

Chapter 3 ■ Zoning Districts

SECTION 3.1 DIVISION OF THE TOWNSHIP

For the purposes of this Ordinance, Brady Township, Saginaw County, Michigan, is divided into the following zoning districts:

- A-1 Agricultural/Residential
- B-1 Commercial
- M-1 Industrial

SECTION 3.2 OFFICIAL ZONING MAP

The boundaries of these zoning districts are hereby defined and established on a map entitled, "Zoning District Map of Brady Township," which accompanies this Ordinance. This map, with all explanatory matter thereon, is hereby made a part of this Ordinance. The official Zoning District Map shall be kept and maintained by Brady Township and the Saginaw County GIS Authority.

SECTION 3.3 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

The following rules shall be used in interpreting the boundaries shown on the Official Zoning Map:

- a. Boundaries that appear to follow the centerline of a street or highway shall be interpreted to follow that centerline.
- b. Boundaries that appear to follow a Township boundary line shall be interpreted to follow that boundary line.
- c. Boundaries that appear to follow the exterior property lines of a platted subdivision shall be interpreted to follow those property lines.
- d. Boundaries that appear to follow platted property lines shall be interpreted to follow those property lines.
- e. Boundaries that appear to follow the exterior property lines of a Planned Unit Development shall be interpreted to follow those exterior property lines.
- f. Boundaries that appear to follow the centerline of a stream or the ordinary high water mark of a lake shall be interpreted to follow that centerline or ordinary high water mark.
- g. Boundaries that appear to follow property lines, or interior or exterior section lines, shall be interpreted as following those property or section lines.

If the Zoning Administrator finds these standards to be inadequate for the purpose of interpreting the location of a zoning district boundary in any case, or if a property owner wishes to dispute the Zoning Administrator's interpretation of the location of a district boundary, the Zoning Board of Appeals may interpret the Zoning Map under the provisions of [Chapter 9](#).

SECTION 3.4 A-1 GENERAL AGRICULTURE/RESIDENTIAL DISTRICT

Intent and Purpose: To preserve and promote the use of land for food and fiber production, and for related uses.

Permitted Uses	Special Uses Subject to Review and Approval as Specified in Chapter 7 (Special Use Category)
Accessory uses and structures.	Aircraft landing strips (g)
Cemeteries.	Bed and Breakfasts (j)
Conservation areas.	Child care centers (j)
Family child care.	Golf Courses, driving ranges, mini golf (j)
Farming	Grain & seed elevators (d)
Forestry.	Institutions: human care, substance abuse treatment (b)
Parks & recreation areas.	Kennels (j)
Plant nurseries & greenhouses.	Livestock auction yards (f)
Raising & keeping small animals and livestock.	Mobile Home Park (i)
Roadside stands	Off-road vehicles facilities (m)
Single family dwellings.	Outdoor Commercial recreation uses (j)
State licenses residential facilities for <7 people	Production of fur-bearing animals (f)
Temporary outdoor uses.	Public buildings and service installations (b)
Two-family homes (a)	Religious, social, and educational institutions (b)
Veterinary clinics (a)	Riding stables (d)
Multiple Family Housing with 3 acres and 50' yards on all sides. Must have 1 additional acre per unit.	RV Parks and Campgrounds (k)
	Shooting Range (e)
	Wholesale agricultural product storage (d)
	Wind Energy Systems (c)
	Wireless Communication towers (p)

<p>Minimum Lot Size: Area: 43,560 square feet (one acre) Width: 150 feet continuous frontage at the front lot line or 66 feet continuous frontage that provides sole Access to a lot with minimum dimensions of 150 feet by 290.4 feet.</p>	<p>Minimum Setbacks Front: 40 feet Side: 15 feet each side Rear: 40 feet for principal building, 5 feet for accessory building(s)</p>
<p>Maximum Parcel Coverage: 30% of yard area for accessory structures.</p>	<p>Maximum building height (see note below) Principal building: 2.5 stories, 35 feet Accessory building: 25 feet Agricultural operations: 150 feet</p>
<p>Minimum Floor Area: 850 square feet (main floor area) for main buildings</p>	<p><i>Note: Permitted non-residential structures may increase maximum height if front, side, and rear setbacks are increased one (1) foot for each one (1) foot increase in building height.</i></p>

SECTION 3.5 B-1 COMMERCIAL: RETAIL AND SERVICE DISTRICT

Intent and Purpose:

- a. To provide for commercial activities to meet the day-to-day convenience shopping and service needs of township residents.
- b. To provide for business areas to serve the needs of highway travelers.

Permitted Uses	Special Uses Subject to Review and Approval as Specified in <u>Chapter 7</u> (Special Use Category)
General retail businesses, including retail food.	Auto service stations (b)
Offices and professional services.	Car washes (b)
Personal service establishments.	Temporary outdoor uses (j)
Restaurants, including clubs & drinking establishments, but excluding drive-in and drive-thru Restaurants.	Hotels & motels (j)
Institutions for human care.	Wind Energy Conversion Systems (c)
Commercial schools.	Warehouses & storage buildings (n)
Accessory uses and structures.	
Child care centers, Group Child Care Homes (a)	Religious, social & educational institutions (b)
Multiple Family Housing with 3 acres and 50' yards on all sides. Must have 1 additional acre per unit.	Bulk fuel station (b)
Veterinary Clinics	Drive-in & drive-thru businesses (j)
	Bed and Breakfast (j)
Minimum Lot Size Area: 43,560 square feet (one acre) Width: 150 feet	Minimum Setbacks Front: 25 feet Side: 10 feet each side (only if abutting a residential district). Rear: 20 feet for both principal building and any accessory building(s).
Maximum Parcel Coverage: 30% of yard area for accessory structures.	
Minimum Floor Area: No minimum	Maximum building height (see note below): Principal building: 3.0 stories, 40 feet Accessory building: 25 feet Agricultural operations: 150 feet
Screening/Buffering Requirement: See <u>Chapter 4</u>	
	<i>Note: Permitted non-residential structures may increase maximum height if front, side, and rear setbacks are increased one (1) foot for each one (1) foot increase in building height.</i>



SECTION 3.6 M-1 INDUSTRIAL: LIMITED MANUFACTURING DISTRICT

Intent and Purpose:

- a. To provide areas in the Township for light industrial uses with few nuisance characteristics.
- b. To permit manufacturing, production, processing, assembly, packaging, and treatment of products from previously prepared materials.

