Eagle Township Planning Commission Agenda

14318 Michigan St, Eagle, MI 48822

April 30, 2024 @ 7:00 P.M.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Meeting Minutes
    a. 4/11/24, Special Meeting
6. Correspondence
    a. Approved Zoning Permits – April 2024
        i. 11145 W. Herbison Road – Residential Accessory Building
    b. Planning Commission Notices for Planning
    c. Letter from DTE
    d. McKenna Invoice 23-070-6
    e. Open
    f. Open
7. Public Comment on Agenda Items
8. Public Hearings - None
9. Old Business
    a. Master Plan Full Draft
        i. Future Land Use – Option 1 vs Option 2
        ii. Recommendation to Board for Distribution and Comment Period
    b. Interim Zoning Ordinance
        i. RE Rural Estate (5 Acre) District
    c. Open
10. New Business
    a. Interim Zoning Ordinance
        i. ZBA Membership
        ii. MH Manufactured Housing Community District
        iii. Surface Water Drainage
        iv. Home-Based Businesses
        v. Fueling Stations
        vi. Annexation Discussion
    b. Open
    c. Open
11. General Public Comment
12. Adjournment (Next P/C Board Meeting: May 28, 2024 @ 7 P.M.)

Public Comment: To facilitate orderly and productive discussion and to give everyone an opportunity to speak, comment time might be limited to a set period at planning commission board discretion.

Eagle Township Planning Commission

April 11, 2024 – Special Meeting Minutes (DRAFT)

Call to Order: Meeting called to order at 6:00 PM at the Eagle Township Hall.

Roll Call: Eric Sutherland (present), Michelle Hoppes (present), Robin Currie (present), John Iszler (present), Brad Rich (present).

Citizens: Janine Dyer, Dan Feldpausch, Dennis Strahle, Laurie Briggs-Dudley, Jim Donaldson, Alan Hoppes, Cori Feldpausch, San Juanita Lira, David Vanderbroek, Carolyn Donaldson, Darrin Gray

Pledge of Allegiance

Agenda: The purpose of the Special Meeting is to have a workshop to discuss the Eagle Township Master Plan and Future Land Use Map.

Approval of March 26, 2024 Meeting Minutes: Hoppes moved and Rich seconded to approve minutes of the March 26, 2024 meeting with corrections. Voice vote – all in favor to approve minutes as amended. Motion passes.

Master Plan Discussion: The Planning Commission, with input from the citizens attending, went through the current draft of the Eagle Township Master Plan, section by section. Hoppes recorded the proposed changes to the document. The changes will be sent on to McKenna for incorporation into the Master Plan document and review by the Planning Commission.

Future Land Use Map: Currie summarized the preliminary Eagle Township Future Land Use Map created by McKenna. There was a discussion of the preliminary map and several changes were proposed by the Planning Commission and the public. These changes will be sent on to McKenna to rework the map for review by the Planning Commission.

Currie moved that the Chair ask McKenna to rework the Eagle Township Future Land Use Map to remove the large segment of RE & R districts on the Looking Glass River, for general visualization, to increase the commercial/industrial district East of M-100 and South of Grand River Avenue, reduce down the RE area on State Rd. and Jones Rd. to along the roads and create RE & R1 districts at 1 acre on the East side of M-100 from Commercial/Industrial District lines to Husted & Landenberg Intercounty and to reduce the MR areas to what is currently used as MR and look at adding RE from the property classified as MR on the North side of Clark Road, West of Bauer Road. Second by Hoppes. Voice Vote. All in Favor. Motion passes.

Next meeting: April 30, 2024 at 7:00 PM.

Adjournment: Motion by Iszler to adjourn. Second by Hoppes. Voice vote: All in favor. Motion passes. Adjourned at 10:28 PM.

Respectfully submitted,

Eric D. Sutherland, PE - Secretary

Eagle Township Residential Accessory Building Application

A Zoning Permit, approved by the Zoning Administrator, shall be required prior to the any application to the Clinton County Building Department for a building permit for any exterior construction work in Eagle Township. Interior construction work shall not require a Zoning Permit. For activities requiring Site Plan Approval, the Site Plan Approval shall be considered the Zoning Permit. Alterations to the exterior of a building that do not alter the footprint or the height of the building shall be exempt from the Zoning Permit requirement.

Use this form to seek approval for residential accessory buildings such as pole barns, sheds, and garages. Accessory buildings used for agricultural purposes, but not seeking an agricultural exemption, also fall under this form.

Please enter your email address below to get started.

What is the best email address to contact you? *

Tandlgrant1@frontier.com

Application Escrow

Eagle Township requires the deposit of funds into an escrow account prior to the review of any zoning application. The escrow account funds the administrative application fee, as well as reviews and inspections by the Township Zoning Administrator and Inspector. **Please note that the escrow includes multiple application reviews and a re-inspection, meaning most applicants receive a refund of unused escrow upon conclusion of the review and inspection process.**

The required escrow deposit for a residential accessory structure is **$580.**

Please mail a check with the required amount to:

Eagle Township
P.O. Box 193

Eagle, MI 48822

Applicant Information

Please answer the following questions to the best of your ability.

Applicant's Name *

Terry Grant

Applicant's Phone Number *

5175991056

Applicant's Address *

11145 W. Herbison Rd. Eagle, MI. 48822

Project Address (If different from Applicant's Address. If the project is the same address as applicant's primary residence, enter "Same".) *

Same

What changes for the parcel are proposed and will require a permit? *

Accessory building

Property Information

Please answer the following questions to the best of your ability.

What is the parcel number of the subject parcel?

070-014-100-002-50

What is the Zoning District of the subject parcel? *

- (●) A - Agrictulural
- ( ) R - Residential
- ( ) C - Commercial
- ( ) I - Industrial
- ( ) MR - Mineral Resource Extraction

What is the total area of the property in acres or square footage? *

5.92 acres

Please list the following:

Proposed Setbacks (Front, Side, Rear)
Proposed Building Height
Proposed Square Footage of New or Expanded Buildings

151ft front, 58ft house side, 538ft rear, 16ft sidewall, 2240 square ft,

Sketch Plan

A dimensioned sketch plan is required for all Zoning Compliance approvals. The plan need not be signed and sealed by al licensed professional, but must clearly show the information listed below.

Sketch Plan Requirements

The following information must be included on, or with, the Sketch Plan:

- Dimensions of land and total acreage.
- Existing buildings.
- Proposed buildings to be constructed, including square feet of usable floor area.
- Dimensions of all setbacks and building heights.
- Proof of property ownership.
- Names, addresses, and telephone numbers of contractors, engineers, attorneys, architects, and other
- professionals associated with the project.
- Additional information may be required based on zone or use of parcel, as required by the Zoning Administrator. See Article 14 of the Eagle Township Zoning Ordinance for more information.

Please submit all applicable materials to eagletownshipzoning@gmail.com for review.

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Google Forms

Date: 10/10/2023 - 4:33 PM
Design Name: Post Frame Design
Design ID: 315759510627
System V Estimate ID: 1845
Estimated price: $35,872.36 *
*Today's estimated price, future pricing may go up or down.
Tax, labor, and delivery not included.

MENARDS®
Design & Buy™
POST FRAME

How to recall and purchase a saved design at home

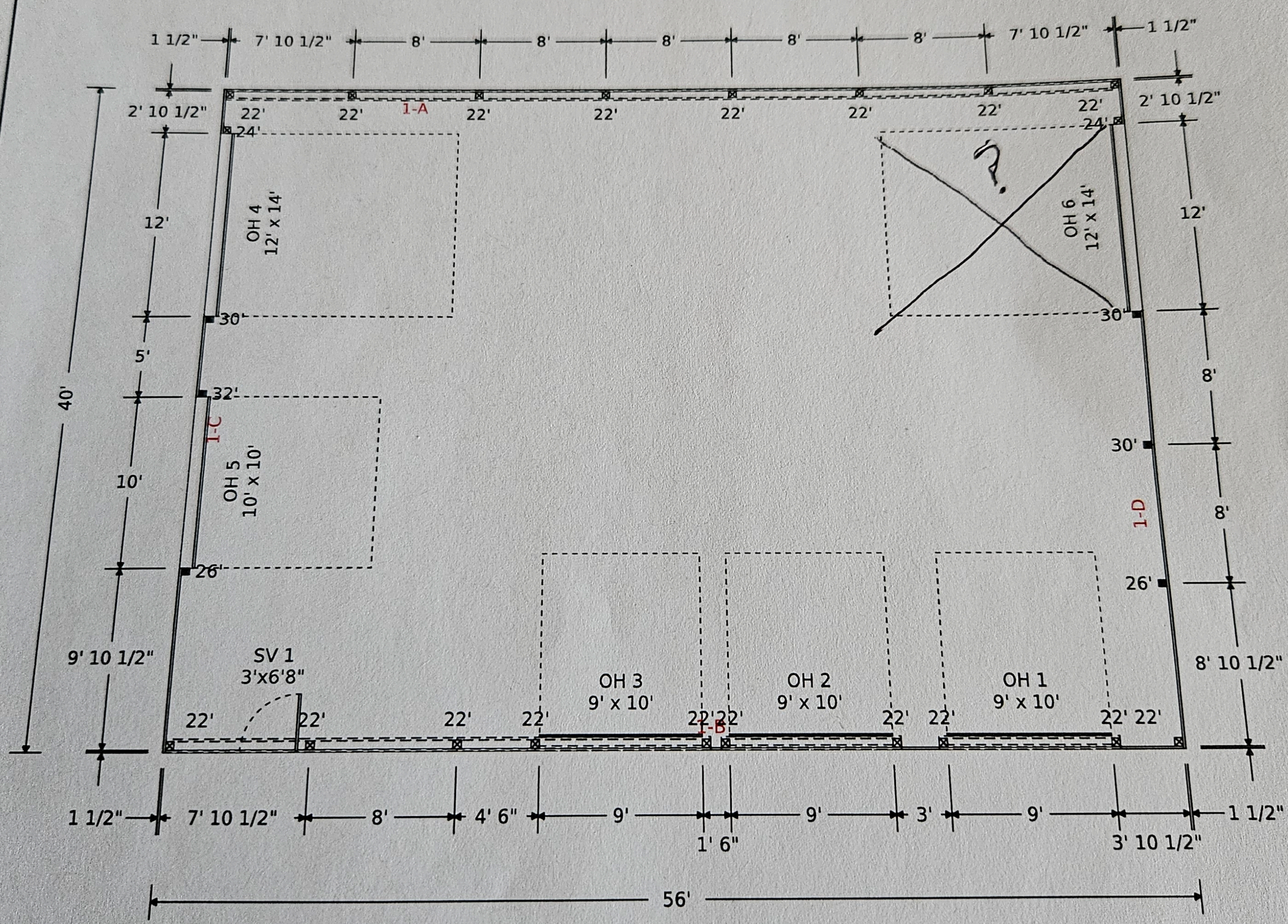
OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Buildings Designer
3. Recall your design by entering Design ID: 315759510627
4. Follow the on-screen purchasing instructions

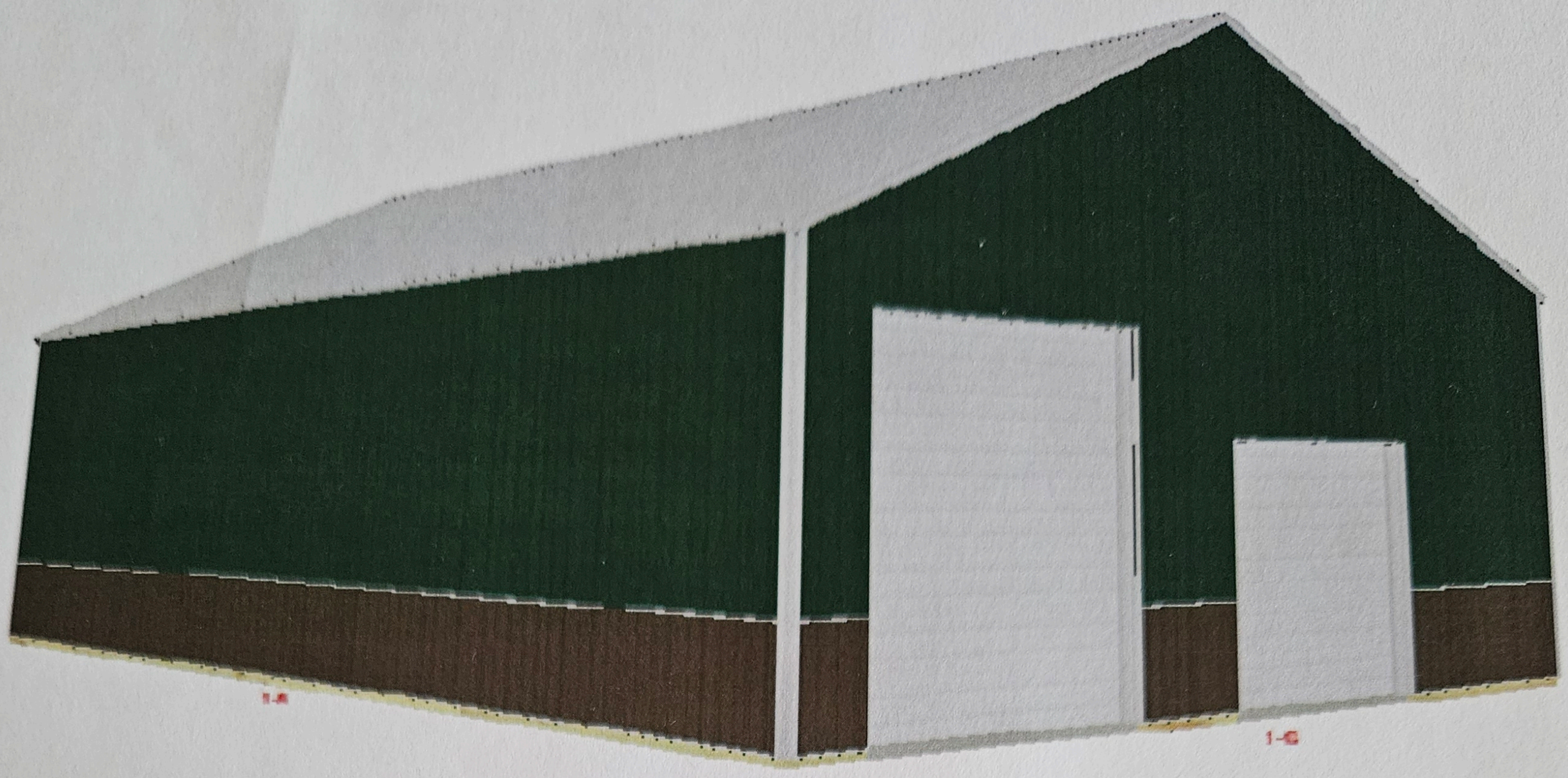
How to purchase at the store

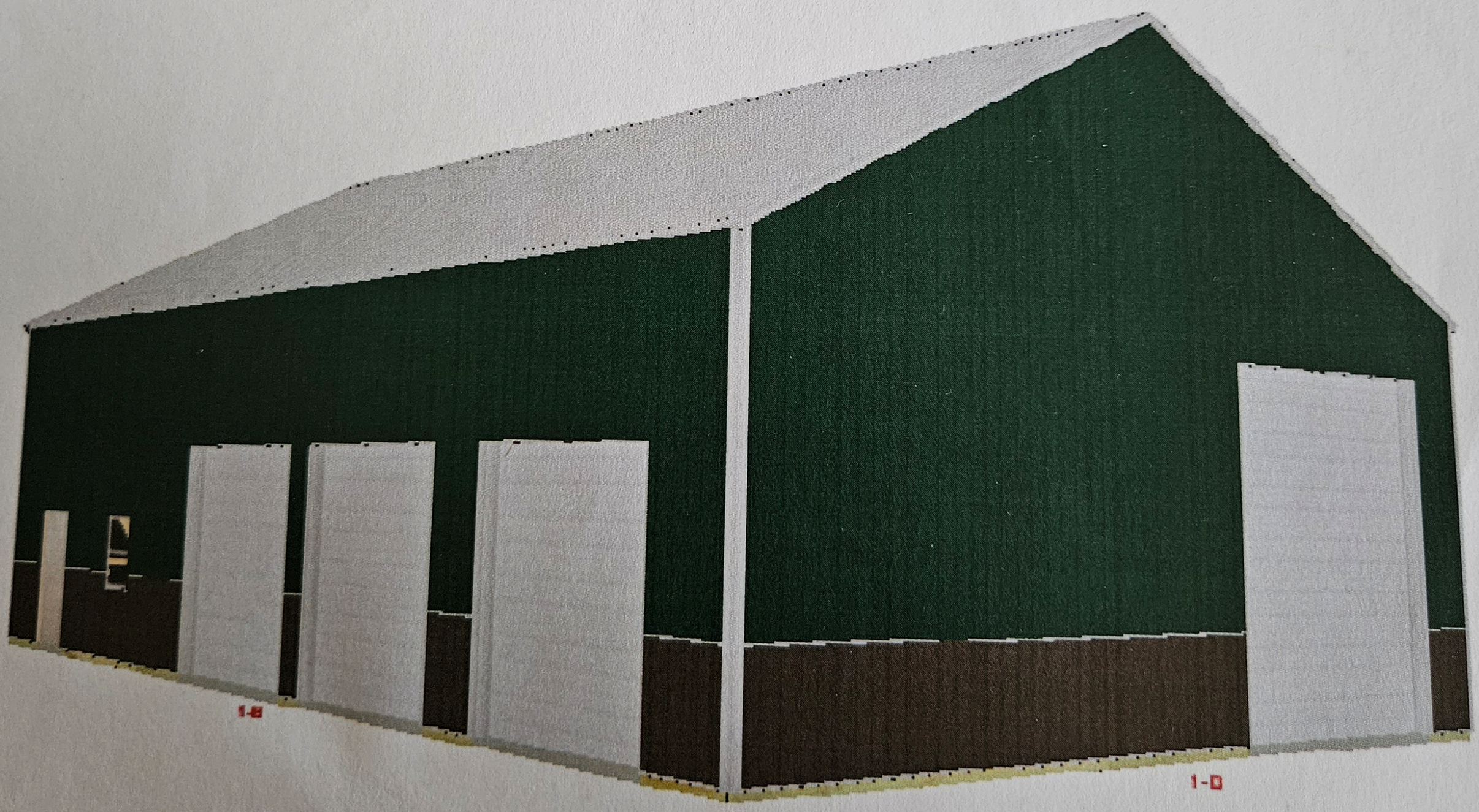
1. Enter Design ID: 315759510627 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions.

FLOOR PLAN



Elevation Views





Real Estate Summary Sheet

12/29/2023 11:25 AM

Information herein deemed reliable but not guaranteed

Parcel:	070-014-100-002-50	**Current Class:**	401.RESIDENTIAL-IMPROVED
Owner's Name:	GRANT, TERRY & LORI	**Previous Class:**	002.NEW SPLIT/COMBINE
Property Address:	11145 W HERBISON RD EAGLE, MI 48822	**Taxable Status**	TAXABLE
		Prev. Taxable Statu	TAXABLE
Liber/Page:	5308233 **Created:** 12/29/2023	**Gov. Unit:**	070 EAGLE TOWNSHIP
Split:	12/29/2023 **Active:** Active	**HMSTD**	07
		School:	23060 GRAND LEDGE PUBLIC SCHOOLS
Public Impr.:	None	**Neighborhood:**	R-01 RESIDENTIAL
Topography:	None		

Mailing Address:

GRANT, TERRY & LORI
11145 W HERBISON RD
EAGLE MI 48822

Description:

P/O NE 1/4 OF SEC 14, T5N,R4W, EAGLE TWP, CLINTON COUNTY, MICHIGAN DESC AS; COM AT NE COR OF SEC 14; N 89D 11' 47" W 698 FT ALG N LINE TO POB OF THIS DESC; S 00D 48' 13" W 859.87 FT; W 150.01 FT; N 00D 48' 13" E 778.98 FT; N 89D 11' 47" W 66.50 FT; N 00D 48' 13" E 83 FT TO N SEC LINE; S 89D 11' 47" E 216.50 FT ALG N SEC LINE TO POB. ALSO P/O NE 1/4 OF SEC 14, T5N,R4W, EAGLE TWP, CLINTON COUNTY, MICHIGAN DESC AS; COM AT NE COR OF SEC 14; N 89D 11' 47" W 483 FT ALG N SEC LINE TO POB OF THIS DESC; S 00D 48' 13" W 290.40 FT; N 89D 11M 47 W 65 FT; S 00D 48M 13S W 147.33 FT; W 27.10 FT; S 00D 48' 13" W 420.04 FT; W 122.91 FT; N 00D 48' 13" E 859.87 FT; S 89D 11M 47S E 215 TO POB.
SPLIT ON 12/29/2023 WITH 070-014-100-013-00 INTO 070-014-100-002-50;

Most Recent Sale Information

None Found

Most Recent Permit Information

None Found

Physical Property Characteristics

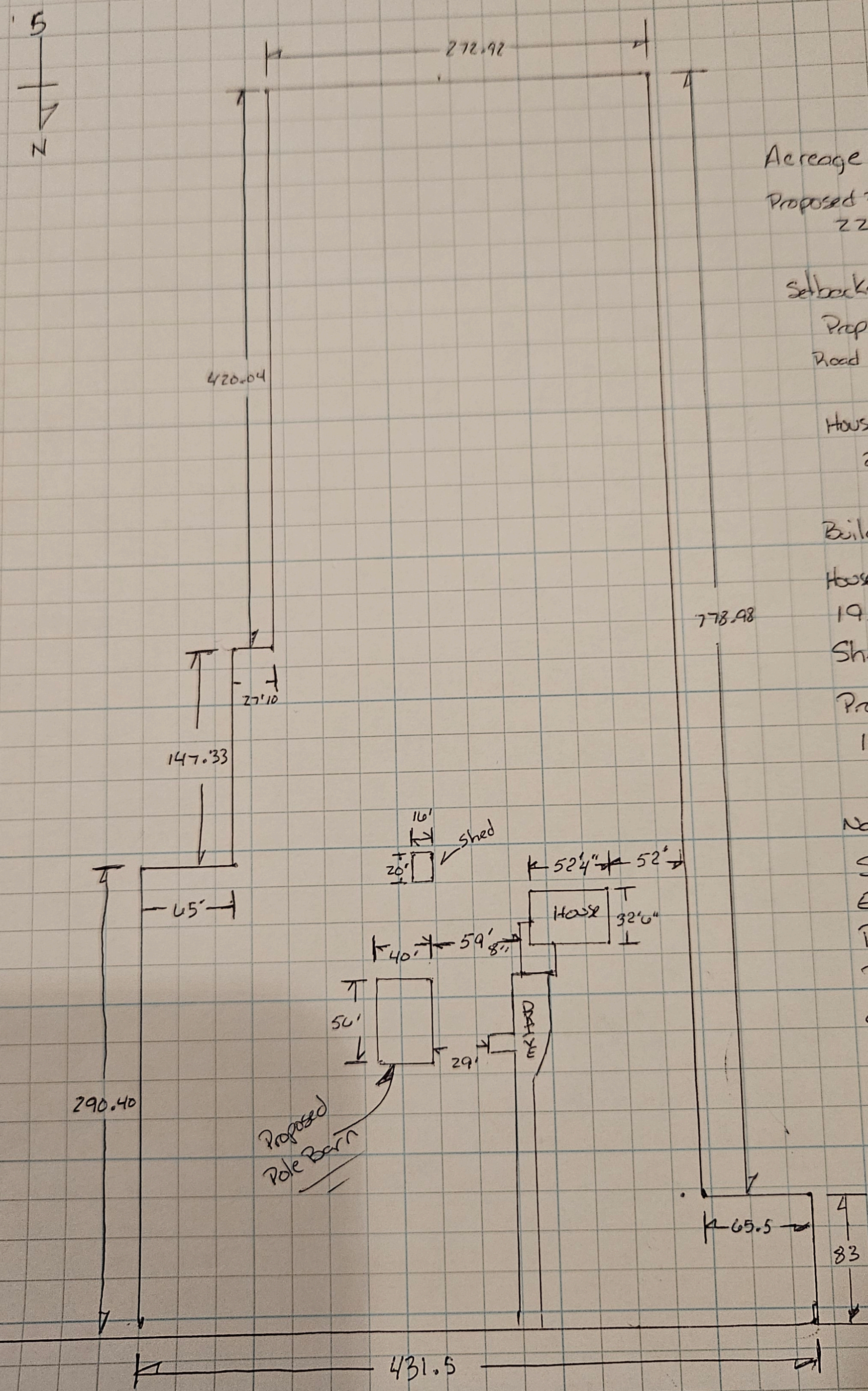
2024 S.E.V.:	Tentative	**2024 Taxable:**	Tentative	**Lot Dimensions:**	
2023 S.E.V.:	0	**2023 Taxable:**	0	**Acreage:**	5.92
Zoning:	A-2	**Land Value:**	Tentative	**Frontage:**	0.0
PRE:	100.000	**Land Impr. Value:**	Tentative	**Average Depth:**	0.0

Improvement Data

of Residential Buildings: 1
Year Built: 2004
Occupancy: Single Family
Class: C+5
Style: 1 STY
Exterior: Alum., Vinyl
% Good (Physical): 80
Heating System: Forced Heat & Cool
Electric - Amps Service: 0
# of Bedrooms: 3
Full Baths: 2 Half Baths: 1
Floor Area: 1,744
Ground Area: 1,744
Garage Area: 576
Basement Area: 1,744
Basement Walls:
Estimated TCV: Tentative

Image

Scale = 1/4" = 25'



Acreage: 5.92 Acres

Proposed Building: See Chart
2240 sq Foot

Setbacks:
Proposed Barn to Road center 151'

House to Road center 236'

Building Height:
House Sidewall 19'6"
Shed 8'
Proposed Pole Barn 16'

Names of Contractors:
Self Build
Electrician TBD
Plan & Material Provided by Menard or MPC Cashway lum
Box & Meter by Consumers Energy

MCKENNA

March 27, 2024

Mr. Terry Grant
11145 W. Herbison Road
Eagle, MI 48822

Subject: Confirmation of Variance Approval – Case 2024-3-25-ZBA

Dear Mr. Grant,

On March 25, 2024, the Eagle Township Zoning Board of Appeals met and granted Parcel Number **070-014-100-002-50** (Address: **11145 W. Herbison Road**) a variance from **Section 6.02.C.1.b.iii**, which reads:

Accessory structure must meet the minimum front yard setback of a principal structure in the district that it is located and must be located no more than seventy-five (75) feet from the principal structure.

The parcel in question is no longer subject to that provision.

The ZBA determined that the variance was appropriate due to **the topography of the property.**

The ZBA attached the following conditions to the approval: ***None***

Please note that variance approval does not constitute Zoning Compliance. Please submit a Zoning Compliance form and the required escrow amount, which can be found at https://www.eagletownship.org/zoning-application-forms/.

Total fees for this request were **$1,365**. An escrow refund of **$1,000** will be sent to the address associated with this application.

Please do not hesitate to contact us with any questions.

Respectfully submitted,
McKENNA ASSOCIATES

Christopher Khorey, AICP
Vice President

Ethan Walthorn,
Assistant Planner

McKenna is the appointed Zoning Administrator for Eagle Township.

GRAND RAPIDS
124 East Fulton Street
6th Floor, Suite B
Grand Rapids, Michigan 49503
O 616.226.6375
F 248.596.0930
MCKA.COM

MCKENNA

April 4, 2024

Terry Grant
11145 W. Herbison Rd.
Eagle, MI 48822

Subject: Accessory Building Application Review
11145 W. Herbison Rd.
Grand Ledge, MI 48822
Application Received March 29, 2024

Dear Mr. Grant,

We have received your application, noted above, to construct an accessory structure within a front yard setback at 11145 W. Herbison Rd. in the A - Agriculture Zoning District.

The applicant received a variance from Section 6.02.C.1.b.iii of the Zoning Ordinance from the Zoning Board of Appeals on March 25th, 2024. This application may be approved administratively and does not require Planning Commission approval. The applicant is proposing a 56-foot by 40-foot accessory barn with a 16-foot building height and 2,240 square foot floor area.

Our comments on the standards of review for residential accessory buildings follow.

1) **Dimensional Requirements.** Below we have analyzed the dimensional requirements of the lot using the dimensions given on the site plan. W. Herbison Rd. will be considered the front lot line for the lot.

Standard Type	Ordinance Requirement (A)	11145 W. Herbison Rd. Proposed Conditions	Ordinance Compliance
Minimum Lot Area	435,600 sq. ft.	~5.92 acres or ~257,875 square feet	Legal Non-Conformity
Minimum Lot Width	330 feet	~273 feet	Legal Non-Conformity
Minimum Front Yard Setback	50 feet	~151 feet	Yes
Minimum Side Yard Setback	7 feet	~58 feet	Yes
Minimum Rear Yard Setback	7 feet	~538 feet	Yes
Maximum Building Height	40 feet or 2.5 stories	16 feet	Yes

The parcel itself does not meet the minimum size requirements for the Agriculture District, though this can be considered a legal non-conformity due to the parcel's existence prior to the adoption of the Zoning Ordinance.

Section 6.02.C.2 states that accessory structures serving residential uses shall be set back a minimum of 5 feet. If the detached accessory structure is more than 14 feet in height, then a 1-foot additional setback must be provided for each foot above 14 feet. Because the structure is proposed to be 16 feet in height, an additional setback of 2 feet is required for a total of 7 feet for side and rear lot lines. The proposed location exceeds these setbacks and complies with the Zoning Ordinance.

2) **Maximum Floor Area.** Section 6.02.C.5 states that parcels more than 5 acres in area may have a total accessory floor area of 1,600 square feet plus 2 square feet of floor area for every 100 square feet of the lot, not to exceed 7,500 square feet. The lot has a total area of approximately 257,875 square feet, which would allow up to 5,157.5 square feet of additional floor area in addition to the 1,600 square feet allowed for a total of 6,757.5square feet of floor area allowed. The proposed accessory structure is shown to be 2,240 square feet in floor area and complies with the requirements of the Zoning Ordinance.

DECISION

At this time, the application is **APPROVED.**

This letter can be presented to the Clinton County Building Department as proof of Zoning approval in the application for a Building Permit.

A stake inspection MUST be performed by Ken Skunda, the Township Zoning Inspector. The applicant is responsible for calling 989-295-7337 to request the inspection. **This approval will be void if construction begins prior to the stake inspection.**

After construction of the foundation, a second zoning inspection will be required to confirm that the foundation has been constructed in the approved location. The applicant is responsible for calling 989-295-7337 to request the inspection.

The total zoning compliance review fees for this application were $150. Following the required inspections, all unused escrow funds will be returned to the applicant.

Please do not hesitate to contact us with any questions you may have.

Respectfully submitted,
McKENNA

Christopher Khorey, AICP
West Michigan Region Manager

Ethan Walthorn,
Assistant Planner

Greetings, we hope this letter finds you well.

As a leading utility company dedicated to advancing sustainable energy solutions and ensuring a reliable energy supply for Michigan residents, our objective at DTE Electric Company (DTE) is to foster collaborative initiatives with municipalities to explore viable opportunities for utility-scale solar development.

This remails true with the recent enactment of Public Act 233 of 2023, which grants the Michigan Public Services Commission (MPSC) authority over the siting of solar energy facilities with a nameplate capacity of 50 MWs or greater under certain circumstances. The Act mandates local permitting only if the affected local unit of government has adopted a compatible renewable energy ordinance (CREO). The Act defines a CREO as an ordinance that facilitates the development of energy facilities within the local unit of government, with requirements no more restrictive than the provisions of Section 226(8) of the Act.

The section 226(8) siting requirements for solar energy facilities include:

- A 300-foot setback from occupied community buildings/non-participant dwellings, as measured from the nearest edge of the fencing to the nearest wall.
- 50-foot setback from a public right-of-way, as measured from the nearest edge of the public right-of-way.
- 50-foot setback from side and rear non-participating property lines.
- National Electric Code-compliant fencing (currently 7 feet in height).
- Maximum height of 25 feet for solar panel components when the array is at full tilt.
- Maximum sound level of 55 average hourly decibels at the outer wall of the nearest dwelling on a non-participating property.
- Dark sky-friendly lighting solutions.

Importantly, all local units in which a project is proposed, including the county, must have a CREO in place in order for local project review and permitting to be mandatory.

DTE recognizes the importance of local engagement in the siting process and in partnering to determine the feasibility of utility-scale solar projects. We are committed to conducting thorough engineering studies to assess the viability of utility-scale solar projects while prioritizing positive contributions to the community. We are also committed to working with local units of government that have ordinances in place that include workable setbacks, sound limitations, and landscaping requirements, even if not completely consistent with a CREO.

DTE would greatly appreciate the opportunity to engage with you to discuss potential collaboration, address any concerns, and work together to establish a solar ordinance (or should we say "project requirements") that meet the community's needs and align with our commitment to sustainable energy development. We are open to sharing our expertise and resources to ensure a mutually beneficial partnership.

Someone from our team will be reaching out to discuss partnership opportunities. If you would like to reach out to us please contact us at (844) 284-4400 Ext: 707 or tonyj@firstlandservices.com.

Sincerely,

TJ Thompson
DTE | Field Team
Land Development CE & Permitting

Eagle Township Master Plan

Eagle Township, Clinton County, Michigan

Draft April 23, 2024

Prepared with the assistance of:

MCKENNA

235 East Main Street, Suite 105
Northville, Michigan 48167
(248) 596-0920
mcka.com

Acknowledgments

Township Board of Trustees

Troy Stroud, Supervisor
Laurie Briggs-Dudley, Clerk
Chelsea Hoppes, Treasurer
Michelle Hoppes, Trustee
Dennis Strahle, Trustee

Planning Commission

Robin Currie, Chairperson
Eric Sutherland, Secretary
Michelle Hoppes, Ex Officio Commissioner
John Iszler, Commissioner
Brad Rich, Commissioner

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Introduction

The Eagle Township Master Plan is the culmination of efforts of the Township Planning Commission, Township Board of Trustees, and residents of Eagle Township. They joined together to create a Master Plan to protect the community's cherished character and guide the creation of Eagle's first-ever local Zoning Ordinance.

The Eagle Township Master Plan has been developed to serve as a set of general policies to guide decision makers within the community and direct the future character of the Township over the next ten to fifteen years. The Master Plan is intended to provide a suitable development pattern for the Township that will promote future economic stability and quality of life to residents of Eagle Township.

In accordance with this objective, the Master Plan defines issues that are most important to the community. Resident and community input was collected through a visioning meeting, community survey, Planning Commission meetings, and a public hearing. An analysis of the existing features of the Township was conducted to illustrate some of its defining characteristics. The analysis includes a survey of the existing land uses in the Township; population, economic and housing statistics; and a description of the physical constraints, natural resources, and circulation patterns within the community.

Based on all gathered information and with input from citizens, goals and objectives were developed which outline the land use patterns for the community over the next ten to fifteen years. This plan and the goals and objectives contained within it will serve to guide all land use decisions made by the Township for the next ten to fifteen years. As conditions change over time, the Township may find that the Master Plan needs to change as well. As such, amendments may change in the future if applicable. Keeping the Master Plan up to date will ensure that it stays relevant and useful.

The data and input collected to create this plan are clear – the residents of Eagle Township cherish their rural surroundings. Life in Eagle Township is residential and agricultural in nature, with residents commuting to plentiful jobs in nearby communities, working remote and/or home-based. Eagle has proven that growth is not required to achieve prosperity.

Purpose and Intent

This document is intended to fulfill the requirements and provide the functions of a Master Plan. The Township Master Plan is a crucial planning document for a community as it not only provides important information about the current conditions and trends in the community, but also presents a vision for the future of the Township with a plan for accomplishing that vision.

A Master Plan is used for a variety of purposes. At the most basic level, a Master Plan is the basis for a community's zoning ordinance. One of the legal tests of validity for a zoning ordinance is that the ordinance must be based on a comprehensive plan for the development of the jurisdiction. The Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) requires that zoning ordinances are based on a plan.

A fundamental part of the master planning process is the public involvement that identifies the community's desires for its future and its long-term vision for community character. The goals and objectives are the heart of the Master Plan and present the vision and the way it will be achieved.

Document Contents

The Eagle Township Master Plan is organized into several chapters describing existing conditions, trends, projections, and their implications; the Township's vision, goals, and objectives; master planned future land use, transportation, recreation, and community development; and proposed actions for making the Plans into reality.

- **Community Profile** is an analysis of Eagle Township regarding its population and other demographic characteristics. Based on numerical data, this section gives an overview of the trends in the Township and projections for the future.
- **Existing Conditions** presents the existing land uses, transportation, public facilities, wetlands, floodplain, prime farmland and soils, and other physical characteristics of Eagle Township, including maps, pictures, and text. Its purpose is to present the Township as it exists today.
- **Goals and Objectives** outline the path that the Township intends to follow, including the vision for the economic, social, and physical future of the community.
- **The Future Land Use Plan** combines the information, analysis, and input from the above chapters into a coherent plan for Eagle Township's future. This chapter is related to the goals and objectives, Township enhancements, sustainability considerations, and future land use and transportation recommendations.
- **The Action Plan** answers the "how" of the Master Plan. Specifically including processes, tasks, programs, ideas, and/or regulations, it provides guidance for Township officials to shape the Township's future. The chapter includes specific action-oriented implementation steps, as well as for economic development, land use and zoning regulations, and capital improvements.

Eagle Township Today

Regional Context

Eagle Township Is located in Clinton County, Michigan approximately 8 miles southeast of the City of Portland, and approximately 5 miles Northwest of the City of Grand Ledge, Michigan.

The Township is approximately 35 square miles in size and is largely comprised of undeveloped agricultural land and rural residential homes on large lots. The Village of Eagle, a separate municipality, sits entirely within Eagle Township.

Eagle Township is in the Southwest corner of Clinton County in the South-Central region of Michigan's Lower Peninsula. Westphalia Township is located just north of the Township, and Watertown Charter Township is located just East. Eagle Township borders the County Line on two sides – to the West is Ionia County's Danby Township, while to the south is Eaton County's Oneida Charter Township. The City of Lansing, Michigan's capital and a major job center for the mid-Michigan region, is just 20 minutes east on I-96.

Demographics

The purpose of a demographic profile is to understand the past, present, and future population and demographic characteristics of Eagle Township and to analyze housing options and stock.

Population, demographics, education, and housing characteristics are compared with Clinton County and surrounding Townships, and in some instances the State of Michigan, to gain a regional perspective. The following paragraphs and tables will give the reader some insight as to what the future may hold for Eagle Township.

POPULATION

The population of Eagle Township was 2,776 persons, based on data obtained from the United States Census Bureau via the 2020 Census. Clinton County had a total population of 79,128 persons based on the 2020 Census. Eagle Township accounts for an estimated 3.5% of the entire county in terms of population.

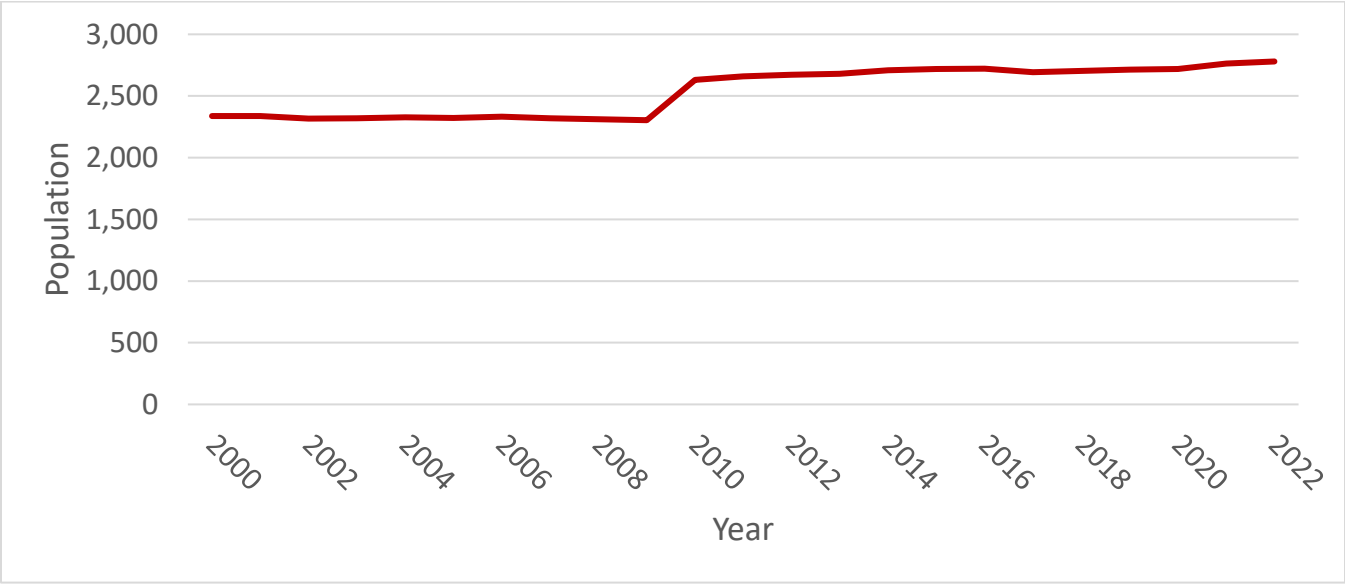
In comparison to surrounding communities, as depicted in the table below, Eagle Township has one of the lowest populations. **The Township grew slightly between 2010 and 2020, gaining 105 residents.**

Table 1: Population Comparison of Surrounding Communities

	Eagle Twp	Westphalia Twp	Watertown Charter Twp	Danby Twp	Oneida Charter Twp
Population	2,776	2,444	5,563	2,953	3,986

Source: US Census

Figure 1: 20-Year Population Trend, Eagle Township



POPULATION PROJECTION

To project the population in the future, this plan used a Cohort-Component Population Projection. Cohort-Component Population Projections are developed using the following methodology:

Cohort-Component: The population is divided into ten-year age cohorts, using US Census data. At each ten-year interval, individual age cohorts are moved up the ladder. For instance, the group that was 30-40 years old in 2010 became the 40-50-year-olds in 2020, minus those who die during that time frame based on the mortality rate for their age group. For the 81+ age cohort, the number not projected to die during the ten-year period in question was carried over to the next decade. To calculate the number of people aged 0-10, the population of women of childbearing age was calculated and a 10-year birthrate per thousand (from the Michigan Department of Community Health) applied to give the number of births.

Net Migration Calculation: To account for migration, the population projection also includes a net migration factor. The net migration factor was calculated by running a Cohort-Component Analysis from 2010 to 2020 and comparing the results to the actual 2020 population data. The Cohort-Component Analysis predicted a Township population of 2,621 people, compared to an actual population of 2,776. Therefore, the analysis estimates a net gain of 155 people to the Township compared to the number of people who would be living there If no one had moved in or out, for a **+6.0% net migration rate.**

For the purposes of this analysis, the net migration rates are assumed to hold constant through the 20-year projection period. The results of the population projection are shown below:

Table 2: Eagle Township Population Projection

2020	2030 (Projected)	2040 (Projected)
2,776	3,069	3,356

Source: US Census, McKenna Calculation

AGE STRUCTURE

Based on 2020 American Community Survey data, the median age of Township residents was 42 years, compared to Clinton County, which has a median age of 41.1 years. The below table shows the population percentage based on the census age range.

10.7% of the residents within the Township are between the ages of 30 to 34 years old. The next largest age group, 50 to 54 years, is 9.5%. The third largest age group, 55 to 59 years, accounts for 8.0% of the residential population. The age makeup of the Township indicates that about 45.4% of the total population is 45 years of age or older.

Table 3: Estimated Age Structure, Eagle Township

Age Range	Number	Percentage
Total population	2,776	100%
Under 5 years	158	5.7%
5 to 9 years	197	7.1%
10 to 14 years	142	5.1%
15 to 19 years	132	4.8%
20 to 24 years	144	5.2%
25 to 29 years	107	3.9%
30 to 34 years	296	10.7%
35 to 39 years	103	3.7%
40 to 44 years	177	6.4%
45 to 49 years	140	5.0%
50 to 54 years	263	9.5%
55 to 59 years	223	8.0%
60 to 64 years	189	6.8%
65 to 69 years	215	7.7%
70 to 74 years	132	4.8%
75 to 79 years	45	1.6%
80 to 84 years	17	0.6%
85 years and over	38	1.4%

Source: US Census

Figure 2: Age Ranges of Eagle Township Residents

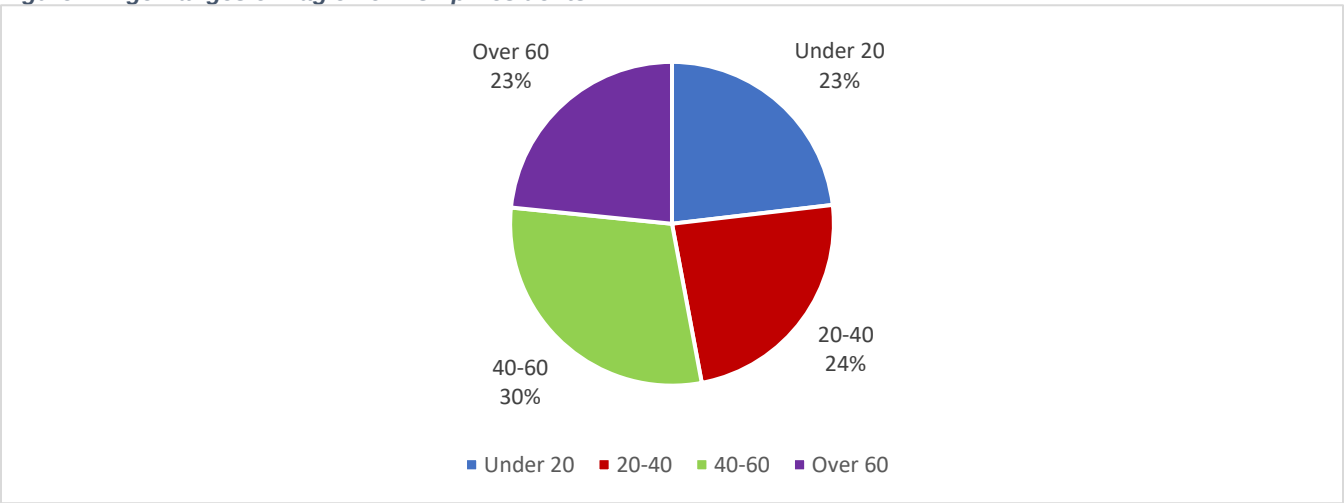


Figure 3: Age Ranges of State of Michigan Residents

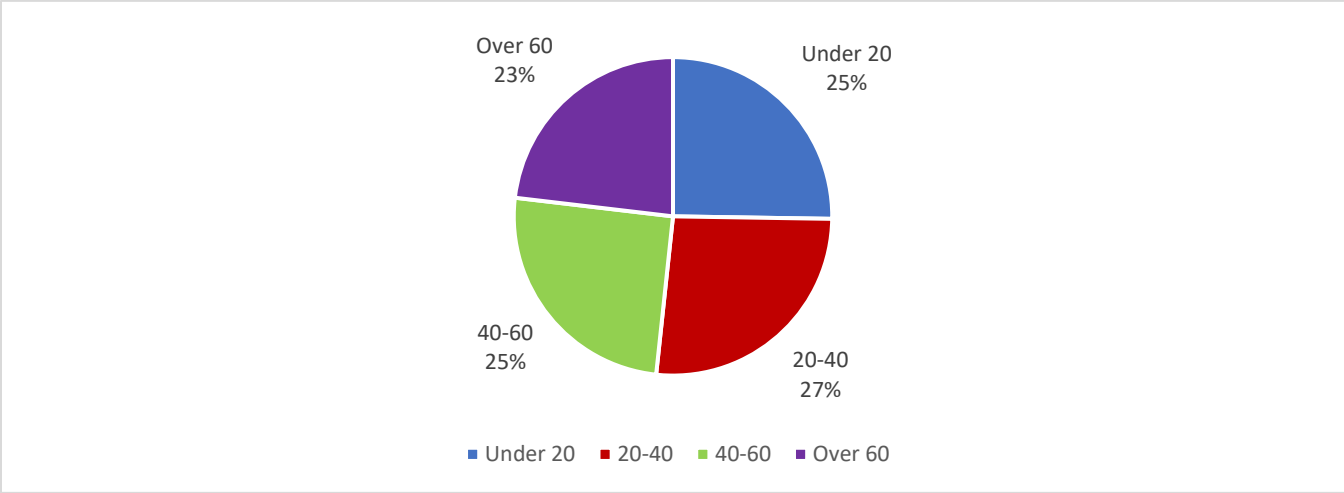
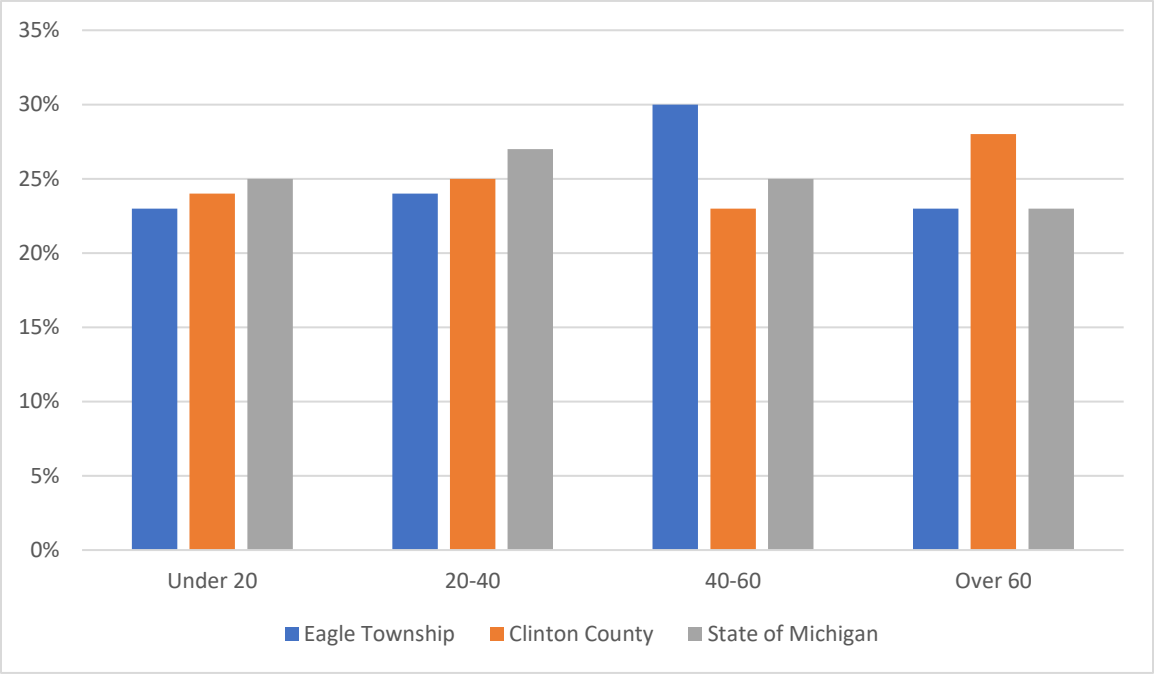


Figure 4: Age Range Comparison, Eagle Township vs Clinton County vs State of Michigan



EDUCATIONAL ATTAINMENT

The educational attainment for persons 25 years and older within Eagle Township is depicted in the table below. Within the Township, an estimated 96.4% of residents have a high school degree or higher.

31% of residents have completed some college but did not receive a degree. 13.3% of Township residents have earned an associate degree. 20.2% of Township residents have earned a bachelor's degree, while 8.5% have earned a graduate or professional degree.

For comparison, Clinton County has 32.1% of county residents with a bachelor's degree or higher. Regarding regional comparisons, the State of Michigan educational attainment for persons 25 years and older is 33.5% for a bachelor's degree or higher, while the national estimate is 32.9% for a bachelor's degree.

Table 4: Estimated Educational Attainment, Eagle Township

Educational Attainment	Percent Population
No High School Diploma	3.5%
High School or equivalent	23.4%
Some college, no degree	31.0%
Associate's degree	13.3%
Bachelor's degree	20.2%
Graduate or professional	8.5%

Source: US Census

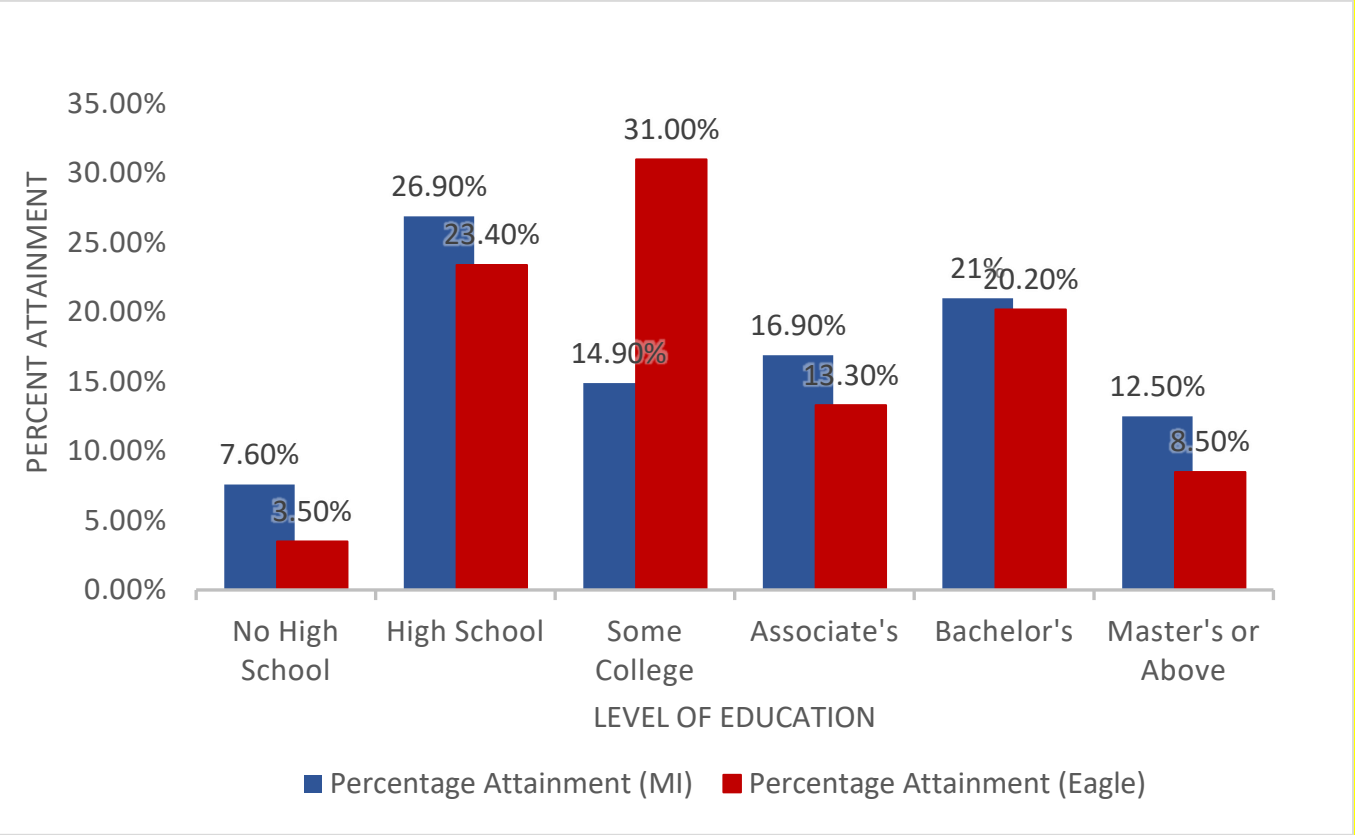
Additionally, the surrounding communities educational attainment with a Bachelor's degree or higher is listed in the following table.

Table 5: Estimated Educational Attainment of Surrounding Communities

	Eagle Twp	Westphalia Twp	Watertown Charter Twp	Danby Twp	Oneida Charter Twp
Bachelor's degree or higher	30.3%	28.6%	38.4%	23.8%	34.1%

Source: US Census

Figure 5: Comparison of Educational Attainment, Eagle Township vs State of Michigan



Housing Review

The quality, affordability, and availability of a community's housing stock has a significant impact on overall community vitality. The following review of Census Data relating to the number of housing units, age of housing units, amount of owner-occupied and rental units, and monthly rent and mortgage values helps evaluate the health of the Township's housing stock.

Below is a comparison of surrounding townships related to households and housing units. Eagle Township has a relatively average number of housing units compared to its neighbors. The neighboring township with the highest number of housing units is Watertown Charter Township with a total of 2,125 housing units.

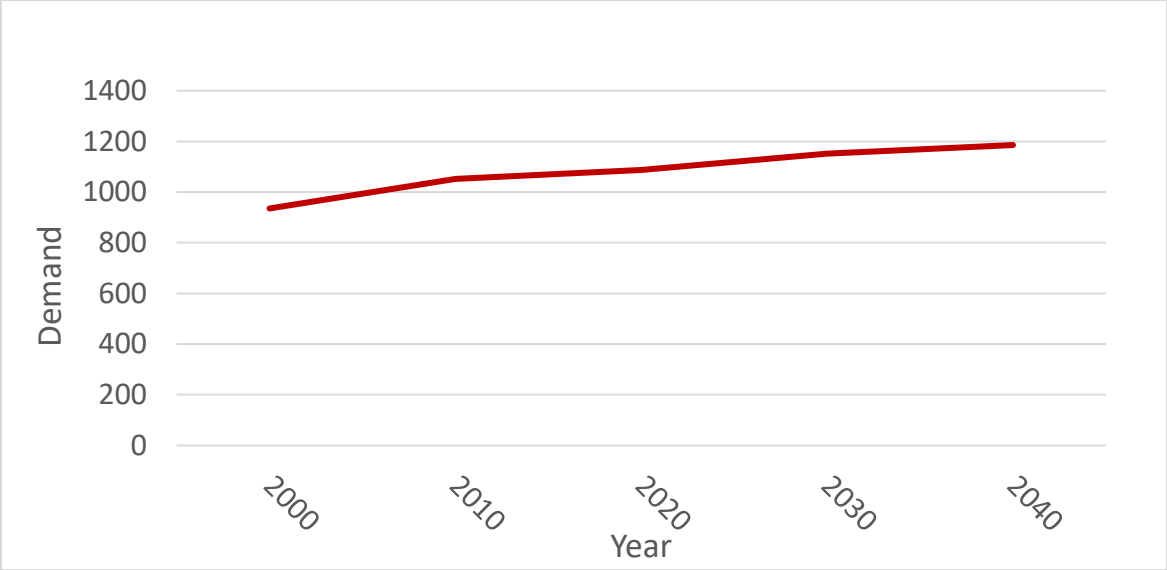
This section of the plan is very important for land use planning, as Eagle must understand the demand for certain uses in order to develop its Future Land Use Map. This section ties directly to the Land Use Needs Analysis later in this document.

Table 6: Estimated Housing Units vs Households Comparison of Surrounding Communities

	Eagle Twp	Westphalia Twp	Watertown Charter Twp	Danby Twp	Oneida Charter Twp
Housing Units	1,117	900	2,125	1,107	1,571

Source: US Census

Figure 6: Projected Housing Demand, Eagle Township



AGE OF HOUSING

The age of the housing stock can provide important insights for a community, as the conditions of the housing stock may be related to its age. Older housing stock can also provide the community with a sense of character. Traditionally, major repairs or rehabilitation are needed when housing reaches an age of 30 years.

Communities in which a substantial proportion of the housing stock is more than 30 years old can partner with other entities (such as Clinton County) to encourage reinvestment in the homes and properties on which they sit. Federal money is available to Counties for this purpose. Furthermore, beginning in the 1980s, the desire and requirements from homeowners for more energy efficient houses and additional amenities have increased. Older homes tend to lack the desired features that support barrier free access and may be unsuitable for aging in place without enhanced retrofits or other significant reinvestments.

As shown in the below table, 83.15% the housing stock within Eagle Township was constructed prior to the turn of the century (2000). Only 15 units of housing stock have been constructed within Eagle Township in the past 15 years. Due to the significant number of older housing units, the Township should ensure that its zoning regulations do not discourage reinvestment in the older housing stock to better serve residents and to preserve the historic character of the community.

Table 7: Estimated Age of Housing

Year Structure Built	Housing Stock	Percentage
2014 or later	15	1.4%
2010 to 2013	0	0.0%
2000 to 2009	164	15.5%
1990 to 1999	151	14.3%
1980 to 1989	133	12.6%
1970 to 1979	190	18.0%
1960 to 1969	102	9.6%
1950 to 1959	141	13.3%
1940 to 1949	8	0.7%
1939 or earlier	213	14.6%
Estimated Total	**1,117**	

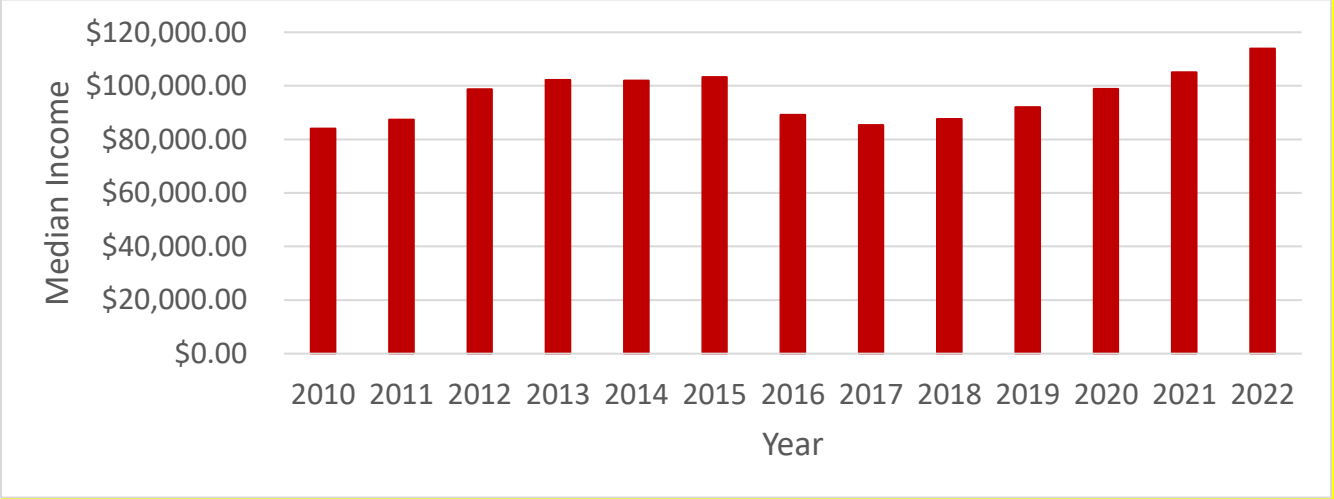
Source: US Census

Economic Overview

MEDIAN INCOME

Even when adjusted for inflation, Eagle Township's Median Household Income increased by over $30,000 since 2010, and grew by more than $10,000 since the pandemic year of 2020.

Figure 7: Median Household Income (2022 Dollars)

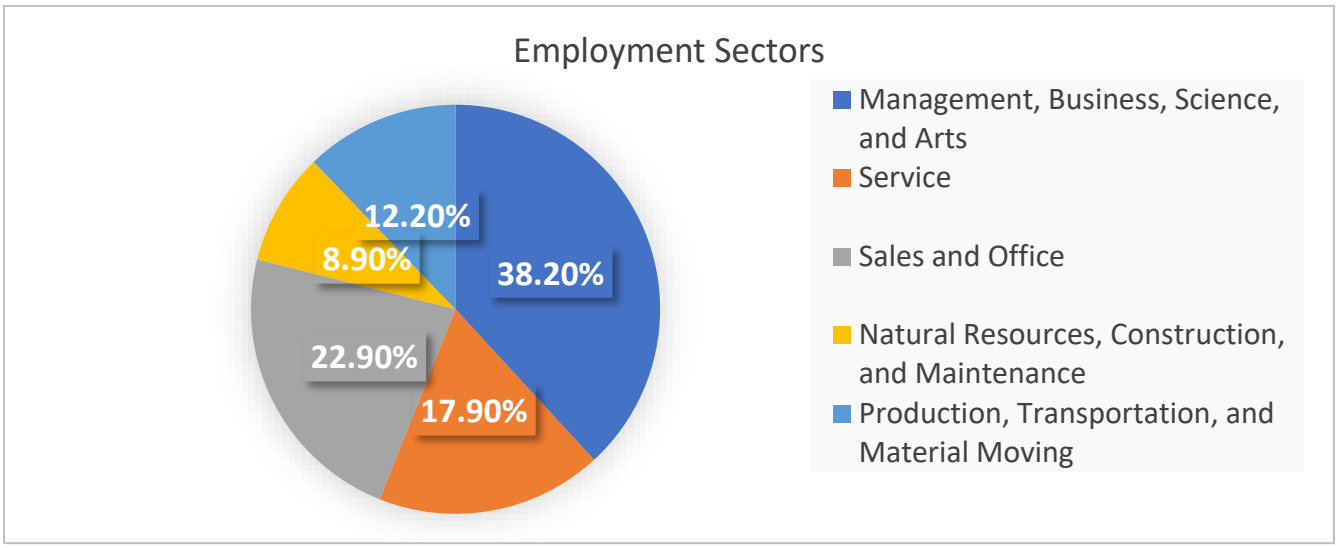


Source: US Census, Bureau of Labor Statistics Inflation Calculator

EMPLOYMENT

Eagle Township residents are employed in a wide variety of industries. Nearly three-quarters of residents are employed in "white collar" industries such as Management, Business, Science, and Arts, Services, and Sales and Office. There is significant "blue collar" employment, especially in natural resource extraction and transportation.

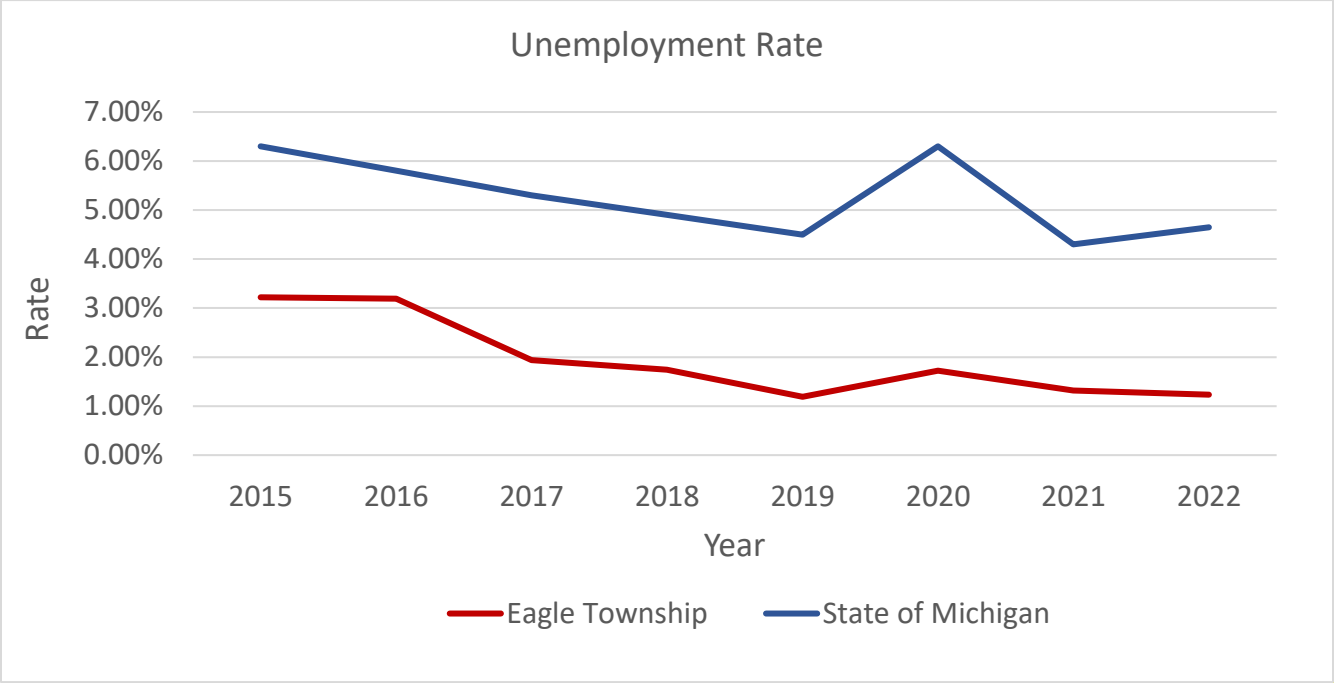
Figure 8: Employment Sectors, Eagle Township



UNEMPLOYMENT TREND

Throughout the economic ups and downs of the past decade, Eagle Township has maintained a lower unemployment rate than the State of Michigan at large. The Township suffered a much smaller unemployment bump during the Covid-19 pandemic, and has recovered in the years since, posting an unemployment rate just above 1% in 2022, according to the US Census.

Figure 9: Unemployment Rate, Eagle Township vs State of Michigan

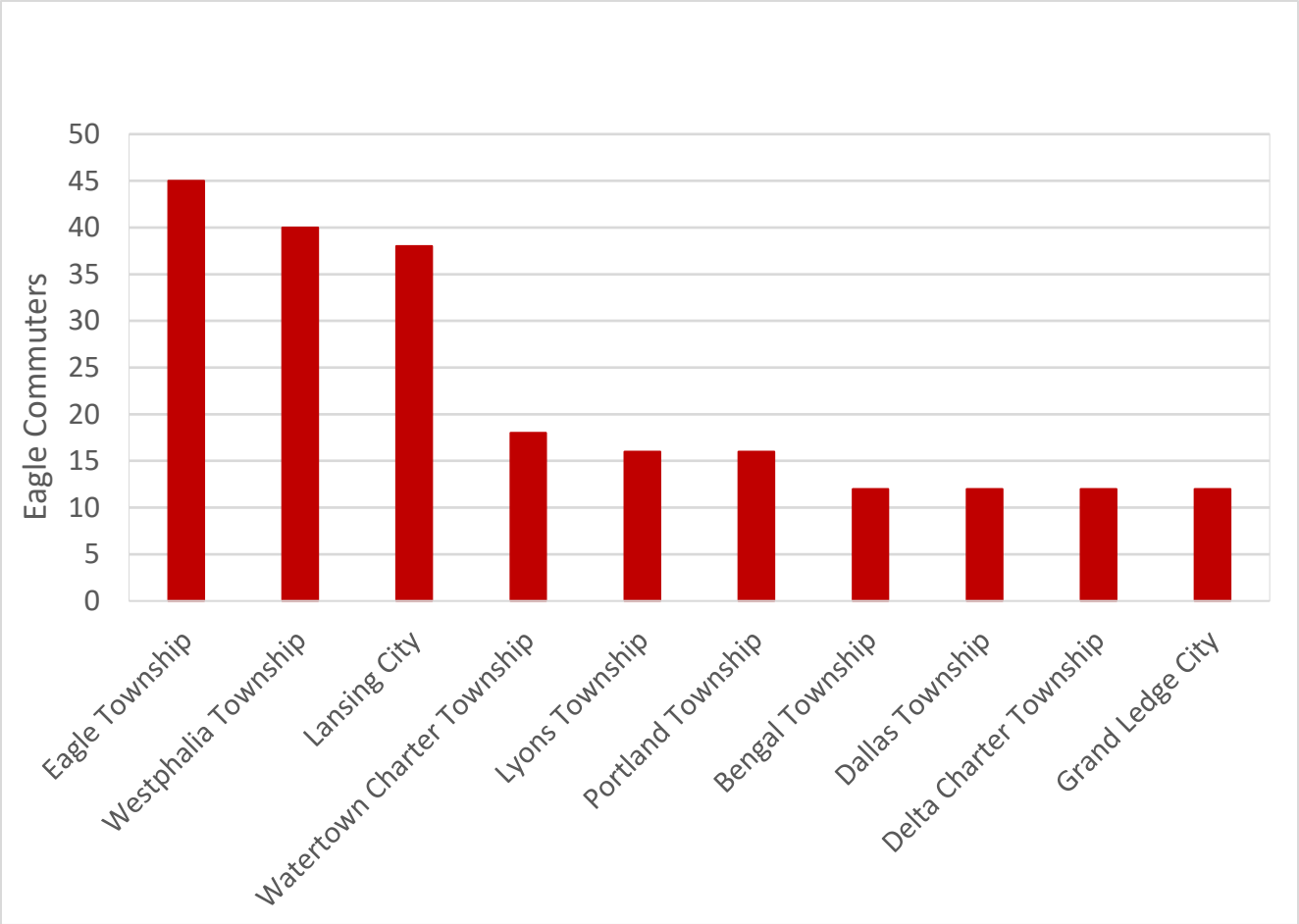


COMMUTING DESTINATIONS

Eagle Township's prosperity (high income and low unemployment) is tied to the availability of jobs in neighboring communities. While 45 Eagle residents commute to employers within the Township, their fellow residents commute to other communities. The most common destinations are Westphalia Township, located just to the north of Eagle, and the City of Lansing.

