ARTICLE XXVIII

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DEVELOPMENT RELATED PROVISIONS

SEC. 28.1 CONDOMINIUMS

1. **Purpose**

Pursuant to the authority conferred by the Condominium Act, P.A. 59 of 1978 (MCL 559.101 et seq., MSA 26.50(101) et seq.), condominium subdivision plans shall be regulated by this Ordinance as site condominiums. The intent of this Section is to ensure that site condominium subdivisions are developed in compliance with all applicable Zoning Ordinance requirements, and standards applicable to subdivision developments established under Chapter 93, Township Subdivision Regulations and the Land Division Act, P.A. 288 of 1967, as amended.

2. **General Requirements**

(a) Definitions. The terms used in this Section are defined in Article 36, Definitions, and the Condominium Act, P.A. 59 of 1978, as amended. The terms are used in a manner intended to make possible comparison between the provisions of this Section and Ordinance, the Condominium Act, Chapter 93, Township Subdivision Regulations, and other applicable Township Codes and Ordinances. Specifically:

(1) "Subdivision lot" shall be synonymous with the term "site condominium unit."

(2) "Building" or "structure" shall be synonymous with the term "building envelope."

(3) "Tentative preliminary plat" shall be synonymous with the term "preliminary condominium subdivision plan."

(4) "Final preliminary plat" shall be synonymous with the term "final condominium subdivision plan."

(5) "Subdivision" or "single-family residential subdivision" or "industrial subdivision" shall be synonymous with the term "site condominium project."

(6) "Proprietor" shall be synonymous with the terms "applicant" or "developer."

(b) Design and Layout. Site condominium projects shall comply with the design layout and improvement standards of Chapter 93, Township Subdivision Regulations, and all applicable provisions of this Ordinance (including all setback, height, coverage yard setback and area restrictions of Article 20, Schedule of Regulations)

(c) Use. Each site condominium unit shall be located in a zoning district that permits the proposed use.

(d) Setbacks. Required yards shall be measured from the street setback or private road easement and site condominium unit boundaries to the nearest edge of the building envelope.

(e) All condominium projects that are not being developed as site condominiums shall comply with the design standards appropriate to the district in which the project is located and shall be required to obtain site plan approval per Article 29.

Condominium documents shall be submitted to the Township for approval prior to the construction of any condominium project.

3. **Condominium Subdivision Plan Review**

Township approval of the condominium subdivision plan, condominium documents and construction plans shall be required prior to the start of construction, expansion or conversion of a site condominium project. No permits for construction, grading, or installation of public water or sanitary sewer facilities shall be issued for property in a site condominium project until all necessary approvals have been granted by the Township.

(a) Review Procedure. Condominium subdivision plan review shall follow the pattern established for traditional subdivisions in Chapter 93, Township Subdivision Regulations. The subdivision condominium plan review process shall be a two step procedure, as follows:

(1) Preliminary Condominium subdivision plan: A preliminary condominium subdivision plan shall include all plans, survey, sketches, drawings, statements and additional information required by Chapter 93, Township Subdivision Regulations for tentative approval of a preliminary subdivision plat. In addition, the following information shall be provided:

a) Proposed name of condominium project.

b) Legal description of the condominium project boundaries.

c) Names, address and telephone numbers of the proprietor, the professional seal of the planner, designer, engineer or surveyor who designed the condominium project layout.

d) The names of abutting subdivisions and condominium developments, layout of streets indicating street names, right-of-way-widths and connections with adjoining platted or private streets, and locations of alleys, easements and public and private walkways, and lot layouts.

e) A location map or vicinity sketch showing the relationship of the proposed site condominium to the surrounding area.

f) Land use and existing zoning of the proposed site condominium project and adjacent properties.

g) The tentative plan shall be at a scale of 1 inch equals one hundred (100) feet or larger.

h) Statement of intended use of the proposed condominium project, such as: residential, single family, two-family and multiple housing; commercial, industrial; recreation; or agricultural. Also, proposed sites, if any for multi-family dwellings, shopping centers, churches, industry and other non-public uses exclusive of single-family dwellings. Also, any sites proposed for parks, playgrounds, schools or other public uses.

i) A map of the entire area scheduled for development, including future street rights-of-way, if the proposed Single Family Condominium is a portion of a larger holding intended for subsequent development.

j) Layout, numbers and dimensions of units, including building setback lines.

k) Indication of parcels of land intended to be dedicated or set aside for public use or for the common use of property owners in the site condominium project. The site plan shall show the location of all floodplain and wetland areas.

l) Location of any existing and proposed sanitary sewers, water mains, storm drains and other underground facilities within or adjacent to the proposed site condominium project, including the location dimensions of easements thereof.

m) Contours shall be drawn on the Tentative Single Family Condominium Site Plan at five (5) foot intervals where slope is greater than ten (10) percent and two (2) foot intervals where slope is ten (10) percent of less. Topography to be based on U.S.G.S. datum.

n) The proprietor shall submit preliminary plans for streets, water, sewers, sidewalks and other required public improvements. The plans shall contain sufficient detail to enable the Township Engineer to make preliminary determination as to conformance of the proposed improvements to applicable Township and Wayne County Department of Public Services regulations and standards.

(2) Public Hearing **(as amended on 9/30/07):** Any condominium subdivision plan submitted to the Township shall contain the name and address of the applicant or his authorized representative to whom notice of a public hearing shall be sent and no plan shall be acted on by the Commission without affording a hearing thereon. On request of the Commission, notice shall be published in a newspaper which circulates in the Township, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. The notice shall be given not less than fifteen (15) days before the date the application will be considered. The notice shall:

a) Describe the nature of the condominium subdivision plan request.

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

c) State when and where the condominium subdivision plan request will be considered.

d) Indicate when and where written comments will be received concerning the subdivision condominium plan request.

(3) Approval of the Preliminary Condominium Subdivision Plan: A preliminary condominium subdivision plan shall be approved according to the procedures required for approval of a tentative preliminary plat, under Chapter 93, Township Subdivision Regulations.

(4) Review of Condominium Documents: The applicant shall submit a copy of all condominium documents, including but not limited to the condominium master deed, bylaws and all related exhibits, to the Township Board of Trustee approval. These documents should specify who is responsible for maintenance of common elements and open space, including accessory structures. Prior to final condominium subdivision plan approval, the applicant shall submit the necessary documents to the Township Attorney for review. The required documents shall include the following provisions:

a) The conditions upon which the approval is based, with reference to the approved condominium subdivision plan.

b) When open space or common areas are indicated in the condominium subdivision plan for use by the condominium owners, the open space or common areas shall be conveyed in fee or otherwise committed by dedication to an association of the residents, and the use shall be irrevocably dedicated for the useful life of the residences, and retained as open space for park, recreation, or other common uses.

1. A program and financing for maintaining common areas and features, such as walkways, signs, lighting and landscaping.

2. Assure that trees, waterways and woodlands will be preserved as shown on the condominium subdivision plan.

3. Assure the construction and maintenance of all streets and necessary utilities, including public water, wastewater collection, and treatment, through bonds or other satisfactory means, for any and all phases of the condominium project.

4. Address and other concerns of the Township regarding construction and maintenance.

5. Revisions may be required to ensure compliance with applicable laws, ordinances and established Township policies.

5) Outside Agency Approval: The applicant shall be responsible for forwarding a copy of tentative condominium subdivision plan to all applicable State, County, and local agencies having jurisdiction over specific aspects of the condominium project, such as wetlands, storm drainage, soil erosion and sedimentation, and utilities. All necessary permits or approvals from applicable outside agencies shall be received prior to final condominium subdivision plan approval.

6) Final Condominium Subdivision Plan Review: The final condominium subdivision plan shall include all information required for the approved preliminary condominium subdivision plan, and any additional information required in Chapter 93, Township Subdivision Regulations for final approval of a preliminary subdivision plat. Additionally, the following information shall be provided:

a) Complete metes and bounds description of the site condominium project boundary.

b) Copies of the site condominium subdivision plan from each of the required authorities, after all necessary approvals have been secured.

c) Final Engineering Construction Plans for all improvements to be constructed in connection with the proposed site plan in accordance with Township Construction Standards.

7) Approval of Final Condominium Subdivision Plan. A final condominium subdivision plan shall be approved according to the procedures required for final preliminary plat approval under Chapter 93, Township Subdivision Regulations.

4. **Required Improvement**

Construction of utilities, streets, sidewalks, and other improvements may commence only after final approval of the development agreement by the Township Board, and approval of construction plans by the Township Engineer. Site condominium projects shall further comply with the following:

(a) Utilities. Each condominium unit shall be connected to the public water, sanitary and storm sewers. To the extent practicable, all utilities, including electric and cable services, shall be underground.

(b) Street lights may be required to be installed at all condominium development entrances.

(c) Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corners and deflection points. Unit irons shall be set at all condominium unit corners and deflection points of condominium unit lines. The Township may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year, on condition that the developer deposits with the Chief Building Official a performance guarantee equal to the estimated cost of such work. Such deposit shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required, within the time specified. If the developer defaults, the Township Board shall promptly require a registered surveyor to set the monuments and irons in the ground as shown on the site condominium plans.

(d) Streets and Necessary Easements. Condominium projects shall comply with all street requirements applicable to conventional subdivisions, and shall provide all easements necessary to construct, operate, inspect, maintain, repair, alter, replace and/or remove pipelines, mains, conduits and other installations of a similar character for the purpose of providing public utilities. Public utilities shall include, but not be limited to, conveyance of sewage, water and storm water runoff across, through and under the property subject to such easement, and excavating and filling ditches and trenches necessary for the location of such structures.

Streets shall be constructed in conformance with the applicable Township engineering standards. Public street connections shall be provided to all adjacent parcels, as determined necessary by the Township to provide adequate continuity and connectivity to the public street system.

5. **Building Permits**

Prior to the issuance of building permits for any condominium units, the applicant shall submit the following to the Chief Building Official:

(a) A copy of the recorded condominium documents (including exhibits).

(b) A copy of any recorded restrictive covenants.

(c) A copy of the approved final condominium subdivision plan in a format acceptable to the Township.

(d) The warranty deed and bylaws, and easement documents for all rights-of-way and easements dedicated to the public.

(e) Final Acceptance and Submission of As-Built Drawings: After construction, as-built drawings of the completed development shall be submitted, in an acceptable format, to the Township for review. Final acceptance of the development and release of the final certificate of occupancy and any performance guarantees shall not take place until the as-built drawings have been approved by the Township.

(f) Revision of Condominium Subdivision Plans and Amendments to Condominium Documents:

1) Any revision to the final condominium subdivision plan that would materially alter the approved site design, uses or intent and conditions of final condominium subdivision plan approval shall be submitted for review as a revised final condominium subdivision plan following the procedure in Section 28.1.3, Condominium Subdivision Plan Review.

2) Any revision to the final condominium subdivision plan that would not materially alter the approved site design, uses or intent and conditions of final condominium subdivision plan approval may be reviewed following the procedures for administrative site plan review in Section 29.4.2, Administrative Review.

3) Any revision to the condominium documents or development agreement that affect the approved final condominium subdivision plan shall be reviewed and approved by the Township Attorney and Township Board.

6. **Relocation of Boundaries and Subdivision of Condominium Unit**

(a) Relocation of boundaries between adjoining condominium units, if permitted in the condominium documents and provided for in the Condominium Act, as amended, shall comply with all regulations of the zoning district in which located.

(b) Subdivision of condominium unit sites or units is permitted subject to Planning Commission approval and the submittal of the amended bylaws and master deed to determine the effect of the subdivision on conditions of zoning or site plan

approval, and shall be made as part of the bylaws and recorded as part of the master deed. Each condominium unit that results from a subdivision of another condominium unit shall comply with all regulations of the zoning district in which located.

7. **Guarantee of Completion of Improvements**

To ensure compliance with the provisions of this ordinance and any conditions imposed there under, a financial guarantee shall be required for any condominium project in accordance with the requirements of Chapter 93, Township Subdivision Regulations.

8. **Condominium Conversions**

All conversion condominium projects shall be subject to the requirements of the Zoning Ordinance and shall require site plan approval by the Administrative Review Committee prior to the occupancy of any unit converted to a condominium unit. The site plan submitted for a conversion project shall include all existing conditions and clearly identify all proposed site changes. The proposed condominium documents must also be submitted for Township Attorney review prior to final approval by the Administrative Review Committee.

SEC. 28.2 DIVISION OF UNPLATTED LAND

Any division of unplatted land, other than a lot which is described and fixed in a recorded plat, is subject to the provisions of the Land Division Act, Act. 288, P.A. 1967 and Section 28.26 of this Ordinance shall be subject to the following:

1. **Application**

Applications shall be in writing, in such form as the Community Development Department may determine and accompanied by such fees as the Board of Trustees may determine by resolution, and the following:

(a) Tentative Parcel Map (Survey). A survey of the total unplatted land to be divided, certified by a registered Land Surveyor, and in conformance with the requirements of the Certified Surveys Act, Public Act 132 of 1970, as amended. The survey shall include:

1) The existing and proposed parcel boundaries, all public utility and other easements and rights-of-way and the proposed boundaries for each resulting parcel dimensioned on the map.

2) Locations and setback for existing structures and improvements dimensioned on the survey, and lot coverage for the existing (pre-split) parcel(s). Front yard setbacks shall be dimensioned from the street setback line, as described in Section 28.22 of this Article.

3) Buildable area for each resulting parcel (based upon required setbacks, topography, wetland/floodplain boundaries and other site constraints), proposed setbacks for any existing structures or improvements, and proposed lot coverage for each resulting parcel.

4) The location and conceptual design for vehicle access to each resulting parcel from the street right-of-way.

(b) Legal descriptions for the existing parcel to be divided, and each resulting parcel.

(c) Proof of title ownership and land division rights allowed under the Land Division Act, Public Act 288 of 1967, as amended; and documentation of the parcel's land division history since March 31, 1997.

(d) Affidavit stating that the Township is not responsible for the extension of utilities to any parcel created as a result of the land division.

2. **Review Procedure**

All land division applications shall be subject to the following review and approval procedure prior to such division, and before any Certificate of Occupancy or building permit may be issued for parcels resulting from such division:

(a) Prior to the Community Development Department's consideration, the application materials shall be distributed to appropriate Township officials, agents, and employees for review and comment.

(b) The Community Development Department shall review the division of unplatted land application to verify conformance with the standards of this Section and the Ordinance:

1) Denial: Upon determination that an application does not comply with the standards of this Section or Ordinance, or would require extensive revisions to comply with said standards, the application shall be denied. If an application is denied, a written record shall be provided to the applicant listing the reasons for such denial.

2) Tentative Approval: Upon determination that an application is in compliance with the standards of this Section and Ordinance, the Community Development Department shall grant tentative approval of the proposed land division.

3) Conditions: The Community Development Department may grant tentative approval of the land division application subject to one or more conditions, upon determining that minor modifications are necessary to bring the proposed land division into full compliance with the standards of this Section and Ordinance.

(c) The Township Supervisor shall grant final approval of a land division application upon determination that the proposed division conforms with the requirements of this Section and Ordinance, and any Community Development Department conditions of the tentative approval.

3. **Standards for Approval**

Each resulting parcel shall meet all applicable requirements of this Ordinance, and the following:

a) The depth of each resulting parcel shall not be greater than four (4) times the parcel width (4:1) at the front parcel boundary. Land divisions may be approved where the existing parcel and resulting parcels exceed this maximum 4:1 length to width ratio, where the proposed division would improve compliance with this Section.

b) Each resulting parcel shall abut a dedicated and improved public street, or an approved private road with a dedicated private right-of-way easement and roadway pavement and improvements constructed and maintained in compliance with Chapter 43, Private Road Construction and Maintenance, of the Charter Township of Plymouth Code of Ordinances.

c) Each resulting parcel shall have access to sufficient right-of-way for utilities and services (including but not limited to water, sanitary sewer, storm sewer, gas, electric, telephone and street lighting), a driveway, sidewalks, road access and other improvements reasonably necessary for the type of development and the circumstances of the particular case.

4. **Approval Limitation**

Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.

SEC. 28.3 RESIDENTIAL DESIGN STANDARDS

Any new one family detached dwelling unit located outside a mobile home park, erected after the effective date of adoption or amendment of this Ordinance shall be subject to the following conditions prior to issuance of a building permit:

1. **Purpose and Intent**

The purpose of this Section is to protect the economic welfare and property values of surrounding residential uses, and the Township as a whole, by establishing reasonable and consistent standards governing the design and appearance of all dwellings, including manufactured homes, mobile homes, modular homes or site ("stick") built homes where developed on individual lots or home sites within the Township. It is the intent of these regulations to allow architectural variation and variation in housing types and styles, while ensuring reasonable compatibility of dwellings in a manner that will not adversely affect

the stability, desirability of, and investment in, existing neighborhoods and to realize development consistent with the Township Master Plan.

2. **Dimensional Standards**

Such dwelling units shall comply with the minimum standards listed in Article 20 for the zoning district in which it is located, including minimum lot area, minimum lot width, minimum floor area, required setbacks, and maximum building height, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

3. **Local, State and Federal Standards**

Such dwelling units shall conform to all applicable Township codes and ordinances and the State Construction Code. All construction, plumbing and electrical apparatus and insulation within and connected to a manufactured home shall conform to the "Manufactured Home Construction and Safety Standards" [United States Department of Housing and Urban Development (HUD)]. Additionally all minimum requirements for roof snow load and strength shall be met.

4. **Foundation**

Such dwelling units shall be firmly attached to a permanent foundation constructed on the site in conformance with the State Construction Code, with a perimeter wall constructed of such type and materials as required in the State Construction Code for one family dwellings. Manufactured homes shall have a perimeter wall as required above, and shall be installed and secured to the premises by an anchoring system or device in conformance with the manufacturer's instructions and the Michigan Manufactured Housing Commission General Rules.

5. **Storage Area**

Each such dwelling unit shall contain a storage area equal to ten (10) percent of the square footage of the dwelling or one hundred (100) square feet, whichever is less. This storage area shall consist of a basement, attic, attached garage, or a separate detached accessory structure which complies with the standards of this Zoning Ordinance regarding accessory buildings and structures. The intent of these standards is to limit the extent of outdoor storage.

6. **Compatibility**

Such dwelling unit shall be compatible in design and appearance with other dwellings in the residential development or surrounding residential areas. The compatibility of design and appearance shall be determined by the Chief Building Official, subject to appeal by an aggrieved party to the Zoning Board of Appeals. In reviewing any proposed dwelling for compatibility in design and appearance, the Chief Building Official shall insure that the following provisions are met, based upon a comparison to the character, design and appearance of any dwelling unit on abutting lots, plus a minimum of five (5) dwelling unit on lots in the surrounding neighborhood:

(a) Exterior finish materials (brick, stone, siding, windows, etc.) shall be similar to dwellings located in the residential development or the surrounding residential neighborhood, and shall be comparable in composition, appearance and durability to exterior material commonly used for site built homes.

(b) Roof designs and roofing materials shall be similar to dwelling units located within the residential development or in the surrounding neighborhood, subject to the following:

1) The pitch of the main roof shall have a minimum vertical rise of one foot per four feet of horizontal run (1:4).

2) Dwellings shall be designed with overhangs or eaves extending a minimum of one (1) foot from each building wall.

(c) The dwelling's exterior building wall configuration in regards to width to depth ratio shall reasonably conform to the configuration of dwelling units located within the residential development or in the surrounding neighborhood.