Permitted Uses	Special Uses Subject to Review and Approval as Specified in Chapter 7 (Special Use Category)
Manufacturing, production, processing, assembly, packaging of products.	Junkyards (f)
Warehouses & storage buildings.	Natural resources extraction: sand, gravel, clay and topsoil removal (l)
Truck terminals.	Sewage treatment & disposal facilities (f)
Contractors' establishments.	Sexually Oriented Business (o)
Restaurants, taverns, and other eating & drinking establishments, including drive-in & drive-thru establishments	Wind Generation Facilities (c)
Public utility installations & buildings	
Laboratories	
Commercial schools	
Veterinary Clinics	
Forestry	
Farming	
Retail & wholesale businesses	
Plant nurseries & greenhouses.	
Raising & keeping small animals and livestock.	



<p>Minimum Lot Size Area: 43,560 square feet (one acre) Width: 150 feet</p>	<p>Minimum Setbacks Front: 40 feet Side: 10% of lot frontage on each side Rear: 50 feet if the use is adjacent to an A-1 or A-2 parcel; 20 feet if adjacent to B-1 or M-1 parcel.</p>
<p>Maximum Parcel Coverage: no maximum.</p>	<p>Maximum building height (see note below) Principal building: 3.5 stories, 45 feet Agricultural operations: 150 feet</p>
<p>Minimum Floor Area: no minimum.</p>	<p><i>Note: Permitted non-residential structures may increase maximum height if front, side, and rear setbacks are increased one (1) foot for each one (1) foot increase in building height.</i></p>
	<p>Other District Requirements: Industrial uses may not be within 100 feet of a residential district.</p>

Chapter 4 ■ General Requirements

SECTION 4.1 SCOPE OF REGULATIONS

The standards and regulations contained in this Ordinance shall apply to all land, buildings, structures, land uses, and land development projects that are established or commenced after the effective date of this Ordinance. Accordingly, no lots or parcels may be created or altered, nor any land use be established or commenced, nor any building or structure constructed, altered, or extended, except in a manner that complies with the provisions of this Ordinance.

SECTION 4.2 SUPPLEMENTARY USE REGULATIONS

- a. **Building Permits Required.** Any construction related to any type of zoning approval shall be commenced only after a building permit has been issued.
- b. **Prior Building Permits.** Any building permit issued prior to the effective date of this Ordinance shall be valid, even though not conforming to the provisions of this Ordinance, *provided* that construction is commenced within ninety (90) days after the date the permit was issued and that the building is completed according to the plans filed with the permit application within one (1) year of the date of issuance.
- c. **Buildings to be Moved.** 1% building shall be moved into or within the Township until a permit has been secured for the building to be moved.
- d. **Temporary Occupancy Permit.** A temporary occupancy permit may be issued for a period of up to six (6) months, and may be renewed once for the same period.
- e. **Health Department Approval Required.** Permits shall not be issued for the construction or establishment of buildings or uses requiring water or wastewater systems unless and until an applicant provides copies of the appropriate well and septic permits issued by the Saginaw County Health Department.
- f. **Accessory Uses.** Nothing in this Ordinance shall be construed to prohibit the following accessory uses.
 - 1) Customary refreshment and service uses and buildings that are incidental to the recreational use of any park or recreation area.
 - 2) Gardens, garden ornaments, and usual landscape features within a required yard space.
 - 3) Retaining walls.
 - 4) Off-street parking for licensed motor vehicles and recreational equipment, not including trucks over one (1) ton rated capacity.
 - 5) Parking of licenses recreational equipment, including travel trailers, campers, snowmobiles, boats, and similar items in any Agricultural or Agricultural/Residential Zoning District must conform to required setbacks for accessory structures and to overall limitations for lot coverage.
 - 6) Use of premises as a voting place.

- 7) Fences
- 8) Structures that do not require a building permit. (See adopted State building code.)
- g. Inoperative or Dismantled Vehicles. The storage of more than one dismantled, wrecked and/or unlicensed vehicles, including recreational equipment, in any Zoning District is expressly prohibited *unless*:
 - 1) The vehicles are contained within a licensed junkyard or an enclosed structure; or
 - 2) The storage period does not exceed forty-eight (48) hours. The storage period may be extended with written permission of the Zoning Administrator.
- h. Garbage, Rubbish and Junk. All parcels must be kept free of all garbage, rubbish and junk/salvage, as defined in Chapter 2 of this Ordinance. Garbage, rubbish and junk/salvage in containers specifically designed for storage of these materials until a specified collection date may be stored on a parcel until the next trash collection date.
- i. Farm Animals. On parcels less than five (5) acres in size or less no more than one farm animal per acre is permitted.

SECTION 4.3 SUPPLEMENTARY DWELLING REGULATIONS

- a. Must Comply With Code Requirements. Every dwelling must comply with all pertinent housing, fire, and construction codes. This includes meeting or exceeding all applicable roof snow loads and strength requirements. If a dwelling is a mobile home, all construction, insulation, plumbing, and electrical apparatus shall conform to the "Mobile Home Construction and Safety Standards" of the U.S. Department of Housing and Urban Development.
- b. Mobile Home Installation. In the event that a dwelling is a mobile home located in a mobile home park, it must be installed pursuant to the manufacturer's setup instructions with the wheels removed. It also must be secured to the ground by an anchoring system or device that complies with the Township Building Code and the rules and regulations of the Michigan Mobile Home Commission. Each mobile home must have a perimeter wall or skirting that has the same dimensions as the dwelling. No mobile home shall have any towing mechanism, undercarriage, or chassis exposed.
- c. One Single Family Dwelling Per Parcel. No building in the rear of or on the same lot with a principal building shall be used for residential purposes, except for elderly or handicapped family members.
- d. Structures to be of Uniform Quality. Any additions, rooms, or other areas of a dwelling must be constructed using workmanship and materials similar in quality to the original structure. Such additions, rooms, or other areas must be permanently attached to the principal structure, and they must be supported by a foundation as required herein.
- e. Roof Overhang and Steps. All dwelling, must have a roof overhang of not less than six (6) inches on all sides. All dwellings must contain steps or handicapped ramps that are connected to exterior door areas where a difference in elevation requires them.
- f. Temporary Dwellings. The temporary placement and occupancy of structures is permitted in all zoning districts when located on the same lot on which a lot owner's permanent dwelling is being constructed, or repaired following an event that temporarily renders the dwelling

unfit for occupancy. Structures may be placed and occupied as temporary living quarter, subject to the following conditions.

