water).

- c. Designated open space shall be designed to avoid fragmentation of natural resources and to include significant native plant communities and habitats located on the site.
4. Setbacks: Minimum setback requirements shall be established in a manner, which permits variation in the siting of individual dwelling units in order to encourage creativity in design and compatibility with natural resource features. The following minimum setback requirements for each dwelling unit shall be applied:

Minimum Setbacks (in feet) in Subdivisions and Site Condominiums		
<u>Setbacks/Districts</u>	<u>AA</u>	<u>RR</u>
Front & Rear		
Front	40	40
Rear	20	20
Total Front & Rear	80	80
Side		
Least	20	20
Total of Same Lot	40	40
Ordinary High Water Mark	50	50

Minimum Setbacks and Distances Between Buildings (in Feet) in Regular Condominiums		
<u>Setbacks/Districts</u>	<u>AA</u>	<u>RR</u>
Minimum Setbacks*		
Internal/Drives/Streets	40	40
Ordinary High Water Mark	50	50
Distance Between Bldg.		
Side/Side	40	40
Side/Front, Side/Rear	55	55
Front/Front, Front/Rear, Rear/Rear	70	70

*Where the cluster development contains drives or streets without a recorded easement, setbacks shall be measured from a point thirty (30) feet from the center of the drive or street.

5. Required Road Frontage: All lots shall have frontage on a public road, which has been accepted for maintenance by the Lenawee County Road Commission, or a road, which is part of a condominium development where design, construction, and perpetual maintenance of the road have been approved by the Township. The extent of road frontage shall be determined by the Township, in its discretion, taking into consideration: the extent and importance of natural resources, topographical conditions, floodplains, and wetlands to be preserved on the property, the size and shape of the development site, public safety, aesthetics, and impact upon surrounding developments.
6. Greenbelt Adjacent and Parallel to County Roads: It is the intent of the Township that cluster developments shall not appear to be more intense than conventional developments as viewed from off site. In addition to any required minimum

setback specified in Section 11.02, a greenbelt having the minimum width of one hundred (100) feet shall be required along any adjacent County road. The greenbelt shall be measured from the future right-of-way line in accordance with Lenawee County's Future Right-of-Way Plan. The Township at its discretion, may permit variations in width of the greenbelt taking into consideration topographic and/or other natural resource conditions, density of existing vegetation to be preserved, and size and shape of the development site as well as the County's Future Right-of-Way Plan.

7. Transition from Adjacent Parcels: In order to provide an orderly transition of density when a cluster development abuts a single-family residential district of equal or lower density, the Township, at its discretion, shall require designation of open space along the common boundaries; screening in accordance with the requirements of Section 11.02 and/or an area or row of lots of commensurate size as neighboring residential lots.
- F. Grant of Approval: Upon the grant of special land use approval under this section, the Township shall set forth all conditions imposed as part of the approval.
- G. Preservation and Maintenance: The effectiveness of any approval of a cluster development under this Section shall be conditioned upon recording of appropriate conservation easements, restrictive covenants or other instruments for the purpose of providing for long-term maintenance and preservation of common areas, open space areas, wooded areas and/or other areas with natural resources or features to be preserved on the property. Such easement and/or other instrumentation shall be in a form and contain the content approved by the Township attorney.

SECTION 6.03 MOBILE HOME PARKS

- A. Intent. The intent is to provide districts of such size and location as will encourage proper mobile home residential development, adjacent to essential community services, and otherwise protect the health, safety, and welfare of mobile home residents.
- B. Permitted Uses.
 1. Mobile home parks subject to the provisions of Section 6.03 C, below.
 2. Accessory uses and structures including community building, for use of residents, common outdoor storage area, for use of residents, and other similar facilities common to mobile home parks for the use of park residents.
- C. Site Design Requirements. The Mobile Home Code, as established by the Mobile Home Commission and the Michigan Department of Public Health Rules under the authority of 1987 P.A. 96, as amended, regulates the development of mobile home parks. All mobile home parks must be constructed according to the standards of the Code.

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

1. Mobile Home Parks shall be constructed, licensed, operated, and managed in accordance with the provisions of the Mobile Home Commission Act, 1987 P.A. 96, as amended, and subsequently adopted rules and regulations governing mobile home parks.
2. Mobile Home Parks shall not be permitted on parcels less than fifteen (15) acres in size.
3. Individual mobile home sites within a mobile home park shall have a minimum lot size of five thousand five hundred (5,500) square feet per mobile home being served. This five thousand five hundred (5,500) square foot minimum may be reduced by twenty (20%) percent, provided that the individual site shall be equal to at least four thousand four hundred (4,400) square feet. For each square foot of land gained through this reduction of the site below five thousand five hundred (5,500) square feet, an equal amount of land shall be dedicated as open space. In no case shall the open space requirements be less than that required under R125.1946, Rule 946 of the Michigan Administrative Code.
4. The on-site storage of boat trailers, boats, camping units, horse trailers and similar recreational equipment shall be prohibited on mobile home sites and in designated open space areas. The mobile home park may provide, within the confines of the park, a common outdoor storage area for the storage of the above-mentioned equipment.
5. The minimum setback for mobile home parks shall be fifty (50) feet from a public right-of-way and ten (10) feet from any adjoining property line not involving a public right-of-way. Mobile home parks shall be landscaped as follows:
 - a. If the mobile home park abuts an existing residential development, the park shall be required to provide landscape screening along the park boundary abutting the residential development.
 - b. If the park abuts a non-residential development, the park need not provide screening.
 - c. In all cases, however, a park shall provide landscape screening along the park boundary abutting a public right-of-way. The landscape screening shall consist of evergreen trees or shrubs of minimum three (3) feet in height, which are spaced so they provide a continuous screen at maturity. A landscape berm may be incorporated within the landscape screen. The Planning Commission shall approve walls and fences used in conjunction with a landscape screen during preliminary site plan review. Standard concrete block walls and wood stockade type fencing shall not be

permitted. Preferred walls used for screening include pre-cast post and panel concrete walls, architectural textured concrete masonry walls, and brick veneer face concrete block walls. Preferred fencing includes standard board on board fencing, panel fencing, solid board fencing, or a combination of these.

6. Mobile Home Parks shall be subject to preliminary plan review requirements in accordance with 4987 P.A. 96, as amended.
7. A permit shall not be required for the construction or erection of canopies or awnings, which are open on three (3) sides. A building permit shall be required, however before the construction or erection of any screened, glassed-in, or otherwise enclosed awning or canopy.

SECTION 6.04 MANUFACTURED/MODULAR HOMES OUTSIDE OF MOBILE HOME PARKS

- A. Intent. It is the intent of this Section to establish standards for manufactured and/or modular homes outside of mobile home parks, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 1. Not more than one (1) residential unit shall be permitted per zoning lot.
 2. The lot on which a mobile home/manufactured home is located shall meet all minimum lot size, setbacks, yard area, parking and all other pertinent zoning ordinance requirements. The mobile home shall meet the minimum square foot requirements of the zoning district in which is located.
 3. It shall comply with all pertinent building and fire codes for single-family dwelling units including but shall not be limited to the State of Michigan Residential Building Code as may be amended from time to time.
 4. It shall be firmly and permanently attached to a solid foundation or basement not less in area than the perimeter area of the dwelling. The foundation and/or basement shall be constructed in accordance with applicable Building Codes.
 5. It shall not have any exposed wheels, towing mechanism or undercarriage.
 6. It shall be connected to a public sewer and water supply, if available, or to private facilities approved by the Lenawee County Health Department.
 7. It shall be aesthetically comparable in design and appearance to conventionally constructed homes found within two thousand (2,000) feet of the proposed

mobile/manufactured home. It shall be the responsibility of the Township's Building Inspector to determine whether this standard is met. The Township Building Inspector shall make a determination that this standard has been met if all of the following conditions exist:

- a. The proposed mobile/manufactured home will have a combination of roof overhang and pitch of conventionally constructed homes typically found within two thousand (2,000) feet of the proposed mobile/manufactured home.
- b. The proposed mobile/manufactured home will have steps and/or porches, which provide access to exterior doors, which are permanently attached to the ground and to the mobile/manufactured home structure, and which are comparable to steps and/or porches of conventionally constructed homes typically found within two thousand (2,000) feet of the proposed mobile/manufactured home.
- c. The proposed mobile/manufactured home will be covered with a siding material, which is in color, texture, malleability, direction of joist and method of fastening to the structure comparable to siding of conventionally constructed homes typically found within two thousand (2,000) feet of the proposed mobile/manufactured home.
- d. The proposed mobile/manufactured home will have the glass on its windows recessed at least one and one-half (1-1/2) inches behind the exterior surface of its siding.
- e. The proposed mobile/manufactured home will have front and rear or front and side exterior doors or such a combination of doors as is found in a majority of the conventionally constructed homes within two thousand (2,000) feet of the proposed mobile/manufactured home.
- f. The proposed mobile/manufactured home will have a one (1) car garage or a two (2) car garage if such a garage is found in a majority of the homes within two thousand (2,000) feet of the proposed mobile/manufactured home. Said garage shall be attached to the principal structure if a majority of the garages within two thousand (2,000) feet are attached to the principal structure.
- g. The Building Inspector may approve a mobile/manufactured home as aesthetically comparable in design and appearance to conventionally constructed homes found within three thousand (3,000) feet of the proposed mobile home even if all of the above conditions do not exist, provided the Building Inspector finds that the mobile home and/or its site have other design features which make it aesthetically comparable to conventionally constructed homes within two thousand (2,000) feet.

SECTION 6.05 BED AND BREAKFAST INNS

A bed and breakfast inn may be permitted in certain districts, as specified in this Ordinance, in conformance with the following:

- A. The bed and breakfast inn shall be clearly subordinate to the use of the principal residence as the owner's principal residence. Not more than forty (40) percent of the gross floor area of the dwelling unit may be devoted to guest rooms. All bed and breakfast rooms shall be located within the primary dwelling on the same site. No accessory buildings or second dwelling unit on the same site shall in any way be used in conjunction with a bed and breakfast inn.
- B. All guest rooms shall be a minimum of one hundred (100) square feet.
- C. All guest rooms shall be equipped with a smoke detector alarm.
- D. Lavatory and bathing facilities shall be provided for all overnight guests.
- E. The bed and breakfast inn shall have a minimum of two (2) means of exit directly to the outside. A floor plan and elevation drawings shall be provided to demonstrate conformance with this requirement.
- F. There shall be no exterior alterations to the dwelling which are not customary to other dwellings in the Township. If guest rooms are not part of the original structure, plans for the addition(s), prepared and sealed by a registered architect, shall be submitted with the application. The Planning Commission shall determine that the proposed addition(s) are compatible in style and design with the original structure, and that the added room(s) could be utilized for single-family residential use should the bed and breakfast inn be discontinued.
- G. Off-street parking shall be provided at a ratio of one (1) space per bed and breakfast room. The parking spaces shall be designed to maintain the residential character of the site.
- H. Signage shall be in conformance with Article 13.
- I. The maximum length of stay for overnight guests shall be fourteen (14) days.
- J. The application shall include written verification from the County Health Department that the existing or proposed sewerage disposal system is adequate for the proposed use.
- K. Any change in ownership of the site shall require written notification to the Township Clerk thirty (30) days prior to the transfer of title.
- L. The applicant shall arrange, at the applicant's expense, inspection of all units proposed for bed and breakfast units by the Township's Building Inspector prior to review by the Planning Commission. These reports shall be included with the application.

SECTION 6.06 PLACES OF WORSHIP

- A. Intent. It is the intent of this Section to establish standards for places of worship and other facilities for religious activities, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

- B. Application of Regulations.
 - 1. Lot size shall be a minimum of three (3) acres.
 - 2. The site shall be so located as to have at least one (1) property line abutting a road designated as a county primary road. All ingress and egress to the site shall be directly onto said county primary road.
 - 3. There shall be no off-street parking in the required front yard and wherever the off-street parking area is adjacent to residentially zoned land. Screening shall be further subject to the provisions of Section 11.02.
 - 4. All religious activities shall take place in a fully enclosed building except as may be approved consistent with an approved site plan pursuant to Article 7.
 - 5. Operations of activities or other accessory uses shall be consistent with programs, hours of operation and other requirements that have been submitted by the applicant and shall be subject to Planning Commission review and approval.

- C. Ancillary Facilities. Whenever facilities such as community halls, fellowship or social halls, recreation facilities and other similar uses are proposed as incidental to the principal worship facility, such secondary facilities shall not be constructed or occupied in advance of the sanctuary or principal worship area of the church complex.
 - 1. The seating capacity of such incidental use areas shall not exceed that of the sanctuary or principal worship area of the complex.
 - 2. Such incidental facilities must be used for worship or religious education purposes, in a manner, which is consistent with residential zoning and compatible with adjacent residential property. They shall not be used, leased, or rented for commercial purposes.

SECTION 6.07 CEMETERIES

- A. Intent: It is the intent of this Section to establish standards for cemeteries and other facilities normally incidental thereto, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

- B. Application of Regulations.
 - 1. The principle access shall be directly to a county primary road.
 - 2. The site shall be a minimum of twenty (20) acres.
 - 3. Mausoleum structures, maintenance buildings, and similar facilities shall be setback at least eighty (80) feet from any property line.

SECTION 6.08 REGULATION OF ANIMALS

- A. Intent. It is the intent of this Section to establish standards for any residential use wherein animals are kept for the use of the owner of the premises and immediate family, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood. The provisions of this Section do not apply to farms or farming operations.
- B. The operation of a private or commercial kennel in any district in which such use is permitted by this Ordinance shall be in accordance with Section 6.17 – Hobby and Commercial Kennels.
- C. The operation of an equestrian stable or riding academy in any district in which such a use is permitted shall be in accordance with the provisions of Section 6.30.
- D. Application of Regulations.
 - 1. Class I Animals may be maintained in any zoning classification district, subject to specific restrictions herein.
 - 2. Where farm animals are maintained coincident with a farm or farm operation, then and in such event, such farm animals and/or any associated livestock production facility shall be exempt from the regulations herein where a livestock production facility and/or any associated manure storage facilities are regulated, operated, managed, and conducted in accordance with a GAAMP as adopted and published by the Michigan Department of Agriculture, or its successor, and as amended from time to time.

Where a farm or farm operation proposes new and or expanding livestock production facilities at a capacity of less than fifty (50) animal units, such farm or farm operation and/or livestock production facility shall request and receive siting verification from the Michigan Department of Agriculture.
 - 3. Where Class II and Class III animals are not maintained coincident with a farm or farm operation, then the following regulations shall apply:

a. Class II Animals may be maintained subject to the following conditions:

1. The minimum lot area required to maintain Class II animals is three and a half (3.5) acres. One (1) Class II animal shall be permitted for the first three and a half (3.5) acres. Three (3) additional Class II bovine or equine animals (total of 4 Class II bovine or equine animals) shall be permitted for each full one (1) acre in excess of 3.5 acres.
2. The minimum lot area required to maintain Class II swine animals is three and a half (3.5) acres. Twenty (20) swine shall be permitted for 3.5 acres. Thereafter, twenty (20) additional Class II swine shall be permitted for each full one (1) acre in excess of 3.5 acres.
3. The minimum lot area required to maintain Class II ovine animals is three and a half (3.5) acres. Fifteen (15) ovine shall be permitted for 3.5 acres. Thereafter, five (5) additional Class II ovine shall be permitted for each full one (1) acre in excess of 3.5 acres.
4. There shall be adequate fencing, or other restraining device, for maintaining animals within the restricted areas provided for in this Ordinance.
5. Structures housing Class II animals shall be located no nearer than two hundred (200) feet to any dwelling, which exists on an adjacent lot and no nearer than one hundred (100) feet to any adjacent lot line. Fenced areas shall be located no nearer than fifty (50) feet from any dwelling, which exists on an adjacent lot.
6. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time to minimize hazards of health and offensive effects upon neighboring people and uses.
7. All feed and other substances and materials on the premises for the maintenance of animals shall be stored to not attract rats, mice, or other vermin.

b. Class III Animals may be maintained subject to the following conditions:

1. The minimum lot area required to maintain Class III animals shall be three and one-half (3 1/2) acres.

2. There shall be adequate fencing, or other restraining device, for the purpose of maintaining animals within the restricted areas provided for in this ordinance. Fenced areas shall be located no nearer than fifty (50) feet from any dwelling, which exists on an adjacent lot.
 3. Structures housing Class III animals shall be located no nearer than one hundred (100) feet to any dwelling, which exists on an adjacent lot and no nearer than fifty (50) feet to any adjacent lot line.
 4. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time to minimize hazards of health and offensive effects upon neighboring people and uses.
 5. All feed and other substances and materials on the premises for the maintenance of animals shall be stored to not attract rats, mice or other vermin.
4. On any premises upon which animals are situated, or maintained in the Township, garbage, refuse, offal, and the like, shall not be brought upon the premises and fed to animals.
 5. A nuisance shall not be created by the maintenance of animals in the Township.
 - a. A nuisance may be determined upon the inspection by the Building Inspector, or other Township Official duly designated and authorized by the Township Board, concerning a premises on which animals are kept.
 - b. If a nuisance is found, a ten (10) day written notice may be given by said official to the person maintaining animals on said premises, stating in said notice that it appears that a nuisance does in fact exist on said premises, and specifically describing said nuisance.
 - c. If the condition persists, the Building Inspector may refer the matter to the Zoning Board of Appeals. The Zoning Board of Appeals shall conduct a hearing and make a determination as to whether the conditions on the premises in question constitute a nuisance. In accordance with the requirements of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, due notice shall be given to the person maintaining the animals, individuals residing within three hundred (300) feet of the said premises, and other interested parties known to the Township.
 - d. The person or persons maintaining the animals on said premises, or their legal representatives, shall be permitted to present evidence and arguments to the contrary.

- e. Upon a determination by the Zoning Board of Appeals that a nuisance exists, the Zoning Board of Appeals shall, in writing, apprise the person maintaining the animals on the said premises as to how the nuisance shall be abated, and provide a reasonable time therefore.
 - f. The Zoning Board of Appeals shall order the animals upon the premises removed only in the event that the maintenance of said animals creates an imminent danger to the public health, safety, and welfare, and provided that such a removal order shall be limited to a minimum number of animals and minimum time period necessary to abate said danger.
6. Except as authorized in a wildlife preserve approved by the Township, wild animals shall not be permitted to be maintained in the Township, temporarily or permanently. For purposes of this section, the term “wild animal” shall mean an animal not otherwise defined as a Class I, II, or III animal, and which is not customarily domesticated and customarily devoted to the service of mankind in Blissfield Township. “Wild animal” also means any animal which a person is prohibited from possessing by law. The characterization of an animal as being wild shall not be altered by virtue of the fact that one or several generations of the animal in question have been maintained in captivity.

SECTION 6.09 PUBLIC, PAROCHIAL AND OTHER PRIVATE ELEMENTARY, INTERMEDIATE AND/OR HIGH SCHOOLS

- A. Intent. It is the intent of this Section to establish standards for public, parochial, and other private elementary, intermediate and/or high schools, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 - 2. The schools are offering courses in general education.
 - 3. The schools are not for profit.
 - 4. The site is not less than ten (10) acres in size.

SECTION 6.10 CHILD DAY CARE FACILITIES

- A. Intent: It is the intent of this Section to establish standards for day care facilities, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

- B. Application of Regulations.
1. A State licensed Family Day Care Home shall be considered a residential use of property and a permitted use in all residential districts. Family Day Care Homes shall be prohibited in all other districts.
 2. The Township may issue a special land use permit to establish a Group Day Care Home and/or Day Care Center as specified in district regulations and subject to the standards herein.
- C. Standards for Group Day Care Homes. Group Day Care Homes shall be considered as a special land use subject to the requirements and standards of Article 8 and the following additional standards:
1. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located.
 2. The property is maintained in a manner that is consistent with the visible characteristics of the neighborhood.
 3. Fencing shall be provided that is designed to discourage climbing, and is at least four (4) feet in height, but no higher than six (6) feet. The area to be fenced shall be determined by the Planning Commission.
 4. The hours of operation do not exceed sixteen (16) hours within a twenty-four (24) hour period. Activity between the hours of 10:00 p.m. and 6:00 a.m. shall be limited so that the drop-off and pick-up of children is not disruptive to neighboring residents.
 5. One (1) off-street parking space per employee not a member of the family that resides at the Group Day Care Home shall be provided.
 6. Appropriate licenses with the State of Michigan shall be maintained.
- D. Standards for Day Care Centers. Day Care Centers shall be considered as a special land use subject to the requirements and standards of Article 8 and the following standards:
1. Frontage on either a principal or a minor arterial road shall be required.
 2. A separate drop-off and pick-up area shall be provided adjacent to the main building entrance, located off of a public street and the parking access lane, and shall be of sufficient size so as to not create congestion on the site or within a public roadway.
 3. Off-street parking shall be provided at a rate of one (1) space per employee plus one (1) space for every five (5) children enrolled at the facility.

4. There shall be an outdoor play area of at least one thousand (1,000) square feet provided on the premises. Said play area shall not be located within the front setback. The Planning Commission may waive this requirement if public play area is available five hundred (500) feet from the subject parcel.
5. Appropriate licenses with the State of Michigan shall be maintained.

SECTION 6.11 COLLEGES, UNIVERSITIES, AND SIMILAR INSTITUTIONS OF HIGHER LEARNING

- A. Intent. It is the intent of this Section to establish standards for colleges, universities, and similar institutions of higher learning, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 1. Colleges, universities, and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education are subject to the following conditions:
 - a. Uses developed under the provisions of this Section shall be located on sites of at least twenty (20) acres.
 - b. All ingress and egress from said site shall be directed on to a county primary road or major thoroughfare.
 - c. No building used for instruction, offices or residences shall be closer than one hundred (100) feet to any residential property line. Other buildings and outdoor athletic areas shall be no closer than two hundred (200) feet to any residential property line. No parking area shall be closer than eighty (80) feet to any property line.
 - d. Site plans submitted to the Township shall show future construction and projected maximum enrollment.
 - e. The provisions of this Section are not intended to permit the establishment of trade schools for the purposes of training operators of motor vehicles or heavy equipment.

SECTION 6.12 CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

- A. Intent. It is the intent of this section to establish standards for campgrounds and recreational vehicle parks, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

B. Application of Regulations.

1. Campgrounds and recreational vehicle parks shall be limited to transient recreational purposes. Retail, service, and utility uses shall be limited to the accessory provision of goods and services for overnight visitors. Such uses shall not be visible from campground or recreational vehicle park boundaries.
 - a. Access and egress requirements: Access and egress shall be provided only from a major arterial or county primary road.
 - b. Minimum site size: Twenty (20) acres.
 - c. Minimum setbacks of buildings, campsites, and activity areas from land zoned or used for residential purposes shall be seventy-five (75) feet.
 - d. Maximum density:
 - i. Not more than twelve (12) campsites shall be permitted per acre of total park size.
 - ii. Each campsite shall be at least three thousand (3,000) square feet.
 - iii. Recreational vehicles or tents shall not be parked any closer than fifteen (15) feet to each other.
 - iv. Public stations, housed in all-weather structures, containing adequate water outlets, toilets, waste containers and shower facilities, shall be provided uniformly throughout the development at a ratio of not less than one (1) such station per each twenty (20) sites.
 - e. Road, pad and parking area-surfacing requirements: Roads, recreational vehicle pads, and parking areas shall be surfaced with gravel or paving material adequate to remain in good condition throughout at least one (1) operating season without maintenance.
 - f. Design and operational intent:
 - i. A design and operations plan shall be prepared by the applicant and subject to approval by the Township. The plan shall meet the highest standards of the industry for ensuring the protection of adjacent areas from potential deleterious impacts of the proposed use. The provisions of the approved plan shall be an ongoing responsibility of the owner of the property. Violation of the provisions shall be grounds for revoking the special use approval following a hearing.

- ii. No design and operations plan shall be approved unless and until one or more independent experts have studied the plan and have testified that it meets the standards specified herein. Experts may be retained by the Township to fulfill the requirement for the expert testimony required herein.

SECTION 6.13 MOTOR VEHICLE AMUSEMENT FACILITIES

- A. Intent. It is the intent of this Section to establish standards for motor vehicle amusement facility uses, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 - 1. Motor vehicle amusement facilities shall include tracks and other areas for the concentrated racing and recreational use of go-carts, motorcycles, automobiles, trucks, ATVs and other motorized vehicles.
 - 2. Access and egress requirements: Access and egress shall be provided only from a major arterial or county primary road.
 - 3. Minimum site size: One hundred fifty (150) acres.
 - 4. Minimum setbacks of buildings, parking and activity areas from land zoned or used for residential purposes:
 - a. Minimum setback of parking areas shall be fifty (50) feet.
 - b. Minimum setback of all viewing stands and vehicle activities shall be one thousand (1,000) feet.
 - c. Minimum setback of other buildings and other activity areas shall be five hundred (500) feet.
 - 5. Noise areas where noise-generating activities are located shall be set back and/or screened with walls, berms, depressions, or natural topographic features, which ensure that the noise generated by site activity will not exceed the noise impact typically generated by the lowest volume county primary road in the Township. It will be the responsibility of applicants to prepare appropriate studies to demonstrate that proposed facilities and activities will comply. It will also be the responsibility of the applicant to pay the Township's costs for an independent evaluation of the applicant's studies.
 - 6. Design and Operational Intent:

- a. A design and operations plan shall be prepared by the applicant and subject to approval by the Township. The plan shall meet the highest standards of the industry for ensuring the protection of adjacent areas from potential deleterious impacts of the proposed use. The provisions of the approved plan shall be an ongoing responsibility of the owner of the property. The plan shall also meet the highest standards of the sport for ensuring the safety of users and neighbors. Violation of the provisions shall be grounds for revoking the special use approval following a hearing.
- b. No design and operations plan shall be approved unless and until one (1) or more independent experts have studied the plan and have testified that it meets the standards specified herein. Experts may be retained by the Township to fulfill the requirement for the expert testimony required herein.

SECTION 6.14 DRIVE-IN THEATERS

- A. Intent. It is the intent of this Section to establish standards for drive-in theaters, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 - 1. Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.
 - 2. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
 - 3. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be installed as to be confined within and directed onto the premises of the outdoor theater site.
 - 4. Audio for the outdoor theater shall not be beyond the property lines of the facility.
 - 5. Area of property shall be a minimum of forty (40) acres.

SECTION 6.15 GOLF CLUBS / GOLF COURSES

Golf clubs, country clubs, and golf courses shall be subject to the following:

- A. Golf courses may also include accessory clubhouses, driving ranges, pro shops and maintenance buildings.
- B. Country clubs may also include accessory clubhouses and maintenance buildings.
- C. The location of structures, such as the clubhouse and accessory buildings, and their operations shall be reviewed by the Planning Commission to insure minimum disruption of the adjacent properties. In no case shall any structure be located any closer than fifty (50) feet from adjacent residentially zoned or used property.
- D. All storage, service and maintenance areas, when visible from adjoining residentially zoned or used land, shall be screened from view in accordance with Section 11.02.
- E. Any proposed lighting and sound systems shall be reviewed by the Planning Commission to ensure that it does not impact adjacent land uses. Outdoor speakers or lighting shall not be directed towards residentially zoned or used property.

SECTION 6.16 FARM MARKETS OR ROADSIDE STANDS

- A. A farm market or roadside stand shall be incidental to a farm or farm operation provided the market or stand operator follow the GAAMPs as adopted and published by the Michigan Department of Agriculture, or its successor, and as amended from time to time.
- B. Standards, in addition to GAAMPs, including the following:
 - 1. A farm market or roadside stand, and/or the buildings or structures housing such use, shall not be greater than five hundred (500) square feet in area.
 - 2. Suitable trash containers shall be placed on the premises for public use.
 - 3. Any building or structure containing or associated with a farm market or roadside stand shall not be located within any setback as established for the zoning district in which such use is located. See the Supplementary District regulations contained in Section 4.08 hereof.
 - 4. Adequate off-street parking shall be provided and may be allowed in the required front setback area. Hard-surfacing and screening shall not be required.
 - 5. Two (2) signs not to exceed eight (8) square feet each may designate such use. Such signs shall not create a traffic hazard and shall not be located closer than twenty-five (25) feet to the nearest edge of the roadway. Such signs shall be deemed temporary in nature, non-illuminated, and approved as to safety and stability by the Building Inspector.

6. Any other signage or advertising media, including but not limited to flags, strings of lights, pennants, banners, search lights, bare light bulbs, moving or twirling signs or any portion thereof, balloons, and/or other similar advertising devices shall be prohibited.

SECTION 6.17 HOBBY AND COMMERCIAL KENNELS

- A. Intent: It is the intent of this Section to establish standards for hobby and commercial kennels and other facilities normally incidental thereto, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood. The provisions of this Section do not apply to farms or farming operations.

- B. Application of Regulations.
 - 1. Hobby kennels shall be permitted as an accessory use in any zoning district where single-family dwellings are permitted uses.

 - 2. Commercial kennels shall be a special land use in the AA-Agriculture district subject to the following conditions:
 - a. A minimum lot size of fifteen (15) acres shall be maintained.

 - b. Any building or fenced area where animals are kept shall be located a minimum of two hundred (200) feet from any property line.

 - c. The kennel shall be established and maintained in accordance with all applicable state, county, and township sanitation regulations. Odor, dust, noise, drainage or insects shall not constitute a nuisance to adjoining properties.

 - d. A site plan shall be submitted in accordance to Article 7, herein.

SECTION 6.18 DRIVE-IN RESTAURANTS

- A. Intent. It is the intent of this Section to establish standards for drive-in restaurants which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

- B. Application of Regulations.
 - 1. Eating and drinking establishments of a drive-in or open front store character are subject to the following regulations:
 - a. Points of ingress and egress will not be less than one hundred (100) feet from the intersection of any two (2) streets.

 - b. The site will be adjacent to a county primary road and all points of ingress and egress will be directly onto said road.

 - c. Lighting will be directed away from adjacent residential areas.

SECTION 6.19 OPEN AIR BUSINESS USES

- A. Intent: It is the intent of this Section to establish standards for open-air business uses, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.

- B. Application of Regulations.
 - 1. The minimum area of the site shall be ten thousand (10,000) square feet.
 - 2. The minimum street frontage shall be one hundred (100) feet.
 - 3. There shall be provision for the interception of wind-blown trash and other debris by appropriate fence along interior lot lines.
 - 4. Off-street parking areas and aisles shall be paved in accordance with the requirements of Section 10.02 unless an acceptable substitute is approved by the Zoning Board of Appeals.
 - 5. Lighting shall be installed in a manner which will not create a driving hazard on abutting streets or which will cause direct illumination of adjacent properties.

