

PART I - SITE PLAN REVIEW PROCEDURES**Section 14.1 Purpose**

The proper development of a community requires that various uses within any District be as compatible as possible. There are, however, certain types of activities and structures which, because of size and the amount of traffic generated or attracted under normal use, lend themselves to potential conflict with surrounding uses. It is the responsibility of the Florence Township Planning Commission to provide procedures to ensure the Township develops in accordance with the general intent of this Ordinance.

Section 14.2 Circumstances Requiring A Site Plan

A. Site plans are subject to review for the following uses:

1. All Permitted Uses in the following districts:

- a. HDR High Density Residential
- b. MHP Mobile Home Park
- c. C Commercial
- d. I Industrial

2. All uses permitted by special approval in all zoning districts listed in this Ordinance.

3. Duplex residential.

4. Uses and structures permitted by right, in certain zoning districts, when such development is comprised of special characteristics that necessitate a site plan.

5. All site plans associated with a special use permit application must be reviewed by the Florence Township Planning Commission, in accordance with the standards defined in Article 14.

6. All site plans required in conjunction with permitted uses shall be reviewed by the Zoning Administrator to ensure conformance with the standards defined in Article 14. The Zoning Administrator shall attend all site plan review hearings.

7. All uses which are not single-family.

Section 14.3 Site Plan Data Required

- A. The date, north arrow, scale and name of individual or firm responsible for preparing said plan. The scale must be at least 1 inch = 20 feet for parcels under three (3) acres and not less than 1 inch = 50 feet for parcels three (3) acres or more.
- B. The boundary lines of the property, to include all dimensions and legal description.
- C. The location of all structures on the site, including proposed drives, walkways, signs, exterior lighting, parking (showing the dimensions of a typical parking area), loading and unloading areas, common use areas and recreational areas and facilities.
- D. The location and widths of all abutting rights-of-way.
- E. The location of unusual environmental features, such as streams, wetlands, shorelands, etc.
- F. The location and identification of all existing structures within a three hundred (300) foot radius of the site.
- G. The name and address of the property owner.
- H. The existing zoning district in which the site is located and, in the case of a request for a zoning change, the classification of the proposed new district.
- I. The location of all-existing and proposed landscaping as well as all existing and proposed fences and walls.
- J. A locational sketch of the proposed use or structure.
- K. The type, location and size of all utilities existing and proposed for the site.
- L. The location, size and slope of all subsurface drainage facilities.

- M. A summary schedule and views should be affixed to site plans for proposed structures in applicable residential and commercial districts, giving the following information:
1. The number of dwelling units proposed, by type, including a typical floor plan for each type of unit.
 2. The residential area of the proposed units in square feet, as well as area dimensions of driveways and staging areas.
 3. Typical elevation drawings of the front and rear of each building.
- N. For multiple-family and mobile home developments, the contour intervals of the topography of the existing and finished site shall be shown, where the existing slope on any part of the building site is ten (10) percent or greater. Such contour shall be shown at height intervals of five (5) feet.
- O. Site plan submission, review, and approval shall be required for all special land uses and planned unit developments.

Section 14.4 Submittal And Approval

- A. All site plans, required as stated with this ordinance, shall be submitted by the petitioner (property owner or designated agent) to the office of the Zoning Administrator. A request for site plan approval for permitted and special uses identified shall require five (5) copies of the site plan. The Zoning Administrator shall cause the request for approval to be put on the agenda of the next regularly scheduled Planning Commission meeting, provided that such meeting is scheduled to be held at least thirty (30) days after the applicant has submitted the site plan to the Zoning Administrator's office. If the regularly scheduled Planning Commission meeting is to be held within thirty (30) days of such submittal by the applicant, the Zoning Administrator shall schedule the applicant's hearing for the next following regularly scheduled Planning Commission meeting.
- B. In the case of a request for a special use permit approval, the Planning Commission shall have the responsibility to approve with specified changes and/or conditions, or disapprove the applicant's request, using the standard for site plan review included in this Ordinance as a basis for its decision. Unless otherwise notified by the Planning Commission, where a site plan is required in conjunction with a permitted use that must conform to the standards in Article 14, the Zoning Administrator shall have the responsibility to approve, approve with specified changes and/or conditions, or disapprove the applicant's request, using the standards for site plan review included in this Ordinance as a basis for the decision.

- C. Any conditions or changes stipulated by the Planning Commission in review of a special use permit request shall be recorded in the minutes of the meeting and a copy each of said conditions or changes given to the applicant and Zoning Administrator. An approved site plan request shall contain the signatures of the chairman of the Planning Commission and the Zoning Administrator. Any conditions or changes stipulated by the Zoning Administrator in review of a site plan associated with a permitted use shall be recorded by the Zoning Administrator and a copy of said condition or changes given to the applicant. An approved site plan request for a permitted use shall contain the signature of the Zoning Administrator.
- D. Of the five (5) copies of the site plan submitted by the applicant for a special use permit, one (1) copy/copies shall be kept on file by the Township Clerk, one (1) copy/copies shall be kept on file by the Planning Commission Secretary, one copy (1) retained in the Zoning Administrator's office and one (1) copy retained by the applicant.
- E. Time Limit: A site plan approval granted pursuant to this Article shall be valid for one (1) year from the date of approval. If construction has not commenced and proceeded meaningfully toward completion by the end of this one (1) year period, the Zoning Administrator shall notify the applicant in writing of the expiration of approval for the site plan approval.