Of the destinations listed on the figure below, none are more than half an hour from anywhere in Eagle Township, making jobs easily accessible, and dramatically reducing the need for job creation within Eagle's boundaries.

Figure 10: Top Commuting Destinations for Eagle Residents



Community Facilities

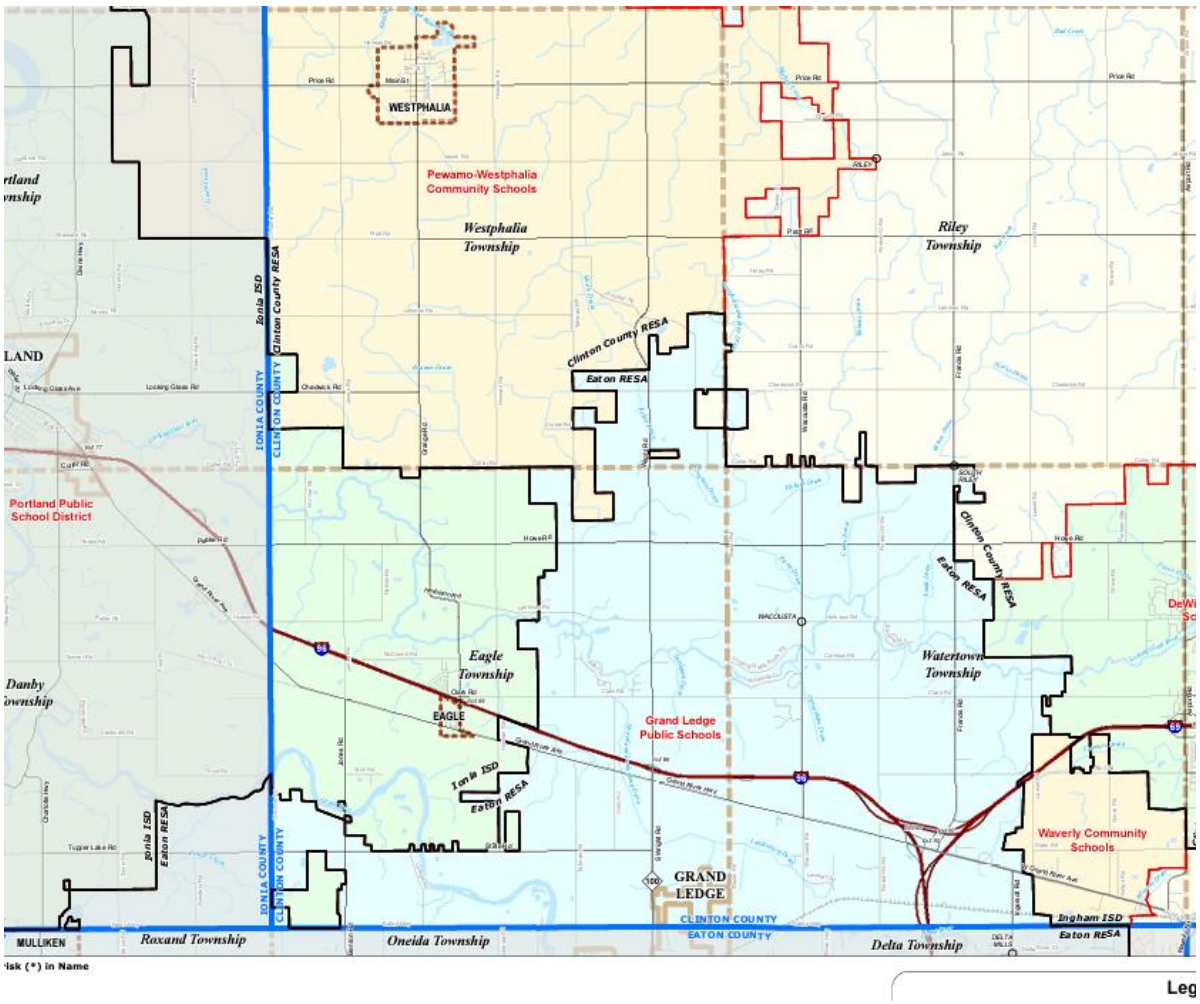
A primary purpose of municipal government is the delivery of services for the health, safety, and welfare of the local population. The responsibility of providing public services to the residents of the Eagle Township is shared by several public entities, including the Township itself, Clinton County, and other agencies.

PUBLIC AND PRIVATE SCHOOL FACILITIES

Eagle Township is served by three different public school districts: Grand Ledge, Pewamo/Westphalia, and Portland Schools as well as numerous private schools.

The Grand Ledge Public School system serves an estimated 4,923 students, based on data provided by the National Center for Education Statistics (NCES). Due to the COVID-19 Global Pandemic, school attendance numbers may have been negatively impacted.

Figure 11: School Districts in Eagle Township and Surrounding Communities



RECREATIONAL FACILITIES

In the Township there is a privately owned park called Eagle Park Fairgrounds, which includes a beautiful reception hall, an annual fair, and a multitude of different tracks, fields, and courts for various sports and activities. The privately held “Eagle Days” annual fair is held on the weekend after Labor Day weekend. In addition, a portion of Lincoln Brick Park (owned and operated by Eaton County) is located within Eagle Township, off Tallman Road.

PUBLIC UTILITIES

Like many rural Townships, Eagle Township does not provide public water and/or sewer service to all of its residents. Therefore, Township residents are served by residential well and septic facilities.

The Clinton County Road Department is responsible for the repairs and maintenance of Township roads.

According to the Clinton County Drain Commission, Eagle Township has approximately 30 County drains within its boundaries. A map of the county drains located within the Township is included as a supplemental map in this Plan.

Consumers Energy and HomeWorks Tri-County Electric Cooperative provide electrical and/or gas services for Township residents.

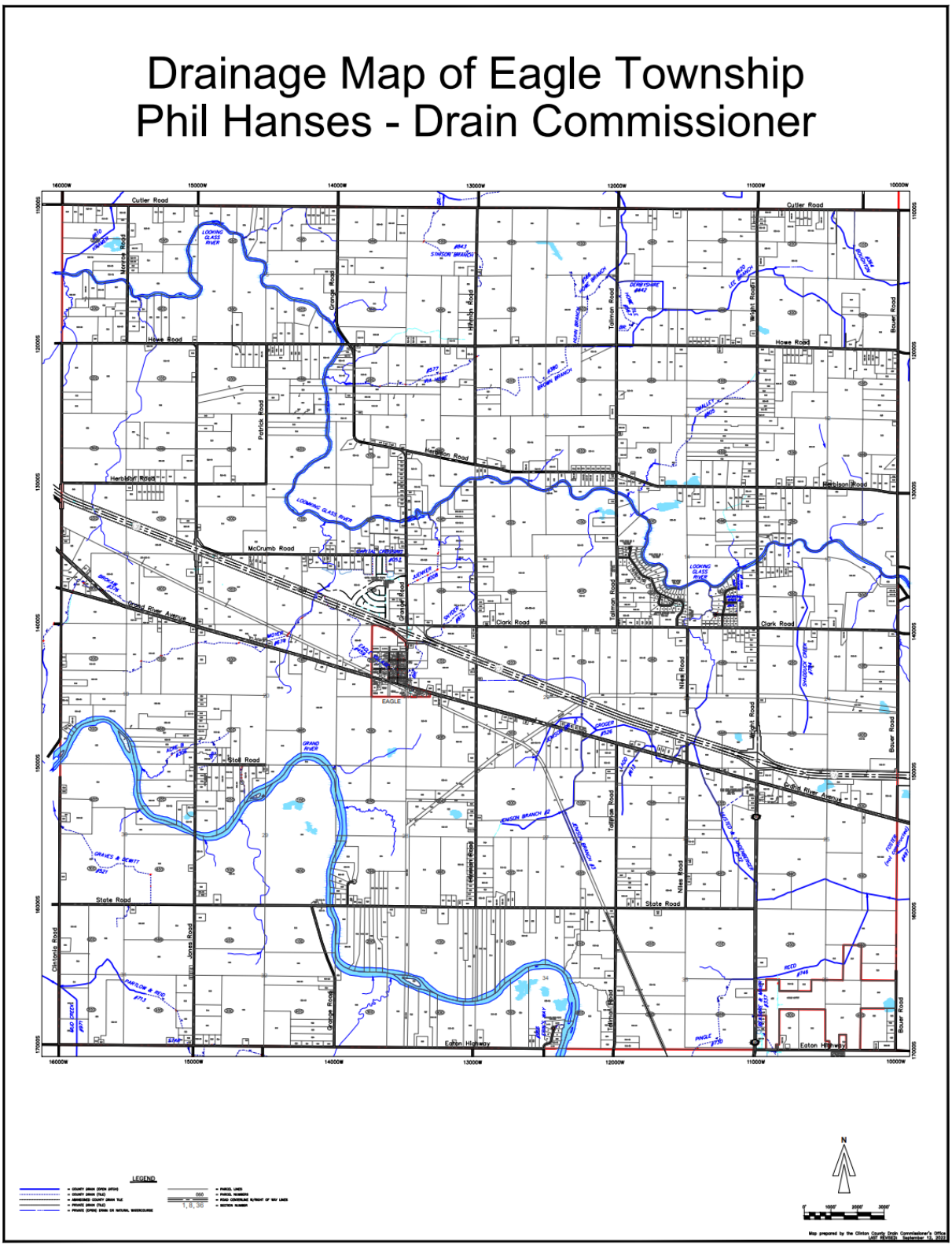
EMERGENCY SERVICE FACILITIES

The Looking Glass Regional Fire Authority serves the Township for fire and medical emergency services. Police protection is under the jurisdiction of the Clinton County Sheriff and Michigan State Police.

TOWNSHIP HALL

Eagle Township Hall is located at 14318 Michigan Street in the Village of Eagle. The Township Hall was built sometime between 1885-1895 and still stands to this day. Though renovated several times, the original character of the building remains over a century later.

Map 1: County Drains



Natural Features and Resources

As stewards of the land, air, and water within the Township, Eagle leaders will use this plan, the Township's Zoning Ordinance, and other tools to protect the natural environment while making land use decisions.

Federal environmental legislation enacted in the 1970's raised public awareness of the importance of environmental protection. Many states, including Michigan, strengthened federal environmental laws with state laws and programs designed to correct environmental problems and prevent future contamination of air, land, and water. Unfortunately, trends during the 1980's reduced enforcement of these laws, making them a low priority. During the 1990's and early 2000's, environmental protection resurfaced as a serious concern.

The natural features of Eagle Township, such as the topography, floodplain, wetlands, groundwater, and soils are important features of the community. Although Eagle Township is predominately rural in character, concern for the environment is as critical as in urban communities that must deal with brownfields and air pollution. Most Eagle Township residents use water wells and septic systems which are reliant on clean and suitable environments for their continued use. In dense developments with many systems, and large scale developments with the potential for toxic release further adds to the stress on the natural environment and the concern for its protection.

Several natural features of Eagle Township are examined below.

TOPOGRAPHY

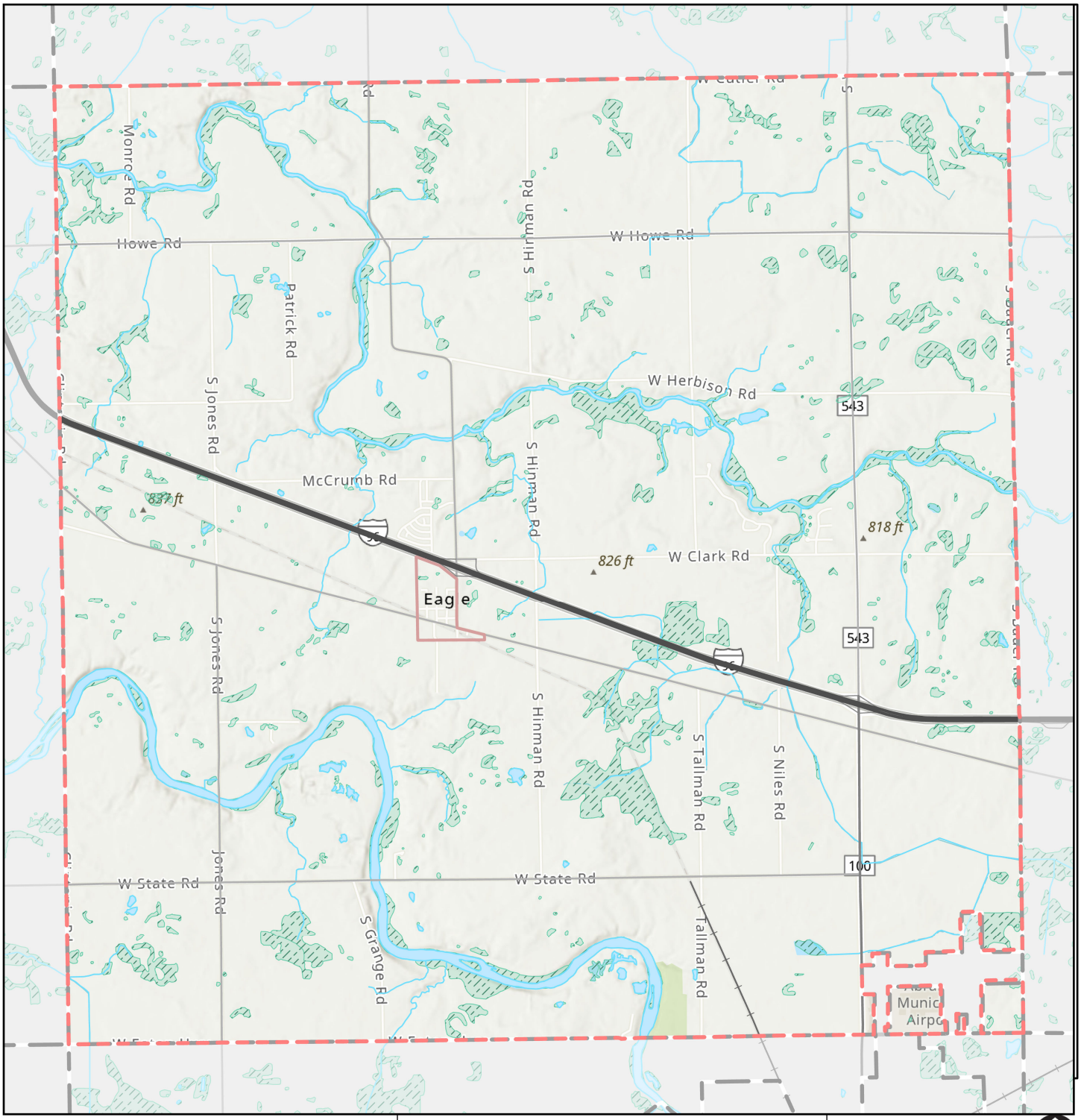
As with much of the State of Michigan, Eagle Township is characterized by relatively flat land, which is best suited for farming and agricultural activities. The average elevation of the township is approximately 833 feet. A majority of the flat land in the Township is at lower elevations in basins known geographically as "outwash plains" which were created as a result of glacial melt.

SURFACE WATERS

Eagle Township contains several surface water features. There are two major bodies of water within the Township: The Grand River, the largest body of water in the Township, is located in the Southwest area of the Township. The other major river, the Looking Glass River, runs through the Northern half of the Township.

WETLANDS AND WOODLANDS

Eagle Township has a multitude of wetland areas within its boundaries. According to the U.S. Fish and Wildlife Service's National Wetlands Inventory, the majority of the existing wetlands in the Township are classified as "Palustrine Wetlands," which include all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. Some of the most common names for the Palustrine System include marsh, swamp, pond, bog, and fen. Wetlands are important environmental resources that support groundwater recharge.



Topography

Eagle Township

February 7, 2024

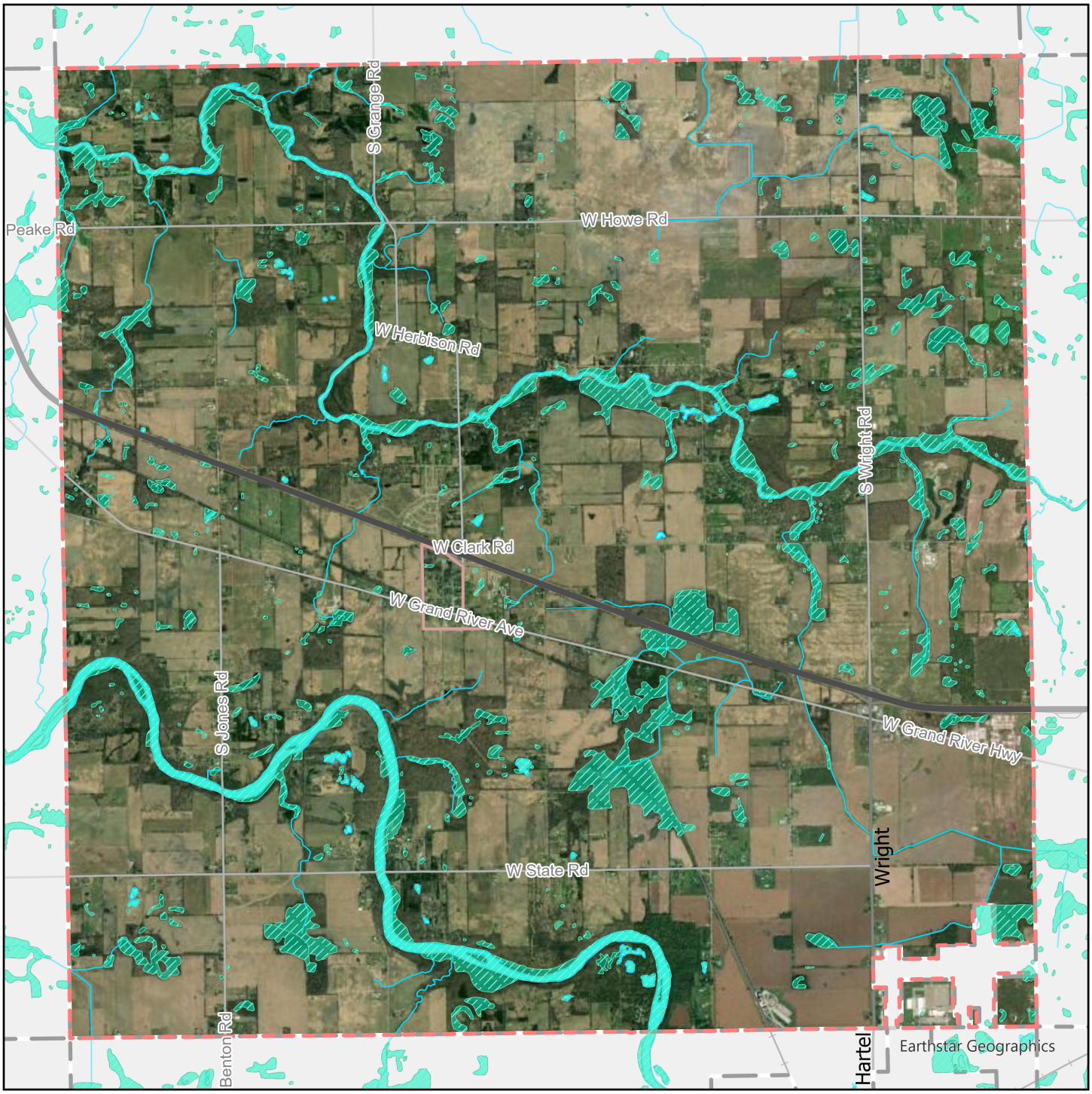
LEGEND

- Eagle Township Boundary
- Streams and Drains
- Lakes and Rivers
- Wetlands

0 500 1,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: McKenna 2024.

MCKENNA



Wetlands

Eagle Township

January 31, 2024

LEGEND

- Wetlands
- Streams and Drains
- Lakes and Rivers

0 500 1,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: McKenna 2024.

MCKENNA

Floodplains

Eagle Township

January 31, 2024

LEGEND

- Waterbody
- 500 Year Flood Hazard
- 100 Year Flood Hazard

0 500 1,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: Clinton County.
McKenna 2024.

MCKENNA

GROUNDWATER

Eagle Township depends heavily on groundwater as a source of water for residential and agricultural use. It is vital to protect this key natural resource from possible contamination and plan appropriately for any development to ensure protection of the ground water as a priority.

Contamination can occur:

- Through non-point sources of pollution from chemicals and effluence associated with commerce, industry, and farming;
- Through chemicals filtering into groundwater from leaking oil tanks and waste disposal sites
- Through everyday residential activities. In many instances, these pollutants reach lakes and streams through groundwater supplies. Pollutants may also affect well water located near septic fields.
- Through direct contamination by land uses that utilize hazardous materials.

Groundwater protection must also address the operational features of land uses. Groundwater contamination can be the result of septic systems, improper floor drains, improper storage of hazardous substances, leaking underground storage tanks, above- ground spills, overfilling of gasoline tanks, condensation from air emissions, and improper waste disposal. For future proposed developments, many of these avenues of contamination can be addressed as part of the site plan review process.

The capacity of the Eagle Township aquifers should be protected. For future proposed developments, the density and/or size of wells should be considered, and the best practices contained in Michigan State University's Wellhead Protection Program should be followed. These include:

- Careful Land Use Planning
- Pesticide Management
- Manure Management
- Fertilizer and Nutrient Management
- Irrigation Management
- Safe Storage of Hazardous Materials

SOILS

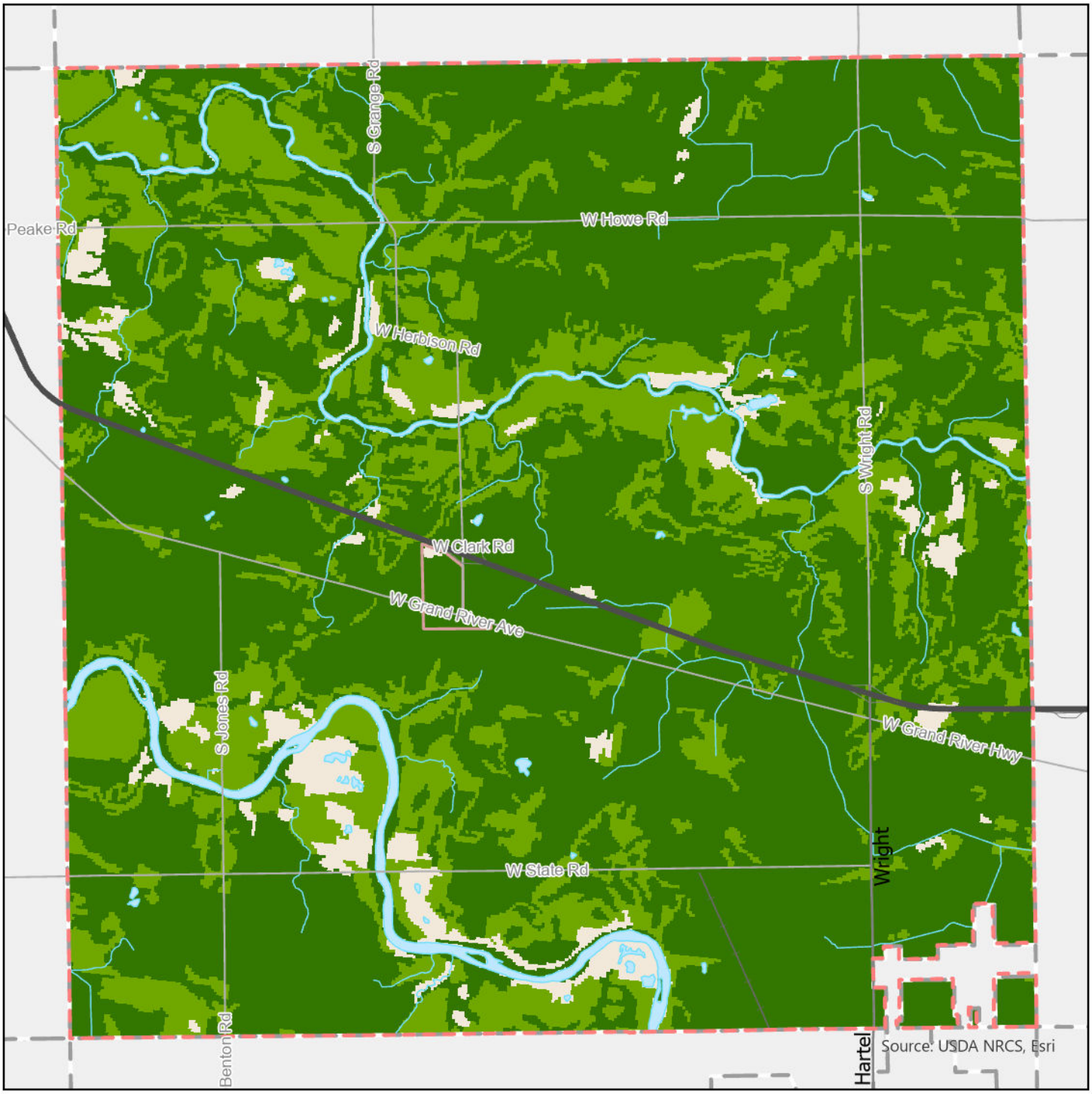
Due to the importance of farming in Eagle Township, soil composition is an important natural feature to consider when planning for future community character. If there are areas with better soil for farming than others, the Township should work to protect those areas from the pressures of development. The Prime Farmland map shows these important agricultural areas, and that map was a key input to the Future Land Use Map.

Similarly,, some soils are not well suited for septic systems. These soils are identified by the Clinton County Health Department at the time a new septic system is approved, but there is a land use component as well – poor soils require larger septic fields, meaning minimum lot sizes may need to be larger to accommodate the extra space.

PRIME FARMLAND

Agricultural production plays a key role in the landscape of Eagle Township and contributes to the economy, character, and identity of the community. The preservation of agricultural land can provide environmental, aesthetic, recreational, and historic benefits to the community. Open farmland also assists in the replenishment and maintenance of groundwater supplies.

Soils are the most important element in determining the suitability of land for farming. To produce crops, soil must be well drained, without steep slopes, and able to support vegetation. Based upon data from the U.S. Natural Resources Conservation Service, the Township is overwhelmingly suitable for farming and agriculture, with very few areas considered less than prime for farming. This natural resource is crucial to the food systems of the state and region, as well as the economy of Eagle Township. Thus, preserving farmland is the Township's highest land use priority. The following map provides a visual representation of where suitable farmland is located within the Township.



Prime Farmland

Eagle Township

January 31, 2024

LEGEND

- Prime Farmland
- Farmland of Local Importance
- Farmland of Statewide Importance
- Farmland of Unique Importance
- Not Prime Farmland

0 500 1,000 Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: McKenna 2023.

MCKENNA

Existing Land Use

The following section outlines, in more detail, the location of particular land uses and their characteristics within Eagle Township. Existing land uses are divided into several different categories in order to analyze the current patterns of development. This analysis will help to define which geographic characteristics the Township would like to preserve and enhance throughout the duration of this Plan.

AGRICULTURE

For the purposes of this land use analysis, agricultural land is defined as any land that is predominately or wholly used for the raising of field or tree crops, as a principal resource in animal husbandry, or maintained as rural open space. This category represents most of the land in the Township. Therefore, the Township's priority is protecting the character and viability of the rural lifestyle, natural ecosystems, and food system output associated with the Agriculture/Rural Estate land use category.

Agricultural land uses are generally characterized by large lots located on arterial County roads. In these areas, traffic speeds are generally higher with infrequent stops. Intersections are typically fitted with stop signs rather than traffic signals. On land utilized for Agriculture, many lots include a residential single-family home with accompanying farm buildings. Often operational farms will include multiple accessory buildings incidental to agricultural businesses.

RESIDENTIAL

The primary typology of residential land in the Township is R-Residential – lots featuring single family homes, dotted amongst agricultural parcels. Clusters of residential lots exist in the Eastern side of the Township and in the areas surrounding the Village. A manufactured home community is also located in Eagle Township.

COMMERCIAL

Commercial uses include offices and retail. The existing commercial land is located just North of the Village of Eagle and along I-196 on the Eastern side of the Township.

INDUSTRIAL

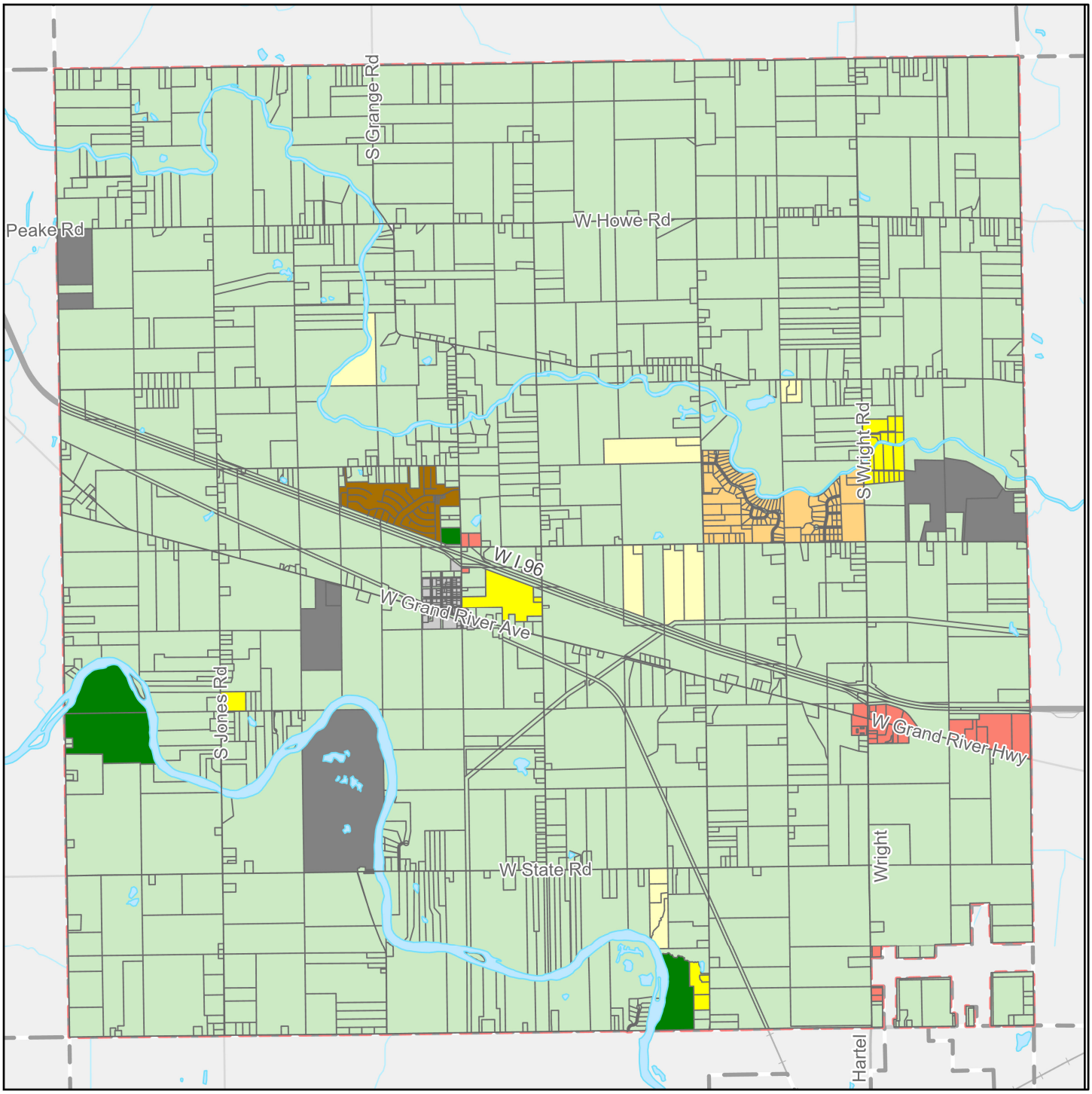
The industrial land use in Eagle Township is utilized for natural gas treatment, storage, and compression stations. Industrial land uses are located just North of the Village of Eagle and along I-196 on the Eastern side of the Township, bordering most existing commercial uses within the Township.

PUBLIC/QUASI-PUBLIC

These land uses include public land, institutions, and parks. Included under these uses is the Eagle Township Hall, the privately owned Eagle Park, and Cemeteries.

MINERAL RESOURCE EXTRACTION

There are several ongoing mineral resource extraction uses in the Township. While these operations serve an important economic function, they also have potential negative off-site impacts. And, at the end of their useful lives, they must be remediated into an economically productive use like farming and housing, and safety concerns (like deep water) must be mitigated.



Existing Land use

Eagle Township

February 1, 2024

LEGEND

- Agricultural
- Agriculture/Residential Transition Agriculture
- Rural Residential - Low Density
- Single Family Residential - Medium Density
- Manufactured Housing
- Commercial Business
- State Land
- Mineral Resource Extraction
- Village of Eagle

0 500 1,000 Feet

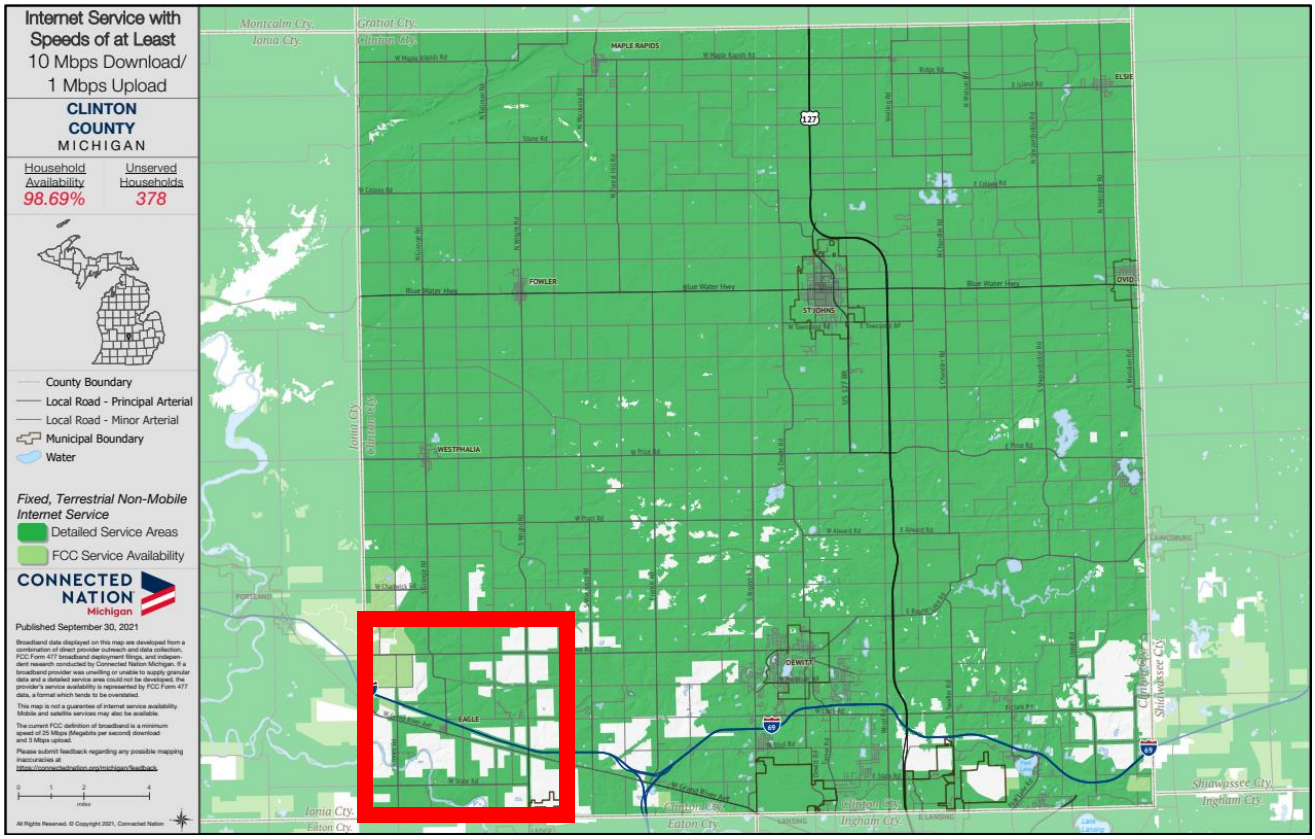
Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: Clinton County
McKenna 2023.

MCKENNA

Internet and Communications

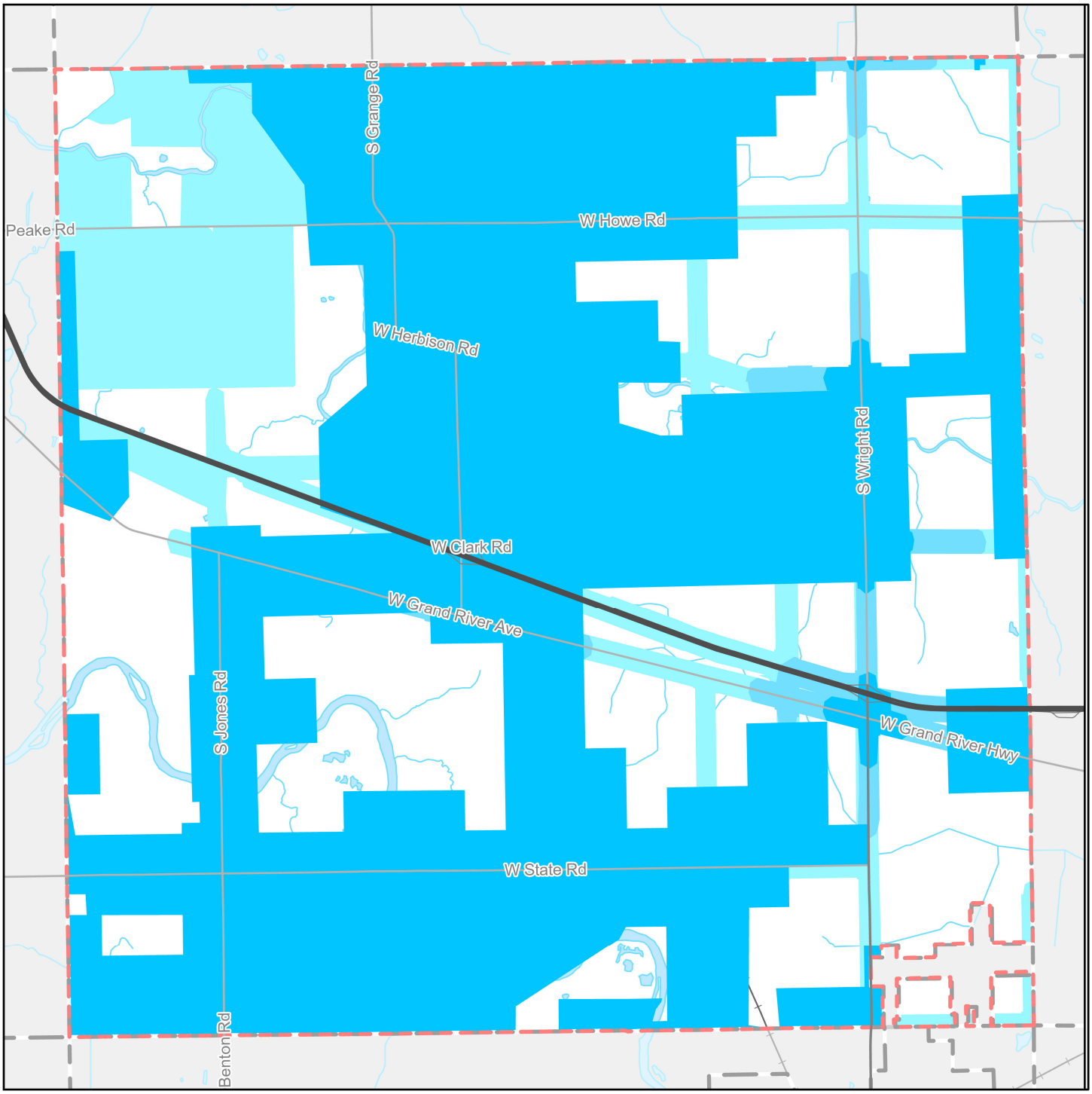
BROADBAND/DSL CONNECTIVITY

Broadband and DSL internet, with their fast download speeds and consistent connectivity, help connect residents and businesses to the online world. As more and more economic and social activity moves online, communities without connectivity risk being left behind. As shown on the map below from Connected Nation, Eagle Township (shown in the square) is only partially served by broadband and DSL internet.



According to the map, high speed, reliable internet is available in several parts of the Township, including areas in proximity to the Village. But other portions of the Township have coverage only along major thoroughfares – or, in some cases, not at all.

A combination of geography and economics are likely responsible for poor broadband coverage in the Township. The Township is a low-density, rural community, making private broadband providers less likely to invest in infrastructure. But it is also not a low-income community (median household income: approximately $103,000), and it is located near suburban areas and built-up towns that have good connectivity (Clinton County has broadband available in over 98% of households). When combined, these factors make the Township a less likely candidate for Federal or State grant programs. However, the substantial increase in funding in recent years at both the State and Federal level makes Eagle much more likely to be the beneficiary of a program to improved internet access in the Township.



Broadband Speed

Eagle Township

January 31, 2024

LEGEND

- 100Mx10M
- 25Mx3M
- 10Mx1M
- 1Gbps
- No Data

0 500 1,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: McKenna 2024.

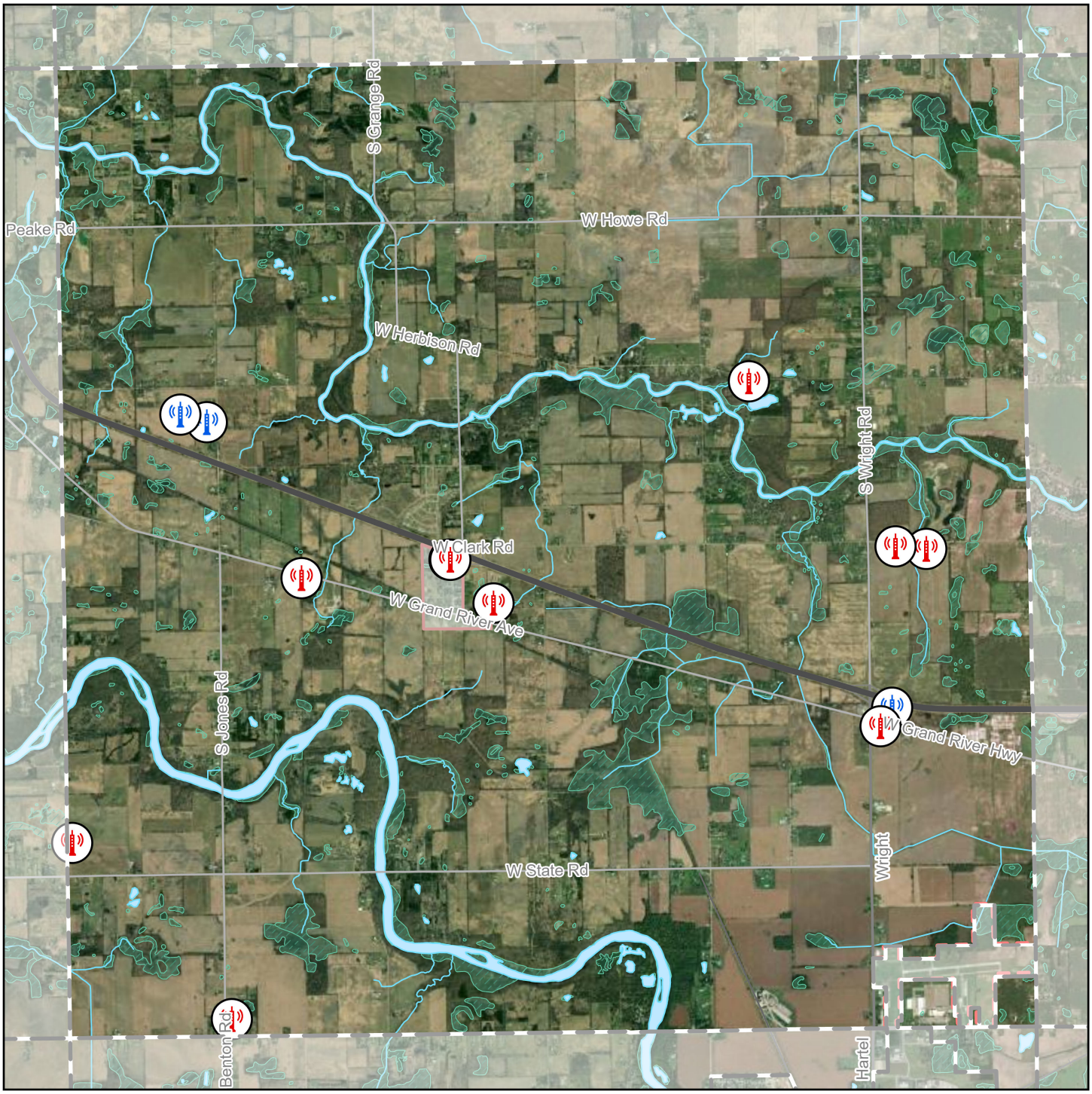
MCKENNA

WIRELESS CONNECTIVITY

Wireless voice and data service is also an important part of the modern economy and lifestyle, but Eagle lacks adequate service in many parts of the Township. Wireless providers consider detailed coverage data proprietary, so the exact number and location of wireless telecommunications transmitters is not certain. There are two towers located in the Northwest portion of the Township and an additional tower along I-96 on the East side of the Township. Still, there are “dead zones” for wireless service, especially in the northeastern part of the Township.

Improved wireless service may come to the Township in the form of “small cell” technology. Small cells, which are generally located on polls 40 feet in height or lower, are less expensive to install and less of an aesthetic blight on the landscape than traditional cell towers (which are usually 150-200 feet tall). The State of Michigan has already enacted legislation (including an amendment to the Zoning Enabling Act) to speed the roll out of small cells, which may hasten their installation in Eagle Township and similar communities.

Map 8: Wireless Telecommunications



Cell Towers

Eagle Township

January 31, 2024

LEGEND

Towers (>40 ft)

Small Cell (<40 ft)

0 500 1,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: McKenna 2024.

MCKENNA

Transportation System

A community's transportation system functions much like the circulation system in the human body. Roads and rights-of-way throughout the Township act like veins and arteries that pulse across the land. They carry the life of the community: its energy and its day-to-day activity.

Roads provide a means for people to get from one place to another, primarily by automobile, but also by bike, foot, and other means. Roads connect people and places to one another. These stretches of public ground serve other purposes as well. Roads and road rights-of-way provide locations for public utilities such as gas, electricity, and telephone lines. Roads provide the means by which emergency and public services are delivered to residents. Finally, roads provide access to parcels of land, thereby increasing the utilization potential of both vacant and agricultural lands.

The road network also functions much like the skeletal system providing the basic form of the Township. Most rights-of-way are dedicated at the edges of properties. Therefore, boundaries between homes, sections, parcels, homesteads, and other pieces of land are often contiguous with roads.

Because of the many functions of the road system, transportation has a significant impact on the economy, environmental quality, energy consumption, land development and the general character of the Township. Therefore, it is important that land use planning and the transportation system be coordinated to manage the Township's mobility needs with the goals of minimal traffic and roads that support agricultural use.

REGIONAL TRANSPORTATION NETWORK

Eagle Township serves as a minor connector on the regional road network, with I-96 and West Grand River Highway being the only major thoroughfares that run through the Township. Both of these routes are more commonly used to reach the nearby larger population centers of Portland, Grand Ledge, and Lansing.

TOWNSHIP ROAD NETWORK

Roads in Eagle Township are under the jurisdiction of two agencies: The Michigan Department of Transportation (MDOT) and the Clinton County Road Commission . MDOT has jurisdiction over I-96 and M-100. Clinton County Road Commission has jurisdiction over all other public roads in the Township.

In Eagle Township, public roads can all be categorized into several classifications. These classifications are known as the National Functional Classification (NFC) determined by state road agencies. The NFC classifications in Eagle Township include the following:

Interstate
Minor Arterial
Major Collector
Minor Collector
Local Road

Eagle Township is also home to several private roads. These roads are subject to Township regulations as established in the Zoning Ordinance.

INTERSTATE

Roads that are classified as Interstate are part of the Eisenhower Interstate System of highways that run throughout the country. I-96 is the only interstate route through Eagle Township, connecting the major cities of Grand Rapids, Lansing, and Detroit.

MINOR ARTERIAL

Roads that are classified as Minor Arterials in a rural context such as Eagle Township consist of a connected network of rural contiguous roads. These roads typically serve corridor movement having a trip length and travel density characteristics indicative of substantial statewide or interstate travel. According to MDOT, Minor Arterial roads typically are characterized by less traffic and are more local in nature than other main roads. These roads are also eligible for federal aid.

Additionally, Minor Arterial roads typically provide an integrated network without stub connections. The only example of Minor Arterial roads in Eagle Township includes the Eastern portion of West Grand River Avenue.

MAJOR COLLECTOR

In Eagle Township, Major Collector roads are described as serving primarily intercounty travel. These roads are less traveled than Minor Arterial roads and the distances are typically shorter. On average, Major Collector roads have moderate speed limits. Additionally, these roads provide service to larger towns not directly served by higher systems. Major Collector roads link places such as parks and consolidated schools within nearby towns or cities. In Eagle Township, roads classified as Major Collectors include W State Rd, S Grange Rd, W Howe Rd, and S Wright Rd.

According to MDOT, Major Collector routes funnel traffic from local and minor roads to arterial routes. These roads typically directly serve schools, businesses, and other important public functions. Major Collector roads are eligible for federal aid.

MINOR COLLECTOR

Minor Collector roads within a rural context are typically spaced at intervals to collect traffic from local roads. These roads provide service to smaller communities and link locally important traffic generators within rural areas. In Eagle Township, examples of Minor Connectors are W Howe Rd (West of Looking Glass River) and W State Rd (West of S Jones Rd).

According to MDOT, Minor Collector roads are defined as having more through-traffic than local roads (described below), but not as heavy as Major Collector roads. These roads often directly serve schools, businesses, and other public functions, but are deemed as less important than Major Collectors. Rural Minor Collector roads have limited federal aid eligibility.

LOCAL ROADS

Within rural areas, Local Roads should serve primarily to provide access to adjacent land and are typically utilized to travel relatively short distances. Within Eagle Township, Local Roads include:

- Cutler Road
- Monroe Road
- Jones Road (north of Grand River Avenue)
- Patrick Road
- McCrumb Road
- Herbison Road (west of Patrick Road and east of Grange Road)
- Clark Road
- Hillman Road
- Tallman Road
- Bauer Road
- Niles Road
- Eaton Highway

Local Roads are predominately traveled by motorists accessing their property, such as rural farms, residential dwellings, and residential neighborhoods. Local Roads are not eligible for federal aid.

COUNTY AND REGIONAL ROAD AGENCIES

In Eagle Township, the Clinton County Road Commission has jurisdiction over most of the roads, with the exception of I-96 and M-100. The Clinton County Road Commission is responsible for approximately 28 miles of roads throughout the Township, and provide the following services:

- Snow and ice removal
- Dust control on gravel roads
- Roadside mowing
- Traffic signs and signals
- Pavement markings
- Pothole patching
- Design of roads and bridges
- Construction inspection
- Subdivision plat review
- Traffic studies

The Township and the County Road Department keep a consistent line of communication open to ensure that roads within Eagle are safe and well-maintained. The Township also provides matching funds for road maintenance projects from its general fund.

In addition to the Clinton County Road Department, Eagle Township is also served by the Tri-County Regional Planning Commission. The Tri-County Regional Planning Commission is a Metropolitan Planning Organization (MPO) that is dedicated to serving Clinton, Eaton, and Ingham Counties. MPOs are public regional planning agencies designed to implement and coordinate regional transportation planning processes. MPOs are required to represent local units of government in areas with populations over 50,000 people.

Additionally, the Tri-County Regional Planning Commission offers services pertaining to economic and community development, environmental sustainability, and mapping.

The Tri-County Regional Planning Commission is also responsible for producing both short-range and long- range transportation improvement schedules. These schedules outline and designate specific road improvement and enhancement projects to be completed within a 3-year time and a 25-year time period.

PUBLIC TRANSPORTATION

The primary public transit agency for Eagle Township is Clinton Transit's "Blue Bus" system. Clinton Transit began in 2001 as a system of volunteer drivers transporting elderly and disabled members of the community. Today, their curb-to-curb system continues to keep people connected regardless of challenges, disabilities, and situations. Their mission is to keep people connected by providing safe and accessible transportation to all those who may need it in Clinton County.

The "Blue Bus" is a demand response system with transportation running only when people have requested a ride. There are no bus stops or regular schedules for any routes like the larger city fixed-route bus services.

RAILROADS

The only rail line in the Township is a spur that runs from Grand Ledge to the intersection of Tallman and State Roads. Historically, this line ran to the Village of Eagle and on to Portland, but it has been truncated. The rail right-of-way still exists along the old corridor, but the tracks have been removed.

NON- MOTORIZED TRANSPORTATION

Non-motorized transportation refers to the use of boats, bicycles, scooters, walking, and other similar modes of transportation. Due to the rural nature of the Township, there are few options for non-motorized transportation. Existing walking/hiking trails are in Lincoln Brick Park. The Looking Glass River and Grand River are popular for non-motorized boating.

Eagle Township Tomorrow

The Eagle Township Master Plan envisions the future of the community, as articulated by its residents and officials. In general, Eagle strives to preserve its rural character while providing a good quality of life for all its residents.

Goals and Objectives

Before a community can actively plan for its future, it must first set certain goals and objectives that reflect its needs and aspirations. These goals and objectives must reflect the type of community desired and the kind of lifestyle its citizens wish to follow, given realistic economic and social constraints.

The following pages contain the goals (the ultimate purpose or intent of the Plan), objectives (the means of attaining those community goals), and policy statements (specific statements which guide action) which will be used to guide the local government in making future land use decisions. They were developed out of meetings held with Township officials, resident input including the public hearing, and supplemented by the experience of the Planning Commissioners, Board members and consultants.

GOALS

The Eagle Township Planning Commission, in recognition of its role, adopts the following general community goals to guide future land development activities:

1. **Ensure preservation of agricultural land uses and natural resources.**
2. **Enhance communications/broadband infrastructure to meet the needs of residents.**
3. **Do not expand public water and sewers, which would encourage development that would threaten the planned character of Eagle.**
4. **Ensure the continued protection of groundwater, soils, bodies of water, ecosystems, and agricultural systems to preserve the sustainability of the Township's rural environment.**
5. **Prevent large scale industrial/commercial growth that would threaten the agricultural/rural nature and limit to light industrial/small scale growth in specified areas as zoned, or designated, in the future land use map.**

OBJECTIVES AND POLICIES

With these primary goals in mind, the following specific objectives and policy statements have been formulated to guide actions, programs, and land use decisions in the Township. These are the steps and measures that can be taken to help achieve these goals.

Land Use Objectives and Policies

1. Preserve agriculture and rural residential as the predominant land uses in the Township.
    a) Agriculture and Rural Residential shall be considered the default land uses, and all rezoning requests for other land uses shall be considered carefully and only approved if they meet the criteria described in the Future Land Use Plan.
    b) Allow small- scale commercial and light industrial development only in those locations clearly designated on the Future Land Use Map and when consistent with protection of ground water, ecosystems, and the nature of the rural environment.
    c) Consider the viability of the groundwater and soils for well and septic systems when determining the appropriateness of a rezoning or other development application under the Zoning Ordinance.
2. Encourage the continuation of value-added agriculture related uses to enhance the incomes of farm families.
    a) Allow farmers to sell locally grown produce and other materials to residents and visitors of the Township at approved farm stands that meet established criteria.
    b) Promote the enrollment of the PA116 Program and encourage the sale of development rights for farmers in need of income or retirement funds.
3. Allow residential lot sizes of under one acre only in limited circumstances to prevent suburbanization and loss of rural character.
    a) Residential development with lots under one acre should only occur when communications infrastructure, soils, groundwater, and road infrastructure are sufficient to support the development.
    b) Residential development should be limited to those areas specifically designated on the Future Land Use Map.
4. Establish strict design guidelines for industrial development.
    a) Adequate setbacks, screening, and buffering should be provided and standards for traffic control, lighting, noise, odor, and other potential nuisances will be established to minimize the adverse impacts of industrial development on adjacent or nearby residential, naturalized or agricultural areas.
    b) Quality building materials, architecture, and landscaping will be required in the industrial area.
    c) The Township may restrict the size of new proposals, or not approve them at all, to maintain balance among the community's priorities.
5. Follow the Wind and Solar Policies included in this Master Plan.

Natural Resource Objectives and Policies

1. Prevent environmental degradation of prime soils, groundwater, open spaces, and water bodies.
    a) Ensure that all development – residential, commercial, or industrial – has received all necessary permits from local, County, State, and/or federal regulatory agencies.
    b) Require new developments to maintain quality of air, soil, surface water, and groundwater.

c) Potential for impact on the environment will be a major consideration for approval when reviewing development applications.

d) Potential for impact on adjacent and/or nearby property owner's ability to enjoy the natural environment – i.e., increased traffic, blocked visibility, noise, odors, bright lights, - will also be a major consideration for approval when reviewing development applications.

2. Protect Habitat areas for both aquatic and mainland species.

   a) Establish programs to encourage preservation of open spaces, particularly woodlands and other areas used as wildlife habitat.

   b) Restrict non-rural development to maintain large wildlife habitat areas and connections between them.

   c) Require the measurement of the impact of development on water and soil quality before approving construction and do not approve those with adverse impact.

   d) Consider regulations and restrictions on development along water bodies that may negatively impact water quality and wildlife habitats.

Infrastructure Objectives and Policies

1. Provide adequate transportation infrastructure for Eagle residents, as well as travelers through the Township.

   a) Continue to work closely with MDOT and Clinton County to ensure roadways in the Township are a priority for maintenance.

   b) Minimize the number and frequency of automobile access driveways along road corridors.

   c) Provide Township matching funds, when applicable, for road improvement projects.

   d) Ensure connectivity not only within the Township but also between the surrounding communities.

2. Discourage the construction of private roads, which can erode rural character and frequently have long-term maintenance problems.

3. Do not extend public water and sewer into the Township, as that type of infrastructure encourages development patterns that are not consistent with rural character.

4. Enhance internet and communications service access throughout the community, including both broadband and wireless.

   a) Plan for communications service connectivity, and work with providers to expand service in the community. Specifically, aim to provide 5G wireless service throughout the community.

   b) Seek grant opportunities or other funding sources to ensure the economic viability of broadband expansion in the community.

   c) Advocate for improved communications services in the Township among public and private sector decision makers to prevent the community being overlooked due to its low density. Emphasize the community's relatively high-income levels as well as its geographic proximity to areas already being well-served by communications providers.

   d) Support the construction of wireless telecommunications infrastructure in parts of the Township that are currently underserved.

   e) Partner with private landowners, especially those with tall structures like silos, to locate telecommunications infrastructure in strategic locations.

f) Partner with MDOT and Clinton County to locate communications infrastructure in public rights-of- way.

g) Remove zoning and other local regulatory barriers to the installation of communications technology, especially "small cell" wireless devices.

MANUFACTURED HOUSING DEVELOPMENT

Manufactured housing developments or mobile home parks are common in many rural areas of Michigan. Mobile home parks provide housing alternatives to residents who are unable to afford more permanent housing. From a planning perspective, they must be considered because the density in which they are built provides an economy of scale for the design and construction of on-site water and septic systems. Mobile home parks often provide their own wastewater treatment and well fields in rural areas where public utilities are not generally available, including communities like Eagle Township.

While recognized as a legitimate land use, mobile home parks can significantly increase the population of a community while providing less than the corresponding amount of property tax revenue to the host community from which to provide public services to new residents. Furthermore, though a community can plan and zone appropriate locations for manufactured housing developments, they cannot regulate the internal design or the operations of these facilities.

New Manufactured housing communities are discouraged because Eagle Township already has a manufactured housing community. Existing Manufactured housing communities should be high-quality neighborhoods for their residents but should not expand further.

WIND AND SOLAR ENERGY POLICIES

To preserve the natural, rural beauty of the Township, the viability of the Township's farmland, the precious ecosystems contained within the Township, and the health, safety, and welfare of the Township's residents, Eagle Township adopts the following policies with regard to the development of solar and wind energy facilities within its borders.

- **Renewable energy** Any large-scale positive impacts must be weighed against local negative impacts, including the health, safety, and welfare of the residents of Eagle Township.
- **On-site solar and wind energy systems** may provide ecological and economic benefits at a scale that is desirable in a rural community and with fewer impacts on the immediate surroundings than utility-scale solar and wind energy systems. However, the impacts that they do have must be managed through zoning regulations.
- **Utility-scale solar energy systems ("solar energy systems)** should be restricted and only developed with careful consideration of the impacts on local ecosystems, farmland, rural beauty, and the health, safety, and welfare of the Township's residents. These should also be for the purpose of supporting Eagle Township resident energy needs.
- **Utility-scale wind energy systems** have been shown to negatively impact the health, safety, and welfare of nearby residents, can spoil rural character, and can harm local ecosystems. Therefore, they shall be treated as industrial uses, and, large-scale wind turbines will be avoided in the Township.

  Specifically, in determining whether to approve a new solar farm or utility scale wind energy system, the Township will take the following into account:

  - The Township's natural beauty must be preserved, especially wetlands and woodlands. Existing wetlands and woodlands should not be removed for solar or wind energy development. The Township will also require the provision of pollinator habitat within solar farms consistent with Michigan Department of Agricultural and Rural Development (MDARD) to promote a healthy ecosystem.
  - The Township's agricultural systems must be protected. The Township will prioritize agricultural land uses to retain the vibrant food production economy that already exists in the community.

- Nearby residents must be protected from noise, shadow flicker, glare, and aesthetic degradation through appropriate setbacks and landscaping for solar and wind installations.
- Solar farms and utility scale wind energy should be in appropriate locations with regard to transmission infrastructure to prevent the need for large-scale transmission lines to be built across the community.
- The Township may, at some point, hit its “solar and/or wind limit.” Eagle Township acknowledges the importance of renewable energy but as described in this section, other priorities such as local ecosystems, agricultural production, transmission infrastructure capacity, and rural aesthetics are equally important. Therefore, if utility scale solar or wind facilities are approved and operational in the Township, the Township may restrict the size of new proposals, or not approve them at all, in order maintain balance among the community’s priorities.

The Township will enforce these policies through appropriate ordinances, consistent with State law.

Public Engagement Summary

In February of 2024, Eagle Township held a two-pronged community engagement process, consisting of a survey (available online and in hard copy) and a public engagement event.

The survey had 325 respondents, and nearly 200 residents participated in the community engagement event.

The full results of the public engagement are included in the Appendix. However, there was a clear takeaway from the engagement effort:

Eagle residents value the natural and rural beauty of their community. They see little need to encourage growth or development, and instead advocated that Township leaders pursue policies of natural preservation, in order to continue the high quality of life experienced by Eagle residents.

Below is a Word Cloud of the responses given when Survey Respondents were asked “What makes you most proud of living in Eagle Township?”

Specifically, Eagle residents had the following input on key land use topics addressed by this Master Plan. Percentages have been rounded to the nearest whole number.

RURAL CHARACTER

- **72%** of Survey Respondents stated that the Township should promote “Rural Character” and an additional 25% stated that the Township should promote “Growth Only in Certain Locations.” Less than 3% of respondents stated that the Township should promote “Growth.”

- **96%** of Survey Respondents stated that Eagle’s natural features are important to them.

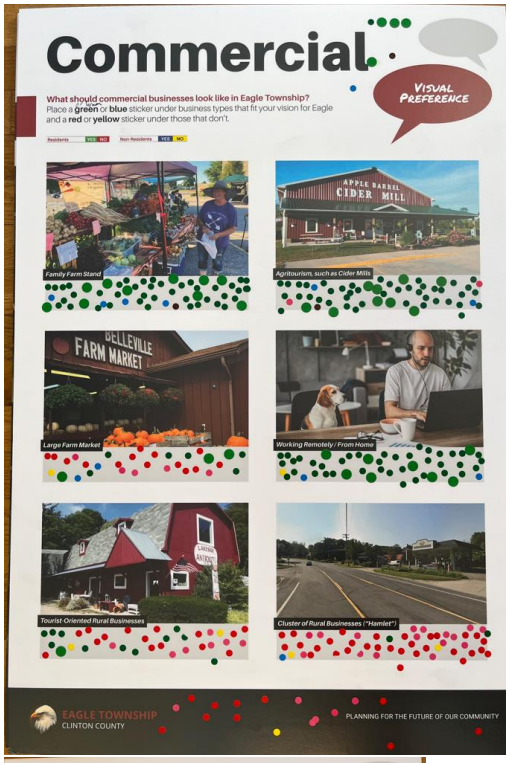
ECONOMIC DEVELOPMENT

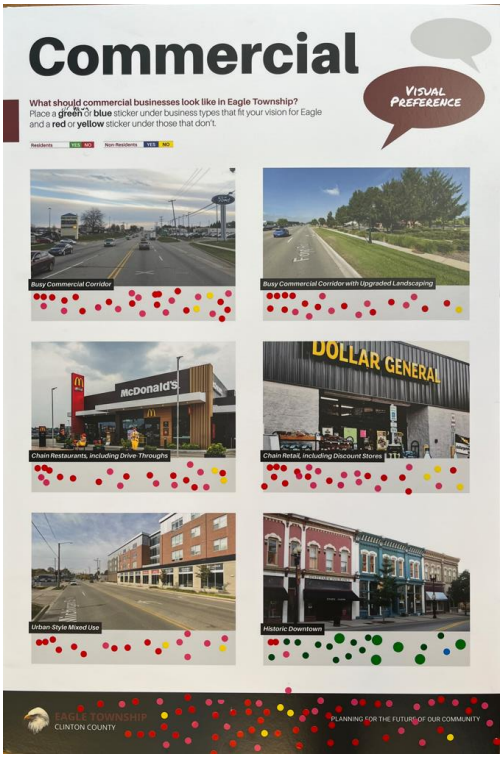
- **92%** of Survey Respondents stated “There are Sufficient Jobs within or near the Township.”

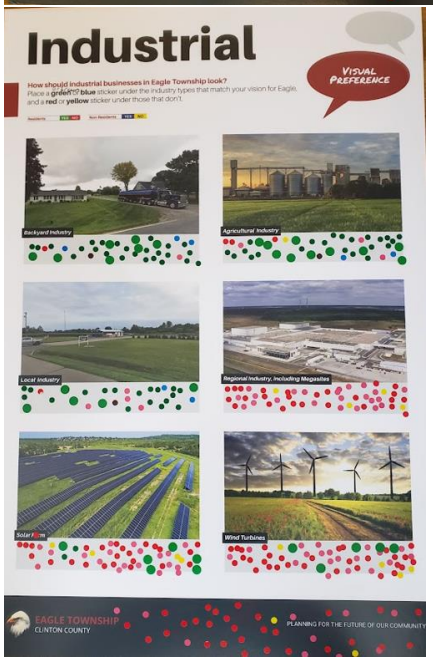
- **96%** of Survey Respondents oppose “Large Scale Industrial Development” in the Township.

- **96%** of Survey Respondents oppose “Large Scale Commercial Development” in the Township.

- Event Participants were asked to evaluate certain kinds of commercial and industrial businesses and rate their suitability for the Township. Green dots indicate– businesses that are appropriate in Eagle Township. Red dots indicate businesses that are not appropriate in Eagle Township. The results are shown below (full page images included in the Appendix).







HOUSING AND LOT SPLITS

- **88%** of Survey Respondents stated that the amount of housing in the Township is “sufficient.”

- Survey Respondents who own land were asked if they plan to split their land in the future. **66%** said they have no plans to split their land. 31% said if they split their land, they will split it into four or fewer lots. **Fewer than 1%** stated they would be interested in creating a plat or site condominium on their land so it could be used for housing development.

- Survey Respondents were asked whether they would approve or disapprove of new housing being built near them on lots of the following sizes. The percent who stated they would approve was as follows:

    - 40 Acre Lots, or Larger: **58%**
    - 10 Acre Lots: **56%**
    - 5 Acre Lots, with Required Preserved Open Space: **54%**
    - 5 Acre Lots, No Required Preserved Open Space: **38%**
    - 2 Acre Lots: **16%**
    - 1 Acre Lots, with Required Preserved Open Space: **11%**
    - 1 Acre Lots, No Required Preserved Open Space: **5%**

KEY PLANNING AREAS

Survey Respondents were asked to evaluate specific areas of the Township for their suitability for certain land uses.

Area	Appropriate Land Uses Per Survey	Inappropriate Land Uses Per Survey
Village of Eagle and Surroundings	Nature Preserve Crop Cultivation Raising Livestock Parks Restaurants Houses Retail Event Space	Self-Storage Warehousing Manufacturing Apartments Condos

Area	Appropriate Land Uses Per Survey	Inappropriate Land Uses Per Survey
Grange Road North of I-96	Nature Preserve Crop Cultivation Raising Livestock Parks	Restaurants Houses Retail Event Space Self-Storage Warehousing Manufacturing Apartments Condos
I-96/Wright Road Interchange	Nature Preserve Crop Cultivation Raising Livestock Parks Restaurants Retail	Houses Event Space Self-Storage Warehousing Manufacturing Apartments Condos
Wright Road Corridor between Grand River Avenue and Grand Ledge	Nature Preserve Crop Cultivation Raising Livestock Parks Houses Restaurants Retail	Event Space Self-Storage Warehousing Manufacturing Apartments Condos

Land Use Needs Analysis

Given the importance of the Township's farmland to the regional food system, the importance of its natural areas to regional ecosystems, and the importance of rural character to the residents, as described during the public engagement process, Eagle Township is dedicated to **only planning for non-rural land uses where there is a demonstrated need, based on objective metrics like the numerical analysis in this section.** The purpose of this section is to quantitatively examine the need for various land uses in Eagle Township.

In this section, data analysis is used to determine how many acres of residential, commercial, and industrial land are needed in Eagle Township. At the time of the writing of this plan, Eagle was in the unique circumstance of having just adopted local zoning, and its zoning map was designed to match the previous zoning under Clinton County's system.

Therefore, a certain number acres were already zoned for residential, commercial, and industrial uses, and the task for Township leaders during the 2024 planning process was to determine how much additional land was needed in those categories, if any.

RESIDENTIAL

Eagle Township's population as of the 2020 Census was **2,776 residents**. The population projection earlier in this plan projects a population of **3,356 in 2040.**

The Township's median household size is **2.8 people per household.** The means that the 3,356 people Eagle is projected to have in 2040 will need **1,199 housing units.**

The Township currently has 1,117 housing units. However, it only has 992 households. It is not clear where the discrepancy comes from, because housing vacancy is not, anecdotally, a problem in the Township. It may be that the gap is caused by mobile home sites that are sitting vacant but are counted as housing units by the Census.

For the purposes of this analysis, to ensure that the Township adequately plans for the housing needs of the future, we will assume that the number of housing units needs to grow from 992 today to 1,199 in 2040, meaning **207 more housing units are needed.**

The Township's R Residential zoning category allows 15,000 square foot lots, or just under 3 units per acre. That means approximately 69 acres of new lots, plus 20% additional space for road infrastructure, which means the **Future Land Use Map should add 80-100 acres of new residential land, above and beyond the land that is already zoned that way (approximately 518 acres).** Notably, 100 acres is less than 0.5% of the total land in the Township.

Some of the housing demand may be absorbed within the Agricultural Future Land Use category. However, it is the intent of this plan to limit growth within that Future Land Use category. Therefore, the Future Land Use map will assume that new housing growth needs to be accommodated in places zoned Residential or Rural Estate.

