

Chapter 6 Special Uses

601. Purpose

In addition to the uses permitted by right in each zoning district, this Ordinance allows the establishment of special land uses subject to the procedures, standards, and regulations described in this Chapter. An application for a special use permit may be filed by any person who owns or has an interest in the property subject to the application.

602. Application Procedures

An application for a special use permit shall be submitted to the Zoning Administrator no less than **thirty (30) days** prior to the meeting at which the Planning Commission will consider the application. The review of applications submitted less than **thirty (30) days** prior to such meetings will be delayed until the next scheduled meeting.

Applications must be accompanied by the materials and information described below:

- a. A completed Special Use Permit application form and application fee.
- b. Three (3) copies of a site plan prepared as specified in *Chapter 9, Administration and Enforcement*.
- c. A written statement (preferably typewritten) describing how the proposed special use will comply with the general standards for special use approval listed under Section 606.

When a complete application is submitted, the Zoning Administrator shall confer with the Chairperson of the Planning Commission to schedule a public hearing on the application.

603. Notice of Public Hearing

Notice of the public hearing on the special use application must be published in a newspaper not more than fifteen (15) days and not less than five (5) days before the date of the meeting at which the public hearing will be held.

Notice of the hearing must also be delivered, either by mail or by personal delivery, to the applicant and all owners and occupants of property located within three hundred (300) feet of the property subject to the application for the special use permit. These notices must describe:

- a. The special use being requested;
- b. The property subject to the request (address, tax number, and/or legal description);

- c. The date, time, and place of the public hearing;
- d. Where and when the application, site plan, and other materials may be inspected by the public; and
- e. Where and when written comments on the application will be received.

604. Public Hearing and Review Procedures

The Planning Commission shall hold the public hearing on the proposed special use, and shall review the site plan and other materials submitted with the application.

Following the public hearing, the Planning Commission shall make a decision based on whether or not the proposed special use is consistent with the specific standards applicable to the special use described in Section 611, as well as the general standards described in Section 606. If it is found that the proposed special use is consistent with these standards, the Planning Commission must approve the proposed special use.

If the Planning Commission finds that the proposed special use is not consistent with the standards in Sections 606 and 611, then it may approve the use with conditions, or it may deny the proposed use altogether. In any event, the decision to approve, approve with conditions, or deny the application must be made within sixty (60) days of the date of the public hearing.

At any point during its review of an application, the Planning Commission may request that the applicant modify the site plan, or present additional information deemed necessary before making a decision on the proposed special use. In such cases, the Planning Commission shall table consideration of the application until the applicant provides the amended site plan or additional information.

605. Appeal of Decision

The Township Planning Commission's decision on applications for proposed special uses may be appealed to the State Court System, beginning with Circuit Court.

606. General Standards for Approval of Special Uses

Prior to approving, approving with conditions, or denying an application under the provisions of this Chapter, the Planning Commission must find that a proposed special use complies with the standards listed in this section:

- a. The property subject to the application is located in a zoning district in which the proposed special use may be established.

- b. The special use, as proposed, complies with the specific standards applicable to that special use as listed under the regulations for that zoning district.
- c. The proposed special use will be consistent with the intent and purpose of the Township Master Plan, as well as the intent and purpose of the zoning district in which the proposed use will be located.
- d. The proposed special use will not result in a material burden on police and fire services, nor on other public services and facilities.
- e. The proposed special use will not diminish the opportunity for adjacent property owners to use and develop their properties as zoned.
- f. The proposed special use will be designed, constructed, operated, and maintained so as not to negatively impact the character of land uses in the surrounding area.
- g. The proposed special use will not involve uses, activities, processes, materials, or equipment that will create a nuisance for other properties in the vicinity by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap or waste materials.

607. Basis for Determination

In rendering its decision on a proposed special use, the Planning Commission shall make specific reference to the standards in Section 606, Section 611, and the basis in fact for any conditions attached to the approval of a special use.

608. Performance Guarantee

The Planning Commission may require a performance guarantee **in accordance with Chapter 9, Section 902(4)**.

609. Compliance With Conditions of Special Use Permit Required

An approved special use shall be developed, constructed, operated, and maintained in strict compliance with the terms of the special use permit, including the approved site plan and any attached conditions of approval. All improvements and other functional elements shall be constructed as proposed by the applicant and approved by the Planning Commission.

If the functional elements or improvements associated with a special use were designed by an architect or engineer, the applicant shall, following completion of construction, provide a statement prepared by the architect or engineer certifying that all improvements have been constructed in compliance with the special use permit as granted.

610. Terms of Permit

If a use established under a Special Use Permit is discontinued for one (1) year, the Special Use Permit shall expire. To re-establish the use after such expiration, a new Special Use Permit is required, beginning with a new application to the Township.

611. Specific Standards, Requirements, and Conditions for Special Land Use Permits

The following charts in *Section 612* specify the standards, requirements, and conditions for the various special land uses permitted by this Ordinance. The following items should also be noted:

- a. The granting of a Special Use Permit requires Site Plan Review and a public hearing.
- b. A Special Use Permit is a privilege granted by the Township when certain conditions are met. A Special Use is *not* allowed “by right.”
- c. The Township will revoke a Special Use Permit for failure to maintain compliance with the terms of the permit.
- d. Each special use must meet the minimum requirements for the Zoning District in which it is located, except as specifically noted in this section.
- e. This section lists the standards and additional requirements for uses that may be authorized by Special Use Permit. These standards take precedence over the District Regulations.
- f. The Planning Commission may, at its discretion, attach additional conditions to the approval of a special use. These conditions shall be reasonably related to the general standards specified in Section 606.