Section 14.5 Fees

Accompanying the request for approval of a site plan, a fee, to be determined by the Florence Township Board shall be submitted. Said fee is for the purpose of defraying administrative costs in processing the request for approval. Such fee may be used for reimbursing another party retained by Florence Township for expert consultation relative to the application.

Section 14.6 Revocation

- A. If the Zoning Administrator shall find that the conditions and stipulations of an approved site plan are not being adhered to, the Planning Commission shall give notice to the applicant of its intent to revoke the prior approval given to the site plan. Intent to revoke shall be made known to the applicant by a registered letter sent to the applicant and signed by the chairman of the Planning Commission. Said letter shall be received by the applicant thirty (30) days prior to the stated date of revocation and shall contain the reasons for revoking the site plan approval.
- B. If the applicant notifies the Planning Commission within ten (10) days of the receipt of the above letter of his or her intent to rectify the violation, the Planning Commission, through official act, may defer the revocation.

Section 14.7 Appeal of Site Plan Decision made by Zoning Administrator or Planning Commission

- A. An appeal to the zoning board of appeals may be taken by a person aggrieved or by an officer, department, board, or bureau of the state or local unit of government. An appeal under this section shall be taken within such time as shall be prescribed by the zoning board of appeals by general rule, by the filing with the officer from whom the appeal is taken and with the zoning board of appeals of a notice of appeal specifying the grounds for the appeal. The body or officer from whom the appeal is taken shall immediately transmit to the zoning board of appeals all of the papers constituting the record upon which the action appealed from was taken.

- B. An appeal to the zoning board of appeals stays all proceedings in furtherance of the action appealed from unless the body or officer from whom the appeal is taken certifies to the zoning board of appeals after the notice of appeal is filed with the circuit court that, by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril to life or property, in which case proceedings may be stayed by a restraining order issued by the Zoning Board of Appeals or Circuit Court.

PART II - SITE DEVELOPMENT REQUIREMENTS

Section 14.8 GENERAL REQUIREMENTS FOR APPROVAL

The request for special land use approval must meet the following general standards, as well as the more specific requirements for the applicable requested land use in Section 14.9. The Planning Commission shall review each application for the purpose of determining that each use on its proposed location will:

- A. Be harmonious with and in accordance with the general principals and objectives of the Comprehensive Plan of Florence Township.

- B. 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 and that the use will not change the essential character of the area in which it is proposed.

- C. There is a proper relationship between the thoroughfares and proposed service drive, driveways, and parking areas.

- D. The location of buildings, outside storage receptacles, parking areas, screen walls and utility areas are such that the adverse affects of such uses will minimize for occupants of that use and the occupants of surrounding areas.

- E. All buildings or groups of buildings shall be so arranged as to permit emergency vehicles access by some practical means to all sides.

- F. Natural resources are preserved by development in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes and woodlands.

- G. Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby water bodies.
- H. Location of buildings, parking, drives, landscaping, and other improvements on the site is appropriate for the lot size and configuration.
- I. Landscaping, including trees, shrubs and other vegetative material, is provided to maintain and improve the aesthetic quality of the site and the area.
- J. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities and schools.
- K. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property or general welfare as a result of producing excess traffic, noise, smoke, fumes, glare, odors.
- L. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activities under consideration; and be necessary to ensure compliance with those standards.
- M. Be related to the valid exercise of police power and purpose which are affected by the proposed use or activity.

Section 14.9 Additional Conditions for Particular Land Use Permits

Those permitted or special approval uses permitted in any given Zoning District and listed below shall be subject to all of the following conditions regarding site development, unless otherwise specified by the Planning Commission:

- A. Adult Entertainment/Business (see Definitions)
 - 1. General Requirements. All sexually oriented businesses shall comply with the following:
 - (a) Five hundred (500) feet setback from any R District, churches, schools as measured from lot line.
 - (b) No person younger than 18 years of age shall enter or be on the premises of a sexually oriented business at any time the sexually oriented business is open.
 - (c) No person under the age of 18 shall be employed by a sexually oriented business nor shall a person under the age of 18 be contracted with by a sexually oriented business for the provisions of services to patrons.

- (d) No employee of a sexually oriented business shall sell or provide goods, merchandise or services to persons under the age of 18 on the premises.
- (e) Any sexually oriented business offering live entertainment shall provide:
 - (1) A dressing room for performers with direct access between said dressing area and the performance area or stage, such that the performer may enter the performance area or stage without entering the area from which patrons will view the performance;
 - (2) That the access, performance area, or stage and dressing room is handicapped accessible to the extent required by the Americans With Disabilities Act and the Elliott Larsen Civil Rights Act;
 - (3) No performer, employee or patron shall be permitted to have any physical contact with any other performer, employee or patron on the premises during any performance and all performances shall occur on a stage elevated at least eighteen (18) inches above the immediate floor level and removed at least six (6) feet from the nearest performer, employee or patron;
 - (4) That the dressing area for performers be separate and not freely accessible from areas of the business accessible to patrons, and that the said dressing area contain hot and cold running water and toilet facilities.
- (f) All sexually oriented businesses shall be open to inspection by the Township's ordinance enforcement officer, the building inspector, the fire chief or the police department for the purpose of ensuring compliance with the law at any time the establishment is occupied or open for business.
- (g) The prohibitions of this section shall be posted in a conspicuous place on the business premises.
- (h) A violation of any of the subsections of this section shall be grounds for criminal prosecution of the underage person and of any licensee, owner, operator, and employees who permitted the violation of the section by the underage person.