- 1) No structure shall be placed or occupied under the provisions of this section unless the Zoning Administrator issues a Temporary Dwelling Permit with the approval of the Planning Commission.
 - 2) Temporary permits as required by this section shall not be issued unless and until a land use permit authorizing construction of the permanent dwelling, or repair or reconstruction of a damaged, dangerous, and unsafe existing dwelling has been secured by the lot owner or his/her authorized representative.
 - 3) Temporary permits issued under the provisions of this section shall be valid for a period of twelve (12) months from the date of issue by the Zoning Administrator.
 - 4) Temporary permits issued under the provisions of this section may be renewed once by the Zoning Administrator for a six (6) month period with the approval of the Planning Commission, if substantial progress is being made on the permanent dwelling.
 - 5) The requirements of Section 4.3 (h) concerning a permanent foundation shall not apply to a structure to be used as a temporary living quarters. However, the temporary living quarters must be placed in a safe and proper manner as specified by the Building Inspector.
- g. Storage Area. Every dwelling unit must contain a storage area equal to ten percent (10%) of the square footage of the dwelling or one hundred (100) square feet, whichever is less. The storage area shall be located in a basement under the dwelling, an attic area, closet areas, or in a separate structure that meets all requirements of the Township Building Code.
- h. Foundation. All single family dwellings, except mobile homes located in licensed mobile home parks or permitted as temporary dwellings, must be firmly attached to a permanent foundation that meets the Township Building Code requirements of the Township Building Code.
- i. Dimensions. All single family dwellings must have a minimum width across all front, side, and rear elevations of fourteen (14) feet and must comply in all respects with the Township Building Code, including minimum heights for habitable rooms.
- j. Exterior Doors. Every single family dwelling must have exterior doors on not less than two sides with steps porches connected to the doors where required due to a difference in elevation.
- k. Garage and Home Yard Sales. Sales of used material from a single family dwelling may occur twice a year for a period not to exceed one week for each occurrence.
- l. Accessory Building Not for Dwelling Use. No portion of an accessory building in any Zoning District may be used as a dwelling.
- m. State Licensed Residential Facility. No State Licensed Residential Facility for six (6) persons or less shall be located within fifteen hundred (1500) feet of another State Licensed Residential Facility.

- n. Home Occupations. Home occupations are permitted, subject to the following standards:
- 1) The home occupation must be conducted within the principal dwelling or within a normally associated accessory building.
 - 2) The home occupation must be clearly incidental and subordinate to the use of the dwelling for the dwelling purposes.
 - 3) The dwelling containing the home occupation shall have no exterior evidence that it is being used for any purpose other than as a dwelling, except for signs as permitted by this Ordinance.
 - 4) Home occupations shall not involve any activity or process that would constitute a nuisance or annoyance to adjoining properties by reason of noise, smoke, odor, electrical disturbance, exterior lighting, or the creation of vehicular traffic not normally associated with a residential use.
 - 5) There may not be more than one (1) employee who does not reside at the dwelling.

SECTION 4.4 SUPPLEMENTARY PARCEL REGULATIONS

- a. Minimum Lot Frontage. The front lot lines of all parcels, shall abut a public street and shall have a continuous permanent frontage at the front lot line for the required lot width. (See Land Division Act)
- b. Access to a Street. Any parcel created after the effective date of this ordinance shall have access to a public street.
- c. Space Used Once. Any yard or other open space that is provided with any building or structure for the purpose of complying with the provisions of this Ordinance shall not again be used as a yard or other required open space for another building or structure, except where one is to be demolished upon completion of the other.
- d. Additional Front Setback. Where the current right-of-way width of an arterial or collector street is less than its future right-of-way width as determined by the Saginaw County Road Commission, an additional front yard setback from the street is required. The front yard setback for properties fronting on such a street shall be measured from a line that lies a distance of one-half of the future right-of-way width from the centerline of the current right-of-way. This line shall be used for computing the front yard setback only. The current parcel dimensions shall be used for all other purposes under this Ordinance.
- e. Approval of Land Divisions. All land divisions created after the effective date of this Ordinance shall comply with all requirements of the Michigan Land Division Act. All land divisions created after the effective date of this ordinance shall also comply with the lot area, width, setback, and all other dimensional requirements of the zoning district in which such land divisions are located. Land divisions are subject to the review and approval of the Township Board. Requirements for driveway permits must be approved by the Road Commission or MDOT, prior to split approval.

SECTION 4.5 NUISANCES

No noise, animal, noxious weeds, situations attracting rodents or any other activity displaying nuisance characteristics as defined by this ordinance shall be permitted.

SECTION 4.6 SUPPLEMENTARY STRUCTURE REGULATIONS

Permitted Yard Encroachments. The following items shall be considered to be accessory structures, even though they may be attached to a principal building, and may project into *side* and *rear* yards that are required for the principal building. Setbacks for accessory structures, as defined in Chapter 3, District Regulations, must be adhered to, as well as any requirements listed in this section.

- a. Open porches, paved terraces, and patios, with the following restrictions. Enclosed porches are considered to be part of the principal building and subject to all yard, setback, and area requirements.
 - 1) The highest finished elevation of the paved area or porch is not over three (3) feet above the average surrounding finished grade.
 - 2) If a porch is roofed, the porch must be unenclosed and the roof shall be no higher than one (1) story.
 - 3) If paved areas or porches are unroofed, they may have non-continuous windbreaks or walls that are not over six (6) feet high and that do not enclose more than one-half (1/2) the perimeter of the paved area or porch.
- b. Structural elements such as cornices, sills, chimneys, gutters, and similar features that project a maximum of two and one-half (2.5) feet.
- c. Fire escapes, outside stairways and balconies that are of open construction and that project a maximum of five (5) feet.