Section 612(a) Special Land Use Requirements

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Institutional Uses: Hospitals & nursing homes; churches & religious institutions; public & private schools.	County primary road or State highway	1. Hospitals: 10 acres 2. All others: One (1) acre	Same as Zoning District where the proposed Special Use is located.	1. 35 feet from all property lines and road right-of-way lines.	1. Ambulance and delivery areas shall be screened from adjacent residential properties by a six (6) foot high solid masonry wall.
Golf courses, country clubs & shooting clubs	Same as Zoning District where the proposed Special Use is located.	Fifty (50) acres in area	Same as Zoning District where the proposed Special Use is located.	1. 50 feet from road right-of-way. 2. 50 feet from adjacent property lines. 3. Shooting clubs shall provide a 200 foot wide wooded buffer between the perimeter of the site and all shooting areas.	1. For golf course or country club, six (6) foot high visual screen required on any side abutting residential property.
Mobile Home Park	County primary road or State highway	Twenty (20) acres in area	750 feet	1. 60 feet from street right-of-way. 2. 60 feet from adjacent property lines.	1. Mobile home park must be licensed by the State of Michigan. 2. Park must comply with all requirements of the Michigan Mobile Home Commission and its Administrative Rules.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(b). Special Land Use Requirements, Continued

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Group Day Care & Child Care Centers	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District	<ol style="list-style-type: none"> 1. Must be licensed by Michigan Family Independence Agency. 2. Must provide adequate off-street parking for all employees. 3. All outdoor play areas shall be enclosed by a fence at least 6 feet in height.
Funeral Homes & Mortuaries	County primary road or State highway	One acre in area	150 feet	<ol style="list-style-type: none"> 1. Front, side & rear yards shall be at least 40 feet on all sides adjacent to residential districts or uses; at least 20 feet on all sides adjacent to non-residential districts. 	<ol style="list-style-type: none"> 1. All yard areas shall be landscaped with trees, shrubs and grass. 2. No parking areas shall be permitted within required front and side yards.
Veterinary Clinics & Kennels	Same as Zoning District where the proposed Special Use is located.	Two (2) acres in area	Same as Zoning District where the proposed Special Use is located.	<ol style="list-style-type: none"> 1. All buildings and structures shall be set back at least 100 feet from all property and street lines. 	<ol style="list-style-type: none"> 1. If site abuts property in residential district, the required 100 foot setback described above shall include a landscape buffer consisting of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(c). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Automobile service facility, including repair, car wash & oil change facilities, excluding vehicle sales area.</p>	<p>County primary road or State highway</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>150 feet</p>	<p>Buildings, canopies, fuel pump islands & service drives shall conform to requirements for the district in which the site is located, but shall be no closer than 50 feet to any property line of a residential district or use, unless separated by a public street.</p>	<ol style="list-style-type: none"> 1. Driveways shall be at least 60 feet from the right-of-way line of the nearest intersecting road. 2. The maximum width of each driveway shall not exceed 35 feet at the property line. 3. If there is more than one driveway, they shall be at least 60 feet from one another at the nearest edges. 4. There shall be no more than two (2) driveway openings per road frontage. 5. No driveway or curb cut for a driveway shall be located within 10 feet of an adjoining property line and shall be no less than 25 feet from any adjacent lot within a residential district or use. 6. If drive-through washing or oil change facilities are included, the site must provide a holding area for at least 4 vehicles to wait off the public right-of-way.
<p>Bulk fuel dealer</p>	<p>County primary road or State highway</p>	<p>43,560 square feet (one acre)</p>	<p>150 feet</p>	<ol style="list-style-type: none"> 1. 100 feet from road right-of-way. 2. 100 feet from adjacent property lines. 	
<p>Self-serve storage buildings (mini-warehouses)</p>	<p>County primary road or State highway</p>	<p>43,560 square feet (one acre)</p>	<p>150 feet</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<ol style="list-style-type: none"> 1. Facility shall be enclosed by a fence that is at least six (6) feet in height. 2. All storage shall be completely enclosed within storage units.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(d). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Drive-in and drive-thru businesses</p>	<p>Site must have at least one property line on a paved road & provide its main access point from that road.</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>150 feet</p>	<ol style="list-style-type: none"> 1. 50 feet from all road right-of-way lines 2. 