

ARTICLE 5.0 USE STANDARDS

Section 5.001 Intent.

Each use listed in this Article, whether permitted by right or subject to approval of a Conditional Use Permit, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the zoning district in which the use is located. The standards of this Article are intended to:

1. Alleviate any adverse impacts of a use that is of an area, intensity or type unique or atypical for the district in which the use is allowed.
2. Mitigate the impact of a use that possesses characteristics unique or atypical for the district in which the use is allowed.
3. Ensure that such uses will be compatible with surrounding land uses.
4. Promote the orderly development of the district and the Township as a whole.

Section 5.002 Scope of Regulations.

Unless otherwise specified in this Article, all uses shall be subject to the applicable dimensional and use standards for the zoning district in which the use is located. All uses shall comply with the performance standards for noise, odor, and other impacts specified in Section 6.17 (Performance Standards). Conformance with these standards shall be subject to site plan approval, where required per this Article or Article 15.0 (Site Plan Review).

Section 5.003 Organization.

For the purposes of clarity and ease of use, the provisions of this Article have been organized into the following divisions:

SECTION 5.100 RURAL USES

SECTION 5.200 RESIDENTIAL USES

SECTION 5.300 OFFICE, SERVICE, AND COMMUNITY USES

SECTION 5.400 COMMERCIAL USES

SECTION 5.500 INDUSTRIAL, RESEARCH, AND LABORATORY USES

SECTION 5.600 OTHER USES

SECTION 5.100 RURAL USES

Section 5.101 Farm-Based Tourism Activities.

Farms providing tourism-oriented facilities or activities for promotion of agriculture, rural lifestyle or farm product sales shall be subject to the following:

A. Use Standards.

Land uses permitted under this Section shall be consistent with the definitions of "farm-based tourism activities" per Section 2.03 (Definitions), and shall be limited to the following:

1. Agricultural festivals and events.
2. Farm-based seasonal recreational attractions, such as a petting farm or play area, corn mazes or hayrides.
3. Winery or cider mill.
4. Farm-based educational center.
5. Similar facilities and activities, as accepted by the Planning Commission.

B. Additional Standards.

The following additional standards shall apply to all farm-based tourism-oriented facilities or activities and farm markets:

1. Facilities for such activities shall have direct access to one (1) or more paved or gravel public through roads. Primary access via a local subdivision street, private road, or dead-end road shall not satisfy this requirement.
2. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval per Article 15.0 (Site Plan Review). Such plan shall show the intended use and location of all structures, growing areas, parking facilities, necessary sanitary facilities, roads and drives to be utilized by the public, pedestrian circulation, location of service areas for various facilities, any proposed exterior lighting for the event or activity, and transition plantings or screening devices.
3. Screening shall be provided per Section 10.10D (Methods of Screening) where an off-site abutting dwelling is occupied within 200 feet of such facilities or activities. Crop growing areas of a depth of not less than 300 feet may be permitted to satisfy this requirement.
4. No part of an event or activity shall intrude into any road right-of-way.
5. Noise levels shall not exceed 65 decibels at any lot boundary or right-of-way.
6. The hours of operation of any outdoor facilities shall be subject to Planning Commission approval.

Section 5.102 Farm Markets and Agricultural Services.

Farm markets, agricultural service establishments, farm implement sales or repair, bulk feed and fertilizer supply outlets, and similar uses shall be subject to the following:

1. Such uses shall conform to all parking, loading, screening, and other site development standards that apply to retail stores, and shall be subject to site plan approval per Article 15.0 (Site Plan Review).
2. A minimum of fifty percent (50%) of the produce or products offered for sale in a permitted farm market shall be grown or produced on land in Michigan, or made from produce grown or material produced on land in Michigan.
3. Any outdoor storage areas shall be adequately screened and covered in compliance with Section 5.504 (Outdoor Storage, General).
4. All signs shall comply with the requirements of Article 12.0 (Sign Regulations).

Section 5.103 Farm Products Direct Marketing Businesses.

Farm products direct marketing businesses listed in Article 4.0 (Land Use Table) as an accessory use shall only be permitted in the zoning district accessory to an active farm operation. Such businesses shall include "you-pick" commercial agricultural operations, direct sales to area businesses, restaurants, and retail stores, Internet-based sales of farm products, and similar businesses.

Section 5.104 Greenhouse.

This Section shall not apply to a residential greenhouse structure accessory to a single-family dwelling. Such residential greenhouses shall conform to all requirements of Section 6.01 (Accessory Structures and Uses). The following shall apply to all other greenhouses:

1. Retail sales of greenhouse products shall be permitted as an accessory use, subject to site plan approval per Article 15.0 (Site Plan Review) and compliance with all parking, loading, screening, and other site development standards that apply to COMMERCIAL USES.
2. Storage, sales, and display areas shall comply with the minimum setback requirements for the zoning district in which the establishment is located.
3. Plant growing areas shall be located outside of all road rights-of-way and corner clearance areas as defined in Section 3.208 (Corner Clearance Areas).
4. The storage of loose materials shall be contained and covered to prevent it from blowing onto adjacent properties and from access by animals.
5. Where greenhouses and tree farms are listed in Article 4.0 (Land Use Table) as a permitted accessory use, such uses shall be accessory to an active farm operation.

Section 5.105 Keeping of Livestock or Bees, Non-Farm.

Non-farm beekeeping or raising and keeping of a limited number of poultry, rabbits, cows, sheep, goats, llamas and similar domesticated livestock shall be subject to the following:

1. Non-farm raising and keeping of such animals shall be clearly incidental to the principal use of the property as a single-family dwelling, and shall be prohibited within any subdivision plat or site condominium development.
2. The non-farm raising and keeping of bees shall require a minimum lot area of one (1) acre.
3. The non-farm raising and keeping of poultry, rabbits, pygmy goats and similar small livestock for food, wool, pelts, or other farm products shall require a minimum lot area of three (3) acres.
4. The raising and keeping of horses, cows, sheep, goats, llamas and similar domesticated livestock shall require a minimum lot width of 250 feet, and a minimum lot area of six (6) acres for the first two (2) animals.
 - a. One (1) additional acre shall be required for each additional animal for lots of less than ten (10) acres.
 - b. The number of livestock on lots ten (10) acres and larger shall conform to Generally Accepted Agricultural Management Practices (GAAMPS) established by the Michigan Department of Agriculture.
5. Structures for keeping such livestock or bees shall be set back a minimum of 60 feet from all lot boundaries, and 100 feet from any dwelling. All outdoor pens, corrals, pastures, and paddocks shall be located outside of the required yard setback areas for the zoning district.
6. All facilities shall be so constructed and maintained that odor, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining premises.

This Section shall not apply to apiaries or keeping of animals part of an active farm operation maintained in conformance with the Right to Farm Act and Generally Accepted Agricultural Management Practices (GAAMPS) established by the Michigan Department of Agriculture.

Section 5.106 Kennel.

Kennels, animal shelters, animal day care operations, similar animal care facilities, and any other building, lot or premises with a population of or capacity to receive five (5) or more dogs over six (6) months in age shall be subject to the following:

1. For small kennel facilities with a population of or capacity to receive up to 12 dogs over six (6) months in age, minor site plan approval shall be required per Article 15.0 (Site Plan Review). All other kennels shall be subject to review and approval of a preliminary and a final site plan.
2. Kennels shall have a minimum lot area of ten (10) acres.

3. Structures or pens where animals are kept, outdoor runs, and exercise areas shall be set back a minimum of 300 feet from road rights-of-way, and 100 feet from side and rear lot boundaries. Such facilities shall not be located in any required yard setback areas, and shall be screened in accordance with Section 10.10D (Methods of Screening).
4. The facility shall be so constructed and maintained that odors, dust, noise, light, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
5. Animals shall be adequately housed, fenced, and maintained so as not to be or become a public or private nuisance. All animals shall be enclosed within a building at night.
6. The kennel shall be established and maintained in accordance with applicable sanitation regulations.
7. All outdoor animal pens shall be enclosed with a six (6) foot high safety fence. Animal pen surfaces shall be of concrete pitched to contain and drain run-off from cleaning to a septic tank or other County approved system.

Section 5.107 Nursery.

Nursery operations, as defined in Section 19.03 (Definitions), shall be subject to the following:

1. Retail sales of unprocessed/prepared nursery products raised on the premises shall be permitted as an accessory use on the site, subject to site plan approval per Article 15.0 (Site Plan Review) and compliance with all parking, loading, screening, and other site development standards that apply to COMMERCIAL USES.
2. Any building or structure located on a parcel used for such purpose shall be secondary and incidental for such raising or growing of such products and may be used only for the storage of equipment and materials necessary for such raising or growing on such site or on parcels under the same ownership used for the same purpose.
3. Dump trucks and trailers, bulldozers, backhoes, and similar types of heavy equipment shall not be permitted accessory to a nursery operation. Tree spades and other equipment necessary for the nursery operation shall be used only in accordance with the requirements of this Section.
4. Landscape supply yards and/or contracting facilities, and storage yards shall not be allowed as part of a nursery operation.
5. Any operation exceeding the limitations of this Section shall be subject to Special Use Permit approval as a landscape operation per Section 5.306 (Landscape and Maintenance Operations).

Section 5.108 Private Riding Arenas and Stables.

All non-commercial or not-for-profit stables and facilities for the private rearing, schooling and housing of horses, mules, ponies and similar equine riding animals shall be subject to the following:

1. A dwelling in a principal building for the property owner or operator of the private stable shall be located on the same or an adjoining lot.
2. The lot area shall not be less than ten (10) contiguous acres under single ownership.
3. All stable and arena buildings, corrals, and similar structures shall be set back a minimum of 50 feet from all lot boundaries.
4. Such facilities or areas shall not be located within any required front yard setback, and shall be located no closer to any road rights-of-way than rear building line of any dwelling on the subject lot.
5. A fenced area for pasturing, exercising or riding such animals may extend to the front, rear or side lot lines. All such animals shall be kept confined within a fenced area when not being ridden, under harness, or when not in their stable and arena building, corral or similar structure.
6. The facility shall be constructed and maintained in accordance with the Right to Farm Act and Generally Accepted Agricultural Management Practices (GAAMPS) from the Michigan Department of Agriculture, so that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
7. There shall be no commercial activity, other than incidental sales not unusual for a residential use.
8. Approval of a certificate of zoning compliance shall be required per Section 1.07 (Certificates of Zoning Compliance). No formal site plan shall be necessary unless otherwise required by this Ordinance.

Section 5.109 Public or Commercial Riding Stables.

Public or commercial riding stables and academies for the rearing, schooling and housing of horses, mules, ponies and similar equine riding animals available or intended for use by the public or for hire on a per diem, hourly or weekly basis shall be subject to the following:

1. The minimum gross lot area shall be 20 acres.
2. The applicant shall provide 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 facility use.
3. All stable and arena buildings, corrals, and similar structures shall be set back a minimum of 50 feet from all lot boundaries.

4. Fenced areas for pasturing, exercising or riding such animals may extend to the front, rear or side lot lines. All such animals shall be kept confined within a fenced area when not being ridden, under harness, or when not in their stable and arena building, corral or similar structure.
5. The facility shall be constructed and maintained in accordance with the Right to Farm Act and Generally Accepted Agricultural Management Practices (GAAMPS) of the Michigan Department of Agriculture, so that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
6. Parking for patrons and employees shall be provided in compliance with Article 11.0 (Off-Street Parking, Loading, and Access).
7. Such uses shall be subject to site plan approval per Article 15.0 (Site Plan Review).

Section 5.110 Roadside Stands.

Roadside stands up to 250 square feet in gross floor area shall be permitted accessory to any RURAL USES, subject to the following:

1. Suitable trash containers shall be placed on the premises for public use.
2. Roadside stand structure(s) shall be set back outside of all road rights-of-way, and shall be removed from the roadside location during seasons when not in use.
3. Any roadside stand shall have at least five (5) off-street parking spaces, which need not be paved with asphalt or concrete. Parking spaces shall be located outside of road rights-of-way.
4. All signs used in connection with the use shall be temporary, and shall comply with the requirements of Article 12.0 (Sign Regulations). Such signs shall be removed when the stand is not in use.
5. Any roadside stand exceeding the limitations of this Section shall be subject to conditional use permit approval as a farm-based tourism facility per Section 5.101 (Farm-Based Tourism Activities).

Section 5.111 Veterinary Clinics.

Veterinary clinics shall comply with the following:

1. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval per Article 15.0 (Site Plan Review).
2. All activities shall be conducted within a completely enclosed building, except that an outdoor exercise area shall be permitted, subject to the following:
 - a. Such areas shall be enclosed by a six (6) foot high safety fence.

- b. Such exercise areas shall not be located in any required yard setback areas, and shall be set back a minimum of 50 feet from road rights-of-way, side and rear lot boundaries, and any watercourse.
 - c. Such areas shall be screened in accordance with Section 10.10D (Methods of Screening).
3. The facility shall be so constructed and maintained that odors, dust, noise, exterior lighting, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
4. Keeping of animals for overnight care shall be limited to the interior of the principal building. Treatment of non-domesticated animals shall be permitted.
5. Operation shall include proper control of animal waste, odor, and noise.

**SECTION 5.200
RESIDENTIAL USES****Section 5.201 Accessory Dwelling.**

It is the intent of this Section to permit accessory dwellings within principal single-family dwellings in the Rural Districts and Residential Districts for the purposes of providing a variety of housing options in the Township; accommodating the desire of some senior citizens, family groups, and other persons with special needs for private housing close to relatives; and providing additional housing accessory to RURAL USES. It is further the intent of this Section to permit dwellings accessory to certain non-residential land uses in the Business Districts, subject to specific standards designed to preserve the intended character of the zoning district.