B. Sexually Explicit Performances Prohibited:

- (a) No person shall dance, entertain, display or otherwise engage in any exhibition or performance in such a manner as to expose to the view of any person within a sexually oriented business, or in any other commercial establishment:
 - (1) Any specified anatomical areas;

(2) Any device, costume or covering which gives the appearance of or simulates any specified anatomical areas.

(b) No person shall engage in any specified sexual activities on the premises of a sexually oriented business.

C. Agriculture Bulk Collection, Storage, Distribution

1. Each principal agribusiness use shall have frontage upon a thoroughfare having a primary or greater classification and access thereto.
2. The minimum lot area shall be one hundred thousand (100,000) square feet (2.3 acres) and the minimum lot width shall be three hundred (300) feet.
3. A bulk collection, storage, distribution, and similar structure shall be located not less than fifty (50) feet from any right-of-way line and not less than fifty (50) from any side or rear property line.
4. The total coverage of all main and accessory buildings shall not exceed thirty (30) percent of the lot on which they are located.
5. Noise or similar objectionable characteristics incidental to the activity shall not be discernible beyond five hundred (500) feet of the boundaries of the lot or premises.
6. Adequate off-street parking and loading/unloading facilities shall be provided in accordance with Article 16.

C. Airports, Aircraft Landing Fields

1. Plans shall be approved by the Federal Aviation Agency and the Michigan Department of Aeronautics prior to submittal to the Township for review and approval.
2. The lot shall be so located as to abut a major thoroughfare and to provide public access and egress to and from said lot from said thoroughfare.

D. Animal Hospitals

1. All principal use activities shall be conducted within a totally enclosed main building.

E. Automobile Service Stations, Public Garages, Filling Stations

1. No subject facility existing on the effective date of this Ordinance shall be structurally altered so as to provide a lesser degree of conformity with the provisions of this section than existed on the said date.
2. Minimum lot area shall be fifteen thousand (15,000) square feet for an automobile service station or public garage and twelve thousand (12,000) square feet for a filling station.
3. Minimum lot width shall be one hundred and twenty (120) feet for a public garage or automobile service station and one hundred (100) feet for a filling station.
4. An automobile service station and filling station shall be located not less than forty (40) feet from any right-of-way line and not less than twenty-five (25) feet from any side or rear lot line abutting residentially used property.
5. Ingress and egress drives shall not be more than thirty (30) feet.
6. No more than one (1) curb opening shall be permitted for every fifty (50) feet of frontage (or major fraction thereof) along any street.
7. No drive or curb opening shall be located nearer than twenty-five (25) feet to any intersection or adjacent residential property line. No drive shall be located nearer than thirty (30) feet, as measured along the property line, to any other drive on the premises. Curb cuts shall not be permitted where in the opinion of the Building Inspector it may produce a safety hazard to adjacent pedestrian or vehicular traffic.
8. A raised curb of six (6) inches in height shall be constructed along all street frontages at the right-of-way line, except for drive openings.
9. The entire lot, excluding the area occupied by a building, shall be hard surfaced with concrete or a plant-mixed bituminous material, except desirable landscaped areas which shall be separated from all paved areas by a low barrier or curb.

F. Banks, Savings and Loans, Credit Union (Drive-Thru)

1. Banks, savings and loan, credit unions, and other financial institutions with drive-thru facilities shall have a minimum lot size of twenty thousand (20,000) square feet, with a minimum lot width of one hundred (100) feet abutting the street right-of-way.
2. The minimum setback of the main and accessory building from any street right-of-way from which ingress and egress to and from the facility is located shall be thirty (30) feet.

3. A drive-thru facility or free standing automated teller machine shall be located on the site to accommodate a minimum depth (column) of four vehicles at one time.
4. The right-of-way for vehicles using the drive-thru facility shall be separate from the required parking aisle.
5. The area used for access to and from the drive-thru facility and for required off-street parking should be paved with concrete or bituminous asphalt.