100 feet from residence or residential zoning district; otherwise 50 feet from adjacent property lines 	<ol style="list-style-type: none"> 1. Driveways shall be at least 60 feet from the right-of-way line of the nearest intersecting road. 2. The maximum width of each driveway shall not exceed 35 feet at the property line. 3. If there is more than one driveway, they shall be at least 60 feet from one another at the nearest edges. 4. There shall be no more than two (2) driveway openings per road frontage. 5. No driveway or curb cut for a driveway shall be located within 10 feet of an adjoining property line and shall be no less than 25 feet from any adjacent lot within a residential district or use. 6. Site must provide a staging area for at least 4 vehicles to wait off any public right-ofway.
<p>Commercial outdoor recreation uses not otherwise listed, such as miniature golf, driving ranges, batting cages</p>	<p>Site must have at least one property line on a paved road & provide its main access point from that road.</p>	<p>Two (2) acres</p>	<p>150 feet</p>	<ol style="list-style-type: none"> 1. All uses, structures and operations shall be set back at least 100 feet from any public road used for access purposes. 2. All uses, structures and operations shall be set back at least 50 feet from all adjacent property lines. 	<ol style="list-style-type: none"> 1. If the site abuts a residential or agricultural district, a buffer area at least 200 feet wide must be established between all structures and operations and the property within the residential or agricultural district. The buffer shall consist of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(e). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Riding Stables	Same as Zoning District	Ten (10) acres	Same as Zoning District where the proposed Special Use is located.	1. All buildings and structures shall be set back at least 200 feet from all property and street lines.	1. If site abuts property in residential district, the required 200 foot setback shall include a landscape buffer consisting of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.
Livestock Auction Yards	County primary road or State highway	Ten (10) acres	Same as Zoning District where the proposed Special Use is located.	1. All buildings and structures shall be set back at least 200 feet from all property and street lines.	1. If site abuts property in residential district, the required 200 foot setback shall include a landscape buffer consisting of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.
Junk Yards and Salvage Yards	County primary road or State highway	Ten (10) acres	Same as Zoning District where the proposed Special Use is located.	1. All salvage, storage & any other active work areas shall be set back at least 100 feet from all adjacent property lines and road right-of-way lines.	<ol style="list-style-type: none"> 1. All salvage, storage & any other active work areas shall be enclosed by a solid wall or fence at least eight (8) feet in height. 2. All activities shall be confined to the fenced-in area. No material may be stored above the height of the wall or fence, except that mobile equipment may exceed the wall or fence height. No equipment or material shall be used or stored outside the fenced area. 3. If the site abuts a residential or agricultural district, a buffer area at least 200 feet wide must be established between the fenced area and the property within the residential or agricultural district. The buffer shall consist of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(f). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Sewage Treatment and Disposal Facility</p>	<p>County primary road or access by construction of one-half mile or less of new road.</p>	<p>Twenty (20) acres.</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>1. All buildings and structures shall be set back at least 200 feet from all property and street lines.</p>	<p>1. Site should be selected where operation will not cause detrimental levels of air or noise pollution impacts, or create other nuisance factors that would be detrimental to adjacent uses or property.</p> <p>2. All operations shall be completely enclosed by a chain link fence not less than six (6) feet high.</p> <p>3. The required 200 foot setback shall be designed as a buffer to minimize the appearance of the facility and any odors. The buffer strip shall contain grass, plant materials, and structural screens that are placed in a manner that is subject to the approval of the Planning Commission.</p>
<p>Private Aircraft Landing Strips</p>	<p>Site shall have at least one property line abutting a public road.</p>	<p>1. Site dimensions shall be at least 2,640 feet by 500 feet. 2. All landing strips shall have a minimum length of 1,500 feet with a 500 foot clearance at each end.</p>	<p>See parcel size requirements.</p>	<p>At least 50 feet from adjacent property lines and road right-of-way lines.</p>	<p>1. Facility shall comply with all applicable Federal and State requirements. 2. Landing strip shall be for the exclusive use of the property owner and shall be situated entirely within the confines of his or her property. 3. No commercial aviation or other commercial activity shall be situated with the landing strip.</p>