(d) The minimum width across any front, side or rear elevation shall be twenty four (24) feet.

(e) The above standards shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or variation from the common or standard designed home.

SEC. 28.4 DWELLING LOCATIONS

1. **Principal Buildings**

In all AG, R-1-E, R-1-H, R-1-S, R-1, R-M and R-2 Districts, only one (1) principal building shall be placed on a lot of record, including a single lot in a recorded subdivision plat or site condominium development, or a single parcel created by a metes-and-bounds land division.

2. **Accessory Structures**

Accessory structures are not permitted on a lot without a principal building.

3. **Lot Width**

Every single family dwelling shall be located on a lot, parcel or tract of land having a width of not less than sixty (60) feet at the front or rear building line, whichever is less, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

4. **Street Right-of-Way**

Every single family dwelling shall be located on a lot which abuts a dedicated and

improved public street, of not less than sixty (60) feet in width or an approved private road with a private right-of-way easement sufficient in form, description, size, extent and location to provide it and adjoining unplatted lands with right-of-way for water, sanitary sewer, gas, electric, telephone, street lighting, road and sidewalk, utility services and improvements reasonably necessary for the type of development, in compliance with Chapter 43, Private Road Construction and Maintenance, of the Charter Township of Plymouth Code of Ordinances. No stub end of a street right-of-way shall serve as the required sixty (60) foot frontage of any lot.

SEC. 28.5 ENVIRONMENTAL PERFORMANCE REQUIREMENTS

Uses in all districts of the Township shall comply with the following performance standards, which shall be applied using generally accepted methods of collection, measurement and scientific analysis:

1. **General Prohibition**

   There shall not be discharged from any source whatsoever, such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. The Federal Clean Air Act shall be complied with in all applicable cases.

2. **Glare**

   Glare from any process (such as or similar to arc welding, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard.

3. **Radioactive Materials**

   Radioactive materials and wastes, and including electromagnetic radiation such as X-ray machines operation, shall not be permitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.

4. **Measurable Noise**

   No operation or activity shall be conducted within any district which results in measurable noise levels beyond the property line of the operation or activity, except in compliance with the Charter Township of Plymouth Noise Control Ordinance (Chapter 34).

   The decibel reading shall be the average of five (5) readings taken at intervals approximately five (5) feet apart along the property line, at a height of five (5) feet above the established grade, and taken within a time limit of five (5) minutes.

5. **Vibration**

No activity shall cause a ground displacement exceeding .003 of one (1) inch as measured at the boundary of the property line. All machinery shall be mounted and operated so as to prevent transmission of ground vibration. Operation of any device that creates vibration above the vibration perception threshold at any adjacent property or street right-of-way line shall be prohibited.

For purposes of this Section, the vibration perception threshold shall be the minimum ground or structure-borne motion necessary to cause the Township Code Enforcement Officer to be aware of the vibration by sensation, touch or visual observation of moving objects.

6. **Odor**

The emission of noxious odorous matter in such quantities as to be readily detectable at a point along the property line so as to produce a public nuisance or hazard is prohibited.

7. **Sewage Wastes**

No industrial sewage waste shall be discharged into sewers that will not comply with established standards or that will cause chemical reaction, either directly or indirectly, with the pipe or other structure materials, impair the strength or durability of sewer structures, cause mechanical action that will destroy or damage the sewer structures, cause restriction of the hydraulic capacity of sewer structures, place unusual demands on the sewage treatment equipment or process, limit the effectiveness of the sewage treatment process or cause danger to public health and safety.

8. **Drifted and Air Borne Matter, General**

The drifting of air borne material (such as dust, particles or debris) beyond the property line shall be unlawful.

9. **Fire and Safety Hazards**

(a) The storage, utilization or manufacturing of materials or products ranging from incombustible to moderate burning, as determined by the Fire Chief, is permitted subject to compliance with all other performance standards mentioned above and the Fire Prevention Code of the Township of Plymouth.

(b) The storage, utilization, or manufacturing of materials, goods, or products ranging from free, to active burning, to intensive burning, as determined by the Fire Chief is permitted subject to compliance with all other yard requirements and performance standards previously listed, and the Fire Prevention Code of the Township of Plymouth, and provided that the following conditions are complied with:

1) All activities shall take place within completely enclosed buildings or structures having noncombustible exterior walls, meeting Michigan State Construction Code requirements.

2) All such buildings shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Protection Association and the Fire Prevention Code of Plymouth Township.

3) The storage and handling of flammable liquids, liquefied petroleum, gases and explosives shall comply with applicable state rules and regulations as established by the Fire Prevention Code, Public Act No. 207 of 1941, as amended, or by the Fire Prevention Ordinance of the Township of Plymouth, whichever is the most stringent.

10. **Hazardous Materials**

Methods of on- and off-site disposal, handling, or storage of any hazardous waste or materials, including the type of hazardous substances used, stored or disposed of on or off the site, the location of material handling or use, and the method of containment shall comply with federal and state requirements. A pollution incident prevention plan (PIPP) shall be in place, as applicable.

SEC. 28.6 LANDFILL, GRADING, FILLING AND EXCAVATION

1. No filling, dumping, removal, adjusting or balancing of land by reason of which the existing topography of the land is altered, shaped or changed shall be allowed within any zoning district of the Chapter Township of Plymouth, except in the following permitted instances:

(a) The amount of material utilized for filling, dumping, removal, adjusting or balancing, whether obtained on the land involved or from outside the premises, does not exceed one hundred (100) cubic yards and the material is composed only of gravel, clay, natural rock, earth, or topsoil, and provided that such material is placed or removed in such a manner as will not adversely affect the existing use or occupancy of abutting lands and the normal development thereof, impair, obstruct, divert or change any drain, creek, river or other water course on the land involved or any abutting lands, or encroach or occur upon the floodway or floodplain thereof; or

(b) The filling, dumping, removal adjusting or balancing occurs pursuant to a site plan or plat that has been approved in accordance with Township Ordinances.

(c) The filling, dumping, removal, adjusting or balancing occurs pursuant to a Grading, Filling or Excavation Plan approved in conformity with the following procedures:

2. **Application and Procedure for Grading, Filling or Excavation Plan approval**

The owner of premises may apply to the Department of Building and Code Enforcement for approval of a Grading, Filling or Excavation Plan, upon such forms as may be designated by the Department and payment of such fees as the Board of Trustees may set by resolution, in the following manner:

(a) Grading, filling or excavation that will disturb an area less than one acre, or to create or alter a pond less than two acres in surface area, or for landscape or ornamental berming, or similar earth change activities may be approved by the Chief Building Official after review by the Township Engineer.

(b) Grading, filling or removal of soil from any property for purposes of a business enterprise shall be reviewed and approved by the Planning Commission after review by the Township Engineer for conformance with this section and other applicable sections of the Zoning Ordinance.

(c) The Chief Building Official may refer any application to the Planning Commission for review and approval if, in the Chief Building Official's opinion, the activities proposed in the application may adversely impact the use, or future use, of the property in question, or adjoining lands.

(d) Preliminary Approval. An applicant may apply for a preliminary approval without a detailed design plan by submitting an application containing the following:

1) Names and addresses of owner of the premises and type of ownership.

2) Legal description of the premises.

3) Name and address of owners of adjacent premises.

4) Written description of the nature of the proposed filling, dumping, removal, adjusting or balancing to be undertaken, including the quantity of fill or removal and the composition of same.

5) A scale drawing of the premises designating property lines and dimensions; adjacent public roads, drains, creeks, rivers or other water courses and the flood area or plain thereof on the premises and on adjacent premises; landmarks and topographical features of the premises; and areas to be filled or subject to removal.

6) Statement of intended land use for the premises following the completion of grading, filling and excavation work and the expected time needed to complete such work.

The Chief Building Official or the Planning Commission at its next regular meeting, will consider the preliminary approval application and determine whether the proposed earth change activity shall be granted preliminary approval.

In determining the same, the Chief Building Official or Planning Commission shall consider the applicable provisions of this Ordinance, the impact of the proposed activity on existing water drainage, detention, flood plain, floodway and flow, the prevention of water pollution and sedimentation, the prevention of wind erosion, wind blown dust and wind blown litter, the composition and compaction qualities of the fill, the provision for ground cover and other flora or constructed improvements to prevent erosion or the collection of stagnant water, and the suitability of the proposed work in relationship to the existing use and occupancy and normal development on the premises and on adjacent neighboring premises so that the earth change activity will not adversely affect the same.

In no event shall the dumping of junk, offal, garbage, rubbish, ashes, slag, industrial wasters, construction materials or other refuse be permitted in any zoning use district other than industrial zoning districts.

If the preliminary approval is granted, the applicant may proceed to apply for final approval. Preliminary approval vests no rights in the applicant, or the applicant's successors, heirs and assigns.

(e) Final Approval. A final approval application shall contain the following information:

1) An affirmation that the contents of the same are in accordance with the application and plan granted preliminary approval, if any.

2) A map certified by a registered engineer or land surveyor at a scale not less than one hundred (100) feet to one (1) inch showing:

a) Boundaries of the premises.

b) Outline of the earth change areas.

c) Outline of the areas from which material will be removed from the site or from which material will be obtained for filling elsewhere on the site.

d) Existing topographical elevations which shall be expressed on U.S.C. & G.S. datum and by accurate contours at intervals not exceeding two (2) feet extending a minimum of fifty (50) feet beyond the site or work limits.

For large sites, the existing topography may be limited to those areas proposed to be altered providing however that adequate surrounding topographic information is provided to evaluate impacts to adjoining areas.

3) A map certified by a registered engineer or land surveyor to the same scale as required in Section 28.6.2(e)(2) above showing the surface elevations

and slopes which will be established when the earth change activities are complete.

4) A statement of a registered professional engineer certifying the quantities, location and composition of the disturbed material and reference to the map required in Section 28.6.2(e)(3) above.

5) If the earth change area is to be included in a plat, subdivision, or other type of development, the maps required in Section 28.6.2 (e) (3) above shall show the proposed subdivision layout including without limitation, the future location of streets, building sites and utility easements.

6) A statement specifying the nature and location of ground cover and other flora or constructed improvements sufficient to prevent erosion or the collection of stagnant water.

The Chief Building Official or the Planning Commission at its next regular meeting will consider the final approval application and determine whether the proposed earth change activity shall receive final approval, which determination shall be based on the same criteria as are applicable to the determination of preliminary approval. The final approval may be conditioned upon the applicant posting bond or other security sufficient to guarantee performance of the earth change activity to be undertaken in conformance with the final plans.

3. **Permit and Inspection**

The permit shall be issued by the Department of Building and Code Enforcement and may incorporate by reference all material contained in the preliminary approval application and the final approval application and may contain such specific terms and conditions as the Chief Building Official or Planning Commission determine reasonably necessary for the circumstances of the particular case to prevent the filling of flood plains, to prevent water pollution, to provide for compaction, to regular the composition of the fill, to provide cover on the disturbed areas for erosion protection, to regulate the hours of work performed, to prevent dust, wind erosion and litter, to insure proper surface and storm water drainage and to prevent an adverse effect upon the existing use or occupancy of abutting property and the normal development thereof. The effective term of the permit shall not exceed one (1) year. Should an applicant propose the actual construction and work pursuant to the permit will be performed by a party other than the applicant, the permit shall be issued to the permit applicant and the contractor, jointly and severally, and each shall be bound by the terms thereof and obligated by any bond or other security required.

Where the Chief Building Official or Planning Commission determines that it is necessary to have the Township Engineer perform inspection or review field test reports of the earth change construction, the applicant will be required to deposit inspection fees to cover the cost of same pursuant to the current rate schedule approved by the Board of Trustees. The Township Engineer shall determine the initial deposit amount based on an

estimate of the time required; if the actual time exceeds this amount, the applicant will be required to deposit subsequent fees to cover the actual inspection costs. The Township Engineer shall keep a written record of the inspections and provide the Chief Building Official with copies on a weekly basis.

Issuance of the permit by the Chief Building Official shall not obviate the applicant from obtaining other County, State or Federal permits that may apply to the proposed work. Copies of such permits shall be provided to the Chief Building Official prior to the commencement of the earth change activity.

The permittee shall notify in writing the Department of Building and Code Enforcement of the commencement of the work and of the completion of the same. The Department of Building and Code Enforcement, its officials, agents and employees, shall at all times be permitted access to and travel upon the premises subject to the permit for the purposes of making such inspections as they may deem necessary. At any time, the Department of Building and Code Enforcement may suspend or cancel the permit if the work being performed fails to timely accord with the terms of the permit of such directions of the Department of Building and Code Enforcement as may be given the permittee for accomplishing the purposes of said permit and conforming with all applicable ordinances.

Upon completion of the earth change activities, the permittee shall supply to the Department of Building and Code Enforcement a plan certified by a registered engineer or land surveyor showing the same mapped information as required by Section 28.6.2.(e)(2) above, and applicable to the premises as of a date on or immediately after completion. Following such written notification of completion and the supplying of such map, the Department of Building and Code Enforcement shall inspect the premises and either issue a certificate of completion to the permittee or in writing detail all deficiencies to the permittee who shall forthwith correct the same.

The Department of Building and Code Enforcement shall keep a record of all permits and certificates of completion.

Failure to accord with the terms and conditions of the permit and the directions of the Department of Building and Code Enforcement in pursuance thereof shall be illegal and no person shall permit or cause any act contrary to the same.

4. **Dangerous Excavations Prohibited**

The construction, maintenance or existence within the Charter Township of Plymouth of open, unprotected or un-barricaded excavations, holes, pits or wells that are determined by the Department of Building and Code Enforcement to constitute a danger or menace to the public health, safety or welfare are hereby prohibited. This Section shall not prevent construction or excavations under a permit issued by the Department of Building and Code Enforcement, where such excavations are properly protected and appropriate warning signs posted.

5. **Dumping Prohibited**

In no event shall the dumping of junk, offal, garbage, rubbish, ashes, slag, industrial wastes, construction materials or other refuse be permitted in any zoning use district, except where otherwise permitted by this Ordinance.

6. **Encroachment into Drainage Channels and Floodplains Prohibited.**

Drainage channels and flood plains, which exist and which are indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Map, are essential for the maintenance of the health and general welfare of the people of the Township. Any encroachment, filling or destruction of these drainage channels or floodplains is a violation of this Ordinance.

However, this shall not prevent the development of the property where adequate facilities, as determined by the Department of Building and Code Enforcement, Township Engineer and appropriate agencies having jurisdiction, have been provided to maintain the uninterrupted flow of surface water (see Article 3, Floodplain District, for regulations concerning drainage channels and flood plains).

SEC. 28.7 WATER SUPPLY AND DISPOSAL SYSTEM

All uses, parcels and lots in the Township shall be served by an adequate and approved supply of sanitary water for human consumption, and an adequate and approved means of disposing of waste water and effluent. No building permit shall be issued under the terms of this Ordinance, until the applicant for such permit has obtained approval from the Wayne County Health Department and Plymouth Township Department of Public Works:

1. **Water Supply for Human Consumption**

(a) Public Water Supply. Where available, a public water supply shall be used as the water supply source.

(b) Private Wells.

1) Where a public water supply system is not available, each well utilized for human consumption shall meet the requirements of the Wayne County Health Department.

2. **Waste Water and Effluent Disposal**

All lots must be served by a municipal sewer system or an approved disposal system capable of disposing of waste water and effluent, subject to the requirements of the Wayne County Health Department.

(a) Sanitary Sewer System. Where sanitary sewers are available they shall be used for the disposal of sanitary wastes.

(b) Private Septic Systems. A building permit may be issued for a parcel or lot with an approved and functional private septic system in areas where a public sanitary sewer system is not available, provided such system meets the approval of the Wayne County Health Department.

3. **Unlawful Waste Discharge Prohibited**

No existing or proposed principal or accessory use shall discharge any quantities of wastes, liquids, water or other materials on open ground or into a septic tank or field that would endanger the general public comfort, health or safety, or would cause injury, detriment, damage or nuisance to any individuals, businesses, properties. Such excess discharge of wastes, liquid, water or other materials must be discharged into a sewer system regulated by Water and Sewer Ordinance as amended.

SEC. 28.8 EXTERIOR LIGHTING

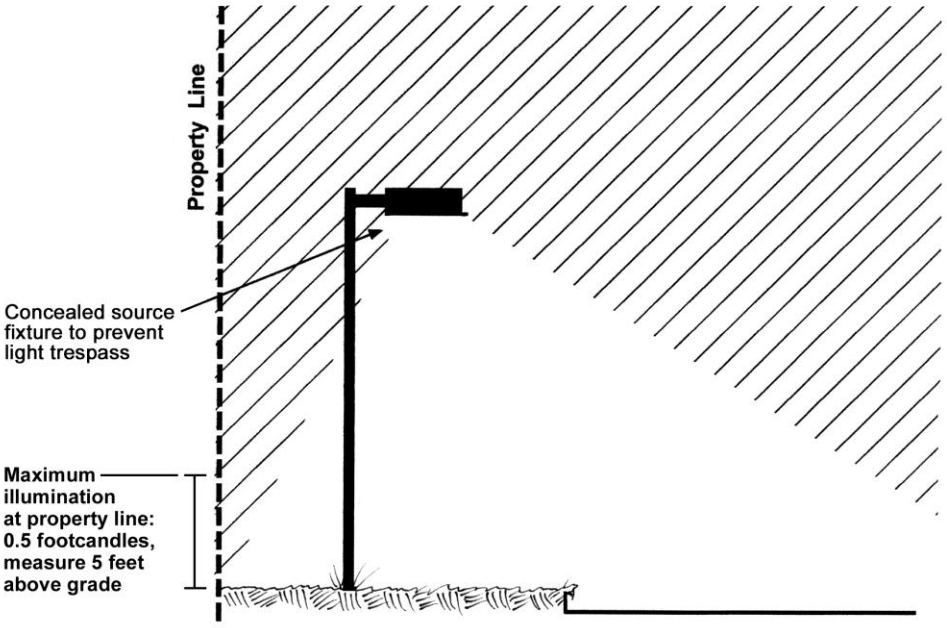
The purpose of this Section is to require sufficient but not excessive exterior lighting for parking areas, walkways, driveways, building entrances, loading areas and common areas, to ensure the security of property and safety of persons and to encourage the use of exterior lighting that complements and enhances the environment and character of the Township. The standards of this Section are intended to prevent the adverse effects of inappropriate lighting, including glare, light trespass onto adjoining properties, light pollution, sky glow and waste of energy.

1. **General Requirements**

(a) Exterior lighting shall be provided in an amount sufficient to permit safe movement of vehicles and pedestrians at night.

(b) All lighting for parking areas, external illumination of buildings or grounds and illumination of signs shall be concealed source fixtures, shielded, directed downward and shielded away from adjacent properties, with particular consideration to protecting residential districts and uses. Such fixtures shall be designed to prevent light from projecting above a horizontal plane.

(c) Lighting shall be so arranged as to not adversely affect driver visibility on adjacent public rights-of-way.



Lighting Fixture Orientation and Shielding

(d) The lighting shall be high-pressure sodium, metal halide or other type of lighting approved by the Commission which exhibits the same characteristics and qualities of high pressure sodium or metal halide lights.

(e) Maximum light intensity shall be a given in the following table:

LIGHT INTENSITY	**MAXIMUM** (footcandles)
Overall average for the site	5.0
At any point within the site	10.0
At any property line or street setback line	0.5

(f) Light intensity shall be measured at grade level within a site, and at a height of five (5) feet above grade at any property line or street setback line. A photometric plan may be required to ensure that adequate light levels are provided on the site and that the site conforms with the standards of this Section.