G. Campgrounds, Travel Trailer Parks

1. Minimum lot size shall be three (3) acres. The lot shall provide direct vehicular access to a public street or road. The term "lot" shall mean the entire campground or gravel trailer park. Each lot shall be provided with at least one (1) public telephone.
2. Each site on a lot designated for camping use may accommodate a travel trailer or tent and shall be provided with individual electrical outlets, except primitive campsites.
3. Public stations, housed in all-weather structures, containing adequate water outlet, flush toilets, waste container, electricity, and shower facilities shall be provided uniformly throughout the lot at a ratio of not less than one (1) such station per each twenty (20) sites.
4. Each lot containing more than sixty (60) sites shall provide a masonry building containing machine laundry (wash and dry) facilities.
5. Except for a convenience goods shopping establishment, no commercial enterprises shall be permitted to operate on the lot.
6. Each lot shall provide a hard-surfaced, dust-free vehicle parking area for site occupant and guest parking. Such parking shall be located within four hundred (400) feet of the site it is intended to serve (except in the case of sites specifically designated only for tent camping). Each parking space shall be two hundred (200) square feet in area. Guest parking shall be provided at the ratio of not less than one (1) space per each two (2) sites. Occupant parking space for two (2) vehicles shall be provided on each site.
7. Each site shall contain a minimum of fifteen hundred (1,500) square feet, except that the minimum size for sites specifically designated for tents shall be three thousand (3,000) square feet. Each site shall be set back from any right-of-way or property line at least fifty (50) feet.
8. A common use area shall be provided on each lot at a ratio of not less than one thousand (1,000) square feet of such area per each site. This common area shall be developed by seeding, landscaping, picnic tables, barbecue

stands and passive recreation equipment (i.e., swings, horseshoe pits, shuffleboard courts and the like) for the general use of all occupants of the entire lot.

9. All sanitary facilities shall be designed and constructed in strict conformance to all applicable St. Joseph County health regulations.
10. The development of the entire lot is subject to all applicable requirements of the Michigan Department of Natural Resources.
11. A minimum distance of fifteen (15) feet shall be provided between all travel trailers and tents.
12. Fences and greenbelts may be required by the Planning Commission. The location of common use areas, roadways, streets, and buildings shall be subject to approval by the Planning Commission.

H. Child Care Centers, Nursery Schools, Day Nurseries

1. No dormitory facilities permitted.
2. Nursery schools and day nurseries for children of preschool age shall provide a lot area of not less than seven hundred (700) square feet for each child enrolled therein.
3. For each child cared for, there shall be provided, equipped and maintained on the premises a minimum of one hundred fifty (150) square feet of usable outdoor play area (minimum total area of five thousand (5,000) square feet per facility).
4. The outdoor play area shall be fenced in or screened by a heavily planted green belt from any abutting residential uses.

I. Churches

1. Minimum lot width shall be one hundred and fifty (150) feet.
2. Minimum lot area shall be two (2) acres.
3. For every foot of height by which the building, exclusive of spire, exceeds the maximum height limitation for the district, an additional (to the minimum) foot of front, side or rear yard setback shall be provided.
4. The lot location shall be such that at least one (1) property line abuts a collector street, secondary thoroughfare, or major thoroughfare. All ingress to the lot shall be directly onto said thoroughfare.

5. Adequate off-street parking must be provided in accordance with standards in Article 16.
6. Structure will harmonize, blend with and enhance adjoining properties in surrounding neighborhood.

J. Convalescent Homes

1. Minimum lot size shall be three (3) acres.
2. The lot location shall be such that at least one (1) property line abuts a collector street, secondary thoroughfare or major thoroughfare. The ingress and egress for off-street parking areas for guests and patients shall be directly from said thoroughfare.
3. The main and accessory buildings shall be set back at least twenty-five (25) feet from all property lines.
4. The facility shall be designed to provide a minimum of fifteen hundred (1,500) square feet of open space for every bed used or intended to be used. This open space shall include landscaping and may include off-street parking areas, driveways, required yard setbacks and accessory uses.

K. Drive-In Restaurant

1. The main and accessory buildings shall be set back a minimum of sixty (60) feet from any adjacent right-of-way line or residential property line.
2. Public access to the site shall be located at least seventy-five (75) feet from any intersection (as measured from the nearest right-of-way line to the edge of said access).
3. A six (6) foot high masonry obscuring wall shall be provided adjacent to Residential Districts.
4. Parking may be located in the front yard in the case of fast-food or carry-out restaurants only.

L. Drive-In Theater

1. The lot location shall be such that at least one (1) property line abuts a major thoroughfare and shall be at least five hundred (500) feet from any residential district.
2. The premises shall be enclosed with a solid screen fence seven (7) feet in height.

3. All points of entrance or exit shall be located no closer than two hundred and fifty (250) feet to any street or road intersection (as measured to the nearest intersection right-of-way line).
4. The interior of the premises shall be designed with respect to lighting, drainage and the like, to the satisfaction of the Township Engineer.
5. Space shall be provided on-premises for fifty (50) waiting vehicles to stand at the entrance to the facility.
6. The theater screen shall not face, directly or obliquely, by less than seventy-five (75) degrees, a major thoroughfare or any residential zoning district.

M. Fraternal Clubs and Lodges

1. Minimum lot size shall be two (2) acres.
2. The main and accessory buildings shall be set back at least twenty-five (25) feet from all property lines.
3. Adequate off-street parking, as identified in Article 16 shall be provided.

N. Golf Courses, Country Clubs

- (1) Minimum lot size shall be forty (40) acres.
- (2) A shelter building with toilet facilities shall be provided which meets all requirements of the St. Joseph County Health Department and the Township Building code.
- (3) The main and accessory buildings shall be set back at least seventy-five (75) feet from all property lines.