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(g). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Motorized Race Tracks for Motorcycles, Off-Road Vehicles, and Similar Uses</p>	<ol style="list-style-type: none"> 1. Access shall be from an improved county road, with all vehicle entry and exit from that road. 2. All vehicle entrance and exit points shall be no closer than 200 feet from the intersection of any two roads. 3. Acceleration and deceleration lanes shall be provided at points of entry and exit to the site. 4. Entrances and exits shall be designed so that all vehicles within 100 feet of a public road have clear vertical and horizontal sight distances of 500 feet in either direction along the public road. 	<p>40 acres</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>All structures, including fences, shall be set back at least 100 feet from any public road. This yard shall be landscaped in accordance with plans approved by the Planning Commission.</p>	<ol style="list-style-type: none"> 1. Entire periphery of site shall be enclosed with a solid fence at least eight (8) feet in height. Fences shall be painted or otherwise finished attractively and inconspicuously. 2. If the site abuts property within a residential or agricultural zoning district, a buffer strip at least 200 feet wide shall be provide between all operations and structures and the residential or agricultural property. Trees, shrubs, grass and similar plant materials, and structural screens shall be placed with the buffer strip according to plans approved by the Planning Commission.
<p>Outdoor Uses, including open-air businesses & temporary uses such as carnivals, flea markets and other outdoor sales, Christmas tree sales, and revival tents.</p>	<ol style="list-style-type: none"> 1. Access shall be from an improved county road, with all vehicle entry and exit from that road. 	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>All activity areas, including parking areas, shall be set back a minimum of 50 feet from all road and adjacent property lines.</p>	<ol style="list-style-type: none"> 1. Zoning Administrator shall determine parking needs for the proposed use. 2. Planning Commission may impose other reasonable conditions that are designed to minimize adverse impacts on surrounding areas.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(h). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Two-Family Homes (Duplexes)	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located.	40 feet each in front and rear yards; 12 feet on each side.	None. Site plan review and a public hearing are required, in addition to the basic district requirements.
Model Homes	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District where the proposed Special Use is located..	<ol style="list-style-type: none"> 1. Site plan review and a public hearing are required, in addition to the basic district requirements. 2. Permit shall be for one (1) year and may be renewed annually. 3. Mobile home sales are excluded from this provision.
Housing for Seasonal Labor	Same as Zoning District where the proposed Special Use is located.	Seasonal housing may be located on same parcel as main dwelling.	Same as Zoning District where the proposed Special Use is located.	<ol style="list-style-type: none"> 1. Seasonal housing must meet all district requirements for setbacks from roads and adjoining properties. 	None
Second Living Quarters for Family Member	Same as Zoning District where the proposed Special Use is located.	Second living quarters may be located on same lot as main dwelling.	Same as Zoning District where the proposed Special Use is located.	<ol style="list-style-type: none"> 1. Second living quarters must meet all district requirements for setbacks from roads and adjoining properties. 	<ol style="list-style-type: none"> 1. Restricted to situation whrer intended occupant of the second living quarters requires frequent care or living assistance due to a medical condition or disability, as verified by a medical professional. 2. A Zoning Permit, valid for one (1) year, must be obtained from the Township to establish a second living quarters. The permit shall be issued by the Zoning Administrator. The permit may be renewed for successive one-year periods if compliance with these provisions is maintained, as verified by the Zoning Administrator and the Planning Commission. 3.

Section 612(i). Special Land Use Requirements, continued.

Special Use	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Grain & seed elevators. Wholesale agricultural product storage. Production of fur-bearing animals.	County primary road or State highway	Twenty (20) acres for elevators & agricultural product storage; ten (10) for fur-bearing animals.	500 feet	<ol style="list-style-type: none"> 1. 100 feet from street right-of-way. 2. 100 feet from adjacent property lines. 	<ol style="list-style-type: none"> 1. Six (6) foot high visual screen required on any side abutting residential property.
Warehousing, Storage, and Wholesale Businesses	Same as Zoning District where the proposed Special Use is located.				<ol style="list-style-type: none"> 1. All warehousing & storage must be entirely contained within the building. 2. No manufacturing operations of any kind may be conducted inside or outside of the building. 3. No hazardous, toxic, or refrigerated products may be warehoused or stored inside or outside the building.
Hotels and motels	County primary road or State highway	Two (2) acres in area	Same as Zoning District where the proposed Special Use is located.	<ol style="list-style-type: none"> 1. All buildings shall be set back at least 50 feet from any property line or road right-of-way. 	<ol style="list-style-type: none"> 2. Each guest unit shall have a minimum floor area of 250 square feet.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(j). Special Land Use Requirements, continued.

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>RV Park or Campground</p>	<p>County primary road or State highway</p>	<ol style="list-style-type: none"> 1. Twenty (20) acres in area 2. Individual camp sites or RV sites shall be a minimum of 2000 square feet. 3. Each site shall include designated parking area of at least 400 square feet. 	<p>Same as Zoning District minimum.</p>	<ol style="list-style-type: none"> 1. 60 feet from street right-of-way. 2. 60 feet from adjacent property lines. 3. Individual camp sites shall be at least 75 feet from street right-of-way or neighboring property line. 	<ol style="list-style-type: none"> 1. Spaces may be used only for temporary occupancy. 2. Facility shall be supervised by a resident manager who shall be accessible to park tenants at all times when spaces are rented. Manager’s residence may include business office for the park and living space for the manager’s family. 3. Must maintain compliance with all regulations of the Saginaw County Health Department and the State of Michigan that apply to such facilities. 4. Perimeter shall be enclosed by fence at least four (4) feet high. 5. Park shall be served by not more than one access point to each abutting road. Access points and roads within the park shall be designed to facilitate the safe movement of vehicles and trailers, including adequate clear vision areas. Roadways shall be at least 24 feet wide for two-way traffic and 12 feet wide for one-way traffic. 6. Park shall provide at least one public telephone for each 40 sites. 7. Park or campground shall include restroom and bathing facilities in heated, all-weather structures. 8. At least 15% of site shall be devoted to shared open space uses such as playgrounds, picnic areas, field sports, and natural areas. This shall not include parking & vehicle circulation areas.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(k). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Communication Towers</p>	<p>Same as Zoning District</p>	<p>1. Any tower structure must be centrally located on a parcel having dimensions not less than the height of the tower, as measured from the base of the tower to all points on each property line.</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>1. No portion of any tower, including any guy wires and support structures, shall be located closer than fifty (50) feet to any property line. 2. All structures shall be located at least two hundred (200) feet from any dwelling. 3. The minimum spacing between tower locations shall be two (2) miles in all zoning districts.</p>	<p><i>See “Other Requirements” listing on the following page.</i></p>

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(k). Special Land Use Requirements, continued.