COMMERCIAL

Eagle Township's median income according to 2022 Census estimates was $103,846, and its **mean income was $135,727**. With 3,356 residents in 2040, Eagle Township will have a **total spending power of over $455 million** (in 2022 dollars), an increase of **$79 million** from the **$376 million in total spending power that today's population has.**

Most of that spending power will go to fixed costs like taxes, housing, insurance, debt service, and transportation, and around 15% of retail spending occurs online. Eagle residents leave the Township to shop, generally along Delta Township's Saginaw Highway, or in other shopping destinations in Greater Lansing.

For the purposes of this analysis, the assumption is that all those trends will continue, and roughly the same percentage of Eagle Township spending power will be spent at local merchants in 2040 as today. Today, Eagle Township has approximately **50 acres** of commercially zoned land. The $79 million increase in spending power from the anticipated

population growth represents a 21% increase, meaning Eagle Township should plan for a 21% increase in its commercially zoned land, or **60-65 total acres, 10-15** more than currently.

INDUSTRIAL

According to 2022 Census estimates, approximately 37% of Eagle Township workers are employed in “industrial” businesses (wholesale, manufacturing, transportation, warehousing, and utilities). Additionally, about 63% of Eagle residents are in the work force, meaning that, based on the 2040 projected population of 3,356, **782 Eagle residents will be seeking employment in industrial jobs,** an increase from **647** industrial workers today.

The vast majority of industrial workers who live in Eagle work in other communities, but the Township does have approximately **100 acres of land currently zoned industrial.**

Therefore, it is reasonable to expect that Eagle should accommodate a similar proportion of its industrial workforce going forward to 2040. The **additional 135 industrial workers** represent a 17% increase in the industrial workforce, so an equivalent increase in industrially zoned land would be **15-20 acres**, for a total of 115-120 acres.

Future Land Use

The Future Land Use Plan is the culmination of months of effort by the Planning Commission, Township Board, resident input, and other area stakeholders. Based on a comprehensive planning process, the Plan serves as a guide for the community's vision for the next 10 to 15 years.

The Future Land Use Plan is based on an analysis of land use pressures facing Eagle Township, existing land uses and other conditions, demographic and housing statistics, physical constraints and resources, existing and planned transportation network, and the Master Plan's overarching goals and objectives.

Traditionally, a Future Land Use Plan constitutes the development policy of a community. As a community grows, the Future Land Use Plan should be reviewed and updated to address how growth has impacted infrastructure and other existing conditions.

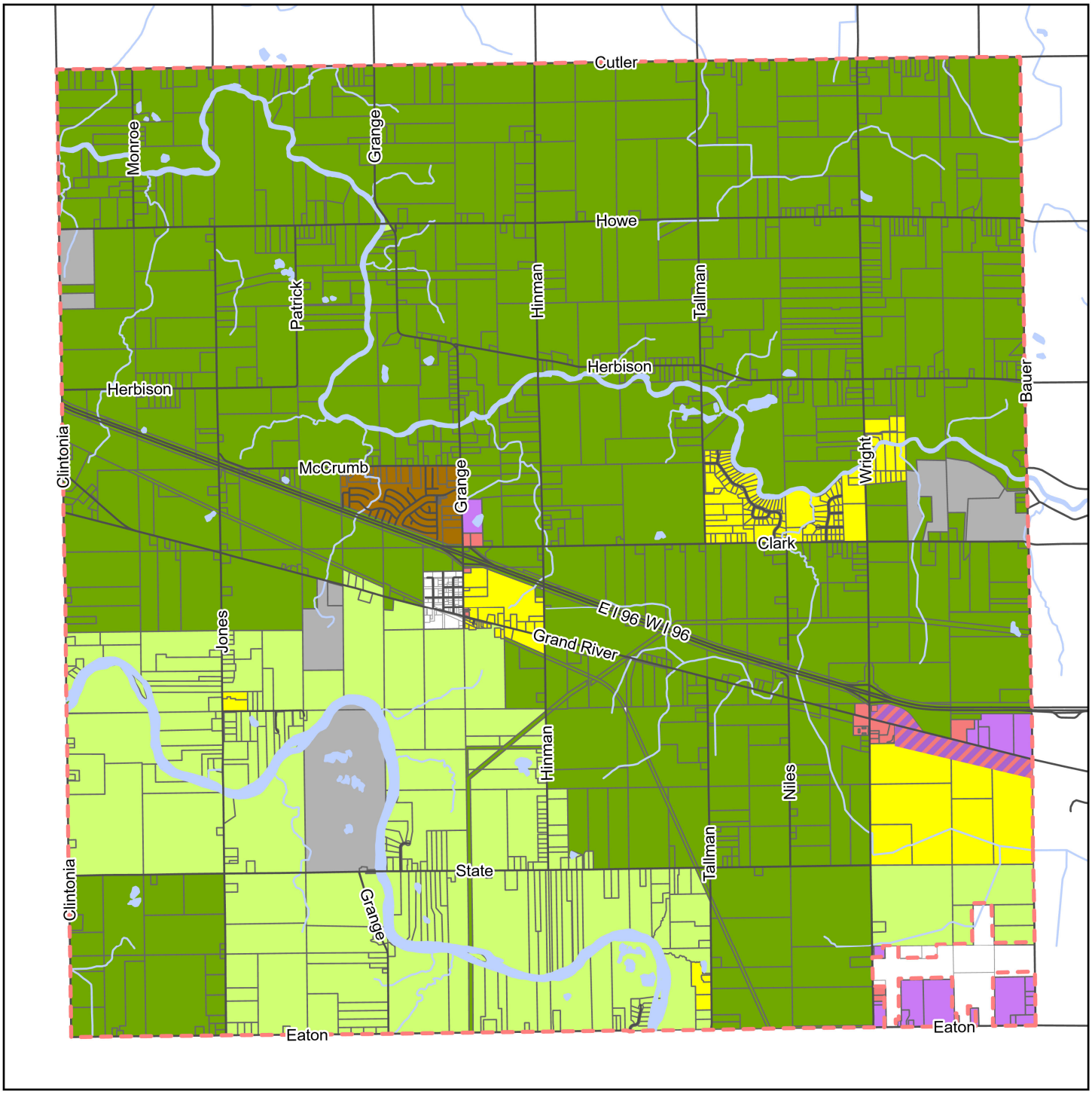
PLANNING PRINCIPLES

Land use planning principles are used as a guide in evaluating development alternatives and public policy decisions. The following are general planning principles that should be applied to all land use categories:

- **Consistency with the Plan.** Development should be reviewed for general consistency with the intent of the master plan as well as other bordering township/municipality's plans. In addition, other governing bodies, such as the State or County, will use the Master Plan in all development or growth or changes that may impact Eagle Township.
- **Concurrence and Compactness.** Development should generally be compact and in most cases directed to areas that maximize the use of the existing public investment in capital improvements. Development should occur concurrently with the provisions for infrastructure. Development should occur in a pragmatic and meaningful way to discourage incompatible adjacent land uses.
- **Sustainability and Natural Systems.** Special consideration should be given when development is proposed in environmentally sensitive areas, particularly around the Township's natural beauty corridors, scenic agricultural areas, and river and creek systems.
- **Human Scale.** The community should be designed on a human scale with a land use pattern balanced around activity centers such as the lakes, schools, community facilities, parks, or other similar sites.

FUTURE LAND USE CATEGORIES

The land use categories are graphically displayed on the Future Land Use Map and are described in this section of the Master Plan on the following pages.



Future Land Use Option 1

Eagle Township, Clinton County, Michigan

April 18, 2024 - DRAFT

LEGEND

Eagle Township Boundary

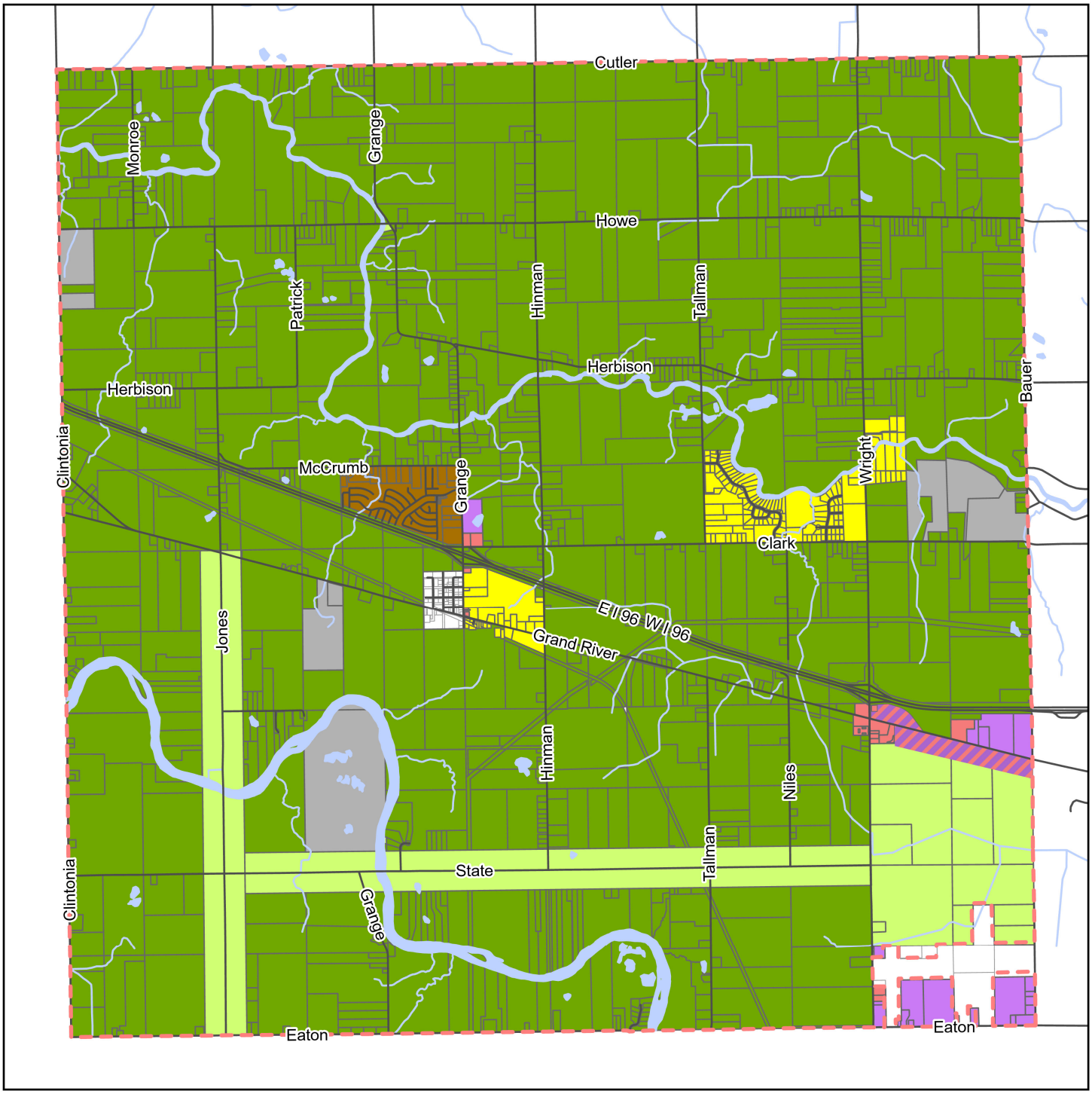
Future Land Use

- Agricultural - 10 Acre Min. Lot Size
- Rural Estate - 5 Acre Min. Lot Size
- Residential - 15,000 SF Min. Lot Size
- Manufactured Housing Community
- Industrial
- Mineral Resource Reclamation
- Commercial
- Commercial Industrial

0 0.5 1 Miles

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: Clinton County 2023.
McKenna 2024.

MCKENNA



Future Land Use Option 2

Eagle Township, Clinton County, Michigan

April 18, 2024 - DRAFT

LEGEND

Eagle Township Boundary

Future Land Use

- Agricultural - 10 Acre Min. Lot Size
- Rural Estate - 5 Acre Min. Lot Size
- Residential - 15,000 SF Min. Lot Size
- Manufactured Housing Community
- Industrial
- Mineral Resource Reclamation
- Commercial
- Commercial Industrial

0 0.5 1 Miles

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: Clinton County 2023.
McKenna 2024.

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Agricultural

General Characteristics
This future land use designation encompasses active farmland and large-lot single-family residential land uses. Residential densities in this land use category should be 1 unit per 10 acres of land.

Appropriate Land Uses
Appropriate land uses include farms with associated accessory buildings and dwelling units matching the character and density of the surrounding area, agri-businesses, and parks.

Streets and Transportation
Streets within the Agricultural Future Land Use designation are typically higher in speed and under the jurisdiction of the County Road Commission or Michigan Department of Transportation. The most heavily traveled should be paved.

Building and Site Design
New homes and accessory structures should be designed with quality materials and be consistent with surrounding homes in terms of scale, massing, and site design. Homes and any accessory structures (used for agricultural or residential purposes) should have a large front yard setback and be constructed further away from the road.

Appropriate Zoning District
A Agricultural

Rural Estate

General Characteristics
Option 1: In areas where the soil is not designated as “Prime Farmland” and natural features such as wetlands, flood plains, hills, woodlands and the Grand and Looking Glass Rivers provide a sense of rural solitude, lots between 5 and 10 acres can be created without losing rural character. These are the areas designated a “Rural Estate” on the Future Land Use Map.

Option 2: Along certain paved corridors in the southern half of the Township, and in areas near Grand Ledge, there are opportunities for smaller lots than the Agricultural District allows, while preserving the Township’s rural character. In these areas, 5 acre lots are permissible. Importantly, the lots should split along the roadways, and should have to be wide enough to ensure adequate driveway spacing for rural traffic speeds (generally 330 feet for the speed limits on State and Jones Roads). These areas a designated as “Rural Estate” on the Future Land Use map.

The intent of this plan is for lots to be split along the existing public road frontage, not along private roads or multiple residence drives. Importantly, on the Future Land Use map, the Rural Estate area is shown as 660 feet deep on either side of the corridors in question, because that is the depth of a 5 acre parcel with 330 feet of road frontage. It is possible that a parcel of greater than 5 acres may be deeper, and that would not be contrary to this plan, provided that the parcel has sufficient frontage along a public road.

Appropriate Land Uses
The appropriate land use for Rural Estate areas are single-family homes, but no more than one unit per 5 acres. Agricultural uses are also permitted, though they may be less common than in the Agricultural category due to the predominant natural features.

Parks, schools, churches, and preserved rural/open space are also appropriate to support a high quality of life and preserve rural character.

Streets and Transportation
Streets within the Agricultural Future Land Use designation are typically higher in speed and under the jurisdiction of the County Road Commission or Michigan Department of Transportation. The most heavily traveled should be paved.

Building and Site Design
Sites should be designed to preserve the natural environment and rural character for the enjoyment of the residents. This is not an agricultural category, but agriculture is permitted, and small-scale home agricultural activities, such as chicken coops, horse runs, small cultivation areas, and 4H animal husbandry are encouraged.

Residential

General Characteristics
I To preserve rural character, residential developments with densities higher than one unit per 5 acres should only be permitted where specifically delineated on the Future Land Use Map. Within those areas, neighborhoods may be constructed to meet housing demand for the Eagle community.

Some areas in this category are greenfield, agricultural, or undeveloped sites, while others are low density neighborhoods where infill is desirable – provided neighborhood character is maintained.

Appropriate Land Uses

The appropriate land uses for Residential areas are single-family homes on lots 15,000 square feet in area or larger. Small multi-family buildings may also be appropriate in select locations, by Special Use Permit.

Parks, schools, churches, and preserved rural/open space are also appropriate to support a high quality of life in the residential areas.

Streets and Transportation
Neighborhood streets are typically low-speed and low-volume. Street patterns should include high connectivity with accessible sidewalks on both sides of the street and bicycle infrastructure where appropriate. On-street parking should be provided where it can be designed safely.

Major thoroughfares should be designed for travel speeds that do not pose a noise or safety threat to surrounding residents and should feature sidewalks or bike paths to allow for non-motorized travel.

Building and Site Design
Sites should be designed to maintain a human, walkable scale, and promote social interaction without negatively impacting existing nearby residential development. Buildings should be designed with quality materials and be consistent with the architectural styles common in the greater Eagle area. Alternative architectural styles may be appropriate in some areas, provided that the unique design enhances the general character of the area. New construction or major renovations should be consistent with the existing residential character in terms of setbacks, height, architecture, and function.

Appropriate Districts
R Residential

Manufactured Housing Community

General Characteristics
The Capital Crossings manufactured housing community is located near the I-196 and Grange Road interchange. It is the intent of this plan for that community to offer high quality of life and be a desirable example of manufactured living, but not to expand beyond its current boundaries.

Appropriate Land Uses

Manufactured housing communities should have high-quality infrastructure, such as roads, water, and septic, adequate spacing between units, and amenities on-site for residents.

Streets and Transportation
Manufactured housing community streets are typically low-speed and low-volume. Street patterns should include high connectivity with accessible sidewalks on both sides of the street and bicycle infrastructure where appropriate.

Building and Site Design
Manufactured homes should be kept in good repair and present an image of high quality of life, to attract and retain residents into the manufactured housing community.

Appropriate Districts
MH Manufactured Housing

Commercial

General Characteristics
In general, in order to preserve rural character, commercial developments should be clustered at key intersections, as shown on the Future Land Use Map – the Wright Road and Grange Road interchanges from I-96.

Appropriate Land Uses
Typical land uses in these areas include retail stores, personal services, offices, medical clinics, and restaurants. Schools, civic buildings, parks, and churches should also be encouraged. The intensity of development should be flexible based on the proximity to major corridors, residential areas, and the Village of Eagle.

The amount of commercial land planned in the Future Land Use Map is consistent with the needs of Eagle residents, as described in the Land Use Needs Analysis. Commercial areas in the Township are not intended to provide highway services, and Special Use permit requests for highway-oriented uses such as gas stations should be evaluated in light of the Township's preference for local-serving businesses.

Streets and Transportation
Commercial development should be concentrated at the intersections of major corridors to give sufficient access to the businesses from all corners of the community. In the immediate vicinity of the businesses, safe and efficient access should be prioritized, including left turn lanes and appropriately spaced driveways.

Building and Site Design
Buildings should be built with durable materials and be architecturally compatible with surrounding neighborhoods. Buildings with a connection to the street, designed with attractive front facades, entrances, and patios are encouraged.

Parking areas may be located in the front, side, or rear yards of buildings. Large areas of parking should be broken up with landscaped islands and trees.

Appropriate Zoning District
C Commercial

Industrial

General Characteristics
The Industrial Future Land Use designation is designed to encompass existing industrial development that does not have the capacity to expand into a broader mix of uses, and therefore does not belong in the Enterprise category - specifically, the oil storage tanks in the northwestern corner of the Township.

Appropriate Land Uses
Appropriate uses include light manufacturing, warehousing, locally-focused contractor's yards. and industrial supply businesses that support the regional logistics, construction, manufacturing, or resource extraction industries.

Streets and Transportation
Streets should be sufficient to handle maintenance vehicles and emergency vehicles that may need to access the tanks, without negative impacts on the surrounding area.

Building and Site Design
Buildings should be industrial in nature, but should be designed to the highest standards of safety and durability.

Appropriate Districts
I-1 Industrial
I-2 High Intensity Industrial in the circumstances noted in the Zoning Plan.

Commercial-Industrial

General Characteristics
This Future Land Use designation is a combination of commercial and industrial and is intended to allow for a flexible variety of business uses, with the specific zoning district determined by the conditions of the site in question.

Commercial-Industrial is intended for office, retail, manufacturing, warehousing, logistics, research and development businesses, and creative industries/artisan facilities. Developments should be designed and operated to be respectful of their surroundings, with minimal truck traffic, noise, bright lights, odor, dust, or outdoor storage/operations.

Appropriate Land Uses
Appropriate uses include office, retail, light manufacturing (as defined in the Zoning Plan), artisan production, food and beverage production, creative industries, warehousing, logistics, and research and development facilities. Parking areas and loading zones must be properly buffered and landscaped when adjacent to residential and agricultural land uses.

Streets and Transportation
Streets should be designed in a pattern that allows access from abutting areas but does not encourage cut- through traffic by employees and trucks. Within the Enterprise district, the streets should be designed to be sufficient for business traffic.

Building and Site Design
Buildings should be constructed of high-quality materials which wrap around the entire building and feature attractive signage. Robust landscaping should be installed throughout the site, especially adjacent to residential areas.

Businesses should be supported by sufficient, but not overly excessive parking areas. Parking areas may be located in the front, side, or rear yards of buildings. Large areas of parking should be broken up with landscaped islands and trees.

Appropriate Districts
C Commercial
I-1 Industrial

I-2 High Intensity Industrial is NOT an Appropriate District for Commercial-Industrial

Mineral Resource Reclamation

General Characteristics
This Future Land Use category acknowledges the existence of mineral resource extraction businesses in the Township and designates them as such so that they can continue to operate without additional constraints from the Township.

Crucially, when the mineral resource extraction use has exhausted the resources, it is mining, the land must be reclaimed into a safe, attractive, and economically viable use – preferably residential, consistent with the Residential Future Land Use category.

Appropriate Land Uses
Appropriate uses include the ongoing resource extraction operations. Future conversion to residential neighborhoods or agricultural uses should occur after the useful life of the mine is over. Reclamation plans should be consistent with surrounding land uses.

Streets and Transportation
Abutting streets should be sufficient for the truck traffic from the operation and may need to be upgraded at the expense of the mine owner.

Building and Site Design
Fences and berms should be erected around the mining operation, which should be kept clean and safe, to the extent possible, at all times.

Appropriate Districts
MR Mineral Resource Extraction

Zoning Plan

On January 1, 2024, Eagle Township adopted its first ever Interim Zoning Ordinance. Concurrently with this plan, the Township developed a permanent Zoning Ordinance, based on the following principles.

Eagle Township adopted a Zoning Map that was consistent with the zoning districts that Clinton County designated before the Township established local zoning. Future rezonings will occur at the request of the property owner, if the request is deemed to be consistent with this plan, in the opinion of the Planning Commission and Township Board.

The following chart shall be used to determine whether the proposed zoning district is appropriate.

Future Land Use Category	Appropriate Zoning Districts
Agricultural	A Agricultural
Rural Estate	RE Rural Estate
Residential	R Residential
Commercial	C Commercial
Industrial	I-1 Industrial I-2 High Intensity Industrial, in the circumstances described below.
Commercial-Industrial	C Commercial I Industrial
Mineral Resource Extraction	MR Mineral Resource Extraction R Residential (at the conclusion of the useful life of the mining operation)

I-2 High Intensity Industrial

The I-2 category shall be used restrictively, and shall exist to allow “high intensity” industrial uses, which shall be defined as follows:

A use meeting the definition of manufacturing that, in the opinion of the Zoning Administrator, could have a substantial negative impact on surrounding residents, businesses, and/or the environment by virtue of any of the following: noise, dust, odor, vibration, aesthetics, truck traffic, rail traffic, structure height, environmental contamination, or causing land on neighboring properties to become unstable or unbuildable. Additionally, all manufacturing uses encompassing more than 100,000 square feet shall be considered High Intensity.

Rezonings to the I-2 District shall only be permitted in the following circumstances:

- The land must be designated “Industrial” on the Future Land Use Map.
- The land must be far enough from residential uses that the “substantial negative impacts” will be mitigated by distance.
- The land must be adjacent to a County Primary Road or State Trunkline and must have a simple and reasonably direct route to I-96 that utilizes only County Primary Roads or State Trunklines.

Appendix

On February 22, 2024, Eagle Township hosted a community engagement event. This event was intended to hear the voices of the community and what they hope for their future. The comments of the public are transcribed below, and images of the input boards are included later in this section.

What Does Eagle Township Mean to You?

The public was invited to write a sticky note and post it on a board titled, “What does Eagle Township mean to you?” Each response is quoted below:

- Restful Place
- Eagle is a beautiful settlement, a few new houses would be great, but more business-small maybe anything larger than a family-owned business, no!
- Rural, fresh air, less traffic, noise, pollution, friendly community, a great place to call home, no large scale industrial, low crime, affordable taxes.
- Rural, water way, fishing, kayaking, agriculture, friendly place to raise family.
- Eagle is a community that works together for the good of our farmland and single dwelling. I appreciate the peace of the area and want to continue.
- Quiet rural living. Good neighbors.
- Enjoying the rural atmosphere and nature.
- Rural, farmland, quiet, no wind and solar, wildlife, no mega site.
- Dark sky, agriculture, wild adventure, seasonal.
- Never feel compelled to support/foster economic growth!
- Community helping community.
- Rural- community life, watching wildlife, watching the river being used. Don’t change a thing. We like it just the way it is. That’s why we moved here.
- Eagle Township has a large agricultural base and a strong sense of community.
- Home.
- Peace and quiet.
- Leave it alone!
- Home sweet home for 47 years. It’s nice and quiet.
- Eagle days 4H fair, chicken dinner, peace and quiet, beautiful farm country.
- Open spaces, friendly people that are about the environment.

- Quiet.
- Simple, quaint, slow, country, small town feeling, caring for neighbors, quiet.
- Cherished productive agricultural property, peace and quiet, open space, clean environment.
- Eagle is a wonderful community in which to raise a family- rural, open spaces, close enough to big cities, but you don't have to look at them. Need space to grow grass, trees, gardens-vegetable, flowers- be neighborly. Would like to keep Eagle-area for children and grandchildren.
- Serenity now
- Eagle is a small agriculture and farming community, It's got a small-town feel and the people are genuine. Family, farming, rural. Let's keep it that way!
- Not a city! Rural, farmland, agriculture, natural resources, low density, light housing, minimal traffic. If I wanted city life I'd move to a city! I worked hard to purchase my own home in rural country,
- Rural! Atmosphere great place to raise families and then enjoy retirement.
- Home, rural-few neighbors, farming, wildlife, no solar or wind, quiet-peaceful, no mega site, limited industrial.
- Farmland, rural, clean rivers, quiet community, friendly, open skies.
- A good rural community to live in. I enjoy seeing farm fields, not windmills or solar fields.
- Lived here 45 years. Love my neighborhood and community. Great people that I know.
- Rural, quiet, clean, open skies, peace.
- Farming, rural, country, keep us the same!
- Peace, quiet, clean, rural, safe, no industry, no commercial.
- Beautiful farmland. Quiet country living!
- Rural community, green space, no light pollution, neighborly, friendly and safe, controlled growth, clean air, clean water, wildlife, beautiful, accessible, welcoming, inclusive.
- Quiet, wildlife in my yard, space to breathe, community.
- A nice rural country.
- Great living all my life.
- I think urban sprawl is a problem and Eagle should try to stay rural as long as possible.
- More events, space, safe biking paths.
- Peace and quiet.
- Farming, family, community, good people.
- No ITC lines.
- No ITC! No eminent domain.
- Rural, few people, light traffic, noise, and light, home!
  Farm community, rural landscape, peaceful.
- Family, farm, rural atmosphere.
- Please leave as is- quiet, nature. No mega sites, no windmills, no solar.
- No mega site!!! Stay the same please! We like quiet, rural area! No solar!
- A quiet, peaceful place to relax after work.
- No more divisions in farmland- 1st RR, then highways, then ITC lines- eagle fair, Hinder Hazer, farmers, and beautiful sunsets.
- Green space for miles.
- Small town good people.
- Picturesque.
- Perfect as is.
- Wide open.

- It’s been my home for over 30 years. Raised my kids here. Eagle is home community, and caring. I love the rural feel.
- Rural area with commitment to community.
- Eagle is our family homestead- it’s our family’s anchor.
- Community, friendship, neighbors, country, living with wildlife all around, and light traffic. Neighbors looking out for one another, township history.
- Keep it rural! Open spaces, farms, small towns.
- Rural living, low traffic, dark skies at night, quiet.
- My home community/am represented by fellow residents who share same love for community. Appreciate hard work!
- Very nice, rural community. The people of Eagle really care about each other. Keep rural.
- A place that respects where it comes from and the years of family sacrifice and local services that members of this community have put into the stewardship of the land, waterways, and a variety of life in our small community.
- People who live in rural living. Value tranquility, connection to nature, sense of community. Entails a closer connection to the land. Greater reliance on self-sufficiency.
- Tranquility, peaceful, community, friendships, solitude, freedom.

What does Eagle Township mean to you?

Write your ideas on a sticky n[illegible] place below.

more events. Space. safe biking paths

peace + quiet.

Farming
Family
Community
Good people

Eagle is a beautiful settlement. A few new houses would be pretty but more business - small maybe anything larger than a family would bus. NO!

NO ITC LINES

NO !!! ITC !!! NO Eminent Domain

RURAL
FRESH AIR
LESS TRAFFIC, NOISE, POLLUTION
FRIENDLY COMMUNITY
A GREAT PLACE TO ALL HOME
NO LARGE SCALE INDUSTRIAL
LOW CRIME
AFFORDABLE TAXES

RURAL
FEW PEOPLE
LIGHT TRAFFIC, NOISE & LIGHT
HOME!

RURAL
WATER WAY
FISHING
KAYAKING
AGRICULTURE
FRIENDLY PLACE TO RAISE FAMILY

Farm community
Rural landscape
Peaceful

Eagle is a community that works together for the good of our farmland + single dwelling. Appreciate the peace of the area. Want to continue.

Family
Farm
Rural Atmosphere

quite rural living. Good neighbors

Please leave as IS - Quiet - NATURE
NO MEGA SITES
NO WINDMILLS
NO SOLAR

Great Living all my life

NO MEGA Site !!!!!! Stay the Same - Please!! We like Quiet, Rural area!! No Solar!!!!

Rural - Country life watching wildlife - watching the River being used. Don't change a thing we like it just the way it is. That's why we moved here.

Eagle Township has a large agricultural base and a strong sense of community.

Quiet
Wildlife in my yard
Space to Breathe
Community

A quiet, peaceful place to relax after work.

Picturesque

HOME

green space for wildlife

Small town good people

Perfect as is.

Wide open.

Tranquility
Peaceful
Community
Friendships
Solitude
Freedom

People who live in rural living
- Value - tranquility, connection to nature, sense of community
- Entails a closer connection to the land
- Greater reliance on self-sufficiency

Home
Rural - few neighbors
farming
wildlife
No Solar or Wind
Quiet - Peaceful
No Mega Site
Limited Industrial

No more divisions in farmland - 1 of RR, Pipelines, the ITC lines - Eagle Falls Harden Harper farmers & beautiful sunsets

Farm Land
Rural
clean rivers
quiet community
friendly
open skies

Rural
Quiet, Clean
open skies
place

Community
Helping
Community

Farming
Rural
Country!
Keep us the Same!

Rural
Farmland
Quiet
No wind + solar
Wildlife
No mega site

Dark sky
Agriculture
Wild adventure
Seasonal

Rural Living
- low traffic
- dark skies at night
- quiet

never feel compelled to support/foster economic GROWTH!

A good Rural Community to live in. I enjoy Seeing Farmfields Not windmills or Solar fields

Peace
Quiet - No Commercial
Clean
Rural
Safe

Enjoying the rural atmosphere + nature

Rural area with commitment to community

Eagle is our family homestead - it's our family's anchor.

Peace + Quiet

Eagle days
4H Fair
Chicken Dinner
Peace and quiet
Beautiful farm country

OPEN SPACES
FRIENDLY PEOPLE
THAT CARE ABOUT
THE ENVIRONMENT

Very rural community. The people of Eagle really care about each other. Keep Rural...

A PLACE THAT EXPRESSES where I came from and the years of family sacrifice and hard earned that members of this community have put into the ownership of the land, workmanship, and quality of life in our small community.

Eagle is a wonderful community to raise a family - overall open spaces, close enough to big cities, but you don't have to look at them. Need space to grow grass, trees, gardens, vegetable. Would like to keep Eagle - open for children and grandchildren to enjoy.

Rural Atmosphere Great place to raise families & then enjoy Retirement.

MY HOME COMMUNITY AN APPRECIATION BY FELLOW ASSOCIATE WHO SHARES SAME LOVE FOR COMMUNITY APPRECIATE HARD WORK!

Leave it alone!

It's Home

Keep it Rural!
- Open Spaces
- Farms
- Small Town

Home Sweet Home for 47 years It's nice + Quiet

I lived here 45 years
Love my neighborhood & Community.
Great people that I know.

It's been my home for over 30 years. Raised my kids here. Eagle is home. Community + caring of I love the rural feel.

Community, Friendship, — Neighborly, COUNTRY LIVING w/ wildlife all around, + the Tranquil Neighbors looking out for one another. Township History

Beautiful farm land. Quiet country living!

No light pollution
Neighborly
Friendly & safe
Controlled growth
Clean air, clean water
wildlife
Beautiful
Accessible
Welcoming
Inclusive

Cherished Productive Agricultural Property
- Peace and quiet
- Open space
- Clean Environment

QUIET

Simple
Quaint
Slow
Country
Small Town Feeling
Caring for Neighbors
Quiet

EAGLE TOWNSHIP
CLINTON COUNTY

PLANNING FOR THE FUTURE OF OUR COMMUNITY

Comment Cards

The public was invited to fill out a comment card and place it in a box. Each response is quoted below:

- Some change is acceptable but controlled change. We are resident does not equal pl. Stay residential!!
- No more subdivisions. We already have a trailer park that is only ¼ full.
- No ITC lines.
- EMS and fire access to both rivers.
- Prosperity without growth, Tim Jackson (author); forward by King Charles (Britain) worth reading!
- We are from Grand Ledge and would like Eagle to remain the same. Grand Ledge has grown too fast and we don't need Eagle to become the same sprawl. It's a beautiful community that should be left rural.
- I really appreciated having a survey that represented all the options and viewpoints giving residents and others the opportunity to accurately express their views regarding a master plan in our township.
- Biking paths
- New residential should be a cute façade, high density (maybe), located in a small area. If more places to live would be good. Bicycling areas/trails that are safe from autos.
- Keep it rural. We paid a premium to be here. Thank you!
- I do not wish to have homes build on less than 10-acre parcels. It has been said repeatedly that homes on smaller front lots will allow farming to the rear. And will also keep industrial and solar/wind at bay. The only thing small front lots will accomplish is more homes and residences. It will only encourage landowners to sell off frontage- solar and wind and industrial will still build behind.
- Leave our farmland alone. Do not want industrial. Enjoy quiet. No wind or solar.
- Very supportive of local control!
- Keep Eagle and surrounding community as is.
- This presentation was similar to our electronic survey. It was good. I just hope you are listening to our community. Thank you. P.S. Why are people outside community to participate?
- We do not want the land sold to Chinese-owned anything!
- No Chinese/foreign business!
- So glad the new township board is doing a great job and listening to its citizens. Keep up the good work.
- Greater sense of people who wanted to listen to what residents are looking for.
- Eagle is a small, tight-knit community of farmers and agriculture. These corrupt state officials, the governor, MESDC, etc. pushing these mega-sites and wind turbine/solar farms need to leave us hell alone. We don't want them!!! Leave Eagle the way it is!!
- Eagle has always been a small farming community and should remain that way.
- No mega site!!!
- I don't want Eagle Township to become part of Lansing, like Delta Township and Meridian Township. Keep Eagle Township rural! No industrial development. No commercial development.
- Would like to see Eagle retain its rural character. There is not room or desire for a mega site or wind or solar farms.
- We appreciate the current township board and planning commissions hard work and dedication. It is a relief having trusted members be our voice and advocate for Eagle residents. We love our community and want to keep it the same. Thanks for all you do!
- No mega site keep farmland.
- Eagle is beautiful! The people working the land.
    1) Improvement to workshop: use markers instead of dots.
    2) Glad to see petition signing.

3) Proud of Eagle folks getting together to be heard.
4) State low of 300' for notification is too small. 1,000 ft notifying neighbors should be minimum.

- Survey was sometimes vague and confusing here and there. But good start. Really appreciate being asked and the comms.
- Need local control of growth in rural area. Keep the farmland put the industrial growth in the city where they belong.
- I don't believe it is reasonable to insist on no growth. Progress happens and change happens- but, with a strong plan for growth we can keep Eagle township from becoming a disorganized industrial mess. I believe there could be reasonable growth I the village of Eagle, for example, an agricultural farm market or small stands. A huge industrial facility I believe would be an environmental disaster and would turn a lovely plot of land into a polluted brownfield in no time flat. All the talk of jobs/jobs/jobs is a house of cards. How about a park with recreational areas? If that land must be rezoned, I would prefer a solar farm to a huge manufacturing plant. Thank you to the Eagle Township Board and McKenna!
- Eagle Township is an ideal community- as it is! Home ownership and housing values are high, crime rates are low, higher education attainment rates are high and unemployment is low. This is one of the best counties in the state to raise a child. It would be foolish to make changes that would impact this delicate balance.
- This was much better than the last community engagement. Informative and more applicable to our community. Thank you.
- Support vertical farming projects.

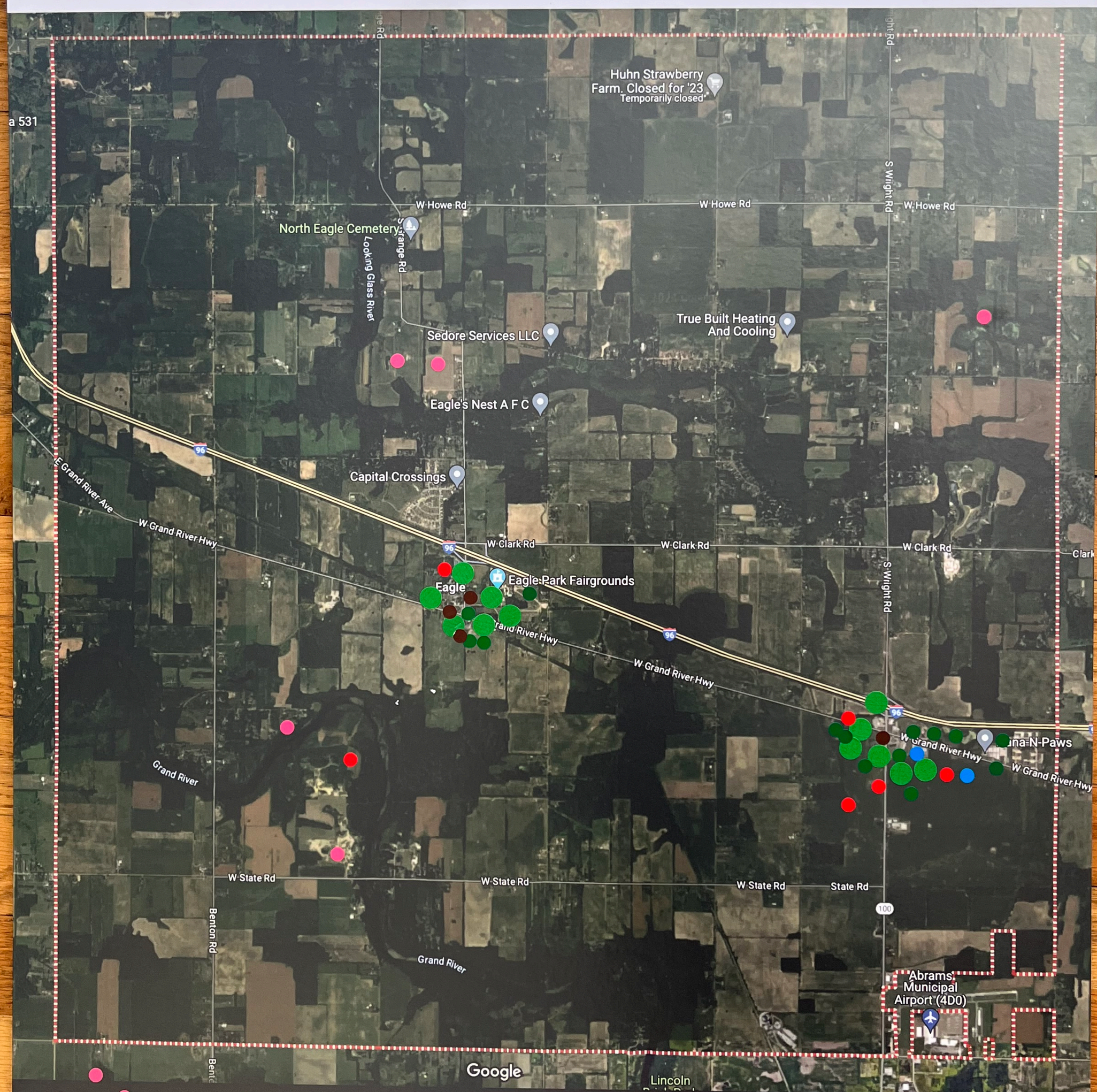
Commercial

LAND USE

Where should commercial land use be in Eagle Township?

Place a **green** or **blue** sticker where you think this land use should be and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO



EAGLE TOWNSHIP
CLINTON COUNTY

PLANNING FOR THE FUTURE OF OUR COMMUNITY

Commercial

VISUAL PREFERENCE

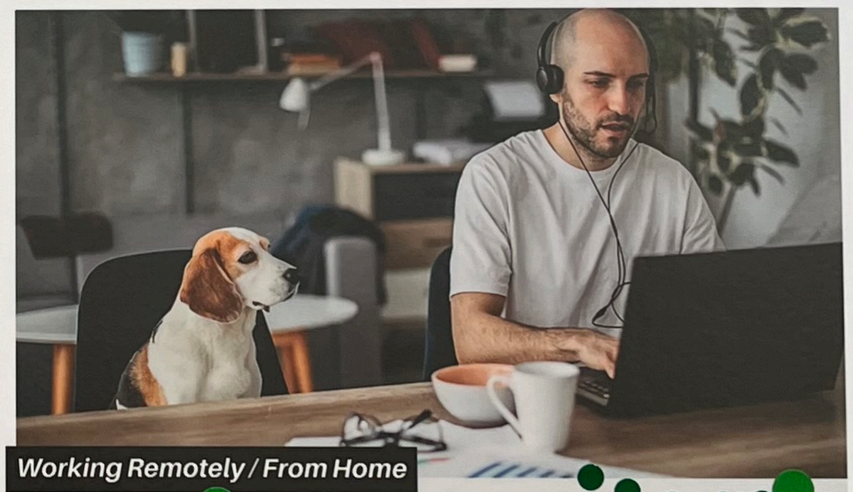
What should commercial businesses look like in Eagle Township?
Place a **green** or **blue** sticker under business types that fit your vision for Eagle and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO

Family Farm Stand

Agritourism, such as Cider Mills

Large Farm Market


Working Remotely / From Home

Tourist-Oriented Rural Businesses

Cluster of Rural Businesses ("Hamlet")

Commercial

VISUAL PREFERENCE

What should commercial businesses look like in Eagle Township?
Place a **green** or **blue** sticker under business types that fit your vision for Eagle and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO

Busy Commercial Corridor

Busy Commercial Corridor with Upgraded Landscaping

Chain Restaurants, including Drive-Throughs

Chain Retail, including Discount Stores

Urban-Style Mixed Use

Historic Downtown

Industrial

LAND USE

Where should industrial land use be in Eagle Township?

Place a **green** or **blue** sticker where you think this land use should be and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO

EAGLE TOWNSHIP
CLINTON COUNTY

PLANNING FOR THE FUTURE OF OUR COMMUNITY

Industrial

VISUAL PREFERENCE

How should industrial businesses in Eagle Township look?
Place a **green** or **blue** sticker under the industry types that match your vision for Eagle, and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO

Backyard Industry

Agricultural Industry

Local Industry

Regional Industry, Including Megasites

Solar Farm

Wind Turbines

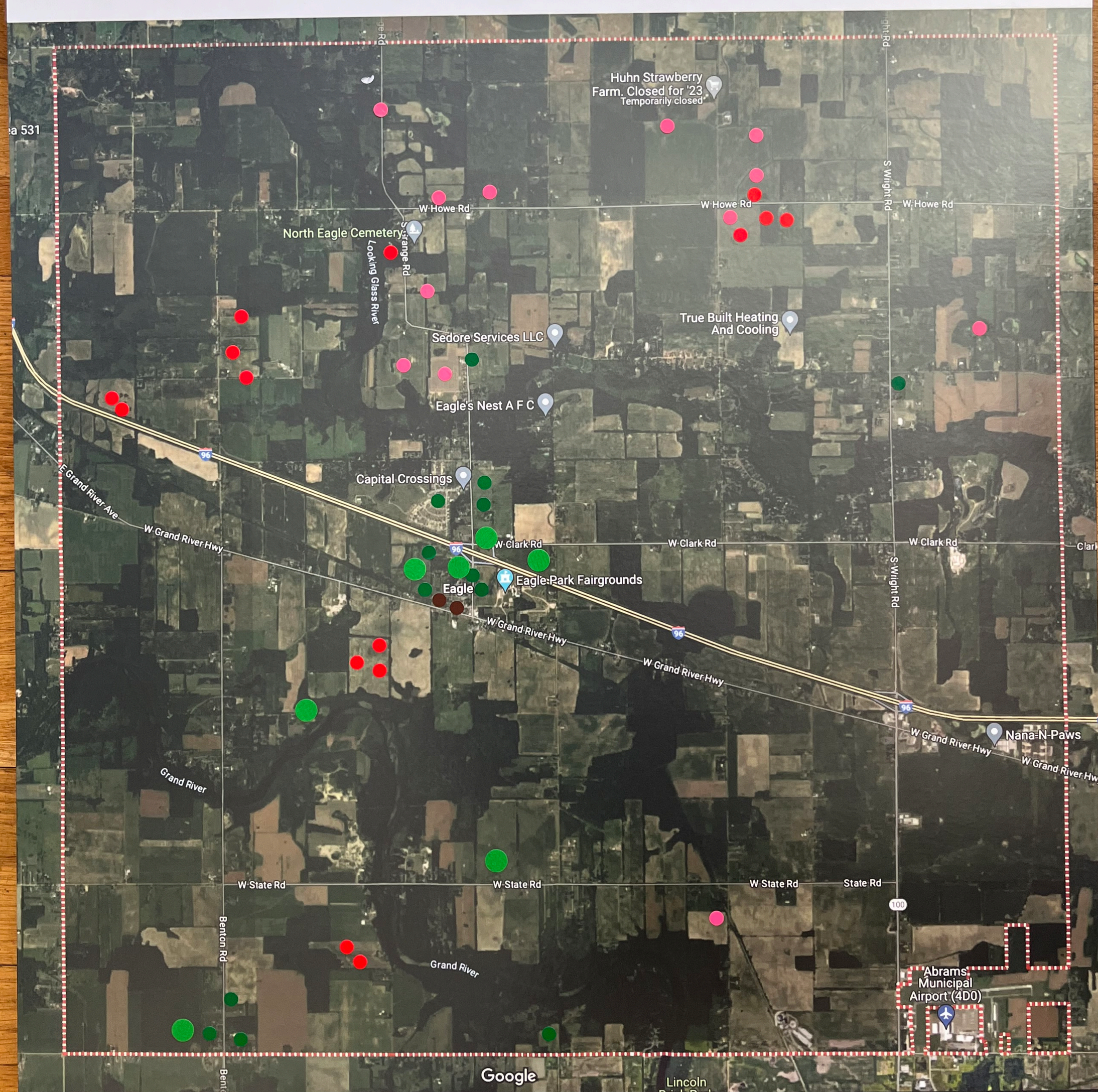
Residential

LAND USE

Where should residential land use be in Eagle Township?

Place a **green** or **blue** sticker where you think this land use should be and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO



EAGLE TOWNSHIP
CLINTON COUNTY

PLANNING FOR THE FUTURE OF OUR COMMUNITY

Housing

VISUAL PREFERENCE

What types of housing do you want in Eagle Township?
Place a **green** or **blue** sticker under the housing types that match your vision for Eagle, and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO

Homes on Large, Wooded Lots

Homes amongst Farm Fields

New Subdivision with Ample Yards

New Subdivision with Nearby Neighbors

Attached Townhomes

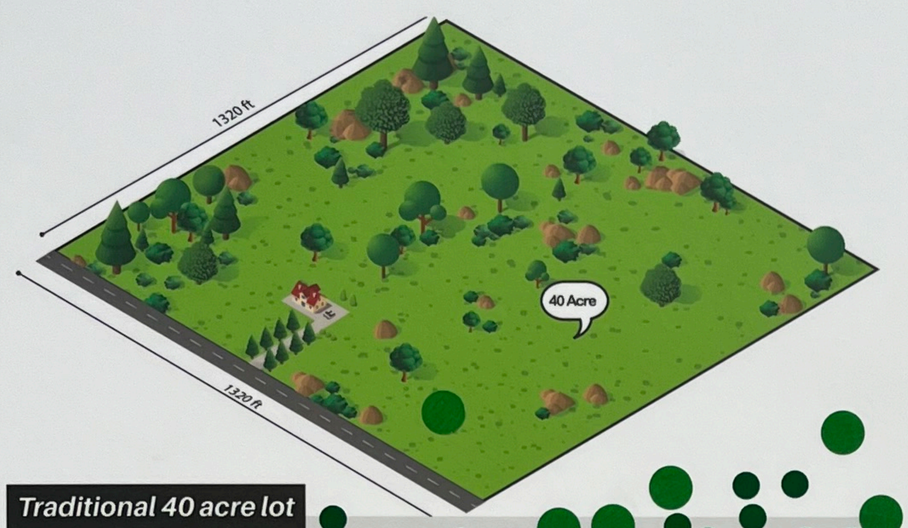
Apartment Building

Housing Density

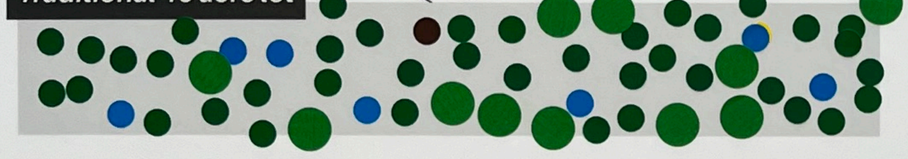
Below are several examples of how rural land can be divided into smaller lots so homes can be built. Place a **green** or **blue** sticker under the lot sizes and neighborhood designs that fit your vision for Eagle, and a **red** or **yellow** sticker under those that don't.

VISUAL PREFERENCE

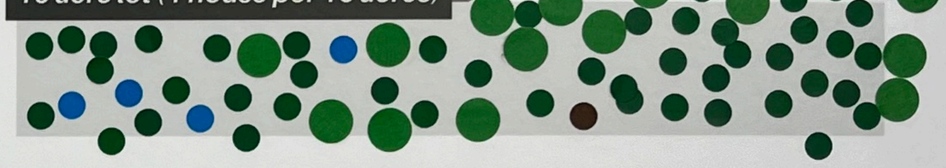
Residents YES NO Non-Residents YES NO

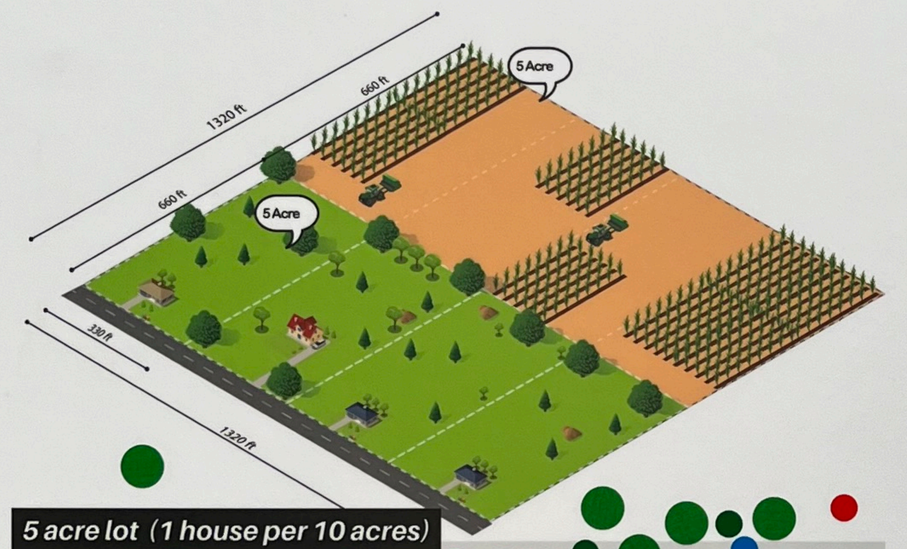


Traditional 40 acre lot

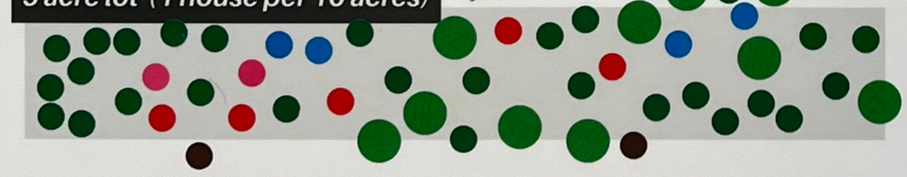


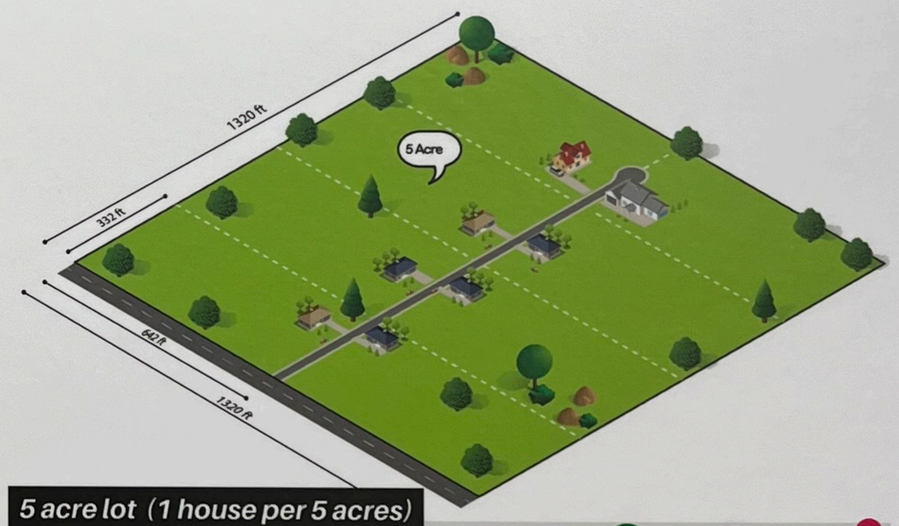
10 acre lot (1 house per 10 acres)



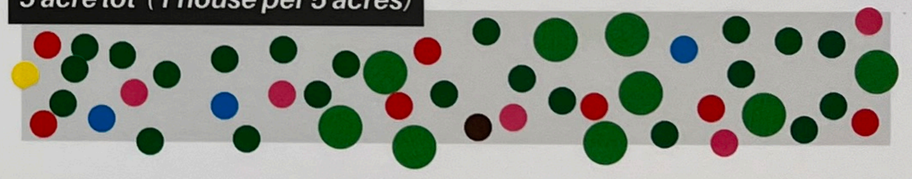


5 acre lot (1 house per 10 acres)

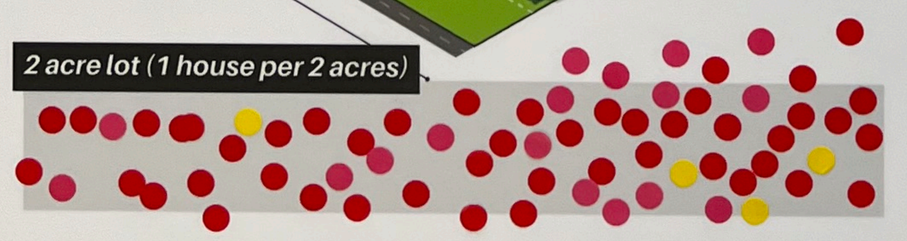




5 acre lot (1 house per 5 acres)



2 acre lot (1 house per 2 acres)



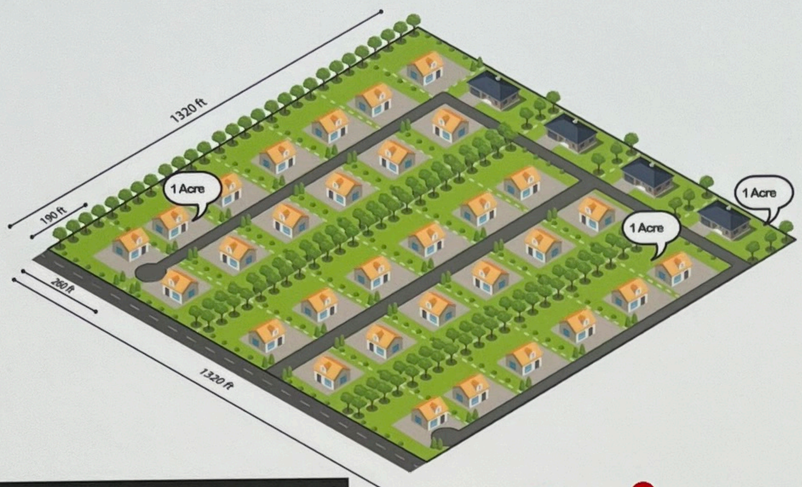
1 acre lot - 1 house per 2 acre

Housing Density

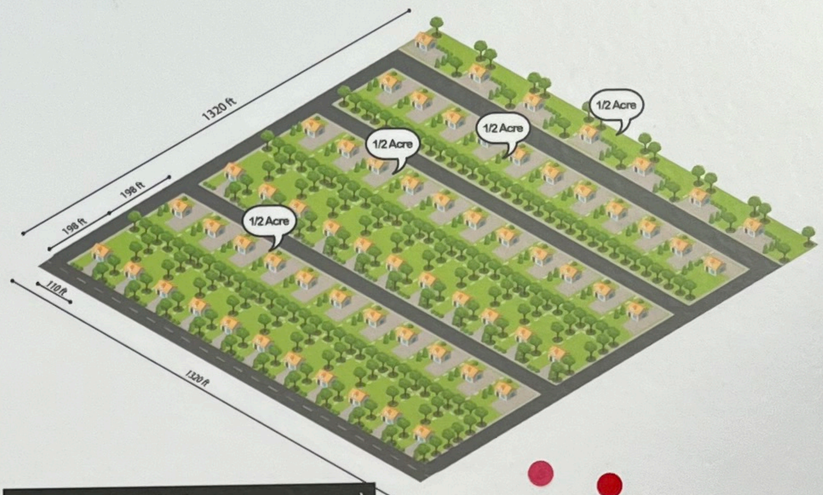
Below are several examples of how rural land can be divided into smaller lots so homes can be built. Place a **green** or **blue** sticker under the lot sizes and neighborhood designs that fit your vision for Eagle, and a **red** or **yellow** sticker under those that don't.

VISUAL PREFERENCE

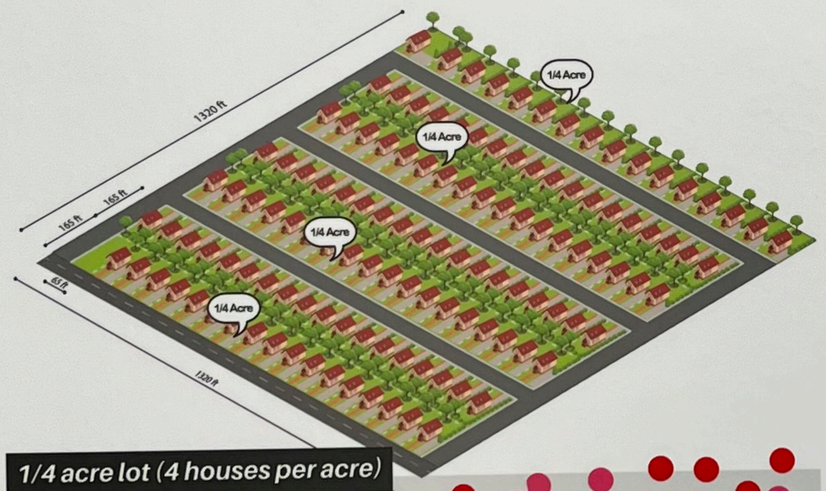
Residents YES NO Non-Residents YES NO



1 acre lot (1 house per acre)



1/2 acre lot (1 house per acre)



1/4 acre lot (4 houses per acre)

Townhouses (4 townhouses per acre)

Condos / Apartments (over 8 units per acre)

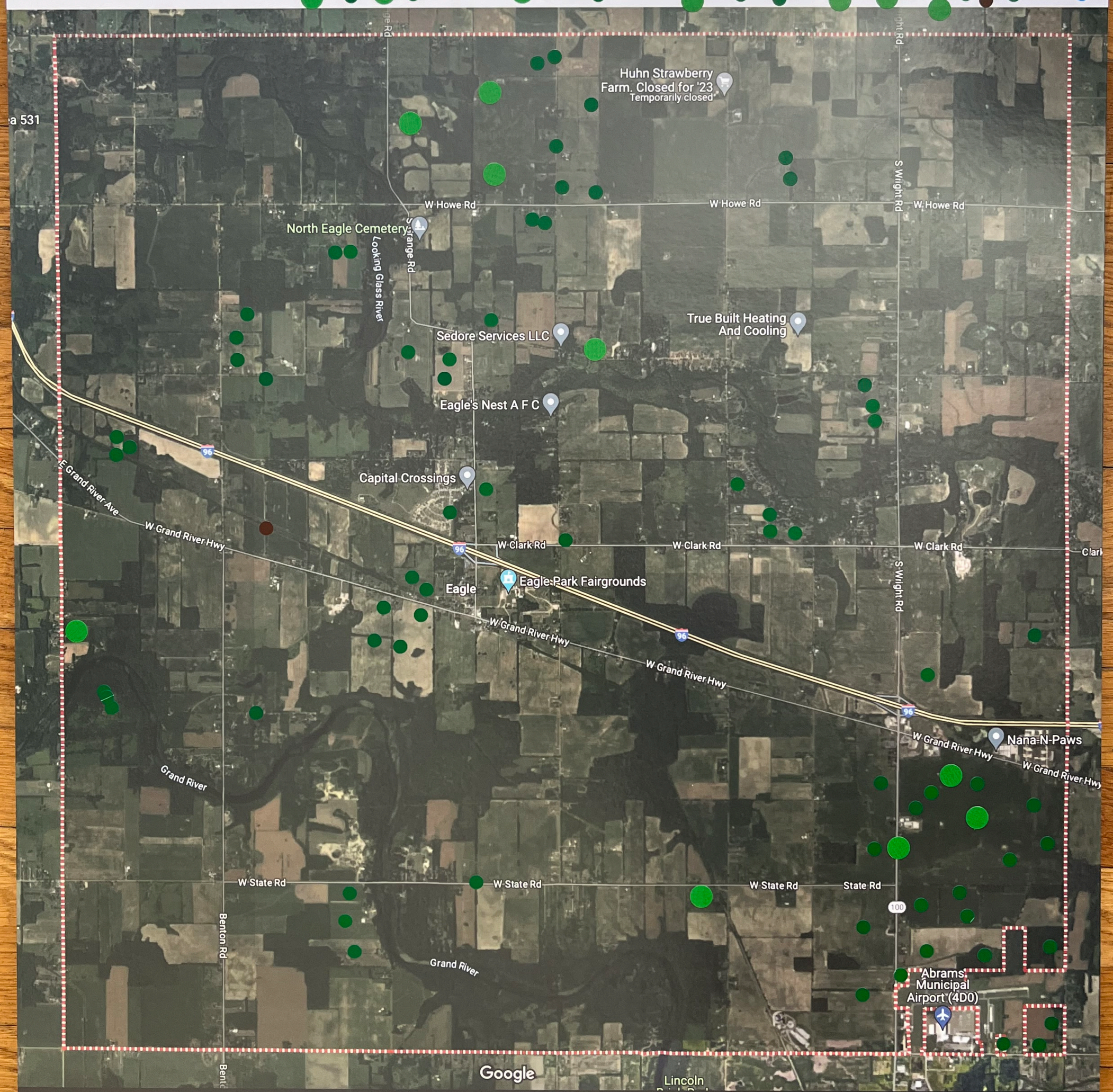
Agricultural/ Rural

Where should agricultural/rural land use be in Eagle Township?

LAND USE

Place a **green** or **blue** sticker where you think this land use should be and a **red** or **yellow** sticker under those that don't.

Residents YES NO Non-Residents YES NO



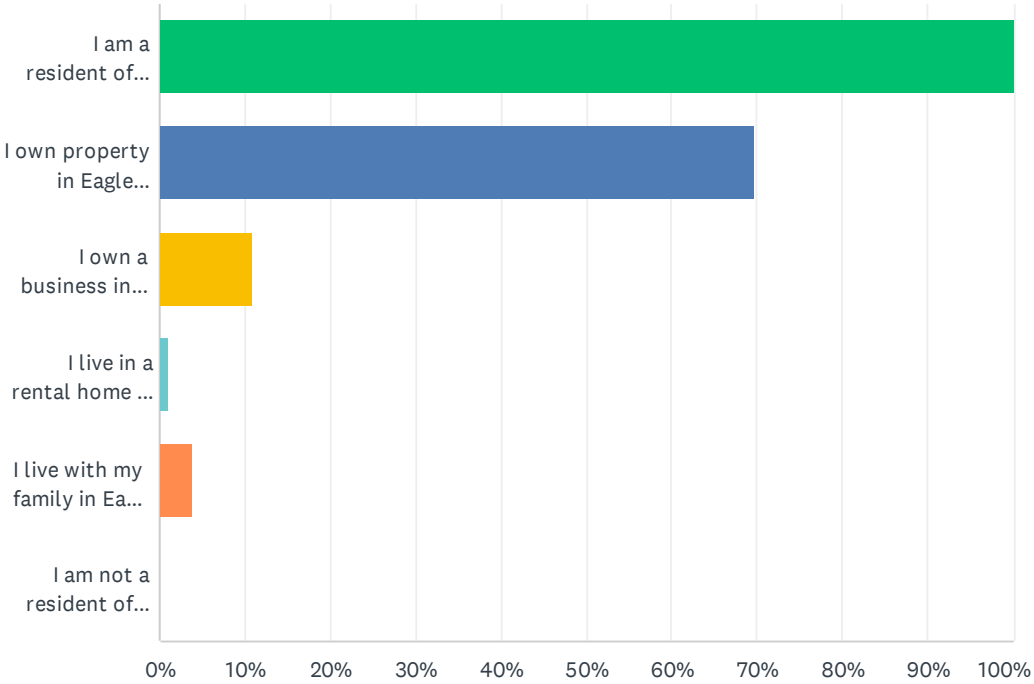
EAGLE TOWNSHIP
CLINTON COUNTY

PLANNING FOR THE FUTURE OF OUR COMMUNITY

Survey Results – Residents and Non-Residents

Q1 Please check all that apply:

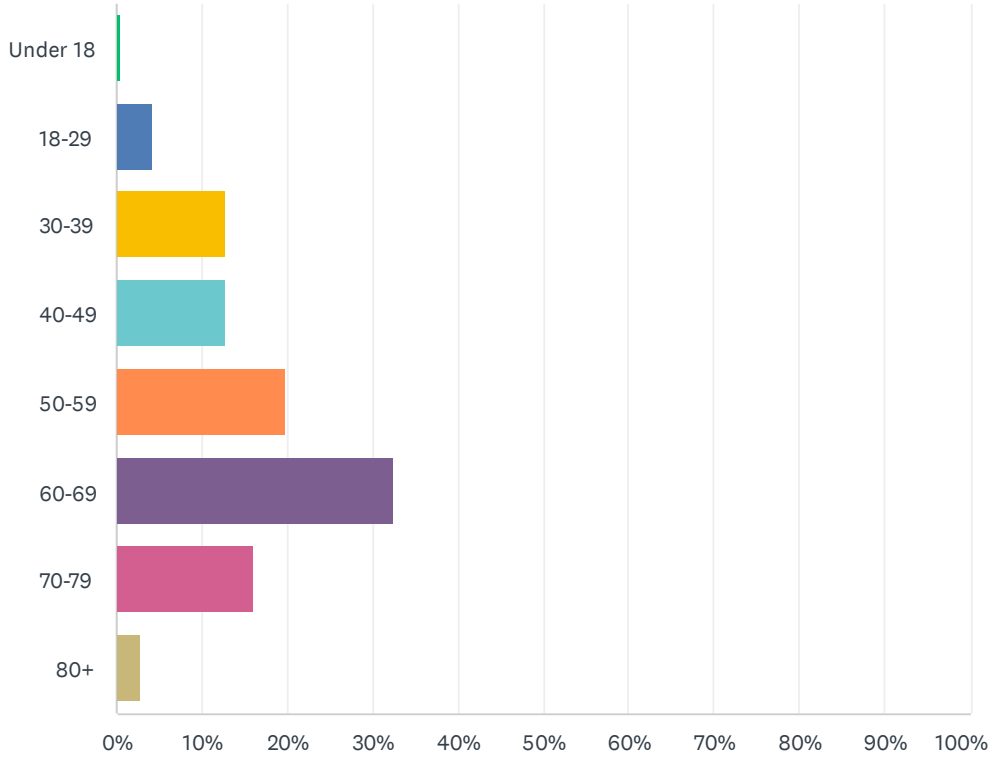
Answered: 257 Skipped: 0



ANSWER CHOICES	RESPONSES	
I am a resident of Eagle Township	100.00%	257
I own property in Eagle Township	69.65%	179
I own a business in Eagle Township	10.89%	28
I live in a rental home in Eagle Township	1.17%	3
I live with my family in Eagle Township, but I am not the owner of my home.	3.89%	10
I am not a resident of Eagle Township	0.00%	0
Total Respondents: 257		

Q2 Please check your age range:

Answered: 256 Skipped: 1



ANSWER CHOICES	RESPONSES	
Under 18	0.39%	1
18-29	4.30%	11
30-39	12.89%	33
40-49	12.89%	33
50-59	19.92%	51
60-69	32.42%	83
70-79	16.02%	41
80+	2.73%	7
Total Respondents: 256		

Q3 Please share your address. If you are not comfortable sharing your address, please share the nearest intersection to your home.

