

ARTICLE 9.0

USE STANDARDS – OFFICE AND SERVICE USES

Section 9.01 Intent.

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

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

Unless otherwise specified in this Article, all uses shall be subject to the applicable dimensional and use standards for the zoning district in which the use is located. All uses shall comply with the performance standards for noise, odor, and other impacts specified in Article 22.0 (Performance Standards). Conformance with these standards shall be subject to site plan approval, where required per this Article or Article 17.0 (Site Plan Review).

Section 9.02 Accessory Office, Service, and Community Uses.

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

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

Section 9.03 Cemetery.

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

1. The minimum gross lot area for any new cemetery shall be ten (10) acres.
2. All access shall be provided from a primary or collector road as classified by the master transportation plans of the Township, or county or state road authorities.

3. The cemetery shall be secured by a fence, and screened from abutting Residential Districts and existing RESIDENTIAL USES per Section 16.10D (Methods of Screening).
4. Crypts, mausoleums, and other buildings containing human remains, other than a subterranean grave, shall be set back a minimum of 100 feet from lot boundaries.
5. The location shall not disrupt the convenient provision of utilities to adjacent properties, nor disrupt the continuity of the public road system.
6. A caretaker's residence shall be permitted accessory to a cemetery, subject to the requirements of Section 8.02 (Accessory Dwelling).
7. Establishment, expansion, and alteration of a cemetery shall be subject to site plan approval per Article 17.0 (Site Plan Review). A maintenance plan shall be submitted with the application for site plan approval, which shall include the entity responsible for long-term maintenance of the cemetery, methods and anticipated funding sources for such maintenance, and details of the proposed landscape and lawn care maintenance program.

Section 9.04 Funeral Parlor or Mortuary.

Funeral parlors and mortuaries shall be subject to the following standards:

1. An adequate assembly area shall be provided off-street for funeral processions and activities. All maneuvering areas shall be located within the site and may be incorporated into the required off-street parking. Road rights-of-way shall not be used for maneuvering or parking of vehicles.
2. The service and loading area shall be screened from Residential Districts and existing RESIDENTIAL USES per Section 16.10D (Methods of Screening).
3. An accessory caretaker's residence shall be permitted, subject to the requirements of Section 8.02 (Accessory Dwelling).

Section 9.05 Day Care and Group Home Facilities.

Group child day homes, as licensed by the State of Michigan, foster care small and large group homes, and congregate care facilities shall conform to the following:

1. Group child day care homes, foster care group homes, and similar facilities shall not be located closer than 1,500 feet to any of the following facilities, as measured along a road or other public thoroughfare:
 - a. Another licensed group day care home.
 - b. Another adult foster care small group home or large group home.
 - c. A facility offering substance abuse treatment and rehabilitation to seven (7) or more people, whether or not it is licensed by the State of Michigan.
 - d. A community correction center, resident home, halfway house or other similar facility that houses an inmate population under the jurisdiction of the Department of Corrections or a similar governmental authority.

2. All outdoor play areas for group child day care homes shall be enclosed by a fence that is not climbable in design and at least 54 inches high.
3. Where the facility is associated with a dwelling, the premises shall be maintained consistent with the visible characteristics of the neighborhood. The facility shall not require the modification of the exterior of the dwelling nor the location of any equipment in the front yard.
4. Group child day care homes, adult foster care group homes, and similar facilities may have one (1) non-illuminated sign, as follows:
 - a. Shall not exceed four (4) square feet in total sign area.
 - b. Shall not exceed an overall height of four (4) feet.
 - c. Shall be setback at least ten (10) feet from all property lines.
5. Group child day care homes, adult foster care group homes, and similar facilities shall provide on-site parking for all employees, in a driveway or similar facility common to the particular neighborhood, in addition to the on-site parking required for the residence itself. Such parking shall not conform to the requirements of Section 14.03 (Residential Parking Requirements).
6. Operating hours for child day care group homes shall be limited to between 6:00 a.m. and 10:00 p.m. daily.
7. In accordance with Section 206 of the Michigan Zoning Enabling Act, the Planning Commission shall approve a special use permit for a group day care home upon determination that the proposed use conforms to the requirements of this Section and Ordinance. The Planning Commission shall not impose additional conditions beyond those listed in this Section.

Section 9.06 Institutional Uses.

The following shall apply to all educational, social and religious institutions, public and private elementary and secondary schools, institutions of higher education, auditoriums, and other places of assembly defined as institutional uses in Section 25.03 (Definitions):

1. The maximum height of the principal building containing an institutional use shall be subject to the following conditions and exceptions:
 - a. The building height shall be permitted to exceed maximum height requirements up to a maximum height equal to twice the permitted maximum height of the zoning district, provided that the minimum required front, side and rear yard setbacks shall be increased by one (1) foot for each foot of additional building height above the maximum.
 - b. The highest point of chimneys, stage towers of scenery lofts, church spires, cupolas, and domes may be erected to a height not exceeding one-hundred-fifty percent (150%) of the height of the building, provided that no such structure shall occupy more than twenty percent (20%) of the roof area of the building.