O. RESERVED FOR FUTURE EXPANSION

P. Home Occupations

1. No more than twenty-five (25) percent of the gross floor area of the dwelling unit shall be utilized.
2. The activities and facilities associated with the home occupation shall not change the residential character of the property or the immediate neighborhood and shall not endanger the health, safety and welfare of any other person or household living in the general or immediate area by reason of noise, glare, noxious odors, electrical interference, unsanitary conditions, excessive traffic, fire hazards and/or other such negative impacts.
3. Only those articles produced on the premises by such occupation may be sold or offered for sale.
4. No home occupation shall require outdoor storage of equipment, machinery or signs not customary in a residential location.
5. No more than one (1) non-illuminated nameplate, attached to the building and not larger than two (2) square feet in area, containing the name and occupation of the resident, will be allowed.
6. A home occupation that will attract an average of more than two (2) customer vehicles at all times during operating hours, shall provide off-street parking facilities in accordance with Article 16. The parking requirements associated with the use or activity in Article 16 most similar to the home occupation shall be applied.
7. The use of a residential home in any zoning district for instruction in a fine art or craft is expressly permitted.

Q. Hospitals/Medical Centers

1. Minimum lot area shall be two (2) acres.
2. The lot location shall be such that at least fifty (50) percent of the property line abuts a paved county primary road. The ingress and egress for off-street parking facilities for guests and patients shall be directly from said county primary road.

3. Minimum main and accessory building setback shall be fifty (50) feet.
4. No power plant or laundry shall be located nearer than two hundred (200) feet to any adjacent residential district.

R. Hotel, Motel, Motor Court

1. Public access to the principal business shall be located so as not to conflict with access to adjacent uses or not adversely affect traffic flow on adjacent streets.
2. When the front yard is used to provide access, a greenbelt shall be provided along the front property line, except at drive openings.
3. Each unit of commercial occupancy shall contain a minimum of two hundred and fifty (250) square feet of gross floor area.
4. When adjacent to a Residential District, a chain link fence or masonry wall, four (4) to six (6) feet in height, shall be erected on the common property line, plus a greenbelt planted and continually maintained parallel to and inside of such fence or wall.

S. Housing for the Elderly

1. Minimum lot size shall be five (5) acres.
2. Accessory services in common use shall include, but not be limited to, the provision of central dining facilities, indoor and outdoor recreational facilities, lounge areas and workshops.
3. Each dwelling unit shall contain at least three hundred and fifty (350) square feet of area, not including kitchen and sanitary facilities.

T. Junk Yards

1. Minimum lot size shall be five (5) acres.
2. The setback from the front property line to the area upon which junk materials are stored shall be not less than one hundred fifty (150) feet and said area shall be screened from the roadway and from any adjoining residential or business uses by a solid fence not less than eight (8) feet nor more than twelve (12) feet in height.

Said fence to be kept uniformly painted, neat in appearance, and shall not have any signs or symbols painted on it.

3. The area upon which junk materials are stored, including the main and accessory buildings, shall be located not closer than five hundred (500) feet to any public building, church, hospital, sanitarium, convalescent home, day nursery, school, or residential district boundary.
4. All structures and fencing and used material storage yards shall be set back not less than fifty (50) feet from any street or highway right-of-way.

U. Kennels

1. All kennels shall be operated in conformance with all applicable County regulations, license being valid no longer than one (1) year.
2. All kennel buildings wherein animals are kept, animal runs, and/or exercise areas shall not be located nearer than one hundred and fifty (150) feet to any adjacent property line, and shall not be located in any required front, rear or side yard setback area.

Each kennel facility shall provide sufficient square footage for each animal kept, boarded, bred or trained on the property, in accordance with applicable State and County laws. All kennel facilities shall have waste disposal systems adequate to handle all animal waste generated from the kennel facilities.

3. Such facilities shall be under the jurisdiction of the Township Planning Commission, and subject to other conditions and requirements of said body deemed necessary to ensure against the occurrence of any possible nuisance (i.e., fencing, soundproofing, sanitary requirements).

Noise, odor, or other objectionable characteristics incident to the facility shall not be discernible beyond the boundaries of the premises upon which the facility is conducted/located.

4. All kennel facilities shall be designed, constructed, operated and maintained in such a manner as to provide humane and sanitary conditions for each animal kept, boarded, bred or trained upon the premises.
5. For dog kennels, the minimum lot size shall be two (2) acres for the first four (4) dogs and an additional one (1) acre for each additional one (1) dog.

V. Livestock Feedlots (Intensive) (see Section 2.18 F.) Livestock feedlots and Intensive Livestock Operations shall be subject to the Michigan Department of Agriculture's Generally Accepted Agricultural Management and Production Standards (GAAMPS) and the Michigan Right to Farm Act, being Act 93 of 1981, as amended.

W. Mortuaries/Funeral Homes

1. Minimum lot area shall be a minimum of one (1) acre.
2. Off-street parking shall be provided in accordance with Article 16.
3. Outdoor signage shall conform to the requirements Article 15.
4. Outdoor lighting shall be of a type and location so as not to infringe upon adjacent residential properties.