SECTION 4.7 SECOND LIVING QUARTERS FOR FAMILY MEMBER

- a. A mobile home to be used as a second living quarters for a member or members of the property owner's family may be placed on the same lot as a principal dwelling in the A-1 and A-2 Zoning Districts when the intended occupant of the second living quarters required frequent care of living assistance due to a medical condition or disability. A medical professional or other qualified caregiver shall verify the condition and type of care required in writing. A "family member" who may provide the second living quarters for the purposes of this section is defined as the parents, grandparents, children, grandchildren, great grandchildren, foster children, niece or nephew of the intended occupant(s) of the second living quarters. This definition shall include stepparents, stepchildren, and in-laws.
- b. The second living quarters shall not be located in the front yard of the principal dwelling, and it must meet all side yard setback requirements for the district in which it is located. The second living quarters shall not be located closer than ten (10) feet from the principal dwelling.
- c. The second living quarters shall not exceed the ground floor area of the main dwelling.
- d. A Land Use permit, valid for one (1) year, must be obtained from the Township to establish a second living quarters. The permit shall be issued by the Zoning Administrator with the approval of the Planning Commission. The permit may be renewed for successive one-year periods if compliance with these provisions is maintained, as verified by the Zoning Administrator and the Planning Commission.
- e. If the living quarters cease to be occupied by the family member for which the unit was established, it shall be removed from the lot within 6 months of the time it is vacated.

SECTION 4.8 OPEN SPACE PRESERVATION PROVISION

a. Purpose. The purpose of these provisions is as follows:

- 1) To provide optional open space preservation provisions for residential development, as required by PA 110 of 2006.
- 2) To encourage greater flexibility and efficiency in the design of single-family residential developments.
- 3) To conserve open space and other important elements of the Township's rural character. Examples of these elements include important farmlands, woodlots, wildlife areas, historic sites and structures, unique landforms, and scenic areas.

b. Applicability. These provisions shall apply to the following situations:

All lots created after the effective date of this ordinance in the following zoning districts where residences are permitted by right at a density of two (2) dwelling units per acre or less: A-1 General Agriculture and A-2 Agricultural/Residential.

c. Submission Requirements. An applicant who wishes to utilize the open space development option shall submit two (2) concept plans for review by the Zoning Administrator and the Planning Commission. These concept plans shall be prepared in accordance with the site plan requirements in Chapter 9, Section 9.7, and the following additional requirements:

- 1) Density Concept. One concept plan shall portray the development of the dwelling units on the site according to the requirements for the zoning district in which the site is located with respect to lot area, width, setbacks, and all other dimensional requirements. The proposed density must be realistic in terms of the project area that would actually be buildable. Wetlands, floodplains, areas that are reserved for roads or utility easements, and other areas that are unbuildable shall be excluded from the project density calculations.
- 2) Open Space Concept. The other concept plan shall portray the development of the dwelling units in a manner so that at least fifty percent (50%) of the land area of the site will perpetually remain in an undeveloped state. The Open Space Concept Plan shall contain the same number of dwelling units as the Density Concept Plan. "Undeveloped state" shall have the same meaning as specified in PA 110 of 2006; that is, a natural state preserving natural resources, natural features, or scenic or wooded conditions; agricultural use; open space; or a similar use or condition. Land in an undeveloped state does 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, but is not required to be, dedicated to the use of the public.
- 3) Project Narrative. The applicant shall provide a written narrative that explains the project and its benefits. The narrative should specifically address all elements of the project that would not comply with the zoning district regulations that would apply to the Density Concept Plan. The narrative shall clearly indicate the proposed project densities and how they were calculated.

d. Approval Standards. Prior to approving an Open Space Development, the Zoning Administrator must find, with the concurrence of a majority of the Planning Commission, that the proposed development complies with the following requirements:

- 1) The proposed development will comply with all requirements of the Saginaw County Department of Public Health for residential water supply and wastewater disposal.
- 2) The proposed development will comply with all requirements of the Land Division Act.
- 3) At least fifty percent (50%) of the project land area will remain perpetually in an undeveloped state, as previously defined in this section, by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land and that is acceptable to the Township.



Chapter 5 ■ Non-Conforming Uses

SECTION 5.1 ELIMINATION OF NONCONFORMING USES

- a. **INTENT.** It is the intent of this Section to permit the continuation of any lawful use of a building or land existing as of the effective date of this Ordinance. However, it is hereby declared that nonconformance with the provisions of this Ordinance is not in the best interests of the Township and ought to be discontinued as circumstances permit. Any nonconforming building, structure or use shall not be enlarged or expanded and may be changed, repaired, or reconstructed only as prescribed by this Section.
- b. **HISTORIC PROPERTIES.** Any nonconforming property in Brady Township which is listed on the State or National Register of Historic Places is specifically excluded from any requirement of this Section which would damage the historic character of the property. When any such property is the subject of any administrative decision, the input of Michigan's State Historic Preservation Officer shall be requested in writing not less than 30 days before any regulatory action may take effect.
- c. **LEGALITY OF NONCONFORMITIES.** Nonconformities will be classified as "legal" or "illegal" based on the following guidelines. Regulation of nonconformities will vary based on their legality.
 - 1) **ILLEGAL** nonconformities are those that have been developed in conflict with zoning regulations.
 - 2) **LEGAL** nonconformities are those that meet each applicable criterion, listed below. Note that temporary signs are not considered legal nonconforming structures.
 - a) The nonconformity existed legally before the effective date of this Ordinance.
 - b) The nonconformity complied with the District Regulations of the previous zoning ordinance, or existed legally through a special use permit or variance.
 - c) **Nonconforming Setback or Lot Size only:** The nonconformity resulted from land acquisition by a government agency, such as for a road right-of-way.
 - d) **Nonconforming Buildings or Structures only:** The building or structure does not extend into a public right-of-way, or over a neighboring property line.
- d. **LOSS OF LEGAL NONCONFORMING STATUS.** If a nonconforming use of land or structure ceases for any reason for a period of six (6) months or more, any reuse of the land or structure must conform to all requirements of this Ordinance.
- e. **EXPANSION OF NONCONFORMITY PROHIBITED.** No structure may be enlarged or structurally altered in such a way as to increase its nonconformity. A reduction of the degree of nonconformance in one respect is not permitted to offset an increase in the degree of nonconformance in another respect. Thus, square footage may not be "traded" from one portion of a building to another. Nor may one nonconforming use be replaced by another unless the degree of nonconformance is reduced in some way. This regulation excludes single family homes in the business and manufacturing districts.

