

ARTICLE 16
SITE PLAN REVIEW

1601 PURPOSE

The purpose of this Article is to require site plan review approval for certain structures and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and the character of future development. These regulations are intended to provide for the orderly development of Whitehall Township, the stability of land values by preventing impairment or depreciation, and the conservation of natural resources.

1602 SITE PLAN REVIEW AND APPROVAL; WHEN REQUIRED

Subject to section 1603 below, site plan review and approval is required:

- A. For those uses requiring a Special Use Permit.
- B. For any change in use of a lot or structure (i.e. converting a nonconforming residence in a commercial zone to a business use)

1603 EXCEPTIONS TO MANDATORY SITE PLAN REVIEW AND APPROVAL

- A, Single or two (2) family dwellings.
- B. Accessory structures requiring no new or additional means of access thereto from adjoining streets and not higher or larger than existing structures on the site, and complying with all Zoning Ordinance requirements. Site plan review may be required by the Zoning Administrator,
- C. Projects involving the expansion, remodeling, or enlargement of existing structures which comply with all Zoning Ordinance requirements, involve no new or additional means of access thereto from adjoining streets, do not involve a change in the use of the premises, and do not involve increasing the height of existing structures nor an increase in the area thereof by more than one-fourth (1/4). Site plan review may be required by the Zoning Administrator.

1604 APPLICATION PROCEDURE

Application for site plan review shall be submitted to the Planning Commission on a form provided by the Township. Each application shall be accompanied by the required fee. Every application will be accompanied by the following information and data:

A. Completed application form.

B. Eleven copies of a site plan drawn to a readable scale showing:

1. Property dimensions, address, and legal description.
2. Size, shape, and location of existing and proposed uses, and structures.
3. The location of parking areas, parking spaces, loading areas, driveways, and curb cuts.
4. Existing streets and private easements and their locations and widths.
5. Proposed storm water disposal.
6. Water courses and water bodies, including existing drainage ways.
7. Set back distances from right-of-way and adjacent lot lines.
8. Location of existing or proposed open spaces, berms and green belts.
9. A landscaping plan indicating locations of proposed planting and screening, fencing, signs, and advertising features.
10. A lighting plan, describing the location and illumination of all outdoor lighting in sufficient detail to allow the Planning Commission to determine the extent of any adverse effect on neighboring lots or possibly motorists.
11. Dumpster and other refuse storage locations, with sufficient setbacks from other occupied structures to insure that fires in the dumpsters or other refuse storage locations are unlikely to spread to other occupied structures.

C. Such other documents, plans and/or written descriptions, containing a general description of the proposed development, including the proposed construction or remodeling, and the proposed use. Further, the application shall include such

environmental, engineering, or other reports, tests, safeguards, or studies as the Planning Commission may require.

1605 ACTION ON APPLICATION AND PLANS

A. Upon receipt of an application for site plan review, the Zoning Administrator shall require the Applicant to transmit one (1) copy of the site plan to each of the following agencies considered to be impacted or affected by the request (e.g. curb cut= Muskegon County Road Commission, etc..)

1. Muskegon County Road Commission, or Michigan Department of Transportation, as applicable.
2. Muskegon County Health Department,
3. Muskegon County Drain Commissioner (not mandatory; at the discretion of the Township), and
4. White Lake Fire Authority.

for their review and approval. The Zoning Administrator shall forward a copy of the site plan to each member of the Township Planning Commission and retain one (1) copy at the Township Hall for public review.

B. A hearing will be scheduled by the Chairperson of the Planning Commission for a review of the application and plans as well as the recommendations of the agencies and officials mentioned in A. above. Copies of the application, plans, comments, etc. shall be provided to the Planning Commission members for review prior to the hearing.

C. Following the hearing, the Planning Commission shall have the authority to approve, disapprove, or modify the proposed plans in accordance with the purposes of this Article. Any required modification shall be stated in writing, together with the reason therefor and delivered to applicant. The Planning Commission may either approve the plans contingent upon the required modifications, if any, or may require a further review after the same have been included in the proposed plans of the applicant. Prior to final site plan approval, the Planning Commission shall be provided with copies of the approvals of the entities cited in sub-paragraphs A1 through A4 above. The Planning Commission shall arrive at a decision for each proposal in 60 days or less.