X. Open-Air Business

1. Minimum lot area shall be ten thousand (10,000) square feet.
2. Minimum lot width shall be one hundred (100) feet.
3. Unless specifically waived by the Board of Appeals, a building of not less than five hundred (500) square feet of gross floor area shall be constructed on the premises for office use in connection with the subject open-air business.
4. The Building Inspector may, to ensure strict compliance with any regulation contained herein and required as a condition of the issuance of a permit for an open-air business use, require the permittee to furnish a Surety Bond executed by a reputable surety company authorized to do business in the State of Michigan, in an amount determined by the Building Inspector to be reasonably necessary to ensure compliance hereunder. In fixing the amount of such Surety Bond, the Building Inspector shall take into account the size and scope of the proposed open-air business use, current prevailing cost of rehabilitating the premises upon default of the operator of the use, estimated expenses to compel the operator to comply by Court Decree, and such other factors and conditions as might be relevant in determining the sum reasonable in the light of all facts and circumstances surrounding each application.
5. Lighting shall be installed in such a manner which will not create a traffic hazard on abutting streets or which will cause a glare or direct illumination to be cast onto adjacent properties, residential or otherwise.
6. In the case of car sales lots:
 - a) All areas subject to vehicular use shall be paved with a durable dust free surfacing, with appropriate bumper guards where needed.

- b) The use of pennants or flags, and the use of parking areas lighted at night, shall be carried out without creating a nuisance for nearby properties, as determined by the Board of Appeals, who shall have the authority to require the termination of those uses not in conformance with this paragraph.
- c) The entire premises shall be graded so that the surface water run-off does not drain across public right-of-way.

7. In the case of a plant materials nursery:

- a) The storage or materials display areas shall meet all yard setback requirements applicable to any building in the district.
- b) All loading activities and parking areas shall be provided on the same premises (off-street).
- c) The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.

8. In the case of sales of cut trees intended to be displayed during the Christmas season, or other seasonal open air businesses, a temporary permit shall be obtained from the Zoning Administrator which shall require that all Christmas trees as well as any poles, lights, wires, or other items incidental to this use shall be removed from the premises by December 31st, and no trees shall be stored or displayed nearer the street than the front property line.

Y. Parks (Public or Private)

1. A privately owned park used as a commercial recreation facility shall adhere to the following standards:

- a) Minimum lot size shall be one (1) acre.
- b) Activities within the park shall be separated from adjoining residentially zoned parcels by a twenty (20) feet wide greenbelt with natural plantings on at least three (3) sides of the perimeter of the site. The minimum average height of such plantings shall be twelve (12) feet and the vegetation shall be of a density that will screen out at least ninety (90) percent visibility from adjoining properties.
- c) Hours of operation of the park shall be limited from 8 a.m. to 10 p.m.
- d) Off-street parking shall be provided in accordance with the requirements of Article 16.

e) Outdoor lighting shall be of a type and location so as not to infringe upon adjacent residential properties.

Z. Private Swimming Pools

1. No swimming pool (referred to as "pool" in this section) shall be constructed, erected or installed on any lands in the Township unless a building permit has first been obtained.
2. The outside edge of the pool wall shall not be located nearer than four (4) feet to any lot line; provided, however, that if any part of the pool walls are more than two (2) feet above the surrounding grade level, then the outside edge of the pool wall shall not be placed nearer than ten (10) feet from any lot line.
3. Any pool constructed of poured concrete shall have a bottom not less than six (6) inches thick and walls not less than eight (8) inches thick, such walls and bottom to be reinforced with metal reinforcing rods. Liner-type pools may be constructed or installed if 1) the liner used is made and furnished by a manufacturing concern which, as a part of its business, regularly makes swimming pool liners out of plastic rubber, fiberglass, steel or any other type produce; and 2) the bottom and walls of such liner-type pool are constructed in accordance with the specifications of the manufacturer of the liner.
4. Each pool shall be enclosed by a fence or wall of a height of not less than four (4) feet which is constructed in such manner that no person may enter the yard or the area where the pool is located without passing through a gate or door located on the lot on which the pool is situated. The fence may be placed on or anywhere inside the lot lines of the lot where the pool is situated; provided, however, that no fence may be erected closer to a street than a building may be erected in the Zoning District in which the pool is located.
5. All gates and doors which permit access to the pool area shall be capable of being locked and shall be locked at all times when no person is present on the lot on which the pool is located.

aa. Commercial Television, Radio and Micro-Wave Transmission, Receiving and Relay Towers

1. The setback for each tower from adjacent rights-of-way and/or property lines shall be not less than one and one-half (1-1/2) times the height of each tower above the ground. Accessory buildings or other accessory structures shall comply with the general setback requirements of the zoning classification in which they are located.
2. When the tower(s) ceases to operate, it shall be removed within three (3) months.