- f. RECONSTRUCTION AND RESTORATION. Any lawful nonconforming use damaged by fire, explosion or act of God, or by other causes may be restored, rebuilt or repaired provided that the reconstruction or restoration work does not increase the footprint of the existing structure. All such restoration must be started within a period of one year of the time of such damage and diligently pursued to completion. The Board of Appeals may extend the period of time for restoration of any such building or structure when a bona fide emergency renders it impossible to make the restoration of the building or structure within the required time period. No fee shall be charged for an appeal to the Board of Appeals under the provisions of this section. Any basements, large holes, etc. remaining on the site after removal of the structure shall be filled in and leveled within ninety (90) days of removal of the structure. Residential structures in the business district are exempt from these requirements. Residential structures undergoing reconstruction or restoration for purposes of providing handicapped facilities are exempt from these requirements.
- g. REPAIR. Nothing in this Ordinance shall prohibit the repair, improvement, or modernizing of a lawful nonconforming building to correct deterioration, obsolescence, depreciation, or wear, provided that such repair does not exceed the original footprint, unless the subject building is changed by such repair to a conforming use. No repair may enlarge or structurally alter the structure in such a way as to increase the nonconformity. Residential structures undergoing repair for purposes of providing handicapped facilities are exempt from these requirements.
- h. CHANGING USES. If no structural alterations are made, the Board of Appeals may authorize a change from one nonconforming use to another nonconforming use, PROVIDED the proposed use would be more suitable to the zoning district in which it is located, than the nonconforming use which is being replaced. Whenever a nonconforming use has been changed to a more nearly conforming use or to a conforming use, such use shall not revert or be changed back to a nonconforming or less conforming use.
- i. NONCONFORMING LOTS. In any district in which single family dwellings are permitted, a single family dwelling and the accessory buildings may be erected on any single legal lot of record at the effective date of adoption or amendment of this Ordinance. Yard dimensions shall conform to the regulations for the district in which the lot is located.

Chapter 6 ■ Off-Street Parking and Loading Space

SECTION 6.1 PURPOSE

Before any building or use is occupied, or is enlarged or increased in capacity, off-street parking spaces for motor vehicles must be provided and maintained as described in this Chapter.

SECTION 6.2 GENERAL REQUIREMENTS

- a. If the use of a building or premises changes, the parking requirements applicable to the new use shall apply. If a building or use is enlarged, the parking requirements shall apply to the total area of the structure or premises. A structure or premises shall not be used or enlarged unless the required parking is provided.
- b. In the Agricultural/Residential Zoning District, no parking area shall be used for storing of any commercial vehicle exceeding one ton in capacity. The storage of merchandise, motor vehicles for sale (other than a resident's private vehicles) or the repair of vehicles exceeding one ton capacity is prohibited in any required parking area.

SECTION 6.3 PARKING SURFACE REQUIREMENTS

Hard Surface. Where Table 1 allows parking areas to be gravel-surfaced, they should be surfaced with a material that provides a durable, smooth and dustless surface that shall be graded to drain and dispose of all collected surface water within a reasonable time.

SECTION 6.4 PARKING FOR USES NOT SPECIFICALLY MENTIONED

In the case of uses that are not specifically mentioned in this Chapter, the requirements for a use that is mentioned and to which the proposed use is similar in character in terms of parking demand shall apply. The Planning Commission is to determine the parking requirements for a use that is not specifically mentioned.

SECTION 6.5 REDUCTION IN REQUIRED PARKING

a. Joint Provision of Parking

Where two or more abutting parcels or there are mixed uses in the same building, in the B-1 and M-1 Zoning Districts provide vehicular access between parking areas in a manner which allows travel from one parcel to another without the use of a public street, the total number of off-street parking spaces required for each parcel may be reduced by thirty percent (30%) in addition to reductions allowed by other provisions of this Chapter.

b. Further Reductions for Public Benefits

In the B-1 or M-1 Zoning Districts, uses on parcels fronting on county primary roads or state highways, except limited access freeways, may reduce the required number of off-street parking spaces by twenty percent 20% if at least three (3) of the following conditions are met. This shall be in addition to reductions allowed by other provisions of this Chapter.

- 1) The parcel has no driveway openings onto the major road.
- 2) No freestanding signs are located in the required front yard setback area for the building.

- 3) The principal building is set back at least one hundred (100) feet from the major road right-of-way.
- 4) A portion of the parcel equal to at least thirty-five (35) percent of the total area devoted to parking, including driveways and aisles, is left unpaved and undeveloped except for landscape plantings.
- 5) Sidewalks are provided along the full length of the parcel's frontage on the major road, with curb cuts to provide barrier-free non-motorized travel.

SECTION 6.6 ADDITIONS OR EXPANSIONS TO BUILDINGS AND USES

Additional parking shall be provided in proportion to any increase in floor area, change in use, or expansion of a building's use capacity.

SECTION 6.7 DRIVEWAY SPACING REQUIREMENTS

Each parcel in the B-1 and M-1 Zoning Districts shall have no more than one driveway entrance and exit opening to a public road for each three hundred (300) feet of frontage or fraction thereof. Where more than one driveway is allowed, the driveways shall be located at least one hundred fifty (150) feet apart. No driveway shall be located within fifty (50) feet of a street intersection.

SECTION 6.8 PARKING SPACE DIMENSIONS

Each parking space (also known as a "parking stall") shall be a minimum of ten (10) feet wide and twenty (20) feet long. Barrier free spaces shall also comply with all requirements of the State of Michigan Barrier Free Code.