Amended 10/27/2014 Effective 11/09/2014

D. The Planning Commission shall establish a deadline for completion of the project, which deadline may be extended from time to time by the Zoning Administrator, upon request of the applicant and for good cause shown

E. A copy of the approved site plan with any required modifications shall be maintained as part of the Township records for future review and enforcement One (1) copy shall be signed and dated with the date of approval by the Chairperson and Secretary of the Planning Commission for identification of the finally approved plans. If the site plan includes, as a component thereof, a variance issued by the Zoning Board of Appeals, then a copy of the variance and the Zoning Board of Appeals minutes related to the grant of such variance, shall be attached to and retained with the Planning Commission's written Site Plan approval. Record of Site Plan applications and Planning Commission action thereon shall be retained by the Township for as long as the Township Board shall direct.

1606 STANDARDS FOR SITE PLAN APPROVAL

In addition to compliance with all other relevant provisions of this Ordinance, the site plan shall satisfy the following additional requirements:

A. Maintenance of a proper relationship between the existing streets within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.

B. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance_

C. The landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal and by topographic modifications which result in maximum harmony with adjacent areas

D. Special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.

E. The site plan shall provide reasonable visual and sound privacy for all dwelling units. Fences, walks, barriers and landscaping shall be used as appropriate for the protection and enhancement of property and for the privacy of its occupants. Required bufferyards and specific plans will be included.

F All structures or groups of structures shall be so arranged as to permit reasonable emergency vehicle access.

G. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential properties or public thoroughfares, shall be screened by a vertical screen consisting of structural (fence) or plant materials no less than six (6) feet in height upon installation.

H. Exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

1607 MODIFICATION OF APPROVED SITE PLAN

Once site plan approval has been granted by the Planning Commission, material changes to the approved site plan shall require a resubmission and payment of fees.

1608 PERFORMANCE GUARANTY

In approving the site plan, the Planning Commission may require that a temporary or permanent cash deposit, certified check, performance bond, letter of credit, and/or other guaranty acceptable to the Planning Commission, in such amount and upon such terms as the Planning Commission shall deem appropriate, be furnished by the applicant or property owner or both, to insure continued compliance with the terms of this Ordinance, the terms and conditions of the site plan as approved, and with any other requirements related to any construction or improvement of any lot authorized by such approved site plan. Any such financial guaranty shall be deposited with the Township Treasurer prior to the issuance of the site plan approval. As work progresses, the Planning Commission may authorize a partial rebate in or reduction of the amount of any such financial guaranty.

1609 CONFORMITY TO APPROVED SITE PLAN

A. Property which is the subject of site plan approval must be developed in compliance with the approved site plan and any amendments thereto. If construction and development does not materially conform with such approved plan, the approval shall be revoked by the Zoning Administrator by written notice. Such revocation shall be posted upon the premises involved and mailed to the developer at his/her last known address. Upon revocation of such approval, all further construction activities shall cease upon the site other than for the purpose of correcting the violation.

B. The Planning Commission may, upon proper application and after a hearing, approve a modification in the site plan to coincide with the developer's construction provided such construction complies with the criteria contained in this Article.

1610 DECISION OF THE PLANNING COMMISSION; APPEALS

The decision of the Planning Commission shall contain the findings and determination of the Planning Commission in each case. The signature of the chairperson and secretary of the Planning Commission shall be affixed thereon. Any persons aggrieved by the decision of the Planning Commission shall have the right to appeal to the Township Board, which appeal shall be brought within thirty (30) days after issuance of the decision by the Planning Commission. The Township Board shall have the power to uphold, modify or reverse the decision of the Planning Commission and toward this end shall have all of the powers of the Planning Commission. Any persons aggrieved by the decision of the Township Board shall have the right to appeal to the Circuit Court for Muskegon County, which appeal shall be brought within thirty (30) days after issuance of the decision by the Township Board.

ARTICLE 17

SPECIAL USES

1701 PURPOSE

The functions and characteristics of an increasing number of new kinds of land uses combined with experience regarding some of the older, familiar kinds of uses calls for a more flexible and equitable procedure for properly accommodating these activities in the community. The forces that influence decisions regarding the nature, magnitude, and location of such types of land use activities are many and varied depending upon functional characteristics, competitive situations, and the availability of land. Rather than assign all uses to special, individual, and limited zones, it is important to provide controllable and reasonable flexibility in requirements for certain kinds of uses that will allow practicable latitude for the use of land, but that will also allow practicable latitude for the security of the health, safety, convenience, and general welfare of the community.

In order to accomplish such a dual objective, provision is made in this Ordinance for a more detailed consideration of certain specified activities as each may relate to proposed conditions of location, design, size, operation, intensity of use, generation of traffic and traffic movements, concentration of population, processes and equipment employed, amount and kind of public facilities and services required, together with many other possible factors, Land and structure use possessing these particularly unique characteristics are designated as "special uses" and may be authorized by the issuance of a "Special Use Permit" with such conditions and safeguards attached as may be deemed necessary for the protection of the public welfare.