(g) Non-essential lighting shall be turned off after business hours, except for minimum necessary security lighting.

(h) The type of lighting utilized shall be consistent through-out a project.

2. **Specific Requirements**

(a) Lighting under gasoline station canopies and similar structures shall be limited to fully recessed lighting fixtures.

(b) Freestanding pole lighting fixtures shall not exceed a height of twenty (20) feet, except in the TAR, Technology and Research District, and IND, Industrial District, where such fixtures shall not exceed a height of thirty (30) feet. Such heights shall be measured from the ground level to the top of the light fixture. Fixtures shall be arranged to provide an overlapping pattern of light.

(c) Where the proposed project is part of an industrial, technology, research or office park development, the type of lighting shall be consistent throughout the development.

3. **Prohibited Exterior Lighting**

(a) The installation of mercury vapor fixtures shall be prohibited.

(b) Unshielded illumination of the exterior of a building or landscaping shall be prohibited.

(c) The use of laser light sources, strobe lighting, or similar high intensity light for outdoor advertising, promotion or entertainment projected above the horizontal plane shall be prohibited, except where permitted as a temporary use under Section 28.43, Grand Openings, Special Sales or Special Events.

(d) Neon: Neon accent lighting around and within window and door openings shall be prohibited.

4. **Exceptions**

(a) The following types of exterior lighting shall be exempt from the provisions of this Section:

1) Decorative exterior light fixtures for residential dwellings, provided that such fixtures do not cause off-site glare. Each fixture shall be limited to a maximum light intensity equivalent to one (1) 100-watt incandescent lamp.

2) Security lighting for residential dwellings, provided such fixtures are concealed source, directed downward and shielded away from adjacent properties. Each fixture shall be limited to a maximum light intensity equivalent to two (2) 150-watt incandescent lamps.

3) Holiday decorations, provided such lighting is temporary and installed no more than (30) thirty days prior to and fifteen (15) days following the holiday such decorations represent.

4) Street lights that do not cause off-site glare or light pollution.

5) Fossil fuel light produced directly or indirectly from the combustion of natural gas or similar fuel (e.g., gas lamps).

6) Lighting for temporary uses permitted under Section 28.41, Carnivals, Fairs, Block Parties and Similar Uses; or Section 28.43, Grand Openings, Special Sales or Special Events.

7) Temporary lighting necessary for construction, security or emergencies.

8) Lighting necessary for civic uses or the illumination of government or political flags, provided that the light intensity is strictly limited and area of illumination is confined to a specific target surface.

(b) Accent Lighting. The Planning Commission may approve luminous tube (neon) lighting, internally illuminated architectural bands or similar shielded lighting accents as architectural details on the exterior of any building facade, subject to site plan approval and provided that such lighting accents would enhance the aesthetics of the site and would not cause off-site glare or light pollution.

(c) Uplighting. The Planning Commission may approve uplighting of buildings for aesthetic purposes, subject to site plan approval and provided that the light intensity is strictly limited and area of illumination is confined to a specific target surface.

(d) Lighting for Gasoline Station Canopies and Dealership Sales Lots. The Planning Commission may approve light intensities of up twenty (20) footcandles under a gasoline station canopy or within a dealership sales lot, subject to site plan approval and provided that site lighting is otherwise in compliance with this Section.

(e) Additional exceptions may be permitted where the Planning Commission determines that unique or special conditions on the site warrant the exception.

SEC. 28.9 WASTE RECEPTACLES

The regulations in this Section are intended to require sufficient screening of outdoor waste receptacles, minimize adverse effects of trash storage, recycling, and disposal activities on adjacent properties and public rights-of-way and encourage the development and use of appropriate screening structures and measures that complement and enhance the environment and character of the area and the Township as a whole.

1. **Requirements**

The owner, lessee, or their agent, and occupants of every building where waste, garbage or recyclable materials accumulate shall be jointly and severally responsible for providing clean, and proper locations and receptacles for storage, disposal and recycling of such wastes, subject to the following:

(a) No occupant, owner, lessee, or their agent, shall permit the storage or accumulation of waste, garbage or recyclable materials in open yards or lots.

(b) All waste, garbage or recyclable materials shall be contained within properly designed receptacles located in designated storage areas, and regularly removed from the site.

(c) Outdoor storage areas for such materials shall be kept free of loose litter and debris, and maintained in a neat, orderly and sanitary condition.

(d) Waste receptacle enclosure gates shall be closed and secured when not in use.

(e) Receptacles for storage of food wastes, grease and other restaurant or food service garbage shall be properly sealed and secured to minimize odors and prevent animal or insect infestations.

2. **Enclosures**

Where required by this Ordinance or otherwise deemed necessary by the Planning Commission, waste receptacle enclosures shall conform with the following:

(a) Waste receptacles shall be completely enclosed and secured by a decorative masonry screen wall on three sides, and steel reinforced, opaque and lockable wooden gates. Bollards or other protective devices may be required to prevent damage to the screen walls.

(b) The type, color and pattern of enclosure materials shall match or complement the exterior façade materials of the principal building.

(c) The height of the enclosure shall be sufficient to completely screen all waste receptacles and materials, up to a maximum of six (6) feet.

(d) The surface within waste receptacle enclosures shall be constructed of concrete, and shall extend a minimum of ten (10) feet in front of the enclosure.

(e) Waste receptacle enclosures shall be screened to the satisfaction of the Planning Commission, in accordance with Section 26.11, Methods of Screening.

(f) Waste receptacle enclosures shall be located a minimum of five (5) feet away from doors, building overhangs, eaves and similar features, and shall not block pedestrian or vehicle access. If the building is of non-combustible construction, the waste receptacle enclosure may be placed against the building subject to the approval of the Township Fire Department. Such enclosures shall be located in a side or rear yard to minimize visibility from adjacent properties and street rights-of-way.

(g) The Planning Commission shall have the authority to modify waste receptacle enclosure height, material and location standards, provided that the alternative meets the screening objectives of this Section.

3. **Trash Compactor Screening**

Outdoor trash compactors and dumpsters for storage of compacted wastes shall be located in a side or rear yard to minimize visibility from adjacent properties and street rights-of-way. Screening for such facilities shall be in accordance with Section 26.11, Methods of Screening, and subject to Planning Commission approval.

SEC. 28.10 UNDERGROUND UTILITIES

Subject to applicable State and Federal regulations, all utilities, including but not limited to electric, natural gas, cable TV and telephone, shall be located underground to the extent feasible. Significant upgrades or re-construction of existing above-ground utilities shall include relocation of such utilities underground where feasible. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission or other agency with jurisdiction.

SEC. 28.11 WIRELESS COMMUNICATION FACILITIES AND SERVICES

A zoning ordinance can only regulate new technology after its discovery and use. Therefore, as scientific discovery creates new possibilities, a community must look to its Master Plan and community image to guide the manner in which technological advancements are accommodated. Over time, some discoveries that at first seem to be only novelties, such as electricity, become fundamental to our way of life. These public necessities or "essential services," if unavailable or removed, would cause great inconvenience, negatively impact the public health, safety, and/or general welfare, and result in revised patterns of development. Because our standard of living and the public health, safety and general welfare depend on the provision of essential services, zoning ordinances often allow essential services providers to follow more lenient design standards than would be applied to private developers.

Other technological advancements are not essential, but have become convenient to our way of life. We would like to accommodate these conveniences efficiently, but with greater concerns for aesthetics and location. We have seen that wireless communication has evolved to be a public convenience and that as public acceptance and use of wireless communication systems increased, the equipment required to provide this convenience has become smaller and/or less obtrusive on the environment. We believe that wireless communication will continue to grow and that as it grows, the trend to smaller and/or less obtrusive equipment will continue.

1. **Purpose**

The purpose of this Section is to:

(a) Carry out the will of the United States Congress by permitting facilities within the Township that are necessary for the operation of wireless communications systems.

(b) Reduce the need for additional facilities by encouraging co-location of multiple antennae on a single tower, and permitting facility heights that can maximize service while being as unobtrusive as possible.

(c) Enable the highest level of wireless communication to be available to and within Plymouth Charter Township while addressing the concerns of the community regarding visual intrusion into residential areas by ensuring that wireless communication systems are situated in appropriate locations in relation to other land uses, structures and buildings.

(d) Limit visual impacts by promoting the use of screening and innovative designs for such facilities, prevent potential damage to adjacent properties from tower failure, and promote the timely removal of facilities upon the discontinuance of use.

(e) Provide development standards that protect the aesthetic and health, safety and general welfare interests of the Township, while allowing requests for wireless communication systems to be processed efficiently.

2. **Prohibited Structures and Locations**

(a) Wireless communication facilities shall not be permitted in the area bounded by Joy Road, Lilley Road, Ann Arbor Road and Haggerty Road due to the proximity of the Mettetal Airport.

(b) A lattice tower, guy-wired tower or ~~a~~ wooden pole shall not be permitted as an antenna support structure or a facility for wireless communication within the Township.

3. **Approval Requirements – Process and Permit Requirements**

Wireless communication systems may be provided in the zoning districts in accordance with the following table, subject to compliance with the following approval process, development standards and building permit requirements, below:

APPROVAL PROCESS FOR WIRELESS COMMUNICATION SYSTEMS

ZONING DISTRICT	ATTACHED ANTENNA ON EXISTING STRUCTURE	TYPE OF FACILITY	
		FEATURE TOWER	MONOPOLE
PL	A	S	S
R-1-E, R-1-H, R-1-S, R-1, RM	A		
R-2, R-2-A	A		
VP, OS, OS-ARC	A		
C-1, C-2	A		
ARC	A	S	

MR, OR, TAR	A	S	
IND	A	S	A

A = Administrative Approval
S = Special Land Use
[Blank] = Not Permitted

4. **Administrative Approval**

Applications under the administrative approval process shall be made by the property owner or his agent filing an application for a building permit with the Department of Building and Code Enforcement for an attached antenna as provided above, or a monopole facility in the IND, Industrial District, payment of fees as indicated in the Schedule of Fees and submission of all information that is needed to permit the Chief Building Official to determine compliance with the requirements of this Section and Ordinance, including Section 28.11.6, Building Permit Requirements.

5. **Approval of Special Land Uses**

(a) Applications for approval under the special land use process shall be made by the property owner or agent by filing the appropriate application for Planning Commission approval, and the following:

1) Payment of fees as indicated in the Schedule of Fees.

2) Submission of a site plan which meets the requirements of Article 29, Site Plan and Development Approval and the additional requirements of this ordinance.

3) Submission of all other necessary information, including information required by Section 2.7, Special Land Uses, to allow the Planning Commission to hold a public hearing on the request and determine compliance with the requirements of Section 2.7, this Section and this Ordinance.

(b) After receiving approval of the special land use and site plan from the Planning Commission, the property owner or his agent must file a building permit application with the Department of Building and Code Enforcement for review and approval consistent with the requirements of this Section, the State Construction Code enforced by the Township and any other requirement of the Chief Building Official.

6. **Building Permit Requirements**

Prior to approval of a building permit for a wireless communication system, the Chief Building Official must find that the proposal satisfies the following requirements, in addition to all other building permit requirements.

(a) The nature and extent of the applicant's ownership or lease interest in the property or structure has been submitted.

(b) Facilities shall be self-collapsing, where any collapse will be completely contained within the subject property, and shall comply with all State Construction Code and Electrical Code regulations. The applicant shall provide all necessary engineering information, site plans, and drawings to make these determinations with the application. No structure, (other than the associated support building) sidewalk, parking lot or other pedestrian or vehicular traffic area shall be permitted within the self-collapsing or "safe fall" area.

(c) No part of any antenna or facility shall project over, or be constructed, located or maintained at any time, permanently or temporarily within any setback area required in the zoning district.

(d) Antennas and metal towers shall be grounded for protection against lightning strikes, and shall comply with all State Electrical Code requirements, and with all applicable local statues, regulations, and standards.

(e) Facilities with antennas shall be designed to withstand a uniform wind loading as prescribed in the State Construction Code or other applicable engineering standard.

(f) The facility construction plans shall be certified by a registered structural engineer, who shall verify that the antenna mount and structure have been reviewed, and that the structure and installation are in compliance with all applicable engineering standards.

(g) All antennas and facilities must meet the standards of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC).

(h) All signal and remote control conductors of low energy extending substantially horizontally above the ground between towers, or between a tower or antenna and a structure, shall be at least eight (8) feet above the ground at all points, unless buried underground.

(i) Structures shall be subject to current State and Federal regulations concerning non-ionizing electromagnetic radiation. If more restrictive State or Federal standards are adopted in the future, the system shall be upgraded to conform within one hundred eighty (180) days of their effective date. Failure to make such required upgrades shall constitute grounds for the Township Board to revoke any special use permit. Costs for testing and verification of compliance shall be borne by the operator of the antenna.

(j) All new wireless communication systems shall be designed within the applicable ANSI standards and N.E.C. standards.

(k) Metal facilities shall be constructed of (or treated with) corrosion resistant materials.

(l) Any proposed facility shall be designed, constructed and maintained in a manner that accommodates co-location of multiple antenna arrays on a single tower mounted at varying heights.

(m) The issuance of a Building Permit by the Plymouth Charter Township Building Department and compliance with any other requirements of the Township and or any other required body shall be required.

(n) Financial guarantees (in the form of a cash bond or irrevocable letter of credit) shall be provided in an amount sufficient to guarantee removal of a vacant or abandoned system, and to ensure that the site is restored to its original condition.

(o) The wireless communication provider shall provide proof of insurance for liability and property damage of not less than $1,000,000, or as otherwise required by the Township.

7. **Development Requirements**

(a) An attached wireless communication antenna (as defined in Section 36.2) shall be approved administratively by the Chief Building Official, subject to compliance with this Section and the following:

1) The proposal will not materially alter the appearance of the existing structure.

2) An agreement between the titleholder of the property and the antenna provider shall be submitted to show that it would require co-location.

3) A coverage area map shall be submitted of the area served by the provider's existing wireless communications facilities, along with a map of the same area showing the coverage provided by the addition of any proposed facilities and sufficient documentation to demonstrate the need for the antenna.

4) The wireless communication provider's master plan (as defined in Section 36.2) shall be submitted.

5) Any accessory equipment for the antenna shall be placed inside the structure to which the antenna is attached, or in the rear yard with screening provided so that the equipment is not visible from adjacent properties and public rights-of-way.

6) The issuance of a Building Permit by the Plymouth Charter Township Building Department and compliance with any other requirements of the Township and or any other required body shall be required.

(b) A wireless communication facility (as defined in Section 36.2) shall be approved subject to compliance with this Section 28.11 and the following:

1) Coverage Area Maps and Master Plan: The coverage area map and wireless communication master plan (as defined in Section 36.2) shall be submitted for review. The coverage area map for the proposed site shall include documentation for a minimum of three (3) antenna heights; one (1) at the proposed height, the second at a height that is no less than twenty-five feet lower and the third at no less than twenty-five (25) feet higher than the proposed height. The applicant shall demonstrate a justification for the proposed structure height and provide an evaluation of the impacts of such alternative designs on coverage and co-location options, which might result in a different height from the proposed height being approved.

2) Existing Locations and Co-Location: Wherever possible, systems shall locate on existing buildings, structures and existing wireless communication facilities. Further, no new pole or tower shall be permitted unless the applicant demonstrates to the satisfaction of the Planning Commission that no existing building, structure, facility or alternative technology that does not require the use of towers can accommodate the proposed antenna. The agreement between the property titleholder and the wireless communication facility provider shall be submitted to show that co-location shall be required and that a total of three antenna arrays shall be allowed to co-locate, and shall limit accessory utility buildings on the site to one (1) that shall be designed to accommodate all current, proposed and future providers. If a provider fails to or refuses to permit co-location, said structure and its' existing wireless communication systems shall become a nonconforming structure and shall not be altered or expanded in any way. No lattice towers, guy-wired poles or wooden poles shall be permitted.

3) Site Plan: The site plan must address the wireless communication facility plus the existing site development. A condition of any site plan approval shall be that the entire site, and not just the area proposed for the wireless communication facility shall be reviewed so that any necessary improvements to existing nonconforming aspects are modified to bring the site into compliance with the Ordinance to the fullest that is practical extent. Also, any delayed maintenance shall be completed to the satisfaction of the Chief Building Official.

4) Height: Maximum height of a wireless communication facility shall be one hundred fifty (150) feet. A height no greater than two hundred (200) feet may be considered by the Planning Commission for approval as a special land use, where the applicant has sufficiently demonstrated that the additional height will reduce the total number of potential communication facilities in the Township. Further, the maximum height shall be the minimum demonstrated to be necessary for reasonable communication by the applicant, including co-location. The accessory utility building shall be limited to the maximum height permitted for an accessory structure in the zoning district.

5) Setbacks: Minimum yard setbacks shall be equal to no less than one and one-half (1½) times the height of the facility, unless documentation is submitted that confirms the facility has been designed to eliminate all safety concerns from falling or collapse of a structure. However, in no case shall any setback be less than the setback that would be required for a primary structure in the zoning district.

A wireless communication facility must be located a minimum of one thousand (1,000) feet from any property that is zoned or used for residential purposes.

6) The facility and all equipment shall be located in the rear yard, in an area of the site where the visual impact to the public is minimized. Alternate locations may be approved by the Planning Commission upon determining that an alternate location provides better screening of the facility and equipment from public view.

7) Commercial signs, advertising, and logos, and artificial lighting such as strobe lights (other than lighting or other identification required by the FAA or FCC) shall be prohibited on the facility. However, the Planning Commission may approve signage that identifies the community, logos and/or lighting that is designed to accent a feature tower.

8) Proposed access to the facility and overall circulation shall be reviewed and approved. An access road that serves only the facility may be constructed of gravel and/or aggregate sufficient to maintain adequate access to the site. The Planning Commission may require the access to be paved if it determines that paving is needed to satisfy overall circulation needs. A driveway permit, where required, must be submitted by the applicant prior to a building permit being issued.

9) The need for anti-climbing devices and/or other security measures must be addressed and shall be provided if required.

10) The issuance a Building Permit by the Plymouth Charter Township Building Department and compliance with any other requirements of the Township and or any other required body shall be required. Facilities shall not be demonstrably injurious to neighborhoods or otherwise detrimental to the public safety and welfare, and shall be located and designed to be harmonious with the surrounding areas.

(c) A wireless communication monopole (as defined in Section 36.2) proposed in the IND, Industrial District, may be approved administratively by the Chief Building Official subject to the following:

1) The monopole and equipment shall meet all setbacks in Article 20, Schedule of Regulations for a primary structure in the zoning district.

2) The monopole and all equipment shall be located in the rear yard and screened from public view.

(d) A wireless communication monopole may be approved by the Planning Commission as a special land uses in the PL, Public Lands District provided that the proposal complies with all requirements for a monopole specified in Section 28.11.7(c) above, and will be placed a minimum of one thousand (1,000) feet from any property that is used or zoned for residential purposes.

(e) A wireless communication feature tower (as defined in Section 36.2) proposed in the ARC, Ann Arbor Road Corridor District, MR, Mid-Rise District, PL, Public Lands District, TAR, Technology and Research District and IND, Industrial District may be approved by the Planning Commission as a special land use, subject to compliance with the following:

1) The height of the feature tower shall not exceed one hundred fifty (150) feet. The Planning Commission may grant special land use approval for a height of up to two hundred (200) feet, provided the applicant submits documentation to show that no other option is feasible.