The standards of this Section are designed to prevent the undesirable proliferation of multiple-family buildings in rural and single-family residential areas of the Township, and to preserve the character and appearance of commercial buildings that include an accessory dwelling unit. Accessory dwellings shall be subject to the following standards:

A. Accessory to a Farm Operation.

One (1) accessory dwelling unit may be permitted accessory to an active farming or agricultural operation on the same lot with a principal dwelling in the Rural Districts, as allowed and provided for in Article 4.0 (Land Use Table), and subject to the following:

1. The accessory dwelling may be located within the principal dwelling, or may be located in a separate residential building on the same lot. All buildings shall conform to the requirements of Article 3.0 (Dimensional Standards).
2. Use of the accessory dwelling shall be limited to an on-site herdsman, farm operations manager, caretaker or similar employee of the farming or agricultural operation and immediate family members or dependents.
3. Parking shall be provided for the accessory dwelling per Article 11.0 (Off-Street Parking and Loading Regulations).

B. Accessory to Single-Family Dwellings.

The following shall apply to dwelling units accessory to single-family dwellings in the Rural Districts and Residential Districts:

1. A maximum of one (1) accessory dwelling unit shall be permitted per principal dwelling.
2. Sufficient land area shall be available for the principal dwelling and accessory dwelling unit to each conform to the minimum lot area requirements for the zoning district, as specified in Article 3.0 (Dimensional Standards).
3. All accessory dwelling units shall be located entirely within the principal building. Accessory dwelling units shall be prohibited in any detached accessory structures.
4. The exterior of the principal building shall remain unchanged, so that it does not give the appearance of being divided into separate units.

5. Accessory dwelling units shall have a minimum gross floor area of 300 square-feet, and shall not occupy more than twenty five percent (25%) of the principal building's gross floor area.
6. Accessory dwelling units shall be clearly secondary to the use of the dwelling as a residence. The principal building shall be the primary and permanent legal residence of the property owner(s), and shall occupy a minimum of 1,200 square feet of gross floor area in the principal building.

C. Accessory to Non-Residential Uses.

The following shall apply to dwelling units accessory to non-residential uses as permitted by this Ordinance:

1. Accessory dwelling units shall be located within the principal building.
2. Accessory dwelling units shall have separate kitchen, bath, and toilet facilities and a private entrance. Where there is more than one (1) accessory dwelling unit in a building, such entrances may be provided from a common hallway.

D. Approval Required.

Construction or expansion of an accessory dwelling unit shall be subject to site plan approval per Article 15.0 (Site Plan Review). The site plan application shall include submittal of floor plans, building elevation drawings, and a plot plan of the lot to verify compliance with this Ordinance. For dwellings served by privately owned well or septic facilities, proof of adequate system capacity shall be provided to the Township.

Section 5.202 Bed and Breakfast Inn.

Bed and breakfast inns shall comply with the following:

A. Approval.

Bed and breakfast inns shall be subject to site plan approval per Article 15.0 (Site Plan Review). The site plan application shall include floor plans with the dimensions and floor areas of all rooms and areas to be used by guests (sleeping rooms, bathrooms, dining areas, etc.), and the locations of required exits, emergency exit routes, tornado protection locations, smoke detectors, and carbon monoxide detectors.

Final approval of any conditional use permit or site plan for a bed and breakfast inn shall not become effective and the bed and breakfast inn shall not be operated for business until all required state and county licenses and permits have been issued. The operator shall provide the Township with copies of such licenses and permits, and written evidence of inspection and compliance with applicable codes and regulations, as part of any application for approval, and at any time upon request by the Zoning Administrator.

B. General Regulations.

A bed and breakfast inn shall be permitted only in a single-family detached dwelling unit that is the principal dwelling unit on the property.

1. A dwelling unit containing a bed and breakfast operation shall be the principal residence of the operator and the operator shall live in the principal dwelling unit during the time that the bed and breakfast operation is active.
2. A dwelling unit containing a bed and breakfast inn shall comply with State of Michigan regulations for bed and breakfast operations, the State Construction Code, applicable fire safety regulations, and other applicable regulations. The dwelling shall be regularly maintained so as to remain in compliance with all applicable state laws, codes, and regulations.

C. Specifications.

The principal dwelling for a bed and breakfast inn shall have a minimum floor area of 1,500 square feet, excluding basement and garage floor areas.

1. Not more than six (6) bedrooms shall be provided for bed and breakfast operations in any one single-family detached dwelling.
 - a. If the applicant cannot comply with the off-street parking requirements of this Section and Ordinance, the number of permitted rooms shall be reduced to that number which is served by available off-street parking.
 - b. The Planning Commission may also reduce the number of permitted rooms upon determination that the use of the site for off-street parking to meet the requirements of the Section would adversely affect the residential character of the site or impact abutting RESIDENTIAL USES.
2. Lavatories, toilets, and bathing facilities shall be available within the principal structure to all persons using the bed and breakfast operation in that structure.
 - a. At least one (1) bathroom containing a lavatory, toilet, and bathtub or shower shall be provided for each two (2) sleeping rooms.
 - b. Bathrooms required under this subsection for guests shall be in addition to the facilities utilized by the resident family. Sharing of bathrooms between guests and the resident family shall not be permitted.
3. No kitchen or other food preparation area or facilities shall be provided in or available to the rooms in a bed and breakfast inn. Cooking facilities in a dwelling containing a bed and breakfast inn shall be limited to the residential kitchen.

D. Scope of Operation.

No retail sales or other COMMERCIAL USES shall be permitted, except incidental sales associated with the bed and breakfast operation.

1. Full breakfasts or continental breakfasts may be served to registered guests only. No other meals shall be provided to such guests.
2. Service of alcoholic beverages in a bed and breakfast inn shall be prohibited.

3. Bed and breakfast facilities shall not be used for receptions, weddings, and similar celebrations and parties, other than private events for members of the resident's immediate family.
4. The maximum length of stay for any occupant of a bed and breakfast inn shall be 14 days in any period of 90 consecutive days.

E. Signs, Parking, and Exterior Appearance.

A single-family detached dwelling unit containing a bed and breakfast inn shall have no outside appearance of the presence of the operation, except as permitted by this Section.

1. In addition to signs permitted for the principal dwelling per Article 12.0 (Sign Regulations), one (1) externally-illuminated ground sign not more than sixteen (16) square feet in area and six (6) feet in height shall be permitted for the bed and breakfast inn.
2. A minimum of one (1) off-street parking space shall be provided per sleeping room in a bed and breakfast inn; in addition to spaces required for the dwelling unit per Article 11.0 (Off-Street Parking and Loading Regulations). Parking for the bed and breakfast inn shall not be located in any required front yard, and stacking of more than two (2) vehicles in a driveway shall be prohibited.

F. Inspection and Certificate of Occupancy.

Any approved conditional use permit for a bed and breakfast inn shall not become effective and a bed and breakfast inn shall not be operated for business until the premises has been inspected by the Township's Building Authority and a certificate of occupancy has been issued with a finding of no safety violations.

Section 5.203 Farm Labor Housing.

Single-family dwelling units for temporary housing for workers and their families during the season in which they are employed in the planting, harvesting, or processing of crops or other essential but temporary agriculturally related employment associated with an active farm operation shall comply with the following:

1. Construction, expansion, and alteration of farm labor housing shall be subject to site plan approval per Article 15.0 (Site Plan Review).
2. All structures for farm labor housing shall comply with the standards of Article 3.0 (Dimensional Standards) for the zoning district, and all provisions of state laws regulating farm labor or migrant labor housing. The following additional required setbacks shall apply to farm labor housing:
 - a. Such housing shall be set back a minimum of 100 feet from all side and rear property lines and 75 feet from road rights-of-way.
 - b. Such housing shall be set back a minimum of 150 feet from any off-site single-family dwelling located on a separate parcel of property and owned by another individual or entity.

- c. Legal nonconforming farm labor housing may be expanded or enlarged, provided such expansion or enlargement does not increase the nonconformity with respect to required setback distances.
3. The number of permitted farm labor housing units associated with a farm operation shall be subject to Planning Commission approval as part of the conditional use permit.
4. The occupants shall be employed for farm labor by the farm operation owner at least fifty percent (50%) of the time while they occupy the housing.
5. Farm labor housing shall comply with the Michigan Public Health Code (P.A. 368 of 1978, as amended), including any related state or county rules and regulations. Such housing shall comply with the State Construction Code and other codes and standards that apply to the type of construction. Proof of all required outside agency permits and approvals for construction, expansion or alteration of farm labor housing shall be provided to the Township.

Section 5.204 Home Occupations.

Home occupations shall be subject to the following:

A. Use Standards.

Home occupations shall conform to the following requirements:

1. The home occupation shall qualify for and receive all applicable local, state, and federal licenses, certificate, and permits.
2. Home occupations shall be limited to single-family detached dwellings, and to other owner-occupied dwellings. The home occupation shall be conducted only within the dwelling or within an accessory structure on the parcel.
3. No persons other than members of the family residing on the premises shall be engaged in the home occupation.
4. The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes.
 - a. The total floor area used by the home occupation, whether the home occupation is conducted within the dwelling unit or within an accessory building on the same lot, shall not exceed twenty percent (20%) of the floor area of the dwelling unit.
 - b. There shall be no change in the appearance of the structure or premises, or other visible evidence of the home occupation. External and internal alterations not customary for a single-family dwelling shall be prohibited.
5. Traffic generated by a home occupation shall not be greater in volume than that normally expected within the neighborhood.

6. Parking spaces for the home occupation shall not be located in any required yard setback area, and shall be subject to the standards of Article 11.0 (Off-Street Parking and Loading Regulations).
7. No signs shall be permitted for the home occupation, other than a nameplate as permitted for a dwelling per Article 12.0 (Sign Regulations).
8. No article shall be sold on the premises except that which is prepared on-site or provided as incidental to the service or profession conducted therein.
9. Exterior display and storage of equipment or materials associated with or resulting from a home occupation shall be prohibited.
10. Customer or client visits, and deliveries associated with the home occupation shall be limited to between the hours of 7:00 a.m. and 8:00 p.m.

B. Permitted Home Occupations.

The following uses shall be permitted as home occupations:

1. Home offices for such professionals as architects, doctors, brokers, engineers, insurance agents, lawyers, realtors, accountants, writers, salespersons, and similar occupations.
2. Personal services, including beauty and barbershops (one-chair operations only) and animal grooming (provided there is no overnight keeping of animals).
3. Home office for a massage therapist, subject to the standards of Section 5.309 (Therapeutic Massage).
4. Music, dance, arts and crafts classes, and private tutoring and instruction for a maximum of five (5) pupils at any given time.
5. Studios and workshops for artists, sculptors, musicians, and photographers; and for weaving, lapidary, jewelry making, cabinetry, woodworking, weaving, sewing, tailoring and similar crafts.
6. Repair services, limited to watches and clocks, small appliances, computers, electronic devices, and similar small devices.
7. A yard or garage sale for household or personal items of the principal residents of the dwelling shall be permitted as a temporary home occupation, provided that such activities shall not exceed 15 days per calendar year.
8. Restoration of classic or antique motor vehicles, boats, and similar equipment, provided that such activities do not violate Section 5.204C (Prohibited Uses).
9. Any home occupation not specifically listed may be approved as a home occupation by the Planning Commission with a conditional use permit, subject to the provisions of this Section and Article 16.0 (Conditional Uses).

C. Prohibited Uses.

The following uses are expressly prohibited as a home occupation:

1. Motor vehicle and recreational vehicle repair, body and paint shops, welding shops, and storage or dismantling yards.
2. Kennels and veterinary clinics.
3. Medical or dental clinics.
4. Retail sales of merchandise, and eating or drinking establishments.
5. Mortuary and funeral homes.
6. Controlled uses and sexually oriented businesses.
7. Any use or process that creates noise, vibration, glare, fumes, odor, electrical interference, or similar nuisances to persons off the premises; or any use involving electrical equipment processes that create visual or audible interference with any radio or television receivers off the premises or which cause fluctuations in line voltages off the premises.
8. Any use involving outdoor display or storage of materials, goods, supplies, or equipment; or the use of machinery, equipment or facilities not commonly incidental or accessory to a residential dwelling.
9. Any use that would potentially create or exacerbate any hazard of fire, explosion, or radioactivity.
10. Uses similar to the above listed uses, or any use which would, in the determination of the Planning Commission, result in nuisance factors as defined by this Ordinance.

D. Inspection and Enforcement.

All home occupations may be subject to inspection by the Zoning Administrator to verify compliance with this Section and Ordinance. Failure to comply with this Section and Ordinance may result in Township action to seek closure of the home occupation, and such other penalties as provided for in this Ordinance.

Section 5.205 Manufactured Housing Parks.

Manufactured housing parks shall be subject to all the rules and requirements of the Mobile Home Commission Act (P.A. 96 of 1987, as amended), the Manufactured Housing Commission General Rules, and the following minimum requirements:

A. General Regulations.

1. Each dwelling unit within a manufactured housing park shall contain a complete bathroom, including flush toilet; kitchen facilities; sleeping accommodations; and plumbing and electrical connections. Travel trailers and other recreation vehicles shall not be occupied in a manufactured housing park.

2. Uniform skirting of each dwelling unit within a manufactured housing park shall be required. Such skirting shall be of 26 gauge solid sheet metal, aluminum or other non-corrosive metal or of a material of equal strength and so constructed and attached to the dwelling unit so as to deter and prevent entry of rodents and insects. Such skirting must be in place within 30 days after the dwelling unit is set on the manufactured housing park dwelling site. Skirting may be waived if the stand is recessed below the grade level or the adjacent ground, provided that the area between the recessed stand and the faces of the dwelling unit is tightly sealed against water, rodents and insects.
3. Storage of goods and articles underneath any dwelling unit or out-of-doors at any manufactured housing park dwelling site shall be prohibited.
4. Canopies and awnings may be attached to any dwelling unit and may be enclosed, subject to manufactured housing park site regulations, herein. When enclosed, such shall be considered a structure and part of the dwelling unit and building and occupancy permits issued by the Zoning Administrator shall be required.
5. On-site outdoor laundry space of adequate area and suitable location, shall be provided if the park is not furnished with indoor dryers. Where required individual clothes drying facilities shall be provided on each site by the park management.
6. All garbage and trash shall be stored in containers and said containers shall be placed in a conveniently located and aesthetically designed enclosed structure(s). Incinerators shall be prohibited. Garbage and trash removal shall be made at least once per week.
7. Every manufactured housing park shall be equipped at all times with fire extinguishing equipment in good working order of such type, size and number and so located within the park to satisfy regulations of the State Fire Marshall and the Township Fire Chief.
8. The management shall furnish a paved space suitable for washing cars, with adequate drains and running water, of ten by twenty (10x20) feet in area for each 50 manufactured housing park dwelling sites in the park. The wash area shall be screened from view from manufactured housing park dwelling sites and properties adjacent to the manufactured housing park.
9. Dealer sales of manufactured housing units and equipment, repair business for manufactured housing units, and similar commercial sales and services shall be prohibited in a manufactured housing park. The park management or a park tenant may sell a manufactured housing unit that is located on a manufactured housing park dwelling site and which was previously occupied by a resident of the park.
10. A manufactured housing park shall not limit occupancy to certain makes of manufactured housing units and shall not restrict occupancy to those manufactured housing units that might be sold by the management company. A manufactured housing unit shall be permitted occupancy of a site in a manufactured housing park if it meets the standards and regulations of this

ordinance, and the State Construction Code, as amended. A manufactured housing park may have minimum size requirements for such dwelling units.