The following sections, together with references in other Articles, designate what uses require a Special Use Permit.

1702 APPLICATION PROCEDURE

Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the payment of a fee in accordance with the duly adopted "Schedule of Fees".

The application shall include the following:

A. Special form supplied by the Zoning Administrator filled out in full by the applicant.

B. Site plan drawn to a readable scale, of the total property involved showing the location of abutting streets, the location of all existing and proposed structures, the types of structures and their uses.

C. A statement with supporting evidence regarding standards specified in Section 1704.

D. A lighting plan, describing the location and illumination of all outdoor lighting in sufficient detail to allow the Planning Commission to determine the extent of any adverse effect on neighboring lots or possibly motorists

1703 NOTICE OF PUBLIC HEARING, REVIEW, FINDINGS, AND ISSUANCE OF SPECIAL USE PERMITS

A. Upon receipt of an application for a special land use which requires a discretionary decision, the Planning Commission publishes and provides required notices of public hearing as follows:

1. Publish notice of the request in a newspaper of general circulation in Whitehall Township.

2. Notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered. Notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in Whitehall Township.

3. The notice shall be given not less than fifteen (15) days before the date the application will be considered for approval. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection. The notice shall do all of the following:

- (a) Describe the nature of the request;

- (b) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used;

- (c) State when and where the request will be considered; and

(d) Indicate when and where written comments will be received concerning the request.

B. The Planning Commission shall review the proposed development and accompanying site plan, pursuant to the standards and requirements set forth in this Article, prior to granting any Special Use Permit.

C. Within ~~60~~⁵⁰ (60) days after the conclusion of the hearing or adjourned hearing, the Planning Commission shall make a determination on issuance or denial of the Special Use Permit, including any limitations or specific requirements deemed appropriate by the Planning Commission. The Planning Commission shall issue any such Special Use Permit with all conditions and limitations clearly specified in writing. Amended 10/27/2014 Effective 11/09/2014

1704 GENERAL STANDARDS FOR MAKING DETERMINATIONS

The Planning Commission shall review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed special use:

A. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

B. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage facilities, refuse disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;

C. Will not create excessive additional requirements at public costs for public facilities and services; and will not be detrimental to the economic welfare of the community.

D. Will not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be hazardous, detrimental, or a nuisance to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, vibrations, glare, or odors.

E. Will be consistent with the intent and purposes of this Ordinance.

F. Special standards may also apply to the particular proposed use, pursuant to Article 18.

1705 CONDITIONS AND SAFEGUARDS

A. Prior to granting any Special Use Permit the Planning Commission may impose additional conditions or limitations upon the establishment, location, construction, maintenance, or operation of the use authorized by the Special Use Permit as in its judgment may be necessary for the protection of the public interest.

B. Conditions and requirements stated as part of Special Use Permit authorization shall be the continuing obligation of Special Use Permit holders. The Zoning Administrator is authorized to make periodic investigations of developments authorized by a Special Use Permit to determine compliance with all conditions and requirements.

C. The Planning Commission shall establish a deadline for completion of the project, which deadline may be extended from time to time by the Zoning Administrator, upon request of the applicant and for good cause shown.

a Special use permits may be issued for an unlimited period of time or for a specific duration of time, as determined by the Planning Commission. In the event that a Special Use Permit is granted only for a specific duration of time, then at the expiration of such time the Special Use Permit shall be deemed terminated unless renewed according to the procedures otherwise applicable for the issuance of an original Special Use Permit

E.. All plans, specifications, and statements submitted with the application for a Special Use Permit shall become, along with any changes ordered by the Planning Commission, a part of the conditions of any permit issued thereto.

1706 PERFORMANCE GUARANTY

In authorizing a Special Use Permit, the Planning Commission may require that a temporary or permanent cash deposit, certified check, performance bond, letter of credit, and/or other guaranty acceptable to the Planning Commission, in such amount and upon such terms as the Planning Commission shall deem appropriate, be furnished by the applicant or property owner or both, to insure continued compliance with the terms of this Ordinance, the terms and conditions of the Special Use Permit, and with any other requirements related to any construction upon, use of or improvement of any lot authorized by such Special Use Permit. Any such financial guaranty shall be deposited with the Township Treasurer prior to the issuance of the Special Use Permit As work progresses, the Planning Commission may authorize a partial rebate in or reduction of the amount of any such financial guaranty.