SECTION 6.20 ADULT ENTERTAINMENT

Adult entertainment uses can be permitted under certain conditions when all of the requirements for these uses have been met. It has been demonstrated that the establishment of adult businesses in areas which are immediately adjacent to and which serve residential neighborhoods, has deleterious effects on both businesses and residential segments of the neighborhood, causing blight and a decrease of property values. A prohibition against the establishment of more than two (2) regulated uses within one thousand (1,000) feet of each other serves to avoid clustering of certain businesses, which when located close to each other, tend to create a negative atmosphere. The concern for and pride in the orderly planning and development of a neighborhood should be encouraged and fostered in those persons who comprise the business and residential segments of that neighborhood. The Planning Commission and the Township Board should be guided by the expressed will of those businesses and residences, which are immediately adjacent to the proposed locations of, and therefore, most affected by the existence of any adult oriented businesses.

For the purpose of this Section, the following shall control:

- A. Definitions:
 - 1. Adult entertainment use – Any use of land, whether vacant or combined with structures or vehicles thereon by which said property is devoted to displaying or exhibiting material for entertainment, a “significant portion” of which includes

matter of actions depicting, describing, or presenting “Specified Sexual Activities” or “Specified Anatomical Areas.” Adult entertainment uses shall include but not be limited to the following:

- a. Adult motion picture theater.
 - b. Adult mini-motion picture theater.
 - c. Adult motion picture arcade.
 - d. Adult book store.
 - e. Adult cabaret, nightclub, topless lounge, and similar uses.
 - f. Adult motel.
 - g. Adult massage parlor.
 - h. Adult model studio.
 - i. Adult retail store.
2. Adults only – Businesses that prohibit or exclude entry to those persons who are under eighteen (18) years of age.
 3. Significant portion – As used in the above definitions, the phrase “significant portion”: shall mean any one (1) or more portions of the display having continuous duration in excess of five (5) minutes; and/or the aggregate of portions of the display having a duration equal to ten (10) percent or more of the display; and/or the aggregate portion of the collection of any materials or exhibits composing the display equal to ten (10) percent or more of the display.
 4. Display – As used in the above definition, the word display shall mean any single motion or still picture, presentation, dance, or exhibition, live act, or collection of visual materials such as books, films, slides, paraphernalia, periodicals, pictures, video cassettes or any other printed or recorded matter which is open to view or available to the general population whether for free or otherwise.
 5. Specified sexual activities – As used in the above definition, shall mean human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; and/or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
 6. Specified anatomical areas – As used in the above definition shall mean less than completely and opaquely covered human genitals, pubic region, buttock, human genitals, female breast below a point immediately above the top of the areola, and

human male genitals in a discernibly turgid state, even if completely and opaquely covered.

- B. Dispersal regulations – No adult entertainment use/adults only businesses shall be located within one thousand (1,000) feet of any other adult entertainment use/adults only businesses nor within six hundred (600) feet of, but not limited to, any of the following uses:
1. All Class “C” establishments licensed by the Michigan Liquor Control Commission.
 2. Pool or billiard halls.
 3. Coin-operated amusement centers.
 4. Teenage discos or dance halls.
 5. Ice or roller skating rinks.
 6. Pawn shops.
 7. Indoor or drive-in movie theatres.
 8. Any established business catering to children under the age of eighteen (18), and generally attracting patrons in such age group.
 9. Any public park.
 10. Any place of worship, or related property.
 11. Any public or private school having a curriculum including kindergarten or any one (1) or more of the grades, one through twelve.
 12. Any property zoned or used for residential purposes.
 13. Any other regulated uses as defined herein. Such distance shall be measured along the centerline of the street or streets or address between two (2) fixed points on the centerlines determined by projecting straight lines at right angles from the part of the above listed uses nearest to the contemplated location of the structure containing the adult entertainment use/adults only business use and from the contemplated location of the structure containing the adult entertainment use/adults only business use nearest to a use listed above.
- C. Display content – No adult entertainment use/adults only business use shall be conducted in any manner that permits the observance or relating to “specified sexual activities” or “specified anatomical areas” from any public way or from any property not regulated as

an adult entertainment use/adults only business use. This provision shall apply to any display, decoration, sign, show window, or other opening.

D. Variance requirements – In addition to all other requirements for the obtaining of a variance from the provisions herein, as set forth in other portions of this Ordinance, the Township Zoning Board of Appeals may waive the limiting regulations of this section only if all of the following findings are made:

1. That the proposed use will not be contrary to the public interest or injurious to the nearby properties, and that the spirit and intent of this Ordinance will be observed.
2. Vehicular ingress and egress shall be directly onto a major thoroughfare having an existing or planned right-of-way of at least one hundred twenty (120) feet in width and shall have one (1) property line abutting said thoroughfare.
3. The use shall not be in a shopping center as defined in Section 2.02.
4. The proposed use will not affect adjacent areas by enhancing or promoting blight, cause a negative effect upon any other adult entertainment use/adult only businesses nor within six hundred (600) feet of, but not limited to, any of the following uses:
 - a. All Class “C” establishments licensed by the Michigan Liquor Control Commission.
 - b. Pool or billiard halls.
 - c. Coin-operated amusement centers.
 - d. Teenage discos or dance halls.
 - e. Ice or roller skating rinks.
 - f. Pawn shops.
 - g. Indoor or drive-in movie theatres.
 - h. Any established business catering to children under the age of eighteen (18), and generally attracting patrons in such age group.
 - i. Any public park.
 - j. Places of worship or related property.
 - k. Any public or private school having a curriculum including kindergarten or any one (1) or more of the grades, one through twelve.

1. Any property zoned or used for residential purposes.

Any other regulated uses as defined herein. Such distance shall be measured along the centerline of the street or streets or address between two (2) fixed points on the centerlines determined by projecting straight lines at right angles from the part of the above listed uses nearest to the contemplated location of the structure containing the adult entertainment use/adults only business use and from the contemplated location of the structure containing the adult entertainment use/adults only business use nearest to a use listed above.

SECTION 6.21 PARKING AND STORING OF COMMERCIAL TRAILERS, TRUCKS AND EQUIPMENT

- A. Intent: It is the intent of this Section to establish standards for parking and storage of commercial trailers, trucks, and/or equipment with a rated capacity exceeding 10,000 Gross Vehicle Weight (GVW), which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 1. Minimum acreage required shall be ten (10) acres.
 2. Not more than three (3) licensed vehicles or vehicles and mobile equipment in combination shall be parked or stored on the property.
 3. All vehicles and equipment shall be parked or stored in completely enclosed building(s).
 4. The restrictions in this Section, do not apply to vehicles and equipment that are used on a bona fide farm and in farming operations as defined by Article 2 of this Ordinance.

SECTION 6.22 AUTOMOBILE SERVICE STATIONS

- A. Intent: It is the intent of this Section to establish standards for automobile service stations, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 1. In order to regulate and control the problems of noise, odor, light, fumes, vibration, dust, danger of fire and explosion, and traffic congestion, which results from the unrestricted and unregulated construction and operation of automobile service stations, and to regulate and control the adverse effects which these and

other problems incidental to the automobile service may exercise upon adjacent and surrounding areas, the following additional regulations and requirements of this Section apply. No station existing on the effective date of this Ordinance shall be structurally altered to provide a lesser degree of conformity with the provisions of this Section than existed on the effective date of this Ordinance.

- a. An automobile service station shall be located on a lot having frontage along a paved public street and having a minimum area of not less than twenty-five thousand (25,000) square feet.
- b. An automobile service station building housing an office and/or facilities for servicing, and/or washing motor vehicles shall be located not less than forty (40) feet from any street lot line, and not less than twenty-five (25) feet from any side or rear lot lines adjoining a residentially zoned district.
- c. All driveways providing ingress to or egress from an automobile service or gasoline station shall be not more than thirty (30) feet wide at the property line. No more than one (1) curb opening shall be permitted for each fifty (50) feet of frontage or major fraction thereof along any street. No driveway or curb opening shall be located nearer than twenty (20) feet from any intersecting street right-of-way or adjacent residential property. No driveway shall be located nearer than thirty (30) feet, as measured along the property line, to any other driveway giving access to or from the same automobile service station.
- d. The entire lot, excluding the area occupied by a building shall be hard-surfaced with concrete or a plant-mixed bituminous material except desirable landscaped areas, which shall be separated from all paved areas by a low barrier or curb.
- e. All service equipment shall be enclosed entirely within a building. All gasoline pumps and other associated facilities shall meet the required setback of the district in which the facilities are located. In addition to setbacks, all facilities shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street, right-of-way or required setback.
- f. Outdoor storage, parking of wrecked or partially dismantled vehicles shall be limited to no more than five (5) days.

SECTION 6.23 TRUCK STOPS

Truck stops may be permitted in certain districts, as specified in this Ordinance, in conformance with the following:

- A. All buildings established in relation to a truck stop shall be no closer than five hundred (500) feet from residentially zoned or used property.
- B. The width of any driveway intended to accommodate truck traffic shall not exceed thirty-six (36) feet wide at the right-of-way line.
- C. The facility shall provide adequate parking for truck layover, truck scales and adequate space for queuing at gas/fuel islands.
- D. Outdoor storage of disabled vehicles is prohibited.
- E. Outdoor storage of truck parts or supplies is prohibited.

SECTION 6.24 AUTOMOBILE PARTS STAMPING PLANTS

- A. Intent. It is the intent of this Section to establish standards for automobile parts stamping plants, which will insure compatibility with adjacent land uses and maintain the character of the neighborhood.
- B. Application of Regulations.
 - 1. Automobile parts stamping plants, assembly plants, rough saw lumbering facilities and planing mills.
 - a. Such uses shall have a minimum front, side and rear yard of two hundred (200) feet. Such space shall be maintained as a greenbelt in accordance with Section 11.02.
 - b. All open storage areas shall be completely enclosed with a six (6) foot obscuring fence or wall and no materials shall be piled higher than the enclosure device.

SECTION 6.25 WIRELESS COMMUNICATION FACILITIES

- A. Intent. It is the intent and purpose of the Township to carry out the legislative directive of the Federal Communication Commission's authorization of Wireless Communication Facilities needed to operate wireless communication systems throughout the country. It is the further intent and purpose of the Township, however, to provide for such authorization in a manner, which will protect the public health, safety, and welfare and

retain the integrity of neighborhoods and the character, property values and aesthetic quality of the community as a whole. In fashioning and administering the provisions of this Section, the Township has endeavored to balance these potentially competing interests within the zoning authority granted to the Township.

B. Application of Regulations. Recognizing the number of providers authorized to establish and operate wireless communication services and coverage, this Section shall:

1. Facilitate adequate and efficient provision of sites for wireless communication facilities.
2. Establish predetermined districts in the location considered best for the establishment of wireless communication facilities, subject to applicable standards and conditions.
3. Recognize that operation of a wireless communication system may require the establishment of facilities in locations not within the predetermined districts. In such cases, it has been determined that it is likely that there will be greater adverse impact upon neighborhoods and areas within the community. Consequently, more stringent standards and conditions should apply to the review, approval and use of such facilities.
4. Ensure that wireless communication facilities are situated in appropriate locations and relationships to other land uses, structures, and buildings.
5. Limit inappropriate physical and aesthetic overcrowding of land use activities and avoid adverse impacts upon existing population, transportation systems, and other public services and facility needs.
6. Promote the public health, safety, and welfare.
7. Provide adequate information about plans for wireless communication facilities in order to permit the community to effectively plan for the location of such facilities.
8. Minimize the adverse impacts of technological obsolescence of such facilities, including a requirement to remove unused and/or unnecessary facilities in a timely manner.
9. Minimize the negative visual impact of wireless communication facilities on neighborhoods, community landmarks, historic sites and buildings, natural beauty areas, and public rights-of-way. This contemplates the establishment of as few structures as reasonably feasible, and the use of stealth technology structures, which are designed for compatibility, including the use of existing structures and the avoidance of lattice structures that are unnecessary.

10. The Township Board finds that the presence of numerous tower and/or pole structures, particularly if located within residential areas, would decrease the attractiveness, quality of life, and destroy the character and integrity of the community. This, in turn, may have an adverse impact upon property values. Therefore, it is necessary to minimize the adverse impact from the presence of numerous tower and/or pole structures having unreasonably low architectural and other aesthetic appeal, recognizing that the absence of regulation would result in a material impediment to the maintenance and promotion of property values, and further recognizing that this economic component is an important part of the public health, safety and welfare.

C. Authorization as Permitted Use.

Subject to the standards and conditions set forth in subparagraph E. below, the wireless communication facilities shall be permitted uses in the following circumstances:

1. Circumstances creating permitted use treatment. In the following circumstances, a proposal to establish a new wireless communication facility shall be deemed a permitted use and be located on an existing lot or parcel, which meets the minimum zoning requirements of the district in which it is proposed, with the exception of a public utility tower collocation as noted below:
 - a. An existing structure, which will serve as a support structure for an attached wireless communication facility within a nonresidential zoning district, where the existing structure is not, in the discretion of the Building Inspector, proposed to be either materially altered or materially changed in appearance; or an existing structure which will serve as a support structure for an attached wireless communication facility within a residential zoning district if the cabinet or building servicing the wireless communication facility is either not visible from any residence or can be screened in accordance with the standards set forth in Section 11.02 and where the existing structure is not, in the discretion of the Building Inspector, proposed to be either materially altered or materially changed in appearance.
 - b. A proposed collocation upon an attached wireless communication facility, which had been pre-approved for such collocation as part of an earlier approval by the Township.
 - c. An existing structure, which will serve as the support structure for an attached wireless communication facility consisting of a utility pole located within a right-of-way, where the existing pole is not proposed to be modified in a manner which, in the discretion of the Building Inspector, would materially alter the structure and/or result in an impairment of sight lines or other safety interests.

- d. A public utility tower if the accessory buildings or cabinets serving the wireless communication facility are either not visible from any residence or can be screened in accordance with the standards set forth in Section 11.02 where the existing structure is not, in the discretion of the Building Inspector, proposed to be either materially altered or materially changed in appearance. It is recognized that public utility towers may or may not be located on individual parcels or lots and may be located within an easement area for the utility tower.

D. Authorization as a Special Land Use.

Subject to the standards and conditions set forth in subparagraphs E. and F., below, wireless communication facilities shall be a special land use in the following circumstances:

1. If it is demonstrated by an applicant that there is no reasonable means of establishing a wireless communication facility as a permitted use under Section 6.24 C. and a new wireless communication facility is required in order to operate a wireless communication service, then a wireless communication facility may be authorized as a special land use elsewhere in the Township with the approval of the Planning Commission following a public hearing, and after consideration of the criteria, standards, and conditions of Sections 6.24 E. and F. below, Article 8, and subject to the following:
 - a. At the time of the submittal, the applicant shall demonstrate that the need for the proposed wireless communication facility cannot be met as a permitted use as defined in Section 6.24 C.
 - b. Wireless communication facilities shall be of a design such as (without limitation) a steeple, bell tower, or other form, which is compatible with the existing character of the proposed site, neighborhood, and general area, as approved by the Township.
 - c. In single-family residential neighborhoods, site locations outside areas where wireless communication facilities would otherwise be classified as a permitted use, shall be considered first on the following sites (not stated in any order of priority), subject to application of all other standards contained in this section:
 - i. Municipally-owned site.
 - ii. Other governmentally-owned site.
 - iii. Religious or other institutional site.

- iv. Public park and other large permanent open space areas, when unrelated structures are located outside an area equal to the height of any wireless communication facility structure.
- v. Public or private school site.
- vi. Other locations if none of the above is available.

E. Standards and conditions applicable to all facilities. All applications for wireless communication facilities shall comply and be reviewed in accordance with the following standards and conditions, and if approved, shall be constructed and maintained in accordance with such standards and conditions. In addition, if the facility is approved, it shall be constructed and maintained with any additional reasonable conditions imposed by the Planning Commission in its discretion consistent with this Section.

- 1. Facilities shall be located and designed to be harmonious with the surrounding area. Among other things, all reasonable attempts shall be made and thoroughly explored to utilize existing structures on which to place facilities, i.e., to utilize attached wireless communications facilities.
- 2. Facilities shall be located and designed to be reasonably harmonious with the surrounding areas.
- 3. Wireless communication facilities shall comply with applicable federal and state standards relative to the environmental effects of radio frequency emissions, as confirmed by submission of a certification of compliance by the applicant's licensed engineer.
- 4. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs, which might result in lower heights. Structures, which require or are proposed to have high intensity (strobe) lighting shall be permitted in daylight hours only and blinking (not strobe), red lights at night.
- 5. New wireless communication facilities located in non-residential zoning districts must be located on a minimum five (5) acre parcel. New wireless communication facilities located in residential zoning districts must be located on a minimum forty (40) acre parcel. Wireless communication facilities may be permitted as accessory uses in either non-residential or residential zoning districts.
- 6. The following additional standards shall be met:
 - a. The maximum height of the new or modified support structures and antenna shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant (and by other entities to collocate on the structure). In no case shall the height of a new or modified support structure and antenna exceed the standard contained in

Section 6.24 F. 3. The accessory building contemplated to enclose such things as switching equipment shall be limited to the maximum height for accessory structures within the respective zoning district.

- b. The setback of a new or materially modified support structure from any lot line shall be at least the height of the highest point of any structure on the premises.
- c. There shall be unobstructed access to the support structure, for operation, maintenance, repair, and inspection purposes, which may be provided through or over an easement. This access shall have a width and location determined by such factors as the location of adjacent thoroughfares and traffic and circulation within the site; utilities needed to service the tower and any attendant facilities; the location of buildings and parking facilities; proximity to residential districts and minimizing the disturbance to the natural landscape; and, the type of equipment which will need to access the site.
- d. The design and appearance of the support structure and all accessory buildings shall minimize distraction, reduce visibility, maximize aesthetic appearance; and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly condition.
- e. The support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements confirming the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be noted.
- f. Applications made which do not include the signature of the licensed operator of a wireless communication service at the time of community processing may be tentatively approved, but shall not receive final approval unless and until the application has been amended to include a signature on behalf of a licensed operator. A tentative approval shall be valid for ninety (90) days. If, during a ninety (90) day tentative approval period, final approval is granted to authorize a wireless communication facility within two (2) miles of the property on which a facility has been tentatively approved, such tentative approval shall thereupon expire unless the applicant granted tentative approval demonstrates that it would not be feasible for it to collocate on the facility that has been newly granted final approval.

- g. The antenna and other attachments on a wireless communication facility shall be designed and constructed to include the minimum attachments required to operate the facility at the site, both in terms of number and size of such attachments and shall be designed and constructed to maximize aesthetic quality.

F. Standards and conditions applicable to special land use facilities. Applications for wireless communication facilities, which may be approved as special land uses above, shall be reviewed, and if approved, constructed and maintained in accordance with the standards and conditions in Section 6.24 E. 6. and in accordance with the following standards:

- 1. The applicant shall demonstrate the need for the proposed facility to be located as proposed based upon the presence of one or more of the following factors:
 - a. Areas of population concentration.
 - b. Concentration of communication, industrial, and/or other business centers.
 - c. Areas where signal interference has occurred due to masses of trees, or other obstructions.
 - d. Topography of the proposed facility location in relation to other facilities with which the proposed facility is to operate.
 - e. Other specifically identified reason(s) creating facility need.
- 2. The antennas shall be covered in such a manner that they will be hidden from view by the pole or other aesthetically pleasing element.
- 3. The pole shall not exceed one hundred and ninety (190) feet in height or, if a tree-like structure, it shall not exceed the tallest tree in the area around the wireless communication facility by more than twenty-five (25) percent, whichever is shorter.
- 4. The proposal shall be reviewed in conformity with the collocation requirements of Section 6.24 H. and removal requirements of Section 6.24 I.

G. Application Requirements.

- 1. A site plan prepared in accordance with Article 7 shall be submitted, showing the location, size, screening and design of all buildings and structures, including fences, and the location and size of outdoor equipment, and the location, number, and species of proposed landscaping.

2. The site plan shall also include a detailed landscaping plan where the support structure is being placed at a location which is not otherwise developed or where a developed area will be disturbed. The purpose of landscaping is to provide screening and aesthetic enhancement for the structure base, accessory buildings and enclosure.
3. The application shall include a signed certification by a State of Michigan licensed professional engineer with regard to the manner in which the proposed structure will fall, which certification will be utilized along with other criteria such as applicable regulations for the district in question, in determining the appropriate setback to be required for the structure and other facilities.
4. The application shall include a description of security to be posted with the Township at the time of receiving a building permit for the facility to ensure removal of the facility when it has been abandoned or is no longer needed, as provided in below. In this regard, the security shall, at the election of the applicant, be in the form of cash, surety bond, letter of credit, or an agreement in a form approved by the attorney for the Township and recordable at the office of the Register of Deeds, establishing security for the promise of the applicant and owner of the property to remove the facility in a timely manner as required under this Section of the Ordinance, with the further provision that the applicant and owner shall be responsible for the payment of any costs and attorneys fees incurred by the community in securing removal. Further, the recordable instrument will include a right of entry for removal and an administrative fee to the Township.
5. The application shall include a map showing existing and known proposed wireless communication facilities within the Township and further showing existing and known proposed wireless communication facilities within areas surrounding the borders of the Township in the location, and in the area, which are relevant in terms of potential collocation or in demonstrating the need for the proposed facility. If and to the extent the information in question is on file with the Township, the applicant shall be required only to update as needed. Any such information which is trade secret and/or other confidential communication information which, if released would compromise said information and would ultimately be detrimental to the applicant, may be submitted with a request for confidentiality in connection with appropriate provisions of the Michigan Freedom of Information Act. This Ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be made in writing to the Township.
6. The name, address and phone number of the person to contact for engineering, maintenance and other notice purposes. This information shall be continuously updated during all times the facility is on the premises.
7. The application fee in the amount specified by Township Board resolution.

8. The owner or duly authorized representative of all ownership interest in the land on which the wireless communication facility is proposed to be located shall sign the application. In addition, if a licensed entity intended to be the operator on the facility does not sign the application, approval shall be restricted as provided in the general regulations, above.

H. Collocation Requirements.

1. Statement of policy. It is the policy of the Township to minimize the overall number of newly established locations for wireless communication facilities and wireless communication support structures within the community, and encourage the use of existing structures for attached wireless communication facility purposes, consistent with the statement of purpose and intent, set forth in Section 6.24 A. Each licensed provider of a wireless communication facility must, by law, be permitted to locate sufficient facilities in order to achieve the objectives promulgated by the United States Congress. However, particularly in light of the dramatic increase in the number of wireless communication facilities reasonably anticipated to occur as a result of the change of federal law and policy in and relating to the Federal Telecommunications Act of 1996, it is the policy of the township that all users should collocate on attached wireless communication facilities and wireless communication support structures in the interest of achieving the purposes and intent of this section, as stated above, and as stated in subsection A. of this section. 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 an additional structure will be compelled in direct violation of and in direct contradiction to the basic policy, intent, and purpose of the Township. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the Township.
2. Feasibility of collocation. Collocation shall be deemed to be “feasible” for purposes of this Section where all of the following are met.
 - a. The wireless communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.
 - b. The site on which collocation is being considered, taking into consideration reasonable modification or replacement of a facility, is able to provide structural support.
 - c. The collocation being considered is technologically reasonable, e.g., the collocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.

- d. The height of the structure necessary for collocation will not be increased beyond a point deemed to be permissible by the Township, taking into consideration the intent and purpose of this Ordinance and standards contained herein.
3. Requirements for Collocation.
 - a. A special land use permit for the construction and use of a new wireless communication facility shall not be granted unless and until the applicant demonstrates that a feasible collocation is not available for the coverage area and capacity needs.
 - b. All new and modified wireless communication facilities shall be designed and constructed to accommodate collocation.
 - c. The policy of the Township is for collocation. Thus, if a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible collocation, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.
 - d. If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to permit a feasible collocation, and this requires the construction and/or use of a new wireless communication support structure, the party failing or refusing to permit a feasible collocation shall be deemed to be in direct violation of the Ordinance and contradiction of the policy, intent and purpose of the Ordinance, and consequently such party shall be prohibited from receiving approval for a new wireless communication facility within the Township for a period of five (5) years. Such a party may seek and obtain a variance from the Zoning Board of Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five-year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.
 4. Incentive. Review of an application for collocation, and review of an application for a permit for use of a facility permitted under Section 6.24 C. shall be expedited by the Township.

I. Removal Requirements.

1. A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
 - a. When the facility has not been used for one hundred eighty (180) days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.
 - b. Six (6) months after new technology is available at reasonable costs as determined by the municipal legislative body, 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 more compatible with the area.
2. The situations in which removal of a facility is required, as set forth in Section 6.24 I. may be applied and limited to portions of a facility.
3. Upon the occurrence of one or more of the events requiring removal, specified in Section 6.24 I., 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 the complete demolition, removal, and restoration of the premises to compliant condition as reasonably determined by the Building Inspector.
4. If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time application was made for establishing the facility.
5. The person who had used the facility shall immediately notify the Township Clerk in writing if and as soon as use of a facility ceases.

J. Effect and Approval.

1. Subject to the following paragraph final approval shall be effective for a period of six (6) months.
2. If construction of a wireless communication facility is commenced within two (2) miles of the land on which a facility has been approved, but on which construction has not been commenced during the six (6) month period of

effectiveness, the approval for the facility that has not been commenced shall be void following notice from the Township of the commencement of the other facility, unless the applicant granted approval for the facility which has not been commenced demonstrates that it would not be feasible for it to collocate on the new facility.

SECTION 6.26 WIND ENERGY CONVERSION SYSTEMS

- A. Purpose. Blissfield Township promotes the effective and efficient use of Wind Energy Conversion Systems with the minimum regulations on the siting, design, and installation of conversion systems so that the public health, safety, and welfare of neighboring property owners or occupants will not be jeopardized. In no case shall the provision of this Ordinance guarantee the wind rights or establish access to the wind.
- B. Definitions
1. Wind Energy Conversion System (WECS) shall mean any device such as a wind charger, windmill, or wind turbine that converts wind energy to a form of usable energy.
 - a. Agricultural WECS shall mean any WECS that is accessory to a permitted farm or agricultural operation, and is designed and built to serve the needs of the farm or agricultural operation.
 - b. Private WECS shall mean any WECS that is accessory to a principal non-farm, non-agricultural use located on the same lot, and is designed and built to serve the needs of the principal use.
 - c. Commercial WECS shall mean any WECS that is designed and built to provide electricity to the electric utility's power grid.
 2. Manual and Automatic Controls give protection to power grids and limit rotation of WECS blades to below the designed limits of the conversion system and must be UL listed.
 3. An Authorized Factory Representative/licensed dealer shall mean an individual with technical training of a WECS who has received factory installation instructions and is certified in writing by the manufacturer of the WECS.
 4. A Professional Engineer shall mean any licensed engineer registered in the State of Michigan.
 5. A Utility Scale wind farm shall mean all wind farms that produce greater than 50 kilowatts of energy.

6. Facility Abandonment shall mean out of production for a period not less than one (1) year.

C. Approval Required

Except where noted in this Section, it shall be unlawful to construct, erect, install, alter, or locate any WECS project within Blissfield Township unless a special land use permit has been obtained pursuant to this Ordinance.

1. Agricultural WECS projects accessory to permitted farm and agricultural operations shall be exempt from the requirements of this Section. Agricultural WECS projects shall conform to the regulations of the zoning district, including maximum height and minimum setback standards.
2. Application for special land use permit required by Article 8 of this Ordinance shall be made on forms provided by Blissfield Township in addition to the following:
 - a. Plot plan to show location of the WECS pole or tower, guy lines where required, guy line anchor bases, and their distance from all property lines;
 - b. Methods to screen the base of the WECS pole and/or other ground apparatus; and
 - c. A permit fee for each WECS as set by Blissfield Township Board must accompany the application.

D. General Standards

The following standards shall apply to all private and commercial wind energy conversion systems in Blissfield Township:

1. Design Safety Certification. The safety of the design of all private and commercial WECS towers shall be certified by a Professional Engineer registered in the State of Michigan or licensed dealer representative in accordance with manufacturing specifications. The standard for certification shall be included with the permit application.
2. Controls and Brakes. All private and commercial WECS projects shall be equipped with manual and automatic controls to limit rotation of blades to a speed below the designed limits of the WECS. The Professional Engineer and/or dealer representative and/or consultant must certify that the rotor and over-speed control design and fabrication conform to applicable design standards.

No changes or alterations from certified design shall be permitted unless

accompanied by a Professional Engineer's or representative's or energy consultant's statement of certification.

3. Electrical Components. All electrical compartments, storage facilities, wire conduit, and interconnections with utility companies will conform to national and local electrical codes.
4. Compliance with Township Ordinances. All private and commercial WECS projects shall comply with all Blissfield zoning ordinance requirements and other applicable ordinances.
5. Setbacks. All private and commercial WECS projects must be setback from property lines at a distance equal to or greater than one hundred fifty (150) percent of the height of the structure, measured from the base of the structure to the highest reach of its blade.
6. Height. Private WECS projects shall conform to the maximum height standards of the zoning district. Commercial WECS projects shall be exempt from the height requirements of this Ordinance, subject to the provisions of Article 8, and compliance with FAA regulations.
7. Installation Certification. The Professional Engineer shall certify that the construction and installation of the private or commercial WECS project meets or exceeds the manufacturer's construction and installation standards.
8. Climb Prevention. All private and commercial WECS project towers or poles must be un-climbable by design or protected by anti-climbing devices such as:
 - a. Fences with locking portals at least six (6) feet high;
 - b. Anti-climbing devices twelve (12) feet from base of pole; or
 - c. Anchor points for guy wires supporting tower shall be enclosed by a six (6) foot high fence or shall be located within the confines of a yard that is completely fenced.
9. Interference. It shall be the responsibility of the person in charge of the private or commercial WECS to submit acceptable documentation as part of the special land use permit to determine if the WECS project would in any way cause interference with microwave transmissions, residential television reception, or radio reception.
10. Fire Risk. All private and commercial WECS projects must adhere to all applicable electrical codes and standards, must remove fuel sources, such as vegetation, from the immediate vicinity of electrical gear and connections, and must utilize twistable cables on turbines.