11. Entry fees shall be prohibited.
12. All structures and utilities to be constructed, altered, or repaired in a manufactured housing park shall comply with all applicable codes of Freedom Township and the State of Michigan, including building, electrical, plumbing, liquefied petroleum gases and similar codes, and shall require permits issued therefore by the appropriate offices. All structures and improvements to be constructed or made under the State Construction Code shall have a building permit issued therefore by Freedom Township's Building Inspector. Such structures or improvements shall not be occupied until a certificate of occupancy is issued therefore by the Building Inspector.
13. Essential community facilities and services for the proposed manufactured housing parks, such as shopping centers, schools, recreation areas and police and fire protection shall be reasonably accessible to the park. A manufactured housing park shall have public sanitary sewer and water supply systems.
14. The site and surrounding area shall be suitable for residential use. It shall not be subject to hazards such as insect or rodent infestation, objectionable smoke, and noxious odors. unusual noise, subsidence, or the probability of flooding or erosion. The soil, groundwater level, drainage, rock formations, and topography shall not create hazards to the property or to the health and safety of occupants.
15. All land in a manufactured housing park shall comprise a single parcel. Public streets, except extensions of local and collector streets proposed as part of the manufactured housing park site plan, shall not bisect or divide a manufactured housing park.
16. A manufactured housing park shall not be occupied unless at least 60 dwelling sites are available for occupancy at the time of opening of the park.
17. The minimum lot size of a manufactured housing park shall be 20 acres.

B. Manufactured Housing Park Site Regulations.

The following regulations shall apply to each manufactured housing park dwelling site in a manufactured housing park.

1. Each site for a single-wide or expandable dwelling unit shall have a minimum area of 5,000 square feet and shall have a minimum width of 50 feet. Each site for double-wide dwelling units shall have a minimum area of 7,200 square feet and a minimum width of 60 feet. Corner sites shall be ten (10) feet wider than as required in this Section. The site area shall be computed on the basis of the site lines as shown on the site plan, exclusive of rights-of-way, drives, and common areas and facilities. Not more than two parking spaces shall be included in the site area. Site width shall be measured along the rear line of the required front yard, provided that the width of the site at the front site line shall not be less than 25 feet.

2. For a single-wide and expandable dwelling unit the minimum front yard shall be ten (10) feet, the minimum rear yard shall be five (5) feet, and the sum of the front and rear yards shall not be less than 30 feet. The minimum side yard shall be three (3) feet, except that the minimum side yard shall be ten (10) feet for a dwelling face with a door. For a double-wide dwelling and the minimum front and rear yards shall each be 25 feet and the minimum side yards shall each be five (5) feet. Corner side yards shall be 25 feet. The front yard shall be that yard which runs along and parallel to the access street line. The rear yard is at the end of the dwelling site opposite the front yard. Side yards run along and parallel to the side lines of the site, between the front and rear yards.
3. The ground floor coverage (GFC) of a dwelling site shall not exceed 16 percent and the floor area ratio (FAR) of a dwelling site shall not exceed 0.16. The calculation of GFC and FAR shall be based upon the area of the site, as described in this Section 5.205B (Manufactured Housing Park Site Regulations), and the total ground floor area of the dwelling unit, including any expandable unit and any other enclosed structure except a storage unit with a floor area of 80 square feet or less.
4. The following minimum distances shall be required between single-wide and expandable dwelling units, and between single-wide or expandable dwelling units and double-wide dwelling units.
 - a. When units are parallel to each other or when one unit is placed at an angle which is less than 30 degrees between the two adjacent faces, and when any part of a dwelling face overlays any part of any adjacent dwelling face, the following minimum distances shall be provided and maintained:

Relationship Between Adjacent Dwellings	Separation Distances
front face to front face	40 feet
front face to back face	35 feet
back face to back face	20 feet
front or back face to end face	35 feet
end face to end face	15 feet
Provided that no parts of any dwelling unit shall be less than ten (10) feet from any part of any other dwelling.	

- b. When dwelling units are placed at an angle to each other and overlap and the angle between the adjacent faces is 30 degrees or more, the minimum distances between adjacent faces shall be set forth in this Section 5.205B (Manufactured Housing Park Site Regulations), as measured along a straight line connecting the midpoints of the adjacent faces, provided that no part of a front, back, or end face shall be less than 25 feet from any front or back face of another dwelling unit and no part of an end shall be less than ten (10) feet from another end face.

- c. The minimum distances between double-wide dwelling units shall be provided by the yard requirements in this Section 5.205B (Manufactured Housing Park Site Regulations).
5. The following minimum distances shall be provided and maintained, as measured from the nearest part of any dwelling unit:
 - a. ten (10) feet to a transition or landscape strip.
 - b. 30 feet to a boundary of the manufactured housing park, which is not a public street right-of-way.
 - c. 50 feet to any service building or central storage area or building in the manufactured housing park.
 - d. eight (8) feet to any manufactured housing park walkway or sidewalk.
 - e. 50 feet to any parking lot in the manufactured housing park intended to provide parking for other than residents of the park.
6. All measurements set forth in this Section shall be made from the dwelling face. The dwelling face shall include the face of any expandable unit, the face of any enclosed structure that is attached to or otherwise made a functional part of the original dwelling unit, or the face of any other enclosed structure located on a dwelling site. An enclosed storage building with a floor area of 80 square feet or less shall not be included in such measurements, provided that such storage shall not be located in any required yard.
7. The yards and other distances, ground floor coverage, and floor area ratio shall not be violated at any time on any dwelling site.
8. Each dwelling site shall be provided with a poured concrete stand at least four (4) inches thick, and not less than eight (8) feet wide by 45 feet long, or two (2) ribbons of poured concrete at least four (4) inches thick, each not less than 36 inches wide and 45 feet long. Where concrete ribbons are used, the area between the ribbons shall be filled with a six (6) inch layer of crushed rock or equivalent material.
9. Each dwelling shall be supported on uniform masonry blocks or metallic devices supplied by the manufactured housing park.
10. An outdoor patio area of not less than 180 square feet shall be provided at each dwelling site conveniently located at the entrance of the dwelling and appropriately related to open areas of the lot and other facilities, for the purpose of providing suitable living space. The patio may be constructed of movable elements to permit adjustments to accommodate various locations, floor plans, and widths of dwelling units.
11. It shall be unlawful to park a dwelling so that any part of such dwelling will obstruct any roadway or walkway in a manufactured housing park.
12. It shall be unlawful to allow any dwelling to be occupied in a manufactured housing park unless the dwelling is situated on a manufactured housing park dwelling site.

13. All dwelling sites shall be marked on the ground by permanent flush stakes, markers, or other suitable means.

C. Utilities.

Each dwelling shall be suitably connected to sanitary sewer, water and other utility lines and such connections shall meet the following regulations:

1. A public water supply shall be provided to and within a manufactured housing park. The water lines and all appurtenances shall comply with all Freedom Township regulations and standards. The water supply shall be adequate for fire fighting purposes.
2. Public sanitary sewer lines shall be provided to and within a manufactured housing park. The lines and all appurtenances shall comply with all Freedom Township regulations and standards.
3. Each dwelling space shall be provided with at least a four (4) inch sanitary sewer connection. The sewer shall be closed when not connected to a dwelling and shall be capped so as to prevent any escape of odors. The sewer connection shall be water-tight and self draining and shall not exceed ten (10) feet in length above ground.
4. The plumbing connections to each dwelling site shall be constructed so that all lines are protected from freezing, from accidental bumping, or from creating any types of nuisance or health hazard.
5. All electrical lines to each dwelling site shall be underground. Separate meters shall be installed for each site. All cable television and telephone lines shall be underground. Overhead distribution lines for the manufactured housing park for electricity, telephone, and cable television may be permitted upon approval of the Planning Commission.
6. If an exterior television antenna installation is necessary, a master antenna shall be provided and service therefrom shall be extended to individual dwelling sites by underground lines. The master antenna shall be placed so as to not be a nuisance to park residents and surrounding areas.
7. An electrical service supplying 110 volts or 110/220 volts shall be provided for each dwelling space. The installation shall comply with all State and Township electrical regulations.
8. All fuel oil and liquefied gas supplies shall be stored in underground tanks at central locations at safe distances from any dwelling site. All fuel oil and gas shall be furnished to each dwelling site underground. All such tanks and lines shall meet all applicable codes. Individual fuel tanks to supply each dwelling site are prohibited.

D. Access and Parking.

Direct vehicular access by a paved public street shall be provided for a manufactured housing park. Such street shall function as a collector or arterial street and/or shall be classified as a collector or arterial street on the Freedom Township Master Plan.

1. All streets, driveways, motor vehicle parking spaces and walkways within the park shall be paved unless otherwise provided herein. All streets and walkways shall be adequately lighted for safety and ease of movement. All streets shall have curbs and gutters and adequate drainage facilities.
2. All public streets in a manufactured housing park shall meet the requirements of the Washtenaw County Road Commission (WCRC). All other streets shall meet the standards of Freedom Township.
3. Each manufactured housing park shall have at least one private or public collector street location within the park and connecting it with a public street. Dwelling sites shall not front onto or have access to a collector street or to any public street serving the park; access shall be obtained from site access streets. A collector street shall be a street that carries traffic from the site access streets in the park to the principal common areas and facilities of the park and to the public roads that provide access to the park.
4. All entrance streets for a park shall be designed as collector streets and shall have a minimum width of 37 feet, back of curb, for a minimum distance of 200 feet from the edge of pavement of the public street that provides access to the park. Tapering of pavement to a narrower width shall meet WCRC standards.
5. Private collector streets within a manufactured housing park shall provide for two-way traffic flow, shall have a minimum width of 27 feet measured from backs of curb, shall have no parking on the street, and shall have standard curb and gutter constructed according to WCRC standards.
6. Site access streets shall have standard curb and gutter and pavement constructed according to WCRC standards and shall meet the following minimum width requirements:

Parking	Direction of Traffic Flow	Minimum Pavement Width (back-to-back of curb)
No parking	two-way	24 feet
No parking	one-way	22 feet
Parallel parking - one side	two-way	33 feet
Parallel parking - one side	one-way	22 feet
Parallel parking - two sides	two-way	36 feet
Parallel parking - two sides	one-way	not permitted

7. A one-way street shall not serve more than 30 manufactured housing park dwelling units. A site access street not more than 250 feet long and serving not more than 15 dwelling units may be reduced to a minimum pavement width of 22 feet and the curb and gutter requirements may be waived, if on-street parking is prohibited, if adequate turn-around area for fire trucks and other emergency vehicles is provided, and if adequate drainage is provided.
8. Cul-de-sac streets shall have a turn-around with a minimum outside radius of 50 feet, and shall have a maximum length of 300 feet.

9. Entrances and exits for a manufactured housing park from county or state highways shall have written approval of the highway authority having jurisdiction before a final site plan for all or any phase of the manufactured housing park shall be approved by the Planning Commission.
10. Two (2) automobile parking spaces shall be provided for each manufactured housing park dwelling site. Visitor parking spaces may be included within a total number of spaces so determined. At least one (1) required space shall be located on, or within 50 feet of each manufactured housing park dwelling site. The second space shall be located within 150 feet of each dwelling site. On-street parking may be permitted in place of required off-street parking provided that such parking shall not exceed one (1) space per dwelling site, and provided further, that such parking shall not be provided on any collector street in the park. Two (2) spaces may be located on a site and may be arranged in tandem.
11. Public sidewalks shall be provided on the street side of each dwelling site, except that such sidewalks may be waived by the Planning Commission if an adequate internal walks system is provided. All public sidewalks such as those along streets, those leading from street sidewalks to park service buildings and common areas, and major interior walkway systems not adjacent to streets shall be paved and shall be at least four (4) feet wide. Sidewalks used in common by one (1) to three (3) dwelling sites shall be at least three (3) feet wide.
12. Public sidewalks along private collector streets within the manufactured housing park shall be separated from the street by a landscaped margin at least ten (10) feet wide, measured from back to curb.
13. All public sidewalks shall be designed for use by bicycles, wheelchairs, and similar vehicles.

E. Landscaping.

1. A landscape strip at least 20 feet wide shall be located and continually maintained along all park borders not adjacent to public streets, and along the edge of any private collector street within the manufactured housing park. This strip shall consist of such plant materials as trees and shrubs to provide privacy for the manufactured housing park residents and to provide a transition area between manufactured housing park and the surrounding property. A fence may be required by the Planning Commission as part of the site plan approval to protect the manufactured housing park or adjacent residences from trespassing.
2. Common laundry-drying yards, trash collection stations, surface mounted transformers, and similar equipment and facilities shall be screened from view by plant materials or by man-made screens. Required landscape strips shall not be included in the calculation of required recreation area.
3. A landscape strip at least 50 feet wide shall be provided along any frontage that abuts a public street right-of-way existing or proposed on the Freedom Township Master Plan. The strip shall be landscaped with trees, shrubs, and ground cover.
4. Parking shall not be permitted in any required buffer strip.