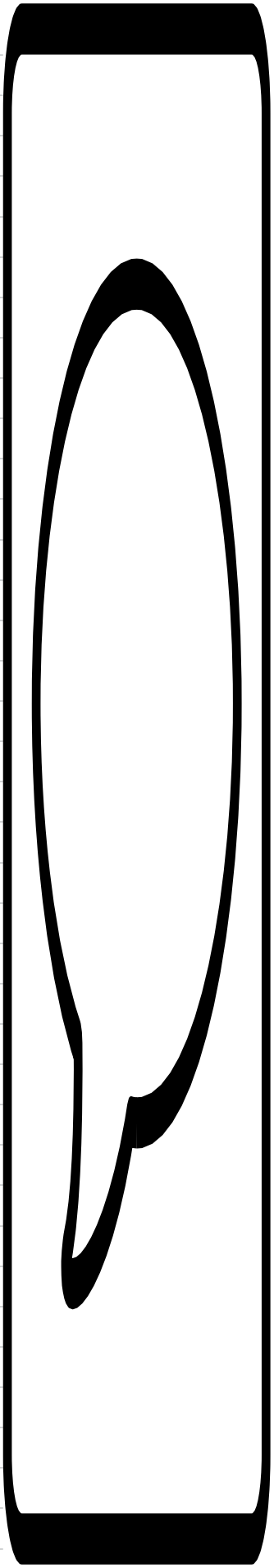
Answered: 235 Skipped: 22

#	RESPONSES
1	12758 S. Grange Rd. Eagle, MI 48822
2	12758 S. Grange Rd. Eagle, 48822
3	Howe Road Tallman Road
4	11585 W. Howe Rd.
5	Bauer and Herbison
6	Cutler and Howe
7	13601 S Grange Rd
8	Wright and Cutler
9	Herbison Rd and Tallman Rd
10	10457 W. Howe Rd. Eagle MI 48822
11	13553 south wright road
12	State and Tallman
13	14298 S. Hinman Rd. Eagle MI. 48822
14	13370 S Wright Rd
15	15410 Wright Rd. Grand Ledge, MI 48837
16	11340 W Howe Rd
17	12489 W. Grand River Hwy
18	14490 Howe Rd Portland, MI 48875
19	Jones and State
20	Clark and Midd
21	Clark and Midd
22	Howe and Patrick
23	Grand River and Jones
24	Hinnman and State
25	Grange rd-Howe rd
26	Howe Rd- Grange Rd
27	Tallman and Herbison Rd
28	13440 S Wright Road
29	15300 S Jones Rd
30	12790 s grange
31	Howe rd

32	14736 W Herbison Rd
33	13150 S Wright Rd
34	Wright Rd and Cutler
35	12386 W Grand River
36	13140 E eaton hwy
37	13500 West State Road
38	Howe/Grange
39	13798 Hardenburg Trail
40	13633 S Tallman Rd
41	Wright Rd.
42	Clark and Hinman Rd.
43	Grange and howe
44	Grange rd and Grand River Hwy
45	14284 S Wright Road, Eagle
46	11590 W. Howe Rd Eagle MI 48822
47	12935 S. Jones rd Eagle, MI
48	15374 s. Niles rd.
49	12301 W. Clark Rd
50	Clark and Niles
51	11361 S Wright Rd., Eagle, MI
52	Grange Road
53	Eden Trail
54	12599 Grange Rd Eagle MI 48822
55	12210 West herbison rd
56	13380 S Bauer Rd eagle Michigan 48822
57	Hinman Rd
58	Clark and Hinman Rd
59	15979 cutler rd.
60	1:380 S Bauer Rd
61	13380 S Bauer rd
62	10069 W Clark Rd
63	Washington & Center in the village of Eagle
64	village limits grand river & center st
65	13772 McCrumb Road
66	16770 s. bauer rd.
67	patrick and howe rd
68	13451 S. Tallman Rd. Eagle
69	13234 Tallman rd

70	M100/clark rd
71	12262 S Hinman Rd, Eagle, MI
72	13101 W. State Rd
73	13101 W. State Road
74	12461 S. Wright road, Eagle, MI 48822
75	12461 S. Wright Road, Eagle, MI 48822
76	12461 S. Wright Road, Eagle, MI 48822
77	Grange and Howe
78	13701 Clintonia Rd, Portland, MI 48875
79	13543 S Wright Road
80	13543 S Wright Rd
81	11890 S. Hinman rd. Eagle,MI
82	Clark and Hardenberg
83	Clark and wright
84	13800 W Howe Rd
85	13300 State Road Grand Ledge 48837
86	State Rd. Grand Ledge
87	Wirght Rd
88	13824 S. Grange Rd. Eagle I 48822
89	12300 S. Grange Rd. Eagle, MI 48822
90	12300 S Frange Rd Eagle, MI 48822
91	10120 W Eaton Hwy Grand Ledge 48837
92	10120 W Eaton Hwy Grand Ledge 48837
93	11100 Eden Trail
94	13932 Hardenburg Trail Eagle 48822
95	Eaton hwy & M-100
96	13901 S. Tallman Rd
97	15380 S. Tallman Rd. Eagle MI
98	Clark Roud and Eden Trail
99	13142 S. Tallman Rd. Eagle, 48822
100	W. Grand River Hwy
101	W. Grand River Hwy
102	11370 W. Howe Rd. Eagle, MI 48822
103	13416 W. Howe rd. Eagle MI. 48822
104	Wright & Clark Rd
105	13500 W. State Road, Grand Ledge
106	13510 Iowa Ct Capital Crossing
107	13975 W. Grand River hwy

108	11900 Eden Trl, Eagle, MI 48822
109	Clark and Tallman Roads
110	15499 S Niles Rd
111	12085 W Herbison Eagle, Michigan 48822
112	13801 s hinman rd eagle, mi
113	15380 South Tallman Rd
114	14736 w. Herbison
115	Hinman and State roads
116	Bauer/Herbison
117	Bauer and clark
118	16320 Wright Rd
119	11555 W. State Road, Eagle, MI 48822
120	11555 W State Road, Eagle, MI 48822
121	16760 S Bauer Rd, Grand Ledge
122	W State Rd and Wright (M100)
123	Howe and Write
124	11699 Eden Trail, Eagle MI 48822
125	16440 Tallman Rd., Grand Ledge
126	M-100
127	Clark and M100
128	14605 W Stoll Rd, Eagle MI
129	11260 monroe rd
130	Howe and Herbison
131	16440 S Grange Rd. Grand Ledge, MI 48837
132	13521 Grace
133	Jones Rd & State Rd
134	15340 s. Hinman rd
135	14480 w grand river Hwy
136	11250 Eden Trail
137	13234 South Tallman Road
138	13801 s hinman rd eagle, mi
139	13311 S. Grange Road Eagle, Michigan 48822
140	13800 W. Howe Rd
141	13346 w Grand river hwy
142	13772 McCrumb Rd., Eagle, MI 48822
143	16845 Jones Road
144	M 100 & Clark
145	14090 McCrumb Road



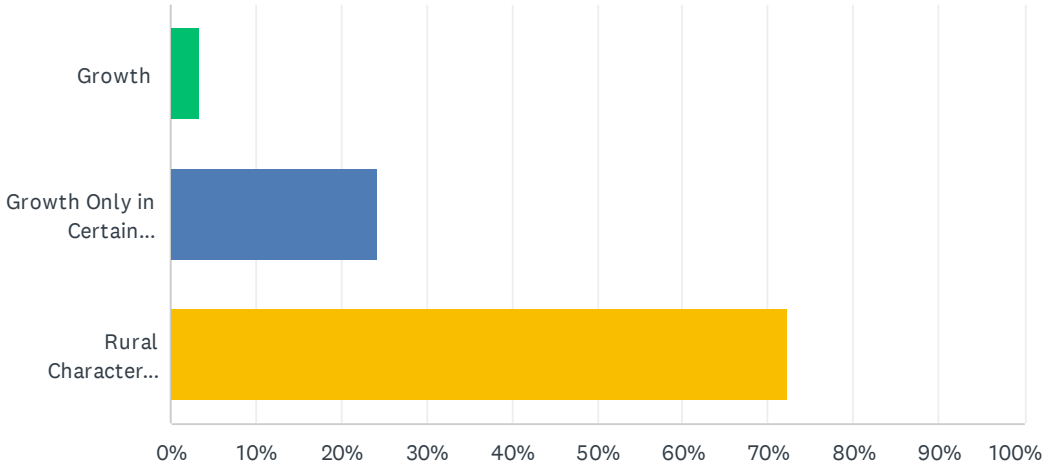
146	13400 S Wright Rd, Eagle
147	VThomann01@gmail.com
148	14090 mccrumb
149	15048 S Tallman Rd
150	12290 W. State Road Grand Ledge MI 48837
151	13801 s hinman rd eagle, mi
152	12833 W Clark Road, Eagle, MI 48822
153	13290 S Jones Rd
154	14086 W State rd Grand Ledge Mi 48837
155	13645 s tallman rd
156	Clark & Eden Trail
157	wright and howe
158	14086 w state rd grand ledge
159	11950 W Clark
160	Clark Rd & Hardenburg Trail
161	16882 S. Bauer Rd
162	11408 grange rd Portland 48875
163	13420 s wright road
164	11500 w. Clark Road
165	16620 wright rd grand ledge mi 48837
166	13662 California Ave
167	13311 S Grange Rd Eagle, Mi. 48822
168	Bauer Rd and Clark Rd
169	12461 S. Wright Road, Eagle, MI 48822
170	Jones rd
171	grange and cutler
172	14890 w Herbison
173	13318 W Grand River Hwy
174	13318 W Grand River Hwy
175	1.3800 W Grand River Hwy
176	13800 W. Grand River Hwy.
177	Tallman and Clark
178	13165 Clintonia
179	11789 Eden Tr
180	11720 Eden trail
181	11100 Eden Trail, Eagle, MI
182	Howe rd / Tallman rd
183	Bauer/Herbison

184	Grange and McCrumb rd
185	12833 W Clark Rd
186	Eaton Highway and South Bauer Road
187	11370 W Howe Road Eagle
188	12428 S. Wright Rd.
189	13398 S Grange Rd
190	11162 Kuiper Drive, Eagle, MI 48822
191	Bauer and Herbison
192	Jones and Stoll
193	11319 Harpham Dr
194	12350 West Herbison Road Eagle Michigan
195	Grand river, m100/state road.
196	12320 S Bauer Rd Eagle MI 48822
197	W. State Road & Jones Road
198	M100 & State Road
199	16845 Jones Road
200	13521 Grace Dr
201	11250 Eden Trail
202	13065 W Howe Road
203	M-100/Grand River Intersection
204	15374 s. Niles Rd.
205	14435 Cutler Road, Portland, MI
206	Howe and Bauer
207	HInman and grand river
208	15116 Eagle Ridge Rd
209	Tallman & Herbison rds.
210	15115 Eagle Ridge Road
211	14100 S. Wright Rd.
212	11740 W State Rd
213	15816 Little Lake Dr.
214	11095 W Clark Rd
215	Hinman
216	Grange Rd & Herbison Rd
217	13065 w Howe rd eagle mi 48822
218	Clark Rd./M-100
219	15600 W. State Rd
220	12399 w. Herbison rd
221	12330 S Grange

222	Tallman and West Herbison
223	15115 Eagle Ridge Road
224	12600 S Wright Road
225	12600 S Wright Rd Eagle
226	Tallman & Herbison
227	11140 S Hinman rd
228	Eagle Township
229	11780 W State rd
230	13398 S Grange Rd
231	11780 W State Rd
232	15773 S Tallman Rd
233	15773 S. Tallman Road
234	13824 south grange road Eagle Michigan
235	12320 south Bauer rd

Q4 In general, should Eagle Township promote growth, or promote the preservation of rural character?

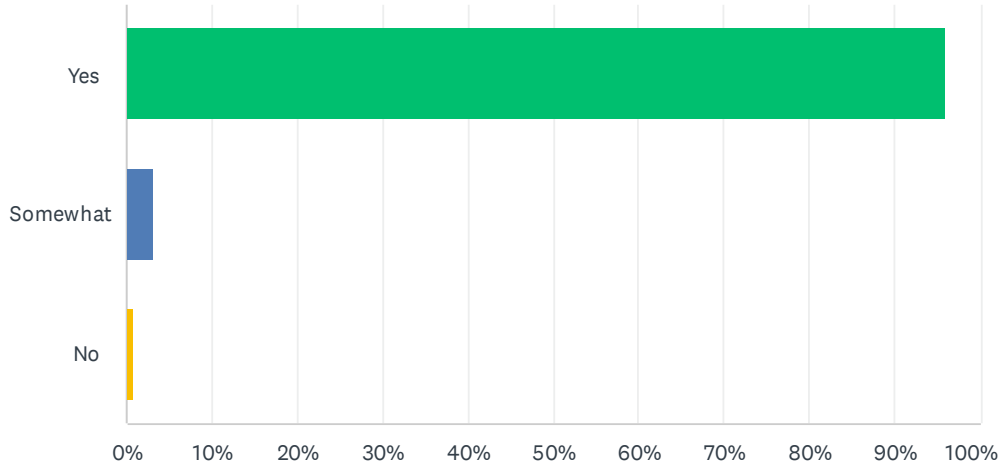
Answered: 242 Skipped: 15



ANSWER CHOICES	RESPONSES	
Growth	3.31%	8
Growth Only in Certain Locations	24.38%	59
Rural Character Throughout the Township	72.31%	175
TOTAL		242

Q5 Are the Natural features such as the trees, creeks, and wildlife in Eagle Township important to you?

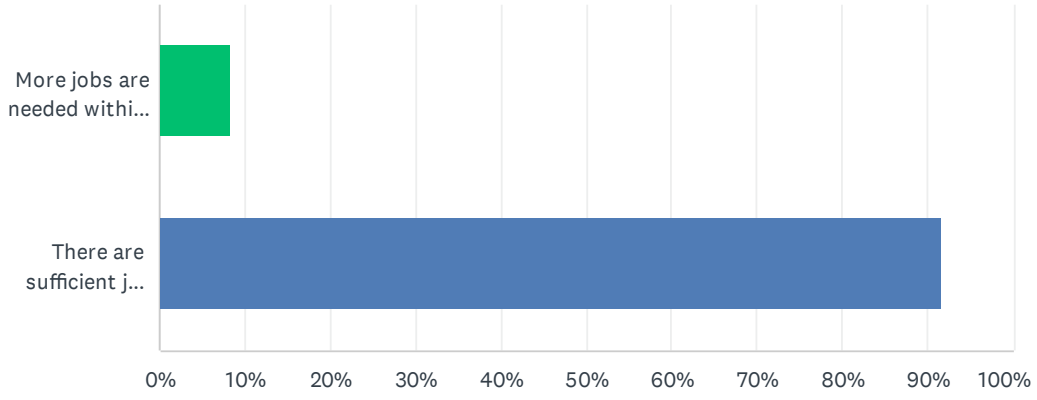
Answered: 244 Skipped: 13



ANSWER CHOICES	RESPONSES	
Yes	95.90%	234
Somewhat	3.28%	8
No	0.82%	2
TOTAL		244

Q6 Does Eagle Township need more jobs within its boundaries, or are there sufficient jobs in the Township and surrounding communities to support the Township's population?

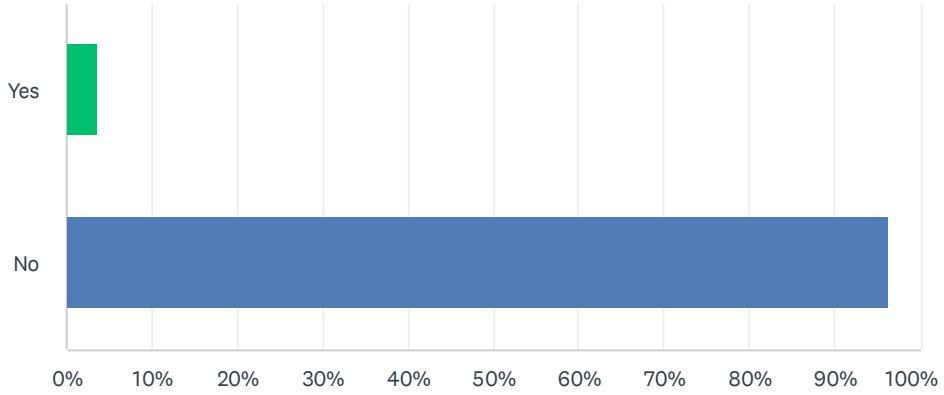
Answered: 242 Skipped: 15



ANSWER CHOICES	RESPONSES	
More jobs are needed within the Township.	8.26%	20
There are sufficient jobs within and near the Township.	91.74%	222
TOTAL		242

Q7 Do you support large-scale industrial development in the Township?

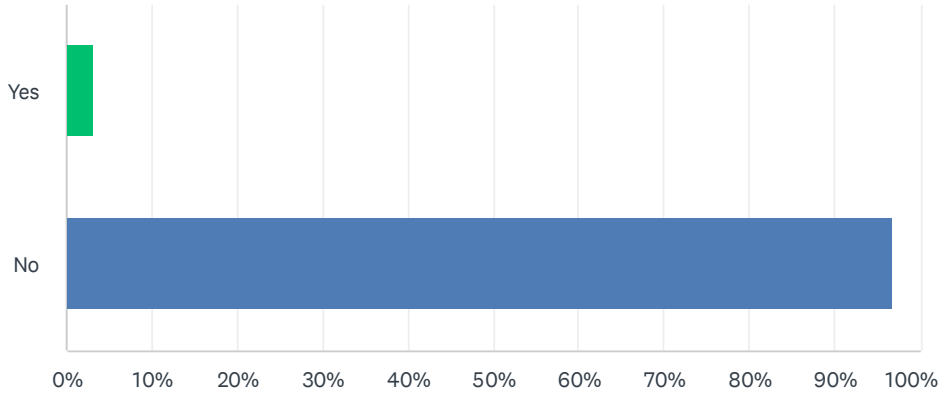
Answered: 243 Skipped: 14



ANSWER CHOICES	RESPONSES	
Yes	3.70%	9
No	96.30%	234
TOTAL		243

Q8 Do you support large-scale commercial/retail (i.e. big box or strip malls) development in the Township?

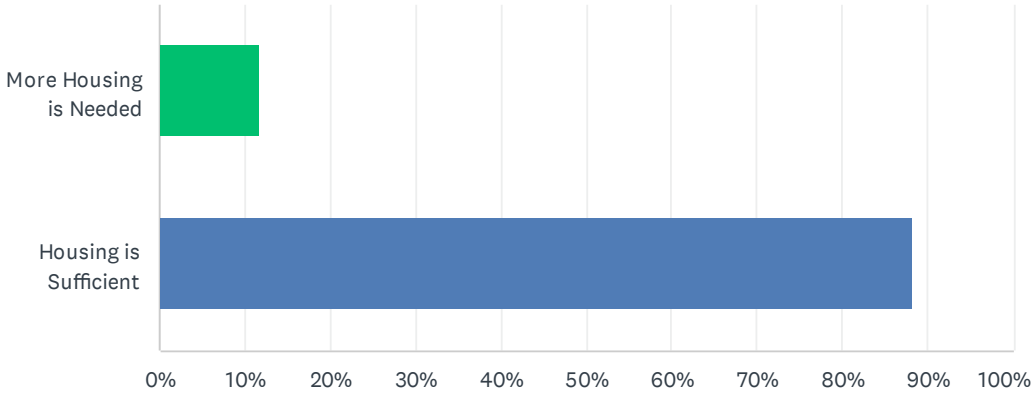
Answered: 244 Skipped: 13



ANSWER CHOICES	RESPONSES	
Yes	3.28%	8
No	96.72%	236
TOTAL		244

Q9 Does Eagle Township need more housing within its boundaries, or is there sufficient housing to support the Township's population?

Answered: 239 Skipped: 18



ANSWER CHOICES	RESPONSES	
More Housing is Needed	11.72%	28
Housing is Sufficient	88.28%	211
TOTAL		239

Q10 What makes you most proud of living in Eagle Township?

Answered: 216 Skipped: 41

#	RESPONSES
1	My husband and I have lived in Eagle since late 1989 and raised our 3 kids here. Theycame after school, played outside, discovered the woods, and found activities to keep themselves busy. Neighbors looked out for one another. We've been here all the while one acre lots on main road frontage has been sold off and homes built. Change is inevitable. I do see more changes in the last few years than in previous years. With high density population in a small space/area brings some issues, we got capital crossings because there was no planning in place. or requests such as that. It literally fell into disrepair for years. During bankruptcy after bankruptcy. I would like to see slow growth and planned growth.
2	We are fortunate to live in a rural area, close to Lansing for work (I retired in 2010, moved here in 1989) and children went to Portland schools. So far it's been a low crime area. I know my neighbors.
3	Small town Low taxes Friendly
4	Country life, quiet.
5	Small farming community.
6	The quiet rural atmosphere
7	Small town feel, the Lookingglass River, quiet community
8	It's rural america....dirt roads, farms, wildlife,no noise pollution, no traffic, great neighbors,
9	Community Hard working famers The river and wildlife All around friendly
10	Love the country feel. Love the openness. The wildlife. No houses behind us - I love that. We moved from Landing/Dewitt to get away from the city life. Quiet here - I need that. Ad we need farmland to be farmed, that's the backbone of our country.
11	Privacy and land
12	Very friendly people quiet and peaceful country life. Community events to bring people together
13	It is HOME. That's why we moved here!
14	Rural, but growing community.
15	The small community, beautiful landscape to relax/enjoy with family and friends. Country living yet within easy reach of more populated/city experiences if wanted
16	Small Town Friendly country feel
17	We love the natural open spaces and quiet environment. People are friendly and support each other. The schools we good as well and the community supports the local school system crime is low as well. The above reasons are why we moved here!
18	Nature
19	Rural atmosphere.
20	Not so much anymore. Too much argument and complaining with community.
21	Neighbors- people too much argument and complaining with the township. Never had this before.
22	It’s quiet country atmosphere. I can go to the store, post office or restaurants and they know who I am.
23	The rural atmosphere and small town feel. People are very kind and supportive of each other.

24	The farmland, abundant wildlife and woodland the quiet countryside and river
25	Rural living
26	The natural wildlife and beauty rural living
27	When we build in 1987, we specifically looked for a rural area, that was yet still close enough to commute to Lansing(where we both worked). We were proud of our strong school system and the evolvement of the community. The goal of raising our future family sharing in nature as we did growing up was important.
28	Our rural landscape and a true community feel.
29	Small town community
30	Rural life atmosphere. Friends and neighbors
31	Small town feel within the village and country setting with wildlife outside the village.
32	Small close-knit, caring community
33	Peaceful surroundings with access to commercial development 10 minutes away.
34	Lifetime resident Small community feel Farmland, need farmers!
35	The quiet rural setting, family setting, sitting out on my back porch and watching nature and animals run through the corn fields, love the famers and their farming. I grew up here and have stayed here well into my 60's, I love my hometown village.
36	The people helping one another and the drive to save farming communities and property from destruction of industry
37	We are a tight nit community family. There's no need to turn our small town into a big town at all.
38	Rural, feel safe
39	Our Centennial Farm & the fact that we live on it & 3 different generations have been born on this farm.
40	Living in a SMALL town! Keep it that way!
41	The peace and quite. The wildlife. And the fresh air. The best thing for me is being able to hunt on my property.
42	The wild life and how it does not smell like Lansing, and for most of the time how quiet it is
43	Rural, quiet, lots of wildlife, clean, happy community
44	I've lived in this area all my life. I love the country. The city is close enough to travel to
45	The country environment
46	Rural character, small community
47	Rural communities, farm land.
48	Like living outside the city. Beauty of nature in my backyard....short drive to the city.
49	The way we come together when need. From fighting against the mega site, 1,000s of people coming out to search for a little boy, and seeing a farmer lose his life and the community coming together to help get the crops out. It's these types of things I love about this area.
50	Rural area
51	Small and the people
52	Rivers and will life and room to breathe
53	The people coming together when needed. Whether it's fighting a mega site, searching for a little boy, or when a farmer loses his life and needs helping getting the crops out. I've seen this place come together in a matter of hours. That's why I'm proud to live here
54	I'm proud of how this community comes together when it's time. Whether it's fighting a mega

	site, searching for a little boy, or when a farm loses his life and needs help. I've seen this community come together in a matter of hours to help each other. That's what I'm proud of.
55	Rural community where homeowners take pride in their residence & surrounding community and look out for each other
56	The rural character of the township and it's close proximity to the services in the city such as grocery stores, retail stores and medical facilities.
57	The rural character and slower pace in it.
58	nice community
59	small, quaint rural community
60	How beautiful it is and our wildlife.
61	The countryside, the people & the farmland
62	Beautiful rural community
63	Rural atmosphere
64	I am proud to have lived in Eagle Township for over 35 years. My good neighbors are a blend of rural and residential community members, served by a smattering of small businesses and services. Eagle Township is a splendid place raise a family and provides the necessary elements to instill in children the importance of environmental stewardship and community.
65	Safe for myself and raising my sons. clean, rural, and not busy.
66	Clean, safe, and great place to grow-up
67	Rural character and clean living.
68	The close knit community and quaintness of the area.
69	Small town friendliness,
70	The fact that we are rural but only 10 minutes away from being in town, shopping, movies, etc. Perfect place to live. All the people who visit us always say it is so quiet but so close to many things to do. We would like to keep it that way.
71	Quiet living with short drive to city.
72	Prime farmland, nice rivers, and beautiful sunrises and sunsets over the farm fields.
73	It's rural 'UP North' atmosphere!
74	As a newer resident, I love the spirit of the people here. I love how we, as a community, are taking on the state and rhe powers that be to keep our township, our township.
75	My family has lived in Eagle Township since 1880. Grandfathers helped build roads and bridges in Eagle Township. I would be pound for my family to live in Eagle Township for another 14 years.
76	Close knit community. Living on the same land nearly my entire life. Al the farmland and wildlife.
77	Great rural area, beautiful, low problems.
78	The rural agricultural environment.
79	The people in the community are friendly and caring and take care of each other.
80	The freedom to live and appreciate nature. I love to relax without the hassle of noise and not having to have neighbors living close. I enjoy looking out my window to watch the sunrise and not looking at another house. Nature, birds, deer, (eagles), fox, etc. This you don't see. Grateful of God's beauty.
81	Nature in God's eyes
82	Rural and quiet

83	Our tight community that cares for each other.
84	Non commercial rural Living community Easy commute to commercial Internet Personal leadership of people who are fellow residents
85	The rural atmosphere provides a great environment to raise children.
86	I live on the same square mile for most of my life. I'm 68 years and only lived somewhere for 9 year 6 months. This is my home.
87	We need more farmland. Organize land!
88	The peace, quiet, and serenity.
89	Close knit farming community where everyone helps each other.
90	Green space Farming DNR (Hunting) Modest Growth
91	Just being a nice Rural Community. I moved here because of the Peace and Quiet and just to enjoy the overall peacefulness.
92	I like that I have a great view of rolling farm land behind my house. People always compliment my view because it's better than the look of my house. The governor doesn't care about what view I have from my patio while I dri k my coffee in the morning. I'm proud to live in a small township. I don't want to bring Lansing to Eagle.
93	I'm most proud of our community in a small, peaceful rural area that has beautiful, untouched natural habitats.
94	A quiet rural farming community.
95	The country atmosphere. That is why I moved here.
96	Family roots. Rural land. Clean air to breathe and plenty of room to get outside and enjoy the views.
97	Rural character of the land and the residents.
98	I have lived in Eagle Township for 35 years and I am proud of those living within our community. There is an independent attitude which I wish to see continued.
99	Agriculture, and hardworking residents…
100	Safe, Friendly , Rural environment
101	Its rural farm character and its friendly and neighborly atmosphere,
102	My neighbors, everyone is helpful and considerate
103	It's rich history there is a lot of hidden treasures a lot of people are unknown For example just south of my property of what use to be my great uncle farm (now owned by the Eyde Corp.) is the old eagle ice dam which a good portion is still there
104	The country atmosphere and comfort with its closeness to all other needs. I enjoy the farms, animals etc.
105	The ability to have open space and rural living.
106	Sense of community, good neighbors, peace and serenity at my home
107	Not much lately due to the backwards thinking of the current board
108	It's natural beauty and ir's farmland
109	Productive agriculture; strong community; healthy, scenic, and peaceful environment; local parks, trails, etc.
110	Small town, rural community living. Farms, we have everything we already need close by. People support each other.
111	I'm proud of our agricultural community, the wildlife that we have, the peacefulness of this area, and the clean air and water that we have.

112	Rural character
113	I have lived here for more than thirty years, and I very much like the rural character and friendly people of the township. It has a country feel, yet convenient shopping is only a few minutes away.
114	Rural country feel
115	I grew up in the city if Lansing and moved to a community like Eagle for many reasons. Most importantly because I want my kids to learn the value of hard work, in a small town, and the value it can bring to a community. The city of Lansing is full of crime, poverty, and industry. Farming is the most important industry in the United States and we need to preserve the areas that still support it.
116	The small community, rural aspect of the Township.
117	The rural character and agricultural nature of the community
118	Its rural. No urban sprawl.
119	The long family histories of the oldest resident families and the respect of our history by the local community. Along with our communal drive to work with Nature and be stewards of our greatest local resources.
120	Even tho you can jump on highway and get to lansing in 15 min ir still feels like we are way our in the country.
121	Small rural community with access to everything a human needs with perfect amount of driving time to anything we don't
122	We live on a wooded lot with the Looking Glass in our backyard. We love the farmland and rural environment here
123	Rural location and freindly community.
124	The Country life, seeing wildlife, enjoying the land around Eagle. quite for the most part. Knowing who our neighbors are. helping our community. I grew up in the country life style, with farming and horses and places to ride . we help the looking glass clean-up the river so everyone can enjoy it. I now have time to really enjoy Eagle.
125	The people and sense of community
126	The community, and way of life
127	The rural character and the willingness of residents to be involved in decision making.
128	This township is a beautiful area that has continued to maintain large tracts of farmland and has a close-knit, rural feel to it.
129	-The generational families that continue to live and grow their families in the township. -The diversity of views on what is best for maintaining and growing the township. Like it or not people share their views.
130	Living in an rural area where there is ample space with the ability to work the land and enjoy the natural beauty.
131	The connected character of the community. The efforts by our people to work on this plan is an excellent example.
132	The quiet country atmosphere is what makes me proud to live in Eagle, away from the noise and congestion of Lansing.
133	The community character and bond among neighbors
134	The hard working people that have live here as is reflected in our low unemployment rate and high median income. I am proud of the rural characteristics make this small town America.
135	Living in the COUNTRY and COUNTRY setting. Not the city or suburbs. Having Fields, trees and wildlife.
136	concerned citizens working together to preserve the rural nature of the township. open spaces, woods, farm fields,

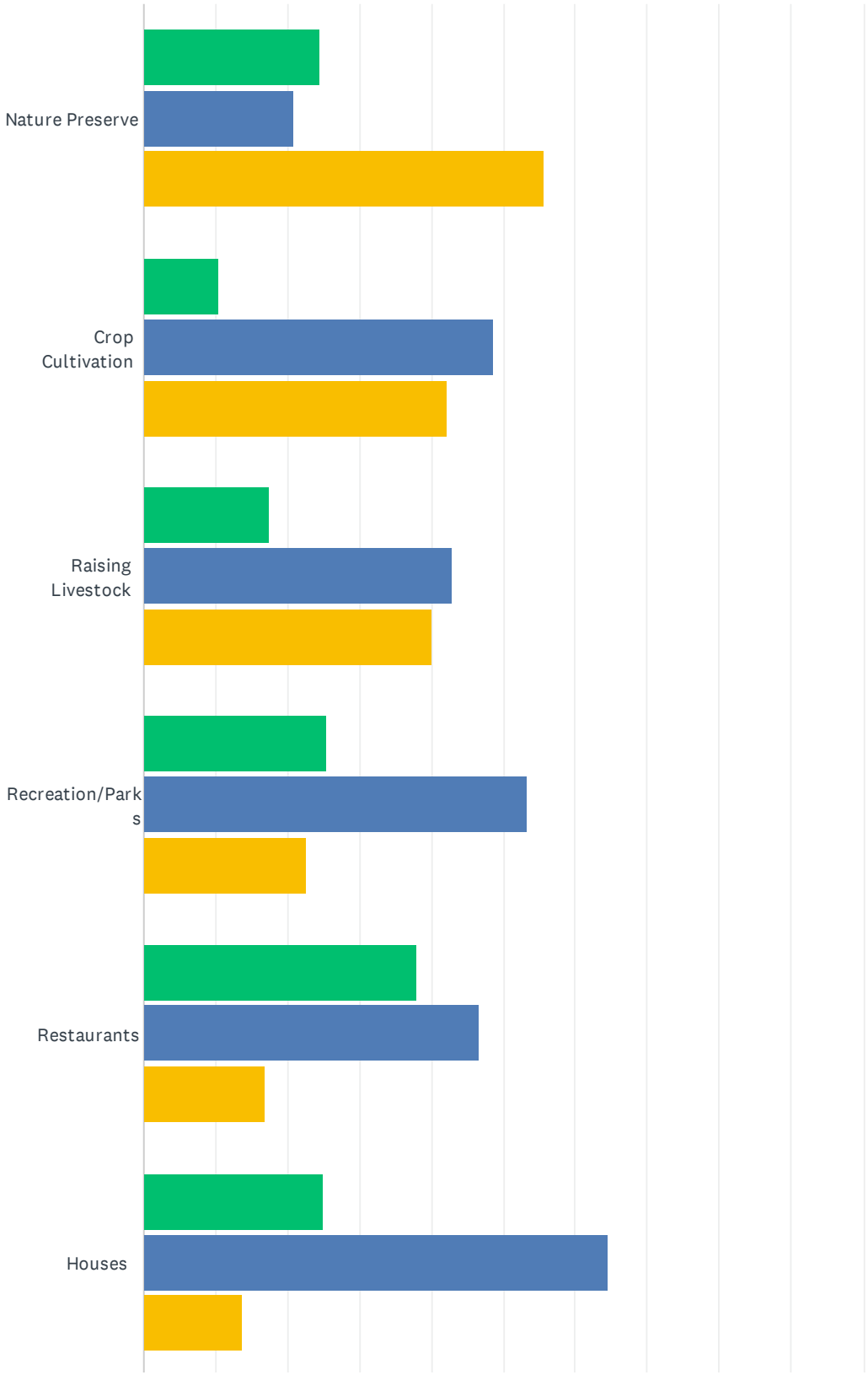
137	Great people, lots of farms, beautiful rivers and Eagles.
138	People that know and care about each other
139	Close Family community.
140	Community and desire to protect it.
141	Doing my own thing on property I own.
142	Small close community
143	Rural, but close to retail, restaurant, and entertainment needs/wants.
144	Rural setting.
145	I love the small town agricultural community and the fields that produce crops for feeding American families. I love the fact that there are lots of families that are supported by farming, I love living outside of the city. I'm proud of my neighbors and our community that we have come together to fight to keep our agricultural hertage in spite of the political pressure and greedy people trying to ruin our small, right-knit community.
146	Rural character and preservation of natural resources. We moved here because of the lack of pollution and the rural beauty. We would hate to see it spoiled by industry.
147	The way the community unites on common topics or needs i.e. megasite, supervisor change, search for Jermaine, storm clean up, etc. Yet, everyone seems to give their neighbor “space” to live their own lives.
148	The togetherness and resolve of our residents when necessary. Especially where situations like the Mega-site are concerned.
149	I love living close to lansing and grand ledge but live in a rural setting. The property I own is being farmed. Producing food.
150	The small community and not being too far from larger cities
151	the rural property,people, and the values of the residents
152	Friendly neighbors, quiet and peaceful,
153	Rural, safe, clean, low crime, not polluted.
154	The solitude and lack of development. If I wanted to live in Lansing I could move 15 minutes away and pay 1/3 of the price.
155	It's natural beauty and lack of development.
156	I love eagles rural feel even tho ugh b we are close to a lot. I live on a centennial farm which is being threatened by the transmission line. We are saddened to see all of the changes that are happening to an area that we moved to for the purpose of living in the country with beautiful views.
157	I love the small town feel of Eagle twp., but yet we’re still close to civilization. The enjoy the way the residents come together to support one another and the businesses here. I’m not for the industrial business coming to Eagle, but I would not be opposed for larger businesses coming to certain areas .
158	The people
159	How the Eagle Residents rally to fight the MegaSite!
160	It’s the perfect distance from bigger towns but quiet and beautiful. The neighbors all wave at each other and feel safe in the community
161	The people and the open spaces and growing crops
162	Beautiful relaxing neighborhood with out much traffic or noise
163	Beautiful rivers, spectacular sunsets and dark skies,
164	To say I live in a rural area where you can watch the wildlife in your yard... all the farmers

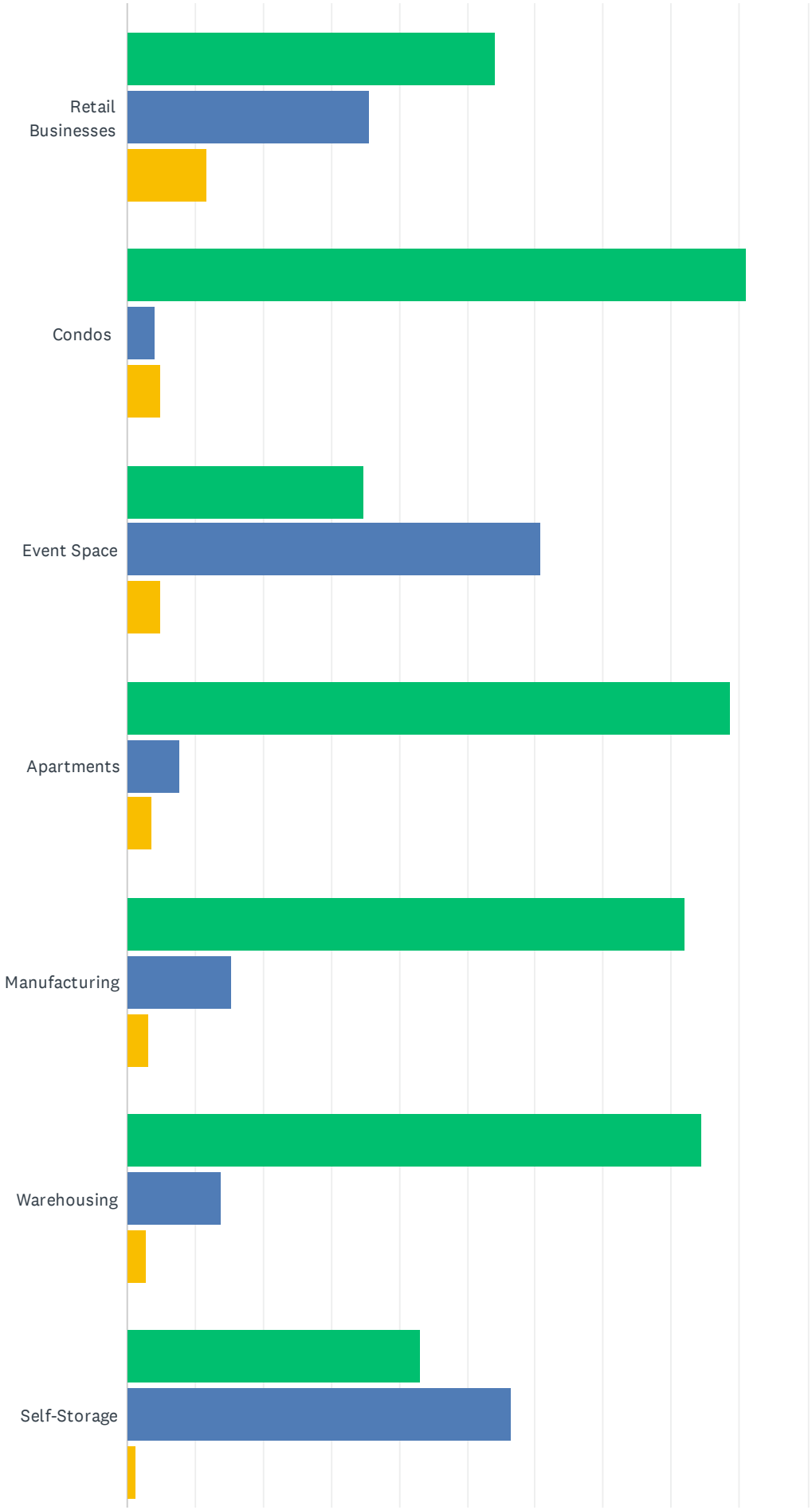
	producing crops to feed the US.. little to no crime for your family ..absolutely peaceful to set and enjoy
165	Country living with a community “feel”
166	The preservation of the natural resources and wildlife in Eagle is very important to me. I like living here for the beauty of the nature that surrounds us. Most important thing to me is to preserve the rural landscape of Eagle.
167	Agriculture!
168	The rural atmosphere.
169	The natural beauty of Eagle Township is why we live here. I am beyond proud of our township's landscape exactly as it is.
170	I love that my Grandchildren can come to Grandma's house, in the country, to see wildlife up close and take walks in nature.. Also I am very close to many relatves here with the convenience of I-96 nearby. I searched for over 2 yrs to find this location and built my forever home on 20 acres here 32 yrs ago.
171	Small country atmosphere
172	The people and their involvement in creating a better tomorrow today.
173	The rural community where everyone shares a common goal and life is slow.
174	That I'm leaving it
175	Rural character but within easy drive of commercial activities
176	Close Knit Community.
177	We love the rural community.
178	I think farming and family is probably most important to me personally. Farming feeds the nation and the families keep everyone smiling.
179	The sense of community. People support and look out for each other. Rural character, very little light pollution.
180	The safe community, its members and the rural environment.
181	I feel like the Township gives the residents the opportunity to live in and enjoy a very rural environment, with close proximity to developed areas and with access to a number of excellent school districts.
182	Quiet, friendly, beautiful, natural, clean, rural, pastoral ...
183	The quite country living and good neighbors
184	Quiet, rural, peaceful community. People. Like the small town environment.
185	Living in the country is what I enjoy most. Looking across the fields at wild the wildlife is what I enjoy. The quietness is what I enjoy.
186	Rural community away from the city but close enough that I can get what I need
187	Small town feel
188	I specifically moved here from Portland because that town while small was becoming a bigger town than I wanted…there was potential that the property behind our home there was to be sold to Sun Community and a mobile home project would go in - we packed up and got outta there before we lost all value in our home…I have paid a higher cost in commute to job/and amenities but feel it is totally worth it to be able to come home to a quiet small town with such natural beauty with our rivers - it makes my high stress job tolerable and allows me to continue to work and invest in my community here in Eagle as well as Portland and Grand Ledge!!
189	We love the surroundings and are proud to support the community
190	Helpful neighbors and community support for local small businesses and farms
191	Rural location. Clean air and water.

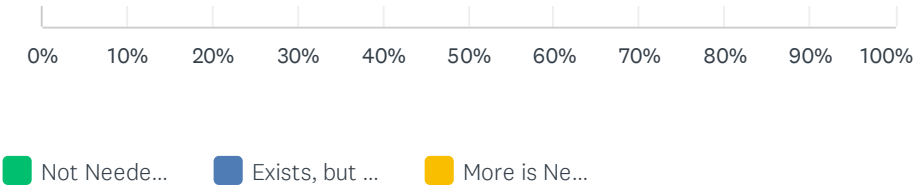
192	What makes me most proud of living in Eagle Township is how the community has come together to fight to keep our township ours & keep it rural.
193	Small but close knit community with abundant resources
194	Beautiful landscape, rural character, small town feel. It’s been my home for my whole life (almost 30 years) and I’m proud to say I live in Eagle and hope to live here for the rest of my life.
195	Rural living with wildlife within driving distance of groceries, jobs, etc. We do not want the fast life here.
196	The history of the area
197	Keep things the way it is today
198	Rural characteristics
199	Large parcels and space
200	Grand Ledge schools
201	The residents and environment
202	The small community feel and rural living lifestyle.
203	The peace and quite of the country and the natural beauty of our rivers and woods.
204	Helpful neighbors and community supporting local small farmers and businesses
205	The rural appearance and neighborly atmosphere.
206	Its’ rural character and lack of businesses and subdivisions.
207	That it is rural
208	I’m not proud but appreciative of the peace and quiet in my rural area
209	Nothing, any more.
210	The feel of being in the country but close to cities. Neighbors close too but not on top of!
211	It's home! My husband and I raised a family here. I enjoy: the quiet peacefulness, the spaciousness, the lack of bustle, few neighbors, the wildlife enjoying our backyard, the darkness of night, little traffic, the calmness.. I appreciate Eagle for what it is. I grew up in a suburb and have no desire to live in that environment ever again.
212	The rural environment, focus on farming, natural resources and open space.
213	The fact that the township vision is to protect our rural land and protect the township from unreasonable growth too fast.
214	Rural character, low density, quiet, relatively clean environment, friendly people, low crime, low traffic, dark skies at night.
215	Laidback country life
216	The community

Q11 This is the area around the Village of Eagle and the I-96 Eagle exit. Please check all of the uses of land you feel are appropriate in this area:

Answered: 231 Skipped: 26



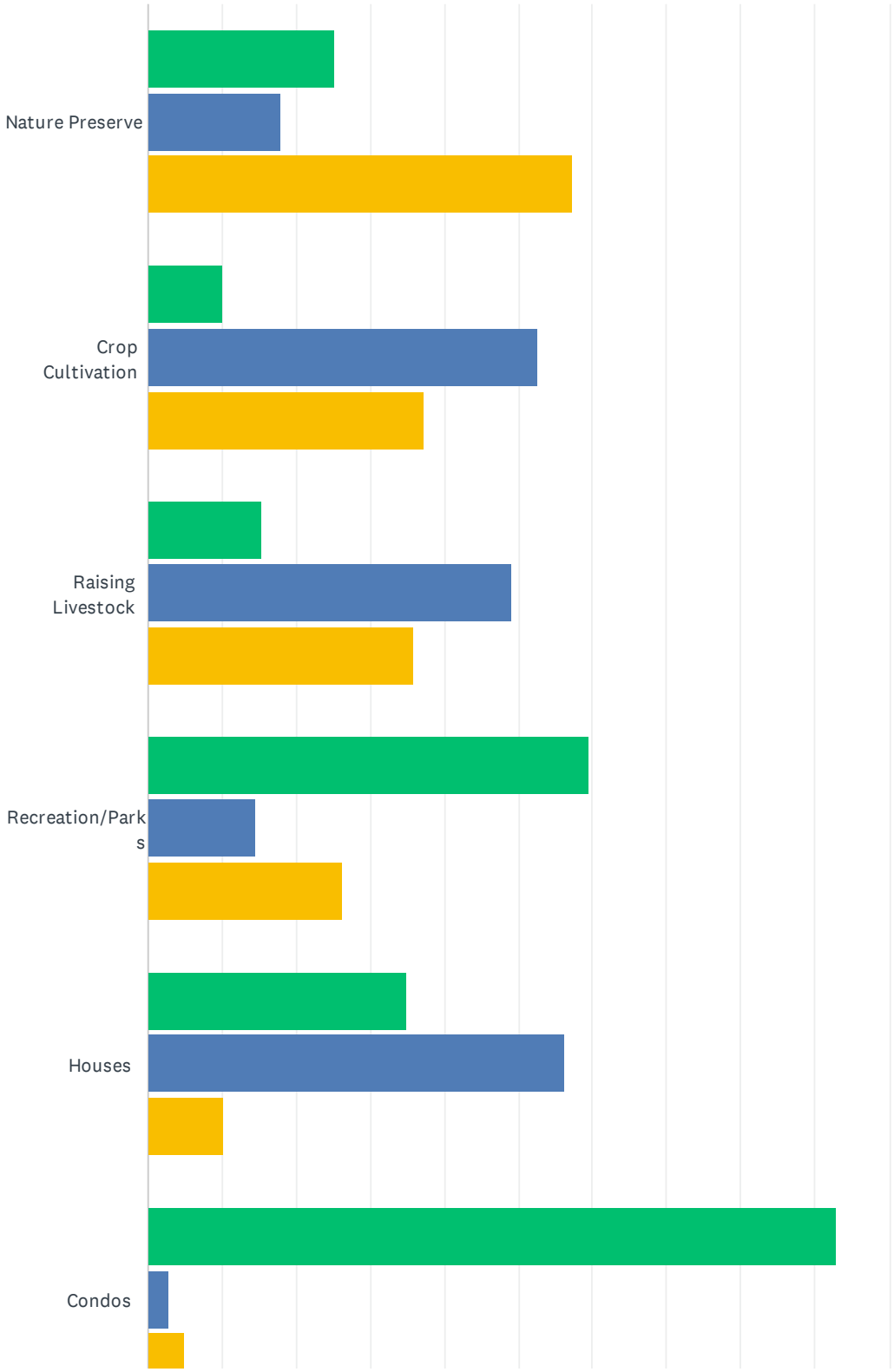

Retail Businesses
Condos
Event Space
Apartments
Manufacturing
Warehousing
Self-Storage

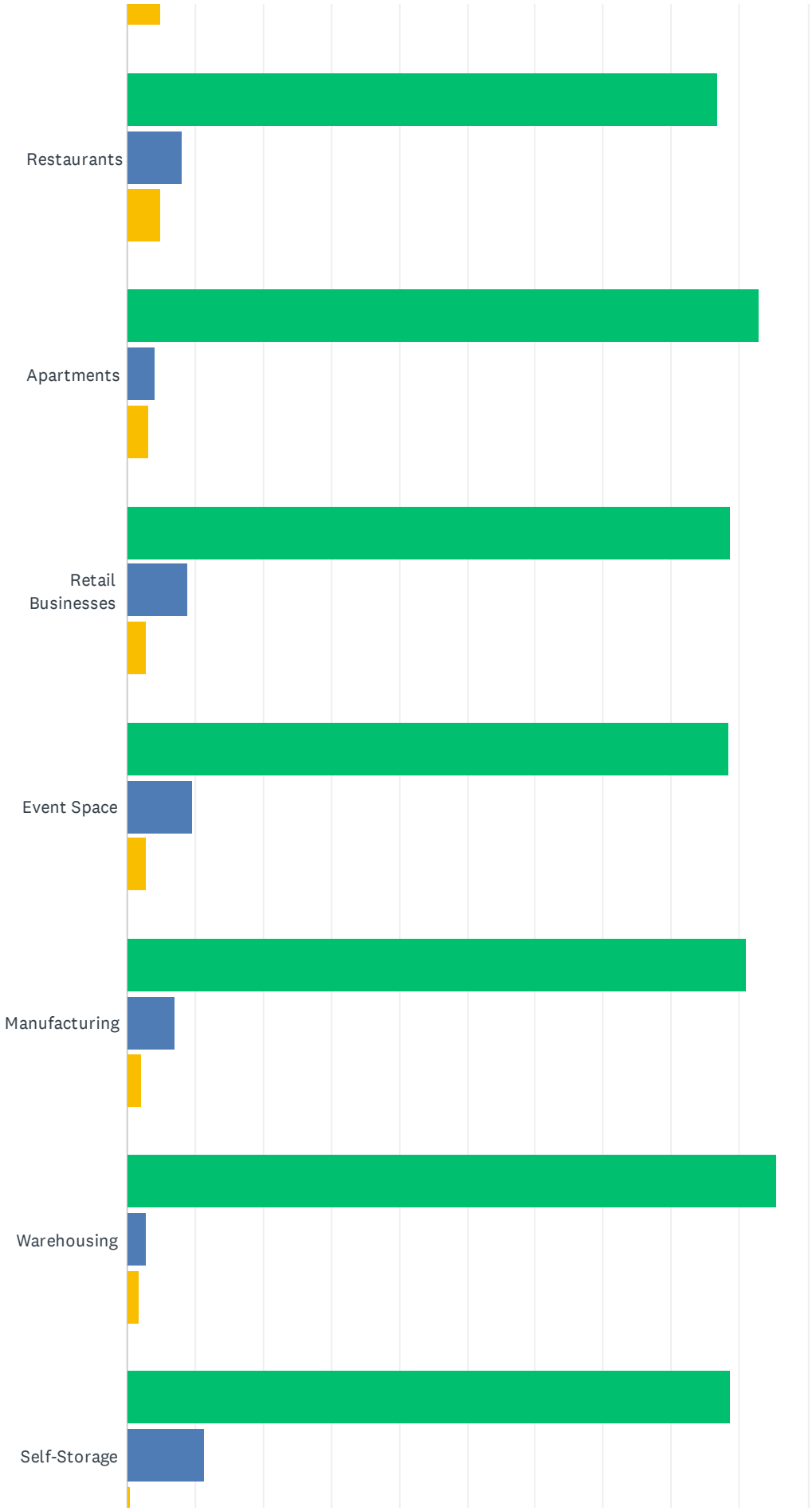


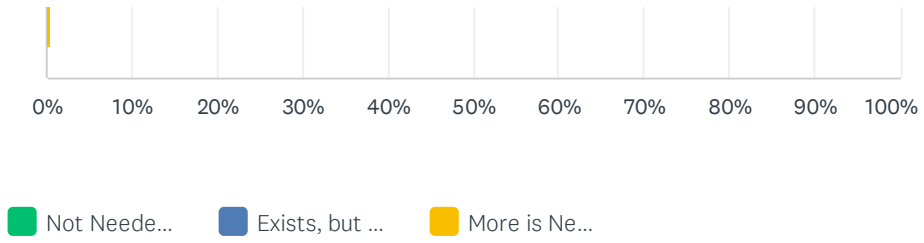
	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	24.44% 55	20.89% 47	55.56% 125	225
Crop Cultivation	10.45% 23	48.64% 107	42.27% 93	220
Raising Livestock	17.57% 39	42.79% 95	40.09% 89	222
Recreation/Parks	25.33% 58	53.28% 122	22.71% 52	229
Restaurants	37.89% 86	46.70% 106	16.74% 38	227
Houses	24.89% 55	64.71% 143	13.57% 30	221
Retail Businesses	54.05% 120	35.59% 79	11.71% 26	222
Condos	91.07% 204	4.02% 9	4.91% 11	224
Event Space	34.82% 78	60.71% 136	4.91% 11	224
Apartments	88.79% 198	7.62% 17	3.59% 8	223
Manufacturing	82.06% 183	15.25% 34	3.14% 7	223
Warehousing	84.38% 189	13.84% 31	2.68% 6	224
Self-Storage	43.11% 97	56.44% 127	1.33% 3	225

Q12 This is the area north of the I-96 Eagle exit and also includes the Looking Glass River.Please check all of the uses of land you feel are appropriate in this area:

Answered: 231 Skipped: 26



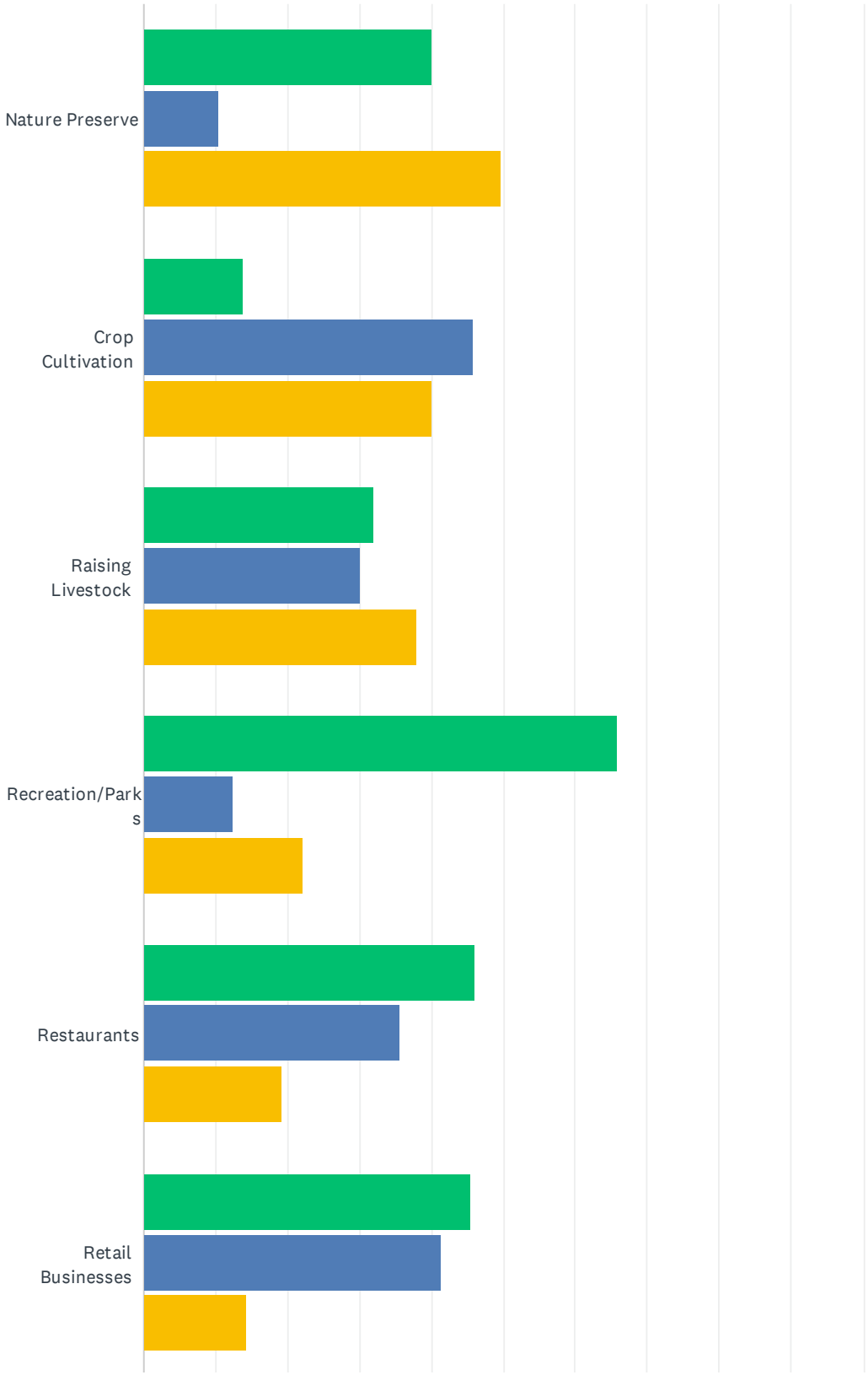

Restaurants
Apartments
Retail Businesses
Event Space
Manufacturing
Warehousing
Self-Storage

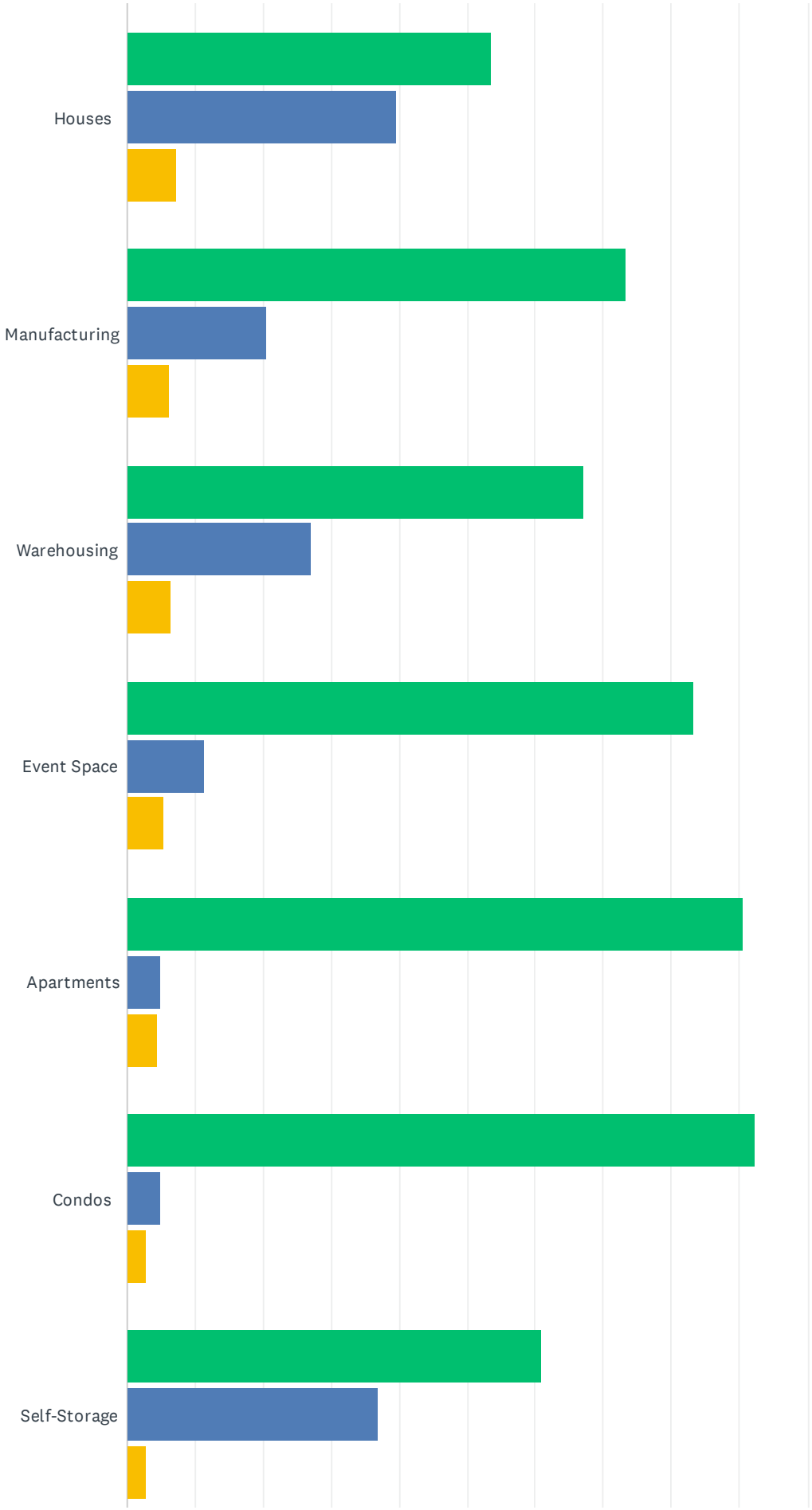


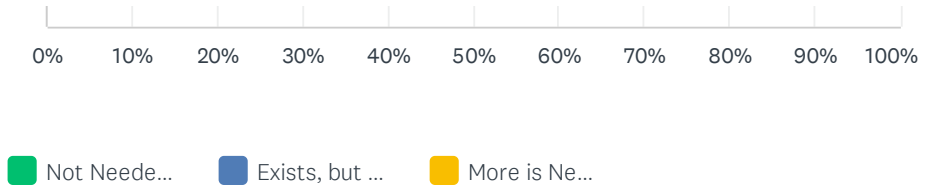
	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	25.11% 56	17.94% 40	57.40% 128	223
Crop Cultivation	10.00% 22	52.73% 116	37.27% 82	220
Raising Livestock	15.45% 34	49.09% 108	35.91% 79	220
Recreation/Parks	59.46% 132	14.41% 32	26.13% 58	222
Houses	34.96% 79	56.19% 127	10.18% 23	226
Condos	92.89% 209	2.67% 6	4.89% 11	225
Restaurants	86.82% 191	8.18% 18	5.00% 11	220
Apartments	92.86% 208	4.02% 9	3.13% 7	224
Retail Businesses	88.79% 198	8.97% 20	2.69% 6	223
Event Space	88.53% 193	9.63% 21	2.75% 6	218
Manufacturing	91.11% 205	7.11% 16	2.22% 5	225
Warehousing	95.54% 214	2.68% 6	1.79% 4	224
Self-Storage	88.79% 198	11.21% 25	0.45% 1	223

Q13 This is the area immediately around the I-96 Grand Ledge exit. Please check all of the uses of land you feel are appropriate in this area:

Answered: 229 Skipped: 28



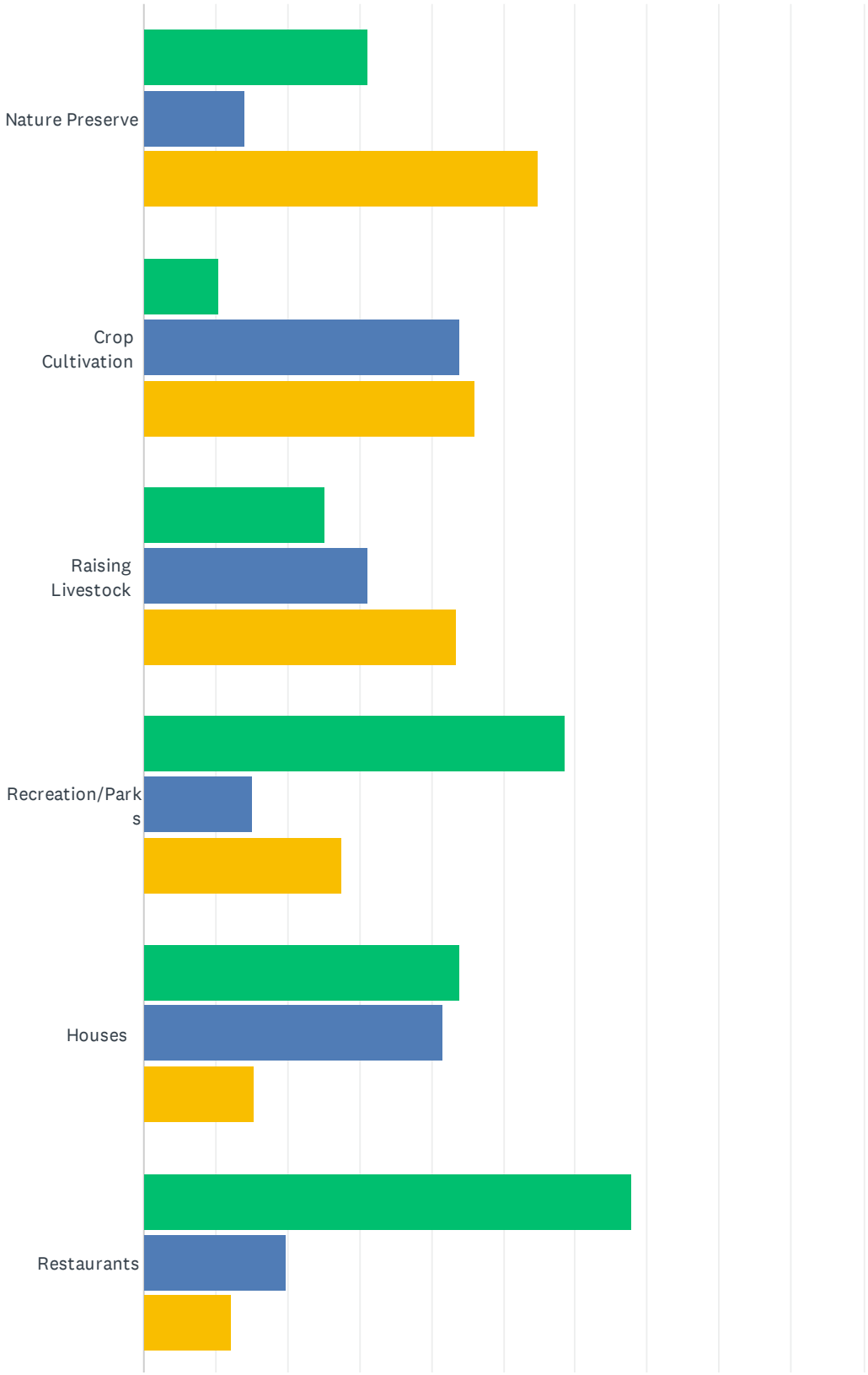

Houses
Manufacturing
Warehousing
Event Space
Apartments
Condos
Self-Storage

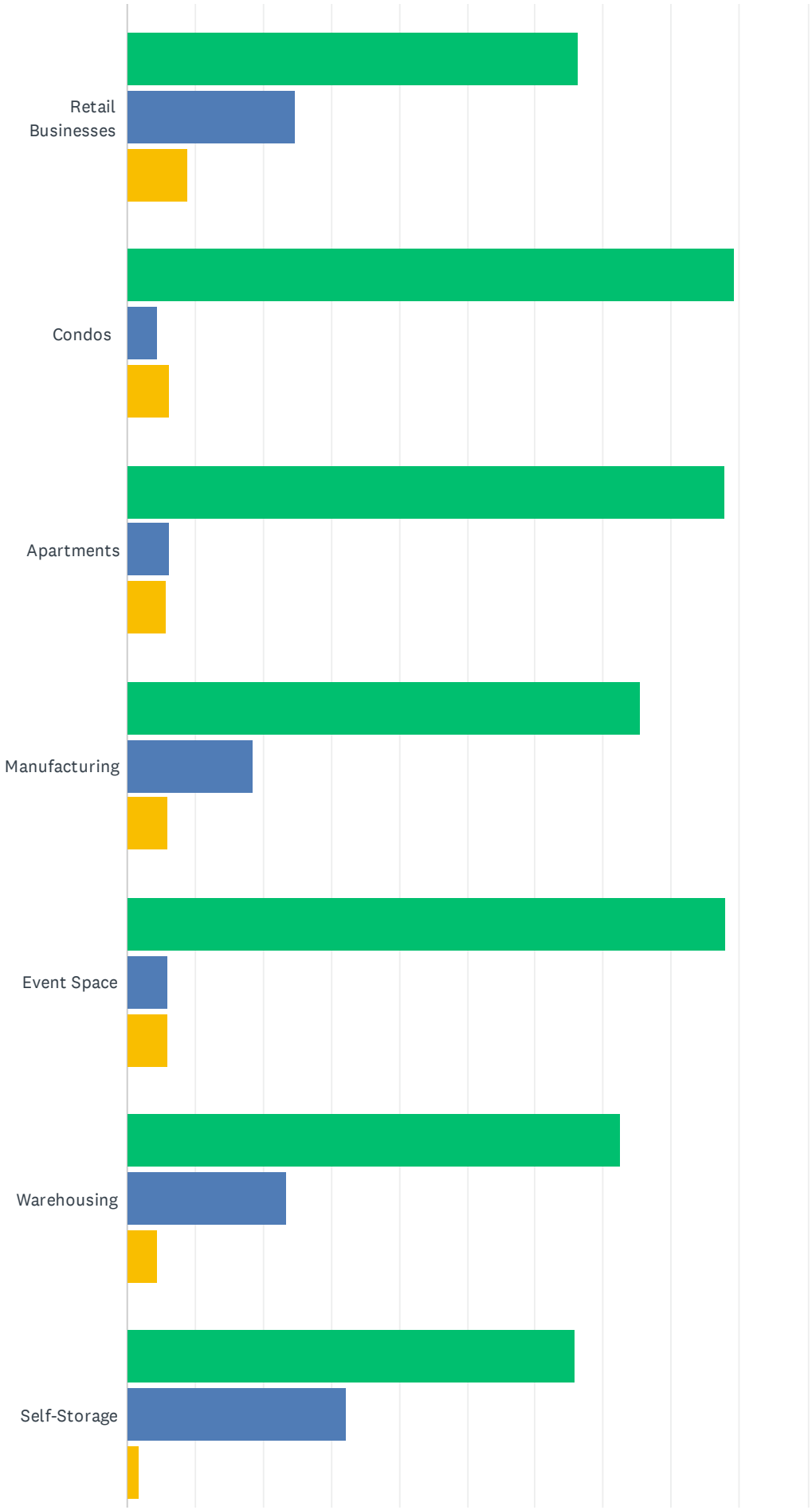


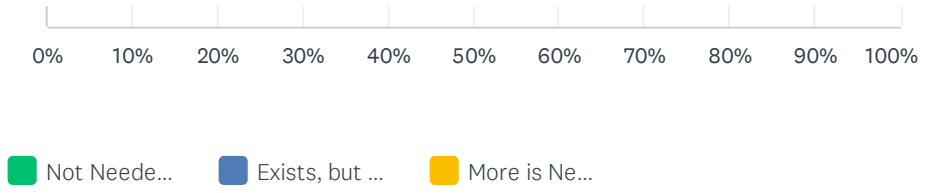
	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	40.18% 88	10.50% 23	49.77% 109	219
Crop Cultivation	13.96% 31	45.95% 102	40.09% 89	222
Raising Livestock	31.96% 70	30.14% 66	37.90% 83	219
Recreation/Parks	65.91% 145	12.27% 27	22.27% 49	220
Restaurants	45.98% 103	35.71% 80	19.20% 43	224
Retail Businesses	45.33% 102	41.33% 93	14.22% 32	225
Houses	53.60% 119	39.64% 88	7.21% 16	222
Manufacturing	73.33% 165	20.44% 46	6.22% 14	225
Warehousing	67.12% 149	27.03% 60	6.31% 14	222
Event Space	83.41% 186	11.21% 25	5.38% 12	223
Apartments	90.63% 203	4.91% 11	4.46% 10	224
Condos	92.38% 206	4.93% 11	2.69% 6	223
Self-Storage	60.91% 134	36.82% 81	2.73% 6	220

Q14 This is the land along M-100 between I-96 and Grand Ledge. Please check all of the uses of land you feel are appropriate in this area:

Answered: 228 Skipped: 29



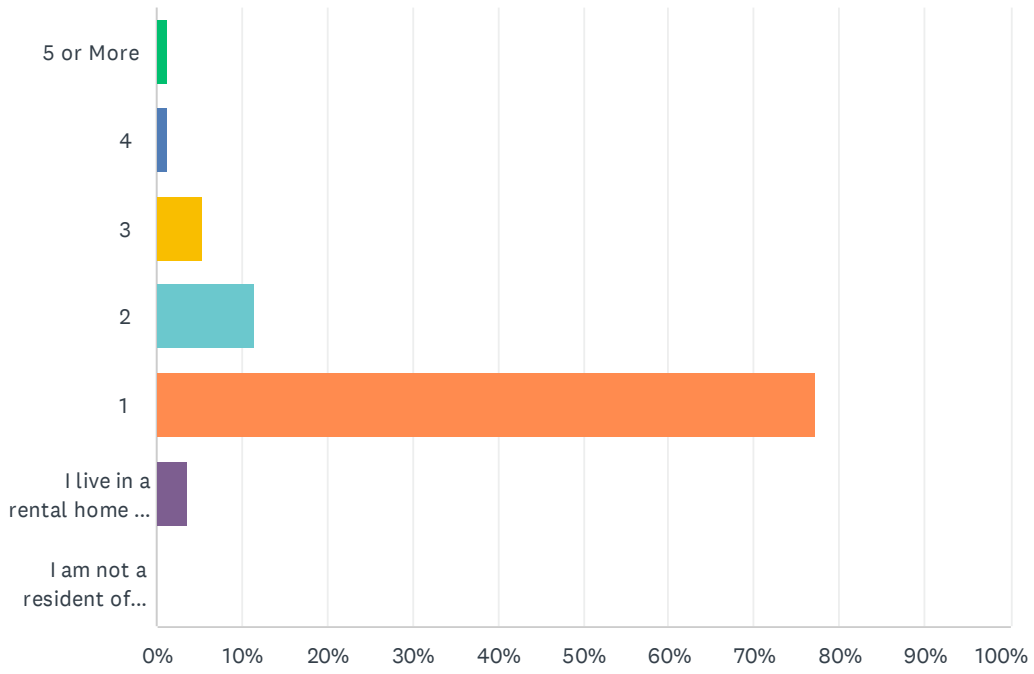

Retail Businesses
Condos
Apartments
Manufacturing
Event Space
Warehousing
Self-Storage



	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	31.05% 68	14.16% 31	54.79% 120	219
Crop Cultivation	10.41% 23	43.89% 97	46.15% 102	221
Raising Livestock	25.23% 55	31.19% 68	43.58% 95	218
Recreation/Parks	58.72% 128	15.14% 33	27.52% 60	218
Houses	43.89% 97	41.63% 92	15.38% 34	221
Restaurants	67.87% 150	19.91% 44	12.22% 27	221
Retail Businesses	66.22% 147	24.77% 55	9.01% 20	222
Condos	89.24% 199	4.48% 10	6.28% 14	223
Apartments	87.89% 196	6.28% 14	5.83% 13	223
Manufacturing	75.45% 166	18.64% 41	5.91% 13	220
Event Space	88.07% 192	5.96% 13	5.96% 13	218
Warehousing	72.40% 160	23.53% 52	4.52% 10	221
Self-Storage	65.92% 147	32.29% 72	1.79% 4	223

Q15 How many properties do you own in Eagle Township? (Note: If you report owning property on this question, you will see a series of questions asking about your property. You will be asked to answer those questions for each property you own, individually). If you do not report owning property, those questions will automatically be skipped).