SECTION 6.9 DRIVEWAY AND AISLE CONFIGURATIONS

Driveways and aisles for any off-street parking area built to accommodate more than twenty (20) vehicles shall comply with the following requirements:

- a. Aisle Width. Aisles in off-street parking areas shall be at least twenty (20) feet wide.
- b. Driveway Configuration. Each driveway shall be a minimum of fifteen (15) and a maximum of twenty (20) feet in width per direction. Lanes for entering and exiting traffic shall be clearly marked on the pavement. The driveway shall include an on-site stacking area equivalent to five (5) percent of the total number of spaces in the parking area. The stacking area shall not function as an access aisle for parking spaces. The driveway shall intersect the abutting street at a ninety (90) degree angle.

SECTION 6.10 SETBACKS REQUIRED

Parking and loading areas shall conform to a twenty (20) foot front yard setback from any street right-of-way line and to the side yard setback requirements for accessory buildings. Off-street parking areas shall be no closer than five (5) feet to any principal building. Bumper guards or curbs shall be installed to prevent yard encroachment.

SECTION 6.11 PERMIT REQUIRED.

No parking area shall be constructed unless and until a Building Permit has been issued.

SECTION 6.12 TABLE OF OFF-STREET PARKING

The number of off-street parking spaces for specific uses is shown in Table 1, "Table of Off-Street Parking Recommendations" which appears at the end of this Chapter. Each use must also provide one space for each employee on the largest shift.

SECTION 6.13 OTHER LOADING SPACE REQUIREMENTS

- a. Hard Surface Required Loading spaces must be paved with a surface providing the equivalent load strength of nine (9) inches of concrete.
- b. Dimensions of Loading Spaces. Each loading space must be at least ten (10) feet wide and twenty-five (25) feet long. If roofed, a loading space must have at least fifteen (15) feet of vertical clearance. Where a use involves semi-trucks making deliveries on a daily basis or requires that semi-trailers will be parked in the space for more than one hour at any time, the loading space must be at least sixty (60) feet long.
- c. Location of Loading Spaces. Loading spaces must be located within or immediately adjacent to the building to be served, and they must be arranged so that maneuvering of trucks using the space does not take place on a public street.

TABLE 1 OFF-STREET PARKING RECOMMENDATIONS

Land Use	Hard Surfacing	Number of Parking Spaces
Automobile sales facilities	Yes	One (1) customer parking space for each 500 square feet of floor area.
Automobile & other vehicle service facilities.	Yes	Two (2) spaces for each service stall
Personal Services	No	Two (2) spaces for each chair or booth.
Bowling Alleys	No	Six (6) spaces for each lane.
Religious Institutions	No	One (1) space for each three (3) seats in the main area of worship.
Commercial outdoor recreation	No	Twenty-five (25) percent of the total lot area shall be reserved for parking, but there shall be at least ten (10) spaces.
Assembly hall, dance hall, or exhibition hall without fixed seats.	No	One (1) space for each 100 square feet of floor area.
Drive-in & drive-thru facilities (in addition to required parking for indoor facilities)	Yes	Two (2) spaces for each drive-in window plus four (4) stacking spaces for each drive-in window.
Dwellings	No	Two (2) spaces per dwelling unit.
Funeral homes & mortuaries	Yes	One (1) space for each 25 square feet of floor area in service parlors and chapels, plus 1 space for each funeral vehicle maintained on the premises.

Land Use	Hard Surfacing	Number of Parking Spaces
Hospitals, nursing homes, & related health care facilities.	Yes	One (1) space for each two (2) beds
Hotels & Motels	Yes	One (1) space for each lodging room
Libraries, museums & government administration buildings.	Yes	One (1) space for each one hundred (100) square feet of floor area.
Medical offices & clinics, including veterinary clinics.	Yes	Six (6) spaces for each doctor
Office buildings, banks, and financial institutions.	Yes	One space for each two hundred (200) square feet of floor area.
Retail sales & personal services	Yes	One (1) space for each one hundred (100) square feet of floor area.
Restaurants, taverns, and similar establishments (exclusive of drive-in or drive-thru facilities).	No	One (1) space for each three (3) seats provided for patrons plus one (1) space for each employee.
Educational Institutions	Yes	One (1) space for each two (2) students, plus parking as required for gymnasiums and sports facilities.
Stadiums, gymnasiums and sports facilities.	Yes	One (1) space for each three (3) seats or six (6) feet of bench seating.
Theaters and auditoriums (not incidental to schools).	Yes	One (1) space for each four (4) seats
Warehouses, storage buildings, lumber & building supply facilities, and wholesale outlets.	Yes	One (1) space for each five hundred (500) square feet of gross floor area

Chapter 7 ■ Special Uses

SECTION 7.1 PURPOSE

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

SECTION 7.2 APPLICATION PROCEDURES

An application for a special use permit shall be submitted to the Zoning Administrator no less than twenty-one (21) days prior to the meeting at which the Planning Commission will consider the application. The review of applications submitted less than twenty-one (21) days prior to such meetings will be delayed until the next scheduled meeting.

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

- a. A completed Special Use Permit application form and application fee.
- b. Three (3) copies of a site plan prepared as specified in Chapter 9.
- c. A written statement (preferably typewritten) describing how the proposed special use will comply with the general standards for special use approval listed under Section 7.7.

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

SECTION 7.3 NOTICE OF PUBLIC HEARING

Notice of the public hearing on the special use application must be published in a newspaper at least fifteen (15) days before the date of the meeting at which the public hearing will be held.

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

- a. The special use being requested;
- b. The property subject to the request (address, tax number, and/or legal description);
- c. The date, time, and place of the public hearing;
- d. Where and when the application, site plan, and other materials may be inspected by the public; and
- e. Where and when written comments on the application will be received.