2) The tower and all equipment shall meet all setback requirements for a primary structure in the zoning district as shown in Article 20, Schedule of Regulations. A feature tower shall be located in the rear yard of the site so that the feature tower appears to be more in scale with the area. However, the Planning Commission may approve an alternate location upon determining that the feature tower design and location conceals its utilitarian function, offers an aesthetic benefit to the public, avoids a concentration of support structures and minimizes negative views from residential areas and public rights-of-way.

8. **Co-Location Required**

(a) Feasibility. It is the policy of the Township to minimize the overall number of newly established locations for wireless communication facilities within the community, by requiring co-location and the use of existing structures for attached wireless communication antennas. The provisions of this subsection are designed to carry out and encourage conformity with this policy. Co-location shall be deemed to be feasible for purposes of this Section where all of the following are met:

1) The provider under consideration for co-location will undertake to pay market rent or other market compensation for co-location.

2) The site on which co-location is being considered is able to provide structural support, taking into consideration reasonable modification or replacement of a facility.

3) The co-location being considered is technologically reasonable, and will not result in unreasonable interference, in relation to the structure and existing antennas.

4) Any proposed increase in structure height necessary for co-location will not exceed that deemed permissible by the Township.

(b) Process and Conditions.

1) A special land use permit for a new wireless communication facility shall not be granted unless the applicant demonstrates that a feasible co-location is not available for the coverage area and capacity needs.

2) All new and modified wireless communication facilities shall accommodate co-location. If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible co-location, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect.

3) Co-location of a wireless communication antenna upon an existing monopole or feature tower shall be approved administratively by the Chief Building Official, subject to compliance with the above items and the requirements for a wireless communication antenna.

9. **Maintenance**

(a) Routine maintenance shall be provided to ensure the continued soundness of the wireless communication system, and to ensure that the site will be kept in a safe condition. Any system that is determined to be unsafe, unlawfully erected or not maintained shall be in violation of this Section and Ordinance. The use of said system shall be discontinued until all violations are corrected, or it shall be immediately removed.

(b) All facilities shall be inspected by the provider at least once per year, and serviced as necessary to maintain the facilities in a safe condition. Reports regarding inspections and servicing shall be made available to the Chief Building Official upon written request.

(c) Wireless communication systems shall not interfere with reception in nearby residential areas. In the event such interference occurs, the provider shall take all steps necessary to eliminate such interference.

10. **Removal**

(a) All abandoned or unused (as defined in Section 36.2) wireless communication antennas, equipment, facilities or systems shall be removed within one hundred eighty (180) days of the cessation of operations on the site, unless a time

extension is approved by the Chief Building Official. In the event that a tower is not removed within one hundred eighty (180) days of the cessation of operations, the tower and associated facilities may be removed by the Township and the costs of removal assessed against the property.

(b) It shall be the obligation of the wireless communications provider to inform the Department of Building and Code Enforcement of any wireless communication system termination or upgrade.

(c) The Township shall require a bond, satisfactory to the Chief Building Official, to secure the future removal of any abandoned or unsafe wireless communication system or structure.

(d) Plymouth Township may secure the removal of the structure if it is still standing thirty days after the Township has sent a notice to the operator stating the need to remove the structure.

(e) Unused portions of towers located above a manufactured connection shall be removed within one hundred eighty (180) days of the time of antenna relocation. The replacement of portions of a tower previously removed shall be subject to a new special land use approval.

(f) The base of any tower and/or support anchors shall be removed to a point no less than twelve (12) feet below grade. The excavation shall be filled with suitable soil, than covered with topsoil and hydroseeded.

SEC. 28.12 NATURAL GAS, OIL AND OTHER PETROLEUM RELATED FACILITIES

Natural gas or oil processing facilities, including but not limited to "sweetening" plants, shall be permitted only if the proposed facility satisfies all of the conditions and requirements of this Section and Ordinance. Oil or petroleum refineries as defined herein are specifically excluded from these provisions. It has been determined that it is reasonably foreseeable that sour gas will be produced in the Township or conveyed via pipeline into the Township for sweetening (removal of hydrogen sulfide) and other processing. The transmission or processing of sour gas in the Township poses health risks to Township residents from accidental releases of hydrogen sulfide from pipelines or at the processing facility. The following standards have been established to protect the health and safety of Township residents from such events:

1. **Application Requirements**

The following application requirements must be met, in addition to other application requirements of this Ordinance:

(a) Environmental Impact Report. A report shall be provided that evaluates the likely adverse environmental and health, safety and welfare impacts from a proposed facility or equipment, and any feasible and prudent alternative locations,

techniques, and methods. The report shall address any secondary or cumulative impacts from any related facilities, processes or activities. The minimum contents of this report shall include:

1) Name(s) and address(es) of person(s) or firm(s) responsible for preparation of the impact assessment and a brief statement of their qualifications.

2) An aerial photograph and narrative illustrating the entire site, areas within one-half (1/2) mile of the site, adjacent uses, zoning, public roadways, utilities, significant woodlands, soils types, wetlands and floodplains, drainageways and general topography.

3) A conceptual site plan illustrating a general layout of proposed facilities, and describing the proposed uses, facilities and project phasing. A detailed description of any treatment or processing to be done on the site and at any other related locations within the Township must be included.

4) A description of the extent of compatibility between the proposed uses, existing land uses in the area surrounding the site, and the goals, objectives and future land uses included in the Township Master Plan.

5) A description of any potential increases in light, noise, air, water or other pollution levels, including anticipated methods of compliance with established environmental standards.

6) Results of the required air dispersion model [see subsection (b) below] shall be provided, along with the following documentation:

    a) The maximum concentration of hydrogen sulfide gas to be contained in or the flow through any pipeline, facility or equipment during its lifetime; and

    b) The estimated volume or rate of hydrogen sulfide that would enter the atmosphere in the event of a credible release.

    c) A detailed description of any credible accidental or deliberate releases reasonably possible as a result of the construction, operation, maintenance, repair, monitoring or termination, closure, abandonment and removal of any facility, equipment or of the proposed facility.

    d) A safety study for any facility, or equipment to be used in the system, certifying that credible accidental releases for the site will not result in health hazards in areas accessible to the public.

e) Proof that the system and structures, or any use thereof, shall meet any hydrogen sulfide public health and safety criteria or standards of federal or state public health officials.

f) A detailed description of all proposed monitoring and warning systems, equipment, or devices, including but not limited to operation, installation and maintenance, and how information from such equipment will be made known to the public.

7) A detailed statement of measures to be taken to control truck traffic, noise, vibration, dust, odors, erosion, emissions, discharges, releases or other adverse environmental impacts.

8) A description of any impacts expected to wildlife areas, lakes, streams, ponds and regulated wetlands. Documentation by a qualified wetland specialist shall be required where a regulated wetland may be impacted by the proposed project. Conceptual mitigation or replacement measures under consideration shall be described.

9) Methods of on-and-off site disposal of solid wastes shall be identified. The information shall describe the types of hazardous substances expected to be used, stored or disposed of on the site, general locations within the site and methods of containment. A Pollution Incident Prevention Plan (PIPP) shall be submitted with documentation of compliance with applicable federal ands state requirements.

10) Describe the anticipated impact on police and fire protection. In particular, describe the relationship of the use to municipal fire stations and the need for any new facilities or equipment.

(b) Air Dispersion Model. An air dispersion model which evaluates the effects of a credible release of natural gas on the general population shall be performed by an independent consultant selected by and reporting to the Township. The applicant shall be responsible for all costs associated with the required air dispersion modeling. To be considered eligible for approval as a use subject to special conditions, the results of the model must demonstrate that the proposed processing facility, including any sweetening or compressing, does not present an unacceptable risk to the public health or safety. The dispersion model shall be consistent with the best available model or technique sanctioned by the United States Environmental Protection Agency, 40 CFR Sec. 68, for atmospheric dispersion of turbulent, heavier-than-air gas releases.

Any proposed facility with an average predicted exposure at any point off the site greater than 0.1 ppm for more than ten (10) minutes shall not be permitted. The predicted exposure that occurs on the site shall comply with all Township, County, State, and Federal laws and regulations.

Sufficient information to conduct the air dispersion model analysis, including equipment specifications and the volume, temperature, pressure, and chemical composition of the gas being delivered to the facility shall be provided in the application. If the information is unknown, the modeling will assume the gas contains 10,000 ppm hydrogen sulfide, at 1800 psi, at a temperature of 70^{o}F., at a rate of 500 million cubic feet per day.

If the application contains information regarding the concentration of hydrogen sulfide in the gas being delivered to the facility, such information shall be determined using tests modeled and conducted in accordance with the American Society for Testing and Materials Standard D-2385-66, the Gas Processors Association plant operation test manual, GPA publication 2265-68, or other methods as may be approved by the Township.

(c) The applicant shall submit proof of permits and approvals from all Federal, State, and County agencies with jurisdiction.

(d) An application may be amended if the applicant obtains additional adjacent property sufficient to contain the modeled release within the site boundary.

2. **Exceptions**

The permitting and application requirements of this Section shall not apply to oil or gas wells that have been lawfully permitted under Part 615 of the Natural Resources and Environmental Protection Act, MCL 324.101, *et seq.* ("NREPA") and injection wells permitted under the Safe Drinking Water Act, 42 USC 300f *et seq.*, for the disposal of salt water or spent brine into the same formation from which it was withdrawn after extraction of halogens or their sales, unless (1) a federal or state permit has been revoked or terminated, or (2) hydrogen sulfide is present in the formation in quantities greater than 100 parts per million. Further, even though a permit is not required under this Ordinance for such activity, the owner or operator of the injection well must file a copy of federal and state permits, applications and supporting documentation with the Township.

3. **Setbacks**

In no instance shall any equipment or facility regulated by this Section be located less than 1,320 feet from the site's property line or leased area boundary, or less than 2,640 feet from the zoning district boundary of any AG, R-1-E, R-1-H, R-1-S, R-1, R-M, R-2, R-2-A, or OS District or property line of the nearest dwellings, schools, churches, hospitals, nursing homes or care facilities or similar places where there may be a concentration of population. No equipment or facility regulated by this Section shall be located less than 660 feet from any wetlands or surface water.

4. **Access**

Any site regulated by this Section shall be directly accessible from a major thoroughfare via a paved drive capable of supporting 50,000 pound vehicles. Additionally, the truck haul route for transporting any natural gas or oil to/from the facility shall be reviewed and approved by the Township.

5. **Hours of Operation**

Any facility regulated by this Section shall not operate between the hours of 10:00 P.M. and 7:00 A.M.

6. **Processing Facility Design and Construction Standards**

All sweetening, processing, and compressing facilities shall be constructed in accordance with the Canadian Standards Association standard CSA Z662-96, Oil and Gas Pipeline Systems or by using alternative standards and design which exceeds the standards contained in CSA Z662-96.

7. **Number of Facilities and District**

There shall be no more than one (1) facility for the processing of oil or natural gas in the Township, and such facility may be permitted only in the IND, Industrial District.

8. **Sulphur Storage**

There shall be no open storage of elemental sulphur on any site regulated by this Section. Storage of sulphur shall also comply with applicable building and fire code regulations.

9. **Measurable Noise**

Noise emissions of any facility regulated by this Section shall comply with the requirements of Section 28.5, Environmental Performance Requirements.

10. **Maximum Height**

Any facility regulated by this Section shall not exceed thirty-five (35) feet, including stacks at processing facilities.

11. **Screening**

Any facility regulated by this Section shall be adequately and continuously screened on all sides in accordance with Section 26.11, Methods of Screening.

12. **Monitoring and Alarm Systems**

All processing facilities shall have an effective monitoring system capable of detecting any release of natural gas containing concentrations of hydrogen sulfide in gaseous or vapor form that exceed 0.1 ppm at the site boundary. Any such release shall trigger an alarm which shall be transmitted to the Township emergency dispatcher, who shall notify

the Fire Department. The system shall also activate an alarm audible one (1) mile from the site. The system shall be designed such that discontinuance of the alarm and warning system can be performed only at the site. All monitors/sensors shall be maintained in working order at all times.

Within thirty (30) days of any alarm, a report shall be provided by the Plant Operator to the Township which shall include remedial actions taken to prevent the recurrence of the event that triggered the alarm. The Plant Operator shall also maintain an ongoing record of all emissions which trigger a response by the system, the cause of such emissions, and the response and remedial actions taken to prevent a recurrence and make this record available to the Township upon request. The Plant Operator also shall maintain a record of the maintenance and testing of the monitors/sensors and provide a copy of the record to the Township no later than January 10 of each year and immediately upon demand.

The monitoring system shall be effective to an accuracy of 0.1 ppm at a temperature range of -20^{O} F to 110^{O} F. The monitoring system shall be designed to detect a release effectively at the property line and at the point where a vertically oriented release from the greatest of the processing equipment would fall to ground under average weather conditions if groundfall is beyond the property lines or leasehold boundary.

Sensors shall be placed no more than one hundred linear (100) feet apart along the site perimeter and at the boundary of the groundfall if it is beyond the perimeter of the site.

13. **Emergency Preparedness and Evacuation Plan**

The Plant Operator shall prepare and maintain an Emergency Preparedness and Evacuation Plan acceptable to the Township. The Plant Operator shall be responsible for all costs related to Emergency Preparedness Plans, Evacuation Plans, and the equipment needed to implement the plans. The Plant Operator shall be responsible for all costs associated with implementing the provisions of the Emergency Preparedness Plans and Evacuation Plans, including lodging and food for persons displaced by an emergency.

14. **Site Security**

The Plant Operator shall provide and maintain the following security measures, at a minimum in addition to the requirements for fencing and screening contained in this Section:

(a) Any facility regulated by this Section shall provide adequate protective or security fencing around the entire perimeter.

(b) All doors and gates shall be kept closed and locked.

(c) “Poisonous Gas” or other appropriate warning signs with reflective surfaces shall be placed at fifty (50) foot intervals around the perimeter of the site.

(d) Lighting shall be provided in accordance with the requirements of Section 28.8, Exterior Lighting.

(e) In the event of a break-in or other security lapse, a bonded alarm system shall automatically become operative, and operating personnel shall notify local law enforcement officials.

15. **Site Closure**

Whenever any facility used to obtain, transport, or process natural gas or oil is not used for a period exceeding one hundred eighty (180) days, all equipment, foundations, and piping shall be removed. The site shall be graded and seeded.

16. **Hydrogen Sulfide**

Pipelines expected to carry or contain natural gas or oil with a concentration of hydrogen sulfide greater than eighty (80) ppm during its lifetime shall be subject to the following restrictions:

(a) Such pipelines shall be setback at least 400 feet from the boundary of any AG, R-1-E, R-1-H, R-1-S, R-1, R-M, R-2, R-2-A, or OS District and the property line of the nearest dwellings, schools, churches, hospitals, nursing homes or care facilities or similar places where there may be a concentration of population.

(b) Such pipelines shall be subject to meeting the air dispersion modeling requirements of this Section. The air dispersion model shall test the predicted exposure from a worst-case event as determined by the professional consultant preparing the model. Any proposed pipeline with an average predicted exposure greater than 0.1 ppm for more than ten (10) minutes, measured at the 400 foot minimum required setback, shall not be permitted.

(c) All pipelines shall be constructed to the standards set forth in the National Association of Corrosion Engineers standard MR-01-75, 1996 edition, entitled "Sulfide Stress Cracking Resistant Metallic Material for Oil Field Equipment," except when more rigorous construction guidelines are required for Class 4 districts in the Michigan Gas Safety Code, P.A. 165 of 1969, as amended, in which case these standards shall apply.

(d) The pipeline operator shall cause an annual inspection of all transmission equipment, using a camera or other equipment as needed, by an independent consultant acceptable to the Township and provide a copy of the report to the Township within three (3) calendar days of its receipt.

17. **Drilling Operations**

All drilling operations shall be subject to the following restrictions:

(a) Seismic testing shall be required during all drilling operations to assure compliance with Section 28.5, Environmental Performance Requirements. These

results shall be provided to the Township on a daily basis. Seismic testers shall be licensed by the Township.

(b) All drilling mud shall be removed from the site daily and disposed of in accordance with applicable laws and regulation.

(c) Drilling operations must comply with Section 28.5, Environmental Performance Requirements, including restrictions regarding measurable noise and the Plymouth Charter Township Noise Control Ordinance (Chapter 34).

(d) No drilling operation shall be allowed to operate between the hours of 10:00 P.M. and 7:00 A.M.

SEC. 28.13 OPEN SPACE PRESERVATION DEVELOPMENT

Open Space Preservation developments may be approved in the AG, R-1-E, and R-1-H Districts, subject to the following standards and review procedures.

1. **Purpose (as amended on 9/30/07)**

The purpose of Open Space Preservation Development is to preserve undeveloped land. The regulations in this Section are intended to accomplish this purpose by providing for grouping of homes onto the most buildable portions of a site, so that the remainder of the site can be preserved in an undeveloped state.

As used in this subsection, the term "undeveloped state" shall have the meaning given to it in Section 506, of the Michigan Zoning Enabling Act, Michigan Public Act 110 of 2006, as amended, which is a natural state intended to preserve natural resources, natural features, or scenic or wooded conditions; agricultural uses; open space; or a similar use or condition. Land in an undeveloped state shall not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be privately held or dedicated to the use of the public.

2. **Applicability**

Property in the AG, R-1-E, R-1-H Districts are eligible to be developed according to the Open Space Preservation development standards of this Section, and the other applicable requirements of this Ordinance.

3. **Review and Approval Process**

(a) An application for approval shall be made by the owner or owners of any parcel where use of an Open Space Preservation development is contemplated. The application shall be accompanied by a fee determined by Township Board resolution to cover the cost of evaluating the application.

(b) Proposals for Open Space Preservation development shall be reviewed following the same procedures and include the same information used for conventional

subdivision or condominium proposals. The application shall include the following:

1) A site analysis, which identifies the character, structure and potential of the site as it relates to this development option. The analysis shall include maps and written analysis which shall identify, describe and quantify the following features, at minimum: existing vegetation, topography at two-foot contour intervals, water courses, drainage patterns, wildlife habitats, roads and road rights-of-way, easements, soils (based on U.S. Soil Conservation Survey or soil borings), MDEQ-regulated wetlands, floodplains, woodlands and tree lines, rare and endangered species habitats, and any additional features uniquely affecting the site.

2) A metes and bounds and legal description of the acreage comprising the proposed Cluster Housing Development, including a disclosure of mineral rights ownership.

3) Topographic survey, including natural and manmade features at a scale of one inch equals fifty feet (1”=50’), with a contour interval not to exceed two (2) feet.

4) Adjacent Land Uses: Indicate type and impact on adjoining lands, direction and distance to community facilities; show transportation routes related to site.

    1. Drainage: Natural watershed (direction), drainage swales and swamp areas.

    2. Soils: Depth of topsoil and type of soils.

    3. Vegetation: Locate and identify existing tree masses, locate and identify specimen plant material and indicate type of ground cover.

    4. Existing Conditions: Structures, utilities and circulation.

    5. Special Features: Lakes, streams, ponds and wetlands, dramatic views and significant natural, archeological, historical or cultural features.

    6. General Development Plan: A plan of sufficient detail to define the proposed location of buildings, parking, interior circulation, landscape areas and method of handling storm water run-off, sanitary sewer and water facilities. (Scale 1"=50’ minimum).