11. Waste. All solid wastes, whether generated from supplies, equipment parts, packaging, operation, or maintenance of the WECS, including old parts and equipment, shall be removed from the site immediately and disposed of in an appropriate manner. All hazardous waste generated by the operation and maintenance of the WECS, including but not limited to lubricating materials, shall be removed from the site immediately and disposed of in a manner consistent with all local, state, and federal rules and regulations.
 12. Noise Levels. The noise level measured at the property line of the property on which the private or commercial WECS project has been installed shall not exceed fifty-five (55) decibels.
 13. Liability Insurance. The owner or operator of the private or commercial WECS project shall maintain a current insurance policy with a bond rating acceptable to the Township to cover installation and operation of the WECS project. The amount of the policy shall be established as a condition of special land use permit approval. For a private WECS projects accessory to a principal residence, proof of homeowner's insurance with specific coverage for the WECS shall satisfy this requirement.
- E. Additional Standards for Commercial WECS Projects. The following additional standards shall apply to all commercial wind energy conversion systems in Blissfield Township:
1. Compliance with FAA. It shall be the responsibility of the person in charge of the commercial WECS project to complete the proper FAA applications and obtain the proper permits for the WECS project. It shall also be the responsibility of the person in charge of the commercial WECS project to obtain a determination of no significant impact to air navigation from the FAA.
 2. Warnings. A visible warning sign of "High Voltage" may be required to be placed at the base of all commercial WECS projects. The sign must have at a minimum six-inch letters with 3/4-inch stroke. Such signs shall be located a maximum of three hundred (300) feet apart and at all points of site ingress and egress.
 3. Inspection. Every commercial WECS project must be inspected every five years by an Authorized Factory Representative or Professional Engineer to certify that it is in good working condition and not a hazard to the public as required by the State of Michigan. Such records shall be submitted to Blissfield Township and considered a part of the continuing special land use permit.
 4. Compliance with additional Regulations. It shall be the responsibility of the person in charge of the commercial WECS project to contact the FCC and FAA regarding additional permits necessary or any other applicable Federal or State

regulations for the installation, prior to the Blissfield Township granting a special land use permit.

5. Decommissioning Plan and Escrow. The commercial WECS project must contain a Decommissioning Plan to ensure it is properly decommissioned upon the end of the project life or facility abandonment.

Decommissioning shall include: removal of all structures (including transmission equipment and fencing) and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of project life or facility abandonment.

The decommissioning plan shall state how the facility will be decommissioned, the Professional Engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the Township that:

- a. The financial resources for decommissioning shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to Blissfield Township.
- b. The Township shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within six (6) months of the end of project life or facility abandonment.
- c. The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.
- d. The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from applicant or applicant's successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien. Financial provisions shall not be so onerous as to make wind power projects unfeasible.

SECTION 6.27 EXTRACTIVE OPERATIONS

- A. Intent: It is the intent of this Section to establish standards for extractive operations, which will insure compatibility with adjacent land uses and maintain the character of the area in which the facility is located.
- B. Application of Regulations.
1. A separate application shall be required for each excavation site as contained within a zoning lot as defined in Article 2. The application shall be made in writing to the Township and shall contain names and addresses of the applicants and of all parties of interest in said premises setting forth their legal interest in said premises, as well as the information required in paragraphs 2 through 6, below.
 2. Aerial photograph enlarged to a scale of one (1) inch equals two hundred (200) feet from original photography flown at negative scale no smaller than one (1) inch equals one thousand (1,000) feet, and certified as flown not earlier than two (2) months prior to date of application. The aerial photograph shall cover:
 - a. All land included in the permit application.
 - b. All contiguous land which is or has been used by the owner or leaseholder applicant for sand and gravel extraction, processing, storage or other permitted use. Contiguous shall mean within one (1) mile of the site.
 - c. All lands within one-half (.5) mile of proposed planned mining areas.
 - d. All public or private roads, which provide access to property.
 - e. Boundary of the entire planned mining area by courses and distances.
 3. Maps. Maps, in the number prescribed by the Township, drawn to the scale of two hundred (200) feet equals one (1) inch or larger and with two (2) foot contour intervals. Maps shall include, as a minimum, the following information:
 - a. Property boundaries and boundaries of areas to be mined.
 - b. Site topography and natural features including location of watercourses within the planned mining area.
 - c. Access road location.
 - d. Proposed traffic patterns.
 - e. Location of fencing.

- f. Location of weighing facilities, if applicable.
 - g. Location of existing and proposed utilities.
 - h. Indication of use of adjoining land within one (1) mile of the site boundaries, including zoning classifications.
 - i. Borrow and soil storage areas.
 - j. Location of public and private water supplies, wells, springs, streams, swamps or other bodies of water within one-quarter (1/4) mile of the proposed excavation site property lines.
 - k. Location of gas and oil wells within one-quarter (1/4) mile of the property lines.
 - l. Location of fuel transmission pipeline rights-of-way within one-quarter (1/4) mile of property lines.
 - m. Location of mining operations within one-quarter (1/4) mile of property lines.
 - n. All railroad rights-of-way within one-quarter (1/4) mile of property lines.
 - o. Any additional information required by the Township Planning Commission.
4. Plan of Operations. A plan of operations prepared by licensed engineers and geologists which shall be written and submitted which is specific as to “areas to be mined, schedule of mining, site preparations, source and types of materials to be mined”. The plan shall include details relative to:
- a. Elevation and grade of final restoration.
 - b. Average thickness of overburden in the area of proposed operations.
 - c. Management of ground water.
 - d. Management of surface water.
 - e. Erosion control.
 - f. Revegetation procedures to be used.
 - g. Quality of material to be excavated.

- h. Depth of water table throughout the planned mining area for which a permit is sought.
 - i. Details of similar operations carried on by the applicant.
 - j. The type and daily number of vehicles to be used in the proposed operations.
 - k. Identification of access roads, on-site roads, grades for proper drainage and any special draining devices, if necessary, fencing, and structures on-site, existing or proposed, existing and proposed utilities, and any explanation of any on-site testing or other reliable survey data, including soil surveys, water tables and subsurface characteristics.
 - l. Presentation of an impact assessment as required by Section 11.04.
 - m. A soils, geologic and ground water report of the characteristics of the proposed site, prepared by a licensed hydrogeologist, shall be based on a geological investigation showing a sufficient number of borings and wells drilled to a depth necessary to determine the soil, geology, and seasonal ground water flow conditions. These may be supplemented by excavations where appropriate.
 - n. Such other information and material as the Planning Commission shall require.
5. A transparent overlay at the same scale as the vertical aerial photograph and delineating:
- a. Area of active excavation.
 - b. Area requested for excavation.
 - c. Area of active settling ponds and washing plant facilities.
 - d. Area requested for settling ponds and washing facilities.
 - e. Area of existing treatment facilities and sand and gravel storage.
 - f. Area requested for treatment facilities and sand and gravel storage.
 - g. Area of production facilities for resource-related industry,
 - h. Area requested for production facilities for resource-related industry.

6. Restoration Plan. The applicant shall submit a restoration plan providing for an orderly continuing restoration of all land permitted to be excavated for its resources. The restoration plan shall consist of three (3) parts: a general plan, a restoration contour plat, and a description of restoration methods including materials proposed for renewal of topsoil and replanting. The general plan for restoration shall be presented on the aerial using a transparent overlay showing the following information:
 - a. General area of land as completely restored.
 - b. General area of restoration stages.
 - c. General area currently used for topsoil and overburden storage.
 - d. General area proposed for topsoil and overburden storage.
 - e. The acreage for each item shown on the overlay shall be indicated on plan.
 - f. Restoration contour plat shall be prepared on the same base as the identification plat required above, to indicate the general grades and slopes to which excavated areas are to be backfilled.
 - g. A description of the methods and materials proposed for restoration of topsoil to the required fertility and the amount and type of planting shall be filed as part of the restoration plan, subject to approval of appropriate County and State agencies.
 - h. The objectives of the general plan shall be:
 - i. To prevent soil erosion, which may threaten life or limb, endanger property or affect the safety, usability or stability of any public property.
 - ii. To prepare the mined land, by grading, fertilizing and planting on approximately an annual basis, for its ultimate reuse at the expiration of the time limits set forth in the permit.
7. Special Land Use Review.

All standards contained in Article 8 of this ordinance shall be followed including all public hearing requirements.
8. The following requirements shall be mandatory:
 - a. Surety Bond. The applicant shall post a surety bond or some other equitable security satisfactory to the Township of Blissfield in naming the

Township of Blissfield as the beneficiary thereof in an amount determined by the Township of Blissfield to be reasonably necessary to insure compliance hereunder. The bonds shall guarantee compliance with this Ordinance, the permit requirements and conditions, and that the operation will be carried out according to the approved plans and specifications. Upon the lack of timely compliance with the requirements for which the bond guaranteed, the Township may use the bond proceeds to the extent necessary. By filing an application, every applicant shall be deemed to have granted a license to the Township and its agents and contractors to go onto a property under permit to use the bond proceeds for the purposes allowed by the bond, for which there has been non-compliance. In fixing the amount of such bond, the Township shall take into account:

- i. The size and scope of the proposed operation.
 - ii. Current prevailing cost of rehabilitating the premises upon default of the operator.
 - iii. Other such conditions and factors as might be relevant in determining the sum reasonable in light of all facts and circumstances surrounding each application.
- b. **Minimum Bond.** In no case will the sum of the surety bond be less than two thousand dollars (\$2,000), for each acre or fraction thereof of land to be covered by the permit. The applicant shall provide proof that the Township will be notified in the event of any lapse in the effectiveness of the bond.
- c. **Maximum Size of Active Operation.** No more than thirty (30) acres, excluding land used for processing, weighing, and administration may be under excavation at any one (1) time; subject, however, the following limitations:
- i. No more than ten (10) acres for mining.
 - ii. No more than ten (10) acres for stripping or future mining preparation.
 - iii. No more than ten (10) acres for rehabilitation.
9. **Debris on Public Roads.** The owner and/or permit holder of any site where there is soil removal shall take whatever steps are necessary to avoid any motor vehicle carrying or tracking onto any public right-of-way from the site, any mud, dirt, clay, refuse, etc.

- a. **Obligation to Clean.** If mud, dirt, clay, refuse, etc., is carried or tracked onto a public right-of-way, and it does or might constitute a nuisance or hazard to public safety, the owner and/or permit holder shall clean the said right-of-way when and as often as is necessary, presuming weather conditions permit. In any case, an owner and/or permit holder shall not leave any such debris on a public right-of-way after the end of any working day.
 - b. **Notice from Township.** If notified during a working day by the Township of a condition which requires cleaning, the matter shall be taken care of within one (1) hour, weather permitting.
 - c. **Violations.** If a nuisance or hazardous condition is left after a working day, or not cleaned up within one (1) hour after receiving a request from the Township, and weather does not prevent the clean-up, the Township may issue a citation for the violation of this subsection, due to the allowance of said condition to remain on the highway, and/or clean the right-of-way and charge the owner and/or permit holder with the cost thereof, which may be collected in any court having general jurisdiction. Repeat violations of three (3) or more may result in a revocation of the permit by the Township Board.
10. **Drainage.** Natural drainage shall not be blocked, or diverted, or altered in such a manner as to cause the natural water to flow back up onto adjacent property, or to flow in a different course or rate of flow upon leaving the property upon which the blocking, diversion, or alteration occurs, unless an application is made and a permit is issued by the Building Department pursuant to plans which provide for a drainage flow which will not be detrimental to surrounding properties.
- a. **Retention Areas.** No area designated for, and/or used as a drainage retention area shall be altered, filled in, abandoned, or used for other purposes, unless it is done pursuant to a permit issued under this subsection.
 - b. **Permit.** A permit shall be required under this subsection notwithstanding a permit is not otherwise required by this Ordinance. Permit requirements and procedure shall be adopted by the Township Board, from time to time, by resolution.
11. **Drifting and Blowing Material.** The drifting or air-borne transmission beyond the property line of dust, particles, or debris from any open stockpile, working areas or unplanted areas, shall be unlawful and may be summarily caused to be abated.
12. **Electromagnetic Radiation.** Applicable rules and regulation of the Federal Communication Commission concerning propagation of electromagnetic radiation are hereby made part of this Code and shall be on file in the Township Office.

13. Floodplain, Watercourse, and Wetlands. There shall be no excavation or soil removal in any floodplain, watercourse, and/or wetlands, unless permitted by the appropriate State of Michigan agency and by any Township Ordinances.
14. Light. Exterior lighting shall be so installed that the surface of the source of light shall not be visible from any bedroom window, and shall be so arranged as far as practical to reflect light away from any residential use, and in no case shall more than one (1) foot candle power of light cross a lot line five (5) feet above the ground in a residential district.
15. Sound. The pressure level of sounds shall not exceed the following decibel levels when adjacent to the following types of uses:

<i>Sound Level</i>	<i>Adjacent Use</i>	<i>Where Measured</i>
75 dBA	Residential	Common Property Line
85 dBA	Commercial	Common Property Line
90 dBA	Industrial and Other	Common Property Line

The sound levels shall be measured using a weighted decibel measurements (referenced to twenty (20) micropascals) and with a type of audio output meter approved by the U.S. Bureaus of Standards. Objectionable noises due to intermittence, beat, frequency, or shrillness, shall be muffled so as not to become a nuisance to adjacent uses.

16. Vibration. All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of 0.003 of one (1) inch measured at any property line of its source.
17. Roads on landfill and soil excavation sites shall be designed and constructed so that traffic will flow smoothly and will not be interrupted by inclement weather. Non-paved roads between the site and the nearest paved roads, paved roads off site and within one-quarter (1/4) mile of the site entrance, which are used by vehicles and/or equipment traveling to or from the site, and all roads on site shall not be used unless they are treated by sufficient water and/or chemical substance, whichever would be appropriate for the surface, and frequent enough so that they are dust free whenever used by vehicles and/or equipment.
18. Soil Erosion. If a Soil Erosion Permit is required by Act 347, of the Public Acts of 1974, of the State of Michigan, as amended or equivalent State statute, no operation shall take place until a permit has been obtained. There shall be compliance at all times with the requirement of the Soil Erosion Permit.
19. Hours of Operation. Maximum hours of operation shall be from 7:00 a.m. to 6:00 p.m., unless otherwise specified by the Township Planning Commission. No operation shall be permitted on Sundays and legal holidays. In emergencies, this

time period may be modified by the Township provided such emergency order shall not be effective for more than seventy-two (72) hours.

20. Soil Excavation Operational Regulations.

- a. Limits of Perimeter. No cut or excavation shall be closer than one hundred (100) feet from the nearest street, highway, or alley right-of-way, nor from the nearest perimeter property line; provided, however, that the Planning Commission may prescribe more strict requirements in order to give sub-lateral support to surrounding property where swell or geographic conditions warrant it.
- b. Surface Water Drainage. The premises shall at all times be graded to prevent interference with surface water drainage.
- c. Standing Water. No soil, sand, clay, gravel or other similar materials shall be removed in such a manner as to cause water to stand or accumulate, or to result in a place of danger or a menace to the public health or safety.
- d. Slopes. The slopes of the banks of the excavation shall not exceed a minimum ratio of three (3) feet horizontal to one (1) foot vertical, and where ponded water results from the operation, the slope must be maintained and extended into the water to a depth of five (5) feet. Suitable vegetation shall be planted on all finished slopes to limit erosion.
- e. Fence. Where there is an excavation in excess of five (5) feet, the permit holder shall erect a fence of at least six (6) feet in height, consisting of wire mesh, or such other suitable materials as approved by the Planning Commission to afford protection to persons and property. All gates shall remain locked when not in operation.
- f. Signs. Where removal or grading operations result in a body of water forming, the owner or operator of said quarry shall erect “KEEP OUT—DANGER” signs on the required fence around the excavation not more than two hundred (200) feet apart, or as otherwise required by the Township Planning Commission.
- g. Processing. Processing of materials mined from any property shall be permitted only in an AA-Agriculture zoned district. Processing shall mean altering the material.

21. Restoration.

- a. Requirement Established. All areas within any excavation site operating under a single permit shall be restored progressively. Restoration shall be in accordance with the plan approved by the Planning Commission.

Restoration shall be to a condition, which blends with the general surrounding terrain to appear reasonable and natural.

- b. Topsoil.
 - i. Stockpiling. Whenever topsoil exists, suitable for growing turf or for other land use, at the time the operations begin, a sufficient quantity of the existing topsoil shall be stockpiled on said site so that the entire site, when stripping or removal operations are completed, may be recovered with a minimum of four (4) inches of topsoil.
 - ii. Replacement. The replacement of the topsoil shall be in a manner suitable for growing turf and it shall be seeded.
- c. Inspections. The Building Inspector shall conduct inspections hereunder, and shall notify the owner and/or operator by regular mail of any portions of the site that it deems abandoned and/or ready for restoration.
- d. Completion Dates. Upon receipt of such notification, the owner and/or operator shall have said areas restored within thirty (30) days, or within said thirty (30) days supply the Planning Commission with a written reply indicating the dates of anticipated restoration. The Planning Commission may accept or reject said dates. If said dates are accepted, they shall be binding on both parties. If rejected, the Planning Commission shall set new dates, which shall be final.
- e. Release of Surety Bond.
 - i. Completion. Upon completion of the restoration, or upon completion of a part thereof, the person posting the bond may make application to the Township for refund or reduction of the bond or its pro-rata share. Upon examination by the Building Inspector and upon its notice in keeping with the plan, requirement, or agreement as set forth by the Planning Commission and that said restoration is in keeping with the general surrounding terrain to appear reasonably natural, the Township shall refund or reduce the bond pro-rata.
 - ii. Additional Remedies. Should the cost of said restoration exceed the amount of the bond, the permittee shall pay the Township the amount of such excess. The amount due may be assessed against the property if not timely paid and collected with general property taxes.

- f. Revocation.
 - i. Notice of Violation. The Building Inspector may, at his discretion, notify the owner and/or operator of any violation or complaint of violation of the permit and/or this Ordinance.
 - ii. Failure to Abate Violation. Upon failure, of the owner and/or operator to abate said violation within five (5) days after mailing or delivery of said notice, said operation site may be summarily closed, and the permit therefore suspended or revoked, and resort to the bond for restoration.
 - iii. Hearing Request. Any owner and/or operator aggrieved of any notice sent pursuant to this subsection may request a hearing before the Planning Commission, if the request is in writing and delivered to the Township. The request should set forth why the operation site should not be summarily closed, the permit suspended or revoked, and resort to the bond.
 - iv. Action Pending Hearing. In any case, if the Planning Commission determines the operation of the excavation would be detrimental to the health and/or safety of persons and/or property, the Board may summarily suspend or revoke the permit, but shall grant a hearing upon request as provided herein.
 - v. Hearing. If a request for a hearing is received, the Planning Commission shall hold a hearing at the next scheduled Planning Commission meeting and may after the hearing continue the suspension or revocation of the permit, or take such other action as appears appropriate under the circumstances.
- g. Fees and/or Costs. An applicant for a permit shall deposit such fees and/or costs in an amount as follows:
 - i. Permit Fee. The permit fee for land balancing, land filling and earth extraction operations shall be five thousand dollars (\$5,000) per year. Said permit fee shall be paid before issuance of the permit. The cost of inspections by the Township Building Inspector, regardless of the number of inspections required throughout the year, shall be covered by the five thousand dollar (\$5,000) fee.
 - ii. Engineering Costs. In addition to the five thousand dollar (\$5,000) fee, there shall be placed in an escrow account, to cover any engineering costs incurred during the permit year, one thousand dollars (\$1,000) as funds are incurred, the permit holder shall be

notified and additional deposits will be required to maintain a minimum one thousand dollar (\$1,000) escrow account at all times.

22. Exclusions. No permit hereunder shall be required for those operations permitted by Section 5.10.
23. Area, height, bulk, and placement requirements, unless otherwise specified, are as provided in Section 4.07, "Schedule of Regulations."

SECTION 6.28 SALVAGE YARDS

In addition to other regulations set forth in this Ordinance, all salvage yards shall conform to the following requirements:

- A. All materials stored outside shall be enclosed within a solid, un-pierced fence or wall at least eight (8) feet in height, and not less in height than the materials. The fence or wall shall meet all setback requirements of the District in which the salvage yard is located. All gates, doors, and access ways through said fence or wall shall be of solid, un-pierced materials. In no event shall any materials to be stored in the area between the lines of said lot and the solid, un-pierced fence or wall.
- B. All ingress or egress shall be limited to one (1) entrance to a paved road.
- C. On the lot on which a salvage yard is to be operated, all roads, driveways, parking lots, and loading and unloading areas shall be paved, so as to limit the nuisance caused by wind-borne dust on adjoining lots and public roads.

SECTION 6.29 LANDFILLS

- A. Such use shall be located on a site of not less than 40 acres.
- B. The entire site shall be enclosed on all sides by an obscuring fence at least eight (8) feet in height or greenbelt 25 feet in width planted with grass, trees, etc., to provide complete screening.
- C. All roads on the premises shall be improved with a hard surface to the specifications of the Township.
- D. Adequate standing and parking facilities shall be provided on the site so that no packer or other collection vehicle at any time stands on a public right-of-way awaiting entrance to the site.

- E. No part of the structure or any part of the sanitary landfill shall be located less than 100 feet from any property line on the premises or less than 100 feet from any public street or highway right-of-way.
- F. The proposed plan of operation of a sanitary landfill shall be approved by the Lenawee County Health Department prior to issuance of a permit by the Township.
- G. Prior to approval of a sanitary landfill, the Township Board shall hold a public hearing on the proposed use; notification of such hearing to follow the publication statutes of the Zoning Enabling Act.
- H. A surety bond shall be transmitted to the Township in an amount required by the Board at the time of approval of the use to ensure compliance with the provisions of this Ordinance. The amount of the surety bond shall be determined by taking into consideration the scale of the proposed operation, the probable costs of rehabilitating the property if default occurs in meeting the Ordinance standards, court costs, and similar items.
- I. An annual operating permit shall be issued by the Building Inspector upon his finding the landfill is in compliance with this Ordinance. The Township Board shall establish a fee to cover the cost of issuance of this permit and inspection of the landfill by the Building Inspector.
- J. Physical Requirements: In addition to the above, the following requirements are mandatory:
 - 1. Refuse, rubbish or garbage fill shall be spread so that it can be compacted in layers not exceeding a depth of two (2) feet of compacted material. Any refuse so deposited shall be thoroughly compacted with heavy mechanical equipment weighing not less than 10 tons each. Following compaction, the refuse shall be covered with a layer of earth not less than 6 inches in depth, within 24 hours of the time of depositing, suitable for the growing of turf or other land uses permitted within the District. The Township Board, subject to the rules and regulations of the Lenawee County Health Department and the Michigan Department of Health, may extend the period of time to cover the waste beyond the 24-hour limit. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one week following the placement of refuse within that portion.
 - 2. The burning of refuse, rubbish or garbage at the site of any fill, is hereby prohibited. All precautions shall be taken to avert ignition by spontaneous combustion and suitable equipment shall be available to extinguish accidental fires.

3. A temporary fence may be required by the Board to enclose the filling operations to prevent the scattering of refuse, rubbish or garbage and to control access to the site.
4. Measures shall be taken to control dust and blowing paper. The entire area shall be kept clean and orderly.
5. No filling of refuse, rubbish or garbage shall occur within 500 feet of any existing dwelling or any existing residentially zoned district (RR – Rural Residential, VR – Village Residential) unless written consent is secured from all adjacent residents or land owners within said limitation of 500 feet. These letters of consent shall be filed with the Building Inspector prior to the public hearing.
6. Any road, other than a primary road as designated by the Lenawee County Road Commission, used for the purpose of ingress or egress to said fill site, which road is also used as the main means of ingress or egress for any residence, shall be of a hard surface with cement or bituminous substance or such other substance as may be approved by the Lenawee County Road Commission and the Township Board to a distance equal to the length of the road, but in no event for a distance greater than one mile.
7. Additional equipment or machinery for operations on premises shall not be permitted unless specifically applied for in the application and for which a permit is issued.
8. Reasonable hours of operation for any permitted use under this section shall be as established by the Township Board.
9. Conditions unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner. Supplemental insect and rodent control measures shall be instituted whenever necessary.
10. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling on the fill and to prevent the collection of standing water.
11. Permits issued according to the terms and provisions of this Ordinance shall restrict the permit holder to a fill site which at any given time shall have an area no greater than 10 acres. Additional fill areas may be authorized by the Township Board upon completion of the prior 10-acre fill area, provided said areas were completed in compliance with this Ordinance and all state and county regulations and further provided said 10 acres fall within the legal description of that area originally applied for by the permit holder. The default or noncompliance by the permit holder with the terms and conditions of said permit, this Ordinance, or any

state and county regulations shall constitute grounds for a denial of any such request for authorization of an additional 10-acre fill site.

Section 6.30 PRIVATE EQUESTRIAN STABLES AND RIDING ACADEMIES

- A. Where farm animals are maintained coincident with a farm or farm operation, then and in such event, such farm animals and/or any associated livestock production facility shall be exempt from the regulations herein where a livestock production facility and/or any associated manure storage facilities are regulated, operated, managed, and conducted in accordance with a GAAMP as adopted and published by the Michigan Department of Agriculture, or its successor, and as amended from time to time.

Where a farm or farm operation proposes new and or expanding livestock production facilities at a capacity of less than fifty (50) animal units, such farm or farm operation and/or livestock production facility shall request and receive siting verification from the Michigan Department of Agriculture.

- B. Private Equestrian Stables. Where the stable is used solely for horses and ponies belonging to the property owner, is not a farm or farm operation as defined herein, and where no boarding or other equestrian activity of any kind is offered to persons or organizations not in the immediate family of the property owner, no special approval is required. The private stable is subject to the provisions of Section 6.08 Regulation of Animals.
- C. Commercial Equestrian Stables and Riding Academies. Commercial equestrian stables and riding academies that are not farms or farm operations as defined herein, and where permitted by this Ordinance, shall conform with the following:
1. The minimum site size shall be twenty (20) acres.
 2. All buildings, corrals, and other enclosures for animals shall be a minimum two hundred fifty (250) feet from any property zoned or used for residential uses, and one hundred fifty (150) feet from any other property line or right of way.
 3. All manure or other wastes produced or generated by raising or keeping of farm animals shall be stored in a fashion which reduces the nuisance impact of said wastes on adjacent properties. No wastes shall be stockpiled for a period to exceed one hundred twenty (120) days and no wastes shall be stockpiled closer than one hundred twenty-five (125) feet from any property line. This subsection shall not be construed as preventing the spreading of manure as fertilizer in conjunction with a farm operation.
 4. All farm animals shall be adequately fenced or corralled to prevent them from roaming off site.

5. There shall be no outdoor storage of customer's trailers or other vehicles for transporting horses. Storage of the owner's trailers and vehicles shall be permitted in conformance with Section 6.21.
6. The application for approval shall include a written statement of the number of horses and ponies which will be accommodated, the nature and duration of any equestrian events which will be held, the planned or agreed use of any other properties for riding or pasturing, and any agreements or arrangements with any equestrian clubs, groups or organizations for use of the facilities.
7. Off-street parking shall be provided in accordance with the ration of one (1) space for each boarding stall. In addition, the site plan shall demonstrate adequate off-street parking to accommodate parking resulting from any approved equestrian events or activities which will generate customer or spectator parking in excess of the customary and incidental parking demand.

ARTICLE 7

SITE PLAN REVIEW

SECTION 7.01 INTENT

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

SECTION 7.02 REQUIREMENTS

- A. No grading, removal of trees or other vegetation, land filling, or construction of improvements shall commence for any development which requires site plan approval, until a site plan is approved.
- B. Preliminary site plans shall be required for all special land uses as set forth in Article 8. An applicant may also elect to submit a preliminary site plan as an optional step to obtain feedback on a proposed development. A preliminary site plan shall meet all of the criteria and standards set forth in Section 7.03.
- C. Final site plan review and approval as set forth in Sections 7.04-7.09 is required for all proposed uses and structures within the Township except for individual single-family dwellings. Farm buildings and structures shall not be exempt from the site plan review and approval process except where buildings or structures conform to and are regulated by an applicable GAAMP as adopted and published by the Michigan Department of Agriculture, or its successor, and as amended from time to time. Further, such buildings and structures shall be exempt from the site plan approval process only as to those details, regulations, and requirements which are specifically delineated and set forth in the applicable GAAMP. Site plan review and approval shall also be required for all site condominium projects, as set forth in Section 5.08.
- D. Final site plan review and approval as set forth in Section 7.04-7.09 is required for existing principal or accessory structures or uses (including parking lots) where an alteration, addition, expansion, change or conversion:
1. Constitutes an increase to the existing structure or use of one thousand (1,000) or more square feet or ten (10) percent, whichever is less; or
 2. Would require a variance from the provisions of this Ordinance, regardless of its size.

SECTION 7.03 PRELIMINARY SITE PLAN

- A. A preliminary site plan is a generalized site plan required to be submitted for review of special land uses by the Township Planning Commission. An applicant may also elect to submit a preliminary site plan as an optional step in the overall site plan review process to obtain feedback on a proposed development. The purpose of such preliminary review is to confirm compliance with Township standards, policies and relationship to the Master Plan, as well as to suggest changes necessary, if any, for the final site plan approval.
- B. Applicants shall file a preliminary site plan in conjunction with a special land use application, as set forth in Section 8.04.
- C. Information Required for Review – Every preliminary site plan submitted to the Planning Commission shall include the following information:
 - 1. The description, location, size and shape of the property involved.
 - 2. The shape, size, and location of existing and proposed buildings, parking areas and service drives, loading zones, location of existing and proposed public streets serving the property, and natural features including topography and soils.
 - 3. The location of all existing and proposed water and sewage treatment systems serving the property.
 - 4. Any other information deemed necessary to illustrate properly the development concept to the Planning Commission.
- D. The Planning Commission shall review the preliminary site plan to determine if a special land use may be approved, and/or if the overall development concept of an optional preliminary site plan is acceptable.
 - 1. Approval of the special land use and preliminary site plan by the Planning Commission shall constitute approval of the special use but shall vest no rights in the applicant regarding approval of the final site plan inasmuch as the specific details of a site plan prepared in accordance with Section 7.04 serve as the basis for determining that all Township standards have been met.

SECTION 7.04 FINAL SITE PLAN

- A. All final site plans shall be submitted to the Township Clerk at least twenty-one (21) days prior to the next scheduled meeting of the Planning Commission and must contain the following:
 - 1. A completed application signed by the owner; if the owner is a corporation, the application must be signed by a corporate office; if the owner is a partnership, the

application must be signed by a general partner; if the owner is an individual or individuals, each individual owner must sign the application.

2. Sufficient copies, as determined by the Township, of the site plan meeting all informational requirements set forth in Section 7.06 as determined by the Township. Incomplete plans will not be accepted.
3. All items as required by Section 7.06 shown on the site plan.
4. Required fees.
5. Upon receipt of a complete application and site plan, the Township Clerk shall place review of the site plan on the next Planning Commission agenda.
6. The Township may refer the site plan to the Township Planner and Engineer for review as well as other applicable outside agencies.