SECTION 7.4 PUBLIC HEARING AND REVIEW PROCEDURES

- a. The Planning Commission shall hold the public hearing on the proposed special use, and shall review the site plan and other materials submitted with the application.
- b. Following the public hearing, the Planning Commission shall make a decision based on whether or not the proposed special use is consistent with the specific standards applicable to the special use described in Section 7.11, as well as the general standard described in Section 7.6. If it is found that the proposed special use is consistent with these standards, the Planning Commission must approve the proposed special use.
- c. If the Planning Commission finds that the proposed special use is not consistent with the standards in Sections 7.7 and 7.11 then it may approve the use with conditions, or it may deny the proposed use altogether. In any event, the decision to approve, approve with conditions, or deny the application must be made within sixty (60) days of the date of the public hearing.
- d. At any point during its review of an application, the Planning Commission may request that the applicant modify the site plan to meet a specified standard of the special use, or present additional information deemed necessary before making a decision on the proposed special use. In such cases, the Planning Commission shall table consideration of the application until the applicant provides the amended site plan or additional information.
- e. In rendering its decision on a proposed special use, the Planning Commission shall make specific reference to the standards in Section 7.6, Section 7.11, and the basis in fact for any conditions attached to the approval of a special use. The Planning Commission shall present a "Statement of Findings and Conclusions" relative to the special use which specifies the basis for the decision and any conditions imposed.

SECTION 7.5 APPEAL OF DECISION

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

SECTION 7.6 GENERAL STANDARDS FOR APPROVAL OF SPECIAL USES

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

- a. The property subject to the application is located in a zoning district in which the proposed special use may be established.
- b. The special use, as proposed, complies with the specific standards applicable to that special use as listed under the regulations for that zoning district.
- c. The proposed special use will be consistent with the intent and purpose of the Township Master Plan, as well as the intent and purpose of the zoning district in which the proposed use will be located.
- d. The proposed special use will not result in a material burden on police and fire services, nor on other public services and facilities.
- e. The proposed special use will be designed, constructed, operated, and maintained so as not to negatively impact the character of land uses in the surrounding area.

- f. The proposed special use will not involve uses, activities, processes, materials, or equipment that will create a nuisance for other properties in the vicinity by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap or waste materials.

SECTION 7.7 PERFORMANCE GUARANTEE

The Planning Commission may require a performance guarantee in the form of cash, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township, covering the estimated cost of improvements associated with an approved special use to assure that the use complies with approval as granted. If required as a condition of approval, a performance guarantee is a cash deposit; it shall be rebated periodically by the Township on application by the depositor in reasonable proportion to amount of work completed on the required improvements. The Zoning Administrator shall certify in writing to the Township Treasurer that the required conditions have been met prior to such disbursements.

SECTION 7.8 COMPLIANCE WITH CONDITIONS OF SPECIAL USE PERMIT

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

SECTION 7.9 TERMS OF PERMIT

If a use established under a Special Use Permit is discontinued for one (1) year, the Special Use Permit shall expire. To re-establish the use after such expiration, a new Special Use Permit is required, beginning with a new application to the Township. In all other cases the special use permit runs with the land, not ownership of the land.

SECTION 7.10 STANDARDS, REQUIREMENTS, AND CONDITIONS FOR SPECIAL LAND USE PERMITS

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

- a. The granting of a Special Use Permit requires Site Plan Review and a public hearing.
- b. A Special Use Permit is a privilege granted by the Township when the specified conditions are met.
- c. The Township will revoke a Special Use Permit for failure to maintain compliance with the terms of the permit.
- d. Each special use must meet the minimum requirements for the Zoning District in which it is located, except as specifically noted in this section.
- e. This section lists the standards and additional requirements for uses that may be authorized by Special Use Permit. These standards take precedence over the District Regulations.
- f. The Planning Commission may, at its discretion, attach additional conditions to the approval of a special use. These conditions shall be reasonably related to the general standards specified in Section 7.6.

TABLE 2 SPECIAL LAND USE PERMIT REQUIREMENTS

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
Category B <ul style="list-style-type: none"> • Auto Service Stations • Bulk Fuel Station • Car Washes • Public Buildings • Religious, social, educational institutions 	County road or State Highway	One (1) acre in area	200 feet	50 feet from street right-of-way 30 feet from adjacent property lines	25%	Four (4) foot high visual screen required on any side abutting residential property.
Category C <ul style="list-style-type: none"> • Wind Energy Conversion System 	None	1 acre	150'	Height of structure	NA	
Category D <ul style="list-style-type: none"> • Driving Ranges • Grain and seed elevators • Riding stables • Wholesale AG storage 	County road or State Highway	Ten (10) acres in area	500 feet	100 feet from street right-of-way 100 feet from adjacent property lines	10%	Six (6) foot high visual screen required on any side abutting residential property.

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
Category E <ul style="list-style-type: none"> Shooting range 	Paved Road	Fifty (50) acres in area	1000 feet	200 feet from street right-of-way and adjacent property lines	5%	Six (6) foot high visual screen required on any side abutting residential property.
Category F <ul style="list-style-type: none"> Junkyards Livestock auction yard Production of fur bearing animals Sewage treatment and disposal 	County road or State Highway	Twenty (20) acres in area	750 feet	200 feet from street right-of-way 200 feet from adjacent property lines	Same as zoning district	Site shall not be located within one (1) mile of a residential subdivision with officially filed plats. Tree buffer consisting of natural vegetation or planted evergreens shall be provided on the periphery of the property. Buffer shall be at least one hundred (100) feet wide. Solid fence or wall at least eight (8) feet high shall be provided around the active area of a junk yard or resource recovery operation. A wire link fence at least six (6) feet high shall be provided around a sewage treatment or disposal facility.
Category G: <ul style="list-style-type: none"> Airstrip 	No special restrictions	Thirty (30) acres in area	500 feet	500 feet from end of runway	Same as zoning district	Must obtain all necessary state and federal permits.
Category I: <ul style="list-style-type: none"> Mobile Home Park 	County road or State Highway	Twenty (20) acres in area	750 feet	60 feet from street right-of-way and adjacent property lines.	30%	Mobile home part must be licensed by the State of Michigan. Must comply with all requirements of The Michigan Mobile Home Commission and its Administrative Rules.