    7. Proposed method of ownership.

    8. Any other pertinent information deemed necessary by the Planning Commission or Township Board to make a determination

concerning the desirability of applying the provisions of this Section.

4. **Permitted Density**

The overall density of residential uses in an Open Space Preservation development shall not exceed the density that would be permitted if the site was developed as a conventional single family subdivision.

(a) The permitted density shall be based on the net buildable area of the site which consists of the portions of the site that are not encumbered by regulated wetlands, steep slopes, existing and proposed road rights-of-way, easements, existing structures or lots, or other existing or proposed features that would prevent construction of a building or use of the site for residential purposes.

(b) To assist the Planning Commission in determining net buildable area, the applicant shall submit an parallel plan, consistent with State, County, and Township requirements that shows how the site could be developed under conventional zoning. The parallel plan shall meet all standards for lot area, lot width, roadway improvements, and an area sufficient for storm water retention.

(c) Modifications permitted under Open Space Preservation Development that result in reduction in land area dedicated to individual dwelling units shall be compensated for by an equivalent amount of open space, which shall be maintained and preserved in accordance with the standards specified in this subsection.

5. **Dimensional Standards**

(a) Building Setbacks. The minimum front, rear and side yard setback for detached single family structures and accessory structures thereto shall be based on sound planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the use of residents on the site.

(b) Minimum Lot Size. Open Space Preservation developments shall generally comply with the following minimum lot size requirements:

ZONING DISTRICT	MINIMUM LOT SIZE
R-1-H	12,000 square feet
R-1-E	20,000 square feet
AG	2.0 acres

Variation from these lot size standards may be required or permitted where the Planning Commission finds that either of the following circumstances exist:

1) A larger lot size may be required to satisfy established private well and/or septic system standards.

2) A smaller lot size may be required to achieve the density permitted under this Section.

(c) Distances between Buildings. Any detached single family structure (or accessory structure thereto) shall be located at least ten (10) feet from any other detached single family structure or accessory structure. The Planning Commission may require additional distance between buildings to ensure compatibility with adjacent residential developments.

(d) Floor Area and Height Standards. Buildings in an Open Space Preservation development shall comply with the floor area and height standards for the district in which the development is located.

6. **Open Space Requirements**

Open Space Preservation developments shall provide and maintain open space in an undeveloped state, which shall comply with the following requirements:

(a) Open Space Preservation developments shall reserve at least fifty (50) percent of the parcel in an undeveloped state.

(b) Open space shall be located on the parcel to meet the following objectives:

1) To preserve distinctive natural features, scenic or wooded conditions, and rural characteristics.

2) To minimize impact from development on wetlands, streams, and other sensitive environmental areas.

3) To maintain open, rural character along main roads.

(c) In addition, no more than twenty-five (25) percent of the open space may be developed with children's play facilities, picnic facilities, trails, and similar passive recreational facilities to satisfy the needs of future residents of the development, provided that all such facilities shall be compatible in design with other open space requirements and objectives.

(d) Required open space shall not include the area of any public or private road, the area of any easement providing access to the site, the area of any commercial recreation use.

(e) The required open space shall be set aside by the developer through an irrevocable conveyance, such as a deed restriction, conservation easement, plat

dedication, restrictive covenant, or other means that runs with the land, whereby all rights to develop the land are conveyed to a land conservation organization or other public body, assuring that the open space will remain undeveloped. Such conveyance shall:

1) Indicate the proposed use(s) of the required open space.

2) Provide for the privately-owned open space to be maintained by private property owners having an interest in the open space.

3) Provide maintenance standards and a maintenance schedule.

4) Provide notice of possible assessment to the private property owners by Plymouth Township for the maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance.

5) After approval from the Township, the developer shall record the irrevocable conveyance with the Wayne County Register of Deeds to provide record notice of the restrictions to all persons having or seeking an interest in the property contained in the Open Space Preservation development. Evidence that the document has been recorded shall be provided to the Township prior to issuance of any permits to commence construction.

7. **Building Location**

The Planning Commission shall review and the Township Board of Trustees approve building and/or lot locations as part of the review process, in relation to topography, existing trees or vegetation, proposed grading or landscaping, or other existing or proposed site features or conditions.

8. **Roads and Driveways**

The amount of site disruption caused by road and driveway construction and associated grading required for construction shall be minimized in Open Space Preservation developments. Accordingly, Open Space Preservation developments shall comply, to the greatest extent feasible, with the following standards:

(a) All open space developments shall provide improvements for streets as provided in the Subdivision Rules and Regulations for the Township. All interior roads, both those designed for the public and private, shall be constructed in compliance with the existing construction standards as adopted by Wayne County Department of Public Services for residential streets. The Planning Commission may waive this requirement after review and recommendation by the Township Engineer provided the proposed waiver shall not materially impair the intent and purpose of this Section or the public interest.

(b) Roads shall follow existing contours to minimize the amount of cut and fill.

(c) Where sites include linear features, such as existing access roads, tree lines, and stone rows, roads shall follow these features to minimize the visual impact of the roads.

(d) Use of common driveways to serve up to two (2) units is permitted to minimize the amount of paving and reduce the number of curb cuts onto public roads.

9. **Stormwater Management**

(a) Existing natural drainage shall be maintained to the maximum extent feasible.

(b) Retention and detention basins, where proposed or required, shall resemble natural ponds with gradual slopes and shall be landscaped with plant material that enhances the wildlife habitat.

10. **Landscaping and Lawns**

(a) Existing trees and other plant growth shall be preserved in areas where disturbance is not necessary outside of the building envelope.

(b) Conversion of woods, meadows, and other natural features into lawns shall be avoided, except where lawn areas are a part of the open space design or serve as residential yard space.

(c) Landscaping shall be required as specified in Article 26.

11. **Existing Structures**

(a) When a parcel contains existing structures deemed by the Planning Commission or Township Board to be of historic, cultural or architectural significance (such as farm structures), and where these structures are suitable for rehabilitation, the structures shall be retained.

(b) Adaptive reuse of existing structures for residential use or permitted accessory residential uses shall be permitted.

SEC. 28.14 BUILDING DESIGN STANDARDS

1. **Purpose and Construction**

The purpose of this Article is to establish a consistent set of standards for the design and appearance of non-single-family residential structures, which includes buildings, canopies, or gateway structures, within each zoning district of the Township, in order to improve and enhance the overall visual character of the community. These standards are also intended to encourage architectural variety within the context of creating a high-quality and harmonious aesthetic environment. This Article shall apply to new construction as well as additions or alterations to existing non-single-family residential structures. All new construction, and/or all additions or alterations to existing non-single-

family residential structures that require site plan and/or administrative review shall conform to the requirements of this Section. This Article shall be construed consistently with the design and development requirements set forth in other Articles; however, to the extent that there is a conflict between a provision of another Article and this Article, the requirements of this Article shall control.

2. **Building Massing and Form**

(a) All buildings shall incorporate architectural features, including, but not limited to: arches, arcades, porticos, cornices, peaked rooflines, or towers.

(b) Building walls over 100 feet in length shall be broken up by varying rooflines, projections, recesses, wall insets, arcades, windows or faux windows, architectural accents, and other details to create rhythm and interest in building facades. Repeating patterns of changes in color, texture, and materials are encouraged.

3. **Facade Materials**

(a) A minimum of 75% of all building facades, excluding the roof and windows, shall consist of masonry products, such as: brick, cut stone, integral colored split face block, cast stone, limestone, granite, or an equivalent material, as determined by the Planning Commission or the Administrative Review Committee. The use of aluminum metal panel systems may be permitted for buildings located within the Industrial District or an industrial area of a nonresidential district, or for buildings of a high-technology or industrial nature. Aluminum metal panel systems may also be permitted for automobile dealerships. The Planning Commission or Administrative Review Committee may modify the 75% exterior finish requirement, if the proposed project is found to meet the objectives of this Article.

(b) The remaining maximum 25% of the building facade may utilize other materials such as: fiberglass-reinforced concrete, cement board siding, stucco, polymer plastic (Fypon), or EIFS, provided that such materials do not constitute the base of the building.

(c) The facade materials for any screening structure, which may be used to screen elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes, or other similar apparatus, shall complement the facade materials of the principal building.

4. **Color and Texture**

(a) Variations in color shall be kept to a minimum.

(b) Building colors shall be in harmony with the surrounding area. Traditional colors, such as: red, subtle earth tones, or neutral colors shall be used for the building facade material. Roof colors shall complement the color of the building facade. The use of high-intensity, metallic, or fluorescent colors is prohibited.

(c) Accent colors may be permitted if considered by the Planning Commission, or the Administrative Review Committee, to be part of the overall architectural theme for the project.

(d) Awnings located above windows and doors shall consist of a solid color and shall not incorporate stripes or patterns. Dark colors, such as: dark brown, navy blue, black, maroon, dark green, or dark red, are encouraged. Backlit or underlit awnings are prohibited.

(e) Simple and uniform texture patterns within the building facade materials are encouraged.

5. **Roof Design**

(a) Variations in the roofline are required to reduce the scale of the structure and add visual interest.

(b) Rooftop equipment shall be screened from view by parapet walls or other architectural elements which complement the overall building design.

6. **Canopies**

Overhead canopies for gasoline service stations or other uses shall be designed to be compatible with the architectural characteristics and color of the principal building. Canopies shall incorporate peaked, hipped, or gabled roofs with shingles, support structures which match or simulate the materials of the principal building, and fully recessed lighting fixtures.

7. **Alterations or Additions to Existing Buildings**

(a) For an alteration proposed to an existing building facade, the entire façade shall be subject to this Article. However, the Planning Commission or the Administrative Review Committee may limit compliance with this Article to only the portion of the building affected by the proposed alteration, provided that the materials and colors of the altered portion of the building complement the materials and colors of the existing unaltered portion of the building.

(b) For an addition proposed to an existing building, the materials of the existing portion of the building may be utilized for the proposed addition, provided that the following conditions are met:

1) The addition does not exceed one hundred percent (100%) of the existing building floor area.

2) The facade of the existing portion of the building does not consist of materials or colors that would be prohibited under Section 3 or 4 of this Article.

3) All new facades substantially constitute a continuation of the existing facades relative to color, texture, size, height, and location of materials.

4) The visual effect is to make the addition appear as part of the existing building.

(c) If the alteration or addition is proposed for an existing building located within the Ann Arbor Road Corridor (ARC) District, then the entire building shall be brought into full compliance with this Article. The Planning Commission or the Administrative Review Committee may modify this requirement if the proposed project is found to meet the objectives of the ARC District.

8. **Façade Modification**

The Planning Commission or the Administrative Review Committee may approve alternatives to the exterior building design or materials, provided that the proposed project is found to be consistent with the intent and purpose of this Article.

SEC. 28.15 YARD GRADING AND DRAINAGE

All yard and open space areas in the Township shall be graded in a manner which shall avoid the ponding of stormwater unless said conditions have been designed to occur as part of a storm detention plan which has been approved by the Township and such grading shall comply with the engineering design standards for the Township prior to issuance of a permit.

Drainage channels and flood plains, which exist and which are indicated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Map, are essential for the maintenance of the health and general welfare of the people of the Township. Any encroachment, filling or destruction of these drainage channels or floodplains is a violation of this Ordinance.

However, this shall not prevent the development of the property where adequate facilities, determined by the Department of Building and Code Enforcement, Township Engineer and the appropriate agencies having jurisdiction, have been provided to maintain the uninterrupted flow of surface water (see Article 3, Floodplain District for regulations concerning drainage channels and flood plains).

SEC. 28.16 SIDEWALKS

1. Sidewalks shall be installed along all public street frontages and within the interior of any project which requires site plan or subdivision plat approval. Required sidewalks shall meet the following standards:

   (a) Sidewalks along street frontages shall be a minimum of five (5) feet in width.

   (b) Interior sidewalks shall be a minimum of four (4) feet in width. Interior sidewalks adjacent to a parking space must be a minimum of six (6) feet in width.

   (c) All sidewalks shall conform to the standards as established by the Department of Building and Code Enforcement and the Township Engineer.

2. **Sidewalk Feasibility Determination**

   (a) Engineering review. If the owner of one or more lots, units or parcels for which sidewalk installation is required, believes the sidewalk installation is impractical or not feasible, said owner may apply to the Township for a Sidewalk Feasibility Determination and a review by the Township Engineer. A fee for this review shall be paid in accordance with the Township's adopted fee schedule.

   The Township Engineer shall review the site to determine the feasibility and practicality of the installation of a sidewalk as required by the Ordinances of the Township. The review shall consider the following features of the site and the surrounding area as well as planned future development:

   1) The grade of any proposed sidewalk installation, especially referencing pertinent structures and proposed future development;

   2) The apparent and expected use by pedestrians:

   3) Site specific features impacting the feasibility of the installation of a sidewalk;

   4) Future and/or expected utility, structure, road or railroad installations, improvements or modifications;

   5) A plan created by or utilized by the Township concerning the installation of sidewalks, walking paths, bike paths or other pedestrian resources in the area;

   6) Alternative installations, i.e. elevated boardwalks, bridges or pedestrian resources in the area; and

   7) Any other engineering consideration or environmental feature likely to impact the practicality and feasibility of the installation of sidewalks.

   The Township Engineer shall determine whether the installation of a sidewalk on any given site or parcel is practical or feasible based on the above factors

(b) Payment in lieu of installation. Upon a determination that the installation of a sidewalk on a particular lot, unit or parcel is impractical or not feasible, a sum shall be paid, equivalent to the estimated cost of providing such sidewalk improvement as determined by the following formula:

Sum equals the running feet of sidewalk multiplied by the dollar amount per running foot as established annually by the Township Engineer.

The estimated amount shall be paid by the applicant to the Township in lieu of the installation of the sidewalk based upon the recommendation of impractically or unfeasibility.

(c) Escrow. Any monies delivered to the Township as payment in lieu of installation based upon a determination of impracticality or infeasibility shall be separately tracked in the Township general fund or a separately maintained sidewalk installation/repair fund being utilized by the Township for sidewalk installations only.

(d) Change in Conditions. Upon any change of the conditions used to make a sidewalk feasibility determination, the result of which is a change in the Township Engineer's recommendation as to the practicality or feasibility of the installation of a sidewalk(s), the Township shall utilize such payment in lieu of installation to construct sidewalks on the affected sites or parcels.

SEC. 28.17 FIRE APPARATUS ACCESS (added 4/9/09)

1. **Definition**

A fire apparatus access is defined as a road (this is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot land and access roadway) that provides fire vehicles access to a facility, building and portions thereof.

2. Fire Apparatus Access Requirement

All buildings, facilities and all portions thereof shall be located within 150 feet of a fire apparatus access. This distance shall be considered the maximum distance unless otherwise modified and approved by the Township Fire Chief or his designee.

3. Additional Fire Apparatus Access Required

(a) Multiple Family Residential

Every multiple family residential development with more than 100 units must include a second separate fire apparatus access. Subject to the approval of the Township Fire Chief or his designee, the second access road may be permitted to be closed to public access, and may be a locked, gated entrance accessible only by fire and emergency vehicles.

(b) Commercial and Industrial

Every commercial or industrial development with a building exceeding 62,000 square feet, including every facility, building, or portion of a building constructed or moved within the Township, must include a second separate fire apparatus access in the determination of the Fire Chief or his designee.

4. Length, Width and Turnaround Requirements

In addition to the requirements above, all access roads shall meet the following requirements:

Length	Width	Turnaround Required
0-150 ft.	20 ft.	None
151-500 ft	20 ft. If a hydrant is present, the width shall be increased to 26 ft. for a distance of 20 ft. on either side of the hydrant.	Must have one of the following turnarounds: 1. 120 ft hammerhead; 2. Y turn; or 3. 96 ft. diameter cul-de-sac
501-750 ft.	26 ft.	Must have one of the following turnarounds: 1. 120 ft. hammerhead; 2. Y turn; or 3. 96 ft. diameter cul-de-sac
Over 750 ft.	Special Approval Required	

5. Vertical Clearance

The vertical clearance above the fire apparatus access shall be a minimum height of thirteen feet and six inches (13’6”) and maintained as such.

SEC. 28.18 - 28.19 RESERVED.

DIMENSIONAL PROVISIONS AND EXCEPTIONS

SEC. 28.20 BUILDING PROJECTIONS AND YARD AREA ENCROACHMENTS

1. **Yard Area Encroachments**

Buildings. No building shall be erected, nor shall an existing building be altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district in which such building is located.

(a) Lot Area. No portion of a lot used in complying with the area, height or bulk requirements of this Ordinance (such as required yard setbacks, open space dwelling unit density, or lot coverage) in connection with an existing or proposed building or structure~~)~~ shall be used to satisfy the lot requirements for another use or structure (including tents and permitted temporary structures) on the same lot.

(b) Access Drives. Access drives may be placed in the required front or side yards, subject to the requirements of Section 24.4 of this Ordinance, so as to provide access to rear yard, and/or accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, any walk, terrace or other pavement serving a like function that is less than nine inches (9") above grade shall not be considered a structure and shall be permitted in any required yard.

MAXIMUM PERMITTED YARD ENCROACHMENTS			
PERMITTED BUILDING PROJECTIONS	**FRONT**	**SIDE**	**REAR**
Decks, patios and terraces above grade, porches, steps, unenclosed and unroofed platforms, other ground or first floor projections	12 feet but no nearer than 20 feet to street setback line	No nearer than 4 feet to side lot line	No nearer than 20 feet to rear lot line
Fireplace/chimney	12 inches	12 inches	12 inches
Bay window	18 inches	18 inches	18 inches
Roof overhangs	18 inches	18 inches	18 inches

2. **Building Projections**

Outside stairways, fire escapes, porches, unenclosed and unroofed platforms, balconies, decks, chimneys, bay windows and similar projections shall be considered as part of the principal building and therefore shall not encroach into the minimum yard setback requirements, except as provided in the table "Maximum Permitted Yard Encroachments", above and for the following:

(a) All permitted building projections and encroachments shall conform with the maximum lot coverage requirements of this Ordinance.

(b) Permitted fireplace or chimney projections into required setbacks shall not exceed eight (8) feet in length.

(c) The permitted depth of roof overhang projections into required setbacks shall include the gutter.

(d) Decks, patios, balconies and terraces nine (9) inches or more above grade, permitted to encroach into required setbacks shall not be enclosed or covered by a permanent roof structure. Front porches permitted to encroach into the required front yard setback shall not be enclosed, but may be covered by a permanent roof structure.

(e) Fire Department Review: The Chief Building Official shall refer all proposed projections or encroachments to the Fire Department for review. Projections or encroachments determined by the Office of Fire Prevention to present a public health, safety or welfare hazard shall not be permitted.