2. Institutional uses shall have direct vehicle access to a primary or collector road as classified by the master transportation plans of the Township, or county or state road authorities.
3. A traffic impact study and proposed mitigation measures may be required by the Planning Commission for facilities with a seating capacity of over 500 persons.

Section 9.07 Recreational Facilities.

Parks and recreational facilities (including but not limited to parks, country clubs, golf courses, golf driving ranges, sportsman’s clubs, and similar facilities shall be subject to the following:

A. General Requirements.

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

1. Construction, expansion, and alteration of such recreational facilities shall be subject to site plan approval per Article 17.0 (Site Plan Review).
2. The Planning Commission may require the applicant to submit an impact assessment of the proposed use to determine potential impacts on surrounding properties and uses, and proposed mitigation measures.

B. Sportsman’s Clubs and Ranges.

The following additional standards shall apply to all sportsman’s clubs, shooting ranges, and similar uses:

1. The minimum lot area for such facilities shall be 40 acres.
2. Such facilities shall be secured by perimeter fencing with a minimum height of six (6) feet, and posted through both symbol and written statement so as to inform the public of the nature of the facility at frequent intervals not to be greater than 50 feet apart.
3. Design and operation of such facilities shall conform to current National Rifle Association specifications and practices and applicable state and federal laws.
4. Indoor firearms ranges shall be insulated with sound dampening materials, and shall be set back a minimum of 500 feet from all lot boundaries. Outdoor firearms ranges shall be surrounded by berms or other suitable containment and noise dampening measures, and set back a minimum of 1,500 feet from all lot boundaries. All facilities shall be designed to contain projectiles within the site, and to minimize noise impacts on surrounding properties and uses.
5. Hours of operation for outdoor shooting ranges for firearms shall be limited to between 8:00 a.m. and 8:00 p.m.

C. Golf Course and Driving Range Regulations.

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

1. The minimum required lot area for such facilities shall be 60 acres.

2. A shelter building with toilet facilities shall be provided that meets all requirements of the County Environmental Health Division and the State Construction Code.
3. All principal buildings and accessory structures shall be set back a minimum of 75 feet from all lot boundaries.
4. The course shall be designed and maintained to prevent golf balls or other course activities from encroaching on abutting lots or uses. The use of netting or similar materials to contain errant golf balls within the site shall be prohibited, except where the Planning Commission determines that it would be compatible with surrounding uses.
5. The site plan shall include illustration of expected ball trajectories and dispersion patterns along fairways and for driving ranges located within 500 feet of a building, parking lot, lot boundary or road right-of-way.
6. The Planning Commission may limit hours of operation where such facilities are adjacent to existing RESIDENTIAL USES.

Section 9.08 Resort, Group Camp Facility or Conference Center.

Resort or group camps facilities, conference centers, and similar uses shall be subject to the following:

1. Such facilities shall be located on a minimum contiguous lot area of 30 acres.
2. Structures associated with such uses shall be set back a minimum of 100 feet from all lot boundaries and road rights-of-way.
3. The facility shall provide vehicular access improvements, off-street parking and barrier-free access in accordance with the requirements of the State Construction Code, this Ordinance, and other outside agencies with jurisdiction.
4. The owner and/or operator of the facility shall submit a management plan as part of any application for approval of this land use. At a minimum, the plan shall address security and public safety, provision of public facilities, maintenance of the facility and grounds, public ingress/egress and mitigation of impacts on the public roads, proposed hours of operation, and whether the facility will be a seasonal or year-round operation.
5. The Planning Commission may limit the hours of operation for outdoor activities associated with the facility or any activities that would create significant or undue disturbance or adversely impact the quiet enjoyment of adjoining properties.
6. The Planning Commission may require the applicant to submit an impact assessment of the proposed use to determine potential impacts on surrounding properties and uses, and proposed mitigation measures.
7. Use of this facility for residential care and treatment of addictions, mental or physical healthcare, or similar activities shall be prohibited.

Section 9.09 Recreational Vehicle Parks and Campgrounds.