3. The Planning Commission shall have the authority to require the applicant to file with the Township Clerk prior to the time of establishment of the tower(s) on the subject property a cash deposit, certified check, irrevocable bank letter of credit or surety bond in such amount as the Planning Commission determines necessary to cover the estimated cost of removal of the tower(s). If the tower(s) are not removed as required by subparagraph 2 above, then the Planning Commission shall by resolution request the Township Board to take appropriate legal steps to ensure removal of the tower(s) using as much of the security deposit as is necessary for that purpose. This security requirements shall continue in effect until the tower(s) are removed.
4. A party receiving a special land use permit hereunder shall be required to carry and maintain personal injury and property damage liability insurance for the subject site in the amount of not less than five hundred thousand dollars (\$500,000) for each person or property injured or damaged and not less than one million dollars (\$1,000,000) for injury or damage to more than one person or one person's property arising out of one occurrence. A copy of the insurance policy shall be filed with the Township Clerk prior to the issuance of a special land use permit. The deductible written into the insurance policy shall not exceed five (5) percent of the per incident limit of the liability of the policy. The coverage obtained pursuant to this Section shall include the provision that the insurer shall notify the Township Clerk in writing at least thirty (30) days before lapse or cancellation of the insurance.
5. Unless specifically waived by the Planning Commission, an open-air fence between four (4) and six (6) feet in height shall be constructed on the boundary property lines.

bb. Communication Tower

1. Operating requirements necessitate locating the tower within Florence Township, and the site shall be uniquely suited for the intended purpose. The applicant shall document efforts to co-locate the desired facilities on an existing tower, and document why co-location of the facilities is not possible.
2. The tower shall be located at least one thousand (1,000) feet from any Residential zoning district, and at least one thousand (1,000) feet from any dwelling in any zoning district where residential uses are permitted.
3. The tower shall be set back from all adjacent property lines at least a distance equal to the height of the tower plus fifty (50) feet; provided that the Planning Commission is authorized to approve a lesser minimum setback in circumstances where the tower is designed, in the event of failure, to fold over, or otherwise collapse within a fall zone less than the total height of the tower. The Planning Commission determination as to the appropriate minimum required setback shall be based on the tower design and other pertinent circumstances of each individual application, and shall be made pursuant to the general standards for special exception use approval in Section 14.8 of this Ordinance.

4. If the tower is located on the same zoning lot as another allowed building or structure the tower and any accessory features connected thereto shall not be located in the front yard or in a side yard abutting a street.
5. The tower base and all guide wire support bases shall be enclosed by fencing or other suitable enclosure of at least six (6) feet in height, to be determined by the Planning Commission, sufficient to restrict access to authorized personnel only.
6. The Planning Commission may require the tower base enclosure to be screened by such landscaping as may be appropriate for the location.
7. All lighting shall be designed and arranged so that it does not produce a glare on adjoining premises and/or roadways, except such lighting as may be required by federal regulation.
8. The tower shall not interfere with any radio or television transmission or reception in the area.
9. The tower shall be designed, constructed and maintained to withstand all generally expected weather conditions in the area.
10. The tower shall be inspected at regular intervals, no less than once a year, and serviced as frequently as may be necessary, to maintain the tower in a safe and weather-withstanding condition. Reports of all inspections and servicing shall be made available to the Township upon written request.
11. The owner of the premises and/or tower shall maintain liability insurance with a minimum of \$1,000,000 coverage of personal injury and property damage.
12. A tower that has no users for a continuous period of at least one (1) year shall be considered abandoned, and shall be dismantled and removed from the premises within ninety (90) days after receipt of notice of such abandonment to the owner of the subject premises.

cc. Roadside Stand

1. The gross floor area of the temporary building shall be not less than one hundred fifty (150) square feet but not more than eight hundred (800) square feet.
2. Suitable containers for rubbish shall be placed on the premises for public use.
3. Any stand located within two hundred (200) feet of any adjacent dwelling shall close at 10:00 p.m.
4. The temporary building shall be located not less than fifty (50) feet from the nearest public road pavement. Its height shall be no more than one (1) story.

dd. Stables (Private)

1. For breeding, rearing and housing of horses, mules and similar domestic animals, the minimum lot size shall be 5.1 acres, except that up to three saddle horses or ponies may be housed and reared on lots of two (2) to five (5) acres.
2. An accessory building used as a stable shall not be located nearer than fifty (50) feet to any property line and not nearer than one hundred (100) feet to any dwelling.
3. Animals shall be confined in a suitable fenced area, or paddock, to preclude their approaching nearer than thirty (30) feet to any dwelling on adjacent premises.
4. The facility shall be so constructed and maintained that odor, dust, noise or drainage shall not constitute a nuisance or hazard to adjoining premises.
5. Appropriate off-street parking, as identified in Article 16 shall be provided.

ee. Schools, Civic Building, Post Office, Fire Station Museums, Libraries and Other Similar Public Uses

1. Adequate off-street parking must be provided in accordance with the standards in Article 16.
2. Schools must provide adequate space for loading/unloading of students and temporary or permanent parking of buses.
3. The minimum setbacks for main and accessory school structures shall be fifty (50) feet.