SEC. 28.21 FRONT YARD EXCEPTION

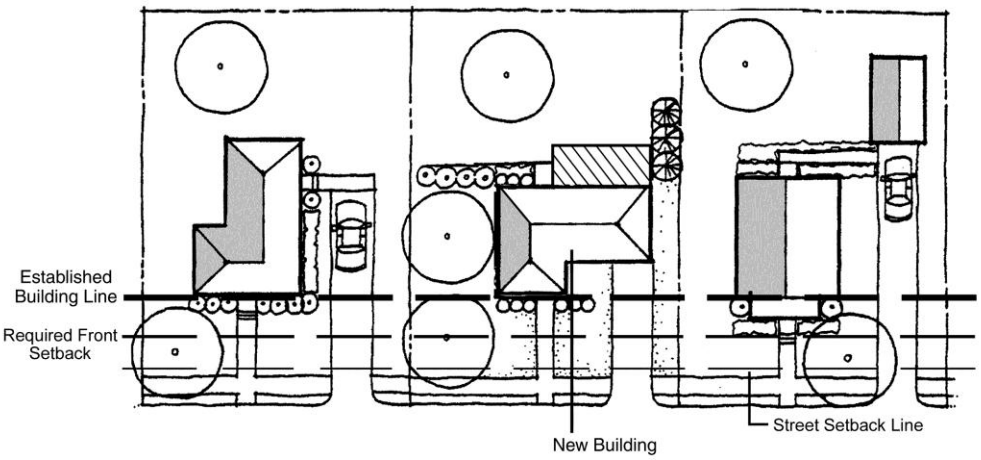
Where a discernable building line has been established by the location of a majority of residential or business buildings in a block built prior to the adoption or amendment of this Ordinance, no building erected or altered shall project beyond the setback of the established building line, subject to the following:

1. The established building line shall be based upon the pattern of existing building orientations and distances from the street setback for buildings with frontage in the same block within two hundred (200) feet of the subject lot.

2. For developments subject to site plan review, the Planning Commission shall have the authority to determine whether an established building line exists in a particular location. The Chief Building Official shall make such determinations for building projects not subject to Planning Commission review.

3. No building shall be required by this Section to be set back more than fifty (50) feet.

4. This requirement shall be waived where compliance would reduce the buildable width of a corner lot.



Established Building Line

SEC. 28.22 STREET SETBACK AND RIGHT-OF-WAY REQUIREMENTS

1. **Street Setback**

In all districts there shall be provided a street setback as measured from the centerline of the road for the purpose of determining the lot line for each specific district as follows:

(a) Thirty (30) feet from the centerline of all streets not otherwise mentioned.

(b) The edge of the private road easement or thirty (30) feet from the centerline of any private road, whichever is greater, unless otherwise permitted by this Ordinance.

(c) Forty-three (43) feet from the centerline of McClumpha, Wilcox, Canton Center, Gottschalk, Ann Arbor Trail (from Mill Street to Eckles), Bradner (from Schoolcraft to Five Mile), Powell (west of Ridge Road), Rollins, Keel (from Five Mile to Helm), Helm, and Halyard.

(d) Fifty-three (53) feet from centerline of Ann Arbor Road (from Rocker Avenue to General Drive).

(e) Sixty (60) feet from the centerline of Schoolcraft (from Wilcox to Five Mile), Ann Arbor Road (from Joy Road to Rocker Avenue and east of General Drive), Ann Arbor Trail (from Ann Arbor Road to Sheldon), Beck, Five Mile, Northville, Joy, Lilley, Napier, North Territorial, Phoenix, Plymouth, Powell, Ridge, Sheldon, Edward Hines Drive, South Main, Eckles, Powell (east of Ridge Road) and Haggerty.

(f) One hundred and two (102) feet from the centerline of Schoolcraft (from Wilcox to Eckles).

2. **Required Right-Of-Way**

In all districts, there shall be provided adequate street rights-of-way in accordance with the Master Plan Circulation Plan for the Charter Township of Plymouth, and any projected future rights-of-way requirements as may be established by the Wayne County Division of Roads, Michigan Department of Transportation or other appropriate agency with jurisdiction. No building permit shall be issued for any building or structure located in any position which might circumvent the continuation or extension of any existing or proposed street, or the widening of any street right-of-way to its ultimate required width.

SEC. 28.23 HEIGHT EXCEPTIONS

The following exceptions to maximum height requirements shall be permitted:

1. Chimneys, cooling towers~~,~~ elevators, bulkheads, fire towers, silos, penthouses, stacks~~,~~ stage or scenery lofts, water towers, pumping towers, radio or television reception antennae, monuments, steeples and cupolas accessory to the principal use(s) of the building shall not be included in calculating the height of the principal structure.

   Where an energy saving windmill is proposed as a free-standing structure, the height of said structure shall be limited to the specified maximum height allowed within the specific zoning district it is to be located.

2. **Amateur (Ham) Radio Antennas**

   Amateur (Ham) radio antennas for reception and/or transmission shall be permitted in all zoning districts, subject to the following:

   (a) A maximum of one (1) such antenna shall be permitted per lot.

   (b) The antenna shall be accessory to a principal use and building on the same lot, and shall be located in the rear yard of the lot.

   (c) The antenna shall have a maximum height of sixty (60) feet, and shall be set back from all lot boundaries a minimum distance equal to its height.

3. **Wireless Communications Facilities**

   The height of wireless communication facilities as defined by this Ordinance shall be as regulated by Section 28.11 of this Ordinance.

4. **Mechanical Appurtenances**

   Rooftop mechanical appurtenances accessory to the principal use of the lot (such as cooling towers, air conditioners, heating apparatus, dust collectors, filters, transformers, satellite dishes and similar apparatus) may extend not more than five (5) feet above the maximum permitted building height, subject to the following:

(a) Opaque screens or parapet walls shall be provided with sufficient height to completely screen the apparatus.

(b) The screening device design shall be compatible with the architectural design of the building.

5. **Parapet Walls**

Parapet walls may extend not more than five (5) feet above the maximum permitted building height.

6. **Public Buildings**

The height of public or semi-public buildings, churches, cathedrals, temples, hospitals, sanitariums, or schools shall not exceed fifty five (55) feet, unless otherwise permitted in the district. If the height of any such building exceeds the maximum height allowed in the district, then the building shall be set back from all lot lines a minimum distance equal to the required yard dimensions concerned, plus not less than one (1) foot per foot of height in excess of the maximum height allowed in the district.

SEC. 28.24 LOTS ADJOINING ALLEYS

In calculating the area of a lot that adjoins a dedicated alley or lane, for the purpose of applying lot area requirements of this Ordinance, one-half (1/2) of the width of such alley abutting the lot shall be considered as part of such lot.

SEC. 28.25 CORNER VISIBILITY AND CLEAR VISION ZONES

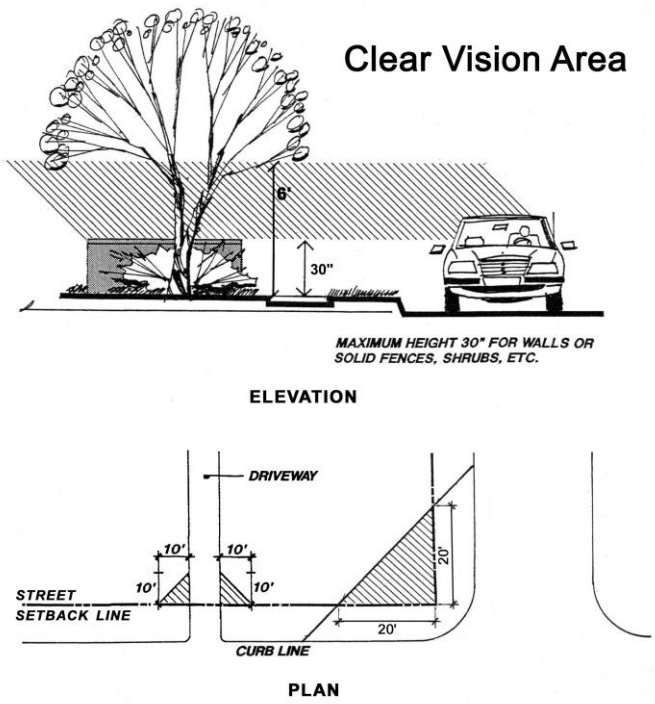
No wall, fence, planting or other obstruction shall be established or maintained or planted on any lot which creates a public hazard and which will unreasonably obstruct or interfere with traffic visibility on a curve or at any street intersection.

1. **Standards**

Clear vision zones shall be provided as follows:

(a) Intersecting Streets or Roads. The clear vision zones shall consist of triangular areas defined by the street setback lines and a line connecting two points located on the street setback lines set back a distance of twenty (20) feet from their point of intersection.

(b) Intersection of a Driveway and a Street or Road. The clear vision zones shall consist of triangular areas defined by the street setback line, the access easement line (or edge of driveway pavement where no easement is provided), and a line connecting two points located on these lines set back a distance of ten (10) feet from their point of intersection.



2. **Vision Obstructions Prohibited**

Within these clear vision zones, the area extending from a height of thirty (30) inches above grade to six (6) feet above grade shall remain clear and unobstructed, with the intent of permitting clear visibility for pedestrians and motorists. Shade trees up to thirty (30) inches in caliper, provided that all branches are at least six (6) feet in height above the ground and non-obscuring streetscape elements which do not obstruct vision, such as individual brick piers, and non-obscuring fencing, may be permitted within the clear vision zone.

3. **Additional Requirements**

A larger clear vision area may be required where determined to be necessary by the Planning Commission in view of anticipated traffic volumes, traffic speeds, geographic or topographic conditions, or a traffic engineering analysis using the standards of the American Association of State and Highway Transportation Officials (AASHTO).

SEC. 28.26 ESTABLISHED SINGLE FAMILY RESIDENTIAL PATTERN PRESERVATION

It is recognized that there are portions of the Township that have been platted and developed as single family residential subdivisions with lots of width or area, or both, which exceed the minimum dimensions required by this Ordinance under Article 20. Over time, these subdivision

neighborhoods have matured and established a character of single family dwellings on a specific pattern of lot width and area, resulting in a stable character consistent with the spirit and intent of this Ordinance. To maintain the stability, established character, and quality of single family residential life, and to protect property values and existing investments, while allowing some flexibility, the following standards shall apply:

1. **Lot Width**

   No subdivision lot zoned R-1, R-1-S, R-1-H, R-1-E or R-2 shall be divided to create a lot width less than eighty (80) percent of its width existing as of the date of adoption of this section; nor shall any lot be created which would have a lot width less than the average of the two (2) adjacent lots (one (1) on each side) with frontage on the same side of the street.

2. **Public Street Frontage**

   A subdivision lot shall not be further divided unless it has frontage on a public street for the entire minimum lot width required by Section 28.22.1, above.

SEC. 28.27 RESIDENTIAL NONCONFORMING LOT HEIGHT LIMIT

On any single family residentially zoned lot which does not meet the requirements of this Ordinance for lot width or area, or both, and which shares a common side yard with one or more lots occupied by an existing single family dwelling(s), the height of the proposed single family building shall not be more than 190% of the average of the height(s) of the dwelling(s) on the lot(s) sharing a common side yard.

SEC. 28.28 – 28.29 RESERVED

GENERAL PROVISIONS

SEC. 28.30 ACCESSORY USES AND BUILDINGS IN BUSINESS AND INDUSTRIAL DISTRICTS

In business and industrial districts, accessory buildings and uses may occupy any of the ground area which the principal buildings are permitted to cover, provided such accessory building meets any required setback, yard, or separation requirement for principal buildings. Accessory buildings for parking attendants, guard shelters, gate houses, transformer shelters and similar buildings may be located in the front or side yard in IND Districts.

SEC. 28.26 ESTABLISHED SINGLE FAMILY RESIDENTIAL PATTERN PRESERVATION
SEC. 28.27 RESIDENTIAL NONCONFORMING LOT HEIGHT LIMIT
SEC. 28.28-SEC. 28.29 RESERVED
SEC. 28.30 ACCESSORY USES AND BUILDINGS IN BUSINESS AND INDUSTRIAL DISTRICTS

SEC. 28.31 PLACEMENT OF AIR CONDITIONING CONDENSER UNITS AND SIMILAR ACCESSORIES

1. **Placement**

For the purpose of this Ordinance, air conditioning condenser units, heat pumps or similar accessories installed outside of one and two family residential dwellings, including the concrete slab upon which the condenser is mounted, shall be located in accordance with the following:

(a) Front Yards. Such units shall be prohibited in any front yard area.

(b) Rear Yards. Such units shall be permitted in the rear yard, provided the unit is located between and not less than five (5) feet from an extension of the side building lines, and not more than two (2) feet from the rear building line or overhang, as measured from the nearest surface of the unit to a vertical line extended down from the building line or edge of the overhang, as measured from the nearest surface of the unit to a vertical line extended down from the building line or edge of the overhand.

(c) Side Yards. Such units shall be permitted in any side yards, subject to the following:Adjacent to a Window: Where the side yard is located adjacent an adjacent dwelling wall with a window (other than a basement window), the following minimum separation distance between dwelling the adjacent dwelling and the unit shall be provided:

DISTANCE BETWEEN UNIT AND ADJACENT DWELLING	LOCATION
0 - 30 feet	Placement of the unit in the side yard is prohibited.
30 - 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang shall be permitted with written consent from the adjacent property owner.
Greater than 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang shall be permitted

2) No Adjacent Windows: Where the side yard is located adjacent to an adjacent dwelling wall with no windows (other than basement windows), the following separation distance between the adjacent residence and the unit shall be provided:

DISTANCE BETWEEN UNIT AND ADJACENT DWELLING	LOCATION
0 – 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang nor less than ten (10) feet from the side lot line shall be permitted with written consent from the adjacent property owner.
Greater than 100 feet	Placement of the unit in the rear one-third of the side yard not more than two (2) feet from the roof overhang may be permitted.

Non-residential Development Placement: For purposes of this Ordinance, mechanical equipment including air conditioning units, transformers, and generators, including the slab upon which the equipment is mounted shall be located in accordance with the following:

(a) Front Yards. Equipment shall not be located in the front yard area. The Planning Commission may permit equipment to be located in the front yard upon finding that such location will meet the spirit and intent of the zoning district in which the building is located provided such equipment is not located closer than twenty (20) feet from an adjacent residential dwelling or district.

(b) Side and Rear Yards. Equipment shall be permitted in a side or rear yard provided such equipment is not located closer than twenty (20) feet from an adjacent residential dwelling or district.

(d) Equipment shall be screened from public rights-of-way and adjacent uses by evergreen trees or shrubs, walls, or a berm. Alterative methods of screening may be approved by the Planning Commission.

(e) Equipment shall not have measurable noise levels beyond the property line, except in compliance with the Charter Township of Plymouth Noise Control Ordinance (Chapter 34).

(f) The Planning Commission shall have the authority to waive or modify the above requirements upon the determination that such waiver or modifications meets the spirit and intent of the District in which the equipment is located.

2. **Screening and Buffering**

Each unit shall be screened by evergreen shrubs or trees placed in a manner that will reduce the noise output of the unit, and screen the unit from the public right-of-way and the adjacent residence. All planting shall be rooted in the ground, and portable planters shall not be acceptable.

SEC. 28.32 RESERVED

SEC. 28.33 DANGEROUS OR OBNOXIOUS ANIMALS OR INSECTS

The keeping, breeding or boarding of any animal that is considered dangerous, has caused injury or is obnoxious because of noise or odor shall be prohibited. The keeping, breeding or boarding of any animal or insect in any manner that results in a dangerous, injurious, obnoxious or other nuisance condition because of noise or odor, the number being kept, bred or boarded or their location in relationship to neighboring dwellings or other uses shall be prohibited.

SEC. 28.34 STORAGE OF DISABLED VEHICLES

The storage or parking of automobiles, trucks, tractors, trailers or similar vehicles, equipment or machinery that are wrecked, disabled, abandoned, worn out, unlicensed, or otherwise incapable of movement under their own power, outside of a completely enclosed garage, barn or other such structure is prohibited, and shall be a violation of this Ordinance.

SEC. 28.35 – 28.39 RESERVED

TEMPORARY STRUCTURES AND USES

SEC. 28.40 TEMPORARY CONSTRUCTION TRAILERS

Manufactured homes, portable buildings and similar temporary facilities used during construction of subdivisions or other developments shall permitted, subject to the following:

1. The applicant shall obtain a permit from the Department of Building and Code Enforcement. The permit application shall describe the size, location and use of the temporary facility in sufficient detail to to determine compliance with the applicable provisions of this Ordinance, and shall be accompanied by the application fee prescribed by the Township Board.

2. The applicant shall post a bond in the amount of $500.00 to guarantee the removal of the temporary facility. All temporary facilities shall be removed from the development site within forty-eight (48) hours of completion of the final unit in the subdivision or development.

3. There shall not be more than one (1) temporary facility for each builder in the development.

4. All temporary facilities shall be parked off the paved portion of the subdivision or development streets.

SEC. 28.32 RESERVED
SEC. 28.33 DANGEROUS OR OBNOXIOUS ANIMALS OR INSECTS
SEC. 28.34 STORAGE OF DISABLED VEHICLES
SEC. 28.35-SEC.28.39 RESERVED
SEC. 28.40 TEMPORARY CONSTRUCTION TRAILERS

5. Outside storage of tools and small equipment is prohibited. All such items shall be stored off site or inside the temporary facility.

6. Placement shall be subject to review and approval of the Department of Building and Code Enforcement. Temporary facilities shall only be parked on lots that are vacant or under construction, and as far from occupied houses as possible.

7. Installation of utilities and service for the temporary facilities shall be subject to inspection and approval by the Department of Building and Code Enforcement. To provide for adequate safety, such utilities shall be secured during non-working hours.

SEC. 28.41 CARNIVALS, FAIRS, BLOCK PARTIES AND SIMILAR USES

Fairs, carnivals, block parties, and similar uses shall be allowed in any district where permitted only upon administrative approval by the Chief Building Official and Township Supervisor, subject to the following:

1. Such uses shall be sponsored by schools, churches, fraternal societies and similar nonprofit organizations as an accessory use for the sole purpose of fundraising to support their primary functions or objectives.

2. Such use and occupancy shall be temporary and/or seasonal.

3. Such use and occupancy shall not be detrimental to adjacent surrounding property.

4. Such use and occupancy shall not be disturbing to the public peace and tranquility.

5. Such use and occupancy shall not create undue traffic hazard and congestion.

6. Such use shall not be detrimental to the public health, safety and welfare of the community as a whole or surrounding land uses.

7. Permit for such use may be granted for periods not to exceed eight (8) consecutive days, and may be renewable for a maximum of eight (8) additional days.

SEC. 28.42 TENT SALES OR SIMILAR USES

Tent sales or similar uses may be allowed in the C-1, C-2, ARC, IND and TAR Districts only upon administrative approval by the Chief Building Official and Township Supervisor. Such approval shall be contingent upon the following:

1. Such use and occupancy shall be temporary. Permit for such use may be granted for periods not to exceed fourteen (14) consecutive days, plus one (1) renewal, upon written request, for not more than ten (10) additional days. Such permits shall not be issued more than two (2) times per calendar year for any one (1) business, parcel or lot.

2. Such use and occupancy shall not impact adjacent and surrounding properties.

3. Such use and occupancy shall not disturb public peace and tranquility.

4. Such use and occupancy shall not create a traffic hazard and congestion.

5. Such use shall not be detrimental to the public health, safety and welfare of the surrounding neighborhood or community as a whole.

SEC. 28.43 GRAND OPENINGS, SPECIAL SALES OR SPECIAL EVENTS

Grand openings, special sales or special events may be permitted in a C-1, C-2, ARC, IND, OR or TAR District or for any special land use in a Residential District only upon approval of the Chief Building Official and Township Supervisor provided the following conditions shall apply:

1. Such use shall be temporary. Permit for such use may be granted upon written request for periods not to exceed ten (10) days. Such permit shall not be issued more than two (2) times per calendar year for any one (1) business, parcel or lot.

2. All merchandise offered for sale shall be a product(s) normally offered or sold by the principal business or occupant of the subject business, parcel or lot.

3. Such use shall not impact adjacent or surrounding properties.

4. Such use shall not be disturbing to the public peace and tranquility.

5. Such uses shall not create a traffic hazard and congestion or exceed any height restrictions within airport influence zones.