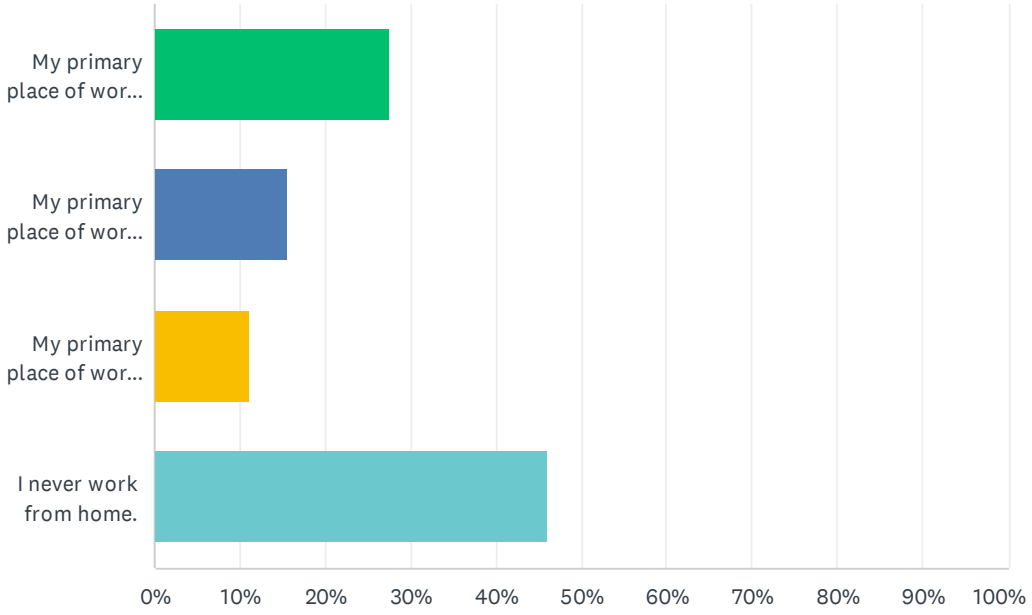
Answered: 227 Skipped: 30



ANSWER CHOICES	RESPONSES	
5 or More	1.32%	3
4	1.32%	3
3	5.29%	12
2	11.45%	26
1	77.09%	175
I live in a rental home in Eagle Township	3.52%	8
I am not a resident of Eagle Township	0.00%	0
TOTAL		227

Q16 Do you work from home?

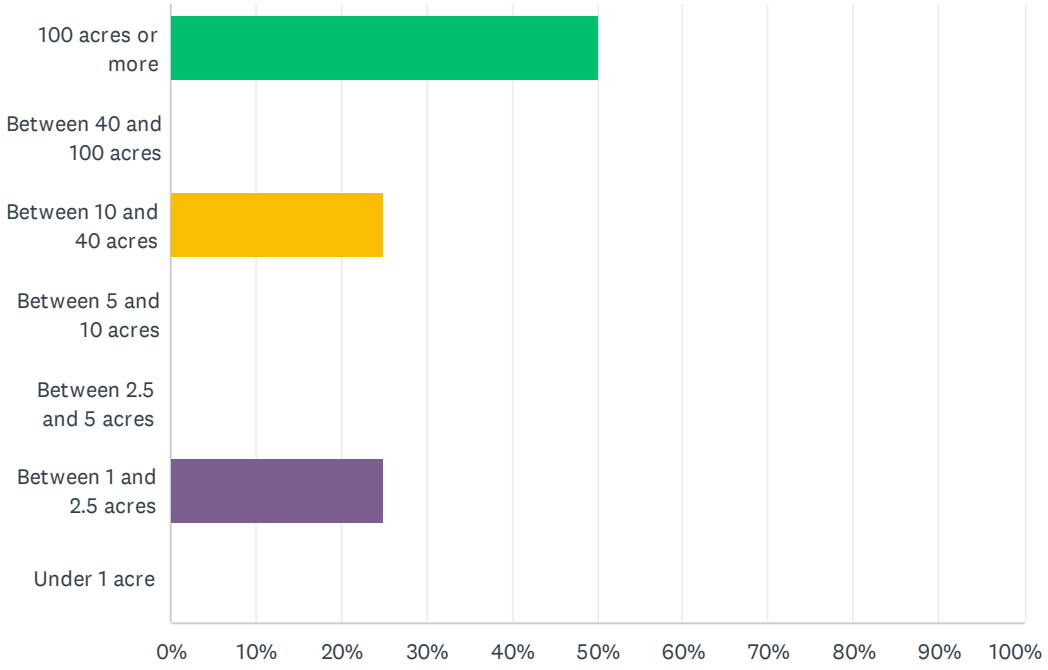
Answered: 226 Skipped: 31



ANSWER CHOICES	RESPONSES	
My primary place of work is my home, or land that I own adjacent to my home.	27.43%	62
My primary place of work is not my home, but I work from home frequently.	15.49%	35
My primary place of work is not my home, but I work from home sometimes.	11.06%	25
I never work from home.	46.02%	104
TOTAL		226

Q17 How large is your property?

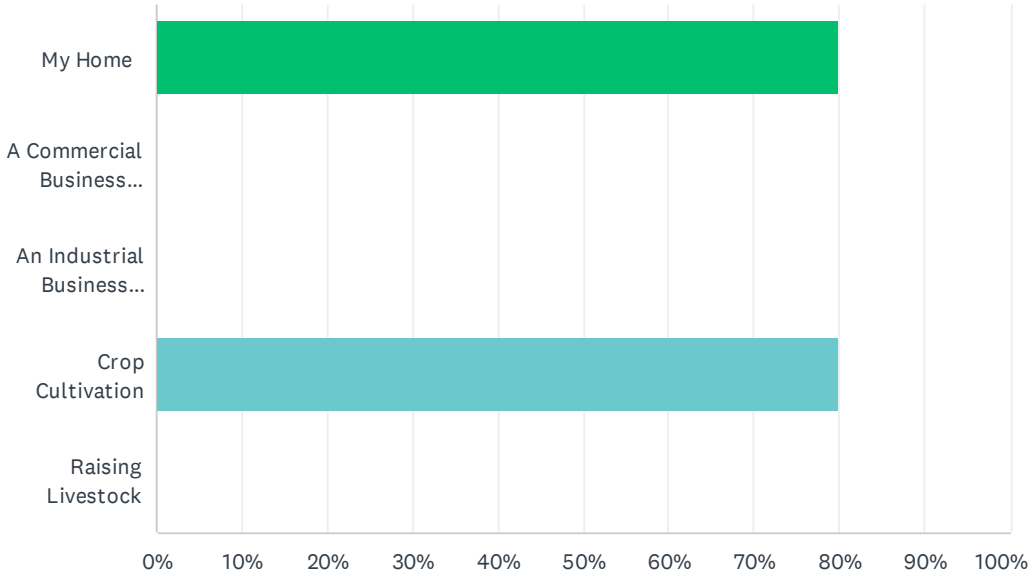
Answered: 4 Skipped: 253



ANSWER CHOICES	RESPONSES	
100 acres or more	50.00%	2
Between 40 and 100 acres	0.00%	0
Between 10 and 40 acres	25.00%	1
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	0.00%	0
Between 1 and 2.5 acres	25.00%	1
Under 1 acre	0.00%	0
TOTAL		4

Q18 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

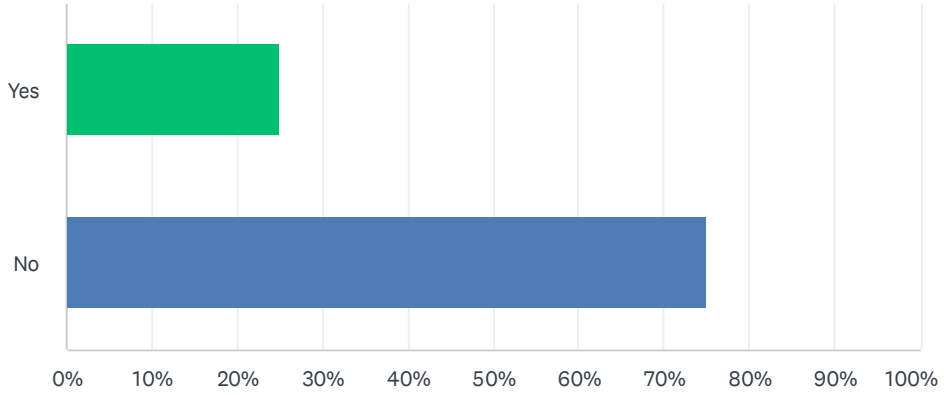
Answered: 5 Skipped: 252



ANSWER CHOICES	RESPONSES	
My Home	80.00%	4
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	80.00%	4
Raising Livestock	0.00%	0
Total Respondents: 5		

Q19 Do you have any desire to split your property into smaller parcels?

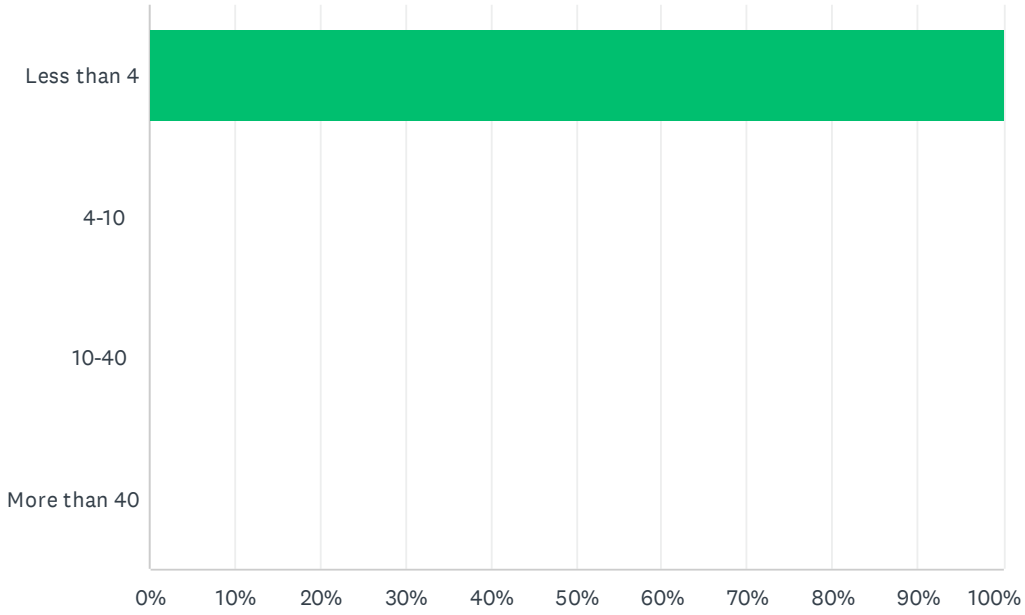
Answered: 4 Skipped: 253



ANSWER CHOICES	RESPONSES	
Yes	25.00%	1
No	75.00%	3
TOTAL		4

Q20 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

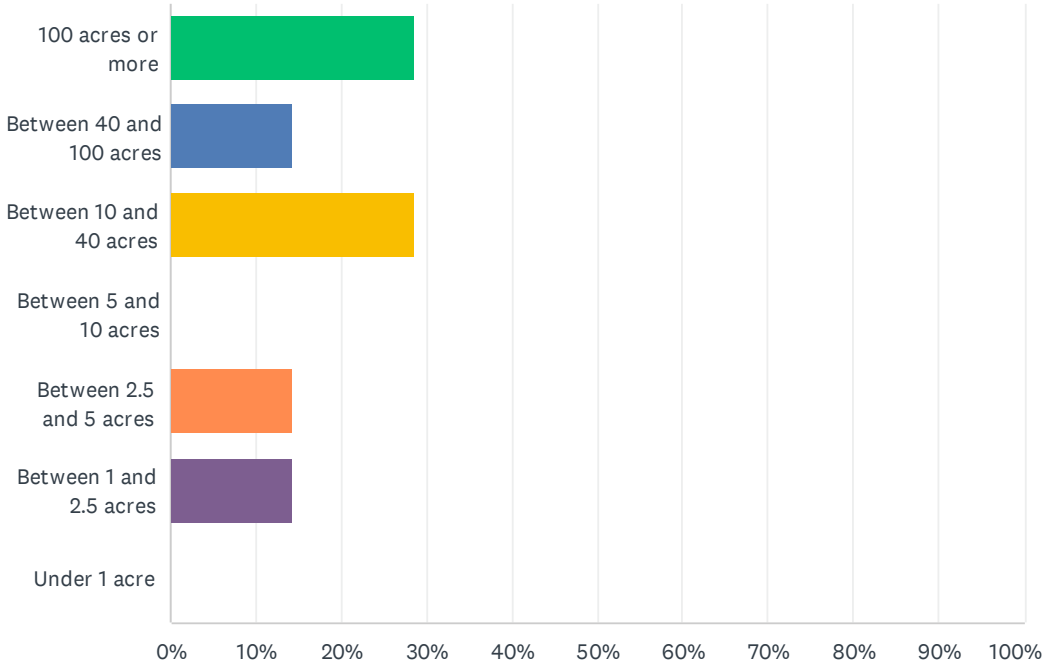
Answered: 3 Skipped: 254



ANSWER CHOICES	RESPONSES	
Less than 4	100.00%	3
4-10	0.00%	0
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		3

Q21 How large is your property?

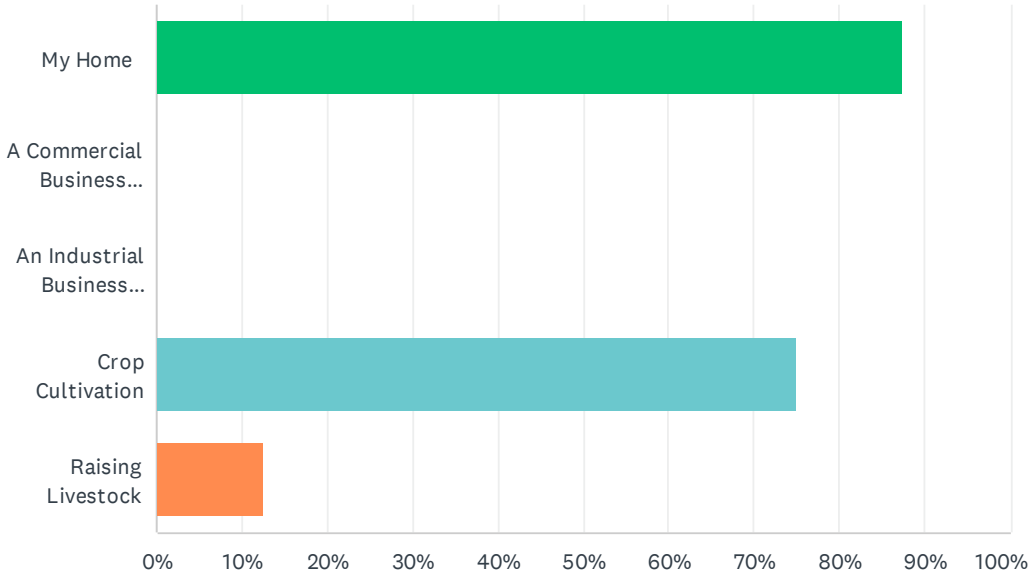
Answered: 7 Skipped: 250



ANSWER CHOICES	RESPONSES	
100 acres or more	28.57%	2
Between 40 and 100 acres	14.29%	1
Between 10 and 40 acres	28.57%	2
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	14.29%	1
Between 1 and 2.5 acres	14.29%	1
Under 1 acre	0.00%	0
TOTAL		7

Q22 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

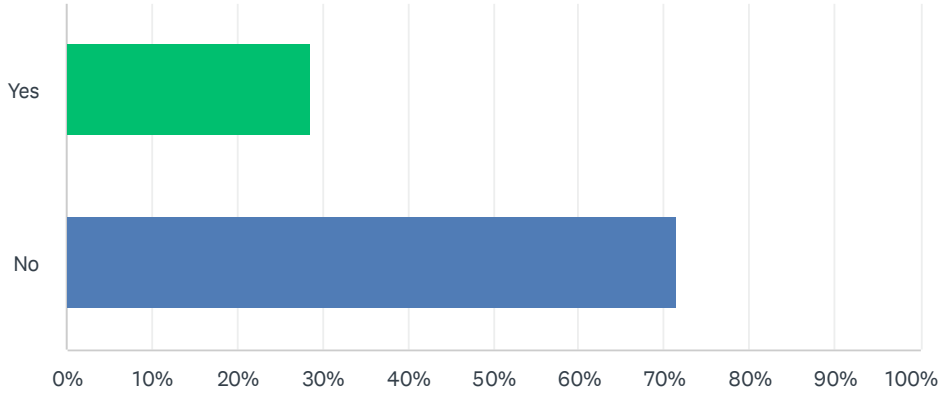
Answered: 8 Skipped: 249



ANSWER CHOICES	RESPONSES	
My Home	87.50%	7
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	75.00%	6
Raising Livestock	12.50%	1
Total Respondents: 8		

Q23 Do you have any desire to split your property into smaller parcels?

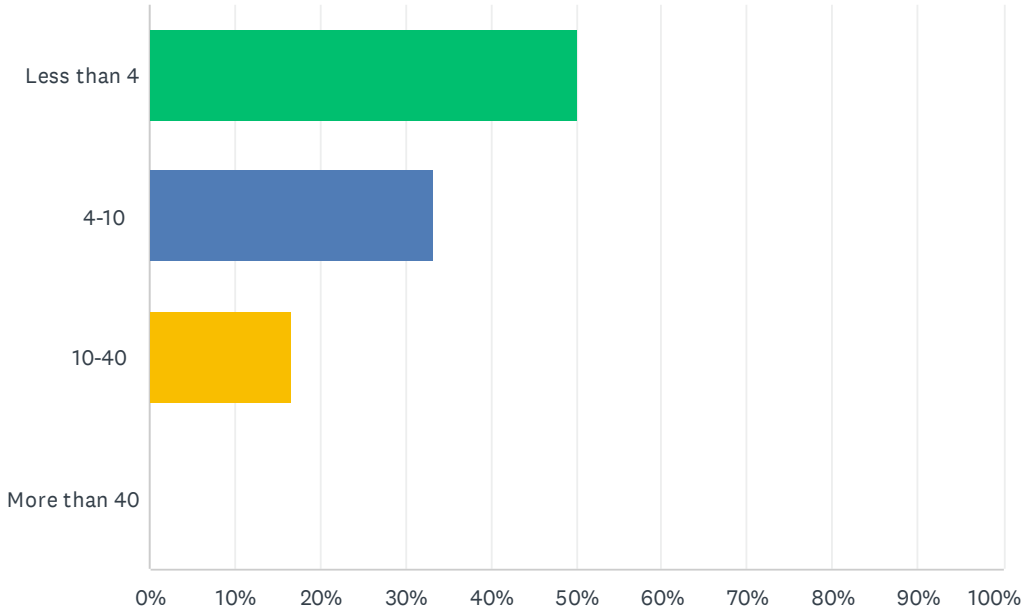
Answered: 7 Skipped: 250



ANSWER CHOICES	RESPONSES	
Yes	28.57%	2
No	71.43%	5
TOTAL		7

Q24 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

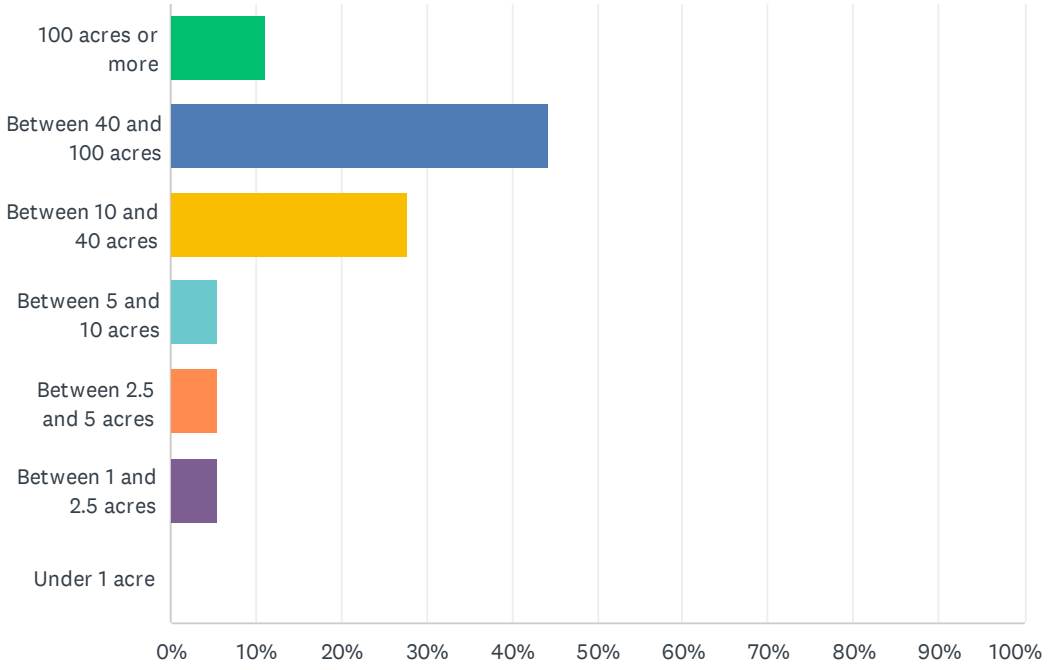
Answered: 6 Skipped: 251



ANSWER CHOICES	RESPONSES	
Less than 4	50.00%	3
4-10	33.33%	2
10-40	16.67%	1
More than 40	0.00%	0
TOTAL		6

Q25 How large is your property?

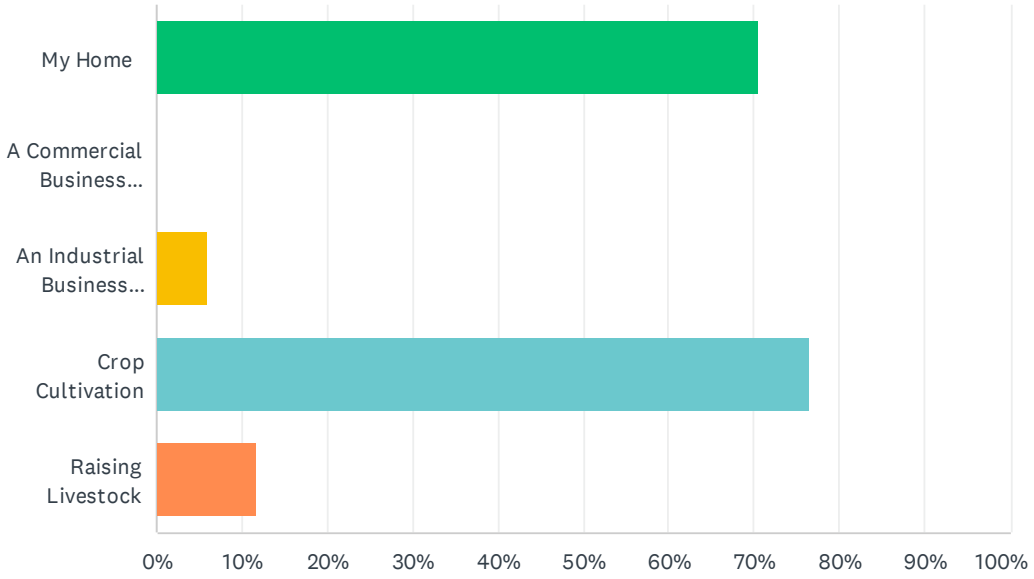
Answered: 18 Skipped: 239



ANSWER CHOICES	RESPONSES	
100 acres or more	11.11%	2
Between 40 and 100 acres	44.44%	8
Between 10 and 40 acres	27.78%	5
Between 5 and 10 acres	5.56%	1
Between 2.5 and 5 acres	5.56%	1
Between 1 and 2.5 acres	5.56%	1
Under 1 acre	0.00%	0
TOTAL		18

Q26 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

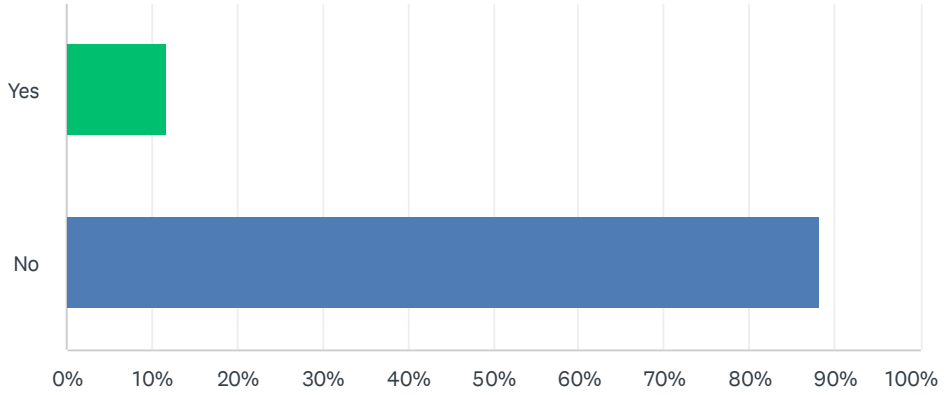
Answered: 17 Skipped: 240



ANSWER CHOICES	RESPONSES	
My Home	70.59%	12
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	5.88%	1
Crop Cultivation	76.47%	13
Raising Livestock	11.76%	2
Total Respondents: 17		

Q27 Do you have any desire to split your property into smaller parcels?

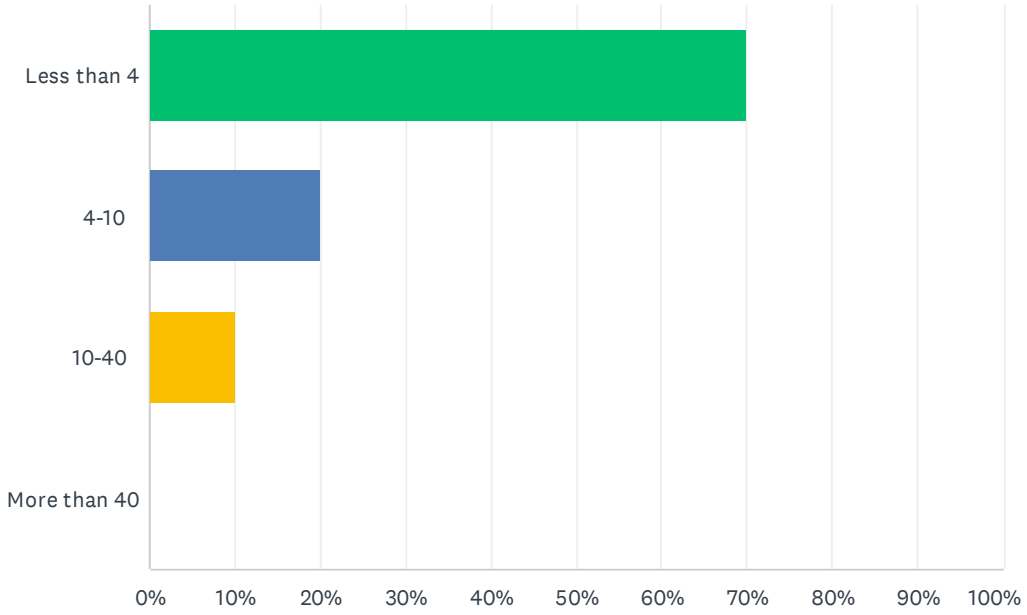
Answered: 17 Skipped: 240



ANSWER CHOICES	RESPONSES	
Yes	11.76%	2
No	88.24%	15
TOTAL		17

Q28 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

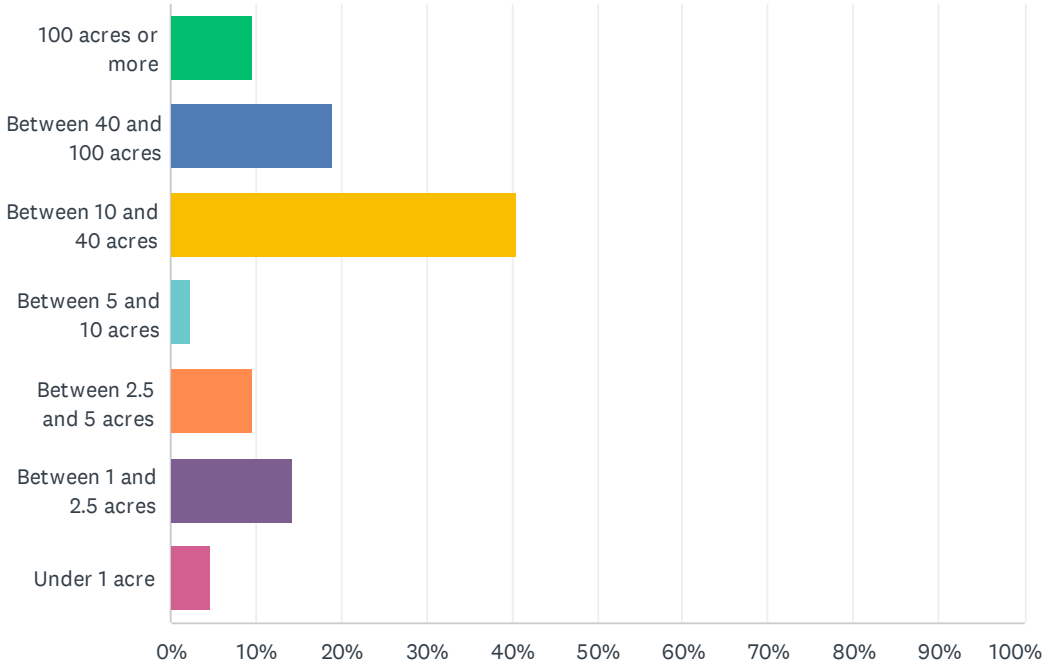
Answered: 10 Skipped: 247



ANSWER CHOICES	RESPONSES	
Less than 4	70.00%	7
4-10	20.00%	2
10-40	10.00%	1
More than 40	0.00%	0
TOTAL		10

Q29 How large is your property?

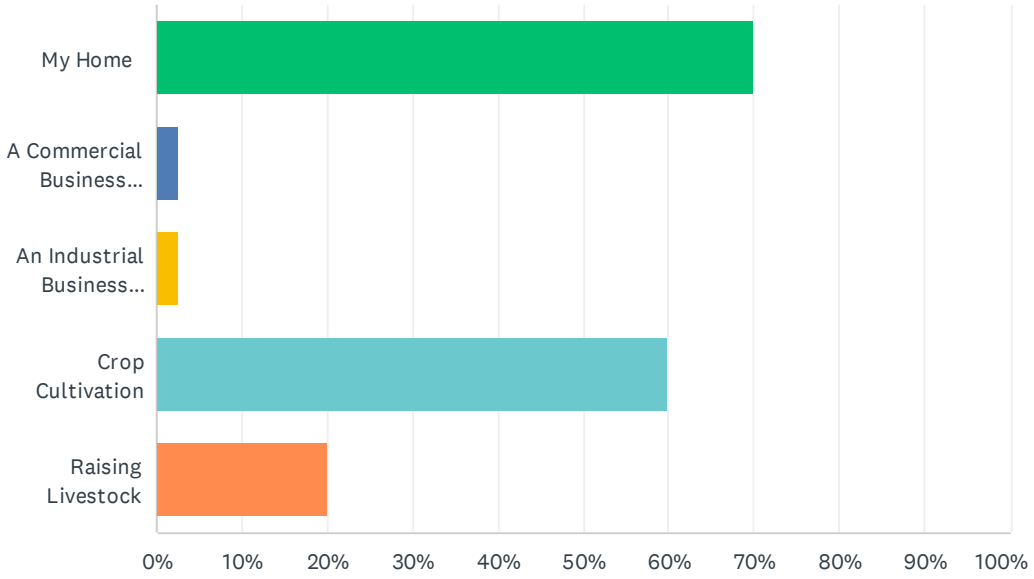
Answered: 42 Skipped: 215



ANSWER CHOICES	RESPONSES	
100 acres or more	9.52%	4
Between 40 and 100 acres	19.05%	8
Between 10 and 40 acres	40.48%	17
Between 5 and 10 acres	2.38%	1
Between 2.5 and 5 acres	9.52%	4
Between 1 and 2.5 acres	14.29%	6
Under 1 acre	4.76%	2
TOTAL		42

Q30 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

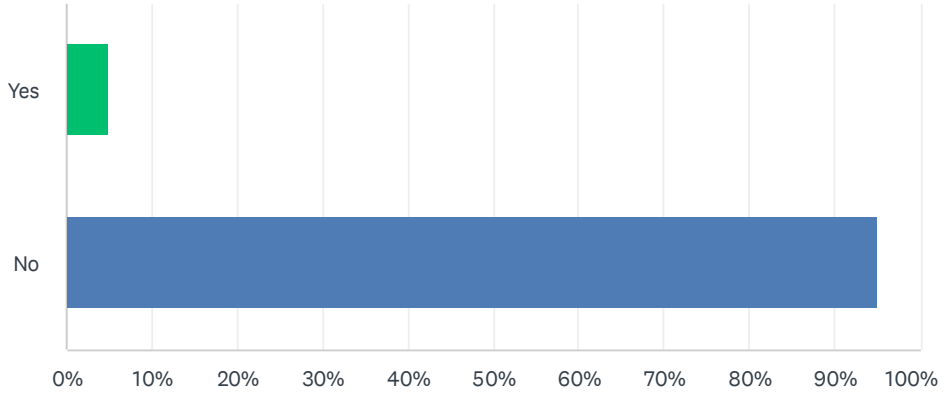
Answered: 40 Skipped: 217



ANSWER CHOICES	RESPONSES	
My Home	70.00%	28
A Commercial Business (retail, restaurant, etc)	2.50%	1
An Industrial Business (manufacturing, warehousing, etc)	2.50%	1
Crop Cultivation	60.00%	24
Raising Livestock	20.00%	8
Total Respondents: 40		

Q31 Do you have any desire to split your property into smaller parcels?

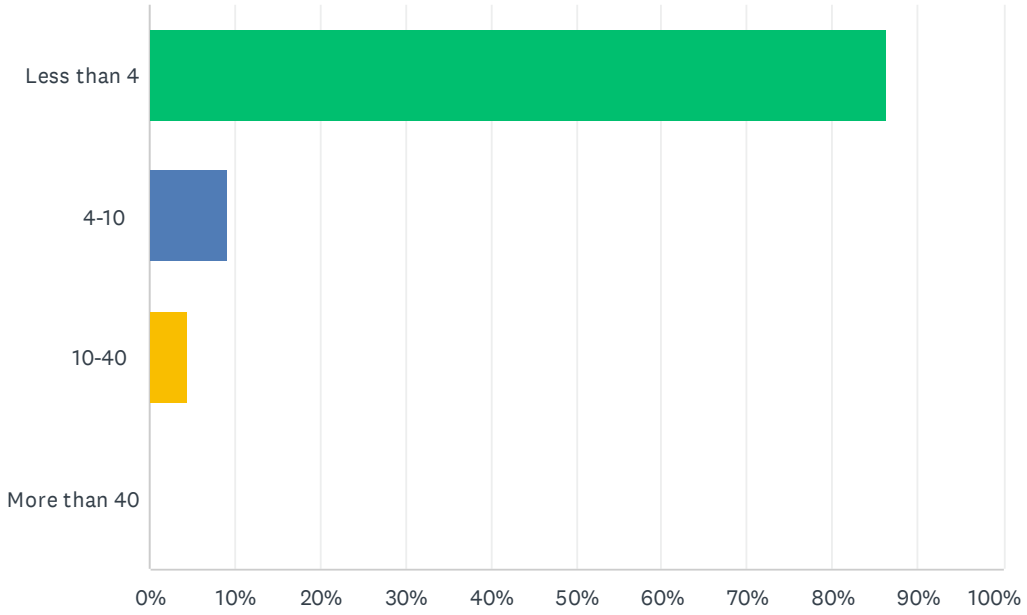
Answered: 41 Skipped: 216



ANSWER CHOICES	RESPONSES	
Yes	4.88%	2
No	95.12%	39
TOTAL		41

Q32 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

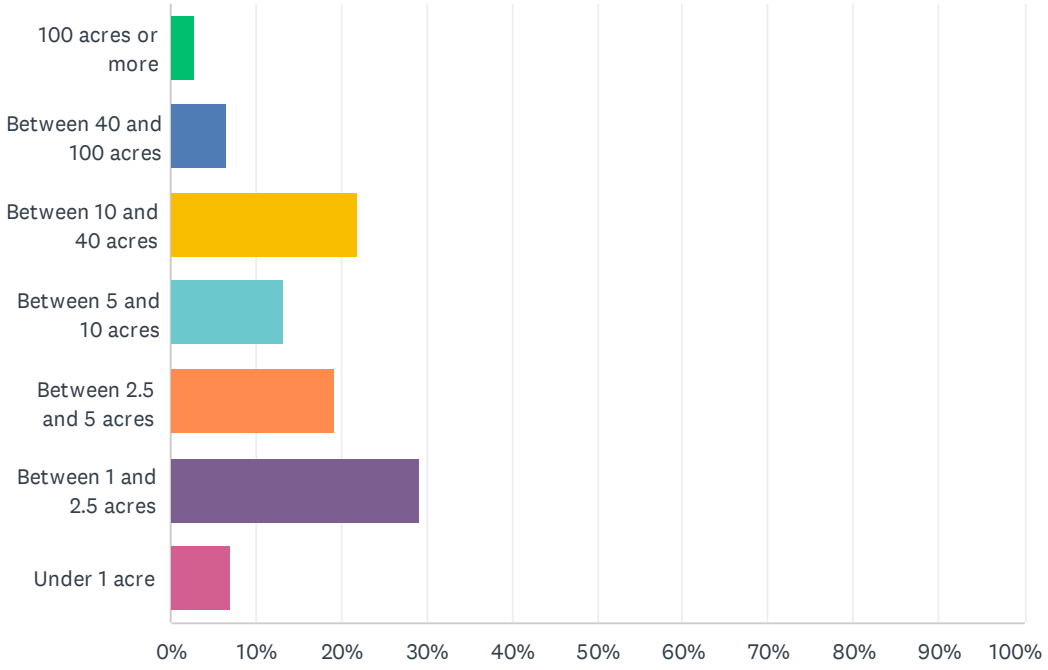
Answered: 22 Skipped: 235



ANSWER CHOICES	RESPONSES	
Less than 4	86.36%	19
4-10	9.09%	2
10-40	4.55%	1
More than 40	0.00%	0
TOTAL		22

Q33 How large is your property?

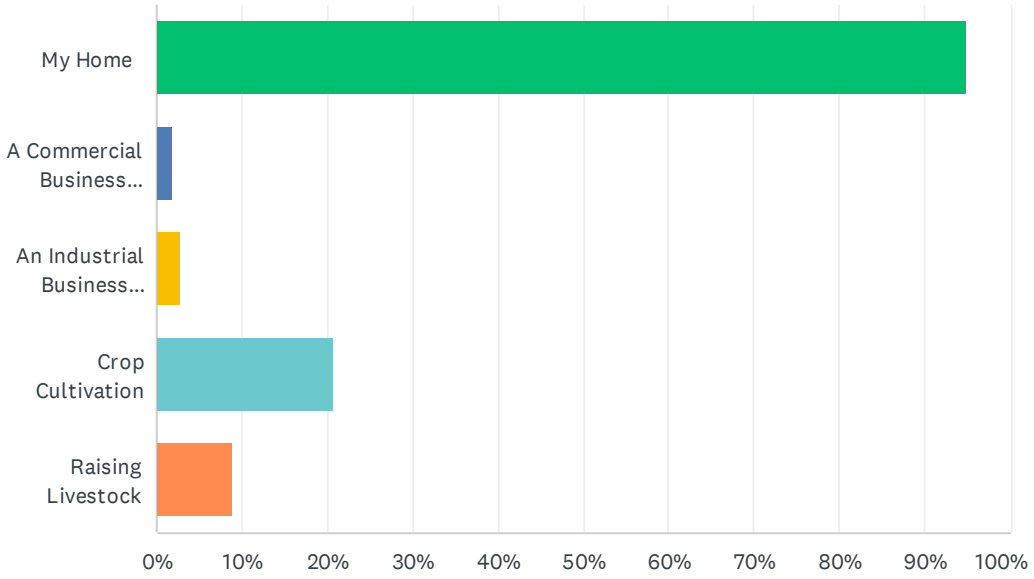
Answered: 213 Skipped: 44



ANSWER CHOICES	RESPONSES	
100 acres or more	2.82%	6
Between 40 and 100 acres	6.57%	14
Between 10 and 40 acres	22.07%	47
Between 5 and 10 acres	13.15%	28
Between 2.5 and 5 acres	19.25%	41
Between 1 and 2.5 acres	29.11%	62
Under 1 acre	7.04%	15
TOTAL		213

Q34 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

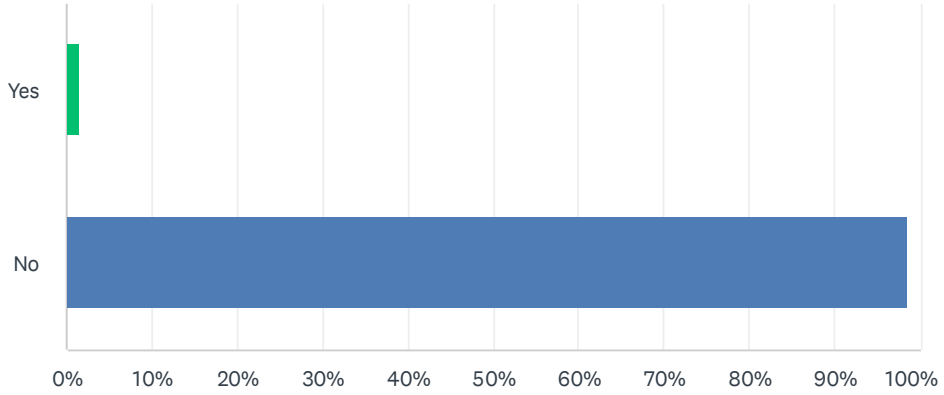
Answered: 212 Skipped: 45



ANSWER CHOICES	RESPONSES	
My Home	94.81%	201
A Commercial Business (retail, restaurant, etc)	1.89%	4
An Industrial Business (manufacturing, warehousing, etc)	2.83%	6
Crop Cultivation	20.75%	44
Raising Livestock	8.96%	19
Total Respondents: 212		

Q35 Do you have any desire to split your property into smaller parcels?

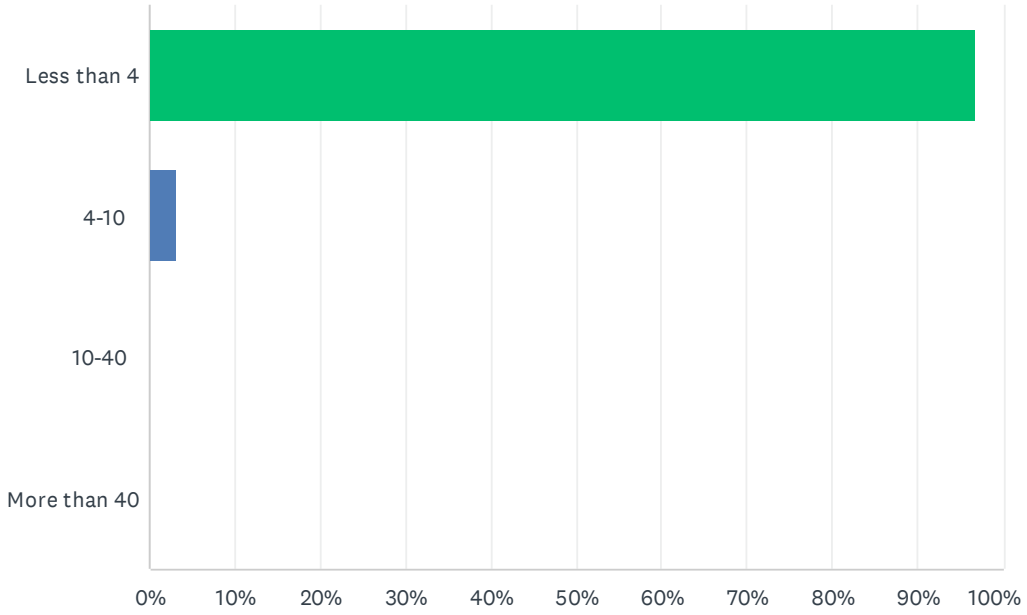
Answered: 211 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	1.42%	3
No	98.58%	208
TOTAL		211

Q36 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

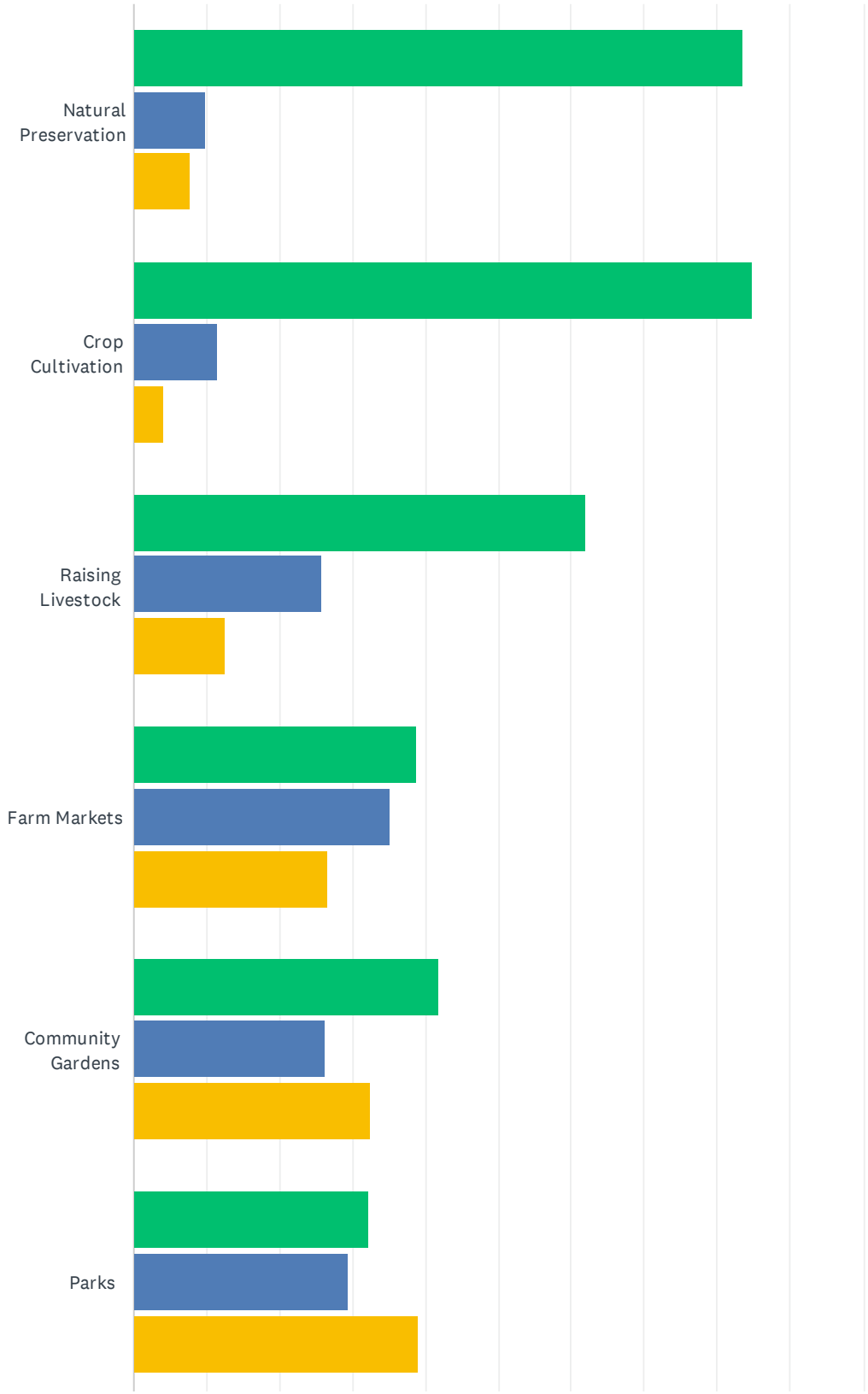
Answered: 94 Skipped: 163

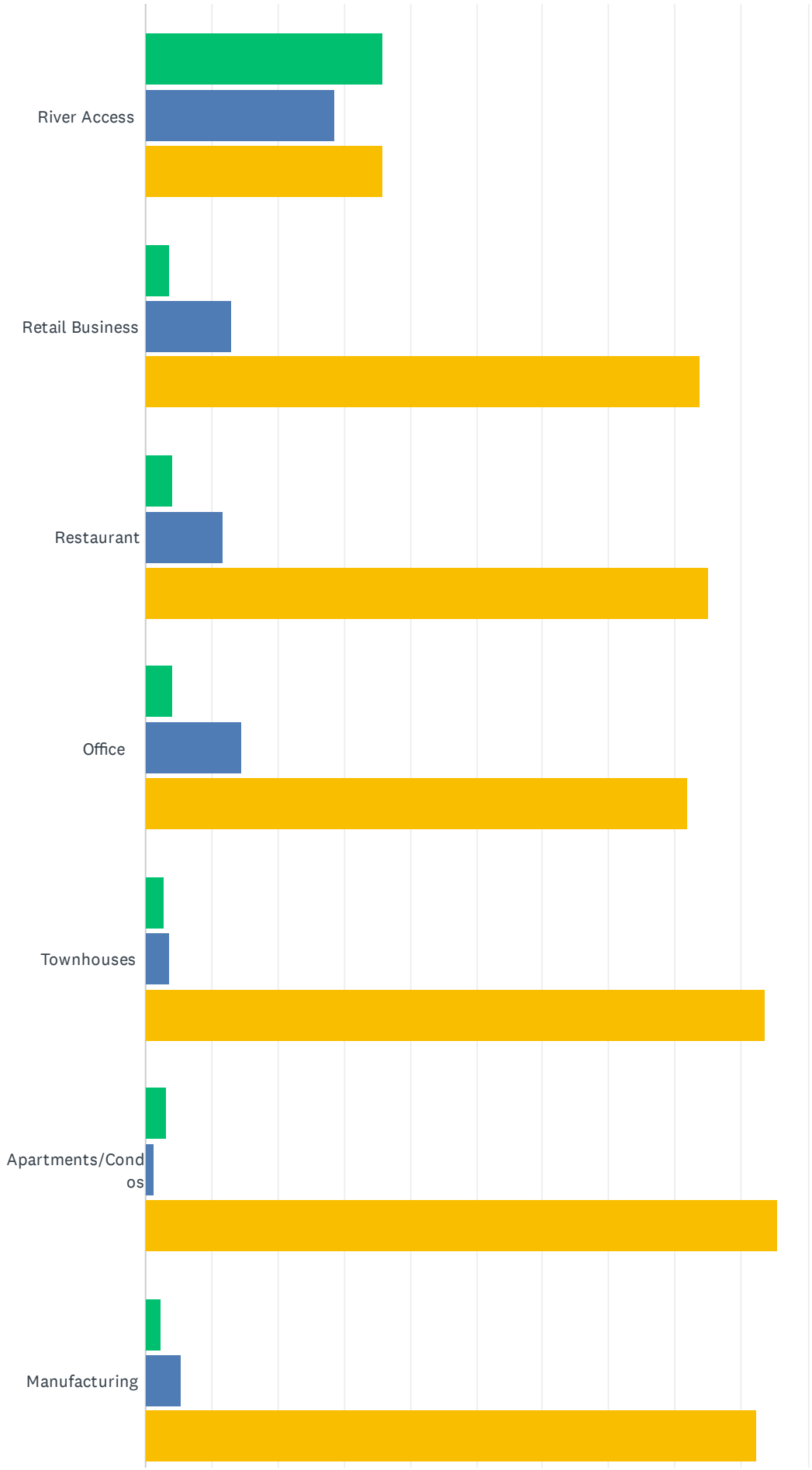


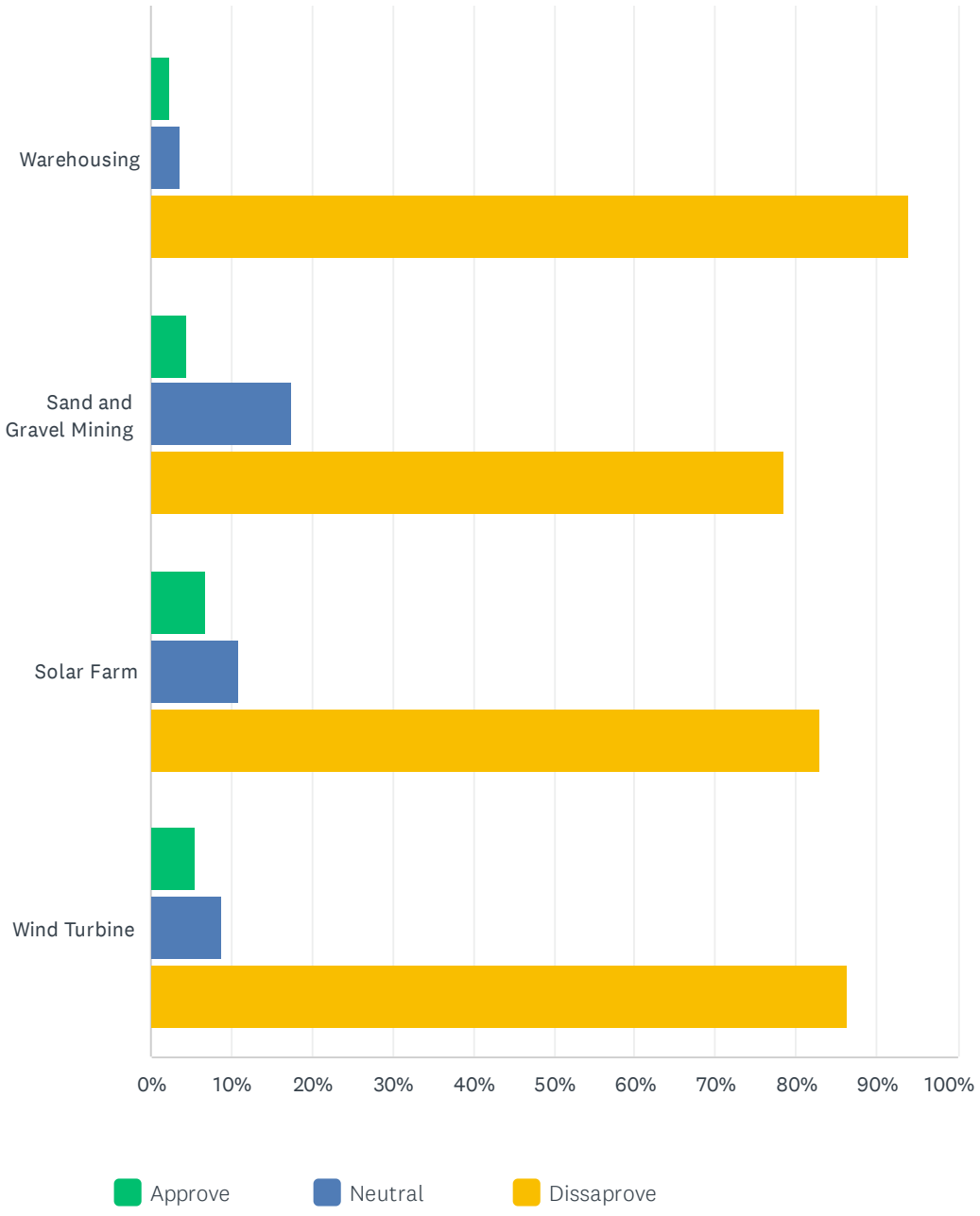
ANSWER CHOICES	RESPONSES	
Less than 4	96.81%	91
4-10	3.19%	3
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		94

Q37 Would you approve of your neighbor using their land for the following purposes?

Answered: 226 Skipped: 31



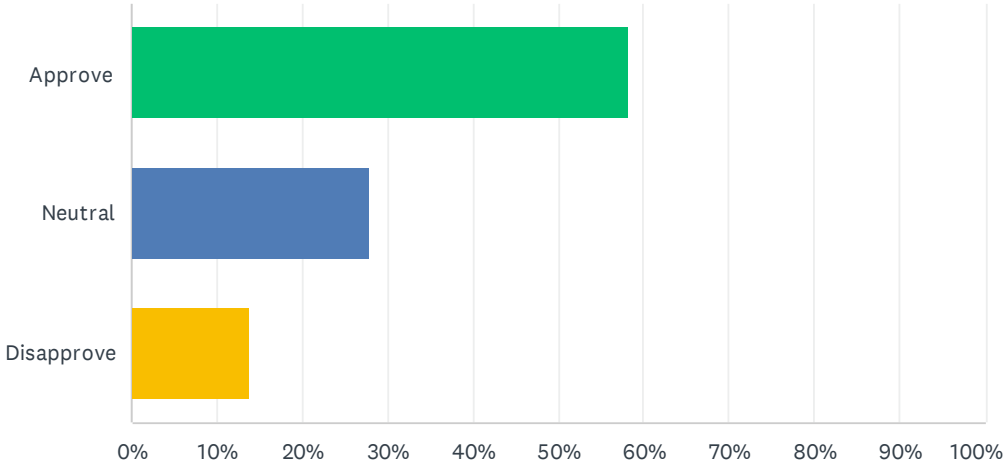

River Access
Retail Business
Restaurant
Office
Townhouses
Apartments/Condos
Manufacturing


Warehousing
Sand and Gravel Mining
Solar Farm
Wind Turbine
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Approve
Neutral
Dissaprove

	APPROVE	NEUTRAL	DISSAPROVE	TOTAL RESPONDENTS
Natural Preservation	83.48% 187	9.82% 22	7.59% 17	224
Crop Cultivation	84.82% 190	11.61% 26	4.02% 9	224
Raising Livestock	62.05% 139	25.89% 58	12.50% 28	224
Farm Markets	38.74% 86	35.14% 78	26.58% 59	222
Community Gardens	41.89% 93	26.13% 58	32.43% 72	222
Parks	32.13% 71	29.41% 65	38.91% 86	221
River Access	35.75% 79	28.51% 63	35.75% 79	221
Retail Business	3.60% 8	13.06% 29	83.78% 186	222
Restaurant	4.09% 9	11.82% 26	85.00% 187	220
Office	4.07% 9	14.48% 32	81.90% 181	221
Townhouses	2.70% 6	3.60% 8	93.69% 208	222
Apartments/Condos	3.15% 7	1.35% 3	95.50% 212	222
Manufacturing	2.25% 5	5.41% 12	92.34% 205	222
Warehousing	2.27% 5	3.64% 8	94.09% 207	220
Sand and Gravel Mining	4.48% 10	17.49% 39	78.48% 175	223
Solar Farm	6.76% 15	10.81% 24	82.88% 184	222
Wind Turbine	5.48% 12	8.68% 19	86.30% 189	219

Q38 Houses - 1 (or Less) per 40 Acres:

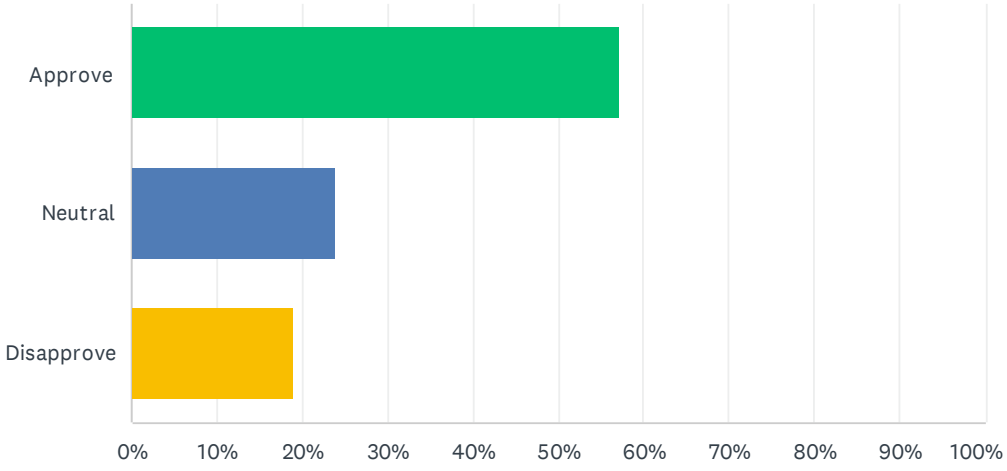
Answered: 222 Skipped: 35



ANSWER CHOICES	RESPONSES	
Approve	58.11%	129
Neutral	27.93%	62
Disapprove	13.96%	31
TOTAL		222

Q39 Houses –1 per 10 Acres:

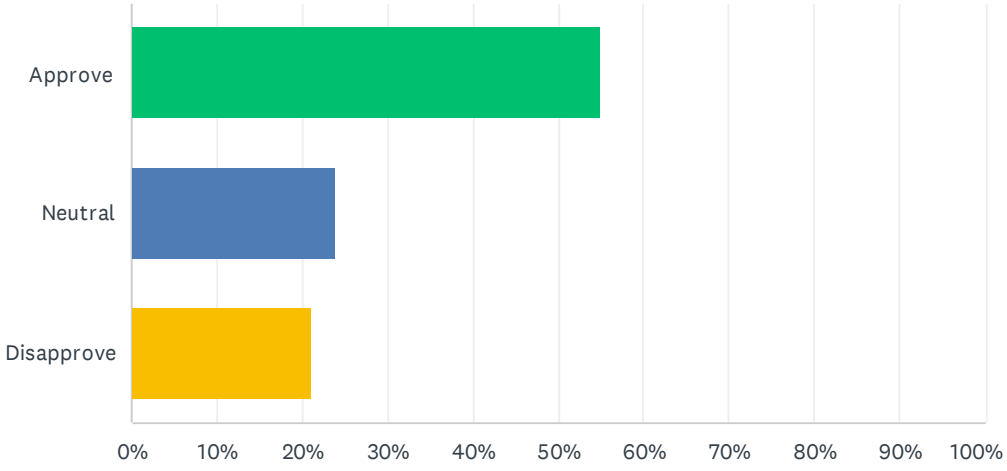
Answered: 222 Skipped: 35



ANSWER CHOICES	RESPONSES	
Approve	57.21%	127
Neutral	23.87%	53
Disapprove	18.92%	42
TOTAL		222

Q40 Houses – 1 per 10 Acres, but on 5 Acre Lots to Preserve Farmland

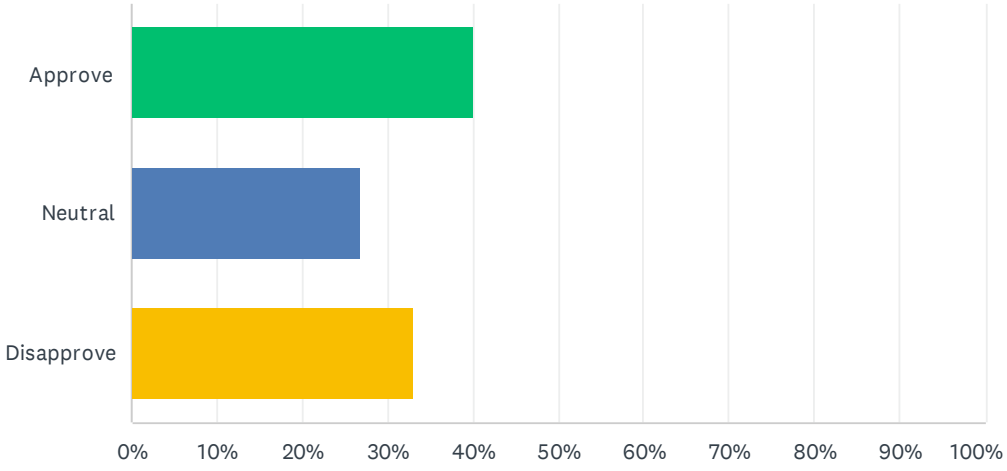
Answered: 222 Skipped: 35



ANSWER CHOICES	RESPONSES	
Approve	54.95%	122
Neutral	23.87%	53
Disapprove	21.17%	47
TOTAL		222

Q41 Houses –1 per 5 Acres:

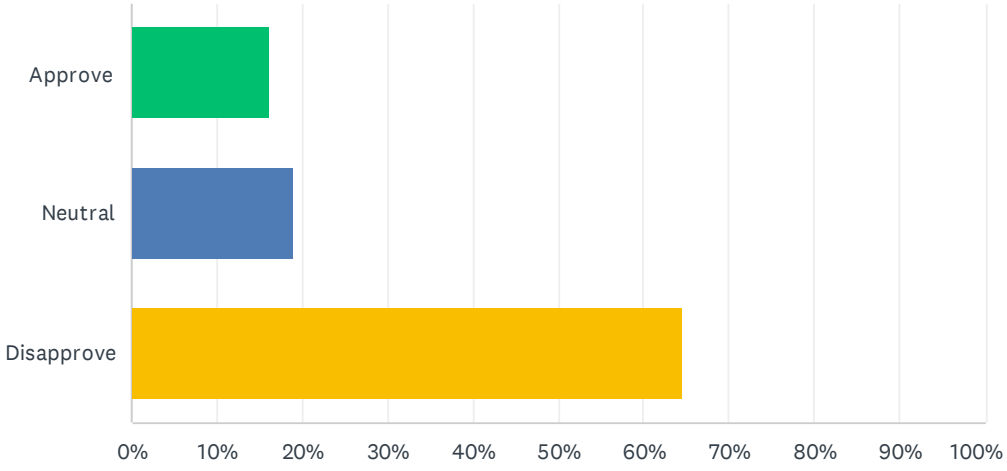
Answered: 224 Skipped: 33



ANSWER CHOICES	RESPONSES	
Approve	40.18%	90
Neutral	26.79%	60
Disapprove	33.04%	74
TOTAL		224

Q42 Houses –1 per 2 Acres:

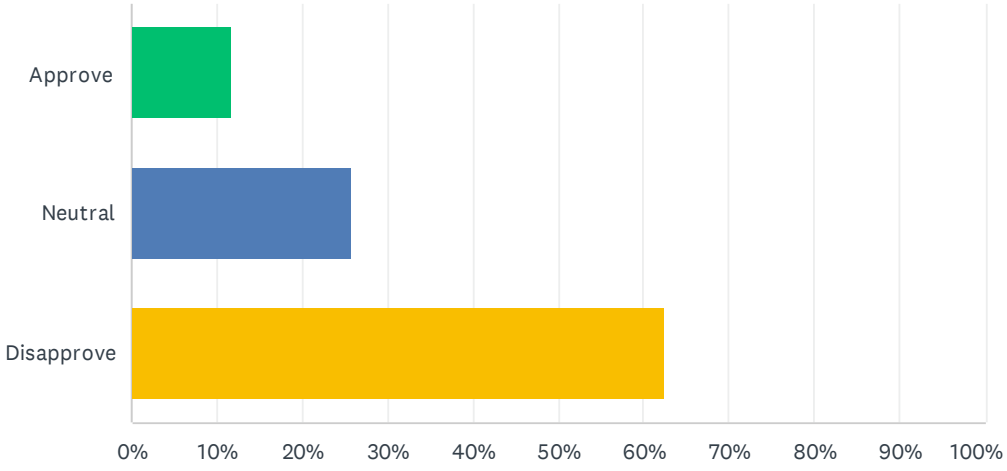
Answered: 221 Skipped: 36



ANSWER CHOICES	RESPONSES	
Approve	16.29%	36
Neutral	19.00%	42
Disapprove	64.71%	143
TOTAL		221

Q43 Houses –1 per 2 Acres, but on 1 Acre Lots to Preserve Farmland:

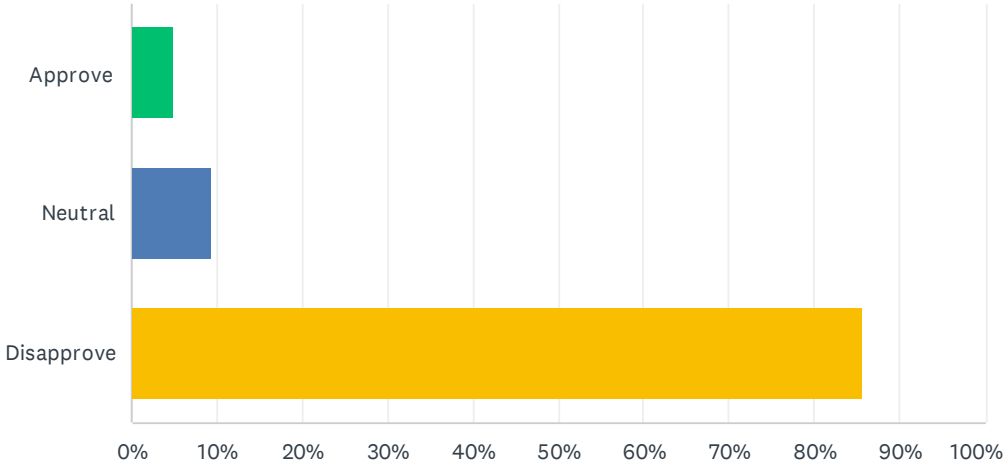
Answered: 221 Skipped: 36



ANSWER CHOICES	RESPONSES	
Approve	11.76%	26
Neutral	25.79%	57
Disapprove	62.44%	138
TOTAL		221

Q44 Houses –1 (or More) per Acre

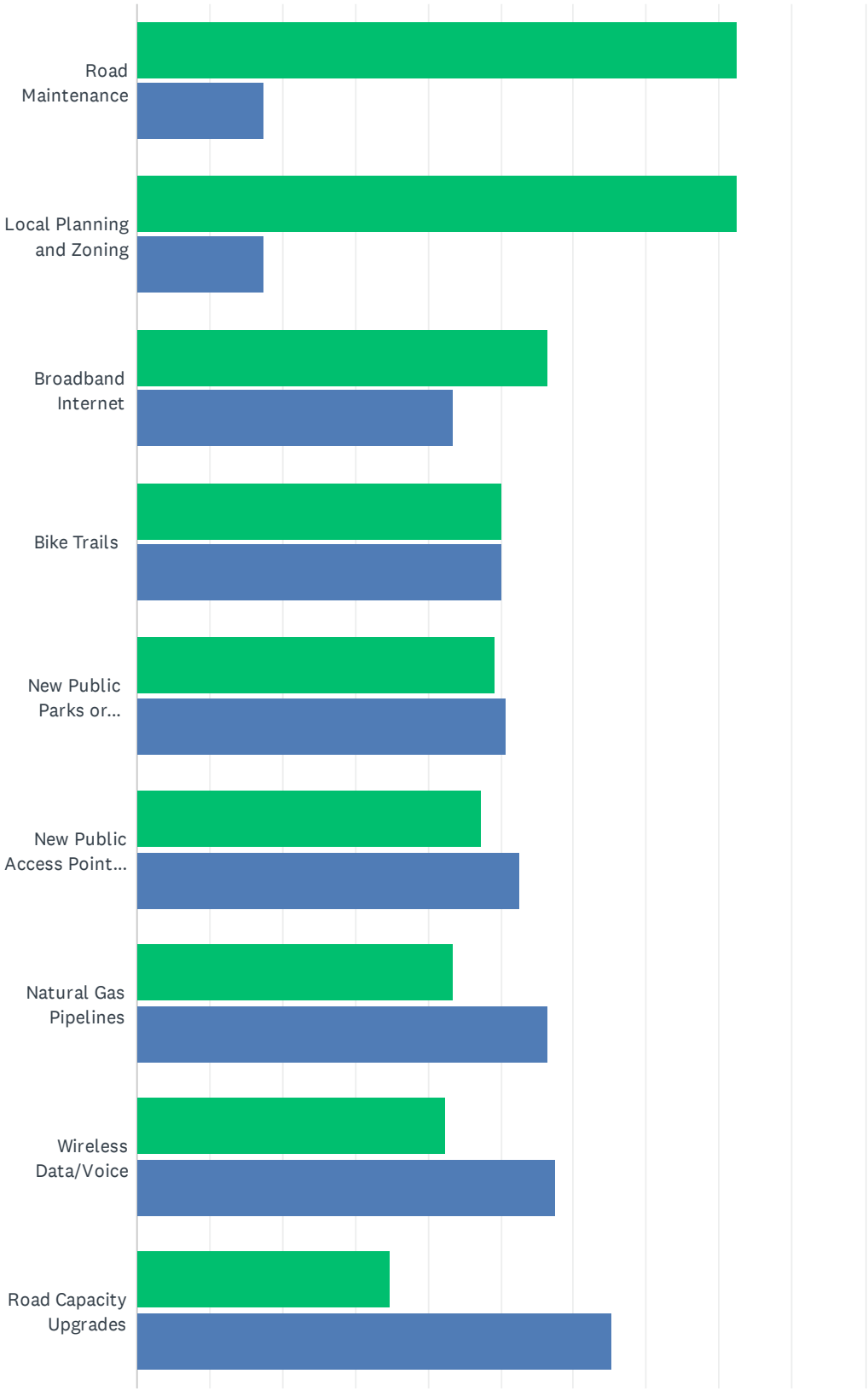
Answered: 223 Skipped: 34

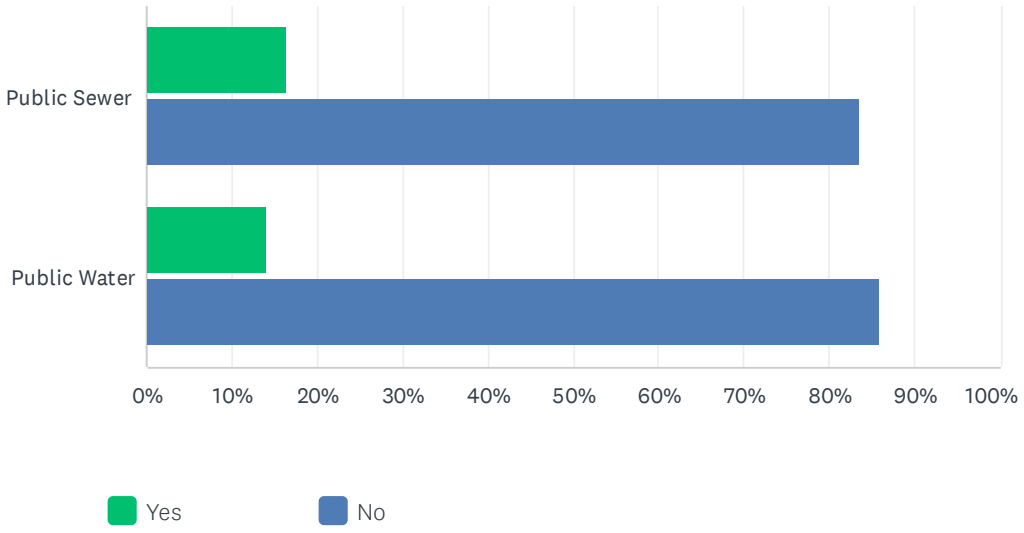


ANSWER CHOICES	RESPONSES	
Approve	4.93%	11
Neutral	9.42%	21
Disapprove	85.65%	191
TOTAL		223

Q45 Would you support the use of existing Eagle Township taxes (i.e. no increase) to pay for the following?