5. Not less than ten (10) percent of the total land area of any manufactured housing park shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools and community buildings. Required landscaped strips, streets, parking areas, laundry areas, and storage areas shall not be included in calculating the required recreation area. Where only one recreation area is provided, it shall be in a central location conveniently accessible for all dwellings. No central recreation area shall be credited toward meeting these requirements unless it contains at least 30,000 square feet of land area. Recreation areas and facilities shall be so located, designed, and improved as to minimize traffic hazards to users and adverse effects on surrounding residential uses.

F. Storage Areas.

1. An outdoor storage area for boats, boat trailers, camping units, horse trailers, and similar equipment shall be provided within the manufactured housing park in an amount equal to at least 50 square feet per manufactured housing park space. The storage area shall be surfaced with gravel, asphalt, or similar substances and shall be screened from view with plant materials or man-made screening devices.
2. An outdoor storage area, either individual or common, for the personal use of manufactured housing park occupants shall be provided in an amount equal to at least 150 cubic feet per manufactured housing park space. Each storage facility shall have a concrete floor at least four (4) inches thick.

G. Procedures and Permits.

1. To construct a manufactured housing park or any facilities therein, a person shall:
 - a. present a site plan to be approved by the Planning Commission in accordance with Article 15.0 (Site Plan Review), and no variation from this plan may be made without approval of the Planning Commission through a site plan amendment;
 - b. obtain a construction permit from the State of Michigan as required by the Mobile Home Commission Act (P.A. 96 of 1987, as amended). A copy of such permit shall be given to the Township Zoning Administrator; and
 - c. obtain a building permit from Freedom Township's Building Inspector as required by the State Construction Code.
2. To inhabit, conduct, or operate a manufactured housing park, a person shall:
 - a. obtain written approval from the State of Michigan for the completed construction as required in the Mobile Home Commission Act (P.A. 96 of 1987, as amended); a copy of such approval shall be given to the Township Clerk:
 - b. obtain an annual license from the State of Michigan, as provided in the Mobile Home Commission Act (P.A. 96 of 1987, as amended); a copy of such license shall be given to the Township Zoning Administrator; and

- c. obtain a certificate of occupancy from Freedom Township's Building Inspector as required by the State Construction Code.

H. Registration of Manufactured Housing Units.

The manufactured housing park management shall establish and maintain an up-to-date register containing a record of all dwelling units located within the manufactured housing park. The register shall contain the following information:

1. The name and address of the owner of each dwelling unit;
2. The make, model, year and current license number of each model home, and the number of the site on which located;
3. The length, width, and total floor area of the dwelling unit;
4. The length, width, and area of the manufactured housing park dwelling site;
5. The state, territory, or country issuing such licenses; and
6. The date of arrival and departure of each dwelling unit.

The register shall be available for inspection by public officials. The record for each manufactured housing park dwelling unit shall not be destroyed for a period of one (1) year following the date of departure of the unit from the manufactured housing park.

Section 5.206 Multiple-Family Housing.

All multiple-family dwellings and developments (including two-family (duplex) dwellings, apartment buildings, townhouses, stacked flats, senior and independent elderly housing, nursing homes, assisted living facilities, and dependent elderly housing) shall comply with the following:

A. General Standards.

1. **Frontage, access and vehicle circulation.** Multiple family developments shall have direct vehicle access to a major road or primary road as classified in the master transportation plans for the Township, or county or state road authorities.
 - a. All interior roads, drives, and parking areas within a multi-family development shall be hard surfaced with asphalt, concrete or other paving materials approved by the Township. Roadway drainage shall be appropriately designed such that storm water from the roadway will not drain onto adjacent lots or across road rights-of-way.
 - b. Ingress-egress to parking facilities shall be arranged to minimize curb cuts directly onto the public road.
 - c. Such uses shall be screened from abutting single-family residential districts or uses in accordance with Section 10.10D (Methods of Screening).
2. **Pedestrian circulation.** Concrete sidewalks with a minimum width of five (5) feet shall be provided from all building entrances to adjacent parking areas, public sidewalks and recreation areas, along with barrier-free access ramps.

- 3. **Recreation areas.** Passive or active recreation areas (including but not limited to seating areas, playgrounds, swimming pools, walking paths, and other recreational elements consistent with the intended neighborhood character) shall be provided at a ratio of at least fifteen percent (15%) of the gross area of the development.
 - a. The minimum size of each area shall be 5,000 contiguous square feet, and the length to width ratio of each area, as measured along the perimeter, shall not exceed four to one (4:1).
 - b. Such areas shall be centrally and conveniently located to be physically and visibly accessible to residents, and shall not be located within any required yard setbacks or building separations.
 - c. Off-road parking areas, driveways, basins, ponds, and accessory uses or areas shall not be counted as required open space.
- 4. **Other requirements.** Parking or storage of recreational vehicles, boats, utility trailers or similar items shall be prohibited, except in areas designated on an approved final site plan.

B. Senior Housing and Elderly Housing.

The following additional standards shall apply to senior and independent elderly housing, nursing homes, assisted living facilities, and dependent elderly housing:

- 1. **State and federal regulations.** Such facilities shall be constructed and maintained in conformance with applicable local, state, and federal laws.
- 2. **Minimum floor area.** The average floor area for all senior and independent elderly housing units in each principal building shall average a minimum of 350 square feet, not including kitchen and sanitary facilities.
- 3. **Accessory uses.** Accessory retail, restaurant, office, and service uses may be permitted within the principal building(s) for the exclusive use of residents, employees and guests. No exterior signs are permitted for these accessory uses.
- 4. **Density.** The maximum dwelling unit density standards for the zoning district shall not apply to nursing homes, assisted living facilities, and dependent elderly housing. Such standards shall apply to senior and independent elderly housing, and other state-licensed and other managed residential facilities.

Section 5.207 Single-Family Dwellings, Detached

The intent of this Section is to ensure compliance of single-family detached dwellings on individual lots with all applicable Ordinance standards for the protection of the public health, safety, and welfare; and to ensure that new dwellings on individual lots are aesthetically compatible with existing single-family dwellings in the surrounding area. The standards of this Section are not intended to apply to dwellings located within a licensed and approved manufactured housing park in the R-6 (Manufactured Housing Park) District. New single-family detached dwellings and additions to existing dwellings constructed or installed on lots in the Township, without regard to the type of construction, shall be subject to the following:

1. The dwelling shall meet all applicable federal and state design, construction, and safety codes for the type of construction. The dwelling shall be placed on a permanent foundation wall meeting all requirements of the State Construction Code, subject to the following:
 - a. The dwelling shall be secured to the ground by an anchoring system that meets all State Construction Code and other applicable requirements before a Certificate of Occupancy is issued.
 - b. Wheels, tongue, hitch, or similar appurtenances attached to a manufactured dwelling shall be removed before anchoring the dwelling.
2. The dwelling shall be connected to approved potable water and sanitary sewerage facilities.
3. The dwelling shall have a minimum floor area, not including basement or attached garage floor area, of 1,000 square feet. Prior to any additions or expansions, the dwelling shall have a minimum width across all front, side, and rear elevations of 24 feet (see "Dwelling Elevations" illustration).
4. Access to the dwelling shall be provided by a minimum of two (2) exterior doors, either on the front and rear elevations, or the front and side elevations.
5. The single-family detached dwelling shall be aesthetically compatible in design and appearance with housing in the neighborhood and other single-family dwellings in Freedom Township. Compatibility shall be determined according to the following standards:
 - a. Exterior walls shall be finished with natural or simulated natural materials, common to single-family dwellings in the Township, such as but not limited to beveled siding, vertical siding, board and batten siding, or brick.
 - b. Roof designs and roof materials shall be similar to those commonly found on dwellings in the Township. The dwelling shall also have a roof drainage system which will collect, and concentrate the discharge of, roof drainage, and will avoid roof drainage along the sides of the dwelling.
6. A building permit shall be required for construction of the foundation wall, for placement of the single-family detached dwelling on the lot, and for any addition(s) to the dwelling. A building permit shall not be issued until a Certificate of Zoning Compliance has been issued in accordance with Section 1.07 (Certificates of Zoning Compliance).
7. Not more than one (1) single-family detached dwelling shall used as a dwelling on a lot. A single-family detached dwelling shall not be used as an accessory building in any residential district.

**SECTION 5.300
OFFICE, SERVICE, AND COMMUNITY USES**

Section 5.301 Accessory OFFICE, SERVICE, AND COMMUNITY USES.

Where specific OFFICE, SERVICE, AND COMMUNITY USES are proposed accessory to another principal use in a zoning district, such uses shall be subject to the following restrictions, in addition to any other applicable use standards:

1. Such accessory OFFICE, SERVICE, AND COMMUNITY USES shall be incidental and subordinate to the principal use(s) of the site. Such accessory uses shall be located and maintained primarily for use by the occupants of the building or employees of the principal use(s), and not for the general public.
2. Such accessory uses shall be located in the building(s) containing the permitted principal use(s) that will be served. No signs for such accessory uses shall be permitted that are visible from a road right-of-way or adjacent lot.

Section 5.302 Cemetery.

Cemeteries and similar uses shall comply with all applicable federal, state and local laws and regulations, and shall be subject to the following:

1. The minimum gross lot area for any new cemetery shall be ten (10) acres.
2. All access shall be provided from a primary road as classified by the master transportation plans of the Township, or county or state road authorities.
3. The cemetery shall be secured by a fence, and screened from abutting Residential Districts and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening).
4. Crypts, mausoleums, and other buildings containing human remains, other than a subterranean grave, shall be set back a minimum of 100 feet from lot boundaries.
5. The location shall not disrupt the convenient provision of utilities to adjacent properties, nor disrupt the continuity of the public road system.
6. A caretaker's residence shall be permitted accessory to a cemetery, subject to the requirements of Section 5.201 (Accessory Dwelling).
7. Establishment, expansion, and alteration of a cemetery shall be subject to site plan approval per Article 15.0 (Site Plan Review). A maintenance plan shall be submitted with the application for site plan approval, which shall include the entity responsible for long-term maintenance of the cemetery, methods and anticipated funding sources for such maintenance, and details of the proposed landscape and lawn care maintenance program.

Section 5.303 Day Care and Large Group Home Facilities.

The following regulations shall apply to group day care homes, day care centers, and adult foster care large group homes, except licensed group day-care homes that lawfully operated before March 30, 1989:

1. Construction, expansion, and alteration of such uses shall be subject to site plan approval per Article 15.0 (Site Plan Review).
2. In accordance with applicable state laws, such facilities shall be registered with or licensed by the State of Michigan.
3. Group day care homes shall be located a minimum of 1,500 feet from any of the following facilities, as measured along public or private road rights-of-way. The subsequent establishment of any of the facilities listed in this subsection shall not affect any approved Conditional Use Permit for a group day-care home:
 - a. Another licensed group day-care home.
 - b. A adult foster care small group home or large group home.
 - c. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people as licensed under the State public health code.
 - d. A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the Michigan Department of Corrections.
4. All outdoor play areas for group day care homes and day care centers shall be enclosed and secured by a fence not less than four (4) feet nor more than six (6) feet in height and capable of containing the children within the play area.
5. The group day care home or adult foster care large group home premises shall be maintained consistent with the visible character of single-family dwellings.
 - a. No signs shall be permitted for such uses, other than that permitted for a single-family dwelling in the zoning district.
 - b. A group day-care home shall not require the modification of the dwelling exterior or the location of playground equipment in the front yard.
6. The operation of a group day care home shall not exceed 16 hours during any 24-hour period. The Planning Commission may limit but not prohibit the operation of a group day-care home between the hours of 10 p.m. and 6 a.m.
7. One (1) off-street parking space shall be provided per non-resident employee of the group day care home, in addition to required parking for the dwelling.
8. In accordance with Section 206 of the Michigan Zoning Enabling Act, the Planning Commission shall approve a Conditional Use Permit for a group day care home upon determination that the proposed use conforms to the requirements of this Section and Ordinance. The Planning Commission shall not impose additional conditions beyond those listed in this Section.

Section 5.304 Funeral Parlor or Mortuary.

Funeral parlors and mortuaries shall be subject to the following standards [crematoriums are an INDUSTRIAL, RESEARCH, AND LABORATORY USE as permitted in Article 4.0 (Land Use Table)]:

1. **Assembly area.** An adequate assembly area shall be provided off-street for funeral processions and activities. All maneuvering areas shall be located within the site and may be incorporated into the required off-street parking. Road rights-of-way shall not be used for maneuvering or parking of vehicles.
2. **Screening.** The service and loading area shall be screened from adjacent Residential Districts and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening).
3. **Caretaker's residence.** An accessory caretaker's residence shall be permitted, subject to the requirements of Section 5.201 (Accessory Dwelling).

Section 5.305 Institutional Uses.

The following shall apply to all educational, social and religious institutions, public and private elementary and secondary schools, institutions of higher education, auditoriums, and other places of assembly defined as institutional uses in Section 19.03 (Definitions):

1. **Height.** The maximum height of the principal building containing an institutional use shall be subject to the following conditions and exceptions:
 - a. The building height shall be permitted to exceed maximum height requirements up to a maximum height equal to twice the permitted maximum height of the zoning district, provided that the minimum required front, side and rear yard setbacks shall be increased by one (1) foot for each foot of additional building height above the maximum.
 - b. The highest point of chimneys, stage towers of scenery lofts, church spires, cupolas, and domes may be erected to a height not exceeding one-hundred-fifty percent (150%) of the height of the building, provided that no such structure shall occupy more than twenty percent (20%) of the roof area of the building.
2. **Frontage and access.** Institutional uses shall have direct vehicle access to a primary road as classified by the master transportation plans of the Township, or county or state road authorities.
3. **Traffic impacts.** A traffic impact study and proposed mitigation measures may be required by the Planning Commission for facilities that have a seating capacity of over 500 persons.

Section 5.306 Landscape and Maintenance Operations.