6. Such use shall not be detrimental to the public health, safety and welfare of the community as a whole or surrounding lands.

7. Signs and lighting beyond the limits of this ordinance may be approved. Signs and lighting of a flashing, blinking, alternating or intermittent type shall be prohibited. Signs and lighting shall not be glaring or intrusive to neighbors.

8. Time limitations regarding hours of operation shall be placed on lighting, including the use of searchlights, lasers or similar high-intensity light sources for advertising purposes. At a minimum, such lighting shall be prohibited between the hours of 11:00 P.M. and 7:00 A.M.

Sec. 28.44 SALE OF CHRISTMAS TREES

Christmas trees may be sold without the use of a building in the C-1, C-2, ARC or IND Districts, subject to obtaining an appropriate permit from the Township Clerk. Christmas trees may be displayed and sold by churches, schools, or other non-profit organizations on property owned by

such institution or organization in any district. All trees, parts of trees, signs and any other refuse or debris resulting from this use shall be removed from the property not later than the 28th day of December of the year the property is so used.

SEC. 28.45 TEMPORARY COMMERCIAL AND INDUSTRIAL BUILDINGS

The Planning Commission may permit the owner of any premises in commercial or industrial districts to erect a temporary pre-constructed building or prefabricated structure or a building having the appearance of being temporary in nature, subject to the following:

1. The building or structure shall not be objectionable because of design, material or workmanship, or out of character with adjoining properties.

2. The Commission shall condition any permit on a specific time limitation and shall require a cash bond to be posted to guarantee the removal of the structure at the expiration of the permit.

3. The Commission may permit an extension of the time limit when applied for in writing prior to the expiration date of the approval, provided that the Commission finds the circumstance involved in the original approval to still be valid and that the spirit and intent of this Ordinance would not be impaired by such extension.

SEC. 28.46 RECREATIONAL VEHICLE PARKING

1. Parking of recreational vehicles, campers, motor homes, snowmobiles, boats, accessory trailers or other recreational apparatus, is permitted in the rear yard of single family residences, provided the following conditions are met:

   (a) The recreational vehicle or apparatus must be owned or leased by the persons occupying the principal residence of the and where the vehicle or apparatus will be parked. Persons other than the owners or leasers of the land where the vehicle or apparatus will be parked may obtain a permit from the Department of Building and Code Enforcement to park the vehicle or apparatus for a period not to exceed two (2) weeks, or up to twenty-four (24) hours without a permit.

   (b) The recreational vehicle or apparatus must be parked wholly within the rear yard, within the side building lines extended and a minimum of twenty feet (20') from the rear property line. Where parked on a corner lot, a landscape screen shall be provided in the side yard abutting the street. Said screen shall consist of evergreen trees and deciduous or evergreen shrubs sufficient in height and quantity to provide an immediate and continuing separation between the storage area and the public right-of- way, without adversely impacting the visibility of vehicular traffic flow on the street right-of-way or adjacent properties.

   (c) Parking of manufactured homes on a single family residential lot is specifically prohibited.

2. Notwithstanding the requirements above, temporary parking of recreational vehicles, campers, motor homes or other recreation apparatus, such as snowmobiles, boats and trailers is permitted in the driveway of a single family residence prior to or after a trip for the purposes of loading, unloading or cleaning provided the following conditions are met:

   (a) The item(s) must be safely parked wholly within the driveway of the single family residence of the person owning or leasing the parked item(s).

   (b) Parking of the vehicle or other recreational equipment shall not encroach on, over or above any sidewalk or other vehicular or pedestrian way.

   (c) Temporary parking of the recreation vehicle or recreation apparatus as defined above shall be limited to a maximum of three (3) parking occurrences within a seven (7) day period. In addition, the combined number of hours the recreation vehicle or recreation apparatus may be temporarily parked during the same seven (7) day period shall not exceed 48 hours. A parking occurrence shall be defined as any time the recreation vehicle or recreation apparatus is brought on to the driveway from off site and parked.

SEC. 28.47 VOTING PLACE

The provisions of this Ordinance shall not be construed to interfere with the temporary use of any property as a voting place in connection with a Township, school or other public election.

SEC. 28.48 – 28.59 RESERVED

DESIGN STANDARDS FOR SPECIFIC USES

SEC. 28.60 ESSENTIAL SERVICES

Essential services, as defined in this Ordinance, shall be permitted as authorized and regulated by franchise, law or ordinance of the Charter Township of Plymouth. It is the intent of this Section that all essential service structures and uses shall conform with the requirements of this Ordinance wherever practicable and not in conflict with the specific requirements of the applicable franchise, law or ordinance. Where such conflict exists, such essential services shall be exempt from the conflicting provision(s) of this Ordinance. Wireless communication facilities, as defined in this Ordinance, shall not be classified as essential services.

SEC. 28.61 WIND ENERGY (Added 10/16/11)

It is the purpose of this Section to promote the safe, effective, and efficient use of wind energy systems to reduce or replace on-site consumption of utility supplied electricity. It is further the purpose of this Section to standardize and streamline the review and permitting process for small wind energy systems.

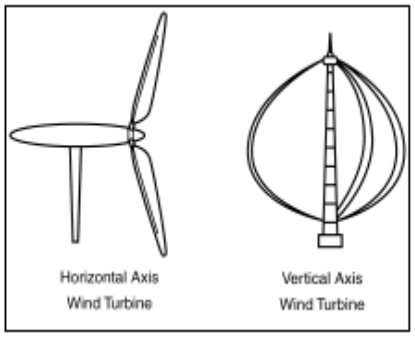
SEC. 28.46 RECREATIONAL VEHICLE PARKING
SEC. 28.47 VOTING PLACES
SEC. 28.48-SEC. 28.50 RESERVED
SEC. 28.60 ESSENTIAL SERVICES
SEC. 28.61 WIND ENERGY

Wind energy is a renewable and nonpolluting energy resource and that its conversion to electricity will reduce dependence on non-renewable energy resources and decrease air and water pollution that results from the use of conventional fossil-fuel inputs. Wind energy systems will also enhance the reliability and power quality of the power grid, reduce peak power demands, and help diversify the Township's energy supply portfolio.

1. **Definition**s

The terms used in this section have the following meanings:

HEIGHT: For purposes of this section, height shall mean the vertical distance from grade level adjacent to the base of the structure to the center of the hub for a horizontal axis wind turbine or the highest point of a vertical-axis wind turbine.



Horizontal and Vertical Axis Systems

ROOF-MOUNTED ENERGY SYSTEM: A type of small wind energy conversion system that is mounted on a roof with a height not greater than 15 feet above the ridgeline of a pitched roof or parapet of a flat roof.

SHADOW FLICKER: Alternating changes in light intensity caused by the moving blade of a Wind Energy System casing shadows on the ground and stationary objects.

SMALL WIND ENERGY SYSTEM: A wind energy conversion system consisting of a wind turbine, tower or axis, blades or blade system, and associated control or conversion electronics primarily intended to reduce on-site consumption of utility power.

TOWER MOUNTED WIND ENERGY SYSTEM: A wind energy conversion system that is mounted on a freestanding or guyed tower attached to the ground, and not attached to any other permanent or temporary structure.

WIND ENERGY SYSTEM: Any wind energy conversion device including all associated control or conversion electronics.

2. **Where Permitted**

A tower-mounted Small Wind Energy System may be permitted as an accessory use in the PL, TAR and IND districts, subject to special land use approval and the requirements of this Section.

A roof-mounted Small Wind Energy System may be permitted as an accessory use in the PL, TAR, IND, ARC, C-2 and MR districts subject to special land use approval and the requirements of this section.

3. **Review Procedures and Standards**

(a) Small Wind Energy Systems. The review process for any Small Wind Energy System shall follow the special land use review process set forth in Section 2.7 SPECIAL LAND USES. One system may be permitted per site.

(b) General Standards. The following requirements are applicable to all wind energy systems.

1) Noise. A wind energy system shall not generate a noise level of 55 dB(A), measured at the property line, for more than three minutes in any hour of the day. EXCEPTION: if the constant ambient sound pressure level exceeds 55 dB(A), measured at the base of the wind energy system, a decibel level of the ambient dB(A) plus 5 dB(A) shall not be exceeded for more than three minutes in any hour of the day.

2) Shadow Flicker. The application for a wind energy system shall include a shadow flicker analysis demonstrating locations where shadow flicker will occur at sunrise and sunset, along with measures the applicant will take to eliminate or mitigate the effects of shadow flicker on adjacent or nearby affected properties.

3) Lighting. No wind energy system shall be artificially lighted unless required by the Federal Aviation Administration.

4) Appearance, Color, and Finish. The wind energy system shall be maintained in the color or finish that was originally applied by the manufacturer, unless otherwise approved by the Planning Commission. All wind energy systems shall be finished in a non-reflective matte finished color.

5) Signs. All signs other than the manufacturer or installer's identification, appropriate warning signs, or owner identification signs are prohibited. No signs shall be permitted on the blades of a wind turbine.

6) Electrical Wires. All electrical wires associated with a wind energy system other than wire necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and grounding wires shall be located underground.

7) Compliance with Electrical Code. Building permit applications for wind energy systems shall be accompanied by line drawings of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

8) System Access. The tower shall be designed and installed such that step bolts, ladders, or other means of access readily accessible to the public are located at least 8 feet above grade level.

9) Sufficient Wind Resources. An application for installation shall require documentation that the wind resources at the site are sufficient for the operation of the proposed wind turbine. A one year study of sufficient wind resources shall be included with the application

10) Safety. A wind energy system shall have automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lighting protection.

11) Minimum Ground Clearance. The lowest point of the arc created by rotating wind blades or other exposed moving component of a wind energy system shall be at least 20 feet above ground (the highest point of the natural grade within 30 feet of the base of the tower.

12) Type of Tower. Each stand alone small energy wind systems shall be a monopole or monopole style of construction and shall not utilize guy lines.

13) Building Mounted Wind Energy Systems. Building mounted wind energy systems shall be limited to roof mounting and shall not be mounted on any other building wall or surface.

4. **Standards Specific to the Type of Wind Energy System.**

(a) Tower-Mounted Small Wind Energy Systems. The following standards are applicable to tower-mounted small wind energy systems:

1) No minimum lot area

2) The maximum height is one foot of height for each 2.5 feet of setback from the base of the tower to the nearest residential zoning district, or 125 feet; whichever is lower.

3) The minimum setback from any property line shall be the height of the wind energy system plus 5 feet.

4) The minimum setback from any road or overhead utility right-of-way or easement shall be equal to 1½ times the height of the wind energy system.

5) Tower-mounted wind energy systems may not be located in the front yard of any lot.

6) Wind Energy Systems shall not be permitted in the area bounded by Joy Road, Lilley Road, Ann Arbor Road, and Haggerty Road due to the proximity of the Mettetal Airport.

(b) Roof-Mounted Small Wind Energy Systems. The following standards are applicable to roof-mounted small wind energy systems:

1) No minimum parcel area.

2) The maximum height is 15 feet above the top of roof elevation of the building for any building located within 250 feet of a residentially zoned district, or 150% of the building height, whichever is lower.

3) Roof-mounted wind energy systems shall be set back a minimum of 20 feet from the property line, or the height of the system above the top of roof elevation multiplied by 1.25, whichever is greater.

4) May not be attached to the front of the building.

5. **Site Reclamation**.

Inoperable. A wind turbine shall be declared inoperable if it has not generated power for six (6) months and shall be promptly dismantled and removed from the property.

(a) Unsafe. Any wind turbine that is found to present an imminent physical threat to life or property shall be immediately shut down and repaired or otherwise made safe and certified by a qualified engineer prior to resumption of operation.

(b) Removal and Site Restoration. The owner/operator shall remove all equipment, above and below ground, and restore the site to its original condition when the wind energy system is considered inoperable or unsafe.

6. **Certificate of Insurance**.

The owner/operator shall maintain liability and other insurances for the duration of the use including decommissioning and reclamation of the property for any non-residential wind energy system. The insurance carrier shall be instructed to notify all applicable governmental authorities of any delinquency in payment of premiums. Failure to provide such insurance shall be considered abandonment and full and sufficient grounds for termination of the special use approval and disposal of the equipment as stated herein.

SEC. 28.62 RESERVED

SEC. 28.63 LARGE SCALE INSTITUTIONAL USES, INCLUDING LARGE SCALE CHURCHES

Large scale institutional uses and large scale churches (as defined in Section 36.2) have negative impacts on single family residential areas because of the scale of buildings, parking, traffic and frequency of use, which are different from similar smaller uses and smaller churches that have traditionally been compatible with single family areas. Because of these impacts, large scale institutional uses and large scale churches are more compatible with non-residential districts, subject to conditions which minimize these impacts. Large scale institutional uses, and large scale churches are permitted as special land uses in zoning districts, in accordance with the following schedule and conditions:

LARGE SCALE USE	ZONING DISTRICT															
	PL	AG	R-1-E	R-1-H, R-1-S, R-1, RM	R-2	R-2-A	OS	OS-ARC, PUD, OS-ARC	C-1	C-2	ARC, PUD, ARC	MR	VP, OR	TAR	IND	Other PUD
Church										S	S	S			S	S
School			S			S	S				S	S				S
Library						S	S			S	S	S				S
Community Building						S	S			S	S	S				S
Hospital										S	S	S				S
Convalescent Home										S	S	S				S
Mortuary										S	S	S				S
Municipal Facilities	S					S	S			S	S	S			S	S

S = Special Land Use
[Blank] = Not Permitted

Each large scale use permitted as a special land use shall meet the following conditions in addition to all other provisions of this Ordinance. These standards are intended to restrict large scale uses to suitable locations, and to mitigate any adverse impacts of the uses on the community.

1. The site shall have at least one hundred fifty (150) feet of frontage on a major thoroughfare with an existing or planned right-of-way of not less than one hundred twenty feet (120). All ingress and egress to the site shall be directly onto such major thoroughfares.

2. The site shall be located within one-half (1/2) mile of interchange access to M-14 or 1-275, as measured along major thoroughfares.

3. All buildings, structures, and parking and loading areas shall be set back a minimum of one hundred (100) feet from any abutting residential zoning district. Such setback area shall be heavily landscaped so as to create a complete visual and physical separation between the two unlike land uses, forming an effective screen in compliance with the provisions of Article 26 of this Ordinance.

4. Traffic from events (including church worship services) and other large assemblies shall be controlled by the institution or church, or by its agents, so as to not create congestion or unreasonable delays on the public street. A schedule of expected frequency of events (including church worship services) and assemblies, a description of the method(s) of traffic control and a traffic impact study shall be presented to the Planning Commission for approval after review and comment on the plan by the Township Police Department.

5. Associated uses on the site such as recreation centers, retreat facilities, conference centers, schools (if not the primary use), convents, and others shall meet all requirements of this Ordinance for such uses.

6. All parking spaces and aisles shall be screened from off-site view by any one (1) or a combination of the following, in accordance with Section 26.11, Methods of Screening:

   (a) Screening mound or berm.

   (b) Dense evergreen screen.

   (c) Solid wall with planting strip.

   (d) Changes in grade through the use of retaining walls, or topographic features.

7. There shall be no outside loudspeakers or amplified sound outside of a totally enclosed building.

8. Storage of buses, trucks, and maintenance equipment shall be entirely within a totally enclosed building.

SEC. 28.64 STATE LICENSED CHILD AND ADULT CARE FACILITIES

State licensed residential facilities, and child and adult day care facilities (as defined in Section 36.2 and as licensed by the State of Michigan) shall be permitted in zoning districts in accordance with the following table and development standards:

TYPE OF FACILITY	DISTRICTS					
	AG, PL	R-1-E, R-1-H, R-1-S, R-1, RM	R-2 R-2-A	OS,OS-ARC, ARC, C-1, C-2, OR, TAR	MR	IND
Adult foster care family home	P	P	P			
Adult foster care small group home	S	S	S			
Adult foster care large group home	S		S			
Foster family home	P	P	P			
Foster family group home	P	P	P			
Family day care home	P	P	P			
Group day care home		S	S			
Child care centers		S	S	S	S	S

P = Principal Permitted Use

S = Special Land Use

[Blank] = Not Permitted

1. Development Standards for Child Care Facilities With More Than Six (6) Children, as Licensed by the State of Michigan:

(a) A fenced, outdoor play area shall be provided and maintained, with a total area equal to a minimum of five hundred (500) square feet of per child at the maximum licensed capacity of the facility. Fencing shall be decorative, as determined by the Planning Commission.

(b) All child care facilities shall be registered with or licensed by the State of Michigan where required, and shall comply with the minimum state standards for such facilities, in addition to those standards specified in this Ordinance. Proof of compliance shall be provided to the Township upon request.

(c) Child care centers located in a residential district shall be located on the exterior of the district. The site shall abut non-residential zoning on at least one (1) side of the lot. No such facility shall be permitted in the interior of a residential block.

(d) Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads. Adequate stacking space for the pick-up/drop-off area shall be provided. Parking spaces shall be provided in accordance with Article 24, Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading.

(e) Group day care homes shall not exceed sixteen (16) hours of operation during a 24-hour period. The Township may place limits on the operation of a group day-care home between the hours of 10:00 P.M. and 6:00 A.M.

(f) Such facilities shall be located at least fifteen hundred (1,500) feet from any other state-licensed residential facilities or child or adult care facilities, as measured from the nearest lot boundaries. The Planning Commission may permit a smaller separation upon determining that such action will not result in an excessive concentration of such facilities in the neighborhood.

2. Development Standards for Adult Care Facilities With More Than Six (6) Adults, as Licensed by the State of Michigan:

(a) All adult care facilities shall be certified by the Michigan Association of Day Care Providers (or other agency with jurisdiction) to ensure the safety and quality of the care provided. Each facility shall comply with the operating standards outlined by the Michigan Office of Services to the Aging, Michigan Association of Day Care Providers, or other agency with jurisdiction. Proof of compliance shall be provided to the Township upon request.

(b) Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads. Adequate stacking space for the pick-up/drop-off area shall be provided. Parking spaces

shall be provided in accordance with Article 24, Parking Requirements, Layout, Standards, and Off-Street Loading and Unloading.

(c) Each facility shall provide adequate recreational facilities, including a usable outdoor recreation area equal to a minimum of five hundred (500) square feet per person at the maximum licensed capacity of the facility.

(d) Any fencing provided shall be decorative, subject to Planning Commission approval.

(e) Maintenance of the facility and property must be consistent with the visible characteristics of the neighborhood.

(f) Such facilities shall be landscaped and screened in accordance with the requirements of Section 26.12.

(g) Such facilities shall be located at least fifteen hundred (1,500) feet from any other state-licensed residential facilities or child or adult care facilities, as measured from the nearest lot boundaries. The Planning Commission may permit a smaller separation upon determining that such action will not result in an excessive concentration of such facilities in the neighborhood.

SEC. 28.65 ELDERLY HOUSING

All types of elderly housing (as defined in Section 36.2) shall comply with the following:

1. Common outdoor recreation space for residents shall be provided, subject to the following:

   (a) The total area shall equal or exceed ten (10) percent of the gross floor area of all buildings in the project.

   (b) Recreation space shall include areas for both passive and active recreation.

   (c) If developed in phases, the recreation space improvements shall be completed in proportion to the gross floor area constructed in each phase.

   (d) Off-street parking areas, street rights-of-way or street setback areas, access drives, perimeter yard setbacks and submerged land areas of a pond, lake, river or stream shall not be counted as recreation space.