B. Planning Commission Review. The Planning Commission will consider the application and take one (1) of the following actions:

1. Approval. Upon finding that the application and final site plan meet the criteria of site plan review in Section 7.05, the Planning Commission shall recommend approval.
2. Approval with Minor Revisions. Upon finding that the Application and final site plan meet the criteria of site plan review in Section 7.05, except for minor revisions, which can be made and confirmed without further technical review, the Planning Commission may recommend approval, conditioned upon said revisions being made and reviewed by appropriate Township staff and/or consultants.
3. Tabling. Upon finding that the application and final site plan do not, but could, meet the criteria of site plan review in Section 7.05 upon the making of revisions, confirmation of which requires further technical review, the Planning Commission may table its recommendation until the revised final site plan is resubmitted to the Planning Commission.
4. Denial. Upon finding that the application and final site plan do not meet one (1) or more of the criteria of site plan review in Section 7.05 and that revisions necessary to meet said criteria are so extensive as to require the preparation of a new site plan, the Planning Commission shall recommend denial.

SECTION 7.05 CRITERIA OF FINAL SITE PLAN REVIEW

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

- A. The proposed use will not be injurious to the surrounding neighborhood.
- B. There is a proper relationship between major thoroughfares and proposed service drives, driveways and parking areas and provisions have been made for acceleration, deceleration and passing lanes or approaches to preserve the safety and convenience of pedestrian and vehicular traffic.
- C. The location of buildings, outside storage receptacles, parking areas, screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and surrounding areas.
- D. It provides for proper development of roads, easements, and public utilities and protects the general health, safety, welfare, and character of the Township.
- E. It meets the requirements and standards for grading and surface drainage and for the design and construction of storm sewers, stormwater facilities, parking lots, driveways, water mains, sanitary sewers and for acceleration, deceleration and passing lanes or approaches as determined by the Township Engineer and as set forth in any Township design and construction standards, which may be established.
- F. Proper access to all portions of the site and all sides of any structure is provided. All structures or groups of structures shall be so arranged as to permit emergency vehicle access by some practical means to all sides. Site features such as, but not limited to, trees and other plant materials, fences, retaining walls, berms, outdoor furniture, outdoor structures, and natural and artificial water bodies shall be arranged to permit adequate emergency vehicle access.
- G. Natural resources will be preserved to the maximum extent possible in the site design by developing in a manner, which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, groundwater, and woodlands.
- H. The proposed development respects the natural topography to the maximum extent possible by minimizing the amount of cutting, filling, and grading required.
- I. The proposed development will not cause soil erosion or sedimentation.
- J. Storm water management systems and facilities will preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and will not substantially reduce or increase the natural retention or storage capacity of any wetland, water body or watercourse, or cause alterations which could increase flooding or water pollution on or off site.
- K. Wastewater treatment systems, including on-site septic systems, will be located and designed to minimize any potential degradation of surface water or groundwater quality.

- L. A site which includes storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater or nearby water bodies.
- M. The location of buildings, parking, drives, landscaping and other improvements on the site is appropriate and consistent with good design standards for the lot size, shape and general location.
- N. Landscaping, including grass, trees, shrubs, and other vegetation is provided to maintain and improve the aesthetic quality of the site and area.
- O. The proposed use complies with all Township Ordinances and any other applicable laws.

SECTION 7.06 INFORMATION REQUIRED ON FINAL SITE PLAN

Final site plans, as required under Section 7.02, shall consist of an overall plan for the entire development. Sheet size shall be at least 24" x 36" with plan view drawn to a scale of 1" = 50' for property less than three acres or 1" = 100' for property three (3) or more acres. A final site plan submitted for review and approval shall contain all of the following data prior to its submission to the Planning Commission for review.

- A. General Information.
 - 1. Proprietor's, applicant's, and owner's names, addresses, and telephone numbers.
 - 2. Date (month, day, year), including revisions.
 - 3. Title block.
 - 4. Scale.
 - 5. North point.
 - 6. Location map drawn at a scale of 1" = 2,000' with north point indicated.
 - 7. Architect, Engineer, Surveyor, Landscape Architect, or Planner's seal.
 - 8. Existing lot lines, building lines, structures, parking areas, etc. within the site, and within one hundred (100) feet of the site.
 - 9. Proposed lot lines, property lines and all structures, parking areas, etc. within the site, and within one hundred (100) feet of the site.
 - 10. Centerline and existing and proposed right-of-way lines of any street.

11. Zoning classification of petitioner's parcel and all abutting parcels.
12. Gross acreage figure.
13. Proximity to major thoroughfares and section corners.

B. Physical features.

1. Acceleration, deceleration, and passing lanes and approaches.
2. Proposed locations and dimensions of access drives, street intersections, driveway locations, sidewalks, bike paths, curbing and areas for public use.
3. Location of existing and proposed service facilities above and below ground, including:
 - a. Well sites.
 - b. Septic systems and other wastewater treatment systems. The location of the septic tank and the drainfield (soil absorption system) should be clearly identified.
 - c. Chemical and fuel storage tanks and containers.
 - d. Storage, loading, and disposal areas for chemicals, hazardous substances, salt and fuels.
 - e. Water mains, hydrants, pump houses, standpipes and building services and sizes, where applicable.
 - f. Sanitary sewers and pumping stations, where applicable.
 - g. Storm water control facilities and structures including storm sewers, swales, retention and detention basins, drainage-ways, and other facilities, including calculations for sizes.
 - h. Location and dimension of all easements.
4. Location and dimensions of all existing and proposed structures with dimensioned floor plans, setback and yard dimensions, and typical elevation views.
5. Dimensioned parking spaces and calculations, drives, and method of surfacing.
6. Exterior lighting locations and illumination patterns.

7. Location and description of all existing and proposed landscaping, berms, fencing, and walls.
8. Trash receptacle and transformer pad location and method of screening.
9. Dedicated road or service drive locations.
10. Entrance details including sign locations and size.
11. Designation of fire lanes.
12. Any other pertinent physical features.

C. Natural features.

1. Soil characteristics of the parcel to at least the detail provided by the U.S. Soil Conservation Service "Soil Survey of Lenawee County, Michigan."
2. Existing topography with a maximum contour interval of two (2) feet, both on the site and beyond the site for a distance of one hundred (100) feet in all directions. Grading plan, showing finished contours so as to clearly indicate required cutting, filling and grading.
3. Location of existing drainage-courses and associated bodies of water, on and off site, and their elevations.
4. Location of existing wetlands.
5. Location of natural resource features, including woodlands and areas with slopes greater than ten (10) percent (one (1) foot of vertical elevation for every ten (10) feet of horizontal distance).
6. An impact assessment pursuant to Section 11.04.

D. Additional requirements for residential developments.

1. Density calculations by type of unit by bedroom counts.
2. Designation of units by type and number of units in each building.
3. Carport locations and details where proposed.
4. Specific amount and location of recreation spaces.
5. Type of recreation facilities to be provided in recreation space.

6. Details of a community building and fencing of swimming pool if proposed.
- E. Additional requirements for commercial and industrial developments.
1. Loading/unloading areas.
 2. Total and usable floor area.
 3. Number of employees in peak usage.

SECTION 7.07 NOTICE OF ACTION OR RECOMMENDATION

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

SECTION 7.08 BUILDING PERMITS AND CONFORMITY TO FINAL SITE PLAN

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

SECTION 7.09 EXPIRATION OF APPROVAL

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

ARTICLE 8
SPECIAL LAND USE

SECTION 8.01 GENERAL

The formulation and enactment of this Ordinance is based upon the division of Blissfield Township into districts in which certain specified uses are permitted by right. In addition to permitted uses, there are certain other special uses, which may be necessary or desirable to allow in certain locations but, due to their actual or potential impact on neighboring uses or public facilities, need to be carefully regulated.

SECTION 8.02 AUTHORITY TO GRANT PERMITS

The Township Planning Commission shall have the authority to grant special use permits, subject to such conditions of design and operation, safeguards and time limitation as it may determine for all conditional uses specified in the various provisions of this ordinance.

SECTION 8.03 APPLICATION AND FEES

Application for a special use permit shall be made to the Township office, along with the required information and the required fee. After receipt for filing, the Township Clerk shall transmit a copy of the application form and the required information to the Township Planning Commission.

SECTION 8.04 INFORMATION REQUIRED

- A. The applicant's name, address, and telephone number.
- B. The names and addresses of all owners of record and other parties of interest.
- C. The applicant's interest in the property, and if the applicant is not the fee-simple owner, the owner's signed authorization for the application.
- D. Recorded legal description, address, and tax parcel number of the property.
- E. A scaled and accurate survey drawing, correlated with the recorded legal description, and showing all existing buildings, drives, and other improvements.
- F. A detailed written description of the proposed use, addressing the standards set forth in Section 8.07.

- G. A preliminary site plan, meeting the requirements as set forth in Section 7.03 herein.

SECTION 8.05 PLANNING COMMISSION PUBLIC HEARING

The Planning Commission shall hold a public hearing on an application for a special land use permit within sixty-five (65) days of the filing date. A public hearing shall be held in accordance with Article 14 of this Ordinance.

SECTION 8.06 PLANNING COMMISSION ACTION

The Planning Commission shall review the application for a special land use permit in reference to the standards and findings required herein and in relation to the information provided at the public hearing. The Planning Commission may require additional information it deems necessary to make a decision. The Planning Commission shall approve, approve with conditions, or deny the application for a special land use permit. The Planning Commission's decision, the basis for the decision, and all conditions imposed, shall be included in the minutes of the meeting and shall be made a part of the record of the meeting at which action is taken.

SECTION 8.07 REQUIRED STANDARDS AND FINDINGS

The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and shall incorporate a statement of findings and conclusions showing that such a use on the proposed site, lot or parcel meets the following standards:

- A. Will be harmonious, and in accordance, with the objectives and regulations of this Ordinance.
- B. Will be compatible with the natural environmental and existing land uses in the vicinity.
- C. That the proposed use will be served adequately by essential public facilities and services, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
- D. That the proposed use will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, property or the public welfare.
- E. That the proposed use will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
- F. Will be compatible with the Township's adopted Master Plan.

If the facts do not establish that the findings and standards set forth in this Ordinance will apply to the proposed use, the Planning Commission shall not grant a special land use permit and shall incorporate a statement of findings and conclusions relative to the special land use.

No application for a special land use permit which has been denied as a whole or in part by the Township Board shall be resubmitted for a period of three hundred and sixty-five (365) days from the date of such denial, except on grounds of new evidence or proof of changed conditions as determined by the Township.

SECTION 8.08 CONDITIONS OF APPROVAL

In granting a special land use permit, the Planning Commission may impose conditions it deems necessary to achieve the objectives and standards of this Ordinance, the standards of the Michigan Zoning Enabling Act (Act 110, PA 2006, as amended), and the public health, safety and welfare of Blissfield Township. Failure to comply with any such conditions shall be considered a violation of this Ordinance. An approved special land use permit, including all attached conditions, shall run with the parcel in the approval and shall be binding upon all successors and assigns.

ARTICLE 9

PLANNED UNIT DEVELOPMENT (PUD)

SECTION 9.01 STATEMENT OF PURPOSE

- A. The PUD, Planned Unit Development district, is intended for those areas of the Township where a multi-functional development or a creative reuse of an old, large existing facility is necessary in order to protect the surrounding area, protect the environment and/or protect the health, safety, and welfare of the Community as a whole. The regulations outlined in the Article allow for the establishment of a PUD in all zoning districts or in all Land Use Plan designations as a viable land use development alternative for the purpose of the following:
1. Preserving a natural resource.
 2. Encouraging innovation in land use development planning.
 3. Creating a unique combination of land uses that would be a benefit to the Township as well as to the applicant.
 4. Encouraging the development of lands that are compatible with its character and adaptability.
 5. Providing for quality housing, new local employment, special shopping opportunities, safe traffic patterns, and better recreational facilities for the residents of the Township.

The provisions of this Section, therefore, provide the regulatory authority and outline the standards for the submission, review and approval of a PUD.

SECTION 9.02 APPLICATION OF REGULATIONS

The following regulations are applicable to all PUD's and they will become the basis for reviewing PUD's in all steps of the review and approval process.

- A. Applications for a PUD may be submitted for review in all zoning districts.
- B. Any land use or a combination of land uses authorized in this Ordinance may be included in a PUD provided adequate site improvements are incorporated into the plan to protect the occupants in one land use from the effects of adjacent land uses within the PUD or in land uses adjacent to the PUD so that public health, safety, and general welfare are protected.

- C. The PUD shall be under single ownership or under the control of a single entity until the project is completed in conformity with this Ordinance. If any land ownership interests change, notice shall be given to the Township within ten (10) days of such change.
- D. The PUD must demonstrate that one or more of the following conditions will occur:
 - 1. That a local, state, or national resource and/or natural feature of a substantial quantity and/or a significant quality will be protected or preserved;
 - 2. That some clearly defined, unique benefit or innovative planning pattern will accrue to the users of the PUD and/or to the Township as a whole that would not be otherwise feasible or not likely to be achieved without the use of the PUD designation;
 - 3. That a higher quality of living, working and/or leisure activity will be acknowledged within the Township;
 - 4. That an existing non-conforming use of the land in the zoning district in which it is situated at the time of an application for a PUD, will be transformed into a more conforming or less offensive situation in some significant way.
- E. The proposed type and density of the use or uses incorporated in the PUD shall not cause an undue burden upon public services, facilities, and utilities than what would otherwise occur under separate land use situations that would have been permitted by other sections of this Ordinance.
- F. The proposed PUD shall not place an undue burden on the natural environment within the development or on the surrounding parcels.
- G. The proposed PUD shall not result in excessive noise or traffic in the surrounding area nor shall it result in a reduction in pedestrian safety within or around the development.
- H. The proposed PUD shall not result in an unreasonable and quantifiable negative economic impact upon surrounding properties and, in fact, the applicant should demonstrate how properties and property values are protected or are possibly increased in value and how the quality of the life in the surrounding properties are protected or enhanced.

SECTION 9.03 DESIGN STANDARDS FOR A PUD

The following regulations are applicable to all PUDs based upon the types of uses to be incorporated into a PUD and the intensity of the development of a PUD:

A. Residential Use and Density.

1. Residential density shall not be greater than the maximum density permitted in the zoning district in which the property is situated immediately prior to classification under this Article. If the parcel is not zoned for residential use immediately prior to classification under this Article, the Township shall make a determination as to appropriate density based upon existing and planned residential densities in the surrounding area, the availability of utilities and services, and the natural features and resources of the subject parcel.
2. Project density shall be demonstrated by a preliminary site plan with a conventional layout and with all applicable ordinances and laws observed, including proof of water supply and sewage disposal as set forth below.
3. An applicant shall demonstrate that all dwelling units proposed within a planned unit development are capable of meeting applicable County and/or State agency approvals for on-site water supply and sewage disposal where such on-site systems are proposed. Inasmuch as the capability of the parcel for on-site water supply and sewage disposal is material to the determination of potential development density, the Township shall require percolation tests, soil borings and other information to determine suitability of soils for on-site sewage disposal. These tests must be conducted under the supervision of a registered engineer, certified sanitarian, or other competent licensed professional in accordance with uniform procedures established by the Michigan Department of Environmental Quality and this Ordinance.

A preliminary site plan with a conventional layout is required in order to demonstrate project density. The Planning Commission may recommend to the Township Board to waive the requirement for percolation tests, soil borings, and other information on each individual lot of the preliminary site plan with a conventional layout, when it can be demonstrated by the applicant that one or more of the following conditions exist:

- a. Conducting the necessary testing would result in unreasonable damage to significant natural resources and features that are intended to be preserved.
- b. Previous studies acceptable to the Planning Commission have been conducted on the site, which verify the suitability of soils and sub-surface conditions for on-site water supply and sewage disposal.
- c. Other evidence and data exists which, in the opinion of a registered engineer, certified sanitarian, or other competent licensed professional and such evidence is acceptable to the Planning Commission, verifies the suitability of soils and sub-surface conditions for on-site water supply and sewage disposal.

4. Additional density for residential uses may be allowed by the discretion of the Township Board upon the recommendation of the Planning Commission and based upon a demonstration by the applicant of consistency with the Master Plan and of planning and design excellence resulting in a material benefit to the Township, adjacent land uses, and/or the ultimate users of the project, where such benefit would otherwise be unlikely to be achieved without the application of the PUD regulations.

In the determination whether a project warrants additional density, the Township Board may also consider the following factors including, without limitation: innovative design; pedestrian or vehicular safety; long term aesthetic beauty; protection and preservation of natural resources and features; preservation of open space which avoids fragmentation of the resources base and contributes to an area wide open space network; and improvements to the Township's infrastructure.

- B. Mixed Use Projects. For planned unit development projects which contain a residential component, the Township shall make a determination as to appropriate residential density based upon existing and planned residential densities in the surrounding area, the availability of utilities and service and the natural features and resource of the subject parcel.
- C. In the case of any ambiguities as to applicable regulations that may apply to a proposed PUD, the Planning Commission shall recommend to the Township Board, and the Township Board, in its discretion, shall resolve such ambiguities.
- D. There shall be a landscaped greenbelt and berm around the PUD as recommended by the Planning Commission and may be approved by the Township Board to mitigate any negative effects of the development on surrounding properties. Such a greenbelt shall be an integral part of a PUD that includes non-residential uses and it may be up to one hundred (100) feet wide once the Planning Commission and the Township Board have taken into consideration the use or uses of the proposed development and of the adjacent uses. The width of the greenbelt, however, does not have to be uniform at all points around the perimeter of the PUD but in no case shall it be less than fifty (50) feet.
- E. Public roads, internal roads and drives, site drainage and other engineering components of a development plan shall meet or exceed the standards set forth in Township Ordinances and regulations that are applicable in connection with each of the proposed uses to be incorporated into the PUD.
- F. Where feasible, all public utilities shall be installed underground.
- G. Where feasible, without significantly reducing the kind and density of uses in a PUD, pedestrian circulation paths shall be separated from vehicular drives or roads by a minimum landscape separation of five (5) feet.

- H. Signage, exterior lighting, parking, the design of the buildings and other features of the project shall be consistent with the character of the community, surrounding development or developments, and natural features of the area.

SECTION 9.04 PROCEDURES FOR REVIEW AND APPROVAL OF A PUD

Procedures for Review and Approval of a PUD. All applications for a PUD must go through a three-step process for review and approval. The third step shall constitute an application to rezone the property to a PUD district only if the applicant has received an approval or a conditional approval of a PUD in steps one and two of this review and approval process. The steps for review and approval are as follows:

- A. Step One: Preliminary Review and Concept Approval.
 - 1. Prior to the submission of an application for a PUD, the applicant shall meet with the Township and with any consultants deemed appropriate. The applicant shall present at such pre-application conference, or conferences, at least a sketch plan of the proposed PUD which shall include the following information: total number of acres in the project; the number of residential units, if any; the number and type of nonresidential units; the number of acres to be occupied by each type of use; the number of acres to be preserved as open or recreational space; and all natural resources and natural features to be preserved.
 - 2. After a preliminary meeting or meetings the Township shall inform the applicant of regulations that will most likely apply to the development and a list of initial concerns that should be addressed by the applicant in their formal preliminary PUD submittal to the Planning Commission.
 - 3. Ten (10) copies of the preliminary information and such other information the applicant wishes to submit shall be filed with the Township Clerk within ninety (90) days of the pre-application conference. Preliminary plans shall include the information outlined in Article 7 of the Zoning Ordinance.
 - 4. The preliminary information and application for a PUD shall be presented to the Planning Commission within a reasonable amount of time for review, but no more than sixty (60) days after submission to the Township.
 - 5. The Planning Commission shall review the preliminary plan information and shall be entitled to make reasonable inquiries of the applicant about issues relevant to the preliminary plan.
 - 6. The Planning Commission shall also proceed to set the subject over to a second meeting wherein the Planning Commission may receive answers to the questions posed by the Commission, to receive preliminary reports from the

Township's consultants, applicable agencies, and to receive comments from the surrounding property owners.

7. Based upon the information presented by the applicant, the Township's consultants, and applicable agencies, and based on the public's comments and concerns, the Planning Commission shall make a motion to give tentative approval to the concept of the PUD, to give tentative approval to the concept subject to certain conditions, or to deny the concept of a PUD based upon certain mitigating circumstances. If the motion is to deny the PUD completely, the application process shall be terminated and the applicant shall be entitled to a refund of the unused portion of their fee and escrow deposit.

B. Step Two: Planning Commission Approval or Denial of the PUD.

1. Upon a favorable motion for concept approval by the Planning Commission to consider the proposed development of a PUD in more detail, the applicant may proceed to prepare the final documentation for the PUD. The applicant may prepare a more in-depth site development engineering and architectural plan with models, graphics, and written narratives conforming to Section 9.05 herein. These materials shall be submitted to the Township within ninety (90) days of the tentative approval of the PUD concept by the Planning Commission.
2. The Planning Commission shall review the updated plans. They shall be entitled to make reasonable inquiries of and receive answers from the applicant on issues relevant to the PUD. Following their review, the Planning Commission shall provide the applicant with written comments, which shall be a part of the official minutes of the Planning Commission meeting. An integral part of these comments shall be a motion to approve or deny in whole or in part the PUD and/or the materials presented in the PUD package. If the motion is to deny the PUD in part, the applicant shall be advised to revise their plan consistent with the Planning Commission's recommendations. If the motion is to deny the PUD completely, the application process shall be terminated and the applicant shall be entitled to a refund of the unused portion of their fee and escrow deposit.

C. Step Three: Final Approval of a PUD.

1. Within six (6) months following receipt of the Planning Commission's comments and final approval of the PUD, the applicant shall submit to the Township, ten (10) copies of a final PUD conforming with Section 9.05 herein and all of the requirements cited during previous meetings with the Planning Commission. If the final plan has not been submitted within the six (6) month period, the final plan approval shall lapse and the applicant must start the review process again. The Township Board may extend the time for submission of the final plan upon a showing by the applicant that no material change of circumstances has occurred.

2. This plan shall constitute an application to amend the Zoning Map and shall be set for public hearing before the Planning Commission and otherwise acted upon by the Planning Commission, the County, and the Township Board, as and to the extent provided for by Michigan law and Article 17 of this Ordinance.
3. With and in addition to the regular report submitted by the Planning Commission in connection with a rezoning application, the Planning Commission shall submit detailed recommendations to the Township Board relative to the PUD project, including recommendations with respect to matters on which the Township Board must exercise discretion and approval.
4. The final step in the rezoning process is the publication of the action to rezone the property to a PUD district by the Township Board. The publication of the Ordinance to rezone the property will be conditioned upon the action of the applicant to apply for a building permit within six (6) months of the date of the second reading of the Ordinance to rezone. If the applicant fails to obtain a building permit or show reasonable cause for one six (6) month extension of the time period, the action to rezone shall be declared null and void and any subsequent application for a PUD shall be reviewed as if it has been submitted for the first time. The justification for the expiration of a PUD district classification, after such a long time is three-fold:
 - a. The circumstances surrounding the approval of the PUD may have changed;
 - b. The conditions, use and character of the surrounding properties may have changed; and
 - c. The Township's Zoning Ordinance and/or the Township's Master Land Use Plan may have changed.

In all of these circumstances, there may be good reason to modify or deny several developmental aspects of the PUD as they may impact surrounding properties.

SECTION 9.05 APPLICATION AND SUBMISSION REQUIREMENTS

Plans being submitted for review and approval shall be made a part of an application for a PUD on a form approved by the Planning Commission and obtainable at the Township. The basic information that needs to be submitted includes:

- A. Plans being submitted for Step One under Section 9.04 (Procedures for Review and Approval of a PUD) may be preliminary in nature, sufficient to describe the proposed development of the PUD and complete enough to represent all aspects of the requirements outlined in Article 7 of this Zoning Ordinance.

- B. Plans being submitted for Step Two or Step Three under Section 9.04 shall include:
1. All of the requirements of Article 7 the Zoning Ordinance in full detail.
 2. A plan showing the type, location, and density of all uses.
 3. The plan should include open spaces, natural preserves, recreational areas and other like areas as well as an indication of the proposed use of such areas.
 4. A separate document shall describe any deviations from this Ordinance, which would otherwise be applicable to the uses. This document should include Ordinance provisions, from which deviations are sought and the reasons and methods to be utilized for the protection of the public health, safety and welfare in lieu of the original regulations.
 5. If the property on which the project is located is less than five (5) acres, it shall be at the discretion of the Planning Commission to require an Impact Statement per Section 11.04. If the property on which the project is to be situated consists of five (5) acres or more, an Impact Statement per Section 11.04 shall be submitted along with definite statements on how the PUD meets all of the issues presented in Section 9.03.
 6. A detailed landscape plan.
 7. A construction schedule for the PUD, including phasing if applicable of all general improvements such as exterior lighting, signage, and the elements designed to reduce noise and establish visual screening features.
 8. A preliminary drawing of the exterior of the building(s) and preliminary floor plans.
 9. The application shall be signed by all parties having an interest in the property.
 10. A draft development agreement. The development agreement shall outline the responsibilities for the construction of the various elements of the project as well as outline any conditions that will run with the subject development. The draft development agreement shall be reviewed by the Township Attorney.

SECTION 9.06 PERFORMANCE GUARANTEES AND CONDITIONS

- A. Guarantees - The Township Board, after reviewing the recommendation from the Planning Commission, may require a Performance Bond. The amount of such bond shall be set as a percent of the total value of the project and shall be established by resolution of the Township Board. Said bond may be a Cash Bond, a Performance Bond, or a letter of credit and the value of such bonds need not exceed ten (10) percent of the value of the

project in cash or seventy-five (75) percent of the value of the project in a Performance Bond.

- B. Conditions - Reasonable conditions may also be required for the approval of a PUD to the extent authorized by law, for ensuring that public services and facilities affected by a proposed PUD will be capable of accommodating the anticipated increases. All conditions imposed shall be made a part of the record of the approved PUD.

ARTICLE 10

OFF-STREET PARKING AND LOADING REQUIREMENTS

SECTION 10.01 OFF-STREET PARKING REQUIREMENTS.

Developed and reserved off-street parking facilities for the parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, altered or extended after the effective date of this Ordinance, shall be provided as herein prescribed in all zoning districts. Such space shall be maintained and shall not be encroached upon so long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

- A. **FRACTIONAL REQUIREMENTS.** When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) require one (1) parking space.
- B. **LOCATION OF PARKING SPACE FOR ONE- AND TWO-FAMILY DWELLINGS.** The off-street parking facilities required for one- and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage.
- C. **LOCATION OF PARKING SPACES FOR OTHER LAND USES.** The off-street parking facilities required for all other uses shall be located on the lot or within three hundred (300) feet of the permitted uses requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served.
- D. **UNITS AND METHODS OF MEASUREMENT.** For the purpose of determining off-street parking requirements, the following units of measurement shall apply:
1. **Floor Area:** Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area, excluding such floor area within the principal building used for parking, incidental service and storage, housing of mechanical equipment, heating systems and similar uses.
 2. **Employees:** For requirements stated in terms of employees, the calculation shall be based upon the maximum number of employees likely to be on the premises during the largest shift.
 3. **Places of Assembly:** In stadiums, sports arenas, places of worship, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each twenty-four (24) inches of such shall be counted as one (1) seat. In cases where a place of assembly has both fixed seats and open

assembly area, requirements shall be computed separately for each type and added together.

- E. **SIMILAR USES AND REQUIREMENTS.** In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is so mentioned, and which said use is similar, shall apply.
- F. **EXISTING OFF-STREET PARKING AT EFFECTIVE DATE OF ORDINANCE.** Off-street parking existing at the effective date of this Ordinance, which serves an existing building or use, shall not be reduced in size less than that required under the terms of this Ordinance.
- G. **COLLECTIVE PROVISIONS.** Nothing in this Article shall be construed to prevent collective provisions of off-street parking facilities for two (2) or more buildings or uses, provided such facilities collectively shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with Section 10.01 K. 3.
- H. **GENERAL USE CONDITIONS.** Except when land is used as storage space in connection with the business of a repair or service garage, a twenty-four (24) hour time limit for parking in off-street parking areas shall prevail, it being the purpose and intention of the foregoing that the requirements of maintaining vehicle storage or parking space is to provide for the public safety in keeping parked cars off the streets, but such requirement is not designed to or intended to provide the storage or parking on such open land of wrecked or junked cars, or for creating a junkyard or a nuisance in such area.
- I. **JOINT USE.** Parking spaces already provided to meet off-street parking requirements for theater, stadiums, auditoriums, and other places of public assembly, stores, office buildings, and industrial establishments, lying within three hundred (300) feet of a place of worship or measured along lines of public access, and that are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on Saturdays and Sundays and that are made available for other parking, may be used to meet not more than fifty (50) percent of the off-street parking requirements for a place of worship.
- J. **REQUIRED GREENBELT, SETBACKS, AND SCREENING.**
 - 1. Off-street parking facilities, including maneuvering lanes, shall not be located within the front greenbelt required in accordance with Section 11.02 E. Off-street parking shall be permitted within the required side or rear yard setbacks, provided a minimum ten (10) foot setback is maintained between off-street parking and the abutting side and rear lot lines.
 - 2. Off-street parking shall be landscaped and screened in accordance with Section 11.02 D.

K. TABLE OF OFF-STREET PARKING REQUIREMENTS.

1. The amount of required off-street parking spaces for new uses or building, additions thereto, and additions to existing buildings, additions thereto, as specified above shall be determined in accordance with the following table.
2. Flexibility in Application. The Township recognizes that, due to the specific requirements of any given development, inflexible application of the parking standards set forth in Section 10.01 K. 3. may result in development with inadequate parking or parking far in excess of that which is needed. The former situation may lead to traffic congestion or unauthorized parking on adjacent streets or neighboring sites. The latter situation may result in excessive paving and stormwater runoff and a waste of space, which could be left as open space.

The Planning Commission may permit deviations from the requirements of Section 10.01 K. 3. and may require more or allow less parking whenever it finds that such deviations are more likely to provide a sufficient number of parking spaces to accommodate the specific characteristics of the use in question.

The Planning Commission may attach conditions to the approval of a deviation from the requirement of Section 10.01 K. 3. that bind such approval to the specific use in question. Where a deviation results in a reduction of parking, the Planning Commission may further impose conditions, which ensure that adequate reserve area is set aside for future parking, if needed. Where an area is set aside for reserve parking, it shall be easily developed, not devoted to a use other than open space, and shall be designed to accommodate attendant facilities such as maneuvering lanes and drainage.