Other Requirements for Communication Towers, continued from previous page:

5. The applicant or owner must provide written statements that certify the following to the Township:
 - a. That the owner will notify the Township of any change in ownership or control of the tower.
 - b. That the owner will notify the Township of any change in operation of the tower, including the cessation of operations.
 - c. That if the tower is not operated for a continuous period of 12 months, it shall be considered abandoned, and the owner shall remove the tower within 90 days of notification of such abandonment by the Township. If the owner fails to remove the tower within 90 days, the Township may remove the tower at the owner's expense.
9. Construction of a tower that is authorized under a Special Use Permit shall be completed within one year of the date of the permit, or the permit shall become void.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(l). Special Land Use Requirements, continued.

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Wind Turbine Generators (WTG's)</p>	<p>No special restrictions</p>	<p>1. Five (5) acres per WTG tower proposed.</p>	<p>150 feet</p>	<p>1. Each WTG tower must be set back from all adjacent property lines and road right-of-way lines a minimum distance equal to the height of the tower, including the top of the blade in its vertical position.</p>	<p>1. Towers shall be secured to prohibit access by unauthorized persons; Planning Commission may require security fence. 2. Maximum noise level generated by any WTG shall not exceed 60 decibels, measured at the property line, including downwind from the installation. Applicant shall provide certification that noise level is not exceeded, both before and after construction. 3. WTG shall not cause human detectable vibrations at the property line. 4. The lowest point of the arc created by rotating blades on any WTG tower shall be at least twenty (20) feet above ground level. 5. If towers are to be lighted, applicant must apply to Federal Aviation Administration (FAA) for lighting that meets the following standards: (a) Lighting used shall be the lowest intensity allowable. (b) Shall avoid strobe lighting or other intermittent white lighting fixtures. (c) May utilize a green or red top light that does not pulsate or blink. (d) All lighting shall comply with the minimum FAA requirements. A written FAA report shall be submitted to verify lighting requirements.</p>

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(m). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Crematory	Same as Zoning District where the proposed Special Use will be located..	Two (2) acres	250 feet	200 feet from adjacent property lines and road right-of-way lines.	Must obtain and verify compliance with all required state permits, including those pertaining to air quality and emissions.
Correctional Institution (Incarceration Facility)	County primary road or State highway	Forty (40) acres in area	1250 feet	<ol style="list-style-type: none"> 1. 200 feet from street right-of-way. 2. 200 feet from adjacent property lines. 	<ol style="list-style-type: none"> 1. Site shall not be located within one (1) mile of a residential subdivision with officially filed plats. 2. Ambulance & delivery areas shall be obscured from view by a solid masonry wall at least six (6) feet high. 3. Applicable state guidelines for siting & construction of facilities shall be followed for any proposed facility. 4. Planning Commission may specify additional fencing & screening that it deems appropriate for the type of facility and the nature of the site.
Private clubs Public & private meeting halls	Paved road	One (1) acre	200 feet	<ol style="list-style-type: none"> 1. All buildings must be at least 50 feet from road right-of-way and adjacent property lines. 	<ol style="list-style-type: none"> 1. Planning Commission may require fencing or screening.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(n). Special Land Use Requirements, continued.

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Adult Entertainment Business	Paved road	<i>A proposed Special Use in this category must meet the minimum lot area, width, and setback requirements for the district in which it is located.</i>			<ol style="list-style-type: none"> 1. No adult entertainment business may be established on a parcel that is within 1,000 feet of any parcel zoned A-1, A-2, R-1, or R-2. 2. No adult entertainment business may be established on a parcel that is within 1,000 feet of any parcel containing a church, school, or public park. 3. No adult entertainment business may be established on a parcel that is within 1,000 feet of any parcel that contains another adult entertainment business. 4. Window displays, signs, decorative, or structural elements shall not include or convey any specific examples of adult entertainment uses.
Truck terminals	Must have direct access to a paved road.	Ten (10) acres	500 feet	<ol style="list-style-type: none"> 1. Site must be a least 200 feet from any residential zone or property. 2. All buildings must be at least 100 feet from road right-of-way and adjacent property lines. 	<ol style="list-style-type: none"> 1. Must have obscuring fence or berm at least eight (8) feet high on all sides abutting any residential districts. 2. Planning Commission may limit hours of operation.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(o). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
Small-scale Manufacturing or Processing Establishment	County primary road or State highway	Same as Zoning District	Same as Zoning District	<ol style="list-style-type: none"> 1. All buildings and structures shall be set back at least 50 feet from all property and road right-of-way lines. This setback shall be increased to 100 feet if the use abuts a residential district or use. 2. No side yard setback required if the use is attached to another business or manufacturing use with an approved firewall in between. 	<ol style="list-style-type: none"> 1. If site abuts property in residential district or use, the required 100 foot setback shall include a landscape buffer consisting of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas. 2. All activities must be conducted within an enclosed building.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(p). Special Land Use Requirements, continued.