Landscape maintenance and installation operations, and similar uses shall be subject to the following:

1. **Site plan approval.** Establishment, expansion or alteration of such businesses shall be subject to site plan approval per Article 15.0 (Site Plan Review).
2. **Outdoor storage.** Outside storage shall conform to the standards of Section 5.504 (Outside Storage, General).
3. **Screening.** The Planning Commission may require screening of storage building(s), outside storage areas, and business vehicle parking area(s) occupied or intended to be used by the business from road rights-of-way and abutting parcels per Section 10.10D (Methods of Screening).
4. **Parking.** Parking of vehicles shall be prohibited within road rights-of-way and any required yard setbacks. Parking for the business shall be subject to Article 11.0 (Off-Street Parking and Loading Regulations).
5. **Fuel storage.** On-site fuel storage and handling shall comply with all applicable state, county and local regulations, including the Michigan Fire Prevention Code (P.A. 207 of 1941, as amended).

Section 5.307 Private Recreational Facilities.

Private parks and recreational facilities (including but not limited to private parks, country clubs, golf courses, golf driving ranges, and other privately-owned recreational facilities shall be subject to the following:

A. General Requirements.

The following general standards shall apply to all private recreational facilities:

1. Construction, expansion, and alteration of private recreational facilities shall be subject to site plan approval per Article 15.0 (Site Plan Review).
2. Structures associated with such uses shall be located at least 250 feet from a lot line or any adjacent residence or Residential District.
3. Such uses shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.
4. Activities associated with such operations that are conducted out-of-doors or that would create significant or undue disturbance to adjacent uses shall be limited to hours of operation that shall not exceed 7:00 a.m. to 10:00 p.m.
5. The Planning Commission may require the applicant to submit an impact assessment of the proposed use to determine potential impacts on surrounding properties and uses, and proposed mitigation measures.

B. Golf Course and Driving Range Regulations.

The following minimum acreage and road frontage requirements shall apply to all golf courses and driving ranges, in addition to the general standards above:

Type of Course	Minimum Lot Area (acres)	Minimum Road Frontage (feet)
Nine (9) hole, Par 3	20	330
Nine (9) hole	80	660
18 hole	140	1,320

1. The course shall be designed and maintained to prevent golf balls or other course activities from encroaching on abutting lots or uses. The use of netting or similar materials to contain errant golf balls within the site shall be prohibited, except where the Planning Commission determines that it would be compatible with surrounding uses.
2. The site plan shall include illustration of expected ball trajectories and dispersion patterns along fairways and for driving ranges located within 500 feet of a building, parking lot, lot boundary or road right-of-way.

Section 5.308 Recreational Vehicle Parks and Campgrounds.

Recreational vehicle parks and campgrounds shall be subject to the following:

1. **Lot area.** Minimum site area shall be ten (10) acres.
2. **Screening and security.** The Planning Commission may require a fence up to six (6) feet in height around the perimeter of the site, and may require screening from road rights-of-way and abutting residential uses in accordance with Section 10.10D (Methods of Screening).
3. **Setbacks.** Structures and areas designated for camping shall be located a minimum of 100 feet from all lot boundaries. The storage of vehicles not set up for occupancy shall be located a minimum of 200 feet from all lot boundaries, and shall be screened per Section 10.10D (Methods of Screening).
4. **Access.** Recreational vehicle parks shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.
5. **Parking.** The site shall include adequate vehicle access and parking facilities. All parking for campgrounds and recreational vehicle parks shall be set back a minimum of 40 feet from any Residential Districts.
6. **Temporary residency.** Campgrounds and recreational vehicle parks shall be for seasonal recreation use only, with the exception of any resident manager(s) or caretaker(s).

7. **Impact on surrounding uses.** The location, layout, design, or operation of campgrounds and recreational vehicle parks shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby lots. Such uses shall not generate excessive noise, odors, dust, or other impacts that impair the continued use and enjoyment of adjacent lots.
8. **Accessory retail facilities.** Limited retail uses shall be permitted accessory to a campground or recreational vehicle park, provided that such uses are designed to serve only campground or park patrons.

Section 5.309 Snowplow Businesses.

Where permitted in the Rural Districts, snowplowing and removal businesses shall be accessory to a principal farm operation or single-family dwelling on the same parcel, and shall be subject to the following requirements:

1. The minimum lot area for such uses shall be five (5) acres.
2. The character or appearance of the dwelling shall not change. The total floor area of the dwelling used for the business shall not exceed twenty percent (20%) of the dwelling's total floor area. Employees of the business not residing on the parcel shall work primarily off-site. The business shall not generate vehicular traffic above that normally associated with similar agricultural operations in the Rural Districts.
3. Such businesses may occupy all or part of any accessory buildings on the parcel that conform to the minimum required yard setbacks for the zoning district, subject to Planning Commission approval.
4. The Planning Commission may limit hours of operation for the business to minimize impacts on adjacent residents and uses.
5. A maximum of two (2) commercial trucks or similar vehicles may be parked outside. All other vehicles and equipment associated with the business shall be stored within a completely enclosed building.

Section 5.310 Therapeutic Massage.

All massage therapy clinics and massage therapists working in the Township shall be licensed where such licenses are available, and shall be certified members of the American Massage and Therapy Association, International Myomassethics Federation, or equivalent national certification accepted by the Zoning Administrator. Proof of such licenses or certifications shall be provided to the Township. All activities that meet the definition of a controlled use or sexually oriented business shall be prohibited.

Section 5.311 Workshops or Studios.

Workshops, studios, showrooms or offices of photographers, skilled trades, decorators, artists, upholsterers, tailors, taxidermists and similar businesses; or for repair and service of bicycles, electronics, small appliances, furniture, shoes, and similar items shall be subject to the following standards by zoning district:

1. **Industrial-Research District.** In the I-1 (Industrial-Research) District, showrooms or sales and display areas for sales of products or services at retail on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the use.
2. **Commercial Districts.** In the C-1 (Convenience Commercial), C-2 (Special Commercial), and LK (Lake) Districts, showrooms or sales and display areas for sales of products or services at retail on the premises shall occupy a minimum of fifty percent (50%) of the usable floor area occupied by the use, and shall include the street level façade.

Section 5.312 Sportsman's Clubs and Ranges.

The following standards shall apply to all indoor and outdoor sportsman's clubs, shooting ranges, and similar uses:

1. Such facilities shall be located on a parcel of land not less than ten (10) acres in gross lot area.
2. Such facilities shall be secured by perimeter fencing with a minimum height of six (6) feet, and posted through both symbol and written statement so as to inform the public of the nature of the facility at frequent intervals not to be greater than 50 feet apart.
3. Design and operation of such facilities shall conform to current National Rifle Association specifications and practices and applicable state and federal laws.
4. Indoor firearms ranges shall be insulated with sound dampening materials, and shall be set back a minimum of 500 feet from all lot boundaries. Outdoor firearms ranges shall be surrounded by berms or other suitable containment and noise dampening measures, and set back a minimum of 1,500 feet from all lot boundaries. All facilities shall be designed to contain projectiles within the site, and to minimize noise impacts on surrounding properties and uses.
5. Construction, expansion, and alteration of private recreational facilities shall be subject to site plan approval per Article 15.0 (Site Plan Review).
6. Structures associated with such uses shall be located at least 250 feet from a lot line or any adjacent residence or Residential District.
7. Such uses shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.

8. Activities associated with such operations that are conducted out-of-doors or that would create significant or undue disturbance to adjacent uses shall be limited to hours of operation that shall not exceed 7:00 a.m. to 10:00 p.m.
9. The Planning Commission may require the applicant to submit an impact assessment of the proposed use to determine potential impacts on surrounding properties and uses, and proposed mitigation measures.

SECTION 5.400 COMMERCIAL USES

Section 5.401 Accessory Commercial Uses.

Where specific COMMERCIAL USES are permitted as an accessory use in a zoning district, such uses shall be subject to the following, in addition to any other applicable use standards:

1. Such accessory COMMERCIAL USES shall be incidental and subordinate to the principal use(s) of the site. Such accessory uses shall be located and maintained primarily for use by the occupants of the building or employees of the principal use(s), and not for the general public.
2. Such accessory uses shall be located in the building(s) containing the permitted principal use(s) that will be served. No signs for such businesses shall be permitted that are visible from a road right-of-way or adjacent lot.
3. Not more than ten percent (10%) of the usable floor area of each principal building shall be occupied by any accessory COMMERCIAL USES.

Section 5.402 Amusement Center.

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

1. All amusement centers shall have direct vehicle access to a primary road as classified by the master transportation plans of the Township, or county or state road authorities.
2. Outdoor amusement centers also shall be subject to the standards of Section 5.410 (Outdoor Sales and Display Areas).

Section 5.403 Bakeries.

Bakeries shall be subject to the following standards by zoning district:

1. **Industrial-Research District.** In the I-1 (Industrial-Research) District, the principal use of the premises shall be for the preparation and manufacturing of bakery products to be distributed and sold at off-site locations. Any area(s) for sales of products prepared on the premises shall be limited to no more than ten percent (10%) of the usable floor area occupied by the principal use.
2. **Commercial Districts.** In the C-1 (Convenience Commercial) and C-2 (Special Commercial) Districts, the principal use of the premises shall be the preparation and on-site retail sales of bakery products. Distribution of products to off-site locations shall be permitted as an accessory use, provided that such activities remain incidental and subordinate to the principal use of the premises.

Section 5.404 Big Box COMMERCIAL USES.

“Big-Box” stores, supermarkets, and wholesales stores, multi-tenant shopping centers, and similar COMMERCIAL USES with more than 50,000 square-feet of total gross floor area in a single building footprint) shall be subject to the following:

- 1. **Access and circulation.** Vehicular circulation patterns shall be designed to eliminate potential conflicts between traffic generated by the site, and traffic and adjacent streets and streets, and the number and location of curb cuts shall be the minimum necessary to provide adequate access to the site.
 - a. Sites shall have frontage on a primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.
 - b. A traffic impact study and proposed mitigation measures shall be required.
- 2. **Outlots.** The site design, circulation, parking layout and building architecture of any outlots shall be complementary to and fully integrated with the design of the overall site. Separate curb cuts for any outlots shall be prohibited, except where determined to be necessary by the Planning Commission.
- 3. **Screening.** Screening shall be required from adjacent Rural Districts, Residential Districts, and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.
- 4. **Pedestrian connectivity.** Building entrances, sidewalks, and outlots shall be arranged and designed to allow for convenient and safe pedestrian access and connectivity through the site. A minimum six (6) foot wide concrete sidewalk shall be provided through the parking areas to all public entrances in a manner that effectively separates pedestrians from vehicular traffic. Driveway crossings shall be clearly delineated with pavement striping.

Section 5.405 Car Washes.

Automobile, truck, and recreational vehicle wash facilities shall be subject to the following:

A. Use Standards.

- 1. All washing facilities shall be completely within an enclosed-building, and exit lanes shall be designed to prevent runoff from impacting adjacent properties or road rights-of-way.
- 2. Steam used in the cleaning process shall be contained within an enclosed building.
- 3. Vacuuming facilities shall be prohibited within the front yard, and shall be set back a minimum of 100 feet from any Residential Uses. The hours of operation of any vehicle wash facility shall be subject to Planning Commission approval.

4. The facility shall be so constructed and maintained that odors, dust, noise, exterior lighting, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
5. The hours of operation car wash shall be subject to Planning Commission approval.

B. Ingress/Egress.

1. Sites shall have frontage on a primary road as classified by the master transportation plans of the Township, or county or state road authorities.
2. Driveways serving a wash facility shall be set back a minimum of 100 feet from the intersection of any two (2) public roads.
3. Road rights-of-way shall not be used for maneuvering or parking by vehicles to be serviced by the car wash.
4. To minimize traffic conflicts and road icing caused by runoff from vehicles, sufficient space shall be provided on the lot so that vehicles do not exit the wash building directly into the road right-of-way.
5. All maneuvering areas and stacking lanes shall be located within the car wash lot.

C. Screening.

Screening shall be required from adjacent Rural Districts, Residential Districts, and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.

Section 5.406 Drive-in or Drive-through Facilities.

Drive-in and drive-through lanes, facilities or establishments shall be subject to the following:

1. Adequate on-site stacking space for vehicles shall be provided for each drive-in window so that vehicles will not interfere with vehicular circulation or parking maneuvers on the site, will not interfere with access to or egress from the site, and will not cause standing of vehicles in a public right-of-way.
 - a. Access to and egress from the site shall not interfere with peak-hour traffic flow on the street serving the property.
 - b. Projected peak-hour traffic volumes that will be generated by the proposed drive-in or drive-through service shall not cause undue congestion during the peak hour of the street serving the site.
2. Such facilities shall be set back a minimum of 100 feet from abutting RESIDENTIAL USES. Screening shall be required from adjacent Rural Districts, Residential Districts, and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening), along with adequate screening for all loading facilities, trash dumpsters, and mechanical equipment.

3. Driveways serving a drive-in or drive-through facility shall be set back a minimum of 100 feet from the intersection of any two (2) public roads. No more than one (1) driveway shall be permitted per road frontage.
4. A bypass lane or similar means of exiting or avoiding the drive-through facility shall be provided, subject to Planning Commission approval.
5. Devices for the transmission of voices shall be directed and designed to prevent transmitted sound from being audible beyond the lot boundaries.
6. Sales of alcoholic beverages through any drive-through or drive-in service window or facility shall be prohibited.
7. Menu boards may be installed and maintained for the drive-through facility in addition to other permitted signs per Article 12.0 (Sign Regulations), subject to the following:
 - a. Such signs shall be located on the interior of the lot, and shall be shielded to minimize visibility from road rights-of-way and abutting lots. The total sign area of all permitted menu boards shall not exceed 48 square feet.
 - b. The location, size, and manner of illumination shall not create or exacerbate a traffic or pedestrian hazard, or impair vehicular or pedestrian traffic flow.

Section 5.407 Motion Picture Cinema.

Indoor or outdoor motion picture cinemas shall be subject to the following:

A. General Requirements.

All indoor or outdoor motion picture cinemas shall conform to the following standards:

1. **Screening.** Screening shall be required from adjacent Rural Districts, Residential Districts, and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening).
2. **Access.** Sites shall have frontage on a primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.
3. **Traffic impacts.** A traffic impact study and proposed mitigation measures may be required by the Planning Commission for facilities that have a seating capacity of over 500 persons.