1707 TERMINATION OF SPECIAL USE PERMIT

Special Use Permits may be terminated in the event that there is a material violation of the terms or conditions of such Special Use Permit by the owners or occupants of the property granted the Special Use Permit. In such event, the Special Use Permit shall be terminated pursuant to the following procedure:

A. The Zoning Administrator or the Planning Commission shall provide the owner of the property with a written statement detailing the alleged violation or nonconformity with the terms and conditions of the Special Use Permit. Such statement shall be deemed an order to correct the alleged violation or deficiency.

B. In the event that such violation or such deficiency has not been cured within thirty (30) days after the issuance of such statement, then the Planning Commission shall review the matter at a regular meeting or special meeting called for such purpose. The owner shall be provided written notice of such meeting, and may be present at such meeting to present his/her position and facts supporting his/her position,

C. If the Planning Commission shall determine that there does exist a material violation or nonconformity, with respect to the terms and conditions of the Special Use Permit granted, which was not cured within thirty (30) days, then the Planning Commission may in its discretion take the following action:

1. Defer the matter for up to an additional thirty one (31) days in order to give the owner additional time to complete cure of any deficiency or nonconformity, if such attempts at cure have previously been undertaken but have not yet been completed;

2. If the owner has filed a request to amend the Special Use Permit such that the alleged violations or non-conformities with the existing Special Use Permit would no longer be deemed violations or nonconformity, the Planning Commission may defer further action until the hearing on the permit amendment is reviewed and a determination made by the Planning Commission as in the case of an application for an original permit;

- 3 Terminate the Special Use Permit.

1708 DECISION OF THE PLANNING COMMISSION; APPEALS

The decision of the Planning Commission shall contain the findings and determination of the Planning Commission in each case. The signature of the

chairperson and secretary of the Planning Commission shall be affixed thereon.

Any persons aggrieved by the decision of the Planning Commission shall have the right to appeal to the Circuit Court for Muskegon County, which appeal shall be brought within Thirty (30) days after issuance of the decision by the Planning Commission_

ARTICLE 18
SPECIFIC CONDITIONS AND REQUIREMENTS
FOR SPECIFIED SPECIAL USES

1801 PURPOSE

The purpose of this Article is to provide for minimum, additional conditions and requirements for specified uses, which uses may require additional oversight and safeguards for the protection of public welfare. The provisions pertaining to the process and procedure for obtaining a Special Use Permit are set forth in Article 17.

1802 GASOLINE SERVICE STATIONS

A. General Regulations: All gasoline service stations shall conform to the following minimum requirements:

1. The minimum frontage shall be one hundred fifty (150) feet.
2. The minimum lot area shall be thirty thousand (30,000) square feet.
3. The minimum setback from the street right-of-way for structures and pumps shall be eighty five (85) feet.
4. A minimum greenbelt buffer area of at least twenty five (25) feet shall be provided around the perimeter thereof, provided further that such greenbelt buffer may be reduced or eliminated in areas of the site where, for good cause shown by the applicant, such greenbelt is unnecessary, counterproductive, or impractical.

B. Construction Standards: All gasoline service stations shall conform to the following minimum requirements:

1. Separation shall be made between the pedestrian sidewalk and vehicular parking or moving area with the use of appropriate bumpers, wheel guards or traffic islands. Where the portion of the property used for vehicular traffic abuts a street, said portion shall be separated from the street line by a curb at least six (6) inches high.

2. The entire area used for vehicle service shall be paved, and all other areas shall be landscaped and protected from vehicular use by a low barrier.

3. Hydraulic hoists and lubricating, greasing, washing, and repair equipment shall be entirely within a structure. Tire and battery service and minor automobile repairs may be carried on outside of the structure.

4. The maximum width of all driveways at the sidewalk shall be no wider than thirty (30) feet, except and to the extent that a wider distance is required by the governmental entity having jurisdiction over the adjoining public street.

5. The minimum angle of driveway intersection with the street from the curb line to lot line shall be not less than sixty (60) degrees.

6. The minimum distance between curb cuts shall be not less than forty (40) feet.

C. Lighting: All lighting shall be accomplished in a manner such that no illumination source directly reflects upon adjacent properties.

D. Abandonment: In the event that a gasoline service station has been abandoned for a period of more than one (1) year, the Special Use Permit shall be deemed to be null and void, and prior to the renewed operation or use of the premises as a gasoline service station a new Special Use Permit must be obtained. In the event that the owner fails to comply with the provisions of this subsection, the Township may proceed to have the storage tanks and pumps removed and to include the cost thereof with the required property taxes with like payment requirements, or proceed with such other remedies as available to the Township as provided elsewhere in this Ordinance.