Special Use	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
<p>Natural Resource Extraction: Sand, gravel, and topsoil removal.</p>	<p>Must be within ½ mile of an all-season road, as designated by the County Road Commission.</p>	<p>Ten (10) acres in area</p>	<p>500 feet</p>	<ol style="list-style-type: none"> 1. All fixed equipment and machinery shall be located at least 200 feet from any property or road right-of-way line. 2. No cut or excavation shall be made closer than 100 feet to any property or road right-of-way line. 	<p>Same as Zoning District</p>	<ol style="list-style-type: none"> 1. Owner or agent must obtain and maintain compliance with a Michigan Soil Erosion and Sedimentation Control Act Permit (Act 347). 2. Site plan shall include a Mining Operations Plan that shows a chronological plan for the extractive use and all other land disturbing activities, and the restoration of the site to a usable condition for agriculture or development. 3. Excavated areas shall be restored so that no finished grade is greater than one foot of vertical rise in three feet of horizontal distance. A vegetative cover consisting of appropriate grass types shall be established on all graded areas to minimize soil erosion. All slopes shall be treated in conformance with the Michigan Soil Erosion and Sedimentation Control Act. 4. As part of Site Plan Review, Planning Commission may require fencing, berms, landscaping, or other means to adequately screen the use from adjacent properties, and to minimize public hazards. 5. Applicant shall provide a date for completing the mining operation, based on the volume of material to be extracted and the average annual extraction rates. The Special Use Permit shall expire upon that date. Any extension of operations beyond that date shall require the issuance of a new Special Use Permit.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612(q). Special Land Use Requirements, continued.

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Other Requirements
<p>Vehicle sales lot for outdoor display of new and used vehicles, including cars, trucks, recreational vehicles, boats, trailers, and farm machinery.</p>	<p>County primary road or State highway</p>	<p>Same as Zoning District where the proposed Special Use is located.</p>	<p>150 feet</p>	<p>Buildings shall conform to requirements for the district in which the site is located, but shall be no closer than 50 feet to any property line of a residential district or use, unless separated by a public street.</p>	<ol style="list-style-type: none"> 1. Driveways shall be at least 60 feet from the right-of-way line of the nearest intersecting road. 2. The maximum width of each driveway shall not exceed 35 feet at the property line. 3. If there is more than one driveway, they shall be at least 60 feet from one another at the nearest edges. 4. There shall be no more than two (2) driveway openings per road frontage. 5. No driveway or curb cut for a driveway shall be located within 10 feet of an adjoining property line and shall be no less than 25 feet from any adjacent lot within a residential district or that contains a residential use. 6. Parking space for inventory shall be not less than 10 feet by 20 feet for each vehicle. 7. Site shall contain a permanent structure of at least 200 square feet for use as a business or sales office. Temporary structures are not permitted. 8. Devices for transmission or broadcasting of voice or music shall be prohibited outside of any building. 9. Outdoor lighting shall be shielded from all adjacent residential areas. 10. Applicant shall furnish proof that he or she possesses a valid State of Michigan used car dealer’s license.

Note: Be sure to read Section 611 for important information that applies to all special use permit applications.

Section 612.1, Continued. Special Land Use Requirements

Section 612(r). Planned Unit Developments and Condominium Subdivisions Review and Approval Requirements

- a. **Intent.** This Section is intended to encourage innovation in land use patterns and variety in design for development of large parcels as well as encouraging economy and efficiency in provision of public services, and in the use of land, natural resources and energy. These regulations provide flexibility for developers while protecting public values.
- b. **Applicability.** Planned Unit Developments and Condominium Subdivisions are identified as special uses in the R-2 zoning district. This section provides additional standards used in the special use permit process.
- c. **Initial Information.** Concurrently with notice required to be given Jonesfield Township pursuant to Section 71 of Public Act 59 of 1978, as amended (the Condominium Act), a person, firm, or corporation intending to develop a condominium subdivision shall provide the following information:
 - (1) The name, address, and telephone number of:
 - i. All persons, firms, or corporations with an ownership interest in the land on which the condominium subdivision will be located together with a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee).
 - ii. All engineers, attorneys, architects, or registered land surveyors associated with the project.
 - iii. The developer or proprietor of the planned unit development or condominium subdivision.
 - (2) The legal description of the land on which the condominium subdivision will be developed together with appropriate tax identification numbers.
 - (3) The acreage of the land on which the condominium subdivision will be built.
 - (4) Whether or not a community water system is contemplated.
 - (5) Whether or not a community septic system is contemplated.
 - (6) The names of abutting development projects or subdivisions, if any.
 - (7) A map of the entire area scheduled for development if the proposed condominium subdivision is a portion of a larger holding intended for subsequent development, and staging of development of the entire condominium development, as well as the relations of each stage to the entire development shall be clearly shown.
 - (8) A location map showing the relationship of the proposed development to the surrounding area.
 - (9) The land use and existing zoning of the proposed subdivision and adjacent reacts.
 - (10) Streets, street names, alleys, sidewalks, rights-of-way and roadway widths, as well as surfacing of all streets.
 - (11) Other rights-of-way or easements, showing location, width and purpose.
 - (12) Condominium unit lines, and total number of units shown by numerical order commencing with number one, with no omissions or duplications. Also, setback

requirements and area of condominium units shall be shown with any lands reserved for public use and the conditions of dedication.