B. Additional Outdoor Cinema Requirements.

All outdoor cinemas and drive-in theaters shall conform to the following:

1. A drive-in theater shall not be located adjacent to any Residential Districts.

2. All traffic movement shall be accommodated within the site so that entering and exiting vehicles will make normal and uncomplicated movements between the site and the public road(s).
3. All points of entrance or exit for vehicles shall be located no closer than 500 feet from the intersection of any two (2) road rights-of-way.
4. Adequate stacking lanes shall be provided so that vehicles waiting to enter the theater will not occupy driving lanes, parking lanes, or road rights-of-way.
5. The facility shall be fully enclosed by a solid screen fence or wall at least six (6) feet high. Strips of metal, plastic, or other materials inserted into wire fences shall not constitute a solid, screen-type fence and shall not be permitted as a substitute for this requirement. Fences or walls shall be set back at least 100 feet from any road rights-of-way or front lot boundary.
6. Signs or other advertising material shall not be placed on any fences or walls in a manner visible from adjacent lots and road rights-of-way.
7. The facility shall be so constructed and maintained that odors, dust, noise, exterior lighting, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.

Section 5.408 Motor Vehicle Service Centers, Repair Stations, and Fueling Stations.

Motor vehicle service centers, repair stations, and fueling stations shall be subject to the following:

A. Use Standards.

1. Motor vehicle service centers, repair stations, and fueling stations shall be located on a primary road as classified by the master transportation plans of the Township, or county or state road authorities.
2. The minimum lot area for such uses shall be one (1) acre, and the minimum lot width for such uses shall be 175 feet.
3. Sales, display or rental of motor vehicles shall be prohibited, except where the service center or repair station is accessory to a permitted dealership showroom or outdoor dealership sales lot.
4. Hydraulic hoist, service pits, lubricating, greasing, washing, and repair equipment and operations shall be located within a completely enclosed structure(s), and all auto repair activities shall take place within a completely enclosed structure(s).
5. Open service bays and overhead doors shall not face towards any adjacent Residential Districts and RESIDENTIAL USES.
6. Display of temporary signs shall be prohibited where such signs are attached to the pump island canopy, light poles or similar structures.

7. Outdoor sales or display areas shall limited to areas identified on an approved final site plan, and shall conform to the requirements of Section 5.410 (Outdoor Sales and Display Areas).
8. Required parking shall be calculated separately for each use, including any accessory convenience store or other permitted COMMERCIAL USES. Such calculations shall be based upon the floor area occupied by each use.

B. Pollution Prevention.

In addition to the requirements contained in Article 15.0 (Site Plan Review), the final site plan shall contain provisions for ventilation and the dispersion and removal of fumes, for the removal of hazardous chemicals and fluids, and for the containment of accidental spills and leaks of hazardous chemicals and fluids, including a detailed description of the oil and grit separator or other measures to be used to control and contain run-off.

1. There shall be no external evidence of service and repair operations, in the form of dust, odors, or noise, beyond the interior of the service building.
2. The entire area used for vehicle service shall be paved.
3. Buildings containing service and repair activities shall have appropriate filtering systems to prevent emission of odors.

C. Fueling Station Pump Islands.

In addition to the requirements contained in Article 15.0 (Site Plan Review), the preliminary site plan shall illustrate the height, proposed clearance, materials, and design for all pump island canopy structures (see "Pump Island Canopy Lighting" illustration).

1. The pump island canopy shall be architecturally and aesthetically compatible with the principal building and the surrounding area, as determined by the Planning Commission.
2. All lighting fixtures under the canopy shall be fully recessed into the canopy structure. The Planning Commission may permit a maximum intensity of 20.0 footcandles for lighting under the canopy as part of site plan approval, provided that site lighting is otherwise in compliance with Section 10.08 (Exterior Lighting).
3. Pump islands shall be so arranged that ample space is available for motor vehicles that are required to wait.
4. The location of gasoline storage and sales shall be reviewed by the Township Fire Department for compliance with the National Fire Prevention Code.

D. Vehicle Access.

Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives or traffic generated by other buildings or uses.

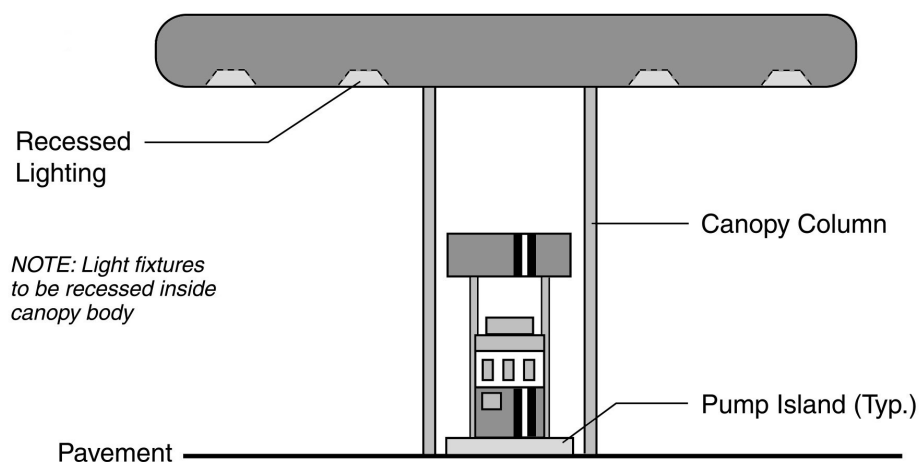
1. Sidewalks shall be separated from vehicular circulation areas by curbs, wheel stops, or traffic islands. The portion of the property used for vehicular traffic shall be separated from landscaped areas by a curb.
2. The maximum widths of any driveway at the right-of-way line shall be 30 feet, and the interior angle of the driveway between the street curb line and the lot line shall be not less than 60 degrees.
3. The distance of any driveway from any property line shall be at least 20 feet, measured at the tangent points of the drive edge and the street curb return.
4. The distance between curb cuts shall be no less than 40 feet, measured between the tangent points of the drive edges and the street curb returns. On corner lots or where the facility has frontage on more than one (1) road right-of-way, not more than one (1) driveway shall be permitted per road frontage.

E. Incidental Outdoor Storage.

Storage of vehicles rendered inoperative, either through damage or disrepair or any other cause, and vehicles without current license plates, shall be limited to a period of not more than 30 calendar days, and then only for the purpose of temporary storage pending transfer to a junk yard or other premises for permanent disposition or disposal.

1. Outdoor storage of trash or other materials, including new or discarded vehicle parts, shall comply with the provisions of Section 6.02 (Storage of Materials).
2. Such storage shall not occur in front of the front building line.
3. Such inoperative vehicles shall not be sold or advertised for sale on the premises.
4. Outdoor storage shall be prohibited accessory to a motor vehicle fueling station, unless separate approval has been granted for a vehicle repair use.

ILLUSTRATION



Pump Island Canopy Lighting

Section 5.409 Outdoor Cafés and Eating Areas.

Outdoor seating and/or service when associated with a restaurant shall be subject to required approvals from the Washtenaw County Environmental Health Division and the following:

1. The site plan shall indicate the area for and location of all outdoor seating. No such seating shall be located in a required yard.
2. Parking shall be provided for seating in an outdoor seating area per Article 11.0 (Off-Street Parking and Loading Regulations).
3. The outdoor café shall be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required.
4. Exterior lighting for the outdoor café shall not constitute a nuisance or hazard to adjoining lots and uses.
5. Broadcasting of music or any other amplified sound shall be prohibited.
6. Signs shall not be permitted beyond those allowed for the principal use.

Section 5.410 Outdoor Sales or Display Areas.

Open air businesses and outdoor sales or display areas for sales or rentals of motor vehicles, recreational vehicles, building supplies, equipment, boats, merchandise or similar items shall be subject to the following:

1. **Location.** The location of all sales activity and the display of all merchandise shall be maintained in the area specified on an approved final site plan. No sales activity or display of merchandise shall be permitted in any road right-of-way or required yard setback.
2. **Setbacks.** Outdoor sales or display areas shall be set back a minimum of ten (10) feet from any parking area, driveway or access drive. No outdoor sales area shall be located within 50 feet of any Residential Districts and existing RESIDENTIAL USES.
3. **Broadcasting devices prohibited.** Devices for the broadcasting of voice, telephone monitoring, music or any other amplified sound shall be prohibited outside of any building.
4. **Hours of operation.** Where the use abuts any Residential Districts, the maximum hours of operation shall be limited to between the hours of 9:00 a.m. and 9:00 p.m., Monday through Friday; and between 10:00 a.m. and 6:00 p.m. on Saturday and Sunday.
5. **Exterior lighting and signs.** Exterior lighting shall conform to the standards of Section 10.08 (Exterior Lighting). Additional signs shall not be permitted beyond those permitted for the principal use.

6. **Pedestrian access.** The proposed activity shall be located and designed so as to ensure safe pedestrian access.
7. **Grading, surfacing, and drainage.** Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be hard-surfaced with concrete or bituminous material, and shall be graded and drained so as to effectively dispose of or retain stormwater runoff.
8. **Screening.** Such sales or display area shall be screened from adjacent Rural Districts, Residential Districts in accordance with Section 10.10D (Methods of Screening).

**SECTION 5.500
INDUSTRIAL, RESEARCH, AND LABORATORY USES**

Section 5.501 Accessory INDUSTRIAL, RESEARCH, AND LABORATORY USES.

Where specific INDUSTRIAL, RESEARCH, AND LABORATORY USES are permitted as an accessory use in a zoning district, such uses shall be subject to the following, in addition to any other applicable use standards:

1. Such accessory INDUSTRIAL, RESEARCH, AND LABORATORY USES shall be located and maintained so as to be incidental and subordinate to the principal use(s) on the site. Accessory warehouse space shall be limited to exclusive use by the principal use(s) on the site.
2. Such accessory uses shall be located in the building(s) containing the permitted principal use(s) that will be served. No signs for such businesses shall be permitted that are visible from a road right-of-way or adjacent lot.
3. Not more than twenty five percent (25%) of the usable floor area of each principal building shall be occupied by any accessory INDUSTRIAL, RESEARCH, AND LABORATORY USES.

Section 5.502 Intensive Industrial Operations.

Intensive industrial operations shall be subject to the following:

A. General Standards.

Such uses shall comply with all standards of this Ordinance, the Township's utility and sewer ordinances, and all standards established by the U.S. Environmental Protection Agency, U.S. Department of Agriculture, Michigan Department of Environmental Quality, Michigan State Police, Washtenaw County Environmental Health Division, and other agencies with jurisdiction.

B. Impact Assessment.

The applicant shall submit an impact assessment with any plan submitted for review, which shall describe the expected impacts associated with the use and any mitigation measures to be employed. The assessment shall include the following minimum information and documentation:

1. Negative short-term and long-term impacts, including duration and frequency of such impacts, and measures proposed to mitigate such impacts:
 - a. Water, noise, light, and air pollution associated with the proposed use.
 - b. Effect of the proposed use on public utilities.
 - c. Displacement of people and other land uses by the proposed use.
 - d. Alteration of the character of the area by the proposed use.
 - e. Effect of the proposed use on the Township's tax base and adjacent property values.

- f. Impact of the proposed use on traffic.
2. Description of all planned or potential discharges of any type of wastewater to a storm sewer, drain, river, stream, wetland, other surface water body or into the groundwater.
3. Description of storage area for any salt, oil or other potentially hazardous materials including common name, name of chemical components, location, maximum quantity expected on hand at any time, type of storage containers or base material, and anticipated procedure for use and handling.
4. Description of any transportation, on-site treatment, cleaning of equipment, and storage or disposal of hazardous waste or related containers.
5. Description of all secondary containment measures, including design, construction materials and specifications, and security measures.
6. Description of the process for maintaining and recording of all shipping manifests.

All mitigation measures shall be subject to Planning Commission approval. The Planning Commission may impose conditions on the proposed use to the extent that the Commission determines are necessary to minimize any adverse impact of the facility on nearby properties, in addition to the conditions of approval specified in Article 16.0 (Conditional Uses).

C. Development Standards.

Intensive industrial operations shall not be located within 500 feet of any Residential Districts. Such uses shall be screened from all road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening).

Section 5.503 Junkyards and Material Recovery Facilities.

Junkyards, salvage yards, outdoor vehicle storage, vehicle dismantling or recycling facilities, and similar material recovery facilities shall conform to all applicable federal, state, county, and local laws and regulations and the following:

A. Access and Truck Routes.

Such facilities shall be located on a paved primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.

1. Such facilities shall not be located on property contiguous to or across a road right-of-way from the boundary of any Rural Districts or Residential Districts.
2. Travel routes within the Township for trucks entering and leaving the facility shall be shown on a map submitted with the site plan required by Article 15.0 (Site Plan Review).
3. Truck travel routes shall not pass through residential areas, unless such routes follow paved primary roads.

4. All drives, parking areas, and loading/unloading areas shall be paved, watered, or treated so as to limit nuisances caused by windborne dust on neighboring properties and on public roads.
5. There shall not be more than one (1) entranceway from each public road that adjoins the facility.

B. Proximity to Residential Districts and Uses.

The facility, when established and located within 1,000 feet of any Residential Districts or existing RESIDENTIAL USES, as measured on a straight line distance, shall not be open for business and shall not be operated at any time other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, and between 7:00 a.m. and 12:00 noon on Saturdays. Such facilities shall not be open for business or otherwise operate on Sundays and legal holidays.