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
<p>Category J:</p> <ul style="list-style-type: none"> • Bed and Breakfasts • Child Care Centers • Commercial Recreation • Country Clubs • Drive in uses • Golf Courses • Hotels/Motels • Kennels • Mini golf • Temporary Outdoor Uses 	No special restrictions	Two (2) acres in area	Same as Zoning District	100 feet from any residence or residential zoning district	25%	<p>Planning Commission may determine the need for a fence or berm.</p> <p>Planning Commission may limit hours of operation and impose other conditions as necessary to control noise and other off-site impacts.</p>
<p>Category K:</p> <ul style="list-style-type: none"> • RV Park or Campground 	County road or State Highway	<p>Twenty (20) acres in area</p> <p>Each site shall in cluded designated parking area of at least 400 sq. ft.</p>	750 feet	<p>60 feet from street right-of-way</p> <p>60 feet from adjacent property lines</p> <p>Individual camp sites shall be at least 75 feet from street right-of-way or</p>	30%	<p>Spaces may be used only for temporary occupancy.</p> <p>Facility shall be supervised by a resident manager who shall be accessible to park tenants at all times when spaces are rented. Manager's residence may include business office for the park and living space for the manager's family.</p> <p>Must maintain compliance with all regulations of the Saginaw County Health Department and the State of Michigan that apply to such facilities.</p> <p>Perimeter shall be enclosed by fence at least four (4) feet high.</p> <p>Park shall be served by not more than one</p>

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
<p>Category L:</p> <ul style="list-style-type: none"> Natural Resource Extraction 	<p>Must be within 1/2 mile of an all-season road as designated by SCRC</p>	<p>Ten (10) acres in area</p>	<p>500 feet</p>	<p>neighboring property line.</p>	<p>Same as zoning district</p>	<p>access point to each abutting road. Access points and roads within the park shall be designed to facilitate the safe movement of vehicles and trailers, including adequate clear vision areas. Park or campground shall include restroom and bathing facilities in an all weather structure.</p>
				<p>All fixed equipment and machinery shall be located at least 200 feet from any property or road right-of-way line. No cut or excavation shall be made closer than 100 feet to any property or road right-of-way line.</p>		<p>Owner or agent must obtain and maintain compliance with a Michigan Soil Erosion and Sedimentation Control Act Permit (Act 347). Site plan shall include a Mining Operations Plan that shows a chronological plan for the extractive use and all other disturbing activities, and the restoration of the site to a usable condition for agriculture or development. Excavated areas shall be restored so that no finished grade is greater than one foot of vertical rise in three feet of horizontal distance. A vegetative cover consisting of appropriate grass types shall be established on all graded areas to minimize soil erosion. All slopes shall be treated in conformance with the Michigan Soil Erosion and Sedimentation Control Act. As part of the Site Plan Review, Planning Commission may require fencing, berms, landscaping, or other means to adequately screen the use from adjacent properties, and to minimize public hazards. Applicant shall provide a date for completing the mining operation, based on the volume of material to be extracted and the average annual extraction rates. Any extension of operations</p>

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
Category M: <ul style="list-style-type: none"> Off Road Vehicle (ORV) Establishment 	No special restrictions	Forty (40) acres in area	1000 feet	200 feet from street right-of-way and 100 feet from adjacent property lines.	5%	beyond that date shall require the issuance of a new Special Use Permit. Visual screen at least six (6) feet high shall be provided on all sides adjacent to or across the road from residential uses. Planning Commission may establish reasonable hours of operation to minimize negative impacts of operation. Restroom facilities shall be provided on the premises.
Category N: <ul style="list-style-type: none"> Warehousing & Storage 	No special restrictions	A proposed Special Use in this category must meet the minimum lot area, width, and setback requirements for the district in which it is located.				All warehousing & storage must be entirely contained within the building. No manufacturing operations of any kind may be conducted inside or outside of the building. No hazardous, toxic, or refrigerated products may be warehoused or stored inside or outside the building.
Category O: <ul style="list-style-type: none"> Sexually Oriented Businesses 	Paved road	A proposed Special Use in this category must meet the minimum lot area, width, and setback requirements for the district in which it is located.				No sexually oriented business may be established on a parcel that is within 1,000 feet of any parcel zoned A-1. No sexually oriented business may be established on a parcel that is within 1,000 feet of any parcel containing a church, school, or public park. No sexually oriented business may be established on a parcel that is within 1,000 feet of any parcel that contains another adult entertainment business. Window displays, signs, decorative or structural element shall not include or convey any specific examples of adult entertainment uses.

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
<p>Category P:</p> <ul style="list-style-type: none"> • Wireless Communication Facilities 	<p>Same as Zoning District</p>	<p>A minimum lot area of three (3) acres is required. Any tower structure must be located on a parcel having dimensions not less than the height of the tower, as measured from the base of the tower to all points on each property line.</p>	<p>Same as zoning district</p>	<p>No portion or any tower, including any guy wires and support structures shall be located closer than the height of the tower from any property line. All structures shall be located at least two hundred (200) feet from any dwelling.</p>	<p>Same as zoning district. Accessory structures associated with a tower shall not exceed six hundred (600) square feet in area.</p>	<p>If a permit for a new tower is granted, the applicant shall submit a notarized statement that the proposed tower is specifically designed to accommodate additional antennas, and that the applicant shall permit co-location under reasonable conditions. Failure to permit reasonable co-location shall be grounds for revocation of the special use permit and removal of the tower at the owner's expense.</p> <p>All towers shall meet the standards of the Federal Aviation Administration and the Federal Communication Commission.</p> <p>Tower height must comply with any Airport Zoning Regulations that are in effect.</p> <p>All towers shall be constructed in compliance with all applicable local statutes, regulations, and standards, including design requirements for withstanding wind loading and grounding for lightning strike protection. Compliance with these items shall be verified by a licensed professional structural engineer.</p> <p>Towers shall not be artificially lighted unless required by the Federal Aviation Administration.</p> <p>Towers shall not display advertising or identification of any kind, except as required for emergency purposes.</p> <p>The Township may require a performance bond to ensure the proper construction and maintenance of a tower.</p> <p>The applicant or owner must provide written statements that certify the following to the</p>

Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
						<p>Township:</p> <ul style="list-style-type: none"> a. That the owner will notify the Township of any change in ownership or control of the tower. b. That the owner will notify the Township of any change in operation of the tower, including the cessation of operations. c. That if the tower is not operated for a continuous period of 12 months, it shall be considered abandoned, and the owner shall remove the tower within 90 days of notification of such abandonment by the Township. If the owner fails to remove the tower within 90 days, the Township may remove the tower at the owner's expense. d. Construction of a tower that is authorized under a Special Use Permit shall be completed within one year of the date of the permit, or the permit shall become void