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

1. Minimum site area shall be ten (10) acres.
2. Recreational vehicle parks shall have direct vehicle access to a primary road or collector road as classified by the master transportation plans of the Township, or county or state road authorities.
3. The Planning Commission may require a fence up to six (6) feet in height around the site's perimeter, and may require screening from road rights-of-way and abutting RESIDENTIAL USES per Section 16.10D (Methods of Screening)
4. Structures and areas designated for camping shall be located a minimum of 100 feet from all lot boundaries. The storage of vehicles not set up for occupancy shall be located a minimum of 200 feet from all lot boundaries, and shall be screened in accordance with Section 16.10D (Methods of Screening)
5. The site shall include adequate vehicle access and parking facilities. All parking for campgrounds and recreational vehicle parks shall be set back a minimum of 40 feet from any Residential Districts.
6. Campgrounds and recreational vehicle parks shall be for seasonal recreation use only, with the exception of any resident manager(s) or caretaker(s).
7. The location, layout, design, or operation of campgrounds and recreational vehicle parks shall conform to all applicable standards of outside agencies with jurisdiction for potable water, bathroom and shower facilities, and other requirements; and shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby lots. Such uses shall not generate excessive noise, odors, dust, or other impacts that impair the continued use and enjoyment of adjacent lots.
8. Limited retail uses shall be permitted accessory to a campground or recreational vehicle park, provided that such uses are designed to serve only campground or park patrons.

Section 9.10 Therapeutic Massage.

A therapeutic massage practitioner and all employees of the establishment performing these services must satisfy a minimum of two (2) or more of the following requirements:

1. The person is a member of the current Professional Level in the American Massage Therapy Association (AMTA), Associated Bodywork and Massage Professionals (ABMP), International Myomassethics Federation (IMF), or other recognized massage association with equivalent professional membership standards consisting of at least 500 hours of training, including: at least 300 hours of theory, practice, and techniques of massage; at least 100 hours of human anatomy and physiology; and at least 100 hours professionalism. Instruction in this area shall include training in contraindications, benefits, ethics, and legalities of massage, building and marking practice, and other electives as appropriate.

2. The person is a graduate of a school of massage licensed by the State of Michigan or holder of a current license from another state which requires, at a minimum, the training set forth in Section 9.10.1 above.
3. The person has completed a massage training program at a community college, college, university, or technical school located in the United States, where such program requires at a minimum, the training set forth in Section 9.10.1 above.
4. The person has passed the National Certification Exam for Massage and Bodywork Practitioners.

Proof of such licenses or certifications shall be provided to the Township. All activities that meet the definition of a controlled use or sexually oriented business shall be prohibited.

Section 9.11 Workshops or Studios.

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

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

Section 9.12 Medical Marihuana Primary Caregiver

The following requirements shall apply to a medical marijuana primary caregiver in the Township:

1. **Zoning Permit Approval.** Cultivation and medical use of marihuana by a medical marihuana primary caregiver shall be subject to approval per Section 2.03 (Zoning Permits). Documentation of compliance with the Michigan Medical Marihuana Act, associated state rules, the requirements of this Section, and with the home occupation requirements of Section 8.07 shall be provided with the zoning permit application.
2. **Setback from Schools.** The cultivation of medical marihuana shall be set back a minimum of 1,000 feet from any school or child day care facility.
3. **Number of Primary Caregivers and Qualifying Patients.** Not more than one (1) medical marihuana caregiver per lot shall be allowed to assist qualifying patients, and not more than five (5) qualifying patients shall be assisted in any given calendar week.
4. **Growing.** Medical marihuana shall be contained in an enclosed, locked facility as follows:

- a. A closet, room, or other comparable, stationary, and fully enclosed area inside a fully enclosed principal or accessory building equipped with secured locks or other functioning security devices that permit access only by the medical marihuana primary caregiver or registered qualifying patient; or
 - b. A stationary outdoor facility that is anchored to the ground on land which is owned, leased or rented by a medical marihuana caregiver in compliance with minimum zoning district setback requirements for principal buildings; that is enclosed on all sides by chain-link fencing, wooden slats or a similar material which prevents visibility of the marihuana plants to the unaided eye from an adjacent property, when viewed by an individual at ground level or from a permanent structure; and that is equipped with functioning locks or other security devices which restrict access to the medical marihuana caregiver.
5. **Lighting.** If a room with windows is utilized as a growing location, lighting methods shall be fully shielded, without alteration to the exterior of the residence.
6. **Permits and Inspections.** Necessary permits shall be obtained for electrical wiring, lighting, HVAC or watering devices that support marihuana cultivation. That portion of the structure where chemical herbicides, pesticides or fertilizers are stored or energy usage or heat exceed typical residential use (such as a grow room) shall require confirmation of compliance with building and fire codes prior to occupancy for the intended use.
7. **Limitations.** Nothing in this Ordinance is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the Michigan Medical Marihuana Act and rules adopted under the Act. Nothing in this Ordinance or any other regulatory provisions of the Township is intended to grant, and shall not be construed as granting, immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers, or the owners of property on which medical marihuana is grown or used from Federal prosecution or from having their property seized by Federal authorities under the Federal Controlled Substance Act. *(Amended by Ordinance 79H Effective August 05, 2022)*