1803 NATURAL RESOURCES

A. A Special Use Permit shall be required for the excavation of topsoil, excavation of soils and minerals other than topsoil, and the commercial extraction of water, as set forth below:

1. Excavation of topsoil: Topsoils shall not be stripped, excavated, or otherwise removed for sale or for use other than on the premises from which it was taken except:

a. When in connection with construction operations and grading operations necessary thereto, when topsoil is in surplus amounts.

b. When as a product of authorized excavation of other soils and minerals as otherwise provided in this Ordinance.

2. Excavation of Soils and Minerals Other Than Topsoil: The excavation or extraction of water, peat, muck, sand, gravel, clay, or other mineral deposits for commercial purposes may be permitted as a special use in the B, M, and F zones. The permit may include authorization for the erection, installation, and use of necessary structures and appurtenances incidental to such operation.

3. Commercial Extraction of Water: The commercial extraction of water may be allowed by the Planning Commission as a special use, upon the following terms and conditions:

a. All state and county regulations pertaining to the activity shall apply at the time of application for the use, and continue to apply as such regulations may thereafter change from time to time; no interest in the use shall vest to prevent the application of such regulations as they from time to time apply. At the time of application or re-issuance of a township permit, any applicant shall present in writing from the proper authorities any state or county requirements pertaining to the use of the premises for which the permit is requested.

b. The extraction of water for sale shall be limited to the filling of containers for consumption and retail sales off of the premises containing the permitted use.

c. Not more than two thousand (2,000) gallons per one and one-quarter (1 1/4) acre per parcel in any one (1) week shall be extracted under a permit, and the applicant shall keep a log or other records as from time to time may be required by the township. Private or public easements or rights-of-way shall be deducted when computing available acreage.

d. The issuance of a permit shall not imply any permission, sanction or approval for the lowering or depleting of any aquifer or of the head pressure or supply of water on any other well or spring dependent upon the same head, vein or stratum.

e. As with all special uses, this use is subject to revocation, and any permit for the extraction of water may be renewable, but no original or renewal permit shall be valid respectively for more than five (5) years.

f. Reference is also made to the Whitehall Township Aquifer Protection Ordinance, and nothing in this Ordinance shall be deemed to excuse compliance with such Aquifer Protection Ordinance, provided further that in the event of a conflict between the terms and conditions of this Zoning Ordinance and the Aquifer Protection Ordinance, the more restrictive provision shall apply.

B. Sand/gravel pits and quarries: The following additional terms and conditions shall apply to Special Use Permits granted to sand pits, gravel pits, and/or quarries:

1. There shall be erected a fence of at least six (6) feet in height around the entire periphery of the development. Fences shall be adequate to reasonably prevent trespass, and shall be placed on level terrain no closer than fifty (50) feet to the top edge of any slope.

2. All areas within any single excavation project shall be rehabilitated progressively, as the areas are worked out or abandoned, to a condition of being entirely lacking in hazards, inconspicuous, and blended with the general surrounding ground form so as to appear reasonably natural. Gravel and sandpits, and quarries shall be completely and continually drained of water when not in use or not supervised by a watchman. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.

3. Traffic routes for truck movement in and out of the development shall be established in order to minimize the wear on public streets and to prevent hazards and damage to properties in the community and interior roadways shall be chemically treated to reduce dust.

4. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to persons, property, or to the community in general.

5. The operator or operators of such use shall file with the Township Planning Commission and the Township Zoning Administrator a detailed plan for the restoration of the development area which shall include: the anticipated future use of the restored land; the proposed final topography

indicated by contour lines of no greater interval than five (5) feet; steps which shall be taken to conserve topsoil; the type and number per acre of trees or shrubs to be planted; and the location of future roads, drives, drainage course, and/or other improvements contemplated.

6. The operator or operators shall provide a performance guaranty, as stated in Article 17.

C. Additional Requirements.

1. **Setback.** Excavation, washing, and stockpiling of extracted material shall not be conducted closer than fifty (50) feet from the outer boundary of any property line. The setback area shall not be used for any use in conjunction with a natural resources operation, except access roads or public notice signs identifying occupation. Greenbelt plantings and landscaping shall be provided in the setback area as required by the Planning Commission. Said setback may be increased by the Planning Commission where one boundary of the property abuts a body of water, in order to prevent surface water run-off with sedimentation and other possible sources of pollution to the water body.

2. **Buffers:** To reduce the effect of airborne dust, dirt and noise, all equipment for sorting, crushing, loading, weighing, and other operations and structures shall not take place or be built closer than three hundred (300) feet from any public street right-of-way or from any adjoining AA, A, AM or F zone.