C. Enclosures and Screening.

The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening) and the following:

1. The facility shall be enclosed within a solid wall at least six (6) feet and no more than eight (8) feet in height, which shall not be located within the required yard setbacks. The Planning Commission may approve the substitution of a solid fence for all or part of a required wall, upon determination that a fence would be more appropriate for the abutting uses, topography or drainage patterns, preservation of natural features, or other circumstances. Such walls and/or fences shall be subject to the following:
 - a. Strips of metal, plastic or other materials inserted into wire fences shall be prohibited.
 - b. Gates shall also be made of solid, opaque material.
 - c. The fence or wall height shall be measured from grade at each fencepost or at ten (10) foot intervals in the case of a wall.
2. Automobiles, trucks, and other vehicles or junk materials shall not be stored in piles or stacked higher than the top of the fence or wall surrounding the facility.
3. All exterior storage of recyclable or recoverable materials, other than large vehicle components, shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized. No storage containers or enclosures, excluding truck trailers, shall be visible above the height of the fence or wall.

D. Additional Requirements.

1. Stored vehicles and materials shall be stored in organized rows with open intervals at least 20 feet wide between rows for purposes of fire protection access and visitor safety.

2. Burning shall be prohibited except within an enclosed incinerator, and only if the burning operation and incinerator are approved by the Township Fire Chief or other designated fire official, the Township Building Inspector, and the Washtenaw County Environmental Health Division.
3. All flammable liquids shall be drained immediately from automobiles and other vehicles brought to the facility. Such liquids shall be stored in containers approved by the Township Fire Chief or other designated fire official, and promptly disposed of in accordance with applicable federal, state, county, and local regulations.
4. The site shall be maintained in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. The site shall be maintained free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis. The site shall be secured from unauthorized entry and removal of materials when attendants are not present.
5. Power driven processing, dismantling, and wrecking operations may be restricted or prohibited by the Planning Commission to minimize impacts of such operations on neighboring properties. Processing operations shall be limited to baling, crushing, compacting, grinding, shredding, and sorting of source-related recyclable materials.
6. Noise levels shall not exceed 60 dBA as measured at the property line of the nearest Residential Districts and existing RESIDENTIAL USES, and otherwise shall not exceed 70 dBA. No dust, fumes, smoke, vibration, or odor above ambient levels shall be detectable on neighboring properties. To achieve this end, the Planning Commission may require odor-control devices or facilities.
7. Space shall be provided on-site for the anticipated peak load of customers to circulate, park, and deposit materials. If the facility is open to the public, space shall be provided for a minimum of ten (10) customers or the peak load, whichever is higher.
8. Any containers provided for after-hours donations of recyclable materials at a material processing facility shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.
 - a. Donation areas shall be kept free of litter and any other undesirable materials.
 - b. The containers shall be clearly marked to identify the type of material that may be deposited.
 - c. The facility shall display a notice stating that no material shall be left outside the containers.
9. Signs or other advertising materials shall not be placed on any fences or walls.

Section 5.504 Outdoor Storage, General.

Outdoor storage, where expressly permitted accessory to certain land uses by provisions of this Article, shall be subject to the following:

1. The storage area shall be enclosed within a solid wall or fence at least six (6) feet and no more than eight (8) feet in height located outside of all required yard setbacks. Strips of metal, plastic or other materials inserted into wire fences shall be prohibited, and gates shall also be made of solid, opaque material.
2. The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening). A landscape strip shall be provided along the road right-of-way, and the remaining required yard areas shall be landscaped and maintained in good condition.
3. The storage of soil, fertilizer and similar loosely packaged materials shall be contained and covered to prevent dispersal by the wind.
4. Any outside storage area shall be paved or surfaced with a gravel or similar hard surface material, and shall include an approved stormwater management system.
5. Outdoor storage of materials within any yard setback areas or above the height of the required wall or fence shall be prohibited.
6. Storage or disposal of used oil or other petrochemicals, junk vehicles, garbage, or similar materials to be dismantled or recycled shall be prohibited.

Section 5.505 Self-Storage Warehouses.

The following regulations shall apply to self-storage warehouses:

1. The minimum lot area for self-storage-warehouses shall be two (2) acres, and the minimum lot width shall be 200 feet.
2. Such facilities shall be located on a paved primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.
3. A front yard setback of no less than 50 feet shall be maintained in landscaped open space. Side yard setbacks shall be no less than 25 feet and rear yard setbacks shall be no less than 40 feet. The minimum distance between self-storage buildings shall be 25 feet.
4. All areas intended for vehicular travel shall be paved with asphalt or concrete, as approved by the Planning Commission.
5. Site development shall be compatible with the surrounding area, and the following:
 - a. Exterior façade walls of all storage units shall be of decorative masonry construction.

- b. The self-storage warehouse buildings shall be visually screened from all road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening).
6. Self-storage-warehouse establishments shall be limited to storage of household goods and non-hazardous commercial goods. Storage of recreational vehicles and recreational equipment may be permitted as an accessory use, subject to the following:
 - a. Such storage shall be incidental to the main use of enclosed storage.
 - b. Outdoor storage of such vehicles and equipment shall be located to the rear of the lot, and completely screened from road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening).
 - c. All such recreational vehicle and equipment storage must be operable and licensed to operate on the highways of the State of Michigan.
7. A caretaker's residence may be provided within the principal building as an accessory dwelling in accordance with Section 5.201 (Accessory Dwelling).

SECTION 5.600 OTHER USES

Section 5.601 Aircraft Landing Strips.

Private aircraft landing strips, hangars, and related facilities shall comply with the following:

1. The aircraft landing strip site and design shall comply with the standards established by the FAA and the Michigan Department of Aeronautics concerning obstruction to air navigation.
2. All required "clear zones" (as defined by the FAA) shall be owned by the aircraft landing strip owner, or set aside as permanent open space by a recorded conservation easement.
3. The number of permitted runways shall not exceed a maximum of two (2).
4. Sufficient parking shall be provided for aircraft storage areas, offices and other uses associated with the landing strip.
5. An emergency access road shall be provided and maintained to the landing strip for access by fire and emergency vehicles constructed of either asphalt, concrete, or compacted gravel.
6. The plans for such facilities shall be subject to approval by the Federal Aviation Agency (FAA) and the Michigan Department of Aeronautics, where required by these agencies. Use of the landing strip shall be limited to aircraft classified as airplane design group (ADG) Group 1 and 2 by federal standards.

Section 5.602 Composting Centers.

This Section shall not apply to composting of common household materials generated by RURAL USES or RESIDENTIAL USES on an individual parcel in the Rural Districts. The following regulations shall apply to operations designed for commercial composting of organic materials and/or conversion of sewage or sludge into usable or saleable products:

A. Site Plan Requirements for Composting Facilities.

Establishment, expansion, and alteration of a composting facility shall be subject to site plan approval. In addition to the requirements of Article 15.0 (Site Plan Review), the following information shall be included on a site plan for a composting facility:

1. Access route traffic patterns as well as on-site traffic patterns.
2. A detailed maintenance plan for all outdoor areas where compost materials are received, processed, cured or stored; and impacts on public road rights-of-way. The maintenance plan shall include the following minimum provisions:
 - a. Methods and practices by which the tracking of mud or compost materials from composting areas into public road rights-of-way will be minimized.

- b. Location(s) of truck cleaning areas, and methods of cleaning trucks to prevent the occurrence of nuisances resulting from the tracking of mud or compost materials.
 - c. An on-site traffic control pattern, including a bypass road around the truck cleaning area if applicable.
 - d. Method for removing soil, dust, and/or compost materials attributable to the composting operations from public roads within 1,500 feet of the composting area entrance and exits.
3. Written documentation of an operation plan addressing the following:
- a. Method of receiving, sorting, and handling composting materials on-site.
 - b. Methods of controlling fugitive dust, noxious odors, noise, vibration, light, and blowing debris.
 - c. Expected frequency of turning and removal of composted materials, and measures to be taken should anaerobic conditions arise.
 - d. Expected frequency for of composting windrows.
 - e. Hours of operation and a description of daily cleanup procedures.
 - f. Measures to be taken should surface or groundwater contamination take place.
 - g. The capacity of the composting facility in terms of cubic yards, and the maximum amount of compost material to be accepted annually.
4. A closure plan shall be submitted with the application, which shall detail the final end use of the property should use of the facility be discontinued for more than 365 consecutive days. The plan shall include a clean up and restoration plan and cost estimate; a description of how and where the existing surface debris will be disposed; and a re-use plan for the final disposition of the land.

B. Size and Location.

Composting facilities shall have a minimum lot area of 20 acres, and shall not be allowed in any 100-year floodplain, groundwater recharge area, or regulated wetland.

C. Ground and Surface Water Quality.

To ensure that ground or surface waters are not contaminated, such facilities shall be subject to the following:

1. The surface and ground waters at a composting facility shall comply with the water quality requirements of applicable state and federal laws.
2. Monitoring wells shall be installed by the owner, operator or lessee on site prior to construction of the composting facility. The location of such wells shall be determined on a site-by-site basis, subject to review and approval by a

professional acceptable to the Township. All review costs shall be assumed by owner/operator or lessee.

- a. Sampling of groundwater monitoring wells must start before operations begin, continue quarterly during the active life of operations, and quarterly for a two (2) year period after operations cease for compliance with applicable state and federal laws. The monitoring shall be done by a professional acceptable to the Township. All costs for such monitoring shall be assumed by owner/operator or lessee.
 - b. Should test wells reveal violation of the water quality requirements of applicable state and federal laws, the petitioner shall be required to install a groundwater remediation system. The system shall be subject to review and approval by a professional acceptable to the Township. All costs shall be assumed by owner/operator or lessee.
3. If any stream or swale is present on the site, it shall be buffered by a 100 foot open space setback measured from the outer edge of the floodplain or all alluvial soils to ensure that the stream is adequately protected from pollution.
 4. Surface water monitoring shall also be required to assess the adequacy of leachate containment and runoff control, and for compliance with applicable state and federal laws. Such monitoring shall be required quarterly. The monitoring shall be done by a professional acceptable to the Township. All costs for such monitoring shall be assumed by the owner/operator or lessee.
 5. Documentation of the analysis for all ground and surface water monitoring events shall be submitted to the Township within 60 days after completion.
 6. Discharge of water from an on-site stormwater retention basin shall only be reintroduced into the compost pile, directed into a publicly-owned and operated sanitary sewerage system, or transported and disposed of off-site by a liquid industrial waste hauler. Discharges into the Township's sanitary sewerage system shall comply with the Township's utility and sewer ordinances.

D. Anaerobic Conditions Prohibited.

Compost materials shall not be accepted on site in an anaerobic condition. Such facilities shall be closed when anaerobic conditions arise, with operations limited to correcting the condition. Determination of anaerobic conditions may be made by the Zoning Administrator, Washtenaw County, or authorized consultant.

If anaerobic conditions arise more than two (2) times during any 30 calendar day period, the Planning Commission may rescind approval of any conditional use permit or require closure of the facility for up to 60 calendar days. After two (2) such closures within one (1) calendar year, the Planning Commission may take action to rescind approval of any conditional use permit and require closure of the facility permanently.

E. Screening and Separation Standards.

To ensure proper buffering of the composting facility from nearby land uses that may be adversely affected by the facility, the following requirements shall apply:

1. No composting facility shall be constructed or expanded within 1,000 feet of any Residential Districts.
2. The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening).

F. Fugitive Dust, Noxious Odors, Noise, Vibration, Light, and Blowing Debris.

The operation of a composting facility shall not result in unreasonable off-site deterioration of air quality, cause unreasonable interference with the comfortable enjoyment of life and property, or cause injurious effects to human health, safety, and welfare.

1. All composting facilities shall be designed, constructed and operated so that fugitive dust, noxious odors, noise, vibration, light, and blowing debris are controlled and do not cause off-site problems or nuisances.
2. Failure to meet minimum performance standards or maintain the site in compliance with the approved plans shall be considered a use violation of this Ordinance, subject to all applicable penalties

G. Compost Storage.

The height of compost material shall not exceed eight (8) feet, and storage of any material, other than compost, shall not be allowed on-site. No sludge of any kind shall be stored or deposited on composting facility property.

H. Right of Entry and Inspection.

All composting areas are subject to inspection by the Zoning Administrator, Township Planner, Township Engineer or other designated Township agent during regular business hours. The designated Township agent shall be empowered to collect and examine samples as deemed necessary to perform such inspections, and to take photographic, videotape, or other representation of conditions in the composting facility. No person shall hinder, obstruct, delay, resist, or prevent any inspection made or any sample collected and examined.

Section 5.603 Controlled Uses.

It is hereby recognized by the Township Board that controlled uses, as defined in this Ordinance, have serious and inherent objectionable operational characteristics, particularly when several such uses are concentrated under certain circumstances. These include specific impacts on local economic development and land use planning, such as lost business opportunities, increased costs for police and ordinance enforcement services in the neighborhood of such uses, and significant financial costs associated with mitigation and removal of such blighting influences.

Controlled uses are hereby recognized as an impediment to stable growth and development and full implementation of the Township Master Plan. Such uses create or exacerbate disruptive and deleterious conditions that impact adjacent properties; especially when constructed in proximity to other controlled uses, Residential Districts, and public and other institutional uses. Special regulation of these uses is necessary to minimize adverse impacts on the public health, safety, and welfare of persons and property; and to ensure that such impacts will not cause or contribute to blighting conditions or downgrading of property values in the Township.

Accordingly, it is the intent and purpose of Freedom Township to adopt reasonable regulations for controlled uses. Operation or expansion of any controlled use, whether conducted as a separate business activity or in conjunction with another use, shall conform to the following:

A. Controlled Uses Defined.

The following uses are defined as "controlled uses" for the purposes of this Ordinance:

1. Adult regulated uses and sexually-oriented business, as defined in Section 19.03 (Definitions);
2. Pawnshop or collateral loan and/or exchange establishment; and
3. Specially designated distributor's establishment or specially designated merchant's establishment, as licensed by the Michigan Liquor Control Commission.
4. Sales of hydroponics equipment and indoor growing paraphernalia as the principal use of a building or premises. This Section shall not apply to retail sales or wholesale suppliers for which sales of such equipment is an incidental component of the overall business operation.