3. SCHEDULE OF OFF-STREET PARKING REGULATIONS

**Required No. of Parking Spaces
Use Per Each Unit of Measure as
Follows:**

1. Residential Uses.

- | | |
|----------------------------------|---|
| a) Single or Two-Family Dwelling | 2 per each dwelling unit |
| b) Multiple-Family Dwelling | 2 per each dwelling unit plus
1 per each ten (10) dwelling units |
| c) Elderly Housing | 1 per each dwelling unit |

2. Places of Assembly/Institutional Uses.

- a) Places of Worship 1 per each three (3) seats based on maximum seating capacity in the main place of assembly therein
- b) Private Clubs and Lodges 1 per five (5) individual members allowed within the maximum occupancy load as established by fire and/or building codes
- c) Hospitals 1 per each two (2) beds
- d) Convalescent Homes, Homes for the Elderly, Nursing Homes, Children Homes 1 per three (3) beds
- e) High Schools, Trade Schools, Colleges, and Universities 8 per each classroom
- f) Elementary and Middle Schools 5 per each classroom
- g) Child Care Center, Day Nursery, or Nursery Schools 1 per each ten (10) children plus
1 per each employee
- h) Stadiums, Sports Arenas, Auditoriums, Banquet Halls and Meeting Facilities 1 per each four (4) seats, based on maximum seating capacity
- i) Libraries and Museums 1 per each 500 sq. ft. of floor area
- j) Public recreation centers 5 per 1,000 sq. ft. of gross floor area

3. General Commercial Uses

- a) Retail Stores, except as otherwise specified herein 1 per 200 sq. ft. of floor area
- b) Supermarkets, drugstores, and other self-serve retail establishments 1 per 250 sq. ft. of floor area
- c) Shopping center 1 per 200 sq. ft. of floor area

- | | | |
|--|---|---|
| d) Furniture, Appliances, Hardware and Household Equipment Sales | 1 | per each 600 sq. ft. of floor area |
| e) Lodging | 1 | per each guest bedroom, plus amount required for accessory uses, such as a restaurant or cocktail lounge |
| f) Fast Food Restaurant | 1 | per each 75 sq. ft. of floor area |
| g) Sit-Down Restaurant | 1 | per each three (3) seats, based on maximum seating capacity |
| h) Taverns and Cocktail Lounges (other than fast food restaurants) | 1 | per each three (3) persons allowed within maximum occupancy load as established by fire and/or building codes |
| i) Garden Stores and Building Material Sales | 1 | per each 800 sq. ft. of floor area |
| j) Open Air Business, not otherwise provided for herein | 1 | per each 800 sq. ft. of lot area used for said business |
| k) Movie Theaters | 1 | per each three (3) seats based on the maximum seating capacity |
| l) Wholesale Stores, Machinery Sales | 1 | per each 1,000 sq. ft. of floor area |
| m) Convenience stores | 1 | per 200 sq. ft. of floor area |
| n) Funeral homes | 1 | per 50 sq. ft. of gross floor area for service parlors, chapels, and reception area, plus 1 per each funeral vehicle stored on the premises |

4. Automotive Uses

- | | | |
|---------------|---|---|
| a) Auto Sales | 1 | per each 200 sq. ft. of showroom floor area
plus |
| | 3 | per each service stall |

- b) Automobile Repair Facilities
 - 3 per each service stall
 - 1 per each service vehicle

- c) Gasoline Stations without Convenience Store
 - 1 per pump unit, plus
 - 3 per each service stall,

- d) Gasoline Stations with Convenience Store
 - 1 per pump unit, plus
 - 3 per each service stall, plus
 - 1 per each 200 sq. ft. of floor area devoted to retail sales and customer retail sales and customer service

- e) Car Washes (self-serve)
 - 2 per each wash stall, plus
 - 1 per each vacuum station

- f) Car Washes (Automatic)
 - 1 per 200 sq. ft. of floor area of customer waiting and service area, plus
 - 1 per vacuum station

- g) Collision or Bump Shop, and other
 - 2 per each stall or service area

5. Office and Service Uses

- a) Medical and Dental Office
 - 1 per each 200 sq. ft. of floor area

- b) Business and Professional Offices
 - 1 per each 300 sq. ft. of floor area

- c) Banks
 - 1 per each 250 sq. ft. of floor area

- d) Barber and Beauty Shops
 - 3 per each chair

6. Recreational Uses

- a) Bowling Alleys
 - 3 per bowling lane, plus amount required for accessory uses such as a restaurant or cocktail lounge

- | | |
|--|---|
| b) Private Tennis, Swim, or Golf Clubs or other similar uses | 1 per each two (2) memberships, plus amount required for accessory uses such as a restaurant or cocktail lounge |
| c) Golf course, open to the general public | 5 per each hole, plus amount required for accessory uses such as a restaurant or cocktail lounge |
| d) Public fitness centers without swimming pool | 4 per 1,000 sq. ft. of gross floor area |
| e) Public swimming pool | 1 space per each three (3) persons of capacity authorized by the County Building Code |
| f) Public racquetball/tennis centers | 1 per 1,000 sq. ft. of gross floor area, or, 6 per court, whichever is greater |

7. Industrial Uses

- | | |
|---|--|
| a) Industrial, Manufacturing or Research Establishments | 1 per each 500 sq. ft. of floor area |
| b) Warehouse and Storage Buildings | 1 per each 1,500 sq. ft. of floor area |
| c) Contractors Office | 1 per 300 sq. ft. of floor area |

SECTION 10.02 OFF STREET PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION AND MAINTENANCE

Whenever the off-street parking requirements of Section 10.01 K. 3. require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

- A. The construction of any parking lot shall be in accordance with the requirements and provisions of this Ordinance and such construction shall be completed and approved by the Building Inspector or designee before actual use of property as a parking lot commences. Plans for the development of any parking lot must be submitted to the Township Clerk, drawn at a scale of not less than fifty (50) feet equals one (1) inch and indicating existing and proposed grades, drainage, water mains and sewers, surfacing and

base materials to be used and the layout of the proposed parking lot. The Township Clerk shall transmit the development plans to the Township Engineer for review. The plans are to be prepared by a licensed civil engineer with the State of Michigan.

- B. All such lots shall be hard-surfaced with a pavement having an asphalt or concrete binder, and shall be graded and drained to dispose of surface water, which might accumulate within or upon such area.
- C. No surface water from such parking area shall be permitted to drain onto adjoining property, except through public drain.
- D. The Planning Commission shall have the discretion of waiving certain hard surface paving requirements provided the following conditions are met:
 - 1. The proposed driveways, loading, turn-around, or storage areas will receive only limited use and are not used for employee parking, customer parking, or primary access.
 - 2. Gravel surfacing and potential problems arising from dust or scattered gravel will not impact neighboring properties.
- E. All illumination for or on such parking lots shall be directed away from adjacent residential areas and shall be installed in such manner as to allow the reduction of the amount of light in other than normal parking hours each day. The source of illumination in all parking lots abutting a residential area shall not be more than sixteen (16) feet above the parking lot surface.
- F. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for vehicles.
- G. Bumper block or curbing shall be provided.
- H. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

Parking Pattern	Maneuvering Lane Width		Parking Space Width	Parking Space Length
	One-way	two-way		
0° (parallel parking) (Fig.6)	12 feet	20 feet	9.0 feet	24 feet
30° to 53° (Fig. 7)	16 feet	22 feet	9.0 feet	18 feet
54° to 74° (Fig. 8)	16 feet	22 feet	9.0 feet	18 feet
75° to 90° (Fig. 9)	20 feet	22 feet	9.0 feet	18 feet

SECTION 10.03 OFF-STREET WAITING AREA FOR DRIVE-THROUGH FACILITIES

All businesses, which provide drive-through facilities for serving customers within their automobile, shall provide adequate off-street stacking space within a defined stacking lane, which meets the following requirements. (See Figure 10)

- A. Each stacking lane shall be a minimum of twelve (12) feet in width. Each stacking space shall be computed based on twenty (20) feet in length.
- B. Clear identification and delineation between the drive-through facility and parking lot shall be provided. Drive-through facilities shall be designed in a manner which promotes pedestrian and vehicular safety, and do not interfere with access to parking and maneuvering lanes.
- C. For all drive-through facilities, which have a single stacking lane, an escape lane shall be provided which allows other vehicles to pass those waiting to be served.
- D. The number of stacking spaces per service lane shall be provided for the following uses. When a use is not specifically mentioned, the requirements for off-street stacking space for the similar use shall apply.

<u>USE</u>	<u>STACKING SPACES PER SERVICE LANE</u>
Banks	4
Photo Service	4
Dry-Cleaning	4
Fast-food Restaurants	8
Car Washes (self-service)	
Entry	3
Exit	1
Car Washes (Automatic)	
Entry	6
Exit	3

SECTION 10.04 OFF-STREET LOADING REQUIREMENTS

- A. On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale, market, hotel, hospital, convalescent home, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt and distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading services in order to avoid undue interference with public use of the streets, alleys, or any required access for off-street parking area.

- B. Such loading and unloading space, unless adequately provided for within a building, shall be an area ten (10) feet by fifty (50) feet, with fourteen (14) foot height clearance, and shall be provided according to the following schedule:

Gross Floor Area In Square Feet	Loading and Unloading Spaces Required In Terms of Square Feet of Gross Floor Area
0 - 2,000	None
2,000 - 20,000	One (1) Space
20,000 -100,000	One (1) space plus one space for each 20,000 square feet
100,000 -500,000	Five (5) spaces plus one space for each 40,000 square feet in excess of 500,000 square feet

ARTICLE 11

NATURAL RESOURCE PROTECTION AND ENHANCEMENT REGULATIONS

SECTION 11.01 PURPOSE

The purpose of this Section is to ensure that property is used in a manner which is consistent with the goals and objectives of the Master Plan and designed in a manner that protects natural resources and features. The regulations of this Section are intended to achieve the mutually compatible objectives of reasonable use of land and protection of the Township natural resources and features.

SECTION 11.02 LANDSCAPING, GREENBELT, BUFFERS AND SCREENING

The intent of these landscape standards is promote the public's health, safety, and general welfare by: counteracting noise, improving air quality and counteracting visual blight; improving the appearance of off-street parking and other vehicular use areas; requiring buffering between non-compatible land uses; regulating the appearance of property abutting public rights-of-way; protecting and preserving the appearance, character, and value of the community and its residential neighborhood areas; preventing soil erosion and soil depletion; and, promoting soil water retention.

To the greatest extent possible, applicants are encouraged to satisfy Ordinance requirements through the preservation of existing trees and natural vegetation. Where appropriate, the use of landscape materials native to Lenawee County is encouraged.

- A. Application. These requirements shall apply to all uses for which site plan review is required under Article 7. No site plan shall be approved unless it shows landscaping, greenbelt buffers, and screening consistent with the requirements set forth in this Section.
- B. Landscape Plan Required. A separate detailed landscape plan shall be submitted as part of the site plan review process. On sites of greater than one (1) acre, landscape plans shall be prepared and sealed by a registered landscape architect, licensed in the State of Michigan. The landscape plan shall include, but not necessarily be limited to, the following items:
 1. Location, spacing, size, root type and descriptions for each plant and type proposed for use within the required landscape area.
 2. Minimum scale: 1" = 40' for property less than five (5) acres, or 1" = 100' for property five (5) acres or more. A different scale may be used provided it is sufficient to properly illustrate the landscape plan concept and that Ordinance requirements are met.

3. On parcels of more than one (1) acre, existing and proposed contours on-site and fifty (50) feet beyond the site at intervals not to exceed two (2) feet.
4. Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.
5. Planting and staking details in either text or drawing form to ensure proper installation of proposed plant materials.
6. Identification of existing wetlands, forested areas, trees and vegetative cover to be preserved.
7. Identification of grass and other ground cover and method of planting.
8. Identification of mulch in planting beds.
9. Typical straight cross-section including slope, height and width of berms.

C. Buffering Between Land Uses. (Figure 11)

1. Upon any improvement for which a site plan is required, a landscape buffer shall be required to create a visual screen at least six (6) feet in height along all adjoining boundaries whenever a non-residential use or a residential use of higher density abuts residentially-zoned property. A landscape buffer may consist of earthen berms and plant materials, or plant materials only, so as to maintain a minimum opacity of at least eighty (80) percent. Opacity shall be measured by observation of any two (2) square yard area of landscape screen between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen. Provided the minimum size of plant material as set forth in Section 11.02 J. at the time of installation, the opacity standard shall be met based upon reasonably anticipated growth over a period of three (3) years. The applicant shall agree in writing to install additional plantings after the expiration of three (3) years, in the event that the landscaping has not screened the view of areas as required.
2. Where there is a need to provide a greater visual, noise or dust barrier or to screen more intense development, a solid wall or fence may be required. Such wall or fence shall be a minimum of six (6) feet in height as measured on the side of the proposed wall having the higher grade, and shall be constructed on both sides with textured concrete, split-face concrete block, wood, brick or stone. Precast panels and formed concrete structures may be used if they provide surface detail and texture equal to or greater than the materials just named. In addition, a minimum of one (1) tree and six (6) shrubs meeting the minimum size requirements set forth in Section 11.02 J. shall be planted adjacent to and for each thirty (30) lineal feet of wall or fence.

D. Parking Lot Landscaping. (Figure 12)

1. Interior Areas. Each separate landscaped area within a parking lot shall be adequately planted and maintained and shall be located in such a manner as to promote the following: divide and break up the expanse of pavement, define parking areas, and designate vehicular circulation. The following specific standards shall apply:
 - a. Separate landscaped islands shall be required within parking lots of sixteen (16) spaces or greater. No more than a row of twenty-four (24) spaces are permitted without an island. Where size and configuration of a parking lot would prevent maintenance or impede traffic flow as a result of requiring landscaped areas within parking lots, the Planning Commission may approve alternative landscaping along the perimeter of the parking lots.
 - b. There shall be one (1) canopy tree meeting the minimum size requirements set forth in Section 11.02 J. for every eight (8) parking spaces. Landscaped islands within a designated parking area shall be a minimum of one hundred-fifty (150) square feet in area and a minimum of nine (9) feet in width.
 - c. A minimum distance of three (3) feet shall be established between proposed tree or shrub plantings and the backside of the curb or edge of the pavement.
2. Perimeter Areas (Figure 13). In order to reduce the visual impact, minimize conflicts between neighboring uses and reduce the effect of headlight glare and parking lot lighting on adjacent uses and public roadways, the perimeter of parking lots shall be screened in accordance with the following standards:
 - a. Parking lots which are adjacent to residentially zoned or used property, which serve a non-residential use or a residential use of higher density shall be screened from that residential use in accordance with the standards set forth in Section 11.02 C.
 - b. Parking lots which are visible from a public road shall be screened from view with a landscaped berm varied in height from between two (2) to three (3) feet along the perimeter of those sides which are visible. The berm shall be planted with a minimum of one (1) deciduous or evergreen tree and six (6) deciduous or evergreen shrubs, meeting the minimum size requirements set forth in Section 11.02 J. for every thirty (30) lineal feet, or portion thereof. The Planning Commission, at its discretion, may approve alternative landscape plantings, such as a solid hedge, or a solid wall in lieu of a landscape berm.

- c. Minimum of three (3) foot wide landscape strips (not including vehicle overhangs) should be provided between paved parking surfaces and buildings, fences, and property lines wherever possible. Trees and shrubs shall be planted clear of the vehicle overhang area.

E. Front Greenbelt Landscaping (Figure 14). A landscaped greenbelt equivalent in depth to the required front yard setback shall be required for any lot or any portion of a lot fronting on a public or private road, and shall be landscaped with a minimum of one (1) deciduous tree or one (1) evergreen tree, plus six (6) deciduous and/or evergreen shrubs meeting the minimum size requirements set forth in Section. 11.02 J. for each thirty (30) lineal feet, or portion thereof, of frontage abutting said public right-of-way. The remainder of the greenbelt shall be landscaped in grass, ground cover, shrubs and/or other living plant material.

Access ways from public rights-of-way through required landscape strips shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of trees required unless such calculation would result in a spacing arrangement which is detrimental to plant development.

F. Subdivision and site condominium landscaping. Landscaping for subdivisions and site condominiums, which shall include, but not be limited to, residential, office, commercial, and industrial development, shall be provided in accordance with the following requirements:

- 1. Street trees. The frontage of all internal public or private streets shall be landscaped on both sides with the equivalent of one (1) tree for every forty (40) lineal feet, or fraction thereof. Such street trees shall meet the minimum size requirements set forth in Section 11.02 J. and shall be an appropriate species for a street environment. The Planning Commission may determine that existing trees, which are preserved within the road right-of-way or easement, may meet all or part of the street tree requirement.
- 2. Screening from public roads. Where a subdivision or site condominium abuts a public right-of-way located outside of the proposed subdivision or site condominium, the screening requirements set forth in Section 11.02 C. shall be met.
- 3. Other site improvements. A landscape plan for a subdivision or site condominium development shall also include landscaping details of the entrance to the development, stormwater retention and/or detention areas, community buildings and other recreational areas, and any other site improvement, which would be enhanced through the addition of landscaping.

G. General Site Landscaping. In addition to any required screening, front greenbelt, foundation landscaping and/or parking lot landscaping required by this Section, ten (10) percent of the site area, excluding existing public road right-of-way, or private road

easement shall be landscaped. Such site landscaping shall include preservation of existing plant material, turf grass, ground cover, trees, shrubs and/or other living plant material, but shall not be solely turf grass. In meeting general site landscaping requirements, particular attention shall be paid to such site elements as transformers, mechanical equipment, ground sign bases, entryways, and/or retention and detention areas. In particular, the integration of stormwater retention and detention ponds in the overall landscape concept is recommended. Ponds with a natural, rather than square or rectangular, design and appearance shall be encouraged. Fenced retention/detention ponds within a front yard shall be strictly prohibited.

H. Refuse Containers (Figure 15). Refuse containers shall be required for all uses other than agricultural and single-family uses subject to the following standards:

1. Outside trash disposal containers shall be screened on all sides with an opaque masonry wall, and gate at least as high as the container, but not less than six (6) feet in height, and shall be constructed of material, which is compatible with the architectural materials used in the site development.
2. Containers shall be consolidated to minimize the number of collection sites.
3. Containers and enclosures shall meet all required setbacks, shall be located behind the front face of the building, and shall be located away from public view insofar as possible.
4. Containers and enclosures shall be situated so that they do not cause excessive nuisance or offense to occupants of nearby buildings.
5. Concrete pads of appropriate size and construction shall be provided for containers or groups of containers having a capacity of size thirty (30) gallon cans or more. Aprons shall be provided for loading of bins with capacity of 1.5 cubic yards or more. The minimum size of an enclosure shall be eight (8) feet in depth and twelve (12) feet in width to accommodate a single container and eight (8) feet in depth and twenty (20) feet in width to accommodate two (2) containers.
6. For storage of recyclable materials, the enclosure area and pad size shall be increased to amply accommodate the extra materials and their containers.
7. Screening and gates shall be of a durable construction. Gates shall be constructed of heavy-gauge metal or of a heavy-gauge metal frame with covering of wood or other suitable material. Gates shall be secured with sturdy hinges or sliders, and latches. If the enclosure is situated directly adjacent to parking spaces or drives, it shall be protected at its base by concrete curb blocks or bollards.

I. Miscellaneous Landscape Requirements. The following minimum standards shall apply:

1. Quality. Plant materials and grasses shall be of generally acceptable varieties and species, free of insects and diseases, hardy to Lenawee County, shall conform to the current minimum standard of the American Nursery and Landscape Association, and shall have proof of any required governmental regulations and/or inspections.
2. Composition. A mixture of plant material, such as evergreen, deciduous trees and shrubs, is recommended to discourage insect and disease infestation; however, a limited mixture of hardy species is recommended in order to unify the design and visually blend with neighboring plants. Where plantings are adjacent to a road right-of-way, selection of plant materials that are tolerant of road salt spray and air pollutants are recommended.
3. Berms. Berms shall be constructed with slopes not to exceed a 1:3 gradient and shall be planted to prevent erosion. Berm slopes shall be protected with turf grass, shrubs or other form of natural ground cover. The highest point of the berm, extending along the length of the berm, shall be sufficiently rounded to avoid scalping by maintenance equipment.
4. Existing Trees. If existing plant material is labeled "To Remain" on site plans by the applicant or required by the Township, protective techniques, such as, but not limited to, fencing or barriers placed at the dripline around the perimeter of the plant material shall be installed prior to construction. No vehicle or other construction equipment shall be parked or stored within the dripline of any plant material intended to be saved. Other protective techniques at the tree's dripline may be used provided such techniques are approved by the Township.

In the event that healthy trees which are used to meet the minimum requirements of this Ordinance, or those labeled to remain, are cut down, destroyed, damaged, or excavated at the dripline, as determined by the Township, the Property Owner shall replace them with trees which meet Ordinance requirements.

5. Installation, Maintenance, and Completion. All landscaping required by this Ordinance shall be planted prior to obtaining a Certificate of Occupancy. In the alternative, a surety bond, letter of credit, and/or certified check shall be placed in escrow in the amount of the cost of landscaping, to be released only after landscaping is completed.

All landscape elements shall be installed, and earth moving or grading performed according to accepted good planting and grading procedures.

The owner of property required to be landscaped by this Ordinance shall maintain such landscaping in a reasonably healthy condition, free from refuse and debris.

All unhealthy and dead material shall be replaced within one (1) year of damage or death or the next appropriate planting period, whichever comes first.

6. Prohibited Trees. Installation of the following trees to satisfy landscape ordinance requirements shall be strictly prohibited:

Boxelder	<i>Acer negundo</i>
Norway Maple	<i>Acer platanoides</i>
Silver Maple (pure species only)	<i>Acer sacharinum</i>
Tree of Heaven	<i>Ailanthus altissima</i>
Russian Olive	<i>Elaeagnus angustifolia</i>
Mulberry	<i>Morus sp.</i>
Buckthorn	<i>Rhamnus sp.</i>
Black Locust	<i>Robinia psuedoacacia</i>
All willow species	<i>Salix sp.</i>
Siberian Elm	<i>Ulmus pumila</i>
Prickly Ash	<i>Zanthoxylum americanum</i>

In addition to the trees noted above, other plants, shrubs, and trees as may be determined by the Township Board by resolution from time to time to be inconsistent with the purpose of this Ordinance, may also be prohibited.

- J. Minimum Size and Spacing Requirements. Where landscaping is required, the following schedule sets forth minimum size and spacing requirements for representative landscape materials:

SECTION 11.02 J. SIZE AND SPACING REQUIREMENTS

The following trees are representative.	Minimum Size Allowable			
	Height		Caliper	
TREES	6'	3'-4'	1.75"	2.5"
Evergreen Trees:				
Fir	✓			
Spruce	✓			
Pine	✓			
Hemlock	✓			
Douglas Fir	✓			
Narrow Evergreen Trees				
Red Cedar		✓		
Arborvitae		✓		
Juniper (selected varieties)		✓		

SECTION 11.02 J. SIZE AND SPACING REQUIREMENTS (Cont.)

The following trees are representative.	Minimum Size Allowable			
	Height		Caliper	
TREES (Cont.)	6'	3'-4'	1.75"	2.5"
Large Deciduous Canopy Trees				
Oak				✓
Maple				✓
Beech				✓
Linden				✓
Ginko (male only)				✓
Honeylocust (seedless, thornless)				✓
Birch				✓
Sycamore				✓
Small Deciduous Ornamental Trees				
Flowering Dogwood			✓	
Flowering Cherry, Pear			✓	
Hawthorn			✓	
Redbud			✓	
Magnolia			✓	
Flowering Crabapple			✓	
Serviceberry			✓	
Hornbeam			✓	

The following shrubs are representative.	Minimum Size Allowable			
	Height/Spread			
SHRUBS	6'	3'-4'	24''-36''	18''-24''
Evergreen Shrubs				
Pyramidal Yew		✓		
Hicks Yew				✓
Brown and Wards Yew			✓	
Alberta Spruce		✓		

SECTION 11.02 J. SIZE AND SPACING REQUIREMENTS (Cont.)

The following shrubs are representative.	Minimum Size Allowable			
	Height/Spread			
SHRUBS (Cont.)	6'	3'-4'	24''-36''	18''-24''
Upright Juniper Varieties			✓	
Sabina Juniper				✓
Mugho Pine				✓
Horizontal Juniper Varieties				✓
Boxwood				✓
Euonymous varieties				✓
Deciduous Shrubs				
Lilac			✓	
Sumac			✓	
Pyracantha				✓
Weigela			✓	
Flowering Quince			✓	
Dogwood			✓	
Viburnum varieties			✓	
Spirea				✓
Fragrant Sumac				✓
Potentilla				✓

K. Exceptions to Requirements.

1. **Buildings Abutting Property Lines.** Required screening may be omitted along any lot line where a building wall exists immediately abutting the lot line.
2. **Location Adjustments.** Where property line screening is required, the location may be adjusted at the discretion of the Planning Commission so that the screening may be constructed at or within the setback line, provided the areas between the screening and the property lines are landscaped, or in rural areas, retain their natural vegetative state.
3. **Existing Screening.** Any fence, screen, wall or hedge, which does not conform to the provisions of this section and legally exists at the effective date of this Ordinance may be continued and maintained, provided there is no physical change other than necessary maintenance and repair in such fence, screen, wall, or hedge except as permitted in other sections of this Ordinance.

4. Planning Commission Modification. Any of the requirements of this section may be waived or modified through site plan approval, provided the Planning Commission first makes a finding:
 - a. That the topographic features or special characteristics of the site create conditions so that the strict application of the provisions of this section will result in less effective screening and landscaping than alternative landscape designs.
 - b. That the public benefit intended to be secured by this section will exist with less than the required landscaping or screening.

SECTION 11.03 BUFFER STRIP REQUIREMENT

- A. For activities subject to site plan review as described in Article 7, a twenty-five (25) foot wide natural vegetation buffer strip shall be left undisturbed and protected to safeguard the natural resources of wetlands, streams, rivers, lakes, ponds, and other water resources. The Township reserves the right to increase the buffer strip width for areas they deem to be sensitive or critical natural resources.
- B. Any proposed buffer strip must be shown on the site plan, and properly labeled.
- C. No development or encroachment shall be permitted within any required or approved buffer area without Township approval.
- D. Any buffer strip shall be protected during development by construction fencing.
- E. The buffer strip shall be identified on the deed or in condominium documents to be retained and not disturbed. The outer boundary of the buffer strip shall be identified in the field with permanent markers to limit disturbance.
- F. Within the buffer strip, trees, and shrubs may be selectively pruned or removed for harvest of merchantable timber, to achieve a filtered view of the water feature from the main dwelling, and for reasonable private access to the water feature. Said pruning and removal activities:
 1. Shall ensure a live root system stays intact to provide for bank stabilization and erosion control;
 2. Shall ensure that any path to the water feature is no greater than four feet in width, shall meander down to the water's edge in a manner which protects the soil and vegetation from erosion while also screening the principal structure and vehicles from a direct river view. Installation of boat docks, swimming docks, boat houses, boat lifts, or similar objects or facilities used to gain normal boating and swimming access to lakes, rivers or streams shall be regulated by the MDEQ;

3. Dead, diseased, unsafe or fallen trees and noxious plants and shrubs, including poison ivy, poison sumac, and poison oak, and other plants regarded as a common nuisance in section 2, Act 359 of the Public Acts of 1941, as amended, may be removed. Planting of perennial native species in the natural vegetation strip is encouraged, especially where exposed soil and steep slopes exist, and in reforestation efforts; and
4. Pathways or boardwalks running along or parallel to the water feature within the required natural vegetation strip shall be prohibited.

SECTION 11.04 IMPACT ASSESSMENT

Impact Assessments shall be required as provided below:

- A. Purpose and scope. For the purpose of promoting and protecting the public health, safety, convenience and general welfare of the inhabitants and land resources of the Township of Blissfield, provision is made herein prior to submission of a rezoning petition, plat application, or site plan review request for any office, commercial, industrial, multiple-family residential use; the Planning Commission may require the applicant to file with the Township of Blissfield for their review and acceptance, an assessment of the economic, public service, public facility and ecological impact.
- B. Procedures for making application. All submissions of the impact assessments for any lands or uses shall be submitted in accordance with this section of the Blissfield Township Zoning Ordinance.
- C. Impact Assessments submitted to Planning Commission. All Impact Assessments shall be submitted, through the Blissfield Township office, to the Planning Commission.
- D. Data required in Impact Assessment. All assessments shall be accompanied by the required information and data as noted in the following sections:
 1. Full legal and environmental description of the proposed site prior to development.
 2. Impact of the development on the environment including impact on human life or other ecosystems such as wildlife, fish, aquatic life and air, water, or land resources.
 3. Possible adverse environmental effects of the development, which cannot be avoided, such as air or water pollution, damage to life systems, urban congestion, threats to health, or other adverse effects on human life.
 4. Evaluation of alternatives to the proposed action of the development that might avoid some or all of the environmental effects indicated in numbers 2. and 3.

above. This shall include a full explanation of the reasons why the developer decided to pursue the action in its contemplated form rather than an alternative course of action.

5. Possible modifications to the project, which would eliminate or minimize the adverse environmental effects, including a discussion of the additional costs involved in the modifications.
- E. The Impact Assessment shall include a full description of the development carried to completion including:
1. A number of people to be housed (or employed) and the amount of acreage involved in the development.
 2. The level of public services and public facilities required including estimated costs for the availability of sanitary sewers and treatment facilities, water services, storm sewers, and new agricultural drains, public sewers, recreational facilities, public access, solid waste disposal, schools, police and fire protection and other public facilities and services.
 3. The amount of pedestrian or vehicular traffic likely to be generated.
 4. The likelihood that additional or subsidiary development will be generated.
- F. The Impact Assessment shall include a sketch plan, drawn to scale, depicting the project carried to completion showing existing and proposed features of a site and its surroundings. The sketch plan shall include at least the following:
1. General topographic conditions at two (2) foot contours.
 2. Soil conditions.
 3. Water level and drainage information.
 4. Existing and proposed man-made features (park, lake, pond, etc.)
 5. Natural features to be retained and/or modified.
 6. Phases of the development.
 7. General site conditions.
- G. The Impact Assessment shall include supporting documentation that the proposed development is consistent with local, township and county master plans and zoning.