3. **Frontage and Access.** Each lot for extraction uses shall have a minimum frontage on a public highway of at least two hundred fifty (250) feet, except that the Planning Commission may approve an extraction operation, where the tract has no frontage, if written permission for access to a street is first secured. Residential streets shall not be used for access to the property.

4. **Fencing:** Any excavation operation which results in or produces collections of water, or slopes as described below shall be subject to the following safety requirements:

a. Where slopes steeper than thirty (30) degrees exist for a period of one (1) month or more, access to such slopes shall be barred by a cyclone fence or similarly effective barrier at least six (6) feet high; at

least fifty (50) feet outside the edge of the excavation, with suitable gates controlling access to the excavation area.

b. Where collections of water are one (1) foot or more in depth for any period of at least one (1) month, and occupying an area of two hundred (200) square feet or more, access to such collections shall be similarly fenced, as required in a. above for slopes.

5. Access Streets. All private access streets shall be treated so as to create a dust-free surface for a distance of three hundred (300) feet from any public street.

6. Slopes: Finished slopes of the banks of the excavation shall in no event exceed a minimum of five (5) feet horizontal to one (1) foot vertical. Where ponded water results from the operations, this slope must be maintained and extended into the water to a depth of five (5) feet. Said slopes shall be met as the work in any one section of the excavation proceeds, and the time for completion of said slopes shall not extend beyond one (1) year's time from the date of beginning, provided that the Planning Commission may extend the above one (1) year period to such longer period as is satisfactory under the circumstances. Sufficient topsoil shall be stockpiled on the site so that the entire area shall be re-covered with a minimum of six (6) inches of topsoil, and that such replacement of topsoil shall be made immediately following the termination of excavating operations. So as to prevent erosion of slopes, all replaced topsoil shall immediately be planted with grass or other plant material acceptable to the Township Planning Commission.

7. Explosives: Explosives shall be used in accordance with the "Regulations for Storage and Handling of Explosives", as published by the Michigan State Police, Fire Marshal Division, East Lansing, Michigan.

1804 CAMPGROUNDS

A. A Special Use Permit is required for the operation of a campground.

B. Conditions:

1. Outdoor fire facilities shall be constructed for each site, and open fires shall be prohibited except in these areas.

2. In addition to the specific conditions and requirements herein provided, the campground shall comply with all applicable provisions of Act 171 of the Public Acts of 1970, and the administrative rules and regulations issued thereunder, in effect on the date the Special Use Permit is issued.

C. Site Use Arrangement:

1. A site in a campground, unless designated on an approved plan as a walk-in site, shall abut on a street, and shall be of such a size and so arranged as to provide for a recreational vehicle and shall have at least fifteen (15) feet of road frontage width.

2. A street right-of-way shall be provided having a minimum width of twenty (20) feet. This right-of-way shall be free of obstruction to provide free and easy access to abutting sites. The traveled portion of the right-of-way shall be maintained in a passable and dust free condition when the campground is in operation.

D. The following types of campground uses are authorized as special uses pursuant to this Section:

1. Public and private parks and recreational areas, including picnic areas and/or picnic pavilions; softball and baseball diamonds; swimming, boating, and ice sports facilities; amusement and other outdoor recreational sports activities; camping sites for tents, campers, and travel trailers not exceeding forty (40) feet in length.

2. All camping sites for tents, campers, and travel trailers shall have a central water supply system with potable water under pressure piped to within three hundred (300) feet of each trailer, tent, or camper site.

3. An enclosed toilet and sewage facility, approved by the Michigan State or County Health Departments, with hot and cold running water available therein, shall be provided within five hundred (500) feet of every trailer, tent, or campsite within the park. If public sewer shall be available within five hundred (500) feet of any portion of the land, the park system shall be connected thereto. No vehicle, tent, camper, or travel trailer shall be allowed within the park except on an approved campsite within the park.

4. No trailer, tent, camper, or structure, other than a single family residence, shall be placed, parked, or erected within one hundred (100) feet of any property line of park or recreational facility.

5. All campfire areas, firepits, grills, or fireplaces designed for cookouts or campfires shall be inspected by the White Lake Fire Authority and must meet all applicable safety standards.

6. No sale of alcoholic beverages shall be permitted anywhere upon the camping and recreational area.

1805 ESSENTIAL SERVICES

A. In every zone, except for the M zone, the following essential service structures shall be required to obtain a Special Use Permit prior to their construction: high voltage transmission towers, transformer substation, pumping stations, communications relay stations, gas and steam regulating valves and stations and structures of similar function.