Answered: 222 Skipped: 35

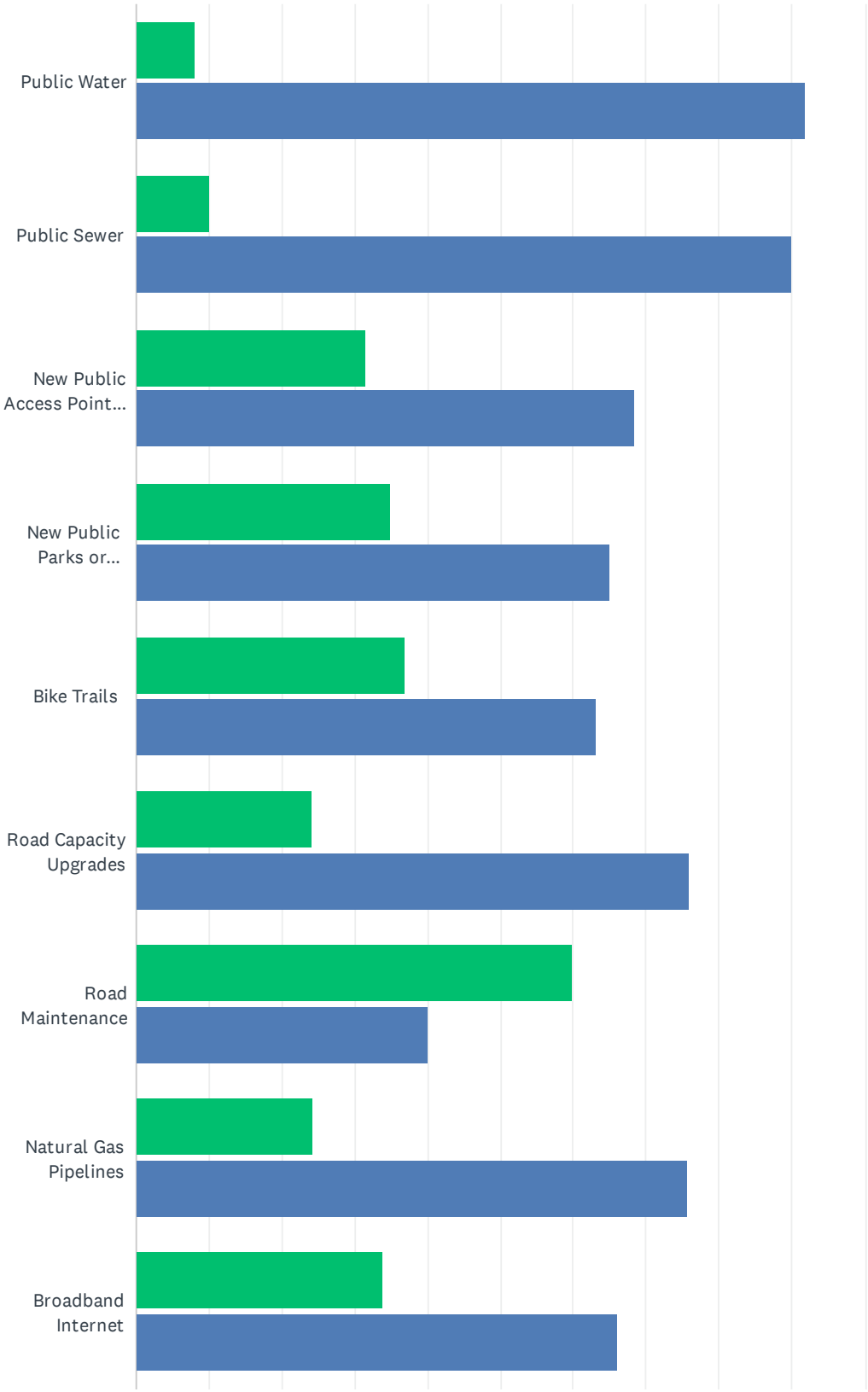


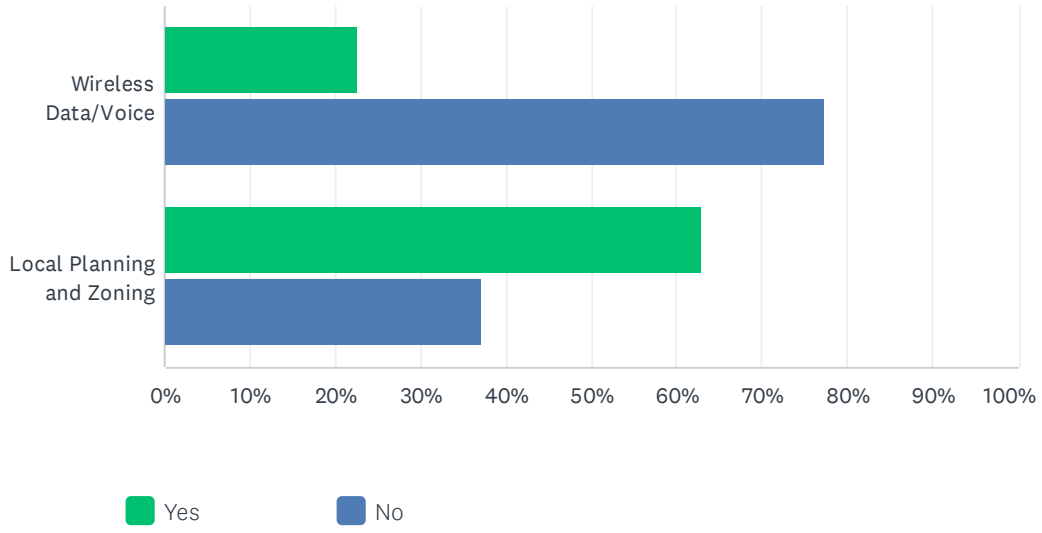


	YES	NO	TOTAL
Road Maintenance	82.49% 179	17.51% 38	217
Local Planning and Zoning	82.55% 175	17.45% 37	212
Broadband Internet	56.54% 121	43.46% 93	214
Bike Trails	50.00% 107	50.00% 107	214
New Public Parks or Recreational Amenities	49.29% 104	50.71% 107	211
New Public Access Points Along the Rivers	47.42% 101	52.58% 112	213
Natural Gas Pipelines	43.60% 92	56.40% 119	211
Wireless Data/Voice	42.44% 87	57.56% 118	205
Road Capacity Upgrades	34.78% 72	65.22% 135	207
Public Sewer	16.35% 34	83.65% 174	208
Public Water	14.01% 29	85.99% 178	207

Q46 Would you support an increase in taxes on Eagle Township residents to pay for any of the following?

Answered: 220 Skipped: 37

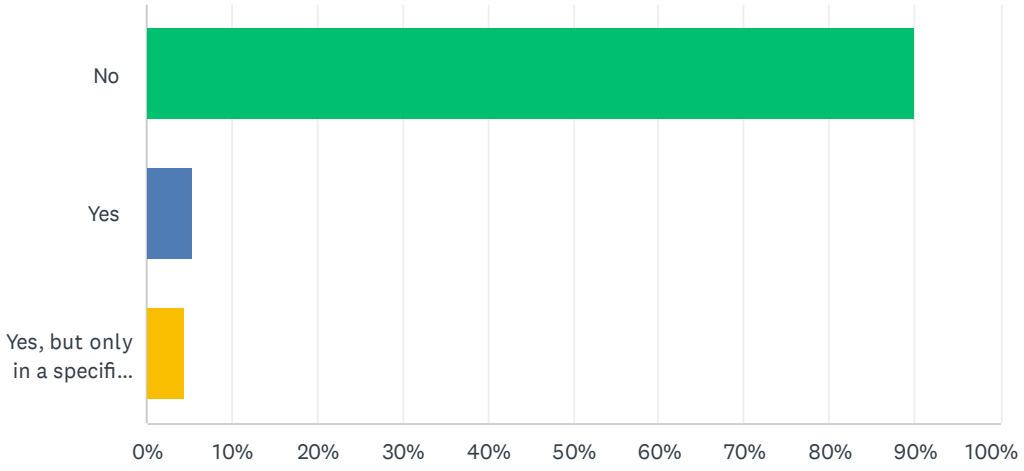




	YES	NO	TOTAL
Public Water	8.13% 17	91.87% 192	209
Public Sewer	10.10% 21	89.90% 187	208
New Public Access Points Along the Rivers	31.46% 67	68.54% 146	213
New Public Parks or Recreational Amenities	34.91% 74	65.09% 138	212
Bike Trails	36.97% 78	63.03% 133	211
Road Capacity Upgrades	24.15% 50	75.85% 157	207
Road Maintenance	59.81% 128	40.19% 86	214
Natural Gas Pipelines	24.29% 51	75.71% 159	210
Broadband Internet	33.80% 72	66.20% 141	213
Wireless Data/Voice	22.71% 47	77.29% 160	207
Local Planning and Zoning	62.86% 132	37.14% 78	210

Q47 In some cases, Cities (like Grand ledge) and Villages (like the Village of Eagle) can take over parts of Townships. This allows City/Village services (such as water and sewer) to be expanded, to promote development. Do you support this happening to parts of Eagle Township?

Answered: 221 Skipped: 36

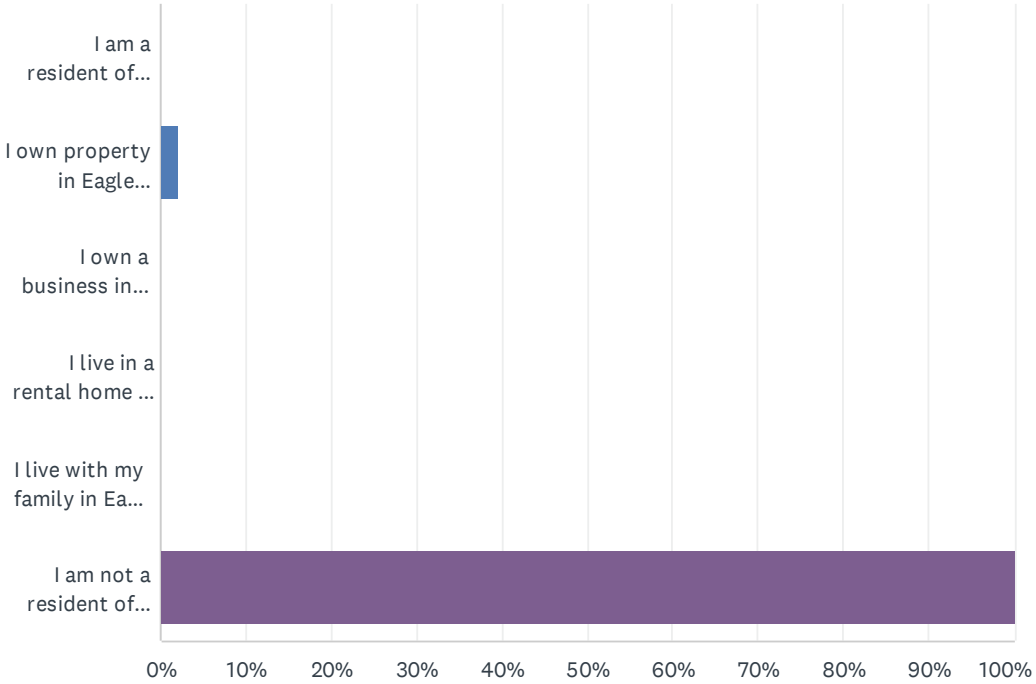


ANSWER CHOICES	RESPONSES	
No	90.05%	199
Yes	5.43%	12
Yes, but only in a specific location (please specify)	4.52%	10
TOTAL		221

#	YES, BUT ONLY IN A SPECIFIC LOCATION (PLEASE SPECIFY)
1	Only in the village Eagle if they want it.
2	Only where population density makes sense.
3	only on business coridors..but limited in size
4	did not comment
5	in already developed areas to give access to current homeowners.
6	In the village limits.
7	In grand ledge
8	In he core city area
9	Where accessible
10	In proximity to I-96 where development belongs

Q1 Please check all that apply:

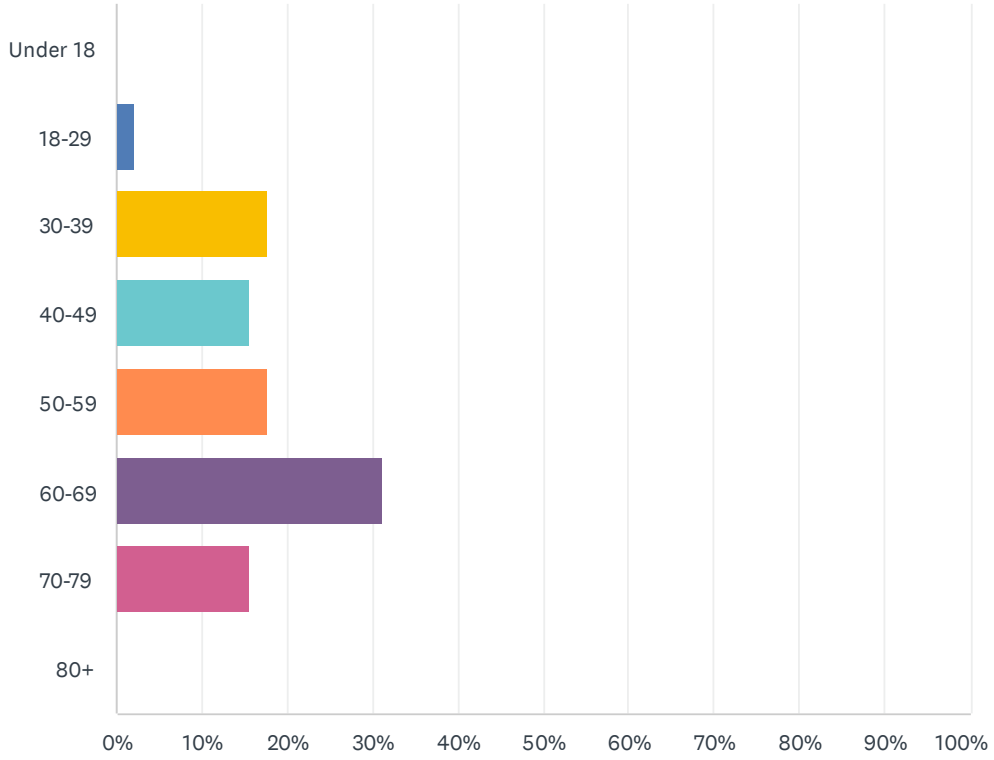
Answered: 47 Skipped: 0



ANSWER CHOICES	RESPONSES	
I am a resident of Eagle Township	0.00%	0
I own property in Eagle Township	2.13%	1
I own a business in Eagle Township	0.00%	0
I live in a rental home in Eagle Township	0.00%	0
I live with my family in Eagle Township, but I am not the owner of my home.	0.00%	0
I am not a resident of Eagle Township	100.00%	47
Total Respondents: 47		

Q2 Please check your age range:

Answered: 45 Skipped: 2



ANSWER CHOICES	RESPONSES	
Under 18	0.00%	0
18-29	2.22%	1
30-39	17.78%	8
40-49	15.56%	7
50-59	17.78%	8
60-69	31.11%	14
70-79	15.56%	7
80+	0.00%	0
Total Respondents: 45		

Q3 Please share your address. If you are not comfortable sharing your address, please share the nearest intersection to your home.

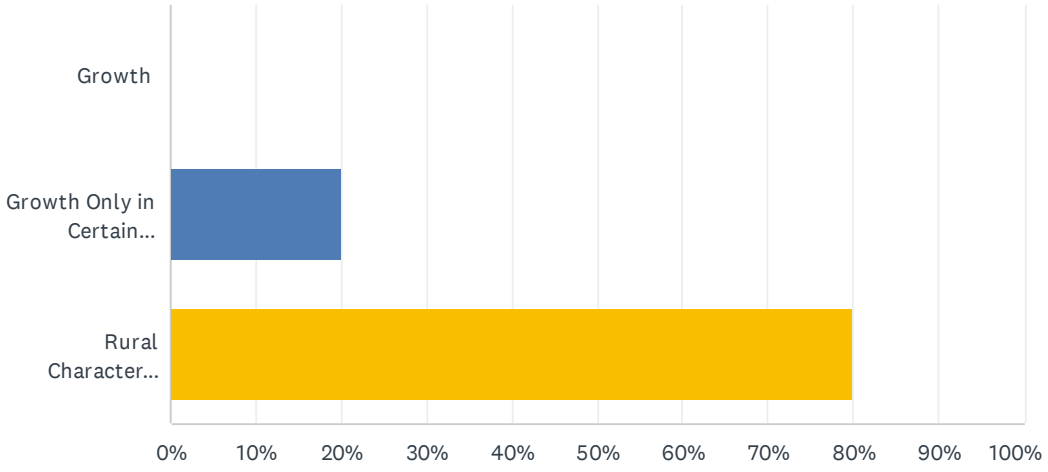
Answered: 42 Skipped: 5

#	RESPONSES
1	Chadwick and Pioneer
2	Clark Rd/Lowell Rd
3	Wacousta Rd. Herbison Rd
4	Wacousta Rd ,Eagle at Cutler Rd
5	9290 looking glass brook
6	Grand ledge
7	Saginaw & Waverly
8	City of Portland
9	North River Road
10	15779 W Price rd, Westphalia Mi 48894
11	217 Elizabeth street Grand Ledge, MI 48837
12	10200 S Wright Rd, Eagle
13	13281 Summer Lane Grand Ledge MI
14	Meranda Ln, Grand Ledge
15	Oneida Township
16	Parnell/Lansing
17	Albion, Michigan
18	Wacousta Road and Herbison
19	Riverside Drive and Bauer Road
20	7038 Maynard rd Portland mi 48875
21	M-100
22	W. FRONT & INGERSOLL
23	Lehman Rd
24	11852 Grand River Trail, Portland, MI 48875
25	11720 Looking Glass Ave, Portland, MI
26	320 Hickory Lane, Westphalia MI
27	14118 Clintonia Road, Grand Ledge, MI 48837
28	9740 W Grand River Hwy GL 48837
29	PO Box 13255 Lansing, MI. 48901
30	926 DeGroff St. Grand Ledge, MI 48837
31	Grand River Ave- Property Reside in Grand Ledge

32	Clark Road and Bauer Road
33	201 w Lincoln st grand leddg3e mi 48837
34	Grand Ledge
35	Meadow woods subvision
36	9760 W Grand River Hwy.; 48837
37	9083 Herbison Rd Eagle, MI 48822
38	Portland
39	926 DeGroff Grand Ledge MI 48837
40	5547 Davis Hwy, Grand Ledge, MI
41	Breton and Boston, Grand Rapids
42	1725 Rowden Drive Hastings, MI 49058

Q4 In general, should Eagle Township promote growth, or promote the preservation of rural character?

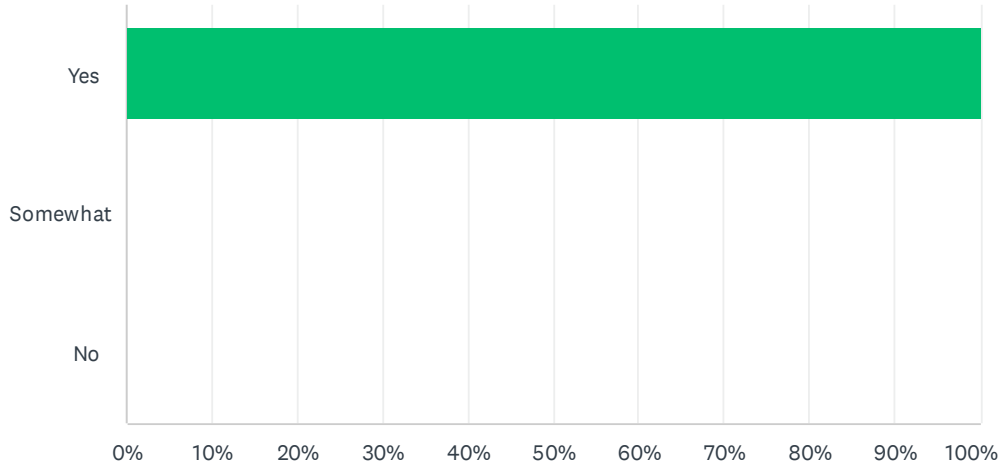
Answered: 45 Skipped: 2



ANSWER CHOICES	RESPONSES	
Growth	0.00%	0
Growth Only in Certain Locations	20.00%	9
Rural Character Throughout the Township	80.00%	36
TOTAL		45

Q5 Are the Natural features such as the trees, creeks, and wildlife in Eagle Township important to you?

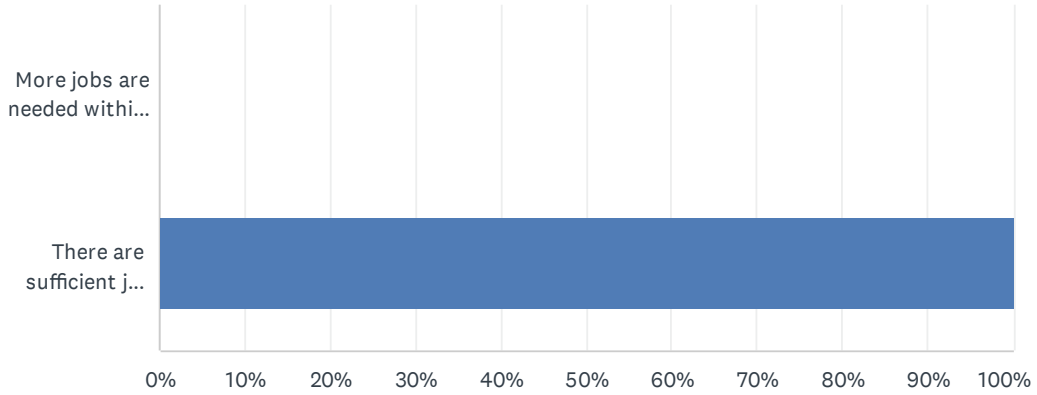
Answered: 45 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	100.00%	45
Somewhat	0.00%	0
No	0.00%	0
TOTAL		45

Q6 Does Eagle Township need more jobs within its boundaries, or are there sufficient jobs in the Township and surrounding communities to support the Township's population?

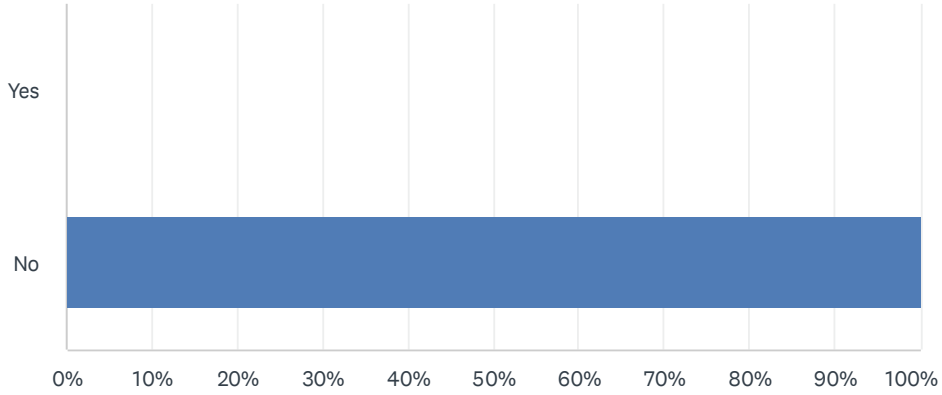
Answered: 45 Skipped: 2



ANSWER CHOICES	RESPONSES	
More jobs are needed within the Township.	0.00%	0
There are sufficient jobs within and near the Township.	100.00%	45
TOTAL		45

Q7 Do you support large-scale industrial development in the Township?

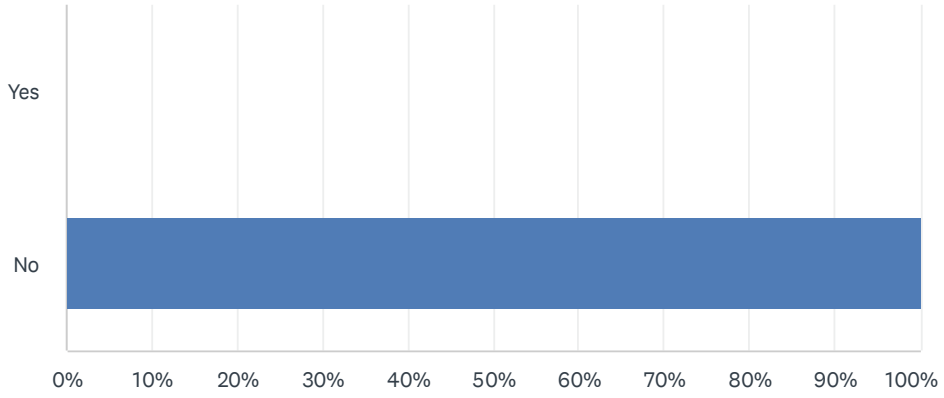
Answered: 45 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	45
TOTAL		45

Q8 Do you support large-scale commercial/retail (i.e. big box or strip malls) development in the Township?

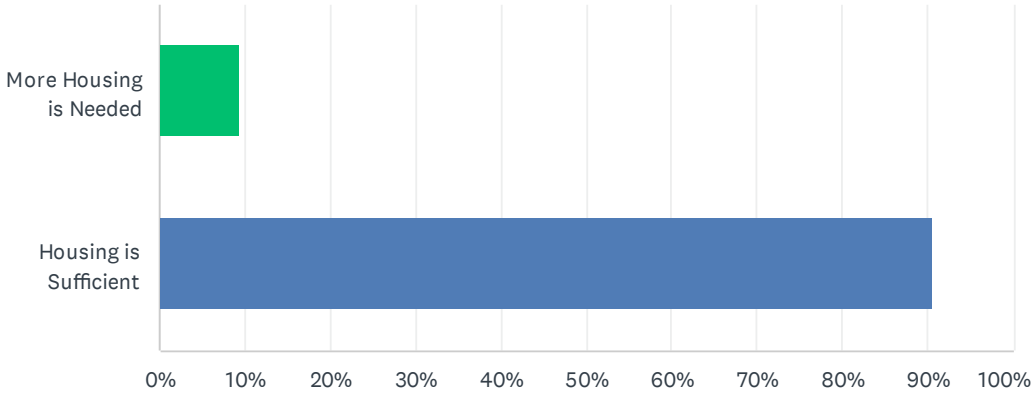
Answered: 45 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	45
TOTAL		45

Q9 Does Eagle Township need more housing within its boundaries, or is there sufficient housing to support the Township's population?

Answered: 43 Skipped: 4



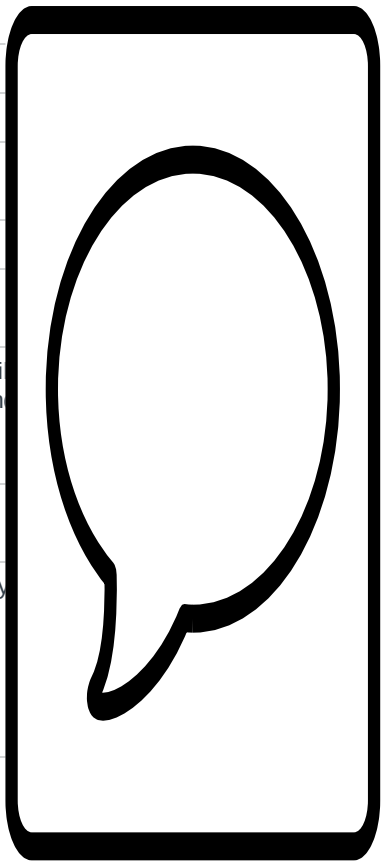
ANSWER CHOICES	RESPONSES	
More Housing is Needed	9.30%	4
Housing is Sufficient	90.70%	39
TOTAL		43

Q10 What makes you most proud of living in Eagle Township?

Answered: 32 Skipped: 15

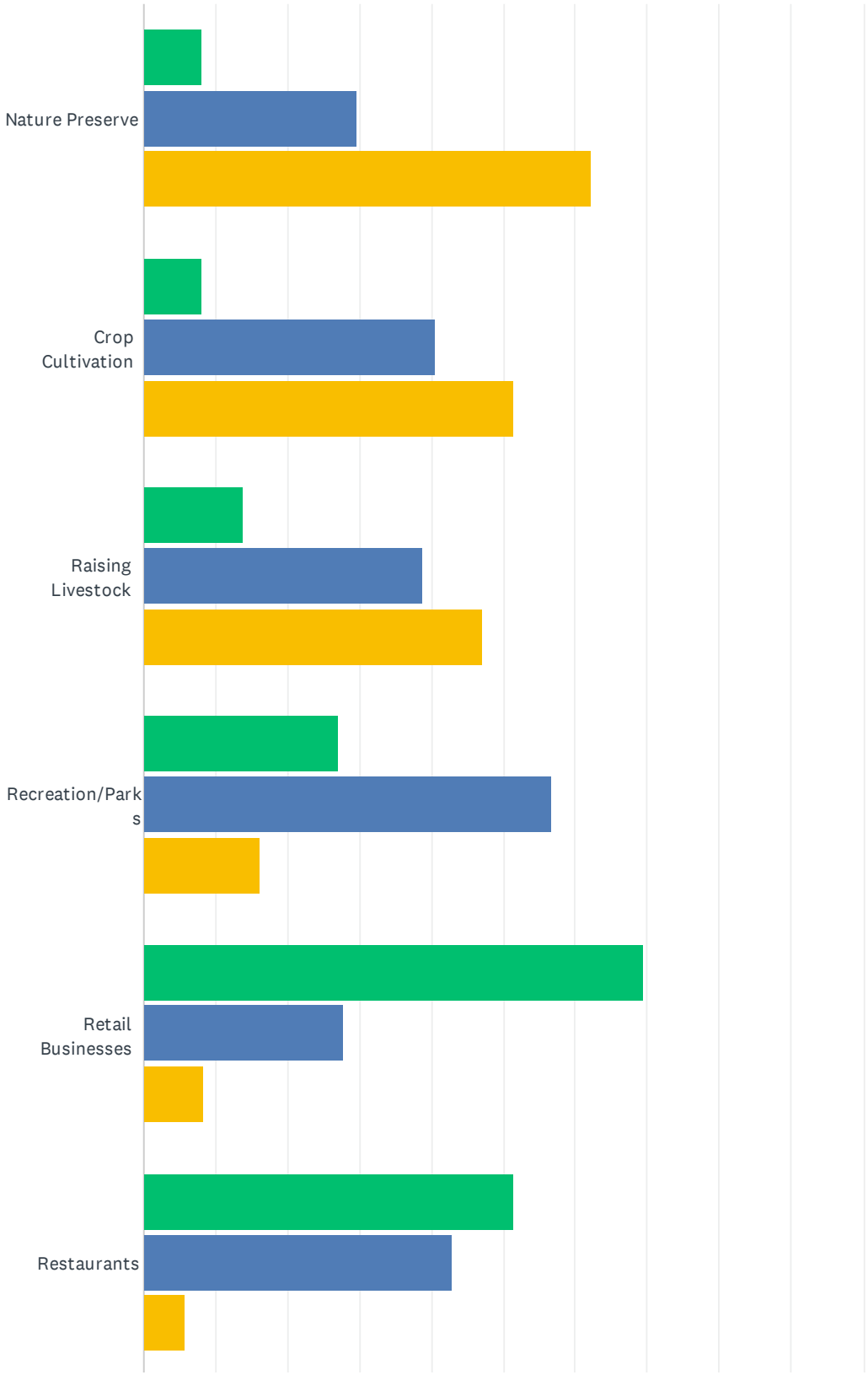
#	RESPONSES
1	The rural feel, quiet back roads, open farmland, abundant wildlife, relatively dark skies
2	Country. Rural. Natural woodlands/wetlands/farming.
3	Rural. Farmland, dirt(not concrete) wildlife, mostly dark skies, being able to be outside to exercise, and socialize.
4	I appreciate the rural character of Eagle, and the importance of being good neighbors.
5	It is country living but 10 minutes from stores
6	Although I am not directly in the township, I am on the boundry line. I absolutely love Eagle Township as it is.
7	I do not live in Eagle township. I live in Westphalia. I have attended every township meeting from March 2023 through November 2023. I have been concerned with the sale of MSU farmland transferred into. industrial use. This land was intended for agriculture use not industrial use.
8	I do not live in Eagle Twsp. but I live in Grand Ledge nearby. I do not want an CPP battery plant on beautiful agricultural land. It will destroy the land and water quality for all of us. We also do not need that kind of traffic around our town or rural areas or getting to thr expressw No one wants these ugly plants in their back yards. They should be looking at old GM plant and old factory sites and not ruining good land.
9	rural, small town character, farming area, wild life
10	Rural America
11	Peaceful, quiet, natural location close to more populous area.
12	Community
13	The people
14	Ppl have a backbone
15	This is a quiet peaceful rural area. Wildlife is valued and loved. It is a proud farming community.
16	The natural beauty, the quiet atmosphere and the good people.
17	As I do not live in the township anymore, I was born and raised in Eagle and my family still resides there, growing up in the small village made me who I am today, adding more homes and businesses would take away from the small town feel. Also Eagle township need to be ones who make the decisions on what goes on with the land not people from Lansing or different cities.
18	Not a resident, but admire what Eagle Twp currently represents
19	You can't beat that small town feel.
20	Eagle is a nice rural community where people work together for the good of the community a each other. The Eagle fairgrounds is fun and full of community activities.
21	NA
22	It's rural character.
23	The sense of community and the pride the people have in their community
24	Eagle fair days Community and community dinners Parks The quiet rural feel

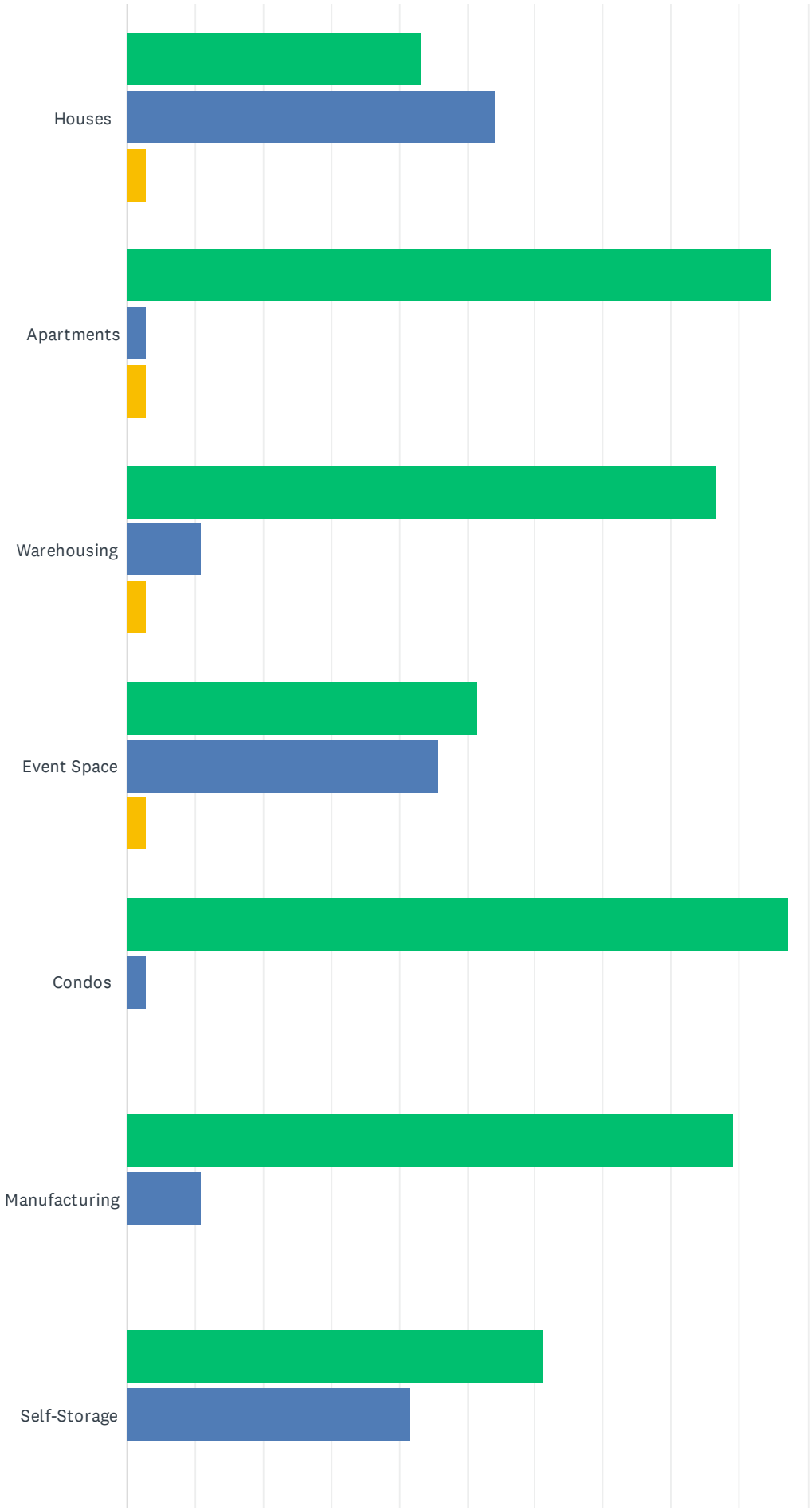
25	The rural community.
26	i don't but hunted there a lot
27	A out of town country feel like no other around. Working for great people Hunting, Fishing, riding.
28	The country rural living & farm land.
29	Beautiful land and neighbors that you know and can count on. No industrial ugliness or pollution to worry about.
30	I don't currently live in the township, but have in the past for over twenty years and have fami living there. I am still involved in the township and value the small community atmosphere an am concerned about keeping mega growth out of the township and in the surrounding cities that have the infrastructure and want for it.
31	I no longer live in Eagle. However, when I did live in Eagle, I likely the rural character of the area. No traffic, no pollution, low crime, etc.
32	My permanent residence is not currently in Eagle township. I was a resident for approximately 27 years. Formerly when I lived in Eagle, I enjoyed the quiet rural living without the hustle, bustle, light, and noise of the city. I enjoyed living on a dirt road with a large parcel of land I could be left alone on to use for my various hobbies and sports. For the most part neighbors are courteous and the sides of roads/the countryside is without trash and litter. It's a place I loved living and still call home.

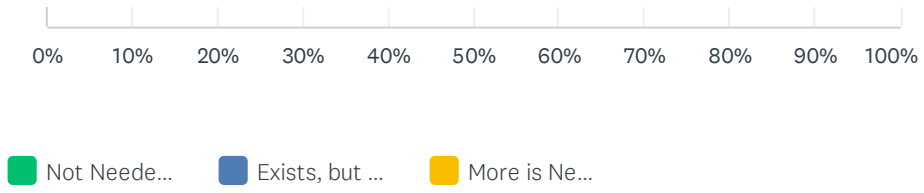


Q11 This is the area around the Village of Eagle and the I-96 Eagle exit. Please check all of the uses of land you feel are appropriate in this area:

Answered: 38 Skipped: 9



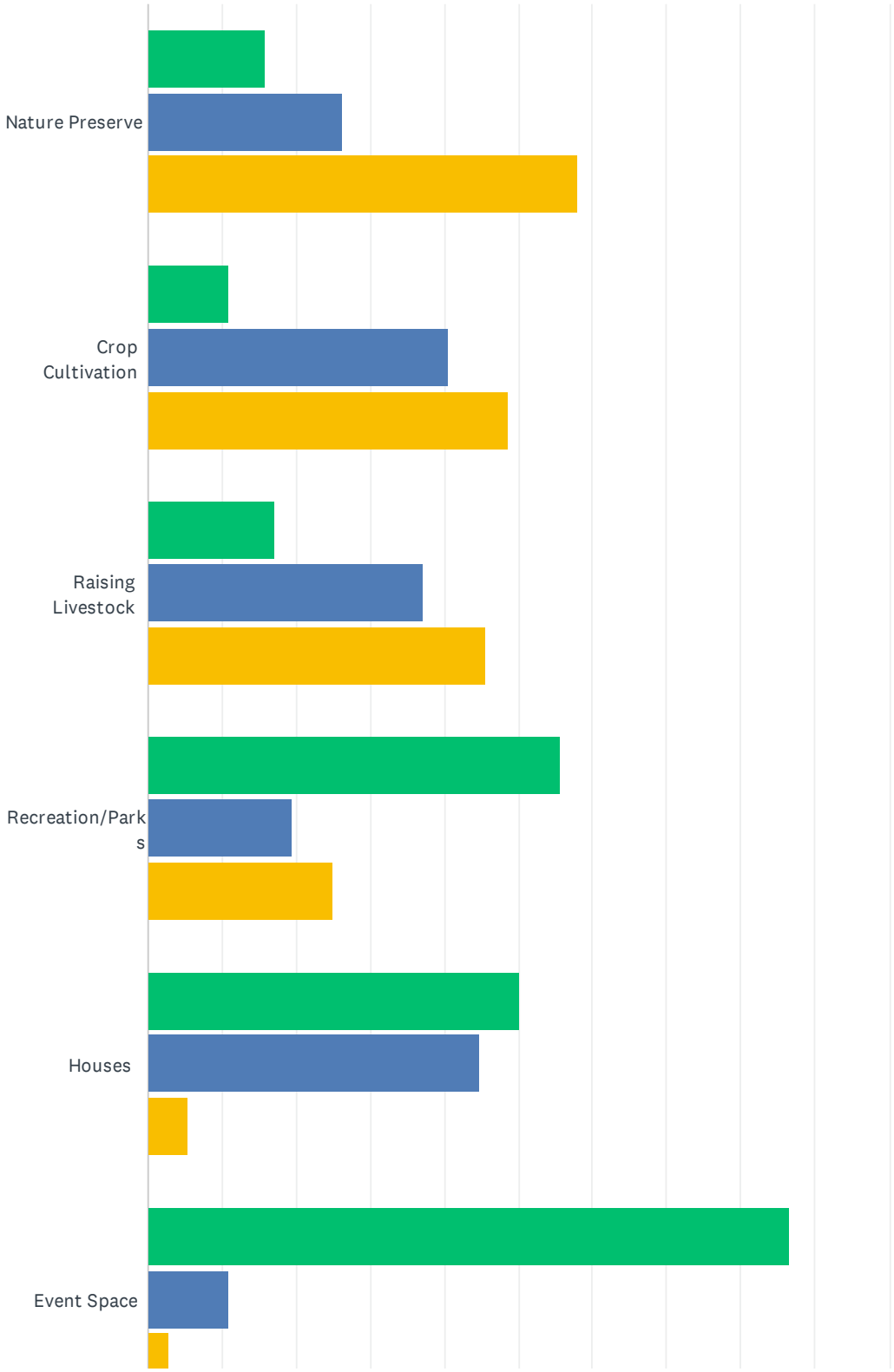

Houses
Apartments
Warehousing
Event Space
Condos
Manufacturing
Self-Storage

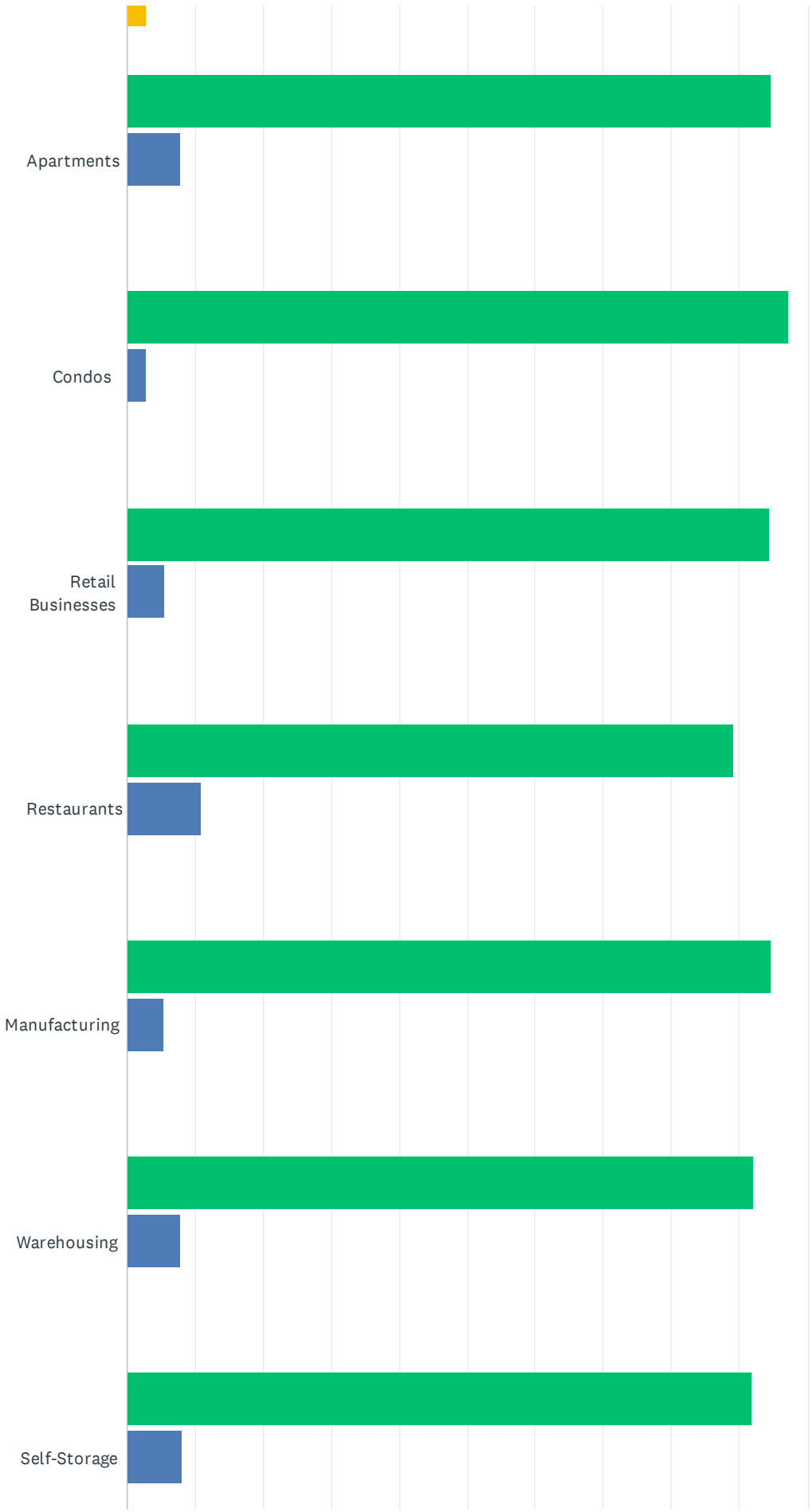


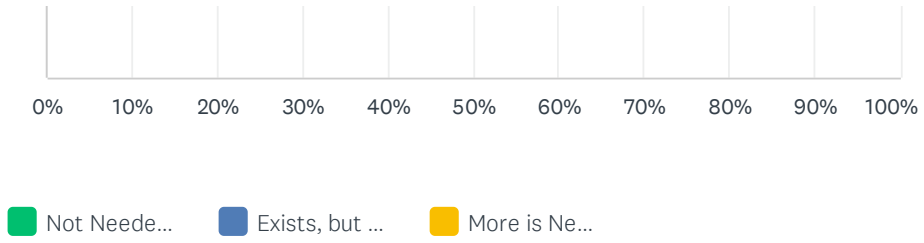
	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	8.11% 3	29.73% 11	62.16% 23	37
Crop Cultivation	8.11% 3	40.54% 15	51.35% 19	37
Raising Livestock	13.89% 5	38.89% 14	47.22% 17	36
Recreation/Parks	27.03% 10	56.76% 21	16.22% 6	37
Retail Businesses	69.44% 25	27.78% 10	8.33% 3	36
Restaurants	51.43% 18	42.86% 15	5.71% 2	35
Houses	43.24% 16	54.05% 20	2.70% 1	37
Apartments	94.59% 35	2.70% 1	2.70% 1	37
Warehousing	86.49% 32	10.81% 4	2.70% 1	37
Event Space	51.35% 19	45.95% 17	2.70% 1	37
Condos	97.30% 36	2.70% 1	0.00% 0	37
Manufacturing	89.19% 33	10.81% 4	0.00% 0	37
Self-Storage	61.11% 22	41.67% 15	0.00% 0	36

Q12 This is the area north of the I-96 Eagle exit and also includes the Looking Glass River.Please check all of the uses of land you feel are appropriate in this area:

Answered: 38 Skipped: 9



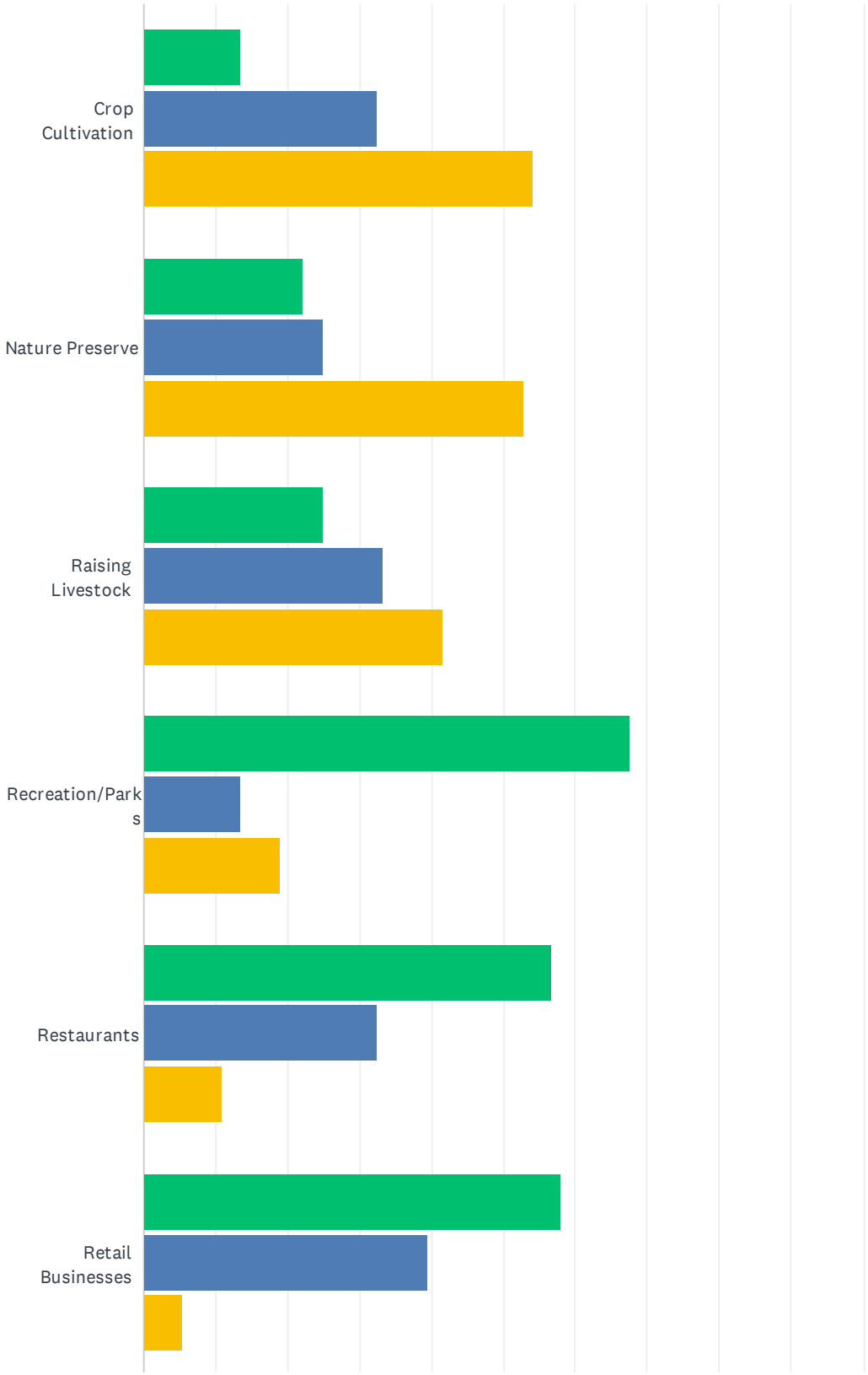

Apartments
Condos
Retail Businesses
Restaurants
Manufacturing
Warehousing
Self-Storage

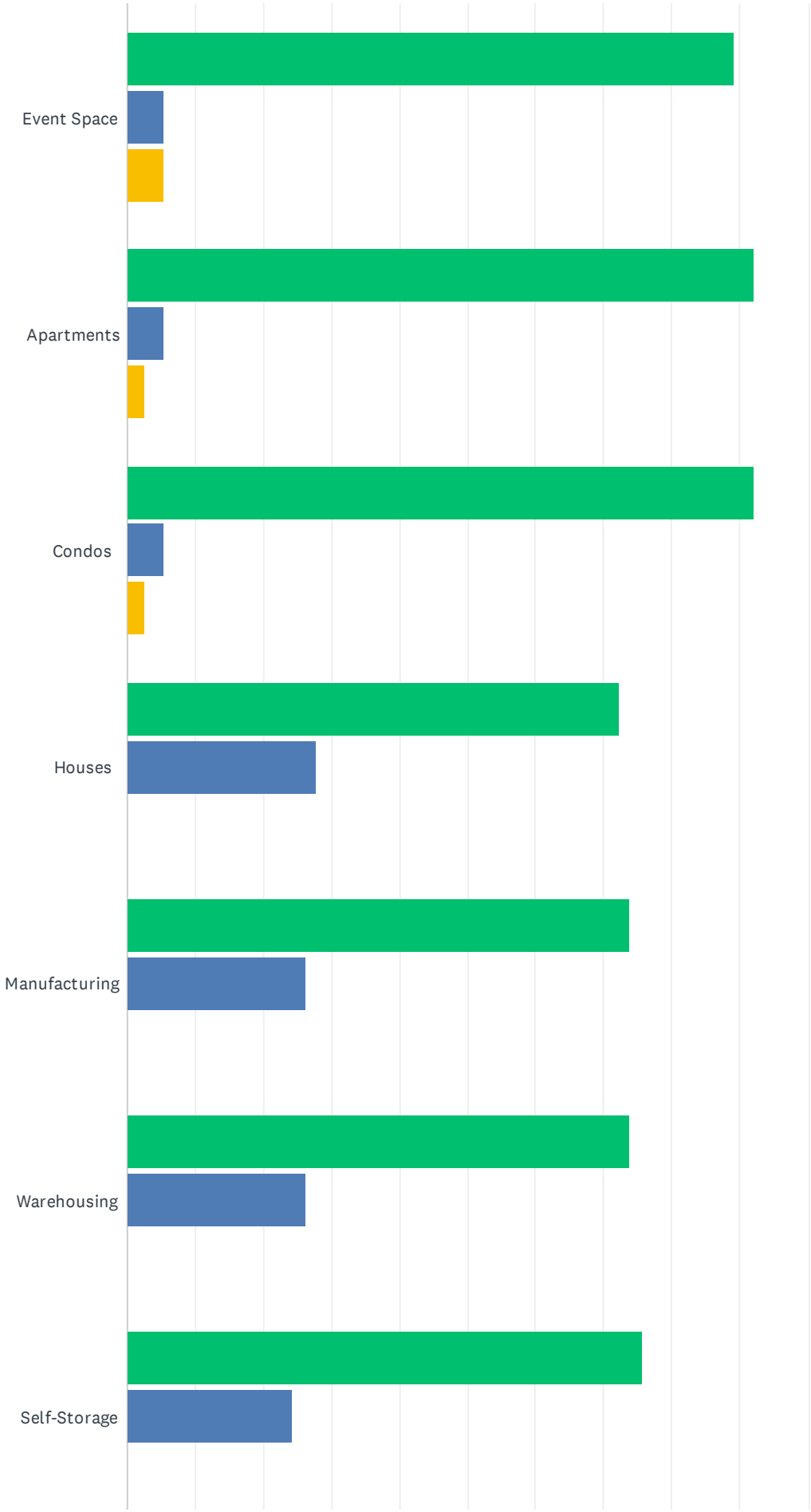


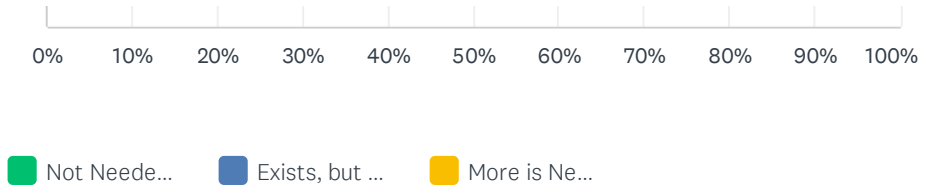
	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	15.79% 6	26.32% 10	57.89% 22	38
Crop Cultivation	10.81% 4	40.54% 15	48.65% 18	37
Raising Livestock	17.14% 6	37.14% 13	45.71% 16	35
Recreation/Parks	55.56% 20	19.44% 7	25.00% 9	36
Houses	50.00% 19	44.74% 17	5.26% 2	38
Event Space	86.49% 32	10.81% 4	2.70% 1	37
Apartments	94.74% 36	7.89% 3	0.00% 0	38
Condos	97.30% 36	2.70% 1	0.00% 0	37
Retail Businesses	94.44% 34	5.56% 2	0.00% 0	36
Restaurants	89.19% 33	10.81% 4	0.00% 0	37
Manufacturing	94.74% 36	5.26% 2	0.00% 0	38
Warehousing	92.11% 35	7.89% 3	0.00% 0	38
Self-Storage	91.89% 34	8.11% 3	0.00% 0	37

Q13 This is the area immediately around the I-96 Grand Ledge exit. Please check all of the uses of land you feel are appropriate in this area:

Answered: 38 Skipped: 9



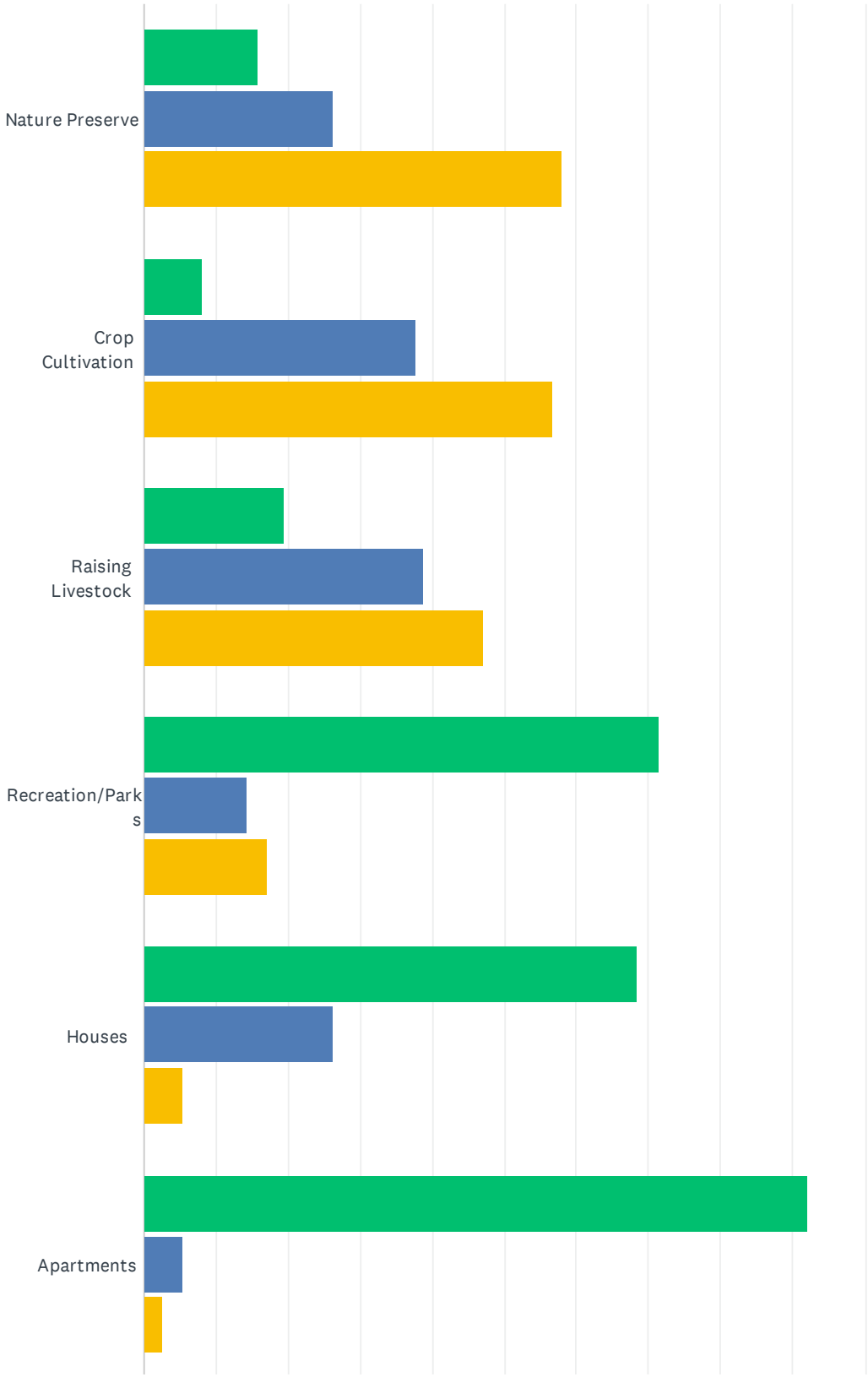

Event Space
Apartments
Condos
Houses
Manufacturing
Warehousing
Self-Storage

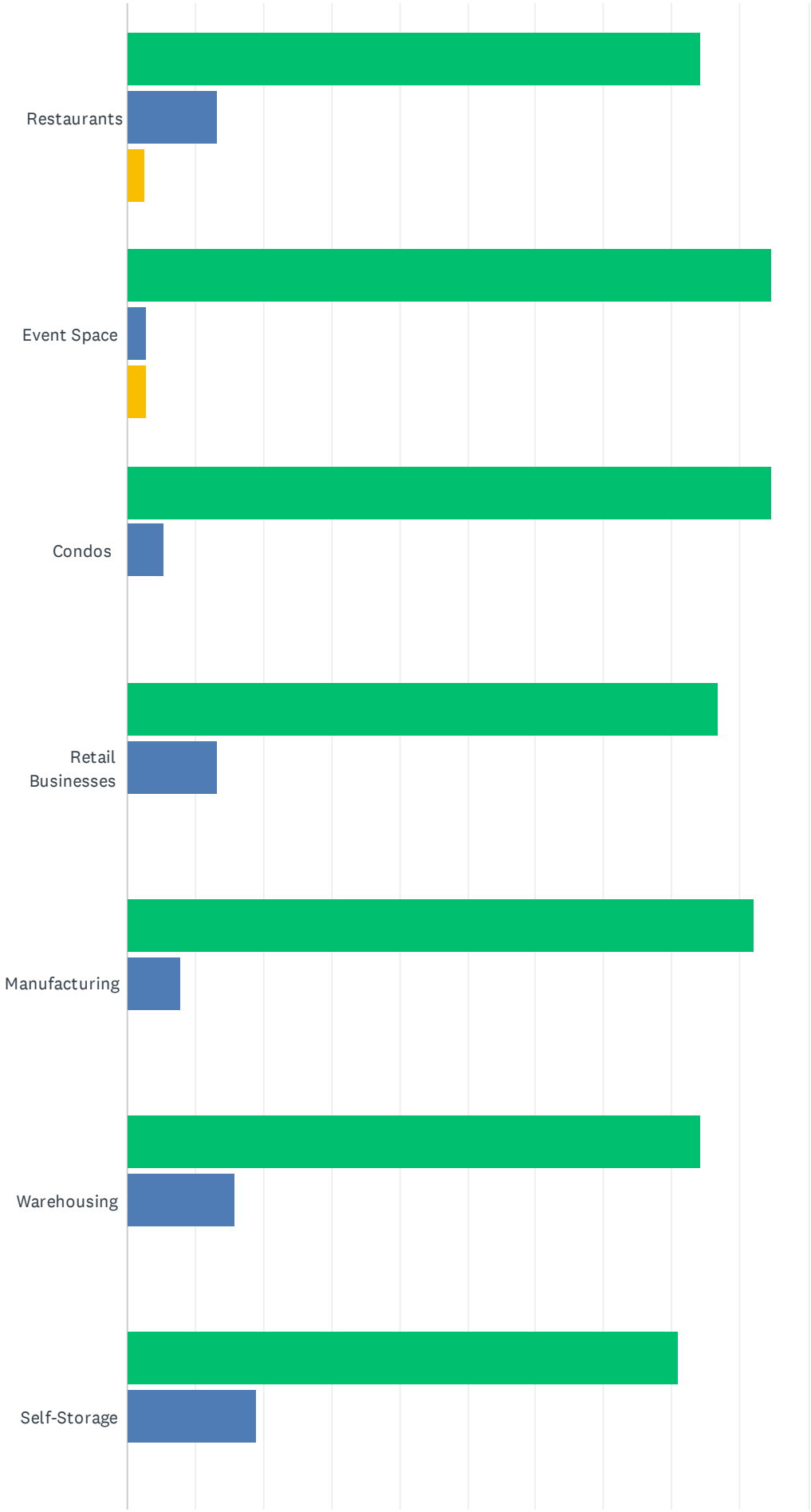


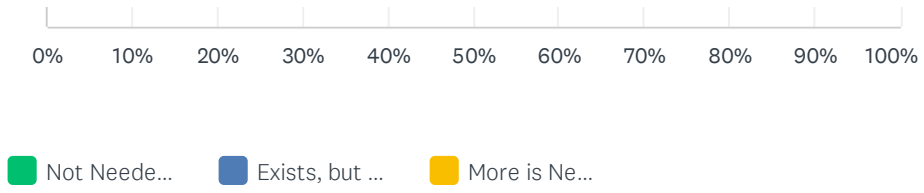
	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Crop Cultivation	13.51% 5	32.43% 12	54.05% 20	37
Nature Preserve	22.22% 8	25.00% 9	52.78% 19	36
Raising Livestock	25.00% 9	33.33% 12	41.67% 15	36
Recreation/Parks	67.57% 25	13.51% 5	18.92% 7	37
Restaurants	56.76% 21	32.43% 12	10.81% 4	37
Retail Businesses	57.89% 22	39.47% 15	5.26% 2	38
Event Space	89.19% 33	5.41% 2	5.41% 2	37
Apartments	92.11% 35	5.26% 2	2.63% 1	38
Condos	92.11% 35	5.26% 2	2.63% 1	38
Houses	72.22% 26	27.78% 10	0.00% 0	36
Manufacturing	73.68% 28	26.32% 10	0.00% 0	38
Warehousing	73.68% 28	26.32% 10	0.00% 0	38
Self-Storage	75.68% 28	24.32% 9	0.00% 0	37

Q14 This is the land along M-100 between I-96 and Grand Ledge. Please check all of the uses of land you feel are appropriate in this area:

Answered: 38 Skipped: 9



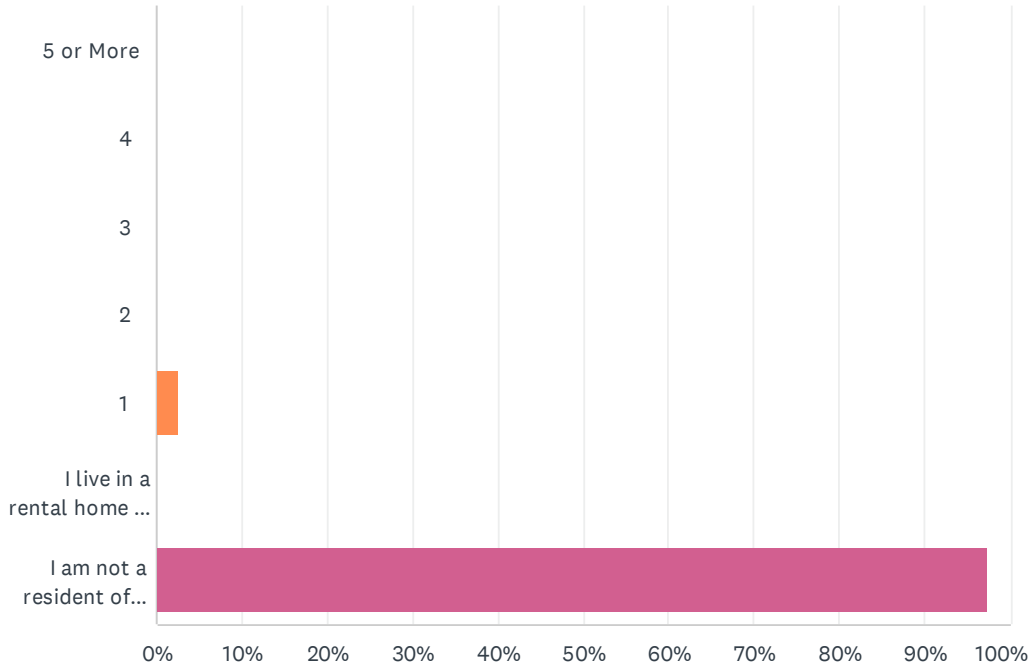

Restaurants
Event Space
Condos
Retail Businesses
Manufacturing
Warehousing
Self-Storage



	NOT NEEDED HERE	EXISTS, BUT NO MORE IS NEEDED	MORE IS NEEDED	TOTAL RESPONDENTS
Nature Preserve	15.79% 6	26.32% 10	57.89% 22	38
Crop Cultivation	8.11% 3	37.84% 14	56.76% 21	37
Raising Livestock	19.44% 7	38.89% 14	47.22% 17	36
Recreation/Parks	71.43% 25	14.29% 5	17.14% 6	35
Houses	68.42% 26	26.32% 10	5.26% 2	38
Apartments	92.11% 35	5.26% 2	2.63% 1	38
Restaurants	84.21% 32	13.16% 5	2.63% 1	38
Event Space	94.59% 35	2.70% 1	2.70% 1	37
Condos	94.74% 36	5.26% 2	0.00% 0	38
Retail Businesses	86.84% 33	13.16% 5	0.00% 0	38
Manufacturing	92.11% 35	7.89% 3	0.00% 0	38
Warehousing	84.21% 32	15.79% 6	0.00% 0	38
Self-Storage	81.08% 30	18.92% 7	0.00% 0	37

Q15 How many properties do you own in Eagle Township? (Note: If you report owning property on this question, you will see a series of questions asking about your property. You will be asked to answer those questions for each property you own, individually). If you do not report owning property, those questions will automatically be skipped).