- H. The Impact Assessment shall include supporting documentation of the proposed developments probable impact on the economy of the region.
- I. The completed Impact Assessment, as presented, shall be signed by the fee holder and developer of the affected property.
- J. Review by the Planning Commission. The Planning Commission shall review the Impact Assessment as presented in terms of the established standard set in this Ordinance. The Planning Commission shall have forty-five (45) days from the date of filing to review and make its recommendation on the Impact Assessment. The Planning Commission may recommend changes to the Developer to minimize adverse impact.
- K. Date of filing. The date of filing shall, for all purposes, be considered to be thirty (30) days prior to the regular Planning Commission meeting date of any month.
- L. Additional data. Additional data and information may be required to be submitted with the Impact Assessment based upon the recommendation of the Planning Commission for the protection of the general safety and welfare and for insuring that the intent and objectives of this Ordinance will be observed.
- M. Acceptance. Upon finding that the Impact Assessment satisfactorily fulfills all requirements set forth in this Ordinance, the Township shall issue a Statement of Acceptance and copy of minutes, to the fee holder and developer of the affected property.
- N. Rejection. Upon finding that the Impact Assessment fails to fulfill all requirements as set forth in this Ordinance the Planning Commission shall issue a Statement of Rejection, detailing the reasons for such rejection and a copy of minutes to the applicant and property owner of the affected property.
- O. Basis of determination. The applicant shall establish, to the satisfaction of the Planning Commission, that the general standards specified and the specific standards outlined in each applicable section and subsection of this Ordinance shall be satisfied in the completion of the Impact Assessment.
- P. Qualifications. All Impact Assessments must be sealed by a registered professional engineer (PE) or licensed landscape architect, licensed in the State of Michigan.

ARTICLE 12

ENVIRONMENTAL PERFORMANCE REGULATIONS

SECTION 12.01 PURPOSE

Environmental performance regulations are established to preserve the short and long-term environmental health, safety, and quality of the Township. No parcel, lot, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises. Any use permitted by this Ordinance may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the following performance standards. No use, otherwise allowed, shall be permitted within any district, which does not conform to the following regulations of use, occupancy, and operation. These regulations are established as minimum requirements to be maintained. Nothing contained herein is intended to restrict farming operations in accordance with the Michigan Right to Farm Act, PA 93 of 1981.

SECTION 12.02 AIRBORNE EMISSIONS

- A. Smoke and Air Contaminants. It shall be unlawful for any person, firm or corporation to permit the emission of any smoke or air contaminant from any source whatsoever to a density greater than that permitted by Federal Clean Air Standards and those standards promulgated by the State of Michigan.
- B. Odors. Any condition or operation, which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of public or which interferes unreasonably with the comfort of the public shall be removed, stopped, or so modified as to remove the odor.
- C. Gases. The escape or emission of any gas, which is injurious or destructive, harmful to person or property, or explosive shall be unlawful and shall be abated.

SECTION 12.03 NOISE

- A. The following standards shall apply to all uses in all zoning districts with the exception of single-family and multiple-family dwellings located within residential districts. Noise, which is objectionable as determined by the Township due to volume, frequency, or beat shall be muffled, attenuated, or otherwise controlled, subject to the following schedule of maximum noise levels permitted:

Octave Band in Cycles Per Second	Along Residential District Boundaries- Maximum Permitted Sound Level in Decibels	Along All Non-Residential District Boundaries- Maximum Permitted Sound Level in Decibels
0 to 150	70	70
150 to 300	60	66
300 to 600	52	60
600 to 1200	46	53
1200 to 2400	40	47
above to 2400	34	41

- B. In addition, objectionable sounds of an intermittent nature, or sounds characterized by high frequencies, even if falling below the aforementioned decibel readings, shall be so controlled so as not to become a nuisance to adjacent uses.
- C. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement. Noise resulting from temporary construction activity shall also be exempt from this requirement.

SECTION 12.04 VIBRATION

- A. No use shall generate any ground transmitted vibration in excess of the limits set forth in (D) below. Vibration shall be measured at the nearest adjacent lot line.
- B. The instrument used to measure vibrations shall be a three (3) compartment measuring system capable of simultaneous measurement of vibration in three (3) mutually perpendicular directions.
- C. The vibration maximums set forth in (D) below are stated in terms of particle velocity, which may be measured directly with suitable instrumentation or computed on the basis of displacement and frequency. When computed, the following formula shall be used:

$$PV = 6.28 F \times D$$

Where:

- PV = Particle velocity, inches-per-second
- F = Vibration frequency, cycles-per-second
- D = Single amplitude displacement of the vibration in inches

The maximum velocity shall be the vector sum of the three (3) components recorded.

D. Table of Maximum Ground-Transmitted Vibration.

Particle Velocity, Inches-Per Second

**Along Non-Residential
District Boundaries**

**Along Residential
District Boundaries**

0.10

0.02

- E. The values stated in (D) may be multiplied by two (2) for impact vibrations, i.e. non-cyclic vibration pulsations not exceeding one (1) second in duration and having a pause of at least two (2) seconds between pulses.
- F. Vibrations resulting from temporary construction activity shall be exempt from the requirements of this section.

SECTION 12.05 USE, STORAGE AND HANDLING OF HAZARDOUS SUBSTANCES

- A. It shall be unlawful for any person, firm, corporation or other legal entity to pollute, impair or destroy the air, water, soils or other natural resources within the Township through the use, storage and handling of hazardous substances and/or wastes or the storage and disposal of solid, liquid, gaseous and/or sanitary wastes.
- B. Any person, firm, corporation or other legal entity operating a business or conducting an activity, which uses stores or generates hazardous substances shall obtain the appropriate permits or approval from the State of Michigan, and/or other designated enforcing agencies.
- C. Any person, firm, corporation or other legal entity operating a business or conducting an activity, which uses, stores or generates hazardous substances or petroleum products shall complete a Hazardous Chemicals Survey and a Pollution Incidence Protection Plan (PIPP) in conjunction with the following:
1. Upon submission of a site plan.
 2. Upon any change of use or occupancy of a structure or premise.
 3. Upon any change of the manner in which such substances are handled, and/or in the event of a change in the type of substances to be handled.
- D. All business and facilities, which use, store, or generate hazardous substances in quantities greater than one hundred (100) kilograms per month (equal to or greater than twenty-five (25) gallons or two hundred-twenty (220) pounds) shall comply with the following standards:

1. Above Ground Storage and Use Areas for Hazardous Substances.
 - a. Secondary containment of hazardous substances and polluting materials shall be provided. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance.
 - b. Outdoor storage of hazardous substances and polluting materials shall be prohibited except in product-tight containers, which are protected from weather, leakage, accidental damage and vandalism.
 - c. Secondary containment structures such as out buildings, storage rooms, sheds and pole barns shall not have floor drains, which outlet to soils, groundwater, or nearby drains or rivers.
 - d. Areas and facilities for loading/unloading of hazardous substances, as well as areas where such materials are handled and used, shall be designated and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater, or soils.
2. Underground Storage Tanks.
 - a. Existing and new underground storage tanks shall be registered with the authorized state agency in accordance with requirements of the U.S. Environmental Protection Agency and the State Fire Marshal Division.
 - b. Installation, operation, maintenance, closure, and removal of underground storage tanks shall be in accordance with requirements of the State Fire Marshall and Blissfield Township. Leak detection, corrosion protection, spill prevention and overflow protection requirements shall be met. Records of monthly monitoring or inventory control must be retained and available for review by state or local officials.
 - c. Out-of-service abandoned underground tanks shall be emptied and removed from the ground in accordance with the requirements of the State Police Fire Marshall Division, the Michigan Department of Natural Resources, and Blissfield Township.
3. Loading and Unloading Areas.

Areas used for the loading and unloading of hazardous substances shall be designed and constructed to prevent the harmful release to the environment of hazardous materials, which may be spilled or leaked.

- E. All site plans for business or facilities, which use, store or generate hazardous substances shall be reviewed by the Township Fire Department, Township Engineer and any other appropriate experts determined necessary by the Planning Commission prior to approval by the Planning Commission.

SECTION 12.06 ELECTRICAL DISTURBANCE, ELECTROMAGNETIC, OR RADIO FREQUENCY INTERFERENCE

No use shall:

- A. Create any electrical disturbance that adversely affects any operation or equipment other than those of the creator of such disturbance.
- B. Cause, create, or contribute to the interference with electronic signals (including television and radio broadcasting transmission) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

SECTION 12.07 GLARE AND EXTERIOR LIGHTING

- A. Glare from any process (such as or similar to arc welding or acetylene torch cutting), which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard along lot lines.
- B. The design and/or screening of the development shall insure that glare from automobile and commercial or industrial vehicle headlights shall not be directed into any adjacent property, particularly residential property.
- C. Exterior lighting shall be located and maintained to prevent the reflection and glare of light in a manner which creates a nuisance or safety hazard to operators of motor vehicles, pedestrians, and neighboring land uses. This provision is not intended to apply to public street lighting.

Any operation, which produces intense glare or heat, shall be conducted within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot lines. If heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

- D. Exterior doors shall be located, operated, and maintained so as to prevent any glare and light from creating a nuisance or safety hazard to operators of motor vehicles, pedestrians, and neighboring land uses.

E. On-site lighting, i.e. parking, building lights, etc. shall conform to the following regulations:

1. It is the goal of the Township to minimize lighting levels to reduce off-site impacts, prevent the reflection and glare of light in a manner, which creates a nuisance or safety hazard to operators of motor vehicles, pedestrians, and neighboring land uses, and to promote “dark skies” in keeping with the rural character of Blissfield Township.
2. When site plan review is required, all lighting, including signage and ornamental lighting, shall be shown on site plans in sufficient detail with appropriate photometric studies to allow determination of the effects of such lighting upon adjacent properties, traffic safety, and overhead sky glow. The objectives of these specific actions are to minimize undesirable on-site effects.
3. Only non-glare, color-corrected lighting shall be permitted. For all non-residential uses, full cutoff shades are required for light sources so as to direct the light onto the site and away from adjoining properties. The light source shall be recessed into the fixture so as not to be visible from off site. Building and pole mounted fixtures shall be parallel to the ground. Wall-pak type lighting shall be prohibited.
4. Lighting for uses adjacent to residentially zoned or used property shall be designed and maintained such that illumination levels do not exceed one-tenth (0.1) foot-candles along property lines. Lighting for uses adjacent to non-residential properties shall be designed and maintained such that illumination levels do not exceed 0.3 foot-candles along property lines.

Where lighting is required, maximum light levels shall not exceed twenty-five (25) foot-candles directly beneath a light fixture. Lighting levels shall not exceed three (3) foot-candles as measured directly between two (2) fixtures. The Planning Commission may allow for an increased level of lighting above maximum permissible levels when it determines that the applicant has demonstrated that such lighting is necessary for safety and security purposes.

For the purposes of this ordinance, all lighting measurements shall be taken at ground level.

5. For parking lots of less than one hundred (100) parking spaces, lighting fixtures shall not exceed a height of sixteen (16) feet measured from the ground level to the centerline of the light source. For parking lots of more than one hundred (100) spaces, lighting fixtures shall not exceed a height of eighteen (18) feet measured from the ground level to the centerline of the light source.

6. Signs shall be illuminated only in accordance with the regulations set forth in this ordinance. In addition, signs within residential districts shall not be illuminated.
7. Building or roof-mounted lighting intended to attract attention to the building and/or use and not strictly designed for security purposes shall not be permitted.
8. Subdivision or site condominium street lighting is not permitted. The Township Planning Commission may allow for street lighting when the applicant has demonstrated a need for such lighting.

SECTION 12.08 FIRE HAZARD

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire suppression equipment and such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance, which is compatible with the potential danger involved.

SECTION 12.09 SAFETY

Existing hazards or potential hazards and nuisances, such as construction sites, junk yards, land fills, sanitary land fills, demolition sites, unused basements, abandoned wells or cisterns and sand, gravel, and stone pits or piles are to be enclosed by suitable fencing or barriers so as not to endanger public health, safety and welfare.

ARTICLE 13

SIGN REGULATIONS

SECTION 13.01 PURPOSE AND INTENT

- A. It is the intent of this Section to ensure the effective use of signs as a means of communication in the Township; to maintain and enhance the aesthetic environment; to improve pedestrian and traffic safety; to minimize the adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. This Section is intended to allow a variety of types of signs in commercial and industrial zones, a limited variety of signs in other zones, and other incidental signs.
- B. In the application of this Ordinance, it is the intent to protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:
1. Do not add to or create visual clutter.
 2. Do not create a nuisance to persons using the public right-of-way.
 3. Do not constitute a nuisance to occupancy of nearby property by their brightness, size, height, or movement.
 4. Are not detrimental to land or property values.
- C. A sign may be established or maintained in the Township only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.

SECTION 13.02 SIGN REGULATIONS

- A. Prohibitions.
1. No billboards or off-premise signs may be erected within the Township except those meeting the requirements specified in Section 13.06. Other signs must advertise a business or service on the premises on which the sign is located.
 2. In no case shall any sign be illuminated by any open spark or flame. Reflectors, lights and other forms of illumination shall be permitted but no signs or any part thereof shall move nor shall the illumination thereof be anything other than a steady, continuously burning bulb or component part thereof is prohibited. In no case shall any sign illumination exceed a level of illumination of one-tenth (.1) foot candles when measured from the nearest or adjacent residential zoned or used property line, or adjacent non-residential zoned property line.

3. No sign shall be illuminated by other than electrical devices and wiring shall be installed in accordance with the requirements of the National Electrical Code. All electrically illuminated signs shall be certified as to wiring and devices by the Electrical Inspector and all wiring and accessory electrical equipment shall conform to the requirements of the National Electrical Code.
4. No nails, tacks or wires shall be permitted to protrude from the front of any sign. This shall not exclude, however, the use of block letters, electrical reflectors, or other devices, which may extend over the top and in front of the advertising structure.
5. Unless otherwise specifically provided in this Ordinance, no sign shall be erected or placed in the public right-of-way nor be allowed to project further than eighteen (18) inches into the public right-of-way, provided the lower edge thereof is ten (10) feet or more above the ground level; provided further that a sign shall not extend over any part of the public right-of-way used for vehicular traffic. The owner of any sign, which has been removed from the right-of-way in violation of this provision shall pay to the Township a violation fee approved by the Township Board before recovering said sign. If any sign is not claimed within thirty (30) days, it shall be destroyed.
6. No sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision at any location where, by reason of the position, shape or color it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device or which makes use of the words, "Stop," "Look," "Danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. Nor shall any sign, signal, marking or device be placed, erected or operated in such a manner as to interfere with the necessary free and unobstructed view of vehicular or pedestrian traffic.
7. No sign shall be permitted to corrode, rust, peel, break-up or otherwise reach a state of disrepair that creates an unsightly or dangerous condition, and any such sign must be removed within ten (10) days after notice thereof.
8. Specifically Prohibited Signs
 - a. Beacons;
 - b. Pennants;
 - c. Portable Signs;
 - d. Inflatable signs and tethered balloons;
 - e. Animated signs including: signs containing flashing, intermittent or moving lights or with moving or revolving parts. This provision is not intended to exclude those signs, which gave the time or temperature, provided no other animated messages are displayed.

- f. Signs affixed to trees, rocks, shrubs or natural features, except signs denoting a site of historic significance may be allowed.
- g. Permanent signs (other than those erected by a public agency), which are located within or overhang the public-right-of-way or on public property unless specified elsewhere in these regulations.
- h. Any strobe, flashing, or oscillating lights either from the interior or exterior of a building.
- i. Moving signs. Except as otherwise provided in this section no sign or any portion thereof shall be permitted, which moves or assumes any motion constituting a non stationary or fixed condition except for the rotation of barber poles, and except currently licensed vehicles and trailers, which have painted upon them in a permanent manner the name of the product, which they deliver and/or the name and address of the owner.
- j. Abandoned signs. Signs that advertise an activity business, product or service no longer conducted or available on the premises on which the sign is located are prohibited.
- k. Signs, which emit audible sound, odor or visible matter.
- l. Exterior string lights used to advertise commercial premises.
- m. Any sign erected on a tree or utility pole except signs of any election subdivision of this state.
- n. Awning signs with rear illumination.
- o. Portable signs held by persons engaged, among other things, for the purpose of carrying such signs on a public way or waiving such signs to attract attention from any roadway.

SECTION 13.03 GENERAL CONDITIONS

- A. Location. All signs must direct attention to a business or profession conducted on the premise or to a commodity, service, or entertainment primarily sold, offered, manufactured, processed, or fabricated thereon unless specified elsewhere in these regulations.

B. Illumination.

1. The light from illuminated signs shall be directed in a manner that will not interfere with vehicular traffic or with the enjoyment or use of adjacent properties, nor directly shine onto adjacent or abutting properties.
2. No sign shall have blinking, flashing, or fluttering lights or other illuminating devices, which have a changing intensity, brightness or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing, except that movement showing the date, the time and the temperature exclusively may be permitted.
3. No exposed reflective type bulbs and no strobe lights or incandescent lamps shall be used on the exterior surface of any sign as to expose the face of the bulb, light or lamp to any public street or adjacent property.
4. The illumination provisions above shall not apply to sign lighting systems owned or controlled by any public agency for the purpose of directing traffic.
5. Neon lighting is prohibited outside of the sign structure and shall not be permitted as accent lighting along a building wall or window.
6. Awning signs shall not be “back-lit”.

C. Exempt from Permits.

1. Incidental signs, which are intended to direct the flow of pedestrian and vehicular traffic on private property. Incidental signs shall not exceed two (2) square feet in area per side and four (4) feet in height, shall contain no advertising and may be illuminated.
2. Signs erected for traffic safety purposes by public road agencies.
3. Federal, State, County, or Local required signs on private property.
4. Real estate signs subject to the provisions of this ordinance.
5. Changing of advertising copy or message on a theater marquee or similar approved signs, which are specifically designed for the use of replaceable copy.
6. Painting, repainting, cleaning, and other normal maintenance and repair of a sign or any sign structure unless a structural change is made.
7. Integral signs, not to exceed a maximum area of six (6) square feet.
8. Authorized signs of the state or an election subdivision of the state.

9. Flags bearing the official design of a nation, state, municipality, educational, institution, church, fraternal organization, or branch of military. Flags bearing the official seal or emblem of a company or corporation including related graphics. Zone lots shall be limited to four (4) of the above flags. When the site plan review is required, the location of flag poles shall be indicated on the site plan and shall meet the minimum fifteen (15) foot setback required for all signs to adjacent property lines. Flags shall be limited to forty (40) square feet each.
10. Permanent signs on vending machines or ice containers indicating only the contents of such devices and no commercial message provided that such devices must be located within ten (10) feet of the building.
11. Business signs containing information on credit cards, business affiliations, hours of operation, open/closed, etc. The combined area of all such signs shall not exceed four (4) square feet and shall be included in the maximum window coverage calculation.
12. Election Signs subject o the provisions of this ordinance.

SECTION 13.04 GROUND SIGNS

A. General Requirements.

1. Within all non-residential zoning districts, only one (1) ground sign shall be permitted per zoning lot. If the frontage of a zoning lot exceeds two (2) linear feet along a single street frontage or is on a parcel of land that abuts three (3) or more streets, two (2) such ground signs may be permitted. Sign size, number of signs, and location shall be finalized during site plan review. Maximum sign area is provided in “Table A” found in the following pages.
2. Within all residential zoning districts, only one (1) ground sign shall be permitted at the primary entrance for the purpose of identifying a subdivision, site condominium, multiple family development, or mobile home park.
3. Within all residential zoning districts, only one (1) ground sign shall be permitted per zoning lot for the purpose of identifying a non-residential special land use. One (1) additional ground sign may be permitted at a secondary entrance if it is not located on the same street as the primary entrance. Size and location shall be determined during site plan review. Maximum area is provided in “Table A” below.
4. One (1) freestanding identification sign stating the name of a business center and major tenants therein may be erected for a shopping center, office park, industrial park or other integrated group of stores, commercial buildings, office buildings or industrial buildings. The sign area shall not exceed one (1) square foot per front

foot of building or buildings for which it is erected; however, such signs shall not exceed one hundred (100) square feet in area. Such signs may be up to eight (8) feet in height. If the lot fronts on three (3) or more collector or arterial streets one (1) additional sign may be permitted.

5. Within all PUD Districts, the number and size and location of ground signs shall be determined by the intended use of the premises, subject to the review and approval of the Township during PUD plan review.
6. All ground signs shall be set back a minimum of fifteen (15) feet from all road rights-of-way and shall be located no closer than fifteen (15) feet from the edge of the principal entrance driveway and all property lines.
7. The support structure for a ground sign shall not exceed twenty five (25) percent of the maximum permissible area of the sign measured by viewing the elevation of the sign perpendicular to the sign face, unless otherwise approved during the site plan review process.
8. Up to two (2) incidental business signs (menu boards) shall be permitted for businesses with a drive-through component. Such signs shall not exceed fifteen (15) square feet in the area per sign, per face or six (6) feet in height and shall be located only on internal drives to serve the drive-thru portion of the development.

B. Maximum height and area requirements for ground signs shall be applied within each Zoning District according to the following schedule. The maximum height and area for ground signs within business centers are pursuant to paragraph 4 above:

Table A – Ground Signs.

District	Max. Height (ft.)	Maximum Area (sq.ft.)	
		Per Side	Total
AA – Agricultural	6 ft	20 s.f.	40 s.f.
RR – Rural Residential	6 ft	20 s.f.	40 s.f.
VR – Village Residential	6 ft	20 s.f.	40 s.f.
LC – Local Commercial	8 ft	50 s.f.	100 s.f.
HC – Highway Commercial	8 ft.	50 s.f.	100 s.f.
LI – Light Industrial	8 ft	32 s.f.	64 s.f.
RC – Resource Conservation	6 ft	20 s.f.	40 s.f.

SECTION 13.05 BUILDING SIGNS

A. General Requirements.

1. Within all non-residential zoning districts, a combination of building signs may be established not to exceed the maximum sign area per “Table B” for each zoning lot (for a single business).

Signs for multiple tenant shopping centers or multi-tenant buildings shall not exceed one (1) square foot of sign area per one (1) lineal foot of building frontage per tenant.

In addition, multiple-tenant buildings shall be permitted one (1) external wall directory sign, intended to identify all of the building occupants. The total area of this directory sign shall not exceed twelve (12) square feet, with each tenant limited to one (1) square foot. This sign shall be non-illuminated and shall be mounted on the entrance door or on the wall next to the entrance.

2. Within all PUD Districts, the number and size of wall signs shall be determined by the intended use of the premises, subject to the review and approval of the Township, during PUD plan review.
3. One (1) projecting sign may be permitted for each first-floor business within the Township. The projecting sign may be a maximum of thirty two (32) square feet in area (each side) and shall be included in the total amount of signs permitted for the subject building. Changeable copy shall not be permitted as a part of projecting signs. Projecting signs must provide a clear distance of eight (8) feet from the sidewalk or private drive or parking lot to the bottom edge of the sign. Projecting signs may extend over abutting sidewalk, but shall not extend over public or private roadways, or parking areas unless approved by the Township as a part of the sign permit. The leading edge of a projecting sign shall not extend more than nine (9) feet from the face of the building that it is attached to. The maximum height of a projecting sign shall be fifteen (15) feet from the street to highest part of the sign.
4. Placement Limitations – No wall sign shall cover wholly or partially any wall opening. No wall sign shall be erected to extend above the top of the wall to which it is attached, nor extend beyond the ends of the wall to which it is attached unless it complies with all of the requirements for roof signs, projecting signs, or ground signs as the case may be.

- B. Maximum area requirements for building signs shall be applied within each Zoning District according to the following schedule:

Table B – Building Signs.

District	Area (s.f.) per One (1) Foot of Building Frontage	Maximum Area in s.f.
AA - Agricultural	1	12 s.f.
RR – Rural Residential	N/A	3 s.f.
VR – Village Residential	N/A	3 s.f.
LC – Local Commercial	1	32 s.f.
HC – Highway Commercial	1	32 s.f.
LI – Light Industrial	1	32 s.f.
RC – Resource Conservation	N/A	N/A

SECTION 13.06 OUTDOOR ADVERTISING SIGN (OFF-SITE OR BILLBOARD SIGN)

- A. Outdoor advertising signs are permitted only on undeveloped and vacant unimproved lots in HC – Highway Commercial districts, and shall be considered the principal use of such lots. Such signs shall not be placed on a lot with any other building thereon, and no structure shall be placed on a lot on which such sign is located.
1. One billboard sign shall be permitted per lot.
 2. No such sign shall have a total area in excess of three hundred (300) square feet per sign face.
 3. It shall have a minimum clearance of ten (10) feet and a maximum clearance height of twenty-two (22) feet, from average grade as calculated within a sixty (60) foot radius from the base of the sign.
 4. It shall not be closer than one thousand (1,000) feet to any other billboard signs on the same side of the right-of-way.
 5. The setback of the billboard sign shall be fifty (50) feet from the edge of the right-of-way.
 6. Any billboard shall be situated on the property so as to:
 - a. Maximize motor vehicle sight distance, clear view, and traffic safety in general, in relation to other vehicles, pedestrians, and to other signage which is, or is anticipated to be, nearby, and

- b. Minimize the destruction of trees, the visibility of the billboard and illuminations thereof by and from residences, and any dangerous distraction and thus, hazard, of and to motorists, as determined in the discretion of the Planning Commission.
7. A billboard sign may be illuminated, if it is located as least five hundred (500) feet from any residential zoning district or residential use. The illumination shall be directed away from all residential uses. No internal illumination shall be permitted for billboards.

SECTION 13.07 COMPUTATIONS/MEASUREMENTS

The following principles shall control the computation of sign area and sign height:

- A. Computation of Area. The area of sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop of structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets Zoning Ordinance regulations and is clearly incidental to the display itself. Where a sign has two (2) or more faces, the area of the all faces shall be included in determining the total area of the sign.
- B. Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction of (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure when allowed on the zoning lot, whichever is lower.

SECTION 13.08 TEMPORARY SIGNS

Temporary signs shall be permitted in accordance with the regulations herein:

- A. Permit Required. Unless specified elsewhere in this ordinance, a permit shall be required to display any temporary sign described by these regulations. Such permit shall be issued by the Blissfield Township Building Inspector or designee and shall clearly specify the

name, address and telephone number of the applicant as well as the title and dates of the event advertised and authorized location for placement of the sign. The permit number shall be clearly displayed on the sign. Permit fee, if any, is to be established by resolution of the Township Board.

- B. Construction Signs: Construction signs shall only be erected on the construction site. Construction signs shall advertise only the project under construction and information related thereto, such as its developer, contractor, engineers, brokers, and architects. Signs advertising buildings or projects under construction shall not exceed thirty-two (32) square feet. Such signs shall have a maximum height of eight (8) feet and shall be setback at least fifteen (15) feet from any public right-of-way unless attached to a building, construction fence, or barricade. All such signs shall be removed promptly upon completion of construction. No more than one (1) construction sign shall be permitted per thoroughfare frontage.

Signs six (6) square feet in area or less and a maximum of four (4) feet in height which, list persons or firms connected with construction, maintenance, or service work being performed at the time, shall be permitted without permit. Such signs must be located on the property under consideration and must be removed upon completion of work on site.

C. Election Signs.

1. Such signs shall not be erected more than thirty (30) days prior to the election.
2. Such signs shall not be erected within one hundred (100) feet from an entrance to a public polling place, nor shall they be erected within twenty-five (25) foot clear zone on corner lots. No election sign shall be erected in a manner as to impede clear vision by motorists on a highway.
3. Election signs shall not exceed thirty-two (32) square feet in total area and eight (8) feet in height.
4. Election signs shall not be attached or erected on public utility poles or installations.
5. All election signs shall be removed no later than seven (7) days after an election.
6. The building inspector or any law enforcement officer is authorized to remove any election signs placed in the public right-of-way and dispose of such signs with the costs assessed to the organization identified on the sign.
7. Violations of this section will be subject to the penalty provisions of Article 3 of this Ordinance.

D. Real Estate.

1. Single and Multiple Family Residential Real Estate: A sign with an area not in excess of six (6) square feet advertising the sale, rent and/or lease of a single or multiple-family structure or vacant property, placed adjacent to such a structure and upon the premises is permitted without permit. Such a sign may indicate only that the property is for sale, rent, and/or lease and the address or telephone number where the inquiry can be made. It shall have a maximum height of three (3) feet from grade and shall be set back a minimum of ten (10) feet from any public right-of-way unless attached to the building.
2. Non-Residential Real Estate Signs: One (1) sign, with a total area not in excess of thirty-two (32) square feet, shall be permitted on each parcel for the purposes of advertising the sale, rent and/or lease of non-residential real estate. Such signs shall have a maximum height of eight (8) feet and shall be set back a minimum of fifteen (15) feet from any public right-of-way unless attached to a permanent building.
3. Residential subdivision or condominium developments: The allowable area for one (1) on-premises sign pertaining to the sale, rent and/or lease of real estate within a residential subdivision or condominium complex being developed shall be limited to an area of thirty-two (32) square feet. Such signs shall have a maximum height of eight (8) feet and shall be set back a minimum of fifteen (15) feet from any public right-of-way.

Not more than one (1) real estate sign per thoroughfare frontage shall be placed on any premises. Real estate signs larger than six (6) square feet shall not be placed on any premises with an occupied structure.

Temporary portable real estate directional sign, not exceeding three (3) square feet in area and four (4) in number, saying "Open House" and/or showing a directional arrow and placed back of property lines outside the public right-of-way shall be permitted on approach routes to an open house, only for the day of the open house. The top of such signs shall not exceed three (3) feet in height, nor may such signs be displayed for more than one (1) day in any seven (7) day period. No such signs shall be placed on private property without the consent of the owner. A permit is not required for this type of sign.

4. Removal: Real estate signs shall be removed within ten (10) days of the sale, lease or rental of the premises, land parcels or residential subdivision/complex.

E. Temporary Commercial Signs.

1. Temporary promotional or special sale signs for windows when erected in conjunction with a commercial establishment, provided they do not, individually or combined with other window signs, exceed thirty (30) percent of the total area

of the display window or sixteen (16) square feet, whichever is less. Temporary promotional signs are permitted on ground floor windows only.

2. Casual sales (garage sale, etc) signs not to exceed six (6) square feet. A permit is not required for this type of sign.
3. Commercial activity signs not to exceed sixteen (16) square feet.
4. Signs intended to be utilized until a permanent sign may be obtained and erected can be approved by Blissfield Township for a period not to exceed sixty (60) days. Such signs shall not exceed sign area permitted within the appropriate zones.

F. Temporary Civic/Public Signs.

Temporary civic, cultural, and public service window posters, shall be exempt when posted inside commercial establishments, provided they do not, individually or combined, occupy more than thirty (30) percent of the total area of said window or five (5) square feet, whichever is less. Temporary window signs are permitted on ground floor windows only. These types of signs shall not be posted outside on windows, doors, light posts, street furniture, etc.