B. No such structure shall be used for residential purposes.

C. An approved opaque fence or greenbelt may be required by the Township Planning Commission.

1806 TWO FAMILY AND MULTIPLE FAMILY UNITS

A. Where they are permitted, the following require a Special Use Permit: two (2) family and multiple family dwelling units, including row houses, apartment structures, and condominiums.

B. The following regulations shall apply.

1. Parking spaces provided as required by this Ordinance.

2. Every lot on which a multiple dwelling family unit is erected shall be provided with a twenty (20) foot side yard on each side of such lot. Each side yard shall be increased by one (1) foot for each ten (10) feet or part thereof by which the width of the multiple dwelling structure exceeds forty (40) feet in over-all dimension, along the adjoining lot line. Rear yards and spacing between dwelling structures shall be provided on the following basis: forty five (45) feet between dwelling structures and thirty five (35) foot rear yards.

3. Minimum Living Space: the minimum living space required for each dwelling unit shall be:

<u>No. of bedrooms</u>	<u>Total Living Area</u>
1	572
2	722
3	872
4	1032

1807 COUNTRY CLUBS, GOLF COURSES, RIDING STABLES, ATHLETIC GROUNDS AND PARKS

A. The following conditions shall also apply to related uses and accessory uses and structures such as snack bars, small retail stores selling miscellaneous items directly related to the principal use.

B. The following regulations shall apply.

1. The use shall be located on property with direct access to a public street.
2. Any outdoor activity areas shall be set back a minimum of fifty (50) feet from any A, AA, or AM zone.
3. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any A, AA, or AM zone.
4. Driveways shall be located at least fifty (50) feet from the nearest street intersection.
5. Structures housing animals shall be located at least fifty (50) feet from any lot line.

1808 COMMERCIAL GREENHOUSES AND NURSERIES

A. The lot area used for parking, display, or storage shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.

B. Access Driveways shall be located at least fifty (50) feet from the nearest street intersection.

C. Lighting for parking and outdoor storage area shall be shielded to prevent light from spilling onto any A, AA, or AM zone.

D. Any display materials or equipment stored or displayed outside of an enclosed

structure shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.

1809 CHILD DAY CARE HOMES AND FACILITIES

A. A drop off/pick up area shall be provided for motorists off the street, which permits vehicles to exit the property without backing into the street.

B. Fencing of at least four (4) feet in height shall be provided around all outdoor areas accessible to children.

C. There shall be a contiguous open space of a minimum of one thousand two hundred (1,200) square feet provided on the subject parcel. Said open space shall not be located within a required front yard setback area. This requirement may be waived by the Planning Commission if public open space is available within five hundred (500) feet of the subject parcel, measured from the nearest lot line of the use to the nearest lot line of the public open space.

1810 FUNERAL HOMES

A. Lighting for parking areas and outdoor activity areas shall be shielded to prevent light from shining directly onto any A, AA, or AM zone.

B. Minimum lot width shall be no less than one hundred fifty (150) feet.

C. An off-street vehicle assembly area shall be provided to be used in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.

D. No waiting lines of vehicles shall extend off-site or onto any street.

E. Driveways shall be located at least fifty (50) feet from the nearest street intersection.

1811 HOTELS AND MOTELS

A. Minimum lot width shall be no less than two hundred (200) feet.

B. Parking areas shall have a front yard setback of twenty (20) feet and side and rear yard setbacks of ten (10) feet.

C. Driveways shall be located at least fifty (50) feet from the street intersection.

1812 THEATERS OR SIMILAR PLACES OF PUBLIC ASSEMBLY

- A. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from shining directly onto any A, AA, or AM zone.
- B. Main structures shall be set back a minimum of one hundred (100) feet from any A, AA, or AM zone.
- C. For uses exceeding a seating capacity of two hundred fifty (250) persons, a traffic impact study shall be required to be submitted by the applicant which describes internal circulation and projected impacts on traffic operations, capacity, and access on adjacent and nearby streets which are likely to provide access to the site.
- D. Driveways shall be located at least fifty (50) feet from the nearest street intersection.

1813 RESTAURANTS WITH DRIVE-THROUGH FACILITIES

- A. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public street. A minimum of ten (10) stacking spaces for the service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and ingress and egress from the property by vehicles not using the drive-through portion of the facility.
- B. In addition to parking space requirements, at least three (3) parking spaces shall be provided, in close proximity of the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.
- C. Driveways shall be located at least fifty (50) feet from the nearest street intersection.

1814 VEHICLE WASH ESTABLISHMENTS

- A. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the street. A reasonable number of stacking spaces for an automatic wash facility shall be provided. For self-service establishments, each stall shall have at least two (2) stacking spaces at the entrance and one (1) space at the exit.