B. Controlled Use Permit Application.

Any person with a legal interest in a lot zoned for such uses may apply for a Controlled Use Permit. Application shall be made by filing all completed forms and the required review fee and escrow deposit with the Township Clerk. If the applicant is not the fee simple owner of the property, the applicant shall submit a statement signed by all of the owners consenting to the application for a Controlled Use Permit. Submittal of a detailed site plan shall be required for establishment, expansion or alteration of a controlled use in accordance with Article 15.0 (Site Plan Review). The Township Clerk, upon receipt of all application materials, shall forward the materials to the Planning Commission, Township Planner, and other designated consultants.

C. Planning Commission Action.

The Planning Commission shall study the application and, within 180 calendar days after receipt of a complete and accurate application, shall approve, approve with conditions, or reject the application.

1. If the applicant has submitted a written request with the application for a Controlled Use Permit to waive one (1) or more requirements of Section 5.603E (Restrictions on Location), then the Planning Commission shall hold a public hearing on the request in accordance with Section 1.14 (Public Hearings). Public notice signage requirements for a Controlled Use Permit application that includes a waiver request shall be the same as required for a Conditional Use Permit under this Ordinance.
2. Planning Commission action on any request to waive one (1) or more requirements of Section 5.603E (Restrictions on Location) shall be in accordance with the standards of Section 5.603F (Waiver of Restrictions on Location).
3. Prior to the granting of approval for the establishment of any controlled use, the Planning Commission may impose any such conditions or limitations upon the

establishment, location, construction, maintenance, or operation of the controlled use as in its judgment may be necessary for the protection of the public interest.

4. The Planning Commission may require the applicant to submit a performance guarantee to the Township per Section 1.11C (Performance Guarantees) to ensure that such conditions will be fulfilled.

D. Restrictions on Use.

The following use restrictions shall apply to controlled uses:

1. All controlled uses shall be contained in a freestanding building. Enclosed malls, commercial strip stores, common wall structures, and multi-tenant buildings shall not constitute a freestanding building.
2. No adult use or sexually-oriented business shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas from any road right-of-way or from any property not regulated as an controlled use. This provision shall apply to any display, decoration, sign, window or other opening.

E. Restrictions on Location.

The following minimum separation distances shall be measured by a straight line between a point on the boundary of a zoning district listed below or a lot occupied by a use listed below nearest to the contemplated structure or contemplated location of the structure containing the controlled use:

1. No controlled use shall be located within 1,000 feet of any other controlled uses.
2. No controlled use shall be located within 1,000 feet of any institutional uses as defined in Section 19.03 (Definitions), child day care center, public park or playground.
3. No controlled use shall be located within 500 feet of the boundary of any Residential District or PUD (Planned Unit Development) District incorporating RESIDENTIAL USES.

F. Waiver of Restrictions on Location.

Upon written request from the applicant submitted with the application for a Controlled Use Permit, the Planning Commission may waive or reduce one (1) or more of the restrictions in Section 5.603E (Restrictions on Location), subject to the following:

1. No waivers shall be given to permit a controlled use to locate within 1,000 feet of any institutional uses, child day care center, public park or playground.
2. A public hearing shall be held per Section 1.14 (Public Hearings).
3. To waive or reduce one (1) or more of the restrictions in Section 5.603E (Restrictions on Location), the Planning Commission shall find that the following conditions exist:

- a. The proposed use will not be contrary to the public interests or injurious to nearby properties in the proposed location, and the spirit and intent of the purpose of the spacing requirement will still be observed;
- b. The proposed use will not cause or exacerbate a deleterious impact upon adjacent areas through causing or encouraging blight, or disrupting normal development or use of land;
- c. The establishment of an additional controlled use at the proposed location will not be contrary to or interfere with implementation of the Master Plan or any related improvement program or plan; and
- d. All other applicable Township regulations and state or federal laws will be observed.

Section 5.604 Extraction Operations.

All extraction operations shall be subject to the requirements of the Freedom Township Sand and Gravel Extraction Ordinance (Ord. No. 32).

Section 5.605 Private Off-Road Courses.

Private recreational motocross or BMX courses and similar off-road courses shall be subject to the following:

1. Approval of a certificate of zoning compliance shall be required per Section 1.07 (Certificates of Zoning Compliance). No formal site plan shall be necessary unless otherwise required by this Ordinance.
2. The principal dwelling of the property owner for the subject parcel shall be located on the same or an adjoining parcel.
3. The lot area shall not be less than ten (10) contiguous acres under single ownership. All structures, improvements, and other elements of the course shall be set back a minimum of 50 feet from all lot boundaries and road rights-of-way, and 150 feet from dwellings on abutting parcels.
4. Grading for the course shall be kept to a minimum. Site grading that would change the general topography of the site or adversely impact drainage patterns or adjacent watercourses shall be prohibited.
5. There shall be no excessive noise, or obnoxious odors, or other nuisances caused by course activity. The hours of operation for such courses shall be limited to between the hours of 8:00 a.m. and 8:00 p.m. or dusk, whichever is earlier. No nighttime operations shall be permitted.
6. Use of the course shall be limited to the family and guests of the property owner. Such courses shall not be open to the general public, and shall not be available for public tournaments or for rent. There shall be no commercial activity, other than incidental sales not unusual for a residential use.

Section 5.606 Racetracks.

Racetracks and similar facilities shall be subject to the following:

1. **Frontage and access.** Racetracks and similar facilities shall have direct vehicle access to a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities.
2. **Accessory uses.** Retail, restaurant, office, and service uses may be permitted within a racetrack facility for exclusive use of patrons, employees, and guests.
3. **Screening.** The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 10.10D (Methods of Screening). The racetrack, grandstands, and service areas shall be enclosed within a solid wall or fence at least six (6) feet and no more than eight (8) feet in height.
4. **Setbacks.** All structures and racetrack facilities shall be set back a minimum of 300 feet from all lot boundaries and road rights-of-way, and a minimum of 1,000 feet from the boundary of Residential Districts and abutting RESIDENTIAL USES.
5. **Parking and loading.** All parking, loading and maneuvering space shall be contained within the site.
6. **Impact assessment.** The applicant shall submit an impact assessment describing the expected impacts associated with the use and proposed mitigation measures. At a minimum, the assessment shall address the following:
 - a. Anticipated levels and costs of necessary public services associated with the proposed racetrack use. Any additional public services not currently available shall be identified, along with proposed measures to secure such services.
 - b. Anticipated noise levels shall be provided at the lot boundaries and road rights-of-way, and any proposed noise mitigation measures.
 - c. Anticipated traffic impacts, including operational plans to ensure that traffic to and from the site does not adversely impact public roads, or the public health, safety or welfare.
 - d. Any other anticipated impacts of the proposed use.
7. **Hours of operation.** Such facilities shall be limited to operating hours between 8:00 a.m. and 8:00 p.m. or dusk, whichever is earlier. No nighttime, Sunday or national or state holiday operations shall be permitted.
8. **Insurance certificate.** The applicant shall submit a valid certificate of insurance, to be renewed annually, listing the Township as the certificate holder and naming the Township, its past, present and future elected officials, representatives, employees, boards, commissions, agents, and designated consultants as additional named insured. The certificate shall also state that if any of the described policies are to be canceled before the expiration date thereof, the issuing company will mail thirty days written notice to the Township as certificate holder. The Township may require the applicant to supply a

\$1,000.00 cash bond to the Township, which shall be used to reimburse administrative expenses in the event the certificate is allowed to lapse.

Section 5.607 Topsoil Removal or Stockpiling.

The removal or temporary stockpiling of topsoil on a site under development in the Township shall comply with all applicable federal, state, and local laws, regulations, codes, and ordinances; and shall be subject to the following:

1. **Development sites and site plan approval.** Removal or temporary stockpiling of topsoil on a site under development shall be prohibited, except where a site plan has received final approval from the Township. Expiration of site plan approval shall also cause any zoning permit for removal or temporary stockpiling of topsoil to immediately expire.
2. **Certificate of Zoning Compliance.** Approval of a Certificate of Zoning Compliance per Section 1.07 (Certificates of Zoning Compliance) shall be required for removal or temporary stockpiling of topsoil from any site in the Township. The application shall include a plan showing areas of temporary topsoil stockpiling, proposed methods of containment, and proposed truck route(s) for any removal of topsoil from the site. Calculations of the volume of existing topsoil on the site, minimum volume required to support the planned use of the site, and any volume anticipated to be removed from the site shall also be provided.
3. **Setbacks.** Topsoil stockpiling areas shall comply with the minimum setback requirements for the district, and shall be set back a minimum of 100 feet from the boundary of any Residential Districts and abutting existing RESIDENTIAL USES.
4. **Access.** All truck access to the site for removal of topsoil shall be from a major road or primary road as classified by the master transportation plans of the Township, or county or state road authorities. Removal of topsoil using local roads shall be prohibited.
5. **Containment and screening.** Stockpiled topsoil shall be contained to prevent blowing of materials or dust upon adjacent properties. Such stockpiled areas shall be screened from abutting road rights-of-way, Residential Districts and existing RESIDENTIAL USES per Section 10.10D (Methods of Screening).
6. **Limitation on removal.** Topsoil removal from the site shall be limited to the amount determined to be unnecessary for the planned use of the site, as demonstrated on a plan submitted for Certificate of Zoning Compliance approval.
7. **Prohibited activities.** Sales of stockpiled topsoil from the site and importation of topsoil to the site for stockpiling or sale shall be prohibited.

Section 5.608 Utility Transmission and Distribution Lines.

The standards of this Section shall not apply to public utility companies constructing individual lateral service lines utilizing not more than three (3) poles. All other electricity transmission and distribution lines, gas and oil pipelines, and other utility structures, lines, and pipelines shall be subject to the following:

1. Storage of materials, equipment, vehicles, or supplies shall be prohibited on the premises, except as required during periods of maintenance and servicing.
2. No personnel shall be quartered or employed on the premises.
3. Structures or buildings shall be located, designed, constructed, and landscaped in conformance to the character of the surrounding area and zoning district.

Section 5.609 Volatile Biofuel Production.

In accordance with Section 3513 of the Michigan Zoning Enabling Act, limited, farm-based production of certain biofuels shall conform to the following requirements:

A. General Standards.

The following standards shall apply to all such facilities:

1. The biofuel production facility shall be accessory to and located on the same parcel as an active farm operation lawfully operating in the Township.
2. Biofuel production authorized by this Section shall be limited to a renewable fuel product, such as ethanol and bio-diesel, derived from recently living organisms or their metabolic byproducts. Farm-based production of methane or any fuel product from an anaerobic digester shall be prohibited.
3. No part of a biofuel production facility, including driveways and other site improvements, shall be located within any required yard setback area per Article 3.0 (Dimensional Standards). In addition, such facilities and improvements shall be set back a minimum of 100 feet from all lot boundaries and road rights-of-way.
4. Structures, facilities, and equipment used in the production or storage of biofuel shall comply with this Ordinance, other ordinances, and applicable state and federal laws and regulations.
5. Prior to the start of operation and upon any written request from the Township, the owner or operator of the biofuel production facility shall provide to the Zoning Administrator documentation of all necessary permits and approvals from the State of Michigan and other outside agencies with jurisdiction over any of the following:
 - a. Air pollution emissions;
 - b. Transportation of biofuel or another product or by-product of production;
 - c. Use or reuse of additional products resulting from biofuel production;

- d. Storage of raw materials, fuel or additional products used in or resulting from biofuel production; and
 - e. Verification that the facility includes sufficient storage for raw materials, fuel, and additional products resulting from biofuel production; or the capacity to dispose of additional products through land application, livestock consumption, sale or other lawful means.
 - f. Compliance with federal requirements associated with ethanol production of more than 10,000 proof gallons annually.
6. The operator of the facility shall keep a written record of the source(s) of the feedstock for the biofuel production facility, and the end users of the biofuel or another product or by-product produced by the biofuel production facility.
7. The operator of a facility with an annual production capacity of not more than 100,000 gallons of biofuel operating as a permitted use in the zoning district (without special use permit approval) shall also provide an annual written report to the Zoning Administrator which demonstrates that:
- a. At least seventy-five percent (75%) of the feedstock was produced on the farm where the biofuel production facility is located; and
 - b. At least seventy-five percent (75%) of the biofuel or another product or byproduct produced by the biofuel production facility is used on that farm.
 - c. Operation of a biofuel production facility with an annual production capacity of not more than 100,000 gallons that does not conform to the percentage limitations of this subsection shall be subject to conditional use permit approval in accordance with this Section and Ordinance.

B. Additional Standards for Certain Facilities.

In accordance with Section 3513 of the Michigan Zoning Enabling Act, the following additional standards shall apply only to large biofuel production facilities, which are facilities with an annual production capacity of more than 100,000 gallons of biofuel, and to any biofuel production facility subject to conditional use permit approval in accordance with this Section or Ordinance:

- 1. Large biofuel production facilities shall be limited to a maximum annual biofuel production capacity of not more than 500,000 gallons.
- 2. Any application for approval of a such a facility shall include all of the following, in addition to the other applicable requirements of this Ordinance:
 - a. A detailed description of the process to be used to produce the biofuel.
 - b. The number of gallons of biofuel anticipated to be produced annually.
 - c. An emergency access and fire protection plan, subject to review and recommendation by emergency response agencies serving the Township.

- d. Documentation of compliance with applicable requirements of this Ordinance, other ordinances, and state and federal laws and regulations.

C. Limitations on Conditional Use Permit Review.

In accordance with Section 3513 of the Michigan Zoning Enabling Act, Township review of any conditional use permit application for a biofuel production facility shall be modified as follows:

1. **60-day time limit for a public hearing.** For any conditional use permit application subject to the requirements of this Section, the Planning Commission shall hold a public hearing on the application in accordance with Section 1.14 (Public Hearing Procedures) within 60 calendar days after the filing date of a complete and accurate application.

The application shall be deemed to have been rejected as incomplete if no public hearing is held within this 60 calendar day period. An application deemed incomplete per this subsection may be resubmitted as a new application for the purpose of completing the review process. Such applications shall not be subject to the requirements of Section 16.08 (Re-Application).

2. **Limitation on conditions of approval.** The Planning Commission's authority to impose conditions on the approval of a biofuel production facility subject to this Section shall be limited to conditions necessary to verify that the facility conforms to all of the requirements of this Section.