4. The minimum distance between main and accessory school structures and residential property or residential districts shall be three hundred (300) feet.
5. Main and accessory structures associated with fire stations shall be located no closer than one hundred (100) feet from a residential district or residential property.
6. Adequate warning signs shall be provided at appropriate locations on both sides of the street on which emergency vehicles enter and exit.
7. The proposed use shall harmonize, blend with, and enhance adjoining properties and surrounding neighborhood.
8. The lot location shall be such that at least one (1) property line abuts a collector street, secondary thoroughfare, or major thoroughfare. All ingress and egress to the lot shall be through said thoroughfare.

ff. Shopping Center

1. No building or structure of less than five thousand (5,000) square feet shall be nearer than fifty (50) feet to the right-of-way line of any street; all buildings or structures of more than five thousand (5,000) square feet shall be at least one hundred fifty (150) feet from any street right-of-way line. No building or structure shall be nearer than fifty (50) feet to the side and rear lines of the property on which it is located. All buildings shall also be subject to other setback requirements contained in this Ordinance not inconsistent herewith.
2. Minimum lot size shall be five (5) acres.
3. Off-street parking shall conform to the requirements of this Ordinance.
4. Every shopping center shall have a twenty-five (25) foot planting area separating the parking and shopping district from all adjoining districts of a higher classification. These planting areas shall be landscaped with shrubs or evergreens of a height of four (4) to six (6) feet or more to act as a screening hedge; all unpaved areas shall be maintained in a park-like manner.
5. Any lighting in such areas shall be adequately screened from any adjoining residences.

gg. Slaughter Houses

1. All slaughtering and butchering activities must occur within an enclosed building.

2. The facility and all operations must be approved by the appropriate State of Michigan and/or U.S. Government approved agency.
3. The minimum allowable land area for all buildings and accessory activities shall be five (5) acres.
4. Holding pens shall cover no more than fifty (50) percent of the entire parcel, up to a maximum area of five (5) acres.
5. All holding pens and main and accessory buildings shall be set back a minimum of three hundred (300) feet from the nearest residentially zoned parcel.
6. The facility shall be so constructed and maintained that odor, dust, noise or drainage shall not constitute a nuisance or hazard to adjoining properties.
7. The applicable off-street parking requirements of Article 16 shall be met.
8. On-premises landscaping shall be provided.

hh. Strip Mall

1. Minimum lot area shall be 80,000 square feet.
2. Minimum side and rear setbacks from adjoining property shall be twenty-five (25) feet.
3. All commercial loading/unloading shall occur at the rear or side of the building.
4. All on-premises lighting shall not negatively impact adjoining properties.
5. On-premises signs shall conform to the requirements of Article 15.
6. Accessory buildings shall not be allowed.
7. Off-street parking shall conform to the requirements of Article 16.
8. On-premises landscaping shall be required.
9. Vehicle ingress/egress shall be provided in accordance with MDOT design standards.

ii. Vehicle Wash Establishments

1. Minimum lot area shall be fifteen thousand (15,000) square feet.
2. Minimum lot width shall be one hundred (100) feet.
3. The drive-through or self-serve washing structure shall be located not less than forty (40) feet from any right-of-way line and not less than twenty-five (25) feet from any side or rear lot line abutting residential property.
4. A wood fence or concrete block wall (minimum height of 6 feet) shall separate the vehicle wash establishment from adjacent residential property.
5. The entire lot, excluding the area occupied by a building, shall be hard surfaced with concrete or a plant-mixed bituminous material, except desirable landscaped areas which shall be separated from all paved areas by a low barrier or curb.
6. Curb cuts shall be located no closer than twenty-five (25) feet from any intersection or adjacent property line. Drives associated with the facility shall be separated along the front property line by a distance of at least twenty-five (25) feet. Curb cuts shall not be permitted where, in the opinion of the Zoning Administrator, it may produce a safety hazard to pedestrian or vehicular traffic
7. Adequate lane maneuvering area shall be provided on the premises, with enough distance to allow for a minimum of four (4) vehicles waiting in line.
8. Adequate on-premises landscaping shall be provided.
9. On-site lighting shall be so located and designed as to have minimum impact upon surrounding properties.
10. On-site signage shall conform to the requirements of Article 15.
11. All washing activities must be carried on within a building.
12. Vacuuming activities at least twenty-five (25) feet distant from any adjoining residential use.
13. The building entrances and exits of the facility shall be from within the lot and not directly to or from an adjoining street or alley. An alley shall not be used as maneuvering or parking spaces for vehicles being serviced by the subject facility.
14. An adequate on-site area for waiting vehicles shall be provided to prevent the lining up of said vehicles on public streets.

kk Family Business.

- A. All work in connection with any family business permitted hereunder shall be conducted solely within an enclosed building.
- B. No outdoor storage shall be allowed unless the family business involves storage needs which cannot reasonably be accommodated within a building or structure. In such event an allowed outdoor storage area shall be located to the rear of the building in which the business is conducted, and shall be adequately screened to effectively block all view from adjoining roads or properties.
- C. There shall be no expansion of the family business facilities permitted hereunder without further approval of the Planning Commission.
- D. Noise, smoke, odor, electrical disturbance or lighting shall not be discernable beyond the boundaries of the property from which the business is conducted.
- E. The building where the business is conducted shall be located at least 150 feet from any existing residence on adjoining property.
- F. The business shall be located on the same parcel as the family's dwelling.
- G. In addition to those family members residing on the parcel, no more than four other individuals may work on the premises in connection with the family business.
- H. The Planning Commission may limit the family business to a particular type of business, and it may allow the business to operate for only a specific period of months or years unless an additional permit is granted.