B. Vacuuming activities, if outdoors, shall be at least one hundred (100) feet from any A, AA, or AM zone. Wash bays for self-service establishments shall be located at least fifty (50) feet from any A, AA, or AM zone.

C. Should self-service wash bays be located with openings parallel to an adjacent street, they shall be screened by a solid wall or fence, six (6) feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition.

D. Driveways shall be located at least fifty (50) feet from the nearest street intersection.

E. Where adjoining any A, AA, or AM zone, a solid wall or fence, six (6) feet in height shall be erected along any common lot line. Such fence shall be continuously maintained in good condition.

F. Lighting for parking and outdoor storage areas shall be shielded to prevent light from shining directly onto any A, AA, or AM zone.

1815 OPEN AIR BUSINESSES

A. A five (5) foot fence or wall shall be constructed along the rear and sides of the lot, capable of keeping trash, paper, and other debris from blowing off the premises.

B. The lot area used for parking, display, or storage shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water.

C. Driveways shall be located at least fifty (50) feet from the nearest street intersection.

D. Lighting for parking and outdoor storage areas shall be shielded to prevent light from shining directly onto any A, AA, or AM zone.

E. Any display materials or equipment stored or displayed outside of an enclosed structure shall not extend into any required yard or occupy any required parking or maneuvering areas for vehicles.

1816 BOWLING ALLEYS

- A. The principal and accessory structures and structures shall be located no closer than one hundred (100) feet from any A, AA, or AM zone.
- B. Minimum lot width shall be one hundred fifty (150) feet.
- C. Driveways shall be located at least fifty (50) feet from the street intersection.

1817 COMMERCIAL GARAGES AND AUTOMOTIVE REPAIR FACILITIES

- A. The principal and accessory structures and structures shall not be located within one hundred (100) feet of any A, AA, or AM zone.
- B. Minimum lot width shall be one hundred fifty (150) feet.
- C. All equipment and activities associated with vehicle repair operations, except those in incidental use, such as air hoses, shall be kept within an enclosed structure.
- D. Inoperative vehicles left on the site shall, within forty eight (48) hours, be stored within an enclosed structure, or in an area screened by an opaque fence at least six (6) feet in height. Such fence shall be continuously maintained in good condition.
- E. Storage of vehicle components and parts, trash, supplies, or equipment outside of a structure is prohibited.
- F. Access driveways shall be located at least fifty (50) feet from the nearest street intersection.
- G. Where adjoining an A, AA, or AM zone, a solid wall or fence, six (6) feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition.

1818 LUMBER AND PLANING MILLS AND SAWMILLS

- A. The principal and accessory structures shall not be located within two hundred (200) feet of any A, AA, or AM zone.
- B. Minimum lot width of no less than three hundred thirty (330) feet.

C. Storage of timber, saw logs, saw dust, wood chips, partial and finished wood products, and other such materials shall not be stored within one hundred (100) feet of the front property line.

1819 METAL PLATING, BUFFING AND POLISHING

A. The principal and accessory structures shall not be located within two hundred (200) feet of any A, AA, or AM zone.

B. In addition to the site plan, the applicant shall provide design detail on the method for the collection and disposal of liquid and solid waste by-products. The Township may required that engineering plans, sealed by a Professional Engineer registered in the State of Michigan, be provided pursuant to disposal methods which may pose a potential threat to the ground water.

1820 COMMERCIAL STORAGE WAREHOUSES

A. A dwelling unit may be permitted on the lot for security personnel or on-site operator.

B. Parking and circulation:

1. One (1) parking space shall be provided for each ten (10) storage cubicles, equally distributed throughout the storage area. The parking requirement may be met with the parking lanes required for the storage area.

2. Two (2) parking spaces shall also be required for the dwelling unit of security personnel or on-site operator employed on the premises.

3. The following parking lanes and access aisles shall be required. The parking lanes may be eliminated when the access aisle does not serve storage cubicles.

Lane/Aisle	Aisle/Lane Width (ft)		#Lanes/Aisle Required	
	One-Way	Two-Way (each lane or aisle)	One-Way	Two-Way
Parking Lane	10	10	1	1
Access Aisle	15	10	1	1

4. All driveways, parking, loading, storage, and vehicular circulation areas shall be paved.

1821 STAMPING OR PUNCH PRESS OPERATIONS

In the manufacture, compounding, processing, packaging, or treatment of products requiring stamping or punch press operations, the following shall apply: principal and accessory structure shall not be located within two hundred (200) feet of an A, AA, or AM zone.

1822 ESSENTIAL SERVICES STRUCTURES

All essential service structures, except utility lines and poles, shall be special uses.