G. Placement and duration of temporary signs. Unless specified elsewhere in this ordinance the placement and duration of temporary signs shall be regulated as follows:

1. No temporary sign shall be placed on public property or public rights-of-way unless it is advertising an event to be held on public property unless specified elsewhere in these regulations.
2. No temporary sign shall be placed on public property other than the location of the event unless permission is granted by the property owner.
3. Temporary signs on private property must meet the minimum fifteen (15) foot sign setback requirements of this ordinance.
4. Duration of display. Unless specified elsewhere in this ordinance temporary signs may not be displayed more than four (4) consecutive days in any ninety (90) day period.

SECTION 13.09 SIGNS IN THE PUBLIC RIGHT-OF-WAY

No signs shall be allowed in the public right-of-way, except for the following:

- A. Signs erected by or on behalf of a governmental or other public agency to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.
- B. Projecting signs pursuant to the provisions of these regulations.
- C. Blissfield Township, or its designee, has the authority to remove signs within the public road Right-of-Way (R.O.W.).

SECTION 13.10 NON-CONFORMING EXISTING SIGNS

- A. Intent. It is the intent of this section to encourage eventual elimination of signs that, as a result of the adoption of this Article, become non-conforming, and to administer this Article to realize the removal of illegal non-conforming signs and to avoid any unreasonable invasion of established private property rights, thereof;
 - 1. No person shall be required to remove a sign, which was erected in compliance with previous regulations of this Article if said sign becomes non-conforming due to a change occurring in the location of buildings, streets or other signs, which change, is beyond the control of the owner of the sign and the premises on which it is located.
 - 2. If the owner of a sign or the premises on which a sign is located changes, the location of a building, property line, or sign, or changes the use of a building so that any sign on the premises is rendered non-conforming, such signs must be removed or made to conform to this Article.
- B. Lawful Existing Signs.

Any sign lawfully existing at the time of adoption of this Article, which does not fully comply with all provisions shall be considered a non-conforming sign and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety, and welfare of the community except as hereafter provided.

- C. Continuance.
 - 1. Any lawful non-conforming sign shall be permitted to continue to exist, so long as the non-conforming sign:
 - a. is not physically expanded or changed to another non-conforming sign.

- b. is not relocated or structurally altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the sign. Altered shall not include normal maintenance or maintenance to protect public safety. Normal maintenance shall include painting of chipped or faded signs, replacement of faded or damaged surface panels, or repair and replacement of electrical wiring and devices.
 - c. is not re-established or maintained after the activity, business or usage to which it relates has been discontinued for ninety (90) days or longer.
 - d. is not repaired or re-erected after being damaged, if the repair or re-erection of the sign would cost more than fifty (50) percent of the replacement cost of an identical new sign.
2. In the case of a legal non-conforming sign without a defined background (such as individual letters or symbols mounted directly on a building, or lettering on an awning), changes may be made to the letters or symbols, so long as the overall area of the sign is not increased. In such situations, a new sign permit application shall be filed with the zoning administrator.
 3. The words or symbols on a non-conforming sign may be changed if new sign permit application is filed with the Blissfield Township office. In such cases, the message may be changed without affecting the legal non-conforming status, as long as neither the sign structure nor frame is changed.

SECTION 13.11 PERMITS AND APPLICATIONS, PLANS, SPECIFICATIONS, REVOCATIONS, APPEAL

- A. It shall be unlawful for any person to erect, repair, alter, or relocate on the same or another premises or maintain within the Township of Blissfield any sign as defined in this Ordinance, without first complying with the following requirements:
- B. Except where exempted below, permits are required for all signs hereunder. Applications therefore shall be made upon blanks provided by the Blissfield Township office, and shall contain all required information.
- C. It shall be the duty of the Building Inspector, upon the filing of an application for permit to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising.
- D. Appeal – Any person filing an application for permit who feels that he has been aggrieved by the decisions of the Building Inspector may have his application reviewed by the Blissfield Township Zoning Board of Appeals.
- E. Permit Revocable at any Time – All rights and privileges acquired under the provisions of this Ordinance or any amendment thereto, and may be revoked by the Township by

letter to the permit holder upon the violation of any of the conditions herein, where upon the Township may remove the sign with costs of removal charged to the permit holder. If the work authorized under an erection permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.

F. Exemption from Permit Requirement.

Signs for which a permit is not required are as follows:

1. Professional name plates not exceeding two (2) square feet in area.
2. The changing of advertising material or copy on a properly licensed sign and the maintenance or repair thereof shall not require the issuance of a permit.
3. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or aluminum.
4. Traffic or other municipal signs, legal notices, danger and such temporary emergency or non-advertising by the Building Inspector.

G. Conflict with State Statute.

1. To the extent that a provision of this Ordinance conflicts with statutes enacted by the State of Michigan, but only in those instances where enforcement hereof would be prohibited by State statute, such provision shall be null and void; such nullity and invalidity shall apply only as it concerns a section or sections there after of this Ordinance, which are specifically not enforceable in accordance with state law, and should said ordinance section be subsequently rendered valid by amendment to state act, said sections shall become fully enforceable and be considered a part hereof in all respects.

SECTION 13.12 CONSTRUCTION AND MAINTENANCE REQUIREMENTS

All signs must be constructed to meet the current State of Michigan Construction Code.

SECTION 13.13 REMOVAL OF SIGNS

- A. Removal. The Township or designee shall order the removal of any sign erected or maintained in violation of this ordinance except for valid non-conforming signs. Notice in writing shall be given to the owner of such sign or of the building, structure, or premises on which such sign is located, to remove the sign or bring it into compliance with the ordinance within fourteen (14) days of the notice for non-temporary signs. Illegal temporary signs shall be removed within 24-hours. Failure to remove the sign or to comply with this notice shall be considered a zoning violation. The Township shall

also remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any cost of removal incurred by the Township shall be assessed to the owner of the property on which such sign is located in the manner of taxes and such charge shall be a lien on the property.

- B. **Renewal Requirements.** A sign shall be removed by the owner of lessee or the premises upon which the sign is located within thirty (30) days after the business, which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Township shall remove it in accordance with the provisions stated in paragraph 13.13.A, preceding. These removal provisions shall not apply where a subsequent owner or lessee conducts the same type of business and agrees to maintain the signs to advertise the type of business being conducted on the premises and provided the signs comply with the other provisions of this ordinance.

SECTION 13.14 VIOLATIONS

- A. Any of the following shall be a violation of this ordinance:
 - 1. To install, create, erect, or maintain any sign in a way inconsistent with the terms of this Ordinance or that is inconsistent with any plan or permit governing such sign or the zoning lot on which the sign is located;
 - 2. To install, create, erect, or maintain any sign requiring a permit without such a permit;
- B. Each sign installed, created, erected, or maintained in violation of this Ordinance shall be considered a separate violation.
- C. Unless specified elsewhere in this Ordinance, any signs placed within a road Right-of-Way (R.O.W.) and on utility poles will be considered a violation of this Ordinance and may be removed by the Township at the expense of the owner.

SECTION 13.15 ENFORCEMENT

This Section shall be administered and enforced by Blissfield Township.

ARTICLE 14

PUBLIC NOTICE

SECTION 14.01 PUBLIC NOTIFICATION

All applications for development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006 and the provisions of this Section with regard to public notification.

- A. Responsibility. When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Township Clerk shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Township and mailed or delivered as provided in this Section.
- B. Content. All mail, personal and newspaper notices for public hearings shall:
1. Describe nature of the request: identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.
 2. Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property. Street addresses are not required to be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation not involving a specific property.
 3. When and where the request will be considered: indicate the date, time and place of the public hearing(s).
 4. Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear at the public hearing in person or by an agent or other representative.
 5. Provide information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.
- C. Personal and mailed notice.
1. General. When the provisions of this Ordinance or state law require that personal or mailed notice be provided, notice shall be provided to:

- a. The owners of property for which approval is being considered, and the applicant, if different than the owner(s) of the property.
 - b. Except for rezoning request involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; notice shall be given to all persons whom real property is assessed within three (300) hundred feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of the Township. If the name of the occupant is not known, the term “occupant” may be used in making notification.
2. Notice by mail/affidavit. Notice shall be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The Township Clerk shall prepare a list of property owners and registrants to whom notice was mailed, as well as anyone to whom personal notice was delivered.
- D. Timing of notice. Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance where applicable, notice of a public hearing shall be provided as follows:
1. For a public hearing on an application for a rezoning, text amendment, special land use, planned unit development, variance, appeal, or ordinance interpretation: not less than fifteen (15) days before the date the application will be considered for approval.
 2. For any other public hearing required by this Ordinance.

ARTICLE 15

NONCONFORMING STRUCTURES AND LOTS OF RECORD

SECTION 15.01 EXISTING NONCONFORMITIES

- A. Within the districts established by this Ordinance there exists:
1. Lots
 2. Structures
 3. Uses of land and structures, and
 4. Characteristics of use which were lawful prior to adoption of this Ordinance. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. Nonconforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. A nonconforming use of structure and land in combination shall not be extended or enlarged after passage of this Ordinance, the nature of which would be prohibited in the district involved.

SECTION 15.02 NONCONFORMING STRUCTURES

- A. Where a lawful structure exists at the effective date of adoption of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.
 2. Should such nonconforming structure or nonconforming portion of a structure be destroyed by any means to an extent of more than one hundred (100) percent of the State Equalized Valuation at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
 3. Should such structure be moved for any reason whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

SECTION 15.03 NONCONFORMING USES OF LAND

- A. Where at the time of passage of this Ordinance, lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, the use may be continued so long as it remains otherwise lawful, provided:
1. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
 2. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
 3. If any such nonconforming use of land ceases for any reason for a period of more than one (1) year, such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
 4. No additional structure not conforming to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.

SECTION 15.04 NONCONFORMING USES AND STRUCTURES

- A. If lawful use involving individual structures or of a structure and premises in combination exists at the effective date of adoption of this Ordinance that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. An existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which is it located.
 2. Any nonconforming use may be extended throughout any parts of a building which were validly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
 3. If no structural alterations are made, any nonconforming use of a structure, or structures and premises, may be changed to another nonconforming use provided that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. Whenever a nonconforming use has been changed to a conforming use, or to a permitted use in a district of greater restriction, it shall not thereafter be changed to a nonconforming use.

4. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for one (1) year, the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
5. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this Section is defined as damage to an extent of more than one hundred (100) percent of the State Equalized Valuation at time of destruction.

SECTION 15.05 NONCONFORMING LOTS OF RECORD

- A. In the RR, Rural Residential District in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of the Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record after the effective date of adoption of this Ordinance. Permission to use a single nonconforming lot as herein provided shall apply even though such lot fails to meet the requirements for area or width or both, that are generally applicable in the district. Side yard dimensions may be reduced provided that in no event shall a side yard be less than twenty (20) feet.
- B. This Subsection applies to VR – Village Residential District only and is intended to provide relief for the owners of nonconforming lots of record where said lot or lots in combination do not meet the minimum standards of this Ordinance. It is intended that this Subsection be used to permit construction of a dwelling on all nonconforming lots of record; it is recognized that some such lots are simply too small to permit the construction of an adequate dwelling, the storage of family automobiles, (in recognition of the fact that on street parking is not desirable) the maintenance of sufficient open space to permit fire protection, reasonable light and air, as well as room and view to permit and encourage property maintenance.
 1. No permit shall issue hereunder except with approval of the Zoning Board of Appeals after public hearing. The application to the Zoning Board of Appeals shall simply state, “Nonconforming Lot of Record,” and the Zoning Board of Appeals may grant such variances as are necessary to permit construction on such lot, subject to the following standards:
 - a. Permits shall not be issued hereunder unless the construction that will result from the issuance of said permits will be in keeping with the general character of the neighborhood in which the construction will take place.
 - b. The Board of Appeals shall at all times consider and reconcile the interests of adjoining and nearby property owners.

- c. Subject to the above, where the owner of a non-conforming lot of record cannot reasonably acquire sufficient land to enable him to conform to the requirements of this Ordinance relating to lot area, lot width, or both, such lot of record may be used by such owner as a building site, provided that, as required by the Zoning Board of Appeals, the other requirements of this Section are met, which requirements for the purpose of this Section shall be deemed to include reasonable provisions for automobile parking.
 2. For the purpose of maintaining building sites in compliance or near compliance with this Ordinance, in those instances where the same owner has adjoining nonconforming lots of record, the following regulations shall apply:
 - a. Where two (2) or more abutting lots of record are held under one (1) ownership, and where one or both of these lots are nonconforming, they shall each be considered as a single lot of record and are subject to the provisions of this Ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance.
 3. Notwithstanding the provisions as contained in subsection 15.05 B. of this Section, the Township may issue a building permit in those instances where an isolated nonconforming lot or combination of lots of record meets eighty (80) percent of the minimum frontage or area requirements of this Ordinance upon a determination that said eighty (80) percent is in conformance with the general standards of the neighborhood. This Subsection is intended to provide relief for those owners of isolated parcels that have more than ninety (90) percent but less than one hundred (100) percent of the frontage or area required in Section 4.07 Schedule of Regulations, and it is not intended to provide for the division or creation of parcels. In no event may this Subsection be applied so as to accomplish a division or creation of any lot or combination of lots of record to reduce said frontage or area requirements to anything less than those standards set forth in Section 4.07 Schedule of Regulations.
 4. In no event shall the side yards be less than seven (7) feet to permit fire equipment reasonable access and further to prevent the spreading of fire.

SECTION 15.06 REPAIRS AND MAINTENANCE

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, to an extent not exceeding fifty (50) percent of the State Equalized Valuation of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.

If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by the Building Official to be unsafe or unlawful by reason of physical condition, it may be enlarged or structurally altered to make it comply with the health and safety laws or ordinances; provided further that the cost of such work does not exceed fifty (50) percent of the State Equalized Valuation of such building or structure at the time such work is done.

ARTICLE 16

ZONING BOARD OF APPEALS

SECTION 16.01 CREATION OF BOARD OF APPEALS

There is hereby established a Zoning Board of Appeals, which shall perform its duties and exercise its powers as provided in Section 6.01 of Act 110 of the Public Acts of 2006, as amended, in such a way that the objectives of this Ordinance shall be observed, public safety secured, and substantial justice done.

SECTION 16.02 MEETINGS

- A. All meetings of the Zoning Board of Appeals shall be held at the call of the Chairman, and at such times as its rules of procedure may specify. All meetings of the Board of Appeals shall be open to the public. The Zoning Board of Appeals shall keep minutes of its proceedings, showing the vote of each member on each question, 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 Township Clerk and shall be a public record.
- B. The Zoning Board of Appeals shall have the power to require the attendance of witnesses, administer oaths, compel testimony, and the production of books, papers, files, and other evidence pertinent to the matters before it.

SECTION 16.03 APPEALS TO THE ZONING BOARD OF APPEALS

- A. A claim for a zoning appeal is received by the Township. Appeals can be filed by:
 - 1. A person aggrieved, or
 - 2. An officer, department, board, or bureau of the state or local unit of government.
- B. The Appeals Board shall have the authority to hear appeals concerning:
 - 1. All questions that arise in the administration of the zoning ordinance, including interpretation of the zoning map.
 - 2. All administrative orders, requirements, decision or determinations made by an administrative official charged with enforcement of the zoning ordinance can be appealed.

3. All decisions made by any person, such as the Building Inspector, authorized by the Township to make decisions on zoning matters.
 4. ZBA shall have no authority to grant use variances or to appeal decisions made by the Planning Commission or Township Board.
- C. Upon receipt of a demand for appeal, the administrator will review the demand for appeal to insure it is complete and the fee is paid.
1. If the application is not complete, the administrator will return the application to the applicant with a letter that specifies the additional material requested.
 2. If the application is complete, the administrator and chairman of the appeals board shall establish a date to hold a hearing on the appeal.
- D. The appeal stays all proceedings in furtherance of the action appealed, unless the body or officer from whom the appeal is taken certifies to the Zoning Board of Appeals that by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril of life or property, in which case proceedings may be stayed by a restraining order issued by the Zoning Board of Appeals or a circuit court.
- E. The notices shall be given not less than fifteen (15) days before the date of the hearing on a proposed zoning amendment pursuant to Article 14 of this ordinance.
- F. The appeals board shall hold a hearing on the demand for appeal.
1. Representation at hearing. Upon the hearing, any party or parties may appear in person or by agent or by attorney.
 2. Standards for variance decisions by the appeals board. The appeals board shall base its decisions on variances from the strict requirements of this Ordinance so that the spirit of the Ordinance is observed, public safety secured, and substantial justice done based on the following standards:
 - a. For dimensional variances. A dimensional variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following:
 - i. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicants personal or economic difficulty.

- ii. That the need for the requested variance is not the result of the property owner or previous property owners (self-created) based upon current regulations.
 - iii. That strict compliance with regulations governing area, setback, frontage, height, bulk, density, or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
 - iv. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.
- b. For use variances. Under no circumstances shall the appeals board grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

G. If the demand for appeal is for a variance, the Zoning Board of Appeals shall either grant, grant with conditions, or deny the application. The Zoning Board of Appeals may reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit. A majority vote of the membership of the Zoning Board of Appeals is necessary to grant a variance and rule on an interpretation of the Ordinance. The decision shall be in writing and reflect the reasons for the decision. At a minimum, the record of the decision shall include:

1. Formal determination of the facts.
2. The conclusion derived from the facts (reason for the decision).
3. The decision.

Any persons having an interest affected by such decision shall have a right to appeal to the circuit court within thirty (30) days after the Zoning Board of Appeals approves the minutes of its decision, as provided by law.

ARTICLE 17

AMENDMENTS

SECTION 17.01 INITIATING AMENDMENTS

The Township Board may, from time to time, amend, modify, supplement, or revise the district boundaries or the provisions and regulations of this Ordinance. Amendments may be initiated by the Township Board, the Township Planning Commission, by petition of one (1) or more property owners of Blissfield Township, or by one (1) or more persons acting on behalf of a property owner(s) of Blissfield Township. All proposed amendments shall be referred to the Township Planning Commission for review, public hearing, and recommendation before action may be taken thereon by the Township Board.

SECTION 17.02 FEES

The Township Board shall establish, by resolution, fees for zoning amendment petitions. Such fee shall be paid in full at the time of application and no part of such fee shall be returnable to the petitioner. Fees shall not be required for amendments proposed or requested by any government agency or body.

SECTION 17.03 AMENDMENT PROCEDURE

The procedure for amending this Ordinance shall be in accordance with Act 110 of the Public Acts of 2006, as amended.

Application for amendment shall be made by submitting the application, along with required information and the required fee, to the Township Clerk's office. After receipt of filing, the Clerk shall establish a date for a public hearing on the application in accordance with Article 14 of this Ordinance.

SECTION 17.04 INFORMATION REQUIRED

- A. If an application proposes an amendment to the official zoning map, the petitioner shall submit the following information:
1. A legal description of the property, including a street address and tax code number(s).
 2. A scaled map of the property, correlated with the legal description, and clearly showing the property's location.

3. The name and address of the petitioner, the record owner, and all other parties claiming an interest in said property.
 4. The petitioner's interest in the property. If the petitioner is not the owner of record, the name and address of the owner(s) of record, and other interested parties signed consent to the petition. The consent of mortgagees, liens, and similar such parties shall not be required.
 5. Signature(s) of petition(s) and owner(s) certifying the accuracy of the information.
 6. Identification of the zoning district requested and the existing zoning classification of property.
 7. A vicinity map showing the location of the property, and adjacent land uses and zoning districts.
- B. If a petition involves a change in the text of the zoning ordinance, the petitioner shall submit the following information:
1. A detailed statement of the proposed amendment, clearly and completely setting forth all proposed provisions and regulations, including all changes in the zoning ordinance necessary to accommodate the proposed amendment.
 2. Name and address of the petitioner.
 3. Reasons for the proposed amendment.

SECTION 17.05 REVIEW

- A. In reviewing any petition for a zoning amendment, the Planning Commission shall evaluate all factors relevant to the petition and shall make its recommendations for disposition of the petition to the Township Board within a period of sixty (60) days from the date of the Public Hearing. The time limit may be extended by mutual written agreement between the Planning Commission and the applicant.
- B. The factors to be considered by the Planning Commission may include, but shall not be limited to, the following:
1. Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.
 2. The precedents and the possible effects of such precedents, which might result from approval or denial of the petition.

3. The capability of the Township or other government agencies to provide any services, facilities, and/or programs that might be required if the petition were approved.
 4. Effect of approval of the petition on the condition and/or value of property in the Township or in adjacent jurisdictions.
 5. Effect of approval of the petition on adopted development policies of Blissfield Township and other government units.
- C. All findings shall be made a part of the public records of the meetings of the Planning Commission and the Township Board.

SECTION 17.06 CONDITIONAL REZONING OF LAND

As an alternative to a rezoning amendment as described in Section 17.01 of this Ordinance, Blissfield Township may allow conditional rezoning to help ensure the proper use of land and natural resources and to allow for a more flexible approach to the rezoning process in accordance with Act. No. 110 of Public Acts of Michigan of 2006 as amended. It is recognized that, in certain instances, it would be an advantage to both the Township and petitioners seeking rezoning of land if a site plan, along with conditions and limitations that may be relied upon by the Township, could be proposed as part of a petition for rezoning. Conditional rezoning of land must follow the standards and procedures as noted below.

- A. The amendment procedure for a conditional rezoning shall follow the same procedures as a traditional rezoning amendment pursuant to Section 17.03 of this Ordinance.
- B. In addition to the procedures as noted in Section 17.03, the following specific procedures, standards, and requirements apply to all proposed conditional rezoning requests.
 1. A conditional rezoning request must be voluntarily offered by an owner of land within the Township. All offers must be made in writing and must provide the specific conditions to be considered by the Township as a part of the rezoning request. All offers shall be in the form of a written agreement approvable by the Township and property owner, incorporating the conditional rezoning site plan and setting forth any conditions and terms mutually agreed upon by the parties relative to the land for which the conditional rezoning is sought.
 2. Conditional rezoning shall not allow a use or activity that would not otherwise be allowed in the proposed zoning district.
 3. Conditional rezoning shall not alter any of the various zoning requirements for the use(s) in question, i.e. parking, landscaping, lot area, lot width, building height, setbacks, lot area coverage, etc. Conditional rezoning shall not grant zoning

variances of any kind. Any zoning variance must follow the provisions of Article 16 of this Ordinance.

4. Conditional rezoning shall not grant special land use approval. The process for review and approval of special land uses must follow the provisions of Article 8 of this Ordinance.
5. All conditions offered by a land owner in relation to a rezoning request must have a direct relationship to the rezoning itself. The provisions to allow conditional rezoning shall not be construed to allow rezoning by extraction.
6. In addition to the informational requirements provided for in Section 17.04 of this ordinance, the applicant must provide a conditional rezoning site plan prepared by a licensed professional allowed to prepare such plans under this Ordinance, that may show the location, size, height, or other measures for and/or of building, structures, improvements, and features on, and in some cases adjacent to, the property that is the subject of the conditional rezoning of land. The details to be offered or inclusion in the conditional rezoning site plan shall be determined by the applicant, subject to approval of the Township. A conditional rezoning site plan shall not replace the requirement under this Ordinance for site plan review and approval, or subdivision or site condominium approval, as the case may be.

C. Time limits and reversions of land to previous district.

1. If the proposed conditions of rezonings are acceptable to the Township, the Township may establish a time period during which the conditions apply to the property and must be met. If the conditions are not satisfied within the time specified under this section, the property shall revert to its former zoning classification unless an extension is granted as noted below. Reversion of a property back to its former classification must follow the rezoning amendment provisions as provided in Section 17.03 of the Zoning Ordinance.
2. Unless a reversion of the zoning takes place as described in the action above, the approved conditional rezoning shall be binding upon the subject property owner, their heirs, successors, assigns, and transferees.
3. Upon approval of conditional rezoning, a copy of the written agreement between the property owner and the Township shall be filed with the Lenawee County Register of Deeds, which shall act to provide notice to all subsequent owners of the property of the conditions approved and agreed to by the Township and the owner.
4. The Township may not add to or alter any conditions approved as a part of a rezoning during the time period specified above.

5. The time limits specified and approved by the Township may be extended upon the application of the landowner and approval of the Township.
- D. Review procedures. The factors found in section 17.05 of this Ordinance must be considered in any conditional rezoning request.

SECTION 17.07 CONFORMANCE TO COURT DECREE

Any amendment to this Ordinance for the purpose of conforming a provision thereof to the decree of a court of competent jurisdiction shall be adopted by the Township Board and the amendment published without referring same to any other board agency.

SECTION 17.08 PUBLICATION

Following Township Board approval of a petition to amend the zoning ordinance, notice of the amendment shall be published within fifteen (15) days after adoption in a newspaper of general circulation within Blissfield Township. The notice of adoption shall include the following information:

- A. Either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.
- B. The effective date of the amendment.
- C. The place and time where a copy of the ordinance may be purchased or inspected.

APPENDIX A – FIGURES

Figure 1
Basement Definition

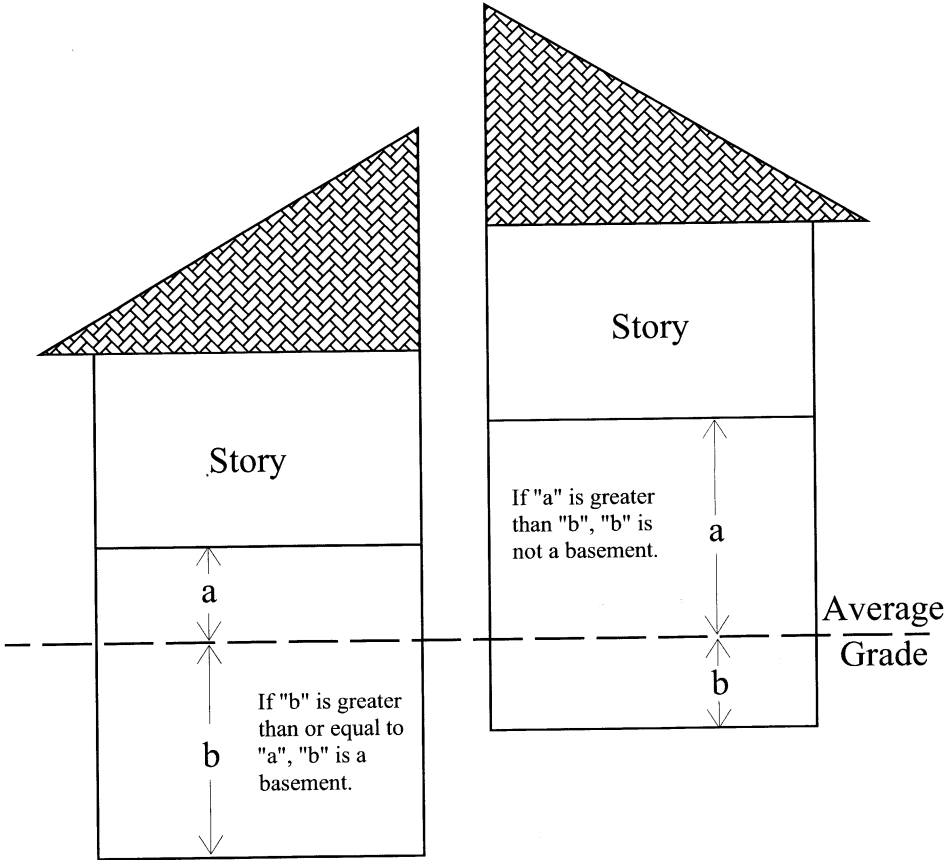


Figure 2
Measuring Building Height

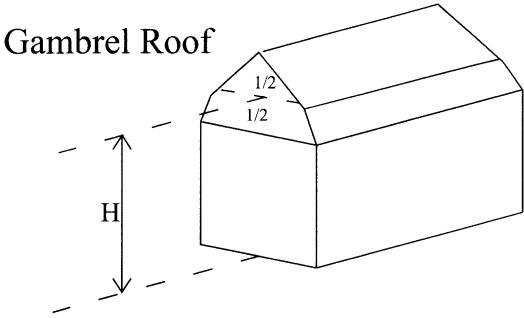
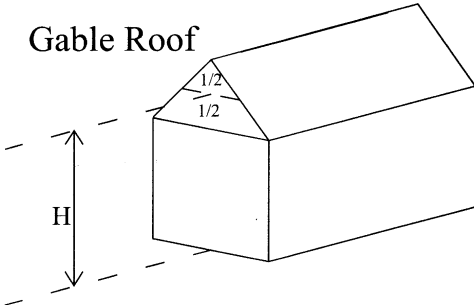
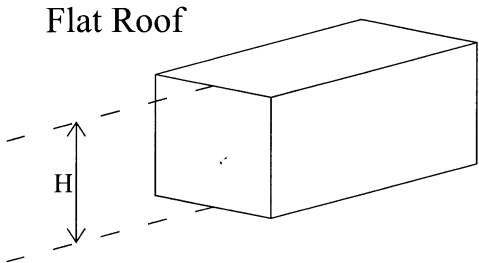
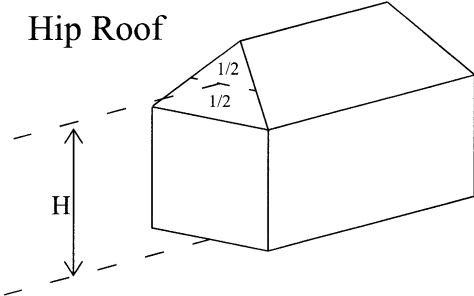
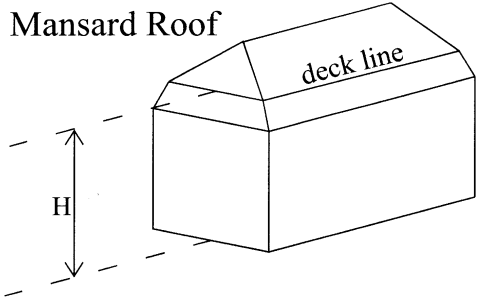
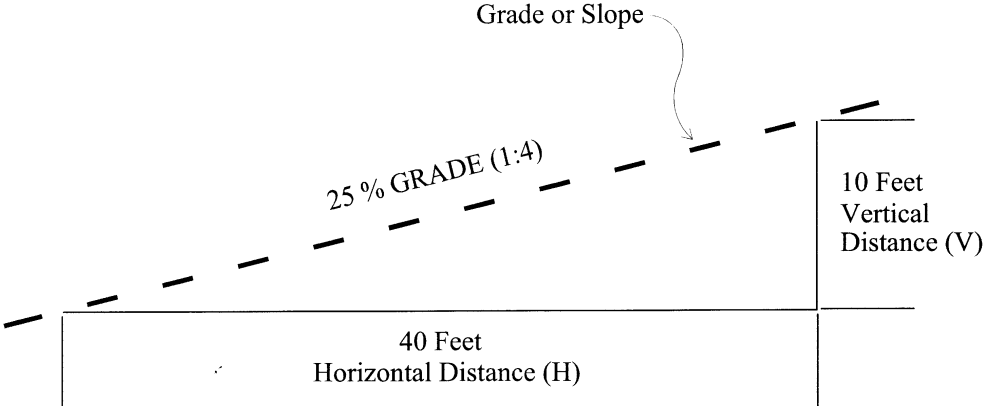
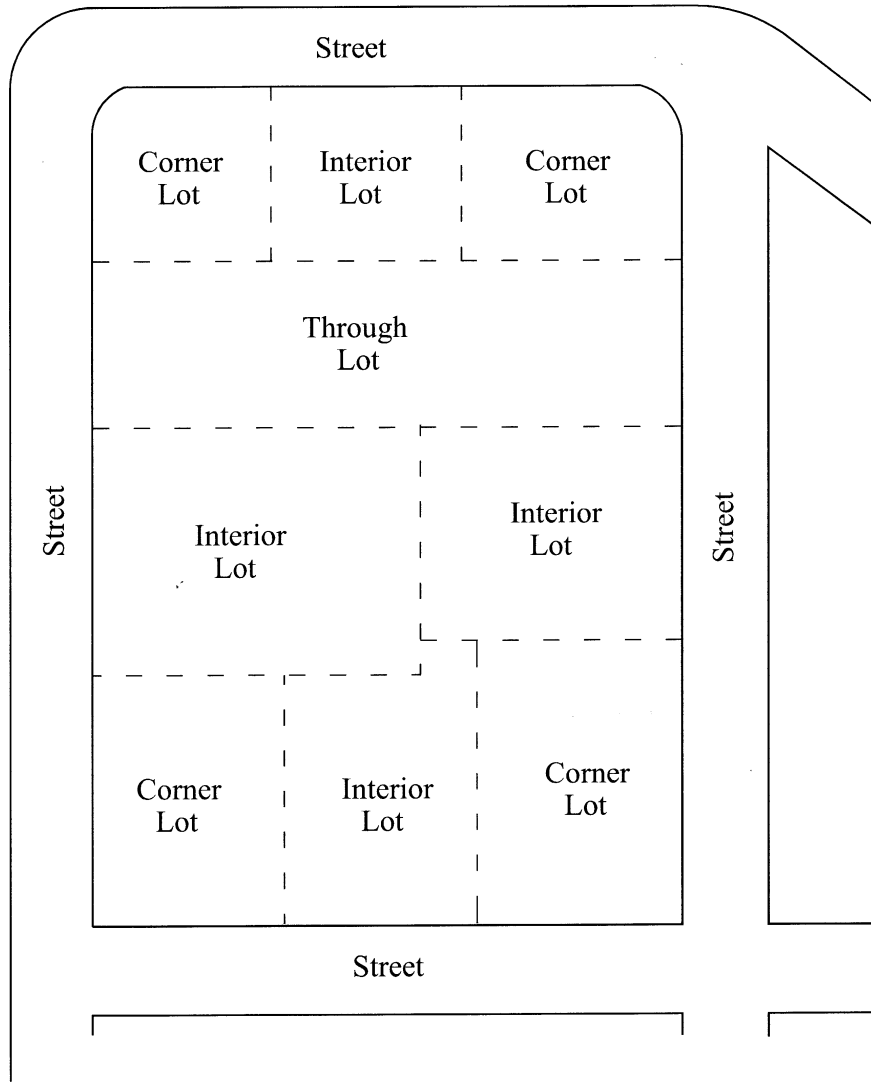