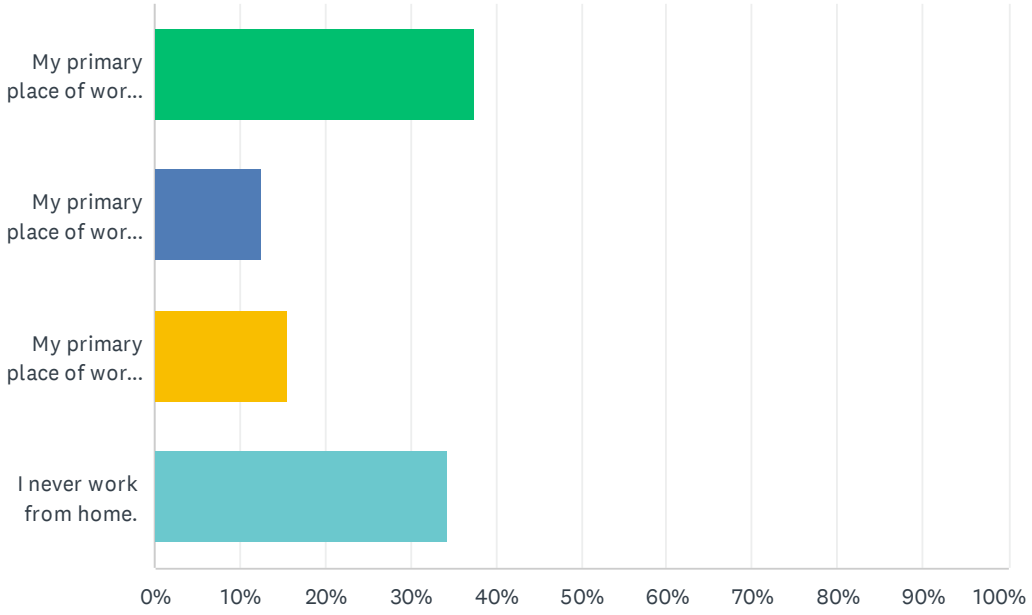
Answered: 39 Skipped: 8



ANSWER CHOICES	RESPONSES	
5 or More	0.00%	0
4	0.00%	0
3	0.00%	0
2	0.00%	0
1	2.56%	1
I live in a rental home in Eagle Township	0.00%	0
I am not a resident of Eagle Township	97.44%	38
TOTAL		39

Q16 Do you work from home?

Answered: 32 Skipped: 15



ANSWER CHOICES	RESPONSES	
My primary place of work is my home, or land that I own adjacent to my home.	37.50%	12
My primary place of work is not my home, but I work from home frequently.	12.50%	4
My primary place of work is not my home, but I work from home sometimes.	15.63%	5
I never work from home.	34.38%	11
TOTAL		32

Q17 How large is your property?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
100 acres or more	0.00%	0
Between 40 and 100 acres	0.00%	0
Between 10 and 40 acres	0.00%	0
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	0.00%	0
Between 1 and 2.5 acres	0.00%	0
Under 1 acre	0.00%	0
TOTAL		0

Q18 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
My Home	0.00%	0
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	0.00%	0
Raising Livestock	0.00%	0
Total Respondents: 0		

Q19 Do you have any desire to split your property into smaller parcels?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q20 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Less than 4	0.00%	0
4-10	0.00%	0
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		0

Q21 How large is your property?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
100 acres or more	0.00%	0
Between 40 and 100 acres	0.00%	0
Between 10 and 40 acres	0.00%	0
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	0.00%	0
Between 1 and 2.5 acres	0.00%	0
Under 1 acre	0.00%	0
TOTAL		0

Q22 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
My Home	0.00%	0
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	0.00%	0
Raising Livestock	0.00%	0
Total Respondents: 0		

Q23 Do you have any desire to split your property into smaller parcels?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q24 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Less than 4	0.00%	0
4-10	0.00%	0
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		0

Q25 How large is your property?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
100 acres or more	0.00%	0
Between 40 and 100 acres	0.00%	0
Between 10 and 40 acres	0.00%	0
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	0.00%	0
Between 1 and 2.5 acres	0.00%	0
Under 1 acre	0.00%	0
TOTAL		0

Q26 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
My Home	0.00%	0
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	0.00%	0
Raising Livestock	0.00%	0
Total Respondents: 0		

Q27 Do you have any desire to split your property into smaller parcels?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q28 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Less than 4	0.00%	0
4-10	0.00%	0
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		0

Q29 How large is your property?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
100 acres or more	0.00%	0
Between 40 and 100 acres	0.00%	0
Between 10 and 40 acres	0.00%	0
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	0.00%	0
Between 1 and 2.5 acres	0.00%	0
Under 1 acre	0.00%	0
TOTAL		0

Q30 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
My Home	0.00%	0
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	0.00%	0
Raising Livestock	0.00%	0
Total Respondents: 0		

Q31 Do you have any desire to split your property into smaller parcels?

Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q32 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

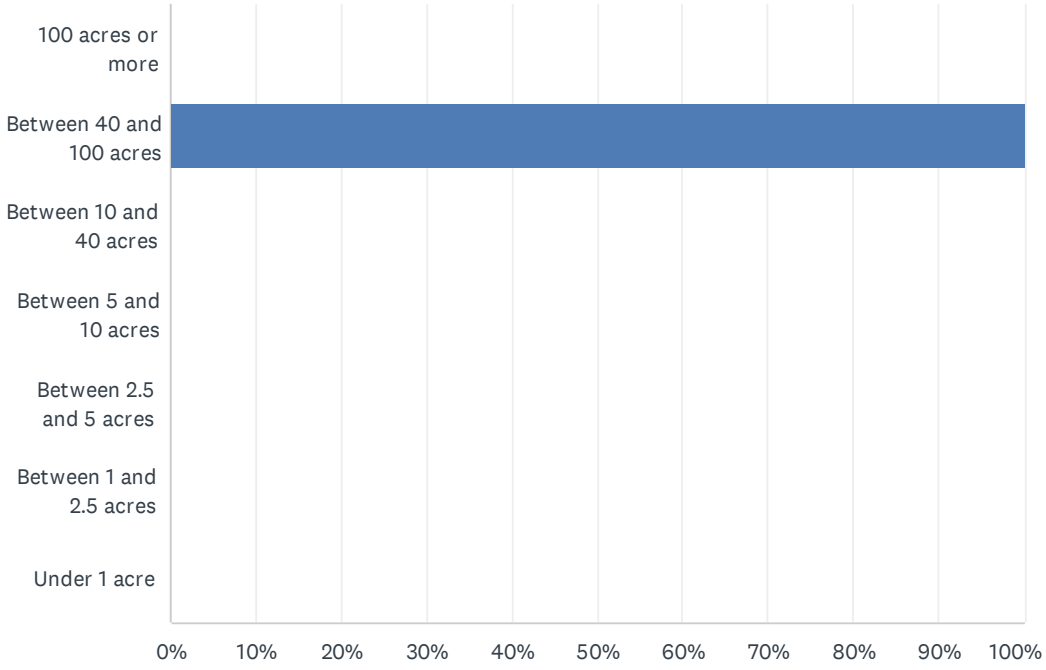
Answered: 0 Skipped: 47

No matching responses.

ANSWER CHOICES	RESPONSES	
Less than 4	0.00%	0
4-10	0.00%	0
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		0

Q33 How large is your property?

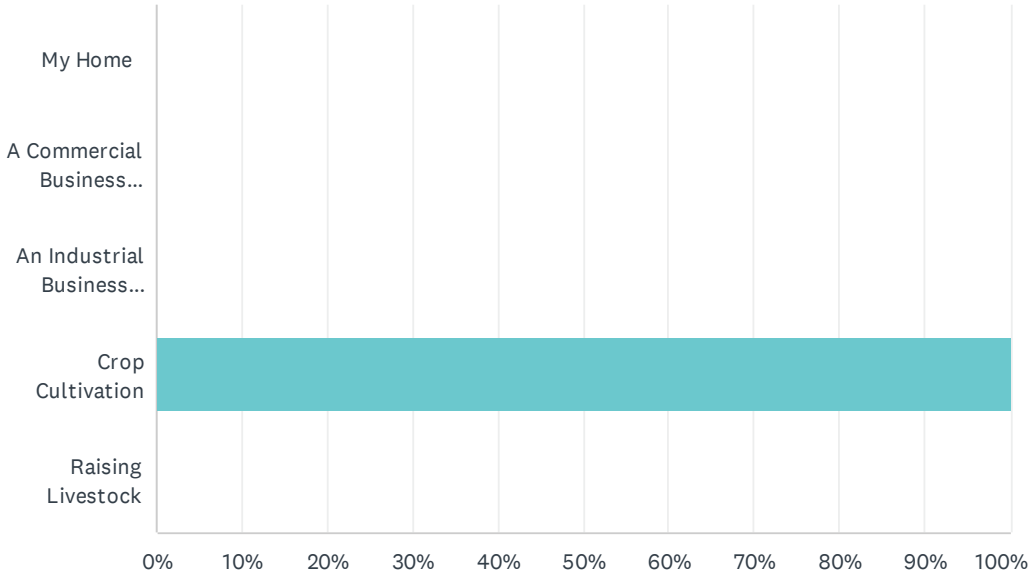
Answered: 1 Skipped: 46



ANSWER CHOICES	RESPONSES	
100 acres or more	0.00%	0
Between 40 and 100 acres	100.00%	1
Between 10 and 40 acres	0.00%	0
Between 5 and 10 acres	0.00%	0
Between 2.5 and 5 acres	0.00%	0
Between 1 and 2.5 acres	0.00%	0
Under 1 acre	0.00%	0
TOTAL		1

Q34 What do you use your property for? Check all that apply. If you run a business from your home, please check both "My Home" and the business option that most closely describes your business.

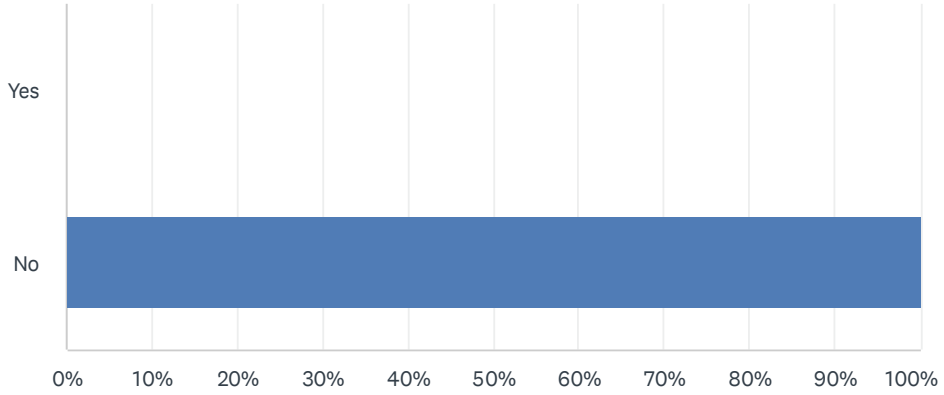
Answered: 1 Skipped: 46



ANSWER CHOICES	RESPONSES	
My Home	0.00%	0
A Commercial Business (retail, restaurant, etc)	0.00%	0
An Industrial Business (manufacturing, warehousing, etc)	0.00%	0
Crop Cultivation	100.00%	1
Raising Livestock	0.00%	0
Total Respondents: 1		

Q35 Do you have any desire to split your property into smaller parcels?

Answered: 1 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	1
TOTAL		1

Q36 How many parcels would you create out of your property if there were no limits? (Zoning, Land Division Act, etc)

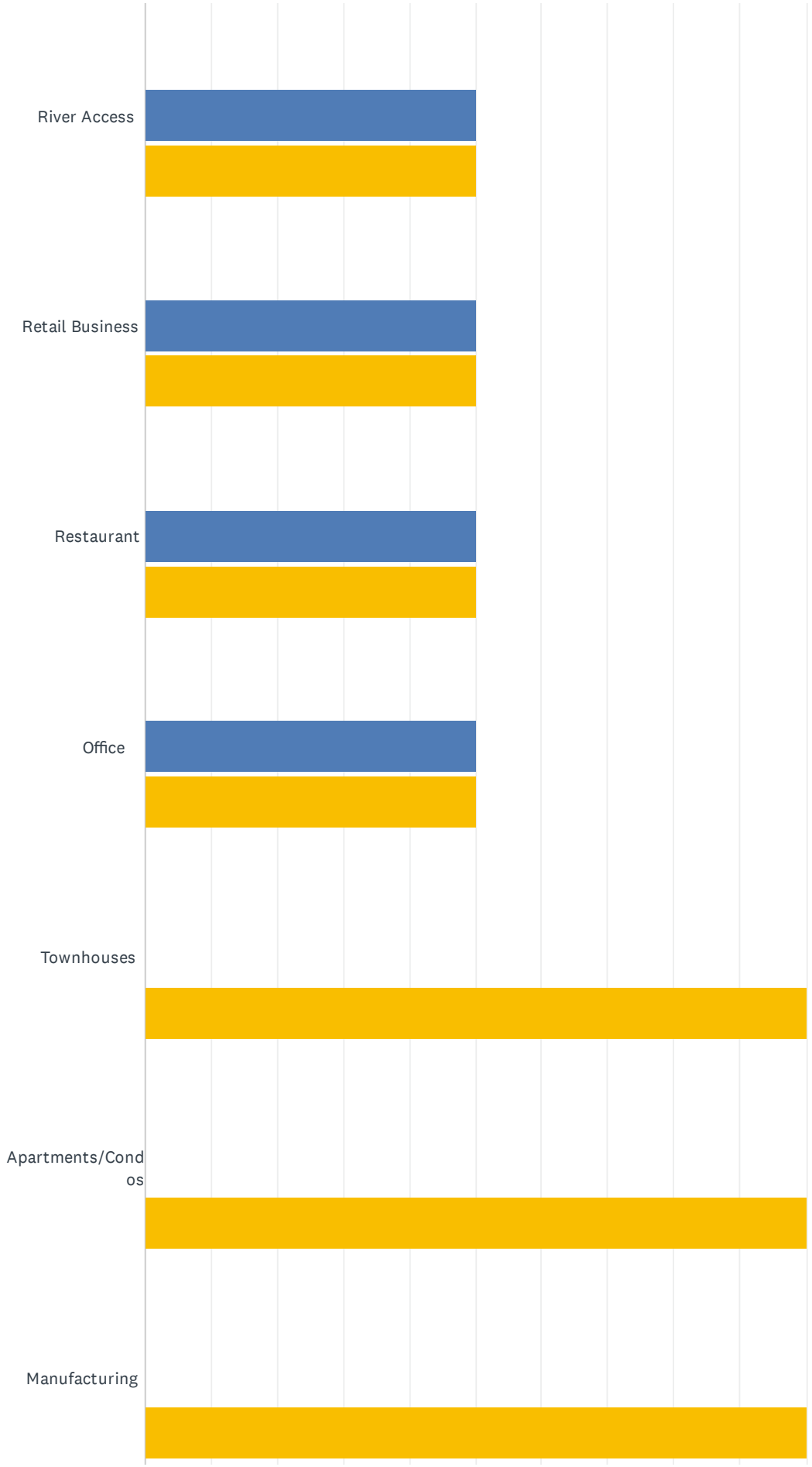
Answered: 0 Skipped: 47

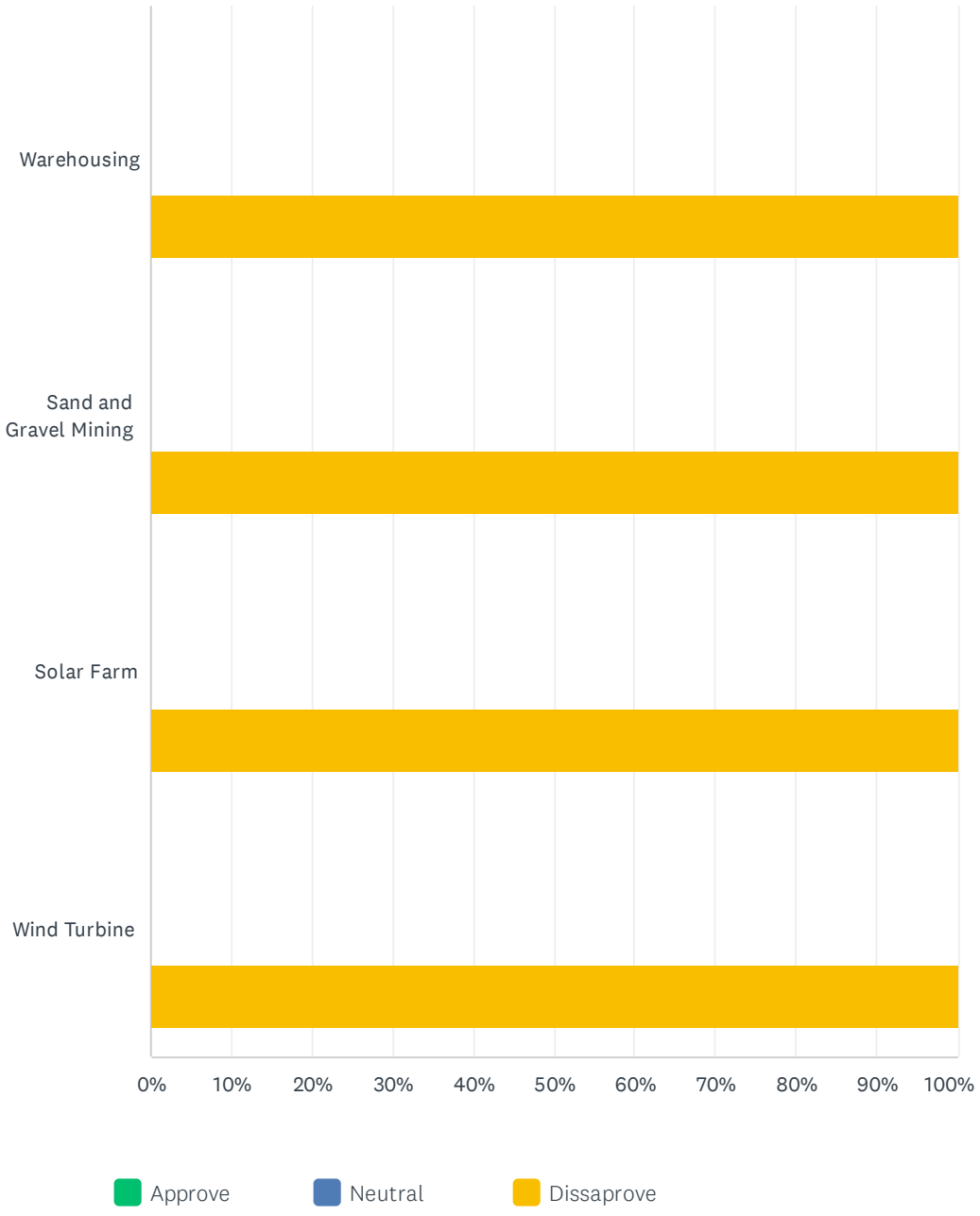
No matching responses.

ANSWER CHOICES	RESPONSES	
Less than 4	0.00%	0
4-10	0.00%	0
10-40	0.00%	0
More than 40	0.00%	0
TOTAL		0

Q37 Would you approve of your neighbor using their land for the following purposes?

Answered: 2 Skipped: 45

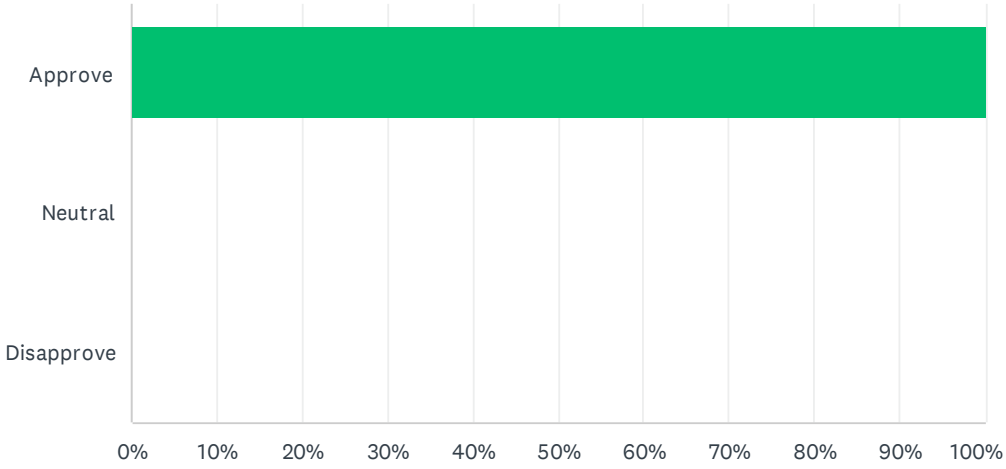

River Access
Retail Business
Restaurant
Office
Townhouses
Apartments/Condos
Manufacturing


Warehousing
Sand and Gravel Mining
Solar Farm
Wind Turbine
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Approve
Neutral
Dissaprove

	APPROVE	NEUTRAL	DISSAPROVE	TOTAL RESPONDENTS
Natural Preservation	100.00% 2	0.00% 0	0.00% 0	2
Crop Cultivation	100.00% 2	0.00% 0	0.00% 0	2
Raising Livestock	50.00% 1	50.00% 1	0.00% 0	2
Farm Markets	50.00% 1	0.00% 0	50.00% 1	2
Community Gardens	50.00% 1	0.00% 0	50.00% 1	2
Parks	50.00% 1	50.00% 1	0.00% 0	2
River Access	0.00% 0	50.00% 1	50.00% 1	2
Retail Business	0.00% 0	50.00% 1	50.00% 1	2
Restaurant	0.00% 0	50.00% 1	50.00% 1	2
Office	0.00% 0	50.00% 1	50.00% 1	2
Townhouses	0.00% 0	0.00% 0	100.00% 2	2
Apartments/Condos	0.00% 0	0.00% 0	100.00% 2	2
Manufacturing	0.00% 0	0.00% 0	100.00% 2	2
Warehousing	0.00% 0	0.00% 0	100.00% 2	2
Sand and Gravel Mining	0.00% 0	0.00% 0	100.00% 2	2
Solar Farm	0.00% 0	0.00% 0	100.00% 2	2
Wind Turbine	0.00% 0	0.00% 0	100.00% 2	2

Q38 Houses - 1 (or Less) per 40 Acres:

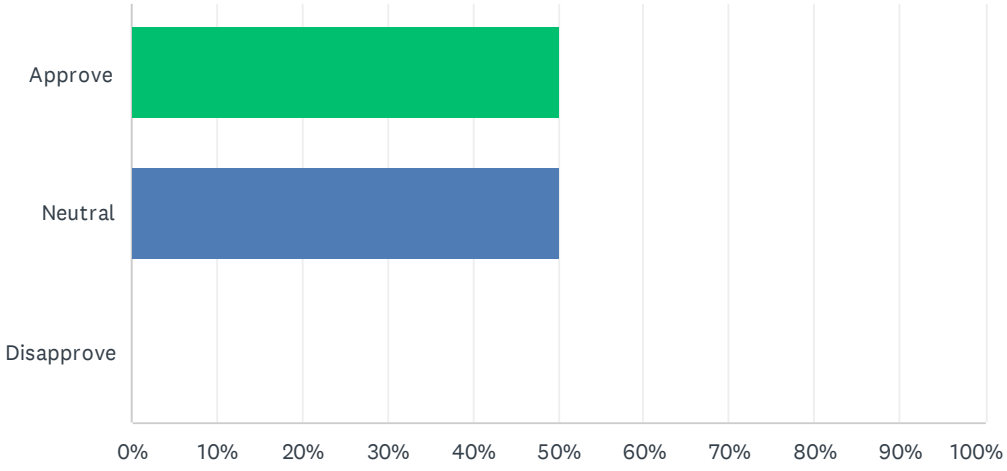
Answered: 2 Skipped: 45



ANSWER CHOICES	RESPONSES	
Approve	100.00%	2
Neutral	0.00%	0
Disapprove	0.00%	0
TOTAL		2

Q39 Houses –1 per 10 Acres:

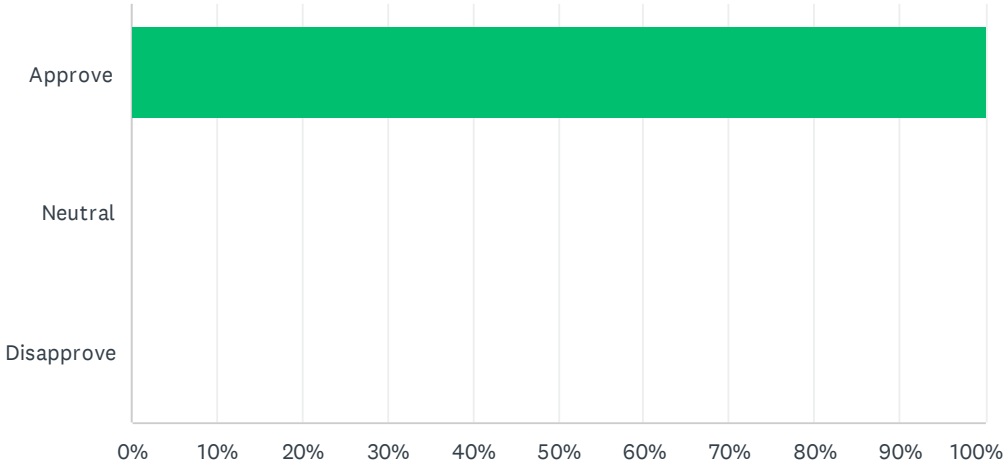
Answered: 2 Skipped: 45



ANSWER CHOICES	RESPONSES	
Approve	50.00%	1
Neutral	50.00%	1
Disapprove	0.00%	0
TOTAL		2

Q40 Houses – 1 per 10 Acres, but on 5 Acre Lots to Preserve Farmland

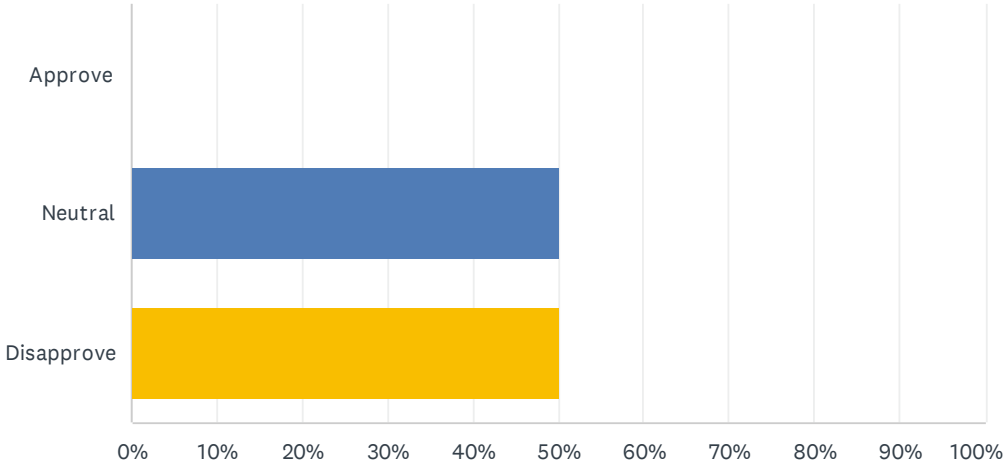
Answered: 2 Skipped: 45



ANSWER CHOICES	RESPONSES	
Approve	100.00%	2
Neutral	0.00%	0
Disapprove	0.00%	0
TOTAL		2

Q41 Houses –1 per 5 Acres:

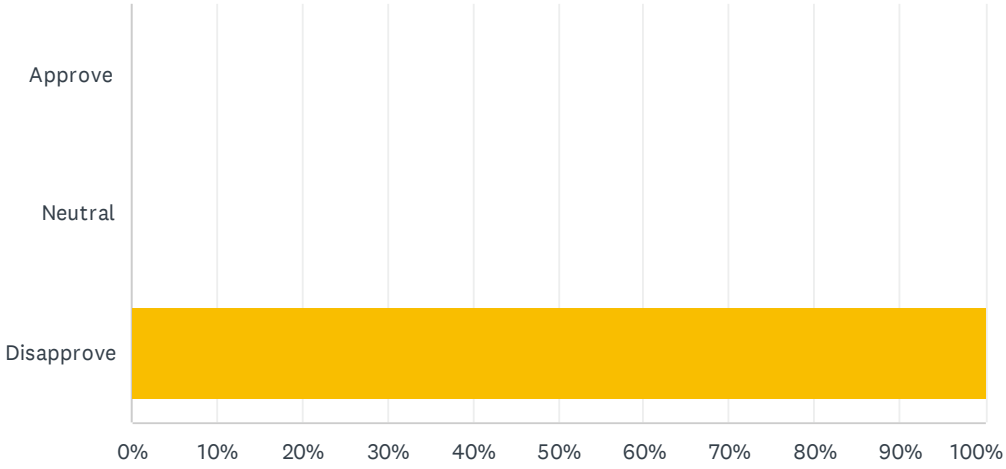
Answered: 2 Skipped: 45



ANSWER CHOICES	RESPONSES	
Approve	0.00%	0
Neutral	50.00%	1
Disapprove	50.00%	1
TOTAL		2

Q42 Houses –1 per 2 Acres:

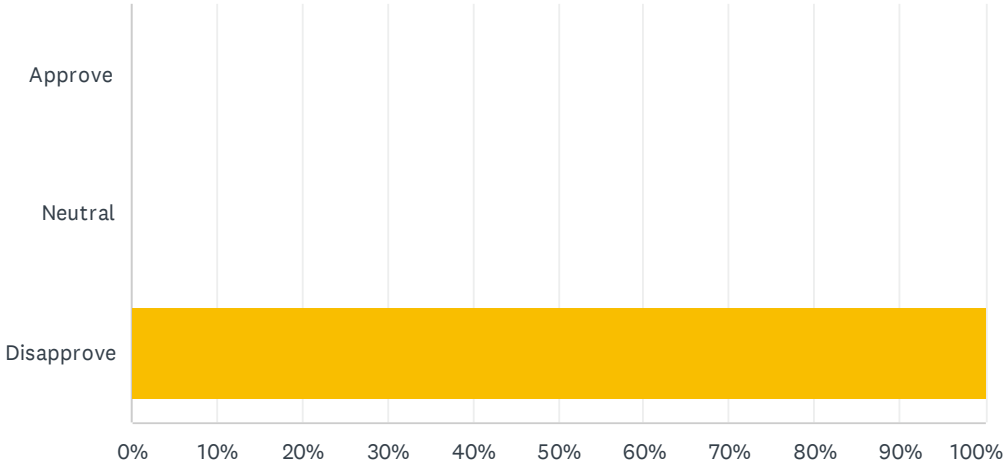
Answered: 2 Skipped: 45



ANSWER CHOICES	RESPONSES	
Approve	0.00%	0
Neutral	0.00%	0
Disapprove	100.00%	2
TOTAL		2

Q43 Houses –1 per 2 Acres, but on 1 Acre Lots to Preserve Farmland:

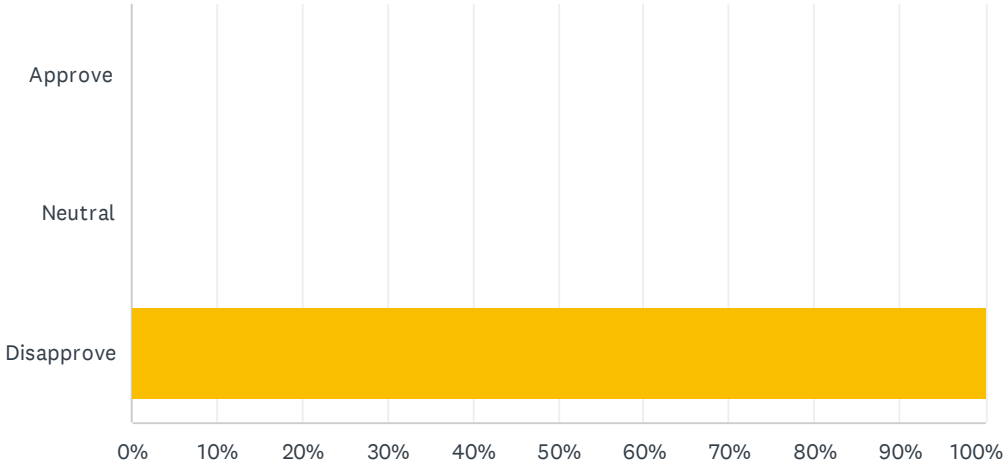
Answered: 2 Skipped: 45



ANSWER CHOICES	RESPONSES	
Approve	0.00%	0
Neutral	0.00%	0
Disapprove	100.00%	2
TOTAL		2

Q44 Houses –1 (or More) per Acre

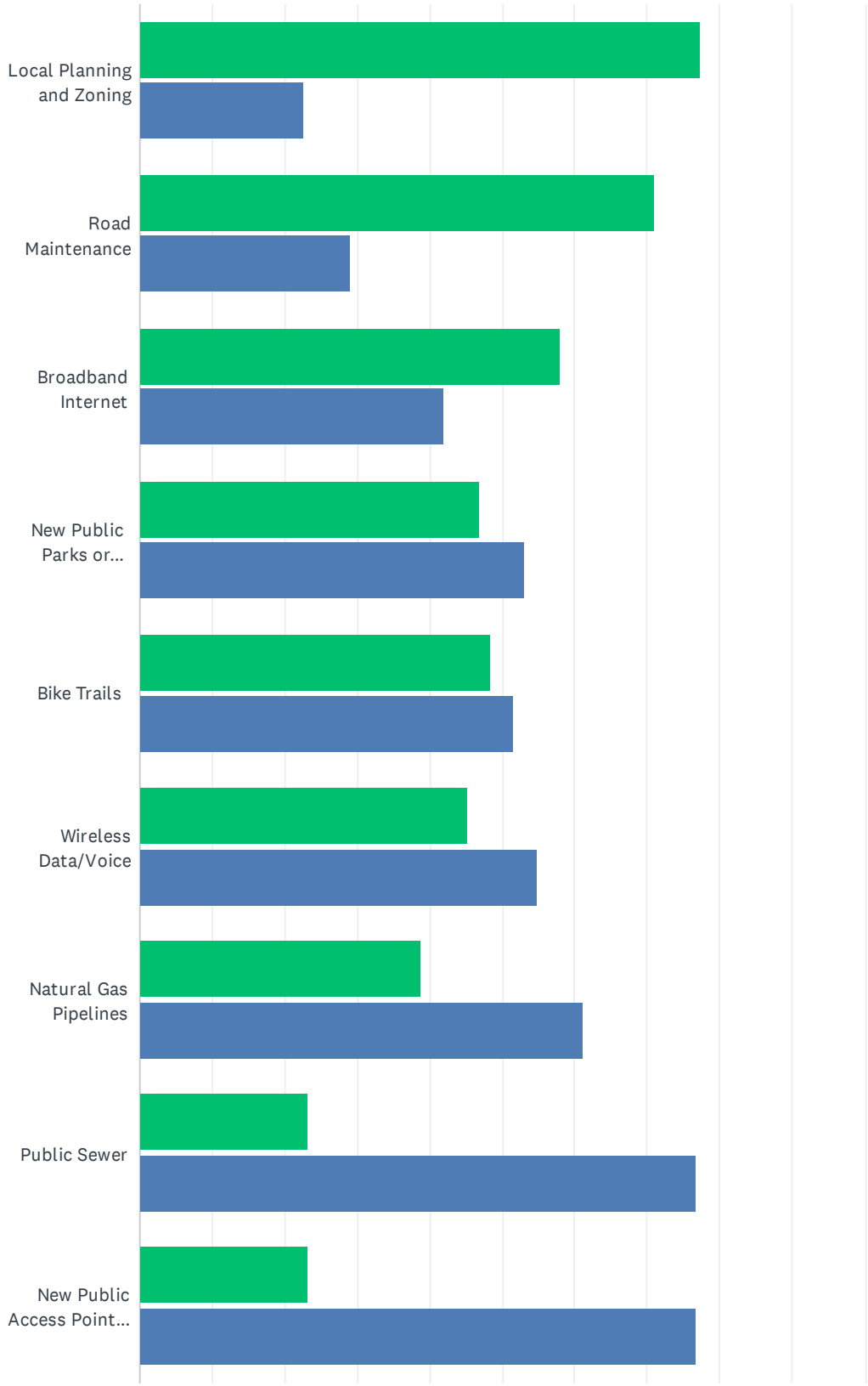
Answered: 2 Skipped: 45

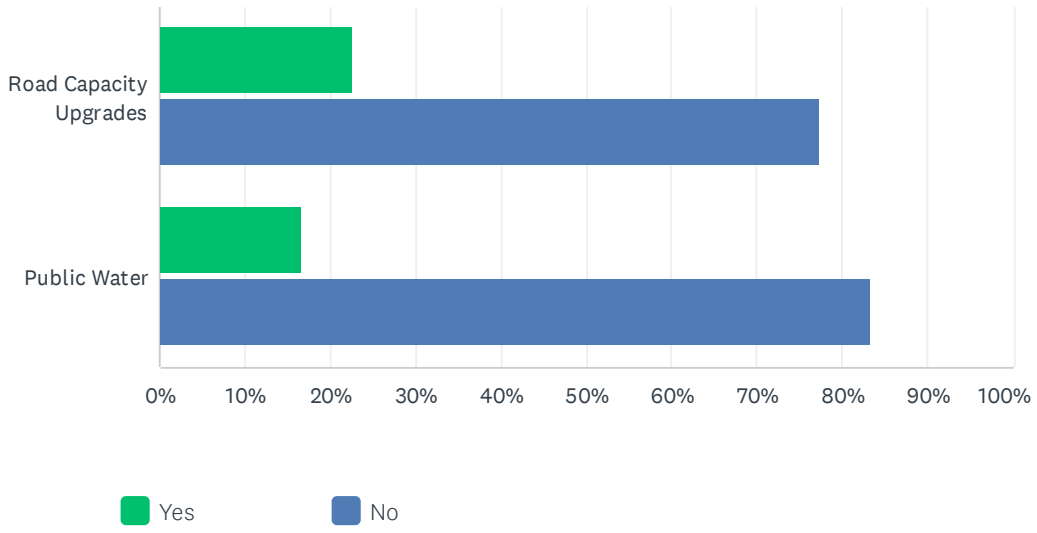


ANSWER CHOICES	RESPONSES	
Approve	0.00%	0
Neutral	0.00%	0
Disapprove	100.00%	2
TOTAL		2

Q45 Would you support the use of existing Eagle Township taxes (i.e. no increase) to pay for the following?

Answered: 32 Skipped: 15

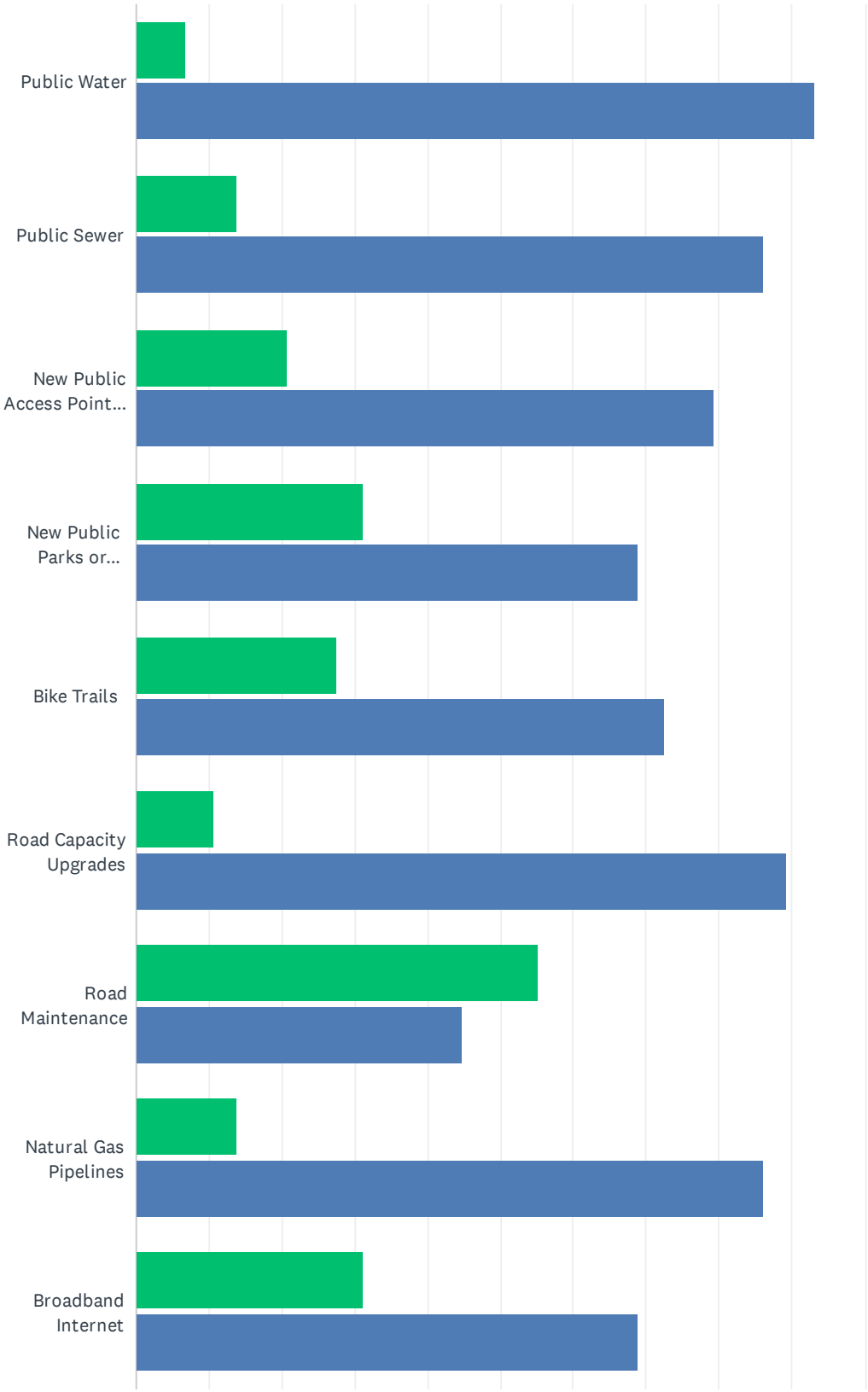


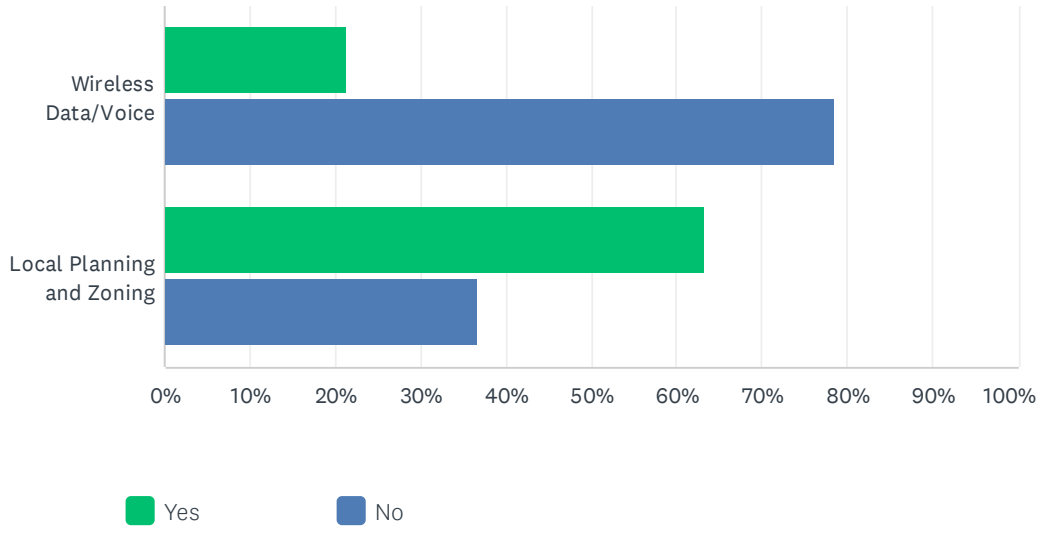


	YES	NO	TOTAL
Local Planning and Zoning	77.42% 24	22.58% 7	31
Road Maintenance	70.97% 22	29.03% 9	31
Broadband Internet	58.06% 18	41.94% 13	31
New Public Parks or Recreational Amenities	46.88% 15	53.13% 17	32
Bike Trails	48.39% 15	51.61% 16	31
Wireless Data/Voice	45.16% 14	54.84% 17	31
Natural Gas Pipelines	38.71% 12	61.29% 19	31
Public Sewer	23.33% 7	76.67% 23	30
New Public Access Points Along the Rivers	23.33% 7	76.67% 23	30
Road Capacity Upgrades	22.58% 7	77.42% 24	31
Public Water	16.67% 5	83.33% 25	30

Q46 Would you support an increase in taxes on Eagle Township residents to pay for any of the following?

Answered: 30 Skipped: 17

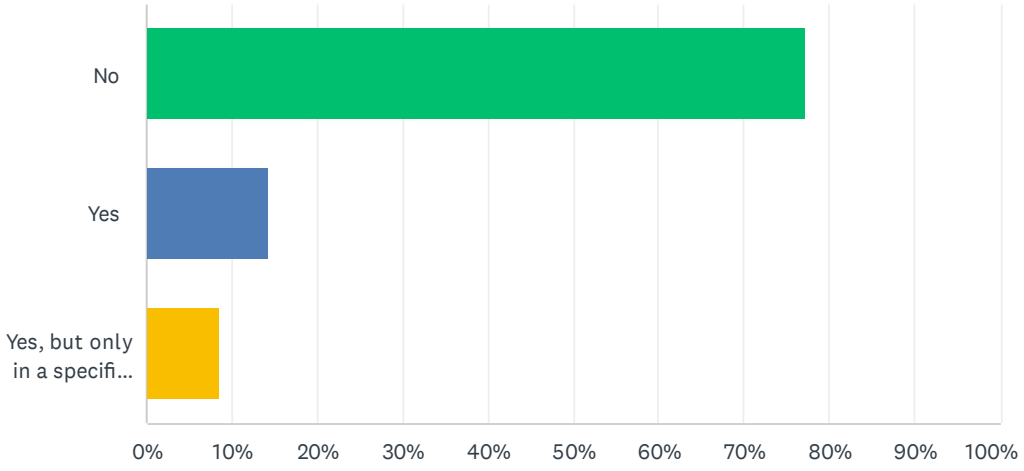




	YES	NO	TOTAL
Public Water	6.90% 2	93.10% 27	29
Public Sewer	13.79% 4	86.21% 25	29
New Public Access Points Along the Rivers	20.69% 6	79.31% 23	29
New Public Parks or Recreational Amenities	31.03% 9	68.97% 20	29
Bike Trails	27.59% 8	72.41% 21	29
Road Capacity Upgrades	10.71% 3	89.29% 25	28
Road Maintenance	55.17% 16	44.83% 13	29
Natural Gas Pipelines	13.79% 4	86.21% 25	29
Broadband Internet	31.03% 9	68.97% 20	29
Wireless Data/Voice	21.43% 6	78.57% 22	28
Local Planning and Zoning	63.33% 19	36.67% 11	30

Q47 In some cases, Cities (like Grand ledge) and Villages (like the Village of Eagle) can take over parts of Townships. This allows City/Village services (such as water and sewer) to be expanded, to promote development. Do you support this happening to parts of Eagle Township?

Answered: 35 Skipped: 12



ANSWER CHOICES	RESPONSES	
No	77.14%	27
Yes	14.29%	5
Yes, but only in a specific location (please specify)	8.57%	3
TOTAL		35

#	YES, BUT ONLY IN A SPECIFIC LOCATION (PLEASE SPECIFY)
1	I am answering no to above as I'm not an Eagle resident.
2	North of 96
3	Only small areas surrounding the city and/or township

PLANNING CONSULTANTS

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Ethan Walthorn	Project Planner
Paige Brodeur	Community Engagement and GIS Mapping
Maya Baker	GIS Mapping

- Quiet.
- Simple, quaint, slow, country, small town feeling, caring for neighbors, quiet.
- Cherished productive agricultural property, peace and quiet, open space, clean environment.
- Eagle is a wonderful community in which to raise a family- rural, open spaces, close enough to big cities, but you don't have to look at them. Need space to grow grass, trees, gardens-vegetable, flowers- be neighborly. Would like to keep Eagle-area for children and grandchildren.
- Serenity now
- Eagle is a small agriculture and farming community, It's got a small-town feel and the people are genuine. Family, farming, rural. Let's keep it that way!
- Not a city! Rural, farmland, agriculture, natural resources, low density, light housing, minimal traffic. If I wanted city life I'd move to a city! I worked hard to purchase my own home in rural country,
- Rural! Atmosphere great place to raise families and then enjoy retirement.
- Home, rural-few neighbors, farming, wildlife, no solar or wind, quiet-peaceful, no mega site, limited industrial.
- Farmland, rural, clean rivers, quiet community, friendly, open skies.
- A good rural community to live in. I enjoy seeing farm fields, not windmills or solar fields.
- Lived here 45 years. Love my neighborhood and community. Great people that I know.
- Rural, quiet, clean, open skies, peace.
- Farming, rural, country, keep us the same!
- Peace, quiet, clean, rural, safe, no industry, no commercial.
- Beautiful farmland. Quiet country living!
- Rural community, green space, no light pollution, neighborly, friendly and safe, controlled growth, clean air, clean water, wildlife, beautiful, accessible, welcoming, inclusive.
- Quiet, wildlife in my yard, space to breathe, community.
- A nice rural country.
- Great living all my life.
- I think urban sprawl is a problem and Eagle should try to stay rural as long as possible.
- More events, space, safe biking paths.
- Peace and quiet.
- Farming, family, community, good people.
- No ITC lines.
- No ITC! No eminent domain.
- Rural, few people, light traffic, noise, and light, home!
  Farm community, rural landscape, peaceful.
- Family, farm, rural atmosphere.
- Please leave as is- quiet, nature. No mega sites, no windmills, no solar.
- No mega site!!! Stay the same please! We like quiet, rural area! No solar!
- A quiet, peaceful place to relax after work.
- No more divisions in farmland- 1st RR, then highways, then ITC lines- eagle fair, Hinder Hazer, farmers, and beautiful sunsets.
- Green space for miles.
- Small town good people.
- Picturesque.
- Perfect as is.
- Wide open.

- It’s been my home for over 30 years. Raised my kids here. Eagle is home community, and caring. I love the rural feel.
- Rural area with commitment to community.
- Eagle is our family homestead- it’s our family’s anchor.
- Community, friendship, neighbors, country, living with wildlife all around, and light traffic. Neighbors looking out for one another, township history.
- Keep it rural! Open spaces, farms, small towns.
- Rural living, low traffic, dark skies at night, quiet.
- My home community/am represented by fellow residents who share same love for community. Appreciate hard work!
- Very nice, rural community. The people of Eagle really care about each other. Keep rural.
- A place that respects where it comes from and the years of family sacrifice and local services that members of this community have put into the stewardship of the land, waterways, and a variety of life in our small community.
- People who live in rural living. Value tranquility, connection to nature, sense of community. Entails a closer connection to the land. Greater reliance on self-sufficiency.
- Tranquility, peaceful, community, friendships, solitude, freedom.

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Eagle Township Interim Zoning Ordinance

Eagle Township Ordinance 03-2023

RECOMMENDED BY PLANNING COMMISSION: December 8, 2023

ADOPTED: December 21, 2023

EFFECTIVE: January 1, 2024

AS AMENDED:

March 21, 2024

With draft amendments for Planning Commission Discussion April 30, 2024

Summary Table of Amendments

Ordinance Number	Effective Date	Amended Section(s)	Description
02-2024	3-21-24	Article 3, Article 4, Article 5	Creation of MR District
02-2024	3-21-24	Article 4, Article 7	Clarification of Non-Conforming Lots

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Article 1 Zoning Map

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Insert Zoning Map Here

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Article 2 Title, Purpose, and Scope

Section 2.01 Title

This Ordinance shall be known as the “Zoning Ordinance of Eagle Township.” Within the following text, it may be referred to as the “Ordinance” or the “Zoning Ordinance.”

Section 2.02 Purpose

This Ordinance is based on the Eagle Township Master Land Use Plan, approved by the Board of Trustees in 2004, as it may be amended from time to time, and is intended and designed to regulate the use of land. This Ordinance is adopted with reasonable consideration, among other things, of the character and natural features of various areas of the Township, the suitability of each area for particular uses, the support of property values and the conservation of the natural character and features of the Township.

Section 2.03 Scope

(A) The provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety and general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the higher standards shall govern.

(B) Where any provision of this Ordinance conflicts with the provisions of an easement, covenant, master deed, or other private agreement, whichever imposes a higher standard or requirement shall apply.

(C) The enforcement of regulations in this ordinance does not preclude the enforcement of private deed or plat restrictions, provided there is no conflict with the zoning regulations contained herein. The Township shall have no authority or responsibility to enforce the provisions of deed or plat restrictions.

(D) Zoning applies to every building, structure or use. No building, structure or land shall be used or occupied, and no building or structure or part thereof shall be erected, moved; placed; reconstructed, extended, enlarged or altered, except in conformity with this Ordinance.

Section 2.04 Creation of Districts

For the purposes of this Ordinance, Eagle Township is hereby divided into the following Zoning Districts as shown on the Official Zoning Map:

(A) **A Agricultural District:** This zoning district is intended primarily for agricultural use, and to maintain the rural character of the district area in an open, partly natural state.

~~(A)~~(B) **RE Rural Estate:** This zoning district is intended to allow for the development of large-lot residential in a rural environment that may not be associated with agriculture.

~~(B)~~(C) **R Residential District:** This zoning district is intended to provide and maintain a residential living environment with quiet, safe, uncongested neighborhoods free from other uses except those compatible with the principal uses of the zoning district.

~~(C)~~(D) **C Commercial District:** The intent of the Commercial District is to protect and enhance the commercial character of the Township's business district, while promoting vibrancy and economic vitality by allowing a broad mix of appropriate uses.

~~(D)~~(E) **I Industrial District:** The intent of this zoning district is to establish and preserve areas for manufacturing, fabrication, warehousing, and assembly uses

~~(E)~~(F) **MR Mineral Resource Extraction:** The intent of this zoning district is to preserve, enhance and stabilize areas within the Township which are presently engaged in the excavation of soils or minerals or because of the quality, quantity or uniqueness of the deposit are likely to be mined, as well as to assure that mineral resource lands of long term commercial significance are conserved in order to provide continued and economical local access to valuable minerals, particularly those used in construction materials.

(G) **MH Manufactured Housing Community.** The intent of this zoning district to ensure high quality of life within the Township's Manufactured Housing Communities by requiring infrastructure and amenities to support the residents of those communities.

Article 3 Table of Permitted Uses

Section 3.01 Table of Permitted Uses

P= Permitted By Right
S=Permitted by Special Use Permit
Blank = Prohibited

Use	A	R	RE	C	I	MR	MH
Adult Day Care Home	S	S	S				
Agritourism	S		S				
Airport and Airport Hangers	S		S		S		
Bank				S			
Barber Shops/Beauty Shops				S			
Bed and Breakfast		S		S			
Boarding Kennels (Commercial)	S		S				
Breeding Kennels (Commercial)	S		S				
Brewpub/Microbrewery/Distillery				S	S		
Campground	S		S				
Cemetery	S		S				
Child Care Center (Non-Home-Based)		S		S			
Commercial Livestock	P		P				
Concentrated Animal Feeding Operation	S		S				
Conservation Area							
Crop Cultivation	P	P	P	S	S	P	
Drive-Thru				S			
Domestic Livestock	P		P				
Dwelling Units							
Single Family Detached	P	P	P			S	
Single Family Attached (Townhouse)		S					
Multiple Family (2+ Units- including Senior Housing)		S					
Manufactured Housing – 1 on a Lot	P	P	P				
Manufactured Housing – 2 on a Lot		~~S~~					P
~~Manufactured Housing Park~~Manufactured Housing Community (3 or more on a Lot)		S					P
Accessory Dwelling Unit	S	S	S				
Residential Accessory to Conservation, Education, or Recreation	S		S				
Temporary Housing for Seasonal Labor	S	S	S				
State-Licensed Residential Facility (non-Daycare)	P	S	P				
Essential Services	P	P	P	P	P	S	

Use	A	R	RE	C	I	MR	MH
Family Day Care Home	P	P	P				
Funeral Home and Mortuary				S			
Government or Public Building	S	S	S	S	S	S	
Group Day Care Home	S	S	S	S	S		
Home Based Business – Type 1	P	P	P	P	P		P
Home Based Business – Type 2	P		S	P	P		
Hotel				S			
Institution of Higher Education	S		S	S	S		
Manufacturing					S	S	
Medical or Dental Clinic				S			
Mineral Resource Extraction						P	
Mini-Warehouse				S	S		
Rescue/Foster/Personal Kennel	P		P				
Office				S	P		
Open Air Business	S		S	S	S		
Outdoor Event	S		S	S	S		
Pet Shop and Pet Grooming	S		S	S			
Preserve/Conservation Area	P	P	P			P	
Primary/Secondary School (Non-Public)	S	S	S	S	S		
Recreation - Indoor				S	S		
Recreation - Outdoor	S	S	S	S	S		P
Religious Institution	S	S	S	S	S		
Restaurant/Bar				S			
Retail Store				S	S		
Sexually Oriented Businesses				S			
Shooting Range	S		S				
Solar Energy System – Small	S	S	S	S	S	S	
Solar Energy System – Large	S		S			S	
Stables for Horses	P		P				
Theater				S			
Utility Structures and Substations	P	P	P	S	S		
Vehicle Dealership				S			
Vehicle Filling Stations (Gas Stations)				S			
Vehicle Repair				S			
Vehicle Wash				S			
Veterinary Clinics	S		S	S			
Warehousing					S		
Wholesale					S		
Wind Energy Conversion Systems	S		S				
Wireless Telecommunications	S	S	S	S	S	S	

(A) The Planning Commission shall have the authority to determine that a use not listed above is similar in character and intensity to the uses permitted in a given district, and therefore permit that use by Special Land Use Approval. In determining the “character and intensity” of a use, the Planning Commission shall determine that the use is consistent with the uses permitted in the district in terms of the following.

(1) Noise
(2) Odor
(3) Dust
(4) Vibration
(5) Number of People Likely to Gather on Site
(6) Traffic Generation
(7) Scale
(8) Massing
(9) Impact on Natural Features
(10) Views from Nearby Properties

Article 4 Zoning Districts

Section 4.01 Schedule of Regulations for Principal Structures

	Minimum Lot Dimensions [c]		Maximum Structure Height		Minimum Required Setback (in feet)			Minimum Dwelling Unit Size (total on all floors) (Sq. ft.)
	Area [a] (Sq. ft.)	Width (Feet)	Stories	Feet [d]	Front Yard	Each Side Yard[b]	Rear Yard	
A	435,600	330	2.5	40	50	20	40	940
RE	217,800	330	2.5	40	50	20	40	940
R	15,000	80	2.5	30	40	10	30	940
C	20,000	100	2.5	30	50	15	15	N/A
I	20,000	100	2	40	75	20	50	N/A
MR	435,600	330	See Section 5.23					N/A
MH	4,356,000	500	See Section 5.14.C					

Commented [CK1]: Minimums would be 100 acres and 500 feet of road frontage. Capital Crossings is 114 acres and has just over 600 feet of road frontage.

FOOTNOTES TO THE SCHEDULE OF REGULATIONS

(a) Lot Area. Net Lot Area shall be used to determine compliance with lot area requirements. No new parcel shall be created unless the parcel has adequate usable lot area, such that the parcel can be built upon in compliance with Zoning Ordinance standards. All lots buildable under the Clinton County Zoning Ordinance at the time of adoption of this Zoning Ordinance shall be considered conforming and buildable and all lots not buildable under the Clinton County Zoning Ordinance at the time of adoption of this Zoning Ordinance shall not be considered buildable.

(b) Setback on Side Yards Facing a Street. On corner lots there shall be maintained a front yard along each street frontage.

(c) Lot Depth and Proportions. Lot depths of newly created lots shall be no greater than four times the lot width.

(d) Maximum Height to the Peak: The maximum heights listed in the table shall be the maximum building height based on the definition of that term in Section 20.01, i.e. measured from grade to the halfway point between the peak and the eaves. In addition to the maximum building heights in the table, no structure in the R district shall exceed 45 feet in height as measured from grade to the highest point of the peak, parapet, or the roof.

Section 4.02 Yard and Bulk Regulations

(A) **General Regulations.** All lots, buildings, and structures shall comply with the following general yard and bulk regulations unless specifically stated otherwise in this Ordinance:

(1) Number of Principal Uses per Lot. Only one principal building shall be placed on a lot of record.

(2) Relocation of Existing Buildings into the Township. No existing building or structure shall be relocated upon any parcel or lot in Eagle Township unless the building or structure conforms to all setback requirements for the district in which the building or structure is to be located.

(3) Setbacks shall be measured along the ground from the property line to the nearest load-bearing foundation of the principal building. Unenclosed porches and decks shall be exempt from setback requirements. Zoning Districts

Section 4.03 Adoption of Zoning Map

(A) The boundaries of the Zoning Districts listed in this Ordinance are hereby established as shown on the Official Zoning Map of Eagle Township. The Zoning Map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this Ordinance as if fully described herein.

(B) In accordance with the provisions of this Ordinance and Michigan Public Act 110 of 2006, as amended, changes made in district boundaries and other matters portrayed on the Zoning Map shall be entered on the Zoning Map after the amendment has been approved by the Township Board and has been published in a newspaper of general circulation in the Township. The Township Board may also decide to publish the amendment digitally on the Township's website. No changes of any nature shall be made to the Zoning Map except in conformity with the procedures set forth in this Ordinance.

(C) Regardless of the existence of copies of the Zoning Map which may, from time to time, be made or published, the official Zoning Map shall be located at the Township Hall and shall be the final authority with regard to the current zoning status of all land in the Township.

Section 4.04 Interpretation of District Boundaries

The following rules shall apply to the interpretation of zoning district boundaries:

(A) Boundaries indicated as approximately following the center lines of streets, roads, railroad rights-of-way, or alleys shall be construed to follow such center line.

(B) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(C) Boundaries indicated as approximately following Township limits shall be construed as following such limits.

(D) Boundaries indicated as approximately following the center lines of streams, rivers, or other bodies of water shall be construed to follow such center lines.

(E) Boundaries indicated as approximately following the shoreline a body of water shall be construed to follow such shoreline; in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline.

(F) Where there is any uncertainty, contradiction, or conflict concerning the intended location of zoning district boundaries, the Zoning Board of Appeals shall interpret the exact location of zoning district boundaries.

(G) Insofar as some or all of the various districts may be indicated on the zoning map by patterns that, for the sake of map clarity, do not cover public rights-of-way, it is intended that such district boundaries do extend to the center of the rights-of-way.

Section 4.05 Zoning of Vacated Areas

Whenever any street, alley, or other public way within the Township is vacated, such street, alley, or other public way shall be automatically classified in the same Zoning District as the property to which it attaches, and shall be subject to the requirements for said Zoning District.

Section 4.06 Zoning of Filled Land

Whenever any fill is permitted in any stream or other body of water, the land created automatically and without further governmental action becomes subject to the same zoning regulations that are applicable to the land to which the newly created land attaches.

Article 5 Uses

Section 5.01 Intent

Each use listed in this Article, whether permitted by right or subject to approval as a special land use, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to alleviate the impact from a use that is of a size or type, or that possesses characteristics which are unique or atypical in the district in which the use is located. These standards are further intended to assure that such uses will be compatible with surrounding uses and the orderly development of the district. Conformance with these standards shall be subject to site plan review.

Section 5.02 Adult Day Care Home

(A) **Definition:** Daytime care of any part of the day, but less than 24 hour care, for functionally-impaired adults, provided through a structured program of social and rehabilitative and/or maintenance services, within a residential home.

(B) **Standards:** No additional standards.

Section 5.03 Agritourism

(A) **Definition:** The practice of visiting an agribusiness, horticultural, or farm, including, but not limited to, a farm, orchard, winery, greenhouse, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

(B) **Standards:** The following provisions shall apply to agritourism operations:

(1) **Purpose and Intent:** The purpose and intent of this section is to allow and regulate operations and businesses that invite the public to engage with and experience the inner workings of agriculture and food production. In combination with a conventional farm, the following activities may constitute an agricultural tourism event: ongoing uses such as a winery and tasting room, frequent seasonal uses such as a cider mill, or one-time events such as carnivals, or other events of varying time frames including bonfires, cooking demonstrations, corn mazes, fishing pond, food service, petting farms, seasonal you-pick fruits and vegetables, animal displays, pony rides, wagon/sleigh/hay-rides, nature trails, picnic facilities, educational classes, historical agriculture exhibits, and playscapes. This list is not intended to be all inclusive of activities that may be considered agricultural tourism.

(2) **Size.** For the purposes of determining whether an agritourism use should be a principal permitted use or special land use, such operations are classified "Minor" or "Major" based on the following characteristics:

	Minor Operation [a, b]	**Major Operation [b]**
Time Span [c]	Less than or equal to 3 weeks/event	More than 3 weeks/event
Event Acreage [d]	Less than or equal to 5 acres	More than 5 acres
Number of Events	One or two per calendar year	Three or more per calendar year
Number of Attendees	Less than or equal to 50 at any one time	More than 50 at any one time

Footnotes:

(a) Agricultural tourism operations must satisfy all four criteria to be considered Minor.

(b) Minor and major operations require site plan approval. Major operations also require special land use approval.

(c) By way of example, a minor tourism operation could include one that is open for business 21 consecutive days or one that is open 3 weekends within a 3-week period.

(d) Event acreage includes the land occupied by the event plus ancillary facilities (such as parking), and not necessarily the total acreage of the parcel on which the event is located.

(3) Impact on Surrounding Properties. The location, layout, design and operation of such a facility shall not impair the continued enjoyment, use, and future development of adjacent and nearby properties.

(4) Buildings. More than one (1) Building may be permitted per parcel. Unless a building is exempt because it is an agricultural structure.

(5) Trash Containers. A sufficient number of trash containers shall be placed on the premises for public use, based on evaluation of the following features: type of event, anticipated number of attendees, duration of event, geographic size of the event, and use of disposable beverage or food containers.

(6) Restrooms. A sufficient number of restrooms shall be available for public use, based on an evaluation, by the Planning Commission, of the following features: type of event, number of attendees, duration of event, availability of food and beverages, and special needs of attendees (e.g., families with children, people with disability needs, etc.).

(7) Building Setbacks. Buildings shall comply with the setbacks for the district in which they are located.

(8) Planning Commission Waivers .

(a) The number of parking spaces shall be determined on a case-by-case basis, upon consideration of the character of the specific agricultural tourism use being proposed.

(b) The Planning Commission may waive any requirement for parking lot paving, upon making the determination that a grass or gravel surface will be adequate to handle the anticipated level of traffic. In making a determination regarding paving the Planning Commission shall consider the types of vehicles anticipated (e.g., volume of bus traffic, size and weight of vehicles, etc.). If paving is not required, then the site plan shall include a commitment to provide dust control. Regardless of whether the lot is paved or not, all requirements of Article 9 must be met.

(c) The Planning Commission may waive parking lot lighting requirements in Section 7.08 upon making the determination that the facility will be used only during daylight hours.

(d) The Planning Commission may waive parking lot landscaping requirements in Article 10 upon making the determination that existing vegetation to be retained on the site satisfies the objectives of the Ordinance and maintains the rural, non-commercial character of the site.

(9) Overnight Accommodations. Overnight accommodations related to an agritourism operation shall comply with the regulations for bed-and-breakfast establishments in Section 10.02.H.

(10) Exclusions. The provisions in this subsection do not apply to the following uses, which are regulated elsewhere in this Ordinance:

(a) Nature centers or demonstration farms.

(b) Recreation facilities.

(c) Outdoor events.

(d) Roadside stands.

(e) Distilleries.

(f) Bed-and-breakfast establishments.

(g) Brewpubs and Microbreweries.

(h) Any use for which zoning regulations are superseded by Generally Accepted Agricultural and Management Practices (GAAMPS), such as farm markets.

Section 5.04 Airports and Airport Hangers

(A) **Definition:** The use of land, including water, runway, or other facility designed, used or intended to be used for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie down areas, hangers and other necessary buildings, structures and open spaces. Uses such as ticket offices, restaurants, confections, luggage checking facilities, and parcel shipping facilities can be included if ancillary and accessory to the principal use.

(1) **National Airport System** - Airports that provide a network of air transportation to all parts of the country and are eligible to receive federal funding.

(2) **General Aviation Airport** - Public use airports that do not meet the criteria to qualify for federal funding.

(3) **Commercial Service Airports** - These airports handle regularly scheduled commercial airline traffic and at least 2,500 annual passenger boardings,

(4) **Reliever Airports** - High-capacity general aviation airports; these relieve congestion at commercial airports by offering an alternative location for general purpose aviation operations.

(5) **Private Airports** - Owned by private parties and may only be used by the owner or with the owner's permission.

(6) **General Aviation Airports** - These airports have at least ten (10) based aircraft and fewer than 2,500 annual scheduled passenger boardings.