- (13) A site report as described in the Rules of the State Department of Public Health if the proposed subdivision is not being served by public water and sewer systems.
 - (14) Location and size of all existing and proposed sanitary sewer, storm sewer, and water supply facilities; points of connection to existing lines, elevations and grades, direction of flow, location of wells, valves and hydrants, as well as location of gas, electric and telephone lines.
 - (15) Street lighting standards, curbs, manholes, catch basins and underground conduits showing location thereof.
 - (16) Topography, existing and proposed, at two (2) foot intervals and proposed grading and filling.
- d. **Information to be Kept Current.** The information shall be furnished to the Township Zoning Administrator and shall be kept updated until such time as a Certificate of Occupancy has been issued by the Zoning Administrator.
- e. **Master Deed, Restrictive Covenants, and “As Built” Survey to be Furnished.** The condominium subdivision developer or proprietor shall furnish the Zoning Administrator with the following: One (1) copy of the recorded Master Deed, one (1) copy of all restrictive covenants, and two (2) copies of any “as built survey.”
- f. **Monuments Required.** All condominium subdivisions shall be marked with monuments of survey points as provided in this subsection.
- (1) All monuments used shall be made of solid iron or steel bars at least one-half (1/2) inch in diameter and thirty-six (36) inches long and completely encased in concrete at least four (4) inches in diameter.
 - (2) Monuments shall be located in the ground at all angles in the boundaries of the condominium subdivision; at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the condominium subdivision and at the intersection of alleys with the boundaries of the condominium subdivision; at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the side lines of streets and alleys and at all angles of an intermediate traverse line. It is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the condominium subdivision if the angle points can be readily re-established by reference to monuments along the sidelines of the streets.
 - (3) If the required location of a monument is in an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the plans and referenced to the true point.
 - (4) All required monuments shall be placed flush with the ground where practicable.
 - (5) The Township Board may waive the placing of any of the required monuments and markers for a reasonable time, not to exceed one (1) year, on the condition that the developer or proprietor deposits with the Township Clerk cash or a certified check, or

irrevocable bank letter of credit to Jonesfield Township, whichever the developer or proprietor selects in an amount to be established by the Township Board by resolution. Such cash, certified check, or irrevocable bank letter of credit shall be returned to the developer or proprietor upon receipt of a certificate by a surveyor that the monuments and markers have been placed as required within the time specified.

- g. **Occupancy.** The Zoning Administrator may allow occupancy of the PUD or condominium subdivision before all improvements required by this Ordinance are installed provided that cash, a certified check, or an irrevocable bank letter of credit is submitted sufficient in amount and type to provide for the installation of improvements before the expiration of the Temporary Occupancy Permit without expense to the Township. Such occupancy may only be granted in an instance where improvements that are not critical for the health and safety of occupants remain to be installed. An example would be the completion of a structure in the late autumn, awaiting installation of landscape material in the spring.

- h. **Single-Family Detached Condominiums.** Pursuant to authority conferred by Section 141 of the Condominium Act, Act 59 of 1978, as amended, all condominium subdivision plans must be approved by the Township Planning Commission. In determining whether to approve a condominium subdivision plan, the Planning Commission shall consult with the Zoning Administrator, Township Attorney, Township Engineer and Township Planner regarding the adequacy of the Master Deed, deed restrictions, utility systems and streets, development layout, and design and compliance with all requirements of the Condominium Act and Township Zoning Ordinance.
 - (1) **Requirements and standards.** A single-family detached condominium subdivision shall be subject to all the requirements and standards of the applicable zoning district or approved Planned Unit Development (PUD) Plan.
 - (2) **Permitted uses.** A Planned Unit Development (PUD) or condominium subdivision may include all uses by right and special uses listed for the zoning district which applies to its site.
 - (3) **Use density and parcel coverage.** Parcel coverage limits for the applicable zoning district must be met overall for the PUD or condominium subdivision.
 - (4) **Dimensional requirements.** Front yard setback requirements for the applicable zoning district shall apply along all boundaries of the PUD or condominium subdivision. Building height limitations and minimum yards between dwelling structures shall be as specified for the applicable zoning district. If plots of land in a PUD or condominium subdivision are proposed for resale as either fee simple parcels or as condominium units, the parcels or condominium units, and any buildings thereon, must meet the parcel dimension and yard requirements for the applicable zoning district.
 - (5) **Open space.** At least ten percent (10%) of any parcel containing a PUD or condominium subdivision must be devoted to landscaped open space. Forest, wetland or other unique environmental areas may be left in a natural state. Cropland may not be counted as landscaped open space, nor may yard (setback) areas of individual residential lots or condominium units be included.
 - (6) **Signs.** Sign regulations as described in Article 9 shall apply for the PUD or condominium subdivision.

- (7) Design. The design of a single-family detached condominium subdivision shall be subject to the design layout and engineering standards, as provided below, except as may otherwise be provided by this Ordinance.

ii. Location, Arrangement and Design of Streets.

- (b) The street layout shall provide for continuation of collector streets in the adjoining subdivisions or of the proper projection of streets when adjoining property is not subdivided; or conform to a plan for a neighborhood unit drawn up and adopted by the Planning Commission.
- (c) The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.
- (d) Should a proposed condominium subdivision border on or contain an existing or proposed County primary road or State highway, the Planning Commission shall require marginal access streets, reverse frontage, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation and reduction of traffic hazards.
- (e) Half streets shall be prohibited.
- (f) Right of way and pavement widths. Street right-of-way and pavement widths shall conform to the Saginaw County Road Commission's Standards for Plat Road Development. All roads shall be paved to the standard Saginaw County Road Commission cross section.

ii. Easements.