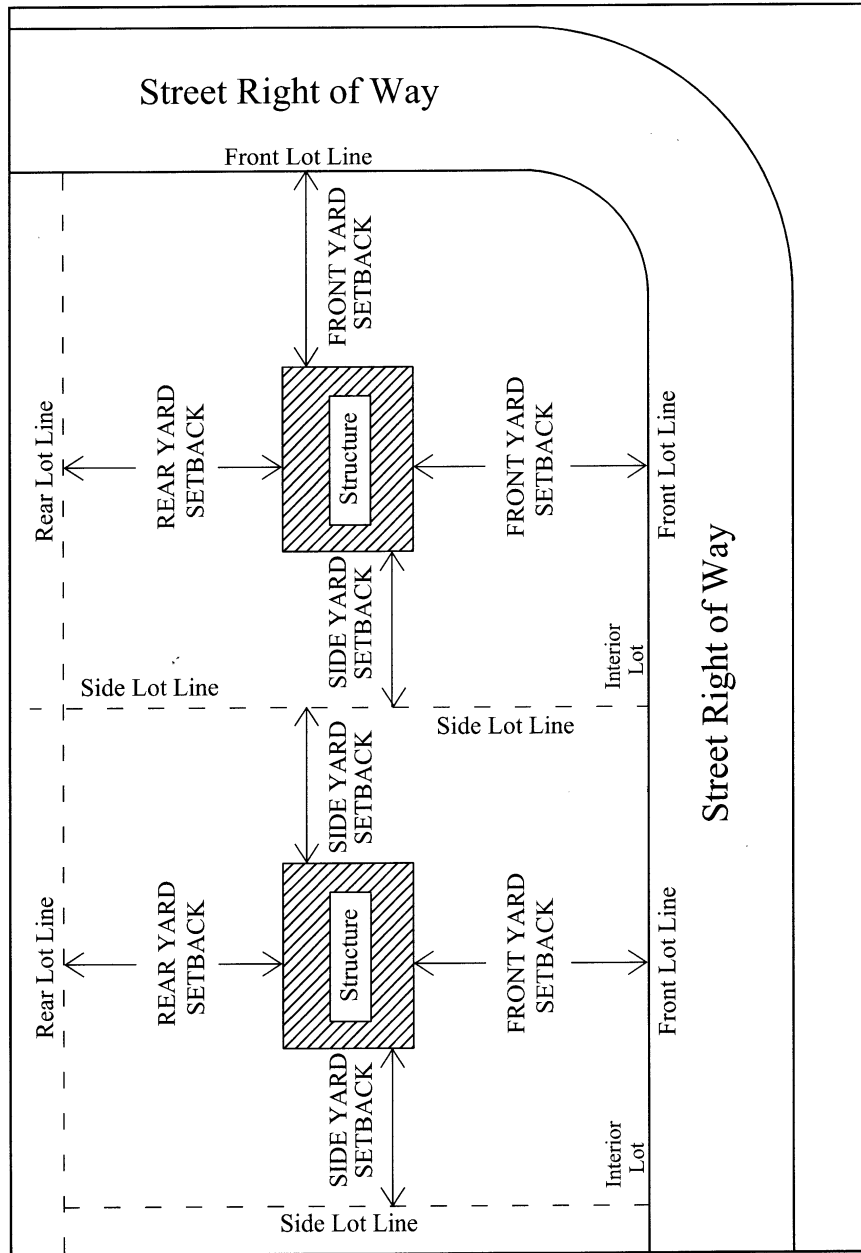
Figure 3
Grade



**Figure 4
Lot Types**



**Figure 5
Yards and Setbacks**



**Figure 6
Parallel Parking**

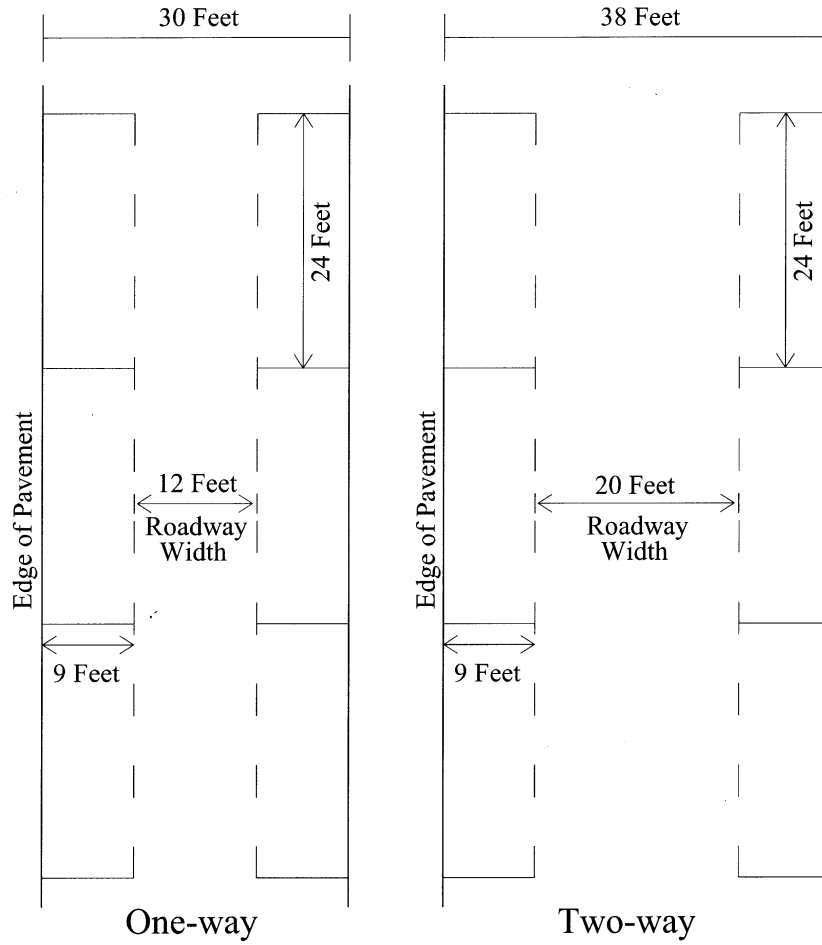
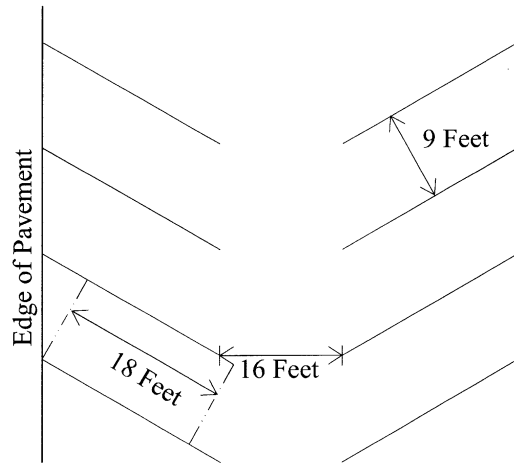
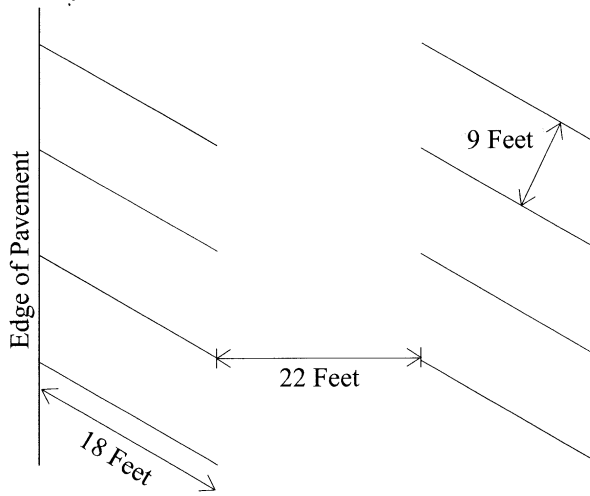


Figure 7
Parking (30° - 53°)



One-way



Two-way

Figure 8
Parking (54° - 74°)

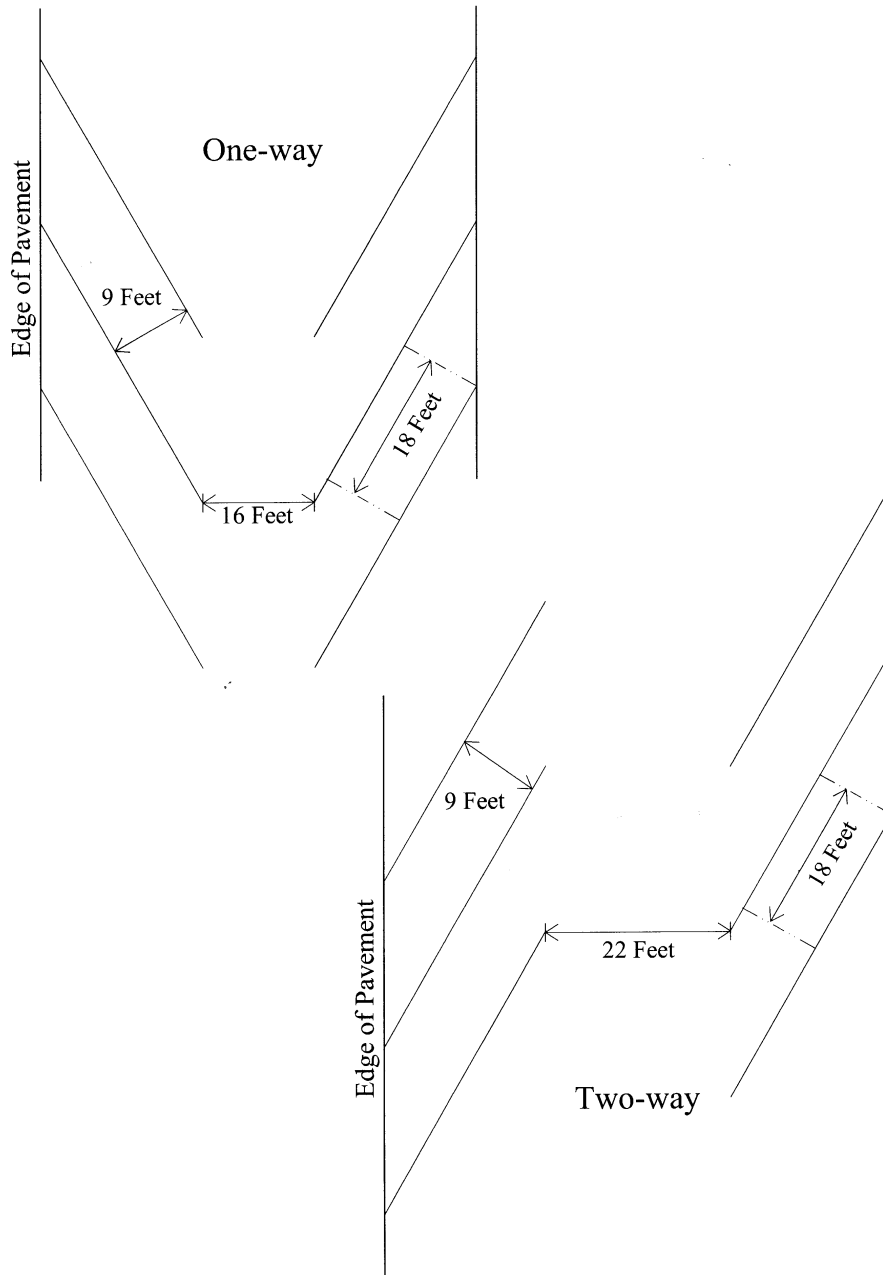


Figure 9
Parking (75° - 90°)

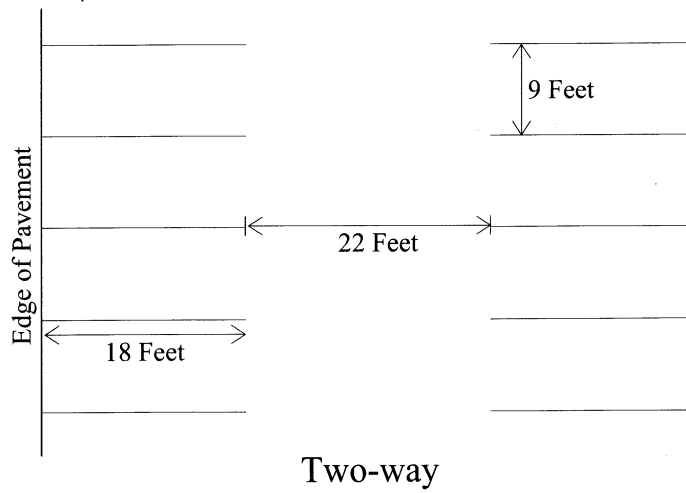
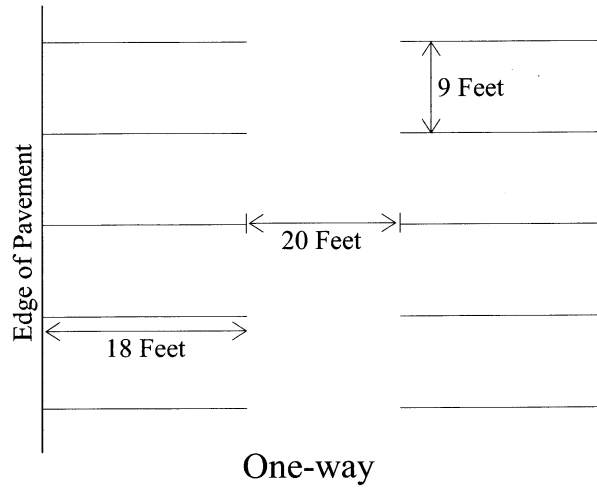


Figure 10
Off-Street Stacking Spaces and Lanes for Drive-Through Facilities

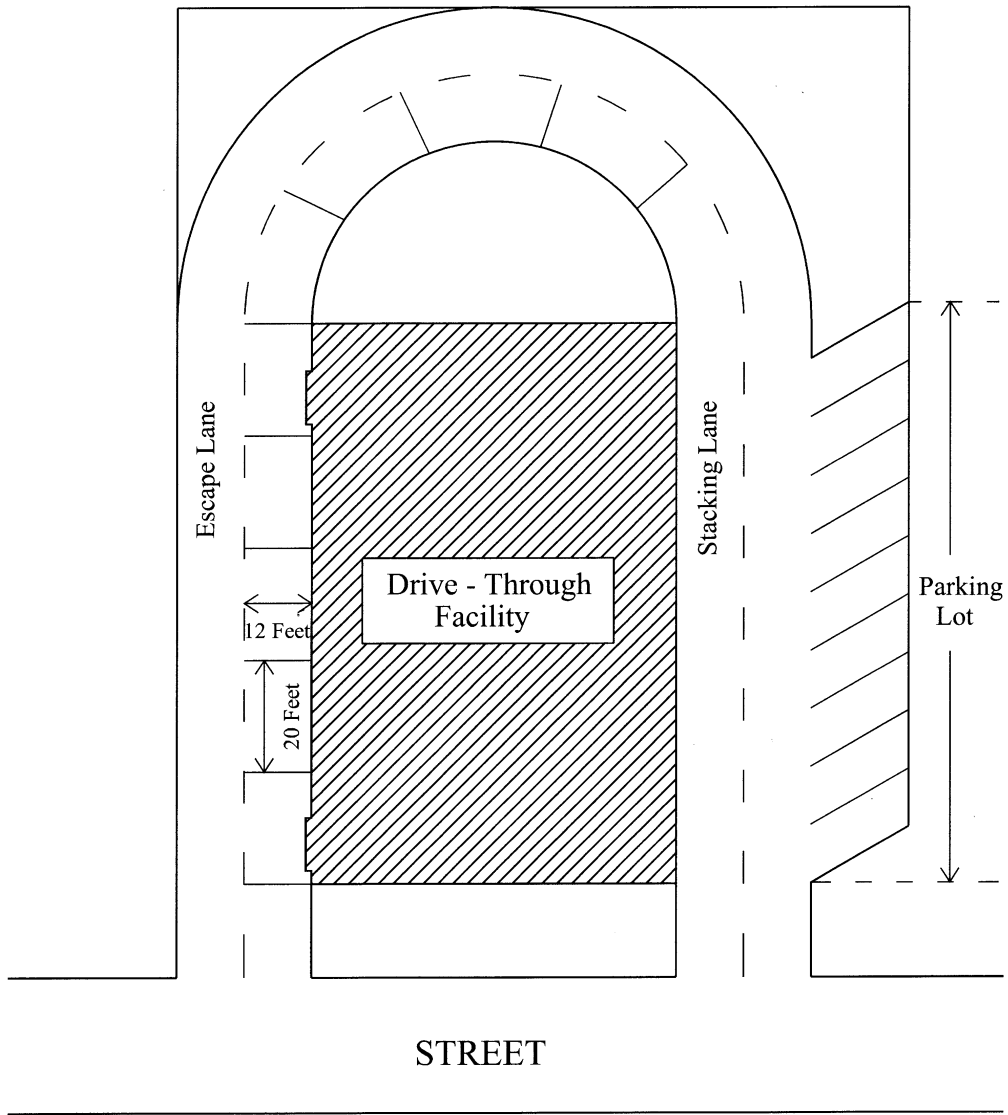


Figure 11
Screening Between Conflicting Land Uses

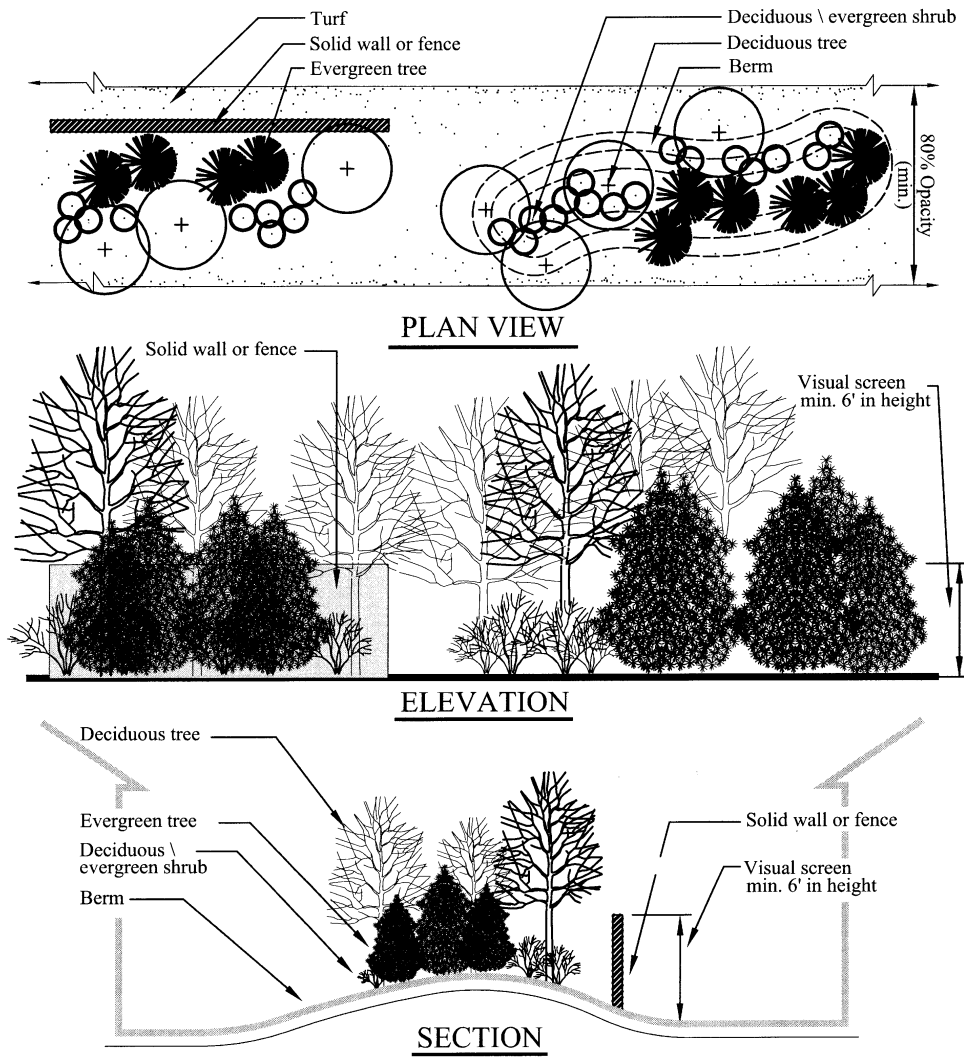
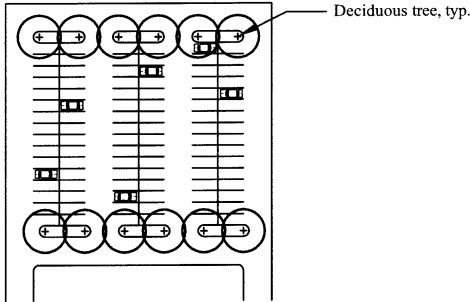
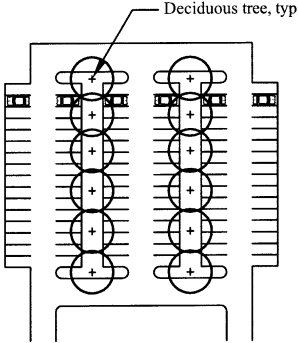


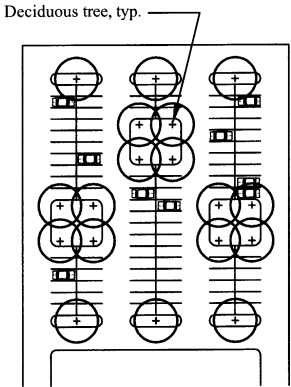
Figure 12
Parking Lot Landscaping – Interior Parking Areas



TREES IN END ISLANDS

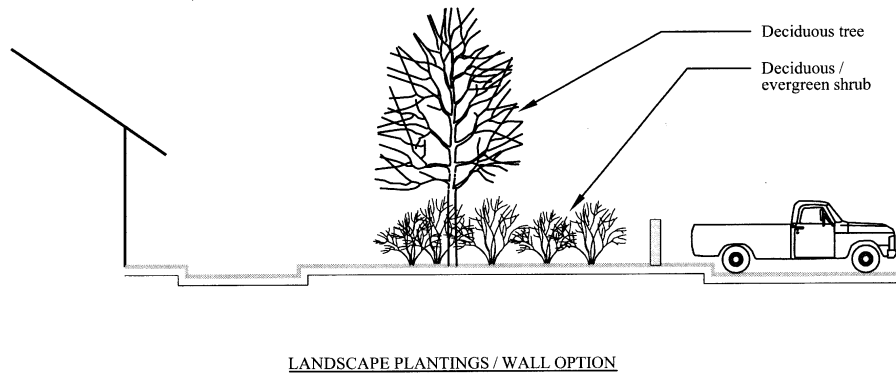
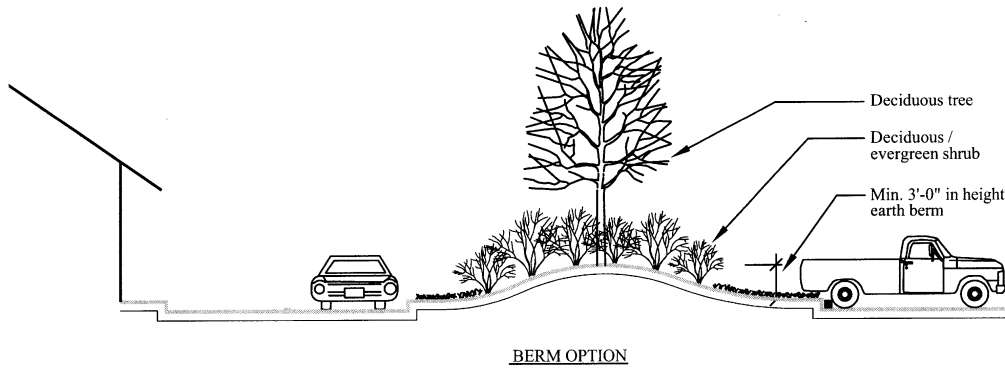


LANDSCAPE MEDIAN



LANDSCAPE ISLANDS

Figure 13
Parking Lot Landscaping – Perimeter Parking Lot



**Figure 14
Greenbelt Buffer**

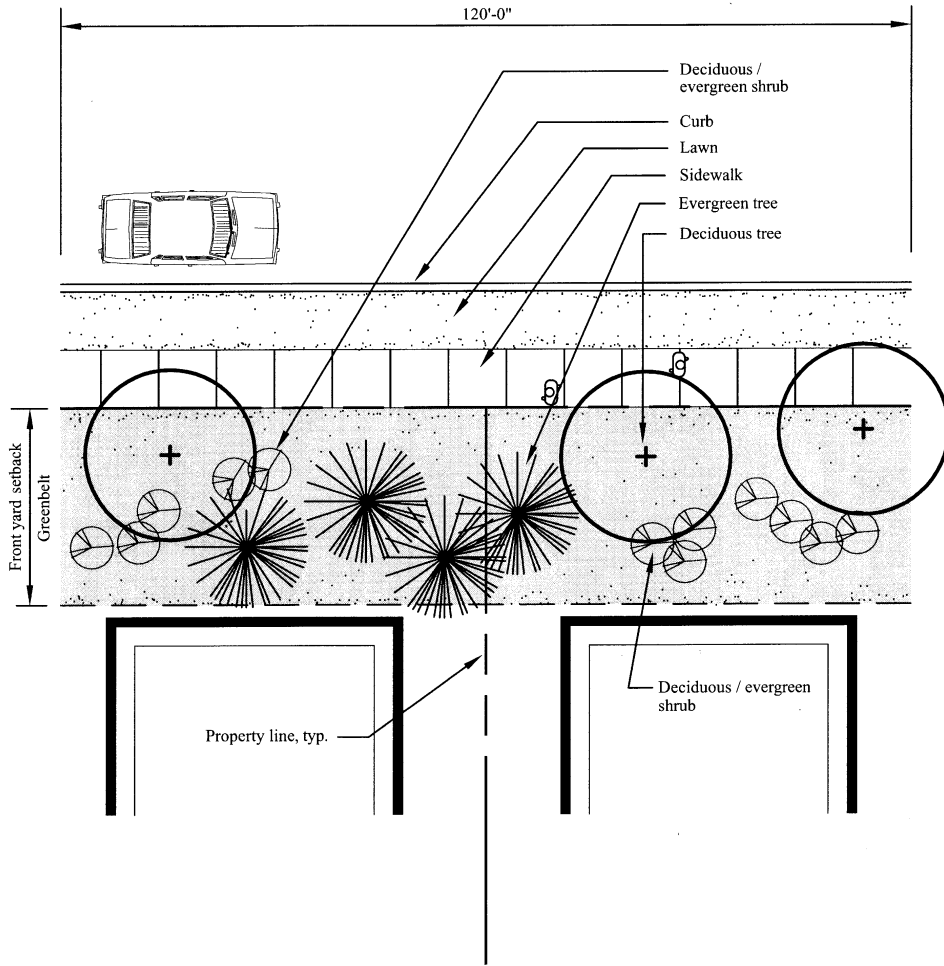


Figure 15
Trash Container Screening