2. Private outdoor living space shall be provided for each independent or congregate dwelling unit. Such space shall be located adjacent to the unit with direct access, and the total area shall equal or exceed ten (10) percent of the gross floor area of the unit. Assisted living elderly housing shall not require private outdoor living space.

3. No housing for the elderly shall be converted to any other use without complying with all provisions of this Ordinance in effect at the time of conversion.

4. All vehicular access to the site shall be from a paved collector or primary road classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.

5. Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.

6. **Minimum Building Separation**

Where dwelling units change direction in a building grouping and such units are connected or tied together by a gate opening or similar structure not more than six (6) feet in width, such units shall be considered together as one (1) building. Separation distance between buildings shall be subject to the following:

BUILDING RELATIONSHIP	MINIMUM BUILDING SEPARATION
Front to Front	70.0 feet
Front to Side	50.0 feet
Side to Side	20.0 feet
Side to Rear	50.0 feet
Front to Rear	70.0 feet
Rear to Rear	70.0 feet

7. **Independent Elderly Housing**

The following additional standards shall apply to independent elderly housing (as defined in Section 36.2):

(a) All dwelling units shall meet the following minimum floor area requirements:

UNIT TYPE	MINIMUM FLOOR AREA
Studio or Efficiency	400 square feet
1 bedroom	600 square feet
2 or more bedrooms	800 square feet

(b) Meeting and activity facilities, laundry rooms and similar accessory facilities for occupants and their guests shall be permitted.

(c) The maximum density of the dwelling units shall not exceed the density permitted in the zoning district.

8. **Dependent Elderly Housing**

The following additional standards shall apply to dependent elderly housing (as defined in Section 36.2):

(a) All dwelling units shall meet the following minimum floor area requirements:

UNIT TYPE	MINIMUM FLOOR AREA
Studio or Efficiency	350 square feet
1 bedroom	500 square feet
2 or more bedrooms	600 square feet

(b) Meeting and activity facilities, dining room facilities, beauty or barber shops exclusively for facility residents, laundry rooms and similar accessory facilities for occupants and their guests shall be permitted.

(c) The dependent housing dwelling unit density shall be based upon the maximum density permitted in the zoning district and the following:

TYPE OF DEPENDENT HOUSING	RATIO OF PERMITTED DEPENDENT ELDERLY HOUSING UNITS TO MAXIMUM PERMITTED UNITS IN THE DISTRICT
Assisted Living	2 units : 1 unit
Congregate Care	1 unit : 1 unit

SEC. 28.66 – 28.69 RESERVED

SEC. 28.70 HOME OCCUPATIONS

1. **Permitted Home Occupations**

The following home occupations shall be permitted in any residential dwelling, subject to the standards of this Section:

a) Dressmaking, sewing and tailoring.

b) Painting, sculpturing, writing or other fine art.

c) Telephone answering or telemarketing.

d) Home crafts, such as model making, rug weaving, and lapidary work.

e) Tutoring, music lessons and dance lessons, limited to not more than four students at a time.

f) Computer program development.

g) Salesperson's office or home office of a professional person, provided that no sales or direct customer contact is permitted on the premises.

h) Repair of small instruments and appliances (such as clocks, computers, VCR/CD/DVD players, stereo equipment, lamps, microwave ovens and similar items) that do not create a nuisance due to noise, vibration, glare, fumes, odor or electrical interference.

(i) Similar home occupations, as determined by the Administrative Review Committee.

2. Standards

(a) Home occupations shall not occupy more than twenty (20) percent of the gross floor area of the principal dwelling, and shall not be located in an accessory structure.

(b) There shall be no visible change to the outside appearance of the dwelling.

(c) Traffic, parking, sewage, trash or garbage storage and removal or water use shall not be noticeably different from typical homes in the neighborhood.

(d) The use shall not generate noise, vibration, glare, fumes, toxic substance, odors or electrical interference at levels greater than normally associated with a single family home.

(e) Outside storage or display related to the home occupation is prohibited.

(f) Signs shall be subject to the requirements of Article 25, Sign Regulations.

(g) Only residents of the dwelling may be employed or involved in the home occupation. No person living outside of the residence shall participate in the home occupation.

(h) All shipping/receiving, deliveries, and other activities visible or audible from adjacent properties or the street setback shall occur only between 8:00 A.M. and 6:00 P.M. The number of deliveries or other activities associated with the home occupation should not exceed the number of deliveries normally associated with a single family residences.

(i) No home occupation shall cause interior or exterior alterations of the dwelling from its residential appearance, or the use of any equipment, machinery, supplies or other materials that would change the fire rating of the structure.

3. **Prohibited Home Occupations**

(a) Private clubs, restaurants and similar eating or drinking establishments.

(b) Hospitals and other medical and dental clinics.

(c) Automobile, truck, recreation vehicle, boat machinery or small engine repair maintenance, painting or storage, or similar activities that may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.

(d) Stables, kennels, veterinary clinics or animal hospitals.

(e) Bed and breakfast operations, except as may otherwise be permitted in the district.

(f) Beauty parlors and barber shops.

(g) Retail sale of merchandise, except produce grown on the premises.

(h) Undertaking and funeral homes.

(i) Adult uses and sexually-oriented businesses.

(j) Gun or other weapon sales.

SEC. 28.71 BED-AND-BREAKFAST INNS

All bed-and-breakfast facilities (as defined in Section 36.2) shall be subject to the following:

1. The use shall be limited to the principal dwelling, and shall be prohibited from operating within any permitted accessory structure, except for incidental storage.
2. The use shall be operated by the persons who own and occupy the premises, and be incidental and subordinate to the principal single-family residential dwelling use.
3. The use shall not involve alteration or construction not customarily found in a residential dwelling, or have any exterior evidence (other than a permitted sign) to indicate that the residence is being utilized for any purpose other than that of a dwelling.
4. The use shall not create a nuisance to adjoining residents by reason of noise, smoke, odor, electrical disturbance, exterior lighting or creation of excessive traffic in the neighborhood.
5. Rental sleeping rooms shall occupy a maximum of twenty five (25) percent of the gross floor area of the dwelling.
6. Guests shall be limited to a maximum stay of fourteen (14) consecutive days, or thirty (30) days in any one (1) calendar year. A guest register shall be maintained with all guests legibly registered.
7. The use shall comply with all applicable state and local laws and regulations.
8. No parking shall be permitted within any required setback area, other than on an approved driveway or within an accessory garage.
9. Cooking facilities and food service shall be limited to dwelling residents and guests.

SEC. 28.72 VETERINARY CLINICS OR ANIMAL HOSPITALS

Veterinary clinics, and animal hospitals shall be subject to the following:

1. Any building designed or constructed for such uses shall be used for the sole purpose of providing medical care for household pets, and shall not be constructed or used as a boarding establishment for household pets.

2. If animals eligible for treatment at such establishment are kept overnight on the premises for a period longer than regular professional business hours, then a full-time, duly qualified attendant shall be stationed in charge of said premises.

3. Open or outdoor runs, kennels or pens shall be prohibited.

4. Rubbish and litter disposal areas and methods shall be designed to prevent obnoxious or offensive conditions. In no case shall there be any harboring of vermin or decaying matter on the premise.

5. The building and ventilation system shall be constructed to prevent any noise and odors emanating from the area used for treatment and temporary keeping of household pets from reaching the building exterior.

6. No building shall be located within one hundred (100) feet of any property line.

7. No building for such uses shall be located on any parcel(s) or lot(s) adjacent to or across a public roadway from any single family residential district.

SEC. 28.73 KENNELS

Kennels (as defined in Section 36.2) for the breeding and/or boarding (keeping) of animals shall be subject to the following:

1. Kennels for the boarding (keeping) of animals shall have a minimum lot area of one (1) acre. Kennels that provide animal breeding services shall have a minimum lot area of five (5) acres.

2. Structures and outdoor areas where animals are kept, outdoor runs and exercise areas shall be set back a minimum of one hundred (100) feet from any adjacent property line, shall be screened in accordance with Section 26.11, and shall have impervious surfaces and a system for runoff, waste collection and disposal approved by the Planning Commission, Health Department approval shall be required for animal waste collection and disposal facilities and procedures.

3. All structures and ventilation systems used for kennel purposes shall be constructed to prevent noise and odors from reaching the building exterior.

4. Kennels shall meet the requirements of the Township Dog Ordinance, and all permit and operational requirements established by regulatory agencies with jurisdiction.

5. Kennels shall be kept clean, and waste shall be treated and handled in such a manner as to control odor and flies.

SEC. 28.74 - 28.99 RESERVED

END OF ARTICLE 28.

SEC. 28.72 VETERINARY CLINICS OR ANIMAL HOSPITALS
SEC. 28.73 KENNELS
SEC. 28.74-SEC. 28.99 RESERVED

THE FOLLOWING INFORMATION DOCUMENTS HISTORY OF REVISIONS TO THIS ARTICLE SINCE ITS ADOPTION ON JUNE 7, 2004

ALL AMENDMENTS TO

ARTICLE XXVIII (28)

ALL AMENDMENTS TO ARTICLE XXVIII (28)

The following language was amended on 03/22/15

SEC. 28.3 RESIDENTIAL DESIGN STANDARDS

2. **Dimensional Standards**

Such dwelling units shall comply with the minimum standards listed in Article 20 for the zoning district in which it is located, including minimum lot area, minimum lot width, minimum floor area, required setbacks, and maximum building height, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

SEC. 28.4 DWELLING LOCATIONS

3. **Lot Width**

Every single family dwelling shall be located on a lot, parcel or tract of land having a width of not less than sixty (60) feet at the front or rear building line, whichever is less, except as provided in Section 27.1 for nonconforming lots or parcels of record in the R-1 District.

The following language was amended on 10/16/11

28.32	RESERVED
28.33	DANGEROUS OR OBNOXIOUS ANIMALS OR INSECTS
28.34	STORAGE OF DISABLED VEHICLES
28.35-28.39	RESERVED
TEMPORARY STRUCTURES AND USES	
28.40	TEMPORARY CONSTRUCTION TRAILERS
28.41	CARNIVALS, FAIRS, BLOCK PARTIES AND SIMILAR USES
28.42	TENT SALES OR SIMILAR USES
28.43	GRAND OPENINGS, SPECIAL SALES OR SPECIAL EVENTS
28.44	SALE OF CHRISTMAS TREES
28.45	TEMPORARY COMMERCIAL AND INDUSTRIAL BUILDINGS
28.46	RECREATIONAL VEHICLES OR CAMPER PARKING
28.47	VOTING PLACE
28.48-28.59	RESERVED
DESIGN STANDARDS FOR SPECIFIC USES	
28.60	ESSENTIAL SERVICES
28.61	RESERVED

28.62	RESERVED
28.63	LARGE SCALE INSTITUTIONAL USES, INCLUDING LARGE SCALE CHURCHES
28.64	STATE LICENSED CHILD AND ADULT CARE FACILITIES
28.65	ELDERLY HOUSING
28.66	RESERVED
28.67	RESERVED
28.68	RESERVED
28.69	RESERVED
28.70	HOME OCCUPATIONS
28.71	BED-AND-BREAKFAST INNS
28.72	VETERINARY CLINICS OR ANIMAL HOSPITALS
28.73	KENNELS
28.74	RESERVED
28.75	RESERVED
28.76	RESERVED
28.77	RESERVED
28.78	RESERVED
28.79-28.99	RESERVED

SEC. 28.61 – 28.62 RESERVED

The following language was amended on 4/09/09

SPECIAL PROVISIONS	
DEVELOPMENT RELATED PROVISIONS	
28.1	CONDOMINIUM SUBDIVISIONS
28.2	DIVISION OF UNPLATTED LAND
28.3	RESIDENTIAL DESIGN STANDARDS
28.4	DWELLING LOCATIONS
28.5	ENVIRONMENTAL PERFORMANCE REQUIREMENTS
28.6	LANDFILL, GRADING AND EXCAVATION
28.7	WATER SUPPLY AND DISPOSAL SYSTEM
28.8	EXTERIOR LIGHTING
28.9	WASTE RECEPTACLES
28.10	UNDERGROUND UTILITIES
28.11	WIRELESS COMMUNICATION FACILITIES AND SERVICES
28.12	NATURAL GAS, OIL AND OTHER PETROLEUM RELATED FACILITIES
28.13	OPEN SPACE PRESERVATION OPTION
28.14	BUILDING DESIGN STANDARDS

SPECIAL PROVISIONS	
28.15	YARD GRADING AND DRAINAGE
28.16	SIDEWALKS
28.17 - 28.19	RESERVED
DIMENSIONAL PROVISIONS AND EXCEPTIONS	
28.20	BUILDING PROJECTIONS AND YARD AREA ENCROACHMENTS
28.21	FRONT YARD EXCEPTIONS
28.22	STREET SETBACK AND RIGHT-OF-WAY REQUIREMENTS
28.23	HEIGHT EXCEPTIONS
28.24	LOTS ADJOINING ALLEYS
28.25	CORNER VISIBILITY AND CLEAR VISION ZONES
28.26	ESTABLISHED SINGLE FAMILY PATTERN PRESERVATION
28.27	RESIDENTIAL NONCONFORMING LOT HEIGHT LIMIT
28.28 –28.29	RESERVED
GENERAL PROVISIONS	
28.30	ACCESSORY USES AND BUILDINGS IN BUSINESS AND INDUSTRIAL DISTRICTS
28.31	PLACEMENT OF AIR CONDITIONING CONDENSER UNITS AND SIMILAR ACCESSORIES
28.32	RESERVED

SEC. 28.17 - 28.19 RESERVED

DIMENSIONAL PROVISIONS AND EXCEPTIONS

The following language was amended on 9/30/07

2) Public Hearing: Any condominium subdivision plan submitted to the Township shall contain the name and address of the applicant or his authorized representative to whom notice of a public hearing shall be sent and no plan shall be acted on by the Commission without affording a hearing thereon. On request of the Commission, notice shall be published in a newspaper which circulates in the township, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than five (5) nor more than fifteen (15) days before the date the application will be considered. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations,

notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

The following language was amended on 9/30/07

1. **Purpose**

The purpose of Open Space Preservation Development is to preserve undeveloped land. The regulations in this Section are intended to accomplish this purpose by providing for grouping of homes onto the most buildable portions of a site, so that the remainder of the site can be preserved in an undeveloped state.

As used in this subsection, the term "undeveloped state" shall have the meaning given to it in Section 40, subsection (o), of the Township Zoning Act, Michigan Public Act 184 of 1943, as amended, which is a natural state intended to preserve natural resources, natural features, or scenic or wooded conditions; agricultural uses; open space; or a similar use or condition. Land in an undeveloped state shall not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be privately held or dedicated to the use of the public.

The following language was amended on 5/12/16

SEC. 28.14 BUILDING DESIGN STANDARDS

1. **Purpose and Construction**

The purpose of this Article is to establish a consistent set of standards for the design and appearance of non-single-family residential structures, which includes buildings, canopies, or gateway structures, within each zoning district of the Township, in order to improve and enhance the overall visual character of the community. These standards are also intended to encourage architectural variety within the context of creating a high-quality and harmonious aesthetic environment. This Article shall apply to new construction as well as additions or alterations to existing non-single- family residential structures. All new construction, and/or all additions or alterations to existing non-single-family residential structures that require site plan and/or administrative review shall conform to the requirements of this Section. This Article shall be construed consistently with the design and development requirements set forth in other Articles; however, to the extent that there is a conflict between a provision of another Article and this Article, the requirements of this Article shall control.

2. **Building Massing and Form**

(a) All buildings shall incorporate architectural features, including, but not limited to: arches, arcades, porticos, cornices, peaked rooflines, or towers.

(b) Building walls over 100 feet in length shall be broken up by varying rooflines, projections, recesses, wall insets, arcades, windows or faux windows, architectural accents, and other details to create rhythm and interest in building facades. Repeating patterns of changes in color, texture, and materials are encouraged.

3. **Facade Materials**

(a) A minimum of 75% of all building facades, excluding the roof and windows, shall consist of masonry products, such as: brick, cut stone, integral colored split face block, cast stone, limestone, granite, or an equivalent material, as determined by the Planning Commission or the Administrative Review Committee. The use of aluminum metal panel systems may be permitted for buildings located within the Industrial District or an industrial area of a nonresidential district, or for buildings of a high-technology or industrial nature. Aluminum metal panel systems may also be permitted for automobile dealerships. The Planning Commission or Administrative Review Committee may modify the 75% exterior finish requirement, if the proposed project is found to meet the objectives of this Article.

(b) The remaining maximum 25% of the building facade may utilize other materials such as: fiberglass-reinforced concrete, cement board siding, stucco, polymer plastic (Fypon), or EIFS, provided that such materials do not constitute the base of the building.

(c) The facade materials for any screening structure, which may be used to screen elevators, stairways, tanks, heating and air conditioning equipment, vents, ducts, pipes, or other similar apparatus, shall complement the facade materials of the principal building.

4. **Color and Texture**

(a) Variations in color shall be kept to a minimum.

(b) Building colors shall be in harmony with the surrounding area. Traditional colors, such as: red, subtle earth tones, or neutral colors shall be used for the building facade material. Roof colors shall complement the color of the building facade. The use of high-intensity, metallic, or fluorescent colors is prohibited.

(c) Accent colors may be permitted if considered by the Planning Commission, or the Administrative Review Committee, to be part of the overall architectural theme for the project.

(d) Awnings located above windows and doors shall consist of a solid color and shall not incorporate stripes or patterns. Dark colors, such as: dark brown, navy blue, black, maroon, dark green, or dark red, are encouraged. Backlit or underlit awnings are prohibited.

(e) Simple and uniform texture patterns within the building facade materials are encouraged.

5. **Roof Design**

(a) Variations in the roofline are required to reduce the scale of the structure and add visual interest.

(b) Rooftop equipment shall be screened from view by parapet walls or other architectural elements which complement the overall building design.

6. **Canopies**

Overhead canopies for gasoline service stations or other uses shall be designed to be compatible with the architectural characteristics and color of the principal building. Canopies shall incorporate peaked, hipped, or gabled roofs with shingles, support structures which match or simulate the materials of the principal building, and fully recessed lighting fixtures.

7. **Alterations or Additions to Existing Buildings**

(a) For an alteration proposed to an existing building facade, the entire façade shall be subject to this Article. However, the Planning Commission or the Administrative Review Committee may limit compliance with this Article to only the portion of the building affected by the proposed alteration, provided that the materials and colors of the altered portion of the building complement the materials and colors of the existing unaltered portion of the building.

(b) For an addition proposed to an existing building, the materials of the existing portion of the building may be utilized for the proposed addition, provided that the following conditions are met:

1) The addition does not exceed one hundred percent (100%) of the existing building floor area.

2) The facade of the existing portion of the building does not consist of materials or colors that would be prohibited under Section 3 or 4 of this Article.

3) All new facades substantially constitute a continuation of the existing facades relative to color, texture, size, height, and location of materials.

4) The visual effect is to make the addition appear as part of the existing building.

(c) If the alteration or addition is proposed for an existing building located within the Ann Arbor Road Corridor (ARC) District, then the entire building shall be brought into full compliance with this Article. The Planning Commission or the Administrative Review Committee may modify this requirement if the proposed project is found to meet the objectives of the ARC District.

8. **Façade Modification**

The Planning Commission or the Administrative Review Committee may approve alternatives to the exterior building design or materials, provided that the proposed project is found to be consistent with the intent and purpose of this Article.