(7) **Other Airports** - Landing strips and smaller airports, most with fewer than 10 based aircraft

(B) **Standards:**

(1) **Intent and purpose.** To allow the construction and use of private aircraft hangars on properties that are adjacent to, and have approved access to, a General Aviation or Private Airport that has already received special land use approval by the Township, or is otherwise already legally established and licensed for aeronautical purposes.

(2) **Use.** Private aircraft hangars may be established on a property by themselves or in conjunction with another authorized use permitted in the underlying zoning district (such as a single family dwelling).

(3) **Authorized access.**

(a) Prior to building permit issuance, the applicant shall provide the Township with a copy of the written approval of the adjacent licensed airport authorizing access and use of the airport runways. The applicant shall also include a copy of an executed and recorded easement to a taxiway.

(4) **Lot size.** All lots proposed for private hangar use/construction, must comply with underlying zoning or have been otherwise already legally established or recognized.

(5) **Height/Setback/Lot coverage.** All private hangars shall meet the minimum height and setback requirements of the underlying zoning district. The size of private hangars, and other structures on the subject property, are limited by the lot coverage requirements of the underlying zoning district.

(6) **Door orientation/type**. All doors larger than a customary garage overhead door used to access the hangar for storage or maintenance of aircraft shall be directed towards an active taxiway used to access the airport runways (and in no case shall directly face an active runway or face an abutting road right-of-way). All doors larger than standard garage doors shall be of a foldable nature designed specifically for aircraft hangar use.

(7) **External storage**. There shall be no exterior storage of aircraft, aircraft parts or other associated items outside of the hangar unless prior approval is granted by the Township. Temporary approval may be considered for the outside storage of aircraft related items (not to exceed 6 months) during the repair or rebuilding of an aircraft.

(8) **Building permits.** All private hangars require a building permit and construction in accordance with the current issue of the Michigan Building Code.

(9) Private aircraft hangars are permitted on properties adjacent to approved general aviation and private airports.

Section 5.05 Barber Shop or Beauty Shop

(A) **Definition:** Includes day spas and spas. A personal service establishment offering any of a variety of health and beauty services including hair, nails, make-up, massage, and other related services.

(B) **Standards:** No additional standards.

Section 5.06 Bed and Breakfast

(A) **Definition:** A dwelling unit where the live-in owners and/or operators provide or offer overnight accommodations, in rooms connected by interior hallways, consisting of a minimum of one bed room and a bath, for temporary guests for compensation, including provisions for a morning meal for overnight guests only, in addition to the rooms occupied by the live-in owners and/or operators.

(B) **Standards**. The following regulations shall apply bed and breakfast establishments:

(1) **Bed and Breakfast Establishments as an Accessory Use.** A bed and breakfast establishment shall be clearly incidental to the principal residence on the site. Accordingly, the bed and breakfast operations shall be confined to the single-family dwelling unit that is the principal dwelling on the site. Not more than sixty-six percent (66%) of the total floor area of the dwelling unit may be used for bed and breakfast bed rooms.

(2) **Maximum Number of Bed Rooms.** Seven (7) bed rooms. Any establishment otherwise meeting the definition of a bed and breakfast, but containing more than seven (7) bed rooms shall be considered a hotel under this ordinance.

(3) **Principal Residence**. The dwelling unit shall be the principal residence of the operator, and the operator shall live in the dwelling unit when the bed and breakfast facility is in operation.

(4) **Kitchen Facilities.** There shall be no separate cooking facilities for the bed and breakfast establishment, other than those which serve the principal residence. Food may be served only to those persons who rent a room in the bed and breakfast facility.

(5) Sleeping Rooms used shall have a minimum size of one hundred (100) square feet for two (2) occupants, plus and additional thirty (30) square feet for each additional occupant. Rooms shall be designed to accommodate no more than four (4) occupants.

(6) **Parking.** Adequate off-street parking shall be provided for bed and breakfast patrons, in accordance with Article 9.00.

Section 5.07 Brewpub/Microbrewery/Distillery

(A) **Definition:** A manufacturing establishment for alcoholic drinks that also includes a service area where customers can eat or drink. A manufacturing establishment for alcoholic drinks that does not provide a service area where customers can eat and drink shall be considered "manufacturing."

(B) **Standards:**

(1) The following regulations shall apply to brewpubs:

(a) On-premise sale of alcoholic liquor by a brewpub is permitted, subject to the license obtained pursuant to the relevant Michigan state law.

(b) Hops, barley, wheat or other grain used in the brewing process may be stored in a detached structure, such as a silo, provided that any such accessory structure 1) complies with the setback requirements for the district in which it is located, and 2) is compatible in color and materials with the principal building. Open storage of bottles, pallets, or other containers must be surrounded by a 6 foot high privacy fence.

(c) No outside beer tent shall be permitted in any off-street parking lot or off-street loading/unloading area except as may be permitted as a temporary use pursuant to Section 7.15. Outside table service may be permitted in areas not designated for parking or loading/unloading, subject to the requirements of Section 6.19.N.

(2) The following regulations shall apply to **microbreweries**:

(a) A microbrewery may sell beer it manufactures to a licensed wholesaler who may resell the beer to licensed retailers, pursuant to the relevant Michigan state law.

(b) Hops, barley, wheat or other grain used in the brewing process may be stored in a detached structure, such as a silo, provided that any such accessory structure 1) complies with the setback requirements for the district in which it is located, and 2) is compatible in color and materials with the principal building. Open storage of bottles, pallets, or other containers must be surrounded by a 6 foot high privacy fence.

(c) No outside beer tent shall be permitted in any off-street parking lot or off-street loading/unloading area except as may be permitted as a temporary use pursuant to Section 7.15. Outside table service may be permitted in areas not designated for parking or loading/unloading.

(3) The following regulations shall apply to **distilleries:**

(a) Copies of all required state and federal licenses shall be submitted to the Township.

(b) Grains and other products used in the distilling process may be stored in a detached structure, provide that any such structure 1) complies with the setback requirements for the district in which it is located, and 2) is compatible in color and materials with the principal building. Open storage of bottles, pallets, or other containers must be surrounded by a 6 foot high privacy fence.

Section 5.08 Campground

(A) **Definition:** A facility for overnight stays in non-permanent structures, cabins, tents, or recreational vehicles.

(B) **Standards.** The following regulations shall apply to campgrounds.

(1) No site shall be occupied by the same tenant for more than 90 consecutive days during the period of June 1 through September 15. Occupancy during the period of September 16 through May 31 shall not exceed 14 consecutive days.

(2) A site in a campground shall have access from either a public or internal private roadway.

(3) Required Setbacks:

(a) Front: 15 feet from the road right-of-way
(b) Side or Rear (from nearest adjacent cabin or lot line, whichever is closer): 10 feet

(4) The maximum number of persons allowed to occupy a site shall be limited to eight (8).

(5) All construction of amenities, including but not limited to, bath/shower houses, swimming pools, community buildings, laundry facilities, etc., shall be in accordance with the Michigan Building Code, as amended. All electrical, plumbing and mechanical work shall be in compliance with applicable State of Michigan Codes, as amended.

(6) Internal private road rights-of-way shall not be less than forty (40) feet wide. The driving surface shall have an aggregate surface a least 20 feet of width and at least a 2-foot wide shoulder on each side. The right-of-way shall be free of obstructions, provide free and easy access to abutting sites, and shall be maintained in a passable and reasonably dust-free condition. The campground owner shall ensure that vehicles do not park in the road right-of-way.

(7) A campground shall be served by municipal water and sewer, or an approved alternative.

(8) All connections to the water distribution system, as well as the top of the site sewer connections, shall be located above the elevation defining the 100-year flood plain.

(9) A campground shall provide customer site piping to convey water from the service connection to the points of use within the campground, as provided for in the Safe Water Drinking Act, Public Act 399 of 1976, as amended, and rules promulgated under the Act. A campground shall provide a private sewer collection system as permitted by the Michigan Department of Environment, Great Lakes, and Energy meeting the requirements of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended, and rules promulgated under the Act.

Section 5.09 Cemetery

(A) **Definition:** Land used for the burial of the dead, including a columbarium, crematory, and mausoleum.

(B) **Standards.** The following regulations shall apply to the establishment of new cemeteries or expansion of existing cemeteries:

(1) Location. No portion of any cemetery that is located in a wetland or within the 100-year flood boundary shall be developed or platted for grave sites.

(2) Accessory Buildings. A crematorium, mausoleum, columbarium, or other accessory building may be permitted within a cemetery provided that any such building shall be designed and located in accordance with a cemetery master plan, which plan shall be subject to Planning Commission review.

(3) Setbacks. No building or structures containing bodies or remains, other than subterranean graves, shall be located closer than one hundred (100) feet to the boundary line of any residential or commercial district. A crematorium located within a cemetery shall be set back a minimum of four hundred (400) feet from the boundary line of any residential district.

(4) Location of Entrances. Entrances to cemeteries shall be from a major or secondary thoroughfare, and shall be designed to minimize traffic congestion.

Section 5.10 Child Care Center (Non-Home Based)

(A) **Definition:** A facility, other than a private residence, receiving more than twelve (12) preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two (2) consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a child care center. "Child Care Center" or "Day Care Center" does not include instruction solely for religious purposes conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services

(B) **Standards:** No additional standards.

Section 5.11 Concentrated Animal Feeding Operation

(A) **Concentrated Animal Feeding Operaiton (CAFO):** A CAFO is a lot or facility that stables or confines and feeds or maintains animals for a total of 45 days or more in any 12-month period and meets the following criteria in Table 1 for a large, medium, or small concentrated animal feeding operation:

Table 2.1 Number of Animals to Define Large, Medium, and Small Concentrated Animal Feeding Operations			
Type of Animal: Feeding Operation:	Concentrated Animal Feeding Operations		
	Large Animal numbers equal to or more than:	Medium Animal numbers equal to:	Small Animal numbers less than:
Dairy cows (Mature - milked or dry	700	200 to 699	200
Veal calves	1,000	300 to 999	300
Cattle other than mature dairy cows or veal calves[1]	1,000	300 to 999	300
Swine (weighing more than 55 pounds)	2,500	750 to 2,499	750
Swine (weighing less than 55 pounds)	10,000	3,000 to 9,999	3,000
Horses	500	150 to 499	150
Sheep or Lambs	10,000	3,000 to 9,999	3,000
Turkeys	55,000	16,500 to 54,999	16,500
Laying hens or broilers[2]	30,000	9,000 to 29,999	9,000
Chickens, other than laying hens[3]	125,000	37,500 to 124,999	37,500
Laying hens[3]	82,000	25,000 to 81,999	25,000
Ducks[2]	5,000	1,500 to 4,999	1,500
Ducks[3]	30,000	10,000 to 29,999	10,000
Geese	30,000	10,000 to 29,999	10,000

[1]Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs.
[2]Animal feeding operation uses a liquid manure handling system.
[3]Animal feeding operation uses other than a liquid manure handling system.
NOTE: Other animal types not listed in the above table may be considered on a case-by-case basis.

(B) **Standards:** It is the intent of this section to allow for intensive livestock operations while providing additional protection to the Township and neighboring land uses in order to minimize noise and odors and prevent surface water and groundwater contamination, and further subject to the following conditions:

(1) The Michigan Right to Farm Act shall control minimum site area.

(2) There shall be adequate fencing, or other restraining devices, for the purpose of maintaining animals within a restricted area. See the Michigan Right to Farm Act, Generally Accepted Agricultural and Management Practices for the Care of Farm Animals.

(3) The refuse and wastes resulting from the feeding and maintenance of animals shall be controlled upon the premises, and shall be subject to the Michigan Right to Farm Act, Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Production Facilities.

(4) All feed and other materials used for the maintenance of animals shall be appropriately stored so as not to attract rats, mice, or other vermin.

(5) For the location of new or expanding intensive livestock operations see The Michigan Right to Farm Act, Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Production Facilities.

(6) The storage of manure, odor or dust producing materials is also prohibited within one hundred (100) feet of any property line pursuant to the Right to Farm Act.

(7) Proper disposal of deceased animals shall be in accordance with State laws.

Section 5.12 Crop Cultivation

(A) **Definition:** The growing of plants for commercial sale.

(B) **Standards:** No additional standards.

Section 5.13 Drive-Thru

(A) **Definition:** A facility designed to serve customers in their cars from a window in the building, so that the cars are idled while being served, rather than parked

(B) **Standards.** The following regulations shall apply to businesses with drive-thru service.

(1) Minimum Frontage. The site shall have a minimum of two hundred (200) feet of frontage on primary road or highway.

(2) Location of Driveways. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets (measured from the nearest right-of-way line).

(3) Control of Sound Level. Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.

Section 5.14 Dwelling Units

(A) **Single Family**

(1) Definition: A room, or rooms, within one independent structure, connecting together constituting a separate, independent dwelling unit for one family.

(2) Standards: No additional standards.

(B) **Multiple Family, Senior Housing, and Townhouse.**

(1) Definition: A building or complex of multiple buildings where each building contains at least two dwelling units. Buildings or complexes designed for senior housing, but not including assisted living, shall be considered “multi-family housing” for purposes of this Ordinance.

(2) Standards. The following site development standards shall apply to multiple family and housing developments:

(a) Maximum Density: A multiple family housing development shall not exceed ten units per gross acre of land.

(b) Access to Roads. Multiple family developments shall have direct access to a county primary road or state highway.

(c) Utilities. Multiple family developments shall be served by public water and sewer. Expansions and connections shall not be the financial responsibility of the Township.

(d) Community Amenities. Community amenities such as swimming pools, tennis courts, storage garages, playgrounds, laundry facilities, and other amenities shall be permitted as accessory uses, with the approval of the Planning Commission during the Special Use Approval process. Community amenities within residential housing complexes must be open to the residents only, and not to the general public (except as guests of a resident), unless the amenity would be permitted in the district as a principal use, in which case the management of the complex may choose to open the facility to the general public.

(C) **Manufactured Housing**

(1) Definitions:

(a) Manufactured Home: A building or portion of a building designed for long-term residential use that is designed to be transported to the site in a nearly complete form.

(b) ~~Manufactured Housing Park~~Manufactured Housing Community: A lot containing more than two manufactured homes.

(2) Standards.

(a) One Manufactured Home. A single manufactured home on a lot shall be considered the same as a single family home for the purposes of this Ordinance.

~~(b)~~ **Two Manufactured Homes.** Lots with two manufactured homes that were existing and in place at the time of adoption of this Ordinance shall be considered conforming uses in the R District, and prohibited in all other districts. Following the adoption of this Ordinance, the placement of a second manufactured home on ~~a lot that already contains a manufactured home shall require a Special Use Permit in the R District and be prohibited in all other districts.~~any lot shall be considered the same as creating an Accessory Dwelling Unit, and shall be subject to the regulations in subsection D.

(b)

(c) Requirements for ~~Manufactured Housing Park~~Manufactured Housing ~~s~~Communities (Three or More Manufactured Homes). The creation of a ~~Manufactured Housing Park~~Manufactured Housing Community shall require a Special Use Permit in the R District and be prohibited in all other districts. The regulations established by State law (Michigan Public Act 96 of 1987, as amended) and the Michigan Manufactured Housing Commission shall govern ~~mobile home park~~Manufactured Housing ~~s~~Communities. The applicant must demonstrate compliance with those regulations prior to the approval of the Special Use Permit, in addition to the standards below. In the event of a conflict, the more stringent regulation shall govern.

(i) Minimum Area of Individual Sites for Manufactured Homes: 5,500 square feet

(ii) Setbacks for Manufactured Homes:

1) **From Public Roadways:** 50 feet

2) **From Side and Rear Lot Lines of the Manufactured Housing Community:** 10 feet.

3) **From Private, Internal Roadways:** Consistent with the requirements of the Michigan Manufactured Housing Commission.

4) **Between Manufactured Homes:** Consistent with the requirements of the Michigan Manufactured Housing Commission.

(iii) Maximum Building Height (All Structures, including, but not limited to, Manufactured Homes): 35 feet

(iv) Accessory Buildings and Uses: Accessory buildings required for normal operation of the mobile home development such as stores, mechanical dispensers, equipment storage, coin operated laundry and dry cleaning facilities may be permitted provided that such uses:

1) Shall not occupy more than ten percent (10%) of the total site;

2) Shall be subordinate to the residential use and character of the park;

3) Shall be located, designed, and intended to serve the trade or service needs of persons residing in the park.

(v) Signage: Signs purely for traffic regulation and direction within the Manufactured Housing Community may be utilized as required, in addition to the signage permitted in Article 11.

(vi) Road Design:

~~(c)~~1) Two-way streets within a manufactured home development shall have a minimum width of 21 feet where no parallel parking is permitted, 31 feet where parallel parking is permitted along one side of the street, and 41 feet where parallel parking is permitted along both sides of the street. The minimum width of a one-way street shall be 13 feet where no parallel parking is permitted, 23 feet where parallel parking is permitted along one side and 33 feet where parallel parking is permitted along both sides.

2) All internal roads and parking facilities shall be provided with a paved surface in compliance with-the standards of the AASHTO Specifications referenced in Rule 922 of the [Michigan] Manufactured Housing Commission Rules. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to prevent the drainage of water onto adjacent property or toward buildings. No portion of any off-street parking area shall be considered part of the sidewalk system.

3) Sidewalks, which meet the standards established in Rule 928 of the [Michigan] Manufactured Housing Commission Rules, and AASHTO Standards shall be installed along one (1) side of all internal collector roads within the park and to the public right-of-way and to all service facilities including, but not limited to, central laundry, central parking, and central recreation/ park areas. Sidewalks shall also be required along that portion of a site fronting along public thoroughfares. Walks connecting the entrance of each manufactured housing unit to the balance of the park walk system shall be designed per Manufactured Housing Commission rules.

(vii) Utilities. The installation of utilities within a manufactured housing community shall be in accordance with the following requirements:

1) All electrical, telephone, and utility service shall be underground and specifically designed in conformance with the standards established in Rules 932(a), 934(a), 935(a), 937(2)(a), and 940 of the Manufactured Housing Commission.

2) All gas distribution lines shall be located underground. Each manufactured housing lot so served shall have the service line located underground to a connection point and the manufactured housing unit shall be supported so it cannot be abraded by the pad surface. If fuel oil is used, it shall be supplied from a central storage tank, with underground distribution and service lines to the individual manufactured home sites, and shall be subject to the same requirements given herein for gas lines. The use of independent bottled gas service for individual manufactured housing units is prohibited. All heating systems shall be designed and installed in accordance with Rules 934 and 940 of the Manufactured Housing Commission.

3) Minimum standards for the home or installation of the home plumbing, heating, and electrical systems shall be those either set forth by the United States Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards or by ANSI (American National/Standards Institute) for manufactured housing units predating HUD.

4) All manufactured housing sites and all other buildings within the park shall be connected to the water system of the governmental jurisdiction, if it is available to the park, or to another state approved system. The park water system shall conform to parts 2-4 of the Michigan Department of Public Health (MDPH) Manufactured Housing Community Standards.

5) All manufactured housing sites and all other buildings within the park shall be connected to the sanitary sewerage system of the governmental jurisdiction if it is available to the park, or to other state approved systems. The park sanitary sewerage system shall conform to MDPH Manufactured Housing Community Standards.

6) All storm sewers shall be constructed in accordance with parts 2-4 of the MDPH Manufactured Housing Community Standards by the developer.

(viii) Skirting.

1) Skirting shall be installed around all manufactured housing units. Such skirting shall be compatible aesthetically with the appearance and construction of the manufactured housing unit all skirting shall be installed prior to the issuance of a Certificate of Occupancy. In the event that such installation is delayed due to weather, or for other similar reasons, a temporary certificate of occupancy may be issued for a period not to exceed ninety (90) days. All skirting shall meet the specifications established by the Michigan Manufactured Housing Commission Rules.

2) Individual manufactured housing units shall be skirted around the perimeter of the manufactured housing unit-to conceal the underbody from view. Skirting shall be vented in accordance with the requirements of Rule 604 of the Manufactured Housing Commission Rules. All skirting shall be manufactured of fire resistant material and certified as such by the manufacturer. Skirting shall be installed in a manner so as to resist damage under normal weather conditions and shall be properly maintained.

(ix) Installation. Each manufactured housing site shall conform to Manufactured Housing Commission requirements of Rule 602 for installation of manufactured housing units. 10. Screening, buffering and landscaping. Manufactured housing communities shall provide the following screening, buffering and landscaping:

1) If a manufactured home development abuts an existing residential or non-residential development, the park shall provide screening along the boundary line abutting the adjacent development, if not in conflict with existing utilities.

2) The landscaping shall consist of evergreen trees or shrubs which are spaced so they provide a continuous screen at maturity.

3) Landscape material shall consist of evergreen trees a minimum of four (4) feet in height at installation and evergreen shrubs a minimum of three (3) feet in height at maturity.

4) Alternative screening techniques (earth berms, fences, etc.) may be approved by the Planning Commission based upon a landscape plan for the site if they conceal the manufactured home development as effectively as the required landscaping described above.

(x) Public health and safety.

1) Fire hydrants shall be installed in all manufactured housing communities, for which public water systems are available and shall be in compliance with the requirements and provisions of the current local fire code, including the requirement that there be no more than five hundred (500) feet between hydrants as measured along adjacent roadways within the manufactured housing community.

2) For the protection of the public safety, an orderly street name system and numbering system shall be established by the Manufactured housing community owner and a plan of this system shall be verified with the Fire Department serving the location. Manufactured housing space numbers shall be located uniformly on each space, manufactured housing unit or identification marker throughout the manufactured housing community and street names shall be accurately marked.

3) Cooking shelters, barbecue pits, fireplaces, and wood burning stoves shall be so located, constructed, maintained, and used as to minimize fire hazards and smoke nuisance both on the site and on neighborhood property. Open fires shall not be allowed except in facilities provided and all such fires must be attended. No fuel shall be used or items burned that emit dense smoke objectionable odors.

4) Every home shall be equipped at all times with fire extinguishing equipment in good working order, of a type, size, and number and so located within the home as to be in compliance with the applicable regulations of the Rules 702a of the Manufactured Housing Commission.

a) No open fire shall be permitted at any place, which may endanger life or property.

b) No fire shall be left unattended at any time.

5) Emergency access points shall be in compliance with subsection E.1 of Section 3.10 MH Manufactured Housing Community district review procedures and regulations.

6) Each manufactured housing unit shall have a safe and unobstructed primary exit and an emergency exit located away from the primary exit.

(xi) Lighting. Street lighting shall be provided and paid for by the owner of the community and shall be approved by the Manufactured Housing Commission as to the adequacy of illumination. No spot or flood lights shall be used for lighting or advertising purposes. No other lighting for identification or advertising purposes shall have a visible source of illumination. No lighting shall shine on adjacent properties. All other lighting shall be in accordance with the State of Michigan, Act 96 of 1987, as amended.

(xii) Storage areas. All storage structures within a manufactured home park development shall meet the requirements of Rules 941 and 944 of the Manufactured Housing Commission.

(xiii) Open space. A manufactured home community that contains 50 or more home sites shall have not less than two (2) percent of the gross acreage of the total site dedicated to designated open space, but not less than 25,000 square feet.

(xiv) Telephone, television, or other communication technologies. Central television antenna systems, cable television, telephone, or other similar communication services shall have their distribution systems installed underground in compliance with local and state regulations.

(xv) Solid waste and resource recovery. The garbage and rubbish storage and disposal procedures in manufactured housing communities shall comply with Michigan Department of Environmental Quality Rules R325.3351-R325.3354.

(xvi) Severe weather warning and storm-fallout shelter. A manufactured housing developer shall comply with Manufactured Housing Commission Rule 706: R 125.1706 Severe weather warning; shelters Rule 706. Immediately upon occupancy, the community shall provide each community resident with written information indicating whether the local government provides a severe weather warning system or designated shelters and, if provided, describing the system and giving the nearest shelter location.

(xvii) Miscellaneous provisions.

1) Occupancy. A manufactured home park development shall be ready for occupancy when it has complied with Rule 214k and 214n of the Manufactured Housing Commission.

2) Removal of towing mechanisms. Towing mechanisms shall be removed from the manufactured housing dwelling at the time of dwelling installations and stored so as not to be visible from the exterior of the manufactured housing community.

3) The grounds of a manufactured housing community shall be graded to drain properly.

4) New or used manufactured homes in manufactured home developments, which are to remain on-site, may be sold by resident, development owner, licensed retailer or broker, provided the manufactured housing development management permits the sale.

5) All requirements of Act 96 of the Public Acts of 1987, as amended, shall apply.

6) The owner or operator of any manufactured housing community shall be responsible for all street construction and street maintenance within the confines of the manufactured housing community.

7) Fences on individual home sites shall be uniform in height, not to exceed thirty-six (36) inches, and shall be constructed in such a manner as to provide firefighters an access to at least two (2) gates.

(D) **Accessory Dwelling Units**

(1) **Definition:** A second dwelling unit associated with the principal dwelling which cannot be sold or leased separately from the principal dwelling unit.

(2) **Standards.** The following regulations shall apply to accessory dwelling units:

(a) Accessory Dwelling Units must be approved by Special Use prior to construction. See Section 3.01.

Commented [CK2]: Is Special Use too complicated/expensive?

(b) Residence an Incidental Use. The accessory dwelling unit shall be clearly incidental to the principal residence on the site. Accordingly, the following conditions shall be met:

(i) Accessory dwelling units shall be established ~~in and attached~~ subordinate to owner-occupied homes only by means of a fully-enclosed, insulated and heated space, which may be attached to the principal structure, or may be in a detached accessory building~~, except as described in Subsection f below~~.

(ii) Only one (1) such accessory residence shall be permitted on each parcel.

(iii) The total floor area of the accessory residence shall not exceed ~~eight hundred (800) square feet.~~the floor areas of the principal residence.

~~The accessory residence shall not contain a kitchen.~~

(iv) Detached accessory residences must be at least 20 feet wide in all dimensions, and must meet all requirements for accessory buildings in Section 6.02.

(c) Parking and Access. In addition to required parking for the principal residence, one additional parking space shall be provided for the accessory residence.

~~**(c)**~~

(E) **State Licensed Residential Facilities (Non-Daycare).**

(1) Definition: Any structure constructed for residential purposes and licensed by the State of Michigan pursuant to Michigan Public Act 116 of 1973 (the Child Care Licensing Act) or Michigan Public Act 218 of 1979 (the Adult Foster Care Facility Licensing Act), including adult foster care facilities**,** foster family homes**,** foster family group homes, family day care homes, and group day care homes.

(2) Standards. State Licensed Residential Facilities, except Child Day Care Homes or Group Day Care Homes, shall be subject to the following:

(a) Facilities requiring special use approval shall not be located nearer than 1,500 feet to another State Licensed Residential Facility that required special use approval.

(b) Off-street parking spaces shall be provided in a quantity sufficient to accommodate employees of the facility and visitors. However, the extent of pavement coverage of the front yard shall be limited to be visually compatible with the surrounding area.

(c) The home and property shall be maintained in a manner consistent with the visible characteristics of the surrounding neighborhood.

Section 5.15 Funeral Home or Mortuary

(A) **Definition:** An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held.

(B) **Standards.** The following regulations shall apply to Funeral Homes and Mortuaries:

(1) Assembly Area. Adequate assembly area shall be provided off-street for at least 15 vehicles to be used in funeral processions.

(2) Accessory Dwelling. An accessory dwelling may be provided within the main building of the funeral home or within an accessory building.

Section 5.16 Government and Public Building

(A) **Definition:** Principal structures dedicated to the use by the public or government operations. For the purposes of this Ordinance, Government or Public buildings shall include libraries, museums, municipal offices, County, State, or Federal Offices, police and fire stations, and other buildings used by the public or government. Exceptions: Primary/Secondary Schools, Institutions of Higher Education, public recreational facility buildings shall be defined as described in this section, and shall not be considered Government or Public buildings

(B) **Standards.** No additional standards.

Section 5.17 Family Day Care Home

(A) **Definition:** A private home (where the licensee permanently resides as a member of the household) with the approved capacity of 1 to 6 minor children to be cared for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children at a Family Child Care Home does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

(B) **Standards:**

(1) Location. Such facilities shall be located in the permanent residence of the operator.

(2) Number of Employees. Such facilities shall have no more than one full-time equivalent non-resident employee. This shall be considered an exemption from the prohibition on non-resident employees in home-based businesses in Section 7.06.A.9.

(3) Fencing. The perimeter of any yard used for play or instruction shall be enclosed by a fence that is a minimum of four (4) feet in height to prevent children from departing or entering the yard without permission of an adult employee or the operator.

Section 5.18 Group Day Care Home

(A) **Definition:** A private home with the approved capacity of 7 to 12 minor children for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

(B) **Standards.**

(1) Location. Such facilities shall be located in the permanent residence of the operator.

(2) Number of Employees. Such facilities shall have no more than one full-time equivalent non-resident employee. This shall be considered an exemption from the prohibition on non-resident employees in home-based businesses in Section 7.06.A.9.

(3) Fencing. The perimeter of any yard used for play or instruction shall be enclosed by a fence that is a minimum of four (4) feet in height to prevent children from departing or entering the yard without permission of an adult employee or the operator.

(4) Hours of Operation. Such facilities shall operate no more than 16 hours per day. There shall be no outdoor activity, noise or lighting beyond the boundaries of the site between the hours of 10:00 p.m. and 6:00 a.m.

Section 5.19 Hotel

(A) **Definition(s):** A building occupied as a more or less temporary abiding place for individuals who are lodged, with or without meals, in rooms connected by interior hallways, consisting of a minimum of one bedroom and a bath, occupied for hire, and which typically provides hotel services such as maid service, the furnishing and laundering of linens, telephone and desk service, the use of furniture, a dining room and meeting rooms.

(B) **Standards:** The following regulations shall apply to motels and hotels:

(1) **Design.** Each unit shall contain at least a bedroom and bath and a minimum gross floor area of two hundred fifty (250) square feet.

(2) **Services.** Motels and hotels shall provide customary motel and hotel services, such as maid service, linen service, telephone and/or desk service, and the use of furniture.

Section 5.20 Institution of Higher Education

(A) **Definition:** A facility dedicated to providing education and training primarily to persons that have already earned a high school diploma or equivalent.

(B) **Standards:** No additional standards.

Section 5.21 Manufacturing

(A) Definition: A use engaged in the creation of products, predominantly from previously prepared material of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.

(B) **Standards:** No additional standards.

Section 5.22 Medical or Dental Clinic

(A) **Definition:** An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A 'medical clinic' may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

(B) **Standards:** No additional standards.

Section 5.23 Mineral Resource Extraction

(A) **Definition: T**he removal or recovery by any means whatsoever of soil, rock, sand, gravel, peat, muck, barrow, shale, limestone, clay or other mineral or organic substances, other than vegetation, from water or land, whether exposed or submerged. Said definition does not include common household gardening and farming operations.

(B) **Standards:**

(1) A permit to mine shall not be issued for any parcel of land unless that parcel lies within the MR Mineral Resource Extraction District.

(2) A permit to mine is subject to Site Plan Approval under this Ordinance. Information requirements and standards of review, above and beyond those standards listed in Section 14.03, as listed in below, shall also be provided and reviewed accordingly. Approval of a site plan constitutes a permit to mine.

(a) Name and address of owner(s) of land from which removal will take place.

(b) Name, address and telephone number of person, firm or corporation who will be conducting the extraction and processing operation.

(c) Location, size and legal description of the total site area to be mined.

(d) Depiction, whether on a site plan or tabular, of the number of homes within 1,320 feet from the boundaries of the area of land under petition for site plan approval.

(e) Location, width and grade of all easements or rights-of-way on or abutting the area subject to extraction.

(f) A statement identifying federal, state and local regulations and permits required beyond those regulations required of this section.

(g) A hydro-geologic report of the proposed excavation site. Such a report shall, at a minimum, provide:

(i) A general description of subsurface conditions, including general soil types and depths.

(ii) Depth of water table throughout the planned excavation area, and if applicable, the name of the aquifers impacted.

(iii) A statement of the environmental impacts of the proposed excavation, including but not limited to the impact of the proposed excavation upon existing area wells.

(iv) A statement of the necessity to install monitoring wells.

(h) Division of property into cells (phases) and reclamation plan for both the total project and each cell and shall include:

(i) The method and direction of extraction.

(ii) Surface overburden stripping plans.

(iii) A description of the depth of grade level over the entire site from which the material will be removed.

(iv) Grading, re-vegetation, and stabilization plan that will minimize negative soil erosion, sedimentation and public safety issues.

(v) Landscaping provisions for buffer areas, landscaping and screening.

(vi) Description of location of each cell, number of acres included in each cell, estimated length of time to complete each cell, and the amount of time projected to complete the entire project.

(vii) Provide a conceptual representation of final anticipated landform, including generalized future development plans.

(i) Drainage on and away from the mining area showing directional flow of water in drainage ways, natural watercourses and streams, intermittent and flowing, including discharge from the extraction operation.

(j) The proposed exterior and interior haul routes that are expected to be the predominate traffic pattern for vehicles to and from the site. Exterior haul routes are to be determined by the CCRC, as statement of which shall be provided to the Planning Commission.

(k) The location and size of any processing equipment and/or structures.

(l) A detailed plan of operation for stripping topsoil and overburden, stockpiling, excavating and rehabilitating for each cell, or multiple cells.

(m) Measures to be taken by the applicant to control noise, vibration, dust and traffic.

(n) Accompanying the application shall be a road maintenance agreement between the corporation conducting the extraction operation and the Clinton County Road Commission.

(3) The minimum size of the petitioned property must be 10 acres or more. A variance must be received from the Zoning Board of Appeals prior to review by the Planning Commission for any proposed development less than 10-acres.

(4) The district shall have immediate and direct access to local roads capable of carrying the expected traffic prior to the commencement of the extraction operations. A statement from Clinton County Road Commission (CCRC) verifying the condition of the local road will be required prior to consideration by the Planning Commission.

(5) Existing legal non-conforming gravel pits shall become legal, conforming uses if rezoned to the Mineral Resource District.

(6) **Setbacks** in which no part of the mining operation may take place, excepting ingress or egress:

(a) Excavation shall not take place less than 20 feet from any adjacent property line. The Planning Commission may authorize the complete removal of material to an adjacent property line in situations where two (2) extraction operations share a common property. Such exception shall be based on review of the impact of the extraction on the adjacent operation and written authorization is received from both property owners.

(b) Excavation shall not take place less than 50 feet from any County road right-of-way or Michigan Department of Transportation right-of-way. The Planning Commission may authorize extraction to take place to within 20 feet of the county road right-of-way provided that the CCRC is in agreement, a barrier or berm is constructed within the 20 foot setback, and the excavated area is backfilled and stabilized within one (1) year of excavation.

(c) Processing plants and their accessory structures shall not be located closer than two hundred fifty (250) feet from the property lines of the district and public rights-of-way or closer than five hundred (500) feet from any dwelling unit or principal residential district (RR, R-1, R-2, MF, MH), and shall (where practicable) be as close to the center of the subject property, or cell as possible.

(d) Storage, mixing or processing of other aggregate and related materials (not Including asphalt or concrete mixing facilities) brought to the site from elsewhere is permitted, but must be located proximate to the processing plant and are subject to all the same restrictions as other aggregate material extracted and stored at the site.

(e) Interior haul routes shall not be located closer than 100 feet from a dwelling unit located on adjacent property, unless such property is zoned MR, Mineral Resource and the dwelling unit is legally non-conforming.

(7) **Fencing.** In establishing the requirements for fencing of the operation, the Planning Commission shall take into account the scale of the operation, the population density in the surrounding areas, and the potential hazard to the health, safety and welfare of the citizens of Clinton County. If fencing is deemed a requirement of the permit to mine, the owner shall install and maintain fencing around the perimeter of the site or around the cell that is being mined. The fence shall consist of four (4) feet woven wire farm fence with one (1) strand of barbed wire on the top, or greater. The fence shall be securely attached to support posts not greater than 16.5 feet apart.

(8) Interior access roads, parking lots, haul loading and unloading areas shall be watered, or chemically treated so as to limit the nuisance caused by windblown dust.

(9) Should the final result of the excavation result in the creation of a body of water, the peripheral of the excavation shall be graded to a slope not to exceed 3' horizontal to 1' vertical to the seasonal low water level.

(10) The site shall be kept clean and orderly. Inoperable and partially dismantled equipment, vehicles, and other types of machinery and parts associated with the operation shall not be stored in an area visible to the public from adjacent property or residence, or from the public roadway. The Planning Commission may, at their discretion, approve a specific area for such use. The area shall be screened by landscaping, fence and/or berm.

(11) **Landscaping, screening, and berming.** Screening shall be provided for active cells, operational areas and material storage areas. Perimeter screening shall also be required for areas having a residential density of more than one (1) dwelling unit to five (5) acres within five hundred (500') feet of any given boundary of a petitioned site. Such screening shall consist of one or more of the following:

(a) Earth berms constructed to a height of six (6) feet above the mean elevation in the centerline of the adjacent public roadway or six (6) feet above the general level of terrain along property lines. Such berms shall have slopes that are not in excess of one (1) foot vertical to two (2) feet horizontal and shall be seeded to stabilize the soil. The berms shall also be shaped and formed to be consistent along the berms. Washout areas are to be repaired and stabilized.

(b) For perimeter landscaping, plantings of evergreen trees not more than fifteen (15') feet apart, in two (2) staggered rows parallel to the boundaries of the property which shall be at least two (2) feet in height at the time of planting. Trees that die prematurely must be replaced at the next available planting season. The applicant is strongly encouraged for areas that are left undisturbed for residential future development, or other purposes, be heavily planted to serve as a nursery, provide screening, and to add economic value to the area once residential uses are proposed. These areas may, at the discretion of the Planning Commission, be started with seedlings.

(c) The six (6) foot requirement for screening by means of a berm and/or plantings may be reduced by the Planning Commission if the particular site, terrain, and existing landscaping afford adequate screening.

(12) Reclamation. A cell shall be reclaimed by an operator pursuant to these rules by the end of the 5-year permit period or within the time set forth in the operator's reclamation plan approved by the Planning Commission.

(a) Cell units shall be reclaimed progressively as they are worked out to the extent that they shall be reasonably natural and inconspicuous and shall be reasonably lacking any hazards.

(b) Sufficient topsoil shall be stockpiled on the premise, or stored in berms providing screening. Topsoil shall be promptly redistributed on abandoned areas or where extraction operations have been substantially discontinued for any period in excess of one (1) year. Such areas shall then be seeded with at least temporary protection the first year and by the second year permanent seeding to stabilize the soil, lessen soil erosion potential and encourage proper growth.

(c) A layer of arable topsoil, of a quality approved by the Zoning Official shall be spread over the excavated area, except exposed rock surfaces, or areas lying below natural water level, to a minimum depth of four (4") inches in accordance with the approved contour plan.

(d) In the construction of the final grade, all slopes and banks shall be graded to a minimum of a 3:1 slope and treated in the following manner to prevent soil erosion and stabilize soils:

(e) Standards for seeding rates, fertilizer and mulching standards are to be based on the standards put forth by the USDA Natural Resource Conservation District. The applicant shall identify on the site plan in tabular form the type of seeding, fertilizer, and mulch as well as implementation rates.

(f) Fill and soils shall not be overly compacted and of sufficient quality to be well drained, non-swelling. If the reuse plan involves development of dwellings or other buildings fill and soils shall be of proper bearing capacity to support foundations, and septic systems.

(g) If the reuse plan involves a recreational or wildlife facility reclamation plans shall be reviewed by recreation, fisheries and wildlife specialists in the Michigan Department of Natural Resources.

(h) Upon cessation of mining operations and commencement of reclamation, the operating company, within a reasonable period of time, not to exceed twelve (12) months thereafter, shall remove all structures, building, stockpiles and equipment from the area to be reclaimed.

(13) Termination of operations.

(a) An operator shall submit written notice to the Zoning Administrator within six (6) months of abandonment of the extraction area or any portion thereof.

(b) When activities on or use of the mining area, or any portion thereof, have ceased for more than one (1) year, or when, by examination of the premises, the Zoning Official determines that the mining area or any portion thereof has in fact been abandoned, the Zoning Official shall give the operator written notice of their intention to declare the mining area or portion thereof abandoned. Within thirty (30) days following receipt of the notice, the operator shall have an opportunity to submit evidence that the use of the mining area or portion thereof is continuing. If the Zoning Official finds the evidence satisfactory, they shall not make the declaration.

(c) Areas that have been abandoned or are not in operation will be assessed for compliance with the approved site plan. Those items not in compliance will be listed and forwarded to the permit holder and a timeline given to obtain compliance. If compliance is not obtained within the specified time period, the permit holder shall be found in violation of the Clinton County Zoning Ordinance giving the County the right commence financial guarantee, bond revocation.

(14) Financial guarantees.

(a) Before issuance of a permit, there shall be filed by the applicant a surety bond, executed by a reputable surety company authorized to do business in the State of Michigan, or an irrevocable bank letter of credit or cash bond running to the Clinton County Board of Commissioners, conditioned upon the prompt compliance with all provisions of this section and the approved site plan.

(b) The Planning Commission shall, in establishing the amount and type of financial guarantee, consider the scale of the operations, the prevailing cost to rehabilitate the property upon default of the operator, court costs and other reasonable expenses likely to be incurred by the County or the Township, where the mining operation is located.

(c) The total amount of the guarantee shall be based on the amount of acreage under permit within a given district, or overall all project area. For each acre containing excavated ground, water and material storage, two thousand ($2000) dollars shall be bonded.

(d) The amount of bond may be reduced or increased at a rate equal to the ratio of work completed on the required improvements as work progresses. The term "improvements" should not be construed to mean the project itself, but rather those features associated with the project, which are deemed necessary to protect the health, safety and welfare of Clinton County's resources and future users or inhabitants of the proposed project.

(e) If abandoned and the surety amount is not sufficient to properly restore the site to protect the health, safety and welfare of the community, the County reserves the right to prosecute the violation of the Ordinance and seek a lien against the property to complete restoration activities.

(15) Hours of operations.

(a) The owner(s) and/or operators shall conduct extraction, excavation, and processing only between the following designated hours: 6:00 AM. to 8:00 P.M., Monday through Friday, and 7:00 AM. to 3:00 P.M. Saturday with no Sunday or holiday operations, which includes Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day.

(b) The owner(s) and/or operators shall conduct loading and hauling only between the following designated hours: 6:00 AM. to 8:00 P.M., Monday through Friday, and 7:00 AM. to 3:00 P.M. Saturday with no Sunday or holiday operations, which includes Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Years Day.

(c) For documented situations beyond the permit holder's control, additional hours may be allowed by prior approval of the Zoning Official when it is shown that extenuating circumstances exist.

(16) Conditions and safeguards. The Planning Commission may impose such additional reasonable conditions and safeguards deemed necessary for the public health, safety or general welfare, for the protection of individual property rights, and for insuring the intent and purpose of this Ordinance. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

(17) Issuance of a permit to mine. Permits for surface mining shall be issued to the operator. When an operator disposes of his interest in an extraction area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Zoning Official may release the operator from the duties imposed upon them by this Ordinance, as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the permit to mine may be transferred.

(18) Permit term. A permit to mine is valid for five (5) years. The operation shall be inspected a minimum of once a year by the Zoning Official and/or assigns to insure compliance with the permit and this Ordinance.

(19) Violations. Violation notices shall be issued pursuant to the provisions delineated in this Ordinance. Violation of the site plan shall be considered violation of this Ordinance.

(20) Modification of the general site plan.

(a) The general site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology or to correct an oversight.

(b) The Planning Commission may require the modification of the general site plan when:

(i) Modification of the site plan is necessary so that it will conform to the existing laws.

(ii) It is found that the previously approved plan is clearly impossible or clearly impractical to implement and maintain.

(iii) The approved plan is obviously not accomplishing the intent of the Ordinance.

Section 5.24 Mini-Warehouse

(A) **Definition:** A building or group of buildings, each of which contains several individual storage units, each with a separate door and lock and which can be leased on an individual basis. Mini-warehouses are typically contained within a fenced, controlled-access compound. Also known as self-storage facilities.

(B) **Standards:**

(1) Lot Area. The minimum lot size for mini-warehouses and portable storage units shall be three (3) acres.

(2) Permitted Use. Mini-warehouse establishments shall provide for storage only. All such storage must be contained within an enclosed building. Use of semi-trailers for storage is prohibited. Portable storage units for lease or rent shall not be used for storage on the rental site. Electrical service, except for lighting, is prohibited within storage units.

(3) Resident Manager. Subject to Planning Commission approval, a resident manager may be permitted on the site for the purposes of maintaining the operation of the facility in conformance with the conditions of the approval. .

Section 5.25 Office

(A) **Definition:** A room, suite of rooms, or building in which are located desks, chairs, tables, couches, bookcases (accounting, filing, recording, communication and/or stenographic) equipment for current use in the office business and personnel engaged in executive, administrative, professional, political, informative, research and/or clerical duties.

(B) **Standards:** No additional standards.

Section 5.26 Open-Air Business

(A) **Definition:** Any commercial use that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

(1) Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.

(2) Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.

(3) Outdoor display and sale of garages, swimming pools, playground equipment, and uses

(B) **Standards.** The following regulations shall apply to Open-Air Businesses, whether operated year round or on an intermittent basis:

(1) Parking Setback. Parking shall be setback a minimum of fifteen (15) feet from any road right-of-way line, unless otherwise noted. The area between the parking and the road right-of-way shall be landscaped in accordance with Section 10.02(B).

(2) Lot Width. The minimum lot width for open-air businesses shall be two hundred (200) feet.

(3) Loading and Parking. All loading and parking areas for open-air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent roads.

Section 5.27 Outdoor Event

(A) **Definition**: A musical concert, festival, fair, carnival, show, or similar gathering at which music or entertainment is provided by performers or prerecorded means, at which members of the public are invited or admitted for a charge or for free, and at which the anticipated attendance is 500 people or greater.

(B) **Standards:**

(1) Outdoor Events are permitted by special use permit in the districts listed in Section 3.01 and must meet the following standards:

(a) Parcel Size. Outdoor Events shall be permitted only on parcels that are three (3) acres or larger.

(b) Hours of Operation. Outdoor Events shall not begin before 10:00 a.m. nor extend later than 10:00 p.m., unless otherwise permitted by the Planning Commission upon finding that longer hours will have no impact on use of surrounding property.

(c) Fencing. The premises shall be completely enclosed by a six (6) foot tall fence of sufficient strength to preclude persons in excess of the maximum permissible from gaining access and to aid in crowd control. The Township Fire Department shall determine the number of required gates in the fence based on the proposed number of attendees.

(d) Parking. Adequate parking spaces shall be provided for persons attending the Outdoor Event by motor vehicle. At minimum, one (1) off-street parking space shall be provided for every three (3) persons expected to attend or be employed at an Outdoor Event. Parking along the shoulder of any road shall be prohibited. Properly-marked barrier-free spaces shall be provided in accordance with the schedule in Section 9.01. A plan illustrating the proposed parking layout, including method of delineating spaces and drive aisles, shall be submitted for approval. The parking layout shall comply with the dimensional and other applicable requirements in Section 9.01 of the Zoning Ordinance, although paving shall not be required for a temporary Outdoor Event.

(e) Traffic Circulation and Control. A plan for traffic circulation and control shall be submitted for review. The plan shall include provisions for emergency vehicle access at all times. Provisions shall be made for an adequate number of traffic control officers to provide for the safe, orderly, and expeditious movement of traffic, prior to, during, and after the Outdoor Event. The adequacy of the plan shall be subject to approval by the Township Police and Fire Departments. The sponsors of the Outdoor Event shall pay for the cost of such traffic control.

(f) Security Guards. A minimum of two (2) security guards shall be provided. One (1) additional security guard shall be provided for each two hundred (200) people (or fraction thereof) expected to be in attendance above the initial two (200) people, unless the Township Police Department determines that greater or fewer guards are needed to preserve order and protection of property on and around the site of the Outdoor Event.

(g) Potable Water. Potable water shall be available in sufficient quantity and pressure for drinking and sanitation purposes for the entire Outdoor Event, including under conditions of peak demand. The water supply shall comply with applicable County and State laws and regulations.

(h) Toilet Facilities. A minimum of ten (10) toilet facilities shall be provided per five hundred (500) people anticipated to attend the Outdoor Event. In addition, two (2) toilet facilities shall be provided for each additional two hundred fifty (250) people. Public or common use toilets shall comply with Federal Americans with Disability (ADA) guidelines, which require that five percent (5%) of the total number, and not less than one (1) toilet facility per cluster of toilet facilities, shall be barrier-free. All toilet facilities shall be provided with soap and paper towels and shall comply with applicable County and State laws and regulations.

(i) Liquid Waste Disposal. Proper liquid waste disposal from the premises shall be provided so as to prevent a nuisance or menace to public health. If liquid waste retention and disposal is dependent upon pumpers and haulers, they shall be licensed in accordance with County and State laws and regulations.

(j) Solid Waste Disposal. Proper solid waste storage and removal shall be provided so as to prevent a nuisance or menace to public health. Storage shall be in covered containers having a minimum capacity of thirty-six (36) gallons, provided at a rate of one (1) container per one hundred (100) persons expected to attend the Outdoor Event. The sponsor of the Outdoor Event shall provide the Township with a true copy of an executed agreement with a licensed solid waste disposal firm, which agreement shall provide for proper removal of solid waste from the premises within twenty-four (24) hours following the Outdoor Event. For multiple day events, solid waste shall be removed from the premises every day.

(k) Electrical Service. A plan for providing electrical service to the site shall be submitted, which plan shall be subject to approval by the Zoning Administrator. All electrical wiring shall be installed in compliance with the Michigan Building Code.

(l) Noise Control. Sound or noise resulting from the Outdoor Event, when measured at the property line, shall not exceed the normal ambient sound level on adjacent property between the hours of 10:00 p.m. and 10:00 a.m. At all other times, the sound or noise level produced by the Outdoor Event shall not exceed normal ambient sound level on adjacent property by more than five (5) decibels. Furthermore, no sound or noise shall be produced that causes annoyance to or a threat to the health and safety of the occupants of the adjacent property.

(m) Illumination. Electrical illumination shall be provided to all areas that are intended to be occupied after dark. A lighting plan shall be submitted showing the location and types of lighting fixtures and level of illumination for open areas reserved for spectators, stage areas, parking areas, and restroom and concession areas.

(n) Communications Facilities. An emergency communication system shall be provided and maintained for the duration of the Outdoor Event, which system shall be subject to approval by the Township Police Department.

(o) Overnight Facilities. Those who attend an Outdoor Event shall not be allowed to remain on the premises overnight. Overnight use of the premises by performers or employees of the Outdoor Event may be permitted, however, subject to review of detailed plans for the accommodations for overnight use, such as camper or trailer parking, sanitation facilities, and bathing facilities.

(p) Signs. Signs shall comply with the standards for Approved Nonresidential Principal Uses in Section 12.07(C).

(q) Food Service. If food service is made available, it shall be delivered only through concessions licensed and operated in accordance with State and County laws and regulations.

(r) Medical Facilities. If determined necessary by the Township Police Department, emergency medical facilities shall be provided on the premises for the duration of the event.

(s) Prohibited Activities. It shall be unlawful to conduct or permit any obscene display or entertainment; to cause or create a disturbance by obscene or disorderly conduct; to permit consumption or use of or make available liquor, narcotics, or narcotic drugs.

(t) Fire Protection. Adequate fire protection shall be provided in accordance with guidelines provided by the Township Fire Department. Flammable vegetation and other fire hazards shall be removed from the site of the Outdoor Event. Equipment to extinguish fires, as required by the Township Fire Department, shall be provided. Open fires are prohibited.

(u) Performance Guarantee. A performance guarantee meeting the requirements of Section 18.07 shall be deposited with the Township to assure proper clean-up of the site in accordance with the clean-up plan that is required with the application.

(v) Insurance. The applicant shall acquire and maintain, at its sole expense, public liability insurance, naming the Township as an additional insured. The insurance shall be purchased from companies approved by the Commissioner of Insurance of the State of Michigan, and shall cover bodily injury, property damage and personal injury in amounts specified by the Township Supervisor. The applicant shall furnish and deliver certificates of insurance demonstrating the existence of the insurance in the minimum amounts required by the Township. Each certificate shall provide that the Township shall receive not less than thirty (30) days written notice of cancellation, expiration, or termination of the insurance.

Section 5.28 Pet Shop and Pet Grooming

(A) **Definition(s):**

(B) **Standards.**

(1) Enclosure. Pets shall not be permitted outside of enclosed buildings while being kept on the site.

(2) Clean and Sanitary Conditions. Such businesses shall be maintained in a clean and sanitary condition. Waste material, including feces and urine, shall be immediately removed.

Section 5.29 Preserve/Conservation Area

(A) **Definition**: A use of land solely dedicated to preserving or returning to a natural state of site, with few or no buildings or structures.

(B) **Standards.** No additional standards.

Section 5.30 Primary/Secondary School

(A) **Definition:** An educational institution serving students in any combination of grades between Kindergarten and high school graduation.

(B) **Standards.** No additional standards.

Section 5.31 Recreation – Indoor

(A) **Definition:** Indoor uses that are designed to provide the user with the opportunity to relax, engage in athletic activity, or engage in other leisure pursuits.

(B) **Standards.** No additional standards.

Section 5.32 Recreation - Outdoor

(A) **Definition:** Outdoor uses that are designed to provide the user with the opportunity to relax, engage in athletic activity, or engage in other leisure pursuits.

(B) **Standards**. Outdoor recreation facilities, such as, but not limited to, ski facilities, courses for off road vehicles and snowmobiles, baseball facilities, rugby fields and swimming pools, but not including trails, shall comply with the following regulations:

(1) General Requirements.

(a) Impact on Surrounding Properties. The location, layout, design, or operation of outdoor recreation facilities shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby properties. The Planning Commission may specify the hours of operation in order to assure compatibility with adjacent uses.

(b) Nuisance Impacts. Outdoor recreation uses shall not generate excessive noise, odors, dust, or other impacts, such that the continued use and enjoyment of adjacent properties would be impaired.

(c) Parking. All parking shall be set back a minimum of forty (40) feet from any residential district.

(d) Screening. Outdoor recreation uses shall be screened from view from adjacent property zoned for residential purposes, in accordance with Section 10.02.

Section 5.33 Religious Institution

(A) **Definition:** Any church, synagogue, mosque, temple or building which is used primarily for religious worship and related activities.

(B) **Standards:** The following regulations shall apply to all religious Institutions, including churches, synagogues, temples, etc.:

(1) Maximum Height. Religious institutions may exceed the maximum height standard for the districts in which they are located provided that the front, side and rear setbacks are increased by one (1) foot for every foot by which the building exceeds the maximum permitted height.

(2) Accessory Uses. The uses listed in the definition of Religious Institutions shall be permitted accessory to any Religious Institution. However, accessory uses shall comply with all relevant requirements of this Ordinance, including obtaining required Special Land Use approvals.

Section 5.34 Restaurant/Bar

(A) **Definition:** Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state.

(B) **Standards:** No additional standards. For outdoor seating standards, see Section 7.21.

Section 5.35 Retail Store

(A) **Definition:** A business that sells products or provides services on the premises directly to consumers. Uses that fit this definition but are defined elsewhere in this Ordinance shall be considered to fall under the more specific definition.

(B) **Standards:** No additional standards.

Section 5.36 Sexually Oriented Business

(A) **Definition:**

(1) The following shall be considered sexually oriented businesses, and therefore subject to this section:

(a) Adult Book or Supply Store: An establishment having ten percent (10%) or more of all usable interior, retail, wholesale, or warehouse space devoted to the distribution, display, or storage of books, magazines, and other periodicals and/or photographs, drawings, slides, films, video tapes, recording tapes, and/or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein), or an establishment with a segment or section devoted to the sale or display or such material. Such establishment or the segment or section devoted to the sale or display of such material in an establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.

(b) Strip Club: An establishment which features any of the following: topless dancers and/or bottomless dancers, go-go dancers, strippers, male and/or female impersonators or similar entertainers, or topless and/or bottomless wait persons or employees.

(c) **Adult Motion Picture Theater or Adult Live Stage Performing:** An enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein), for observation by patrons therein. Such establishment customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.

(d) **Adult Outdoor Motion Picture Theater:** A drive-in theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein) for observation by patrons of the theater. Such establishment is customarily not open to the public generally, but only to one or more classes of the public, excluding any minor by reason of age.

(2) The following terms shall have the following meanings:

(a) **Specified Anatomical Areas:** Portions of the human body defined as follows:

(i) Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola.

(ii) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

(b) **Specified Sexual Activities:** The explicit display of one or more of the following:

(i) Human genitals in a state of sexual stimulation or arousal.

(ii) Acts of human masturbation, sexual intercourse, or sodomy.

(iii) Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

(B) **Standards:**

(1) Sexually oriented businesses shall not be permitted within one thousand (1,000) feet of each other

(2) Sexually oriented businesses shall be a minimum of one thousand (1,000) feet from all of the following:

(a) K-12 Schools.

(b) Day-care centers.

(c) Libraries.

(d) Municipal Buildings.

(e) Parks.

(f) Houses of Worship.

(3) The facility shall not by way of architectural features, design, display, decoration, window decorations or other displays call attention to the nature of the internal activities to the general public which shall include minors.

Section 5.37 Shooting Range

(A) **Definition:** A commercial facility for the safe and secure use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting. The Zoning Administrator shall have the authority to determine that a gun range on residential or agricultural property is of such a large scale and scope so as to be commercial in nature. Appeals of the decisions of the Zoning Administrator in this regard shall be to the Zoning Board of Appeals.

(B) **Standards.**

(1) Sound Control. Sound control and other systems shall be provided which will protect the users and employees of the range.

(2) Disposal of by-products of the range. In no case shall there be the disposal of rubbish, litter, or other by-products of the range in such a manner as to be obnoxious, offensive or in conflict with the general public health, safety and welfare.

(3) Best management practices. In all cases the range shall use best management practices in dealing with lead, lead dust and other lead byproducts of an indoor Shooting Range.

(4) Building materials. The building materials and interior architectural systems used in the Shooting Range shall be designed and constructed in a manner which will prevent projectiles from penetrating the walls or ceilings and contain all projectiles from reaching the outside of the building.

(5) Commercial sale of guns or ammunition. The indoor range may include a commercial operation area for the sale of guns or ammunition and ancillary equipment provided this area is ancillary to the primary use, an indoor Shooting Range.

(6) Permits and licenses. Copies of all Federal, state, county or local permits or licenses must be submitted to the Township.

(7) The hours of operation must be approved by the Planning Commission.

Section 5.38 Solar Energy System (Small or Large)

(A) **General Requirements**. All Solar Energy Systems are subject to the following general requirements:

(1) All Solar Energy Systems must conform to the provisions of this Ordinance and all County, State, and Federal regulations and safety requirements as well as applicable industry standards.

(2) Solar Energy Systems shall be located or placed so that concentrated solar glare shall not be directed toward or onto nearby properties or roadways at any time of the day.

(B) **Small Solar Energy Systems.**

(1) **Definition:** A Solar Energy System used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid.

(2) **Standards.**

(a) **Roof or Building Mounted Small Solar Energy System.** Roof or building mounted Small Solar Energy Systems shall be considered an accessory use in all zoning districts, subject to the following requirements:

(i) No part of a Solar Energy System mounted on a roof shall be installed closer than three (3) feet from the edges of the roof, the peak, or eave or valley in order to maintain pathways of accessibility.

(ii) In the event that a roof or building mounted Small Solar Energy System has been abandoned (meaning not having been in operation for a period of one (1) year), it shall be removed by the property owner within six (6) months from the date of abandonment.

(iii) A building permit shall be required for installation of roof or building mounted Small Solar Energy System. A permit to operate such system shall be issued, and that permit shall be renewed every five years.

(b) **Ground Mounted Small Solar Energy Systems.** Ground mounted Small Solar Energy Systems shall be considered an accessory use in all zoning districts, subject to the following requirements:

(i) Prior to the installation of a ground mounted Solar Energy System, the property owner shall submit a site plan to the Zoning Administrator. The site plan shall include setback, panel size, and the location of property lineproperty lines, building, fences, greenbelt, and road right of ways.

(ii) A ground mounted Solar Energy System shall not exceed the maximum building height for adjacent accessory building, but in no case shall the maximum height of any ground mounted Solar Energy System exceed fifteen (15) feet above the ground when oriented at maximum tilt.

(iii) A ground mounted Small Solar Energy System shall be located in the rear yard and shall meet the rear yard setback requirements applicable in the zoning district in which the Solar Energy System will be located.

(iv) All power transmission or other lines, wires or conduits from a ground mounted Small Solar Energy System to any building or other structure shall be located underground. If batteries are used as part of the ground mounted Solar Energy System, they must be placed in a secured container or enclosure.

(v) A ground mounted Small Solar Energy System shall be considered a structure, and shall be included in lot coverage calculations.

(vi) In the event that a ground mounted Small Solar Energy System has been abandoned (meaning not having been in operation for a period of one (1) year), the property owner shall notify the Township and shall remove the system within six (6) months from the date of abandonment.

(vii) A building permit shall be required for installation of a ground mounted Small Solar Energy System. A permit to operate such system shall be issued, and that permit shall be renewed every five years.

(C) **Large Solar Energy Systems.**

(1) **Definition:** A Solar Energy System where the principal design, purpose or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.

(2) **Standards.** In addition to any other requirements for special use approval, Large Solar Energy Systems shall be ground mounted and are subject to the following requirements:

(a) The property owner or applicant for a Large Solar Energy System shall provide the Planning Commission with proof of ownership of the subject property, a copy of any lease agreement for a Large Solar Energy System, together with an operations agreement, which shall set forth the operations parameters, the name and contact information of the certified operator, inspection protocol, emergency procedures and general safety documentation.

(b) An escrow account shall be set up when the applicant applies for special use approval for the Large Solar Energy System. The amount of the required escrow shall be a good faith estimate by the Township Board to cover all reasonable costs and expenses associated with the special use permit review and approval process, which costs and expenses may include, but are not limited to, fees of the Township Attorney or other consultant as the Township deems necessary, including, but not limited to, any reports or studies which the Township anticipates are reasonably necessary for reviewing the application. At any point during the zoning review process, the Township may require that the applicant place additional monies into escrow with the Township should the existing escrow amount filed by the applicant prove insufficient. If the escrow account needs replenishing and the applicant refuses to do so within fourteen (14) days after receiving notice, the zoning review and approval process shall cease until and unless the applicant makes the required escrow deposit. Any escrow amounts which are in excess of actual costs shall be returned to the applicant.

(c) All structures associated with the Large Solar Energy System shall be set back at least 100 feet from all public roads, and all property lines adjacent to a lot that does not contain any structures associated with the Large Solar Energy System. If the Large Solar Energy System extends over multiple parcels, then the required setback from lot lines adjacent to a lot that is part of the Large Solar Energy System shall be ten feet.

(d) The height of the Large Solar Energy System and any mounts shall not exceed fifteen (15) feet when oriented at maximum tilt.

(e) Prior to installation, the applicant shall submit a descriptive site plan to the Planning Commission which includes where and how the Large Solar Energy System will connect to the power grid.

(f) No Large Solar Energy System shall be installed until evidence has been given to the Planning Commission that the electric utility company has agreed to an interconnection with the electrical grid or a power purchase agreement. Any such agreement shall be furnished to the Planning Commission.

(g) A condition of every approval of a Large Solar Energy System shall be adequate provision for the removal of the system whenever it ceases to be used for one (1) year or more. In the event that a system has been abandoned (meaning not having been in operation for a period of one (1) year), the property owner and developer/applicant shall notify the Township and shall remove the system within six (6) months from the date of abandonment. Removal includes the proper receipt of a demolition permit from the Zoning Administrator and proper restoration of the site to the satisfaction of the Zoning Administrator. The site shall then be filled and covered with top soil and restored to a state compatible with the surrounding vegetation.

(h) To ensure proper removal of a Large Solar Energy System upon discontinued use or abandonment, applications shall include a description of the financial security guaranteeing removal of the system which must be posted with the Township within fifteen (15) days after approval or before a construction permit is issued for the facility. The financial security shall be: 1) a cash bond; or 2) an irrevocable bank letter of credit or a performance bond, in a form approved by the Township. The amount of such guarantee shall be no less than the estimated cost of removal and may include a provision for inflationary cost adjustments. The estimate shall be prepared by the engineer for the developer and shall be approved by the Township. The applicant shall be responsible for the payment of any costs or attorney fees incurred by the Township in securing removal.

(i) If the owner of the facility or the property owner fails to remove or repair the defective or abandoned Large Solar Energy System, the Township, in addition to any other remedy under this Ordinance, may pursue legal action to abate the violation by seeking to remove the Solar Energy System and recover any and all costs, including attorney fees.

(j) A building permit shall be required for installation of a Large Solar Energy System. If a permit to operate such system shall be issued, then that permit shall be renewed every five years.

Section 5.39 Theater

(A) **Definition:** A facility designed to accommodate groups of people viewing an artistic performance or motion picture. Theaters may be drive-in or indoor.

(B) **Standards:** No additional standards.

Section 5.40 Utility Structures and Substations

(A) **Definition:** A facility for a service provider, which may be a company or a governmental agency, which provides such services as electric power, natural gas, sanitary sewers, water, telephone, etc.

(B) **Standards.** Utility structures, substations, and similar uses shall comply with the following regulations:

(1) Location. Where feasible, utility structures and public service buildings shall be located so as to not hinder the development of the area or detract from the value of adjoining development.

(2) Design. All such uses shall be contained in buildings that are architecturally compatible with buildings in the vicinity and shall be screened in accordance with Section 10.02 (D).

(3) Off-site Impact. Such uses shall not create a health or safety hazard, a nuisance, or have deleterious impact on the surrounding area either due to appearance or operation.

(4) Security Fencing. Security fencing may be permitted, subject to the requirements in Article 11.00.

(5) Landscape Screening. All utility structures and substations shall be screened from all adjoining lots in accordance with the standards of Section 10.02.E.1, regardless of the zoning district of the utility structure of substation or the zoning district of the adjacent lots.

Section 5.41 Vehicle Dealership

(A) **Definition:** A building or premises used primarily for the sale of new and used vehicles and other motor vehicles.

(B) **Standards.**

(1) These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks, boats, and other vehicles.

(2) Grading, Surfacing, and Drainage. Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be graded and drained so as to dispose of surface waters. Grading, surfacing, and drainage plans shall be subject to review and approval by the Township.

(3) Servicing of Vehicles.

(a) Service activities shall be clearly incidental to the vehicle sales operation.

(b) Vehicle service activities shall occur within a completely enclosed building.

(c) Partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts shall be stored within a completely enclosed building.

(d) The building containing service operations shall be located a minimum of fifty (50) feet from any property line.

(e) There shall be no external evidence of the service operations, in the form of dust, odors, or noise, beyond the service building.

Section 5.42 Vehicle Filling Station (Gas Station)

(A) **Definition:** A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. 'Vehicle filling stations' may also incorporate a convenience store operation as an Accessory Use, provided it is clearly incidental to the filling station use, but no vehicle repairs shall be permitted.

(B) **Standards.** The following regulations shall apply to Vehicle Filling Stations

(1) Minimum Lot Area. The minimum lot area required for such uses shall be 21,780 sq. ft. (1/2 ac.).

(2) Minimum Lot Width. The minimum lot width required for such uses shall be 200 ft.

(3) Minimum Setbacks. Repair garages or other buildings shall comply with the setback requirements for the district in which the use is located. However, a minimum setback of forty (40) feet shall be maintained on all sides which abut property that is zoned for residential purposes. Pump islands and canopies shall comply with the following requirements:

	Minimum Setback from Right-of-Way Line	Minimum Setback from Residential Use or Zone
Nearest Edge of Pump Island	30 ft.	50 ft.
Nearest Edge of Unenclosed Canopy	20 ft.	40 ft.

(4) Ingress and Egress. No more than one (1) ingress/egress drive or curb opening shall be permitted for every seventy-five (75) feet of frontage (or fraction thereof) along any street. The nearest edge of any such drive shall be located at least twenty-five (25) feet from the nearest point of any property zoned for residential purposes.

(a) Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance because of its location in relation to other Ingress and egress drives, its location in relation to the traffic generated by other buildings or uses, or its location near vehicular or pedestrian entrances or crossings.

(5) Outside Storage. Inoperable, wrecked, partially dismantled, or repaired vehicles shall not be stored or parked outside for a period exceeding two (2) days. Such vehicles must be stored in the rear yard, where they shall be screened pursuant to Section 10.02 (E).

(6) Vehicle Sales and Storage. The storage, sale, or rental of new, used, or repaired cars, trucks, trailers, and any other vehicles on the premises is prohibited.

(7) Paving Surface. Fueling areas shall be paved with concrete.

Section 5.43 Vehicle Repair

(1) Definition: Repair of vehicles, including, but not limited to: Engine tune-ups and servicing of brakes, air conditioning exhaust systems; oil change or lubrication; wheel alignment or balancing; engine and transmission rebuilding and general repairs, rebuilding or reconditioning; collision service such as body, frame or fender straightening or repair; steam cleaning, undercoating and rustproofing.

(B) **Standards.**

(1) All painting operations shall be conducted within an enclosed building which shall be equipped with the latest available odor and fume-arresting devices to prevent any nuisance or annoyance from odor emanating from the building. The painting operations shall comply with the latest standards of the National Board of Fire Underwriters or other testing agencies accepted and approved by the Township Fire Marshal.

(2) All vehicle body shop operations shall be conducted within an enclosed building which shall be equipped with such special acoustical qualities as will prevent any nuisance or annoyance from noise emanating from the building.

(3) No vehicle body work, painting or repairing shall be conducted outside of enclosed buildings on the premises and no more than six (6) vehicles upon which body work is to be completed or which are to be painted shall be stored outside of enclosed buildings on the premises prior to the completion of such work.

(4) All lubrication equipment, vehicle wash equipment, hoists, and pits shall be enclosed entirely within a building. Service bay doors and windows shall be oriented so they face away from abutting residentially zoned property.

Section 5.44 Vehicle Wash

(A) **Definition:** A commercial establishment contained within a building or premises or portion thereof where vehicles are washed.

(B) **Standards:** The following regulations shall apply to Vehicle Wash or Car Wash Establishments:

(1) Layout. All washing activities shall be carried on within a fully enclosed building. Vacuuming activities shall be permitted in the rear only, provided such activities are located at least fifty (50) feet from adjacent residentially zoned property. Entrances and exits shall not face abutting residentially zoned property.

(2) Entrances and Exits. Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel itself. Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the vehicle wash.

(3) Exit Lane Drainage. Exit lanes shall be sloped to drain water back to the wash building to drainage grates.

(4) Location. The lot on which a car wash is proposed shall be no closer than one hundred (100) feet to a residentially-zoned district.

(5) Paving and Drainage. Driveways, vehicle maneuvering areas, and parking areas shall be paved and provided with proper underground drainage to prevent water from collecting on the surface or flowing onto adjoining property or streets. Drainage facilities shall be equipped with a mud and grease trap.

Section 5.45 Veterinary Clinic

(A) **Definition:** An institution that is licensed by the Michigan Department of Health to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention. A 'veterinary clinic' may include customary pens or cages for the overnight boarding of animals and such related facilities as laboratories, testing services, and offices.

(B) **Standards**. No additional standards.

Section 5.46 Warehousing

(A) **Definition:** A building used primarily for storage of goods and materials.

(B) **Standards:** No additional standards.

Section 5.47 Wholesale

(A) **Definition:** On-premise sale of goods primarily to customers engaged in the business of reselling the goods.

(B) **Standards:** No additional standards.

Section 5.48 Wind Energy Facility

(A) **Intent and Purpose:** This Ordinance is intended to protect the health, safety and welfare of the residents of the Township and to encourage the safe, effective, efficient and orderly development and operation of wind energy resources in the Township while preserving and protecting the character and the stability of residential, agricultural, recreational, commercial, industrial and other areas within the Township.

(B) **Definitions:**

(1) Adverse Sound Character: Sound that causes building rattle, is impulsive, tonal, includes amplitude modulation, or has a low-frequency bass rumble.

(2) Ambient: Ambient is defined as the sound pressure level exceeded 90% of the time over a 96-hour measurement period with daytime/nighttime division.

(3) ANSI: the American National Standards Institute.

(4) Audible: The varying degrees of sound perception as reported by affidavit, including, but not limited to, just perceptible, audible, clearly audible