- (a) Locations of utility line easements shall be provided as necessary for utility lines. Such easements shall be a total of not less than twelve (12) feet wide, six (6) feet from each parcel.
- (b) Recommendations on the proposed layout of telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the developer or proprietor to submit copies of the proposed condominium subdivision plan to all appropriate public utility agencies.

- (8) Condominium units. Condominium units within detached condominium subdivisions shall conform to the following standards:

- i. Area and width of condominium units shall conform to the district regulations for the applicable zoning district.
- ii. Every condominium unit shall front or abut a street.
- iii. Side condominium unit lines shall be at right angles to the street lines or radial from a cul de sac.
- iv. Where condominium units border upon bodies of water, the front yard may be designated as the waterfront side of such condominium unit, provided the unit has sufficient depth to provide setback on the street side equal to the front setback for all structures.
- v. Where condominium units are developed so that they abut on existing primary roads, freeways, shopping areas or industrial properties, the developer or proprietor shall record with the Saginaw County Register of Deeds and restrictive covenant running

- with the land providing that no right to access by vehicular traffic to the existing primary road, freeway, shopping area or industrial property is permitted from or onto such condominium units. Access to such condominium units shall be provided internally from streets constructed within the proposed development. Such condominium units shall contain a landscape easement along any side abutting the primary road, freeway, shopping area or industrial property at least fifty (50) feet wide to restrict access thereto in addition to any utility easement. When a landscape easement is required to be provided herein, the developer or proprietor shall provide a landscaped earth berm and tree plantings.
- vi. Residential condominium units extending through a block and having frontage on two local streets shall be prohibited.

- (9) Natural features. The natural features and character of lands must be preserved wherever possible. Due regard must be shown for all natural features such as large trees, natural groves, water courses, wetlands and similar community assets that will add attractiveness and value to the property, if preserved. The preservation of drainage and natural stream channels must be considered by the developer or proprietor and the dedication and provision of adequate barriers, where appropriate, shall be required. Disturbance of any wetland or waterway must be subject to either a permit or waiver of jurisdiction by the Michigan Department of Environmental Quality.
- (10) Walkways. Walkways shall be installed in all single-family detached condominium subdivisions which are served by public storm sewers. Such walkways shall be a minimum of five (5) feet in width along both sides of all streets. Access to all general common areas shall be provided. Upon review of the site plan, the Planning Commission may approve alternate locations for the walkways, or may waive the walkway requirement in locations where it would not serve the purpose of providing adequate pedestrian circulation. Walkways shall have a minimum lateral slope of one-fourth (1/4) inch per foot away from the property line. Walkways shall be concrete, four (4) inches thick with six (6) inches thick under driveways. Driveway aprons shall not break the sidewalk level.
- (11) Landscaping. All unimproved surface area of the site shall be planted with grass, ground cover, shrubbery, or other suitable landscape materials, except that patios, terraces, decks and similar site features may be allowed.
- (12) Utilities.
- i. An adequate storm drainage system, including necessary storm sewers, drain inlets, manholes, culverts, bridges, and other appurtenances, shall be required in all condominium subdivisions. The mainline drain system shall be designed and constructed to convey a 10 year design storm, as determined by the Saginaw County Public Works Commissioner. A catch basin shall be provided on each lot line, and no driveway culverts will be permitted. Each lot shall be provided with a minimum of a six inch storm drainage service, from the basin, for a sump outlet and any rear lot drainage. Rear lot drains are to be constructed at the home owner's expense, not the Township's. The drainage requirements for each condominium subdivision shall be reviewed by the Saginaw County Public Works Commissioner.
- ii. If the proposed condominium subdivision will be served by an existing and extendable public water supply system, the developer or proprietor shall provide

- water mains and necessary appurtenances thereto within the condominium subdivision and shall pay one hundred (100) percent of the construction cost for said installation, including fire hydrants and other required appurtenances. Said construction cost shall not include the cost of off-site installations.
- iii. If there is no existing or accessible public water supply system, the developer or proprietor shall comply with any rule or ordinance adopted by Saginaw County or promulgated by the Saginaw County Health Department relative to private water supplies.
 - iv. Where it is determined in the judgment of the Planning Commission, with the advice of the Township Engineer and the Saginaw County Health Department, that a condominium subdivision cannot be economically connected with an existing public sewer system or that a public sewer system cannot be provided for the condominium subdivision itself, then approved septic tanks and disposal fields may be allowed which shall comply with all requirements of the Saginaw County Health Department or ordinance of Saginaw County. However, where studies by the Township Planning Commission or the Township Engineer indicate that construction or extension of sanitary trunk sewers to serve the property being developed appears probable within three (3) years, sanitary sewer mains and house connections may be required to be installed and capped.
- (13) Final documents to be provided. After the condominium subdivision plan and bylaws are submitted as part of the Master Deed, the developer or proprietor shall furnish to the Township a copy of the site plan on a mylar sheet of at least thirteen by sixteen (13 x 16) inches with an image not to exceed ten and one-half by fourteen (10 ½ x 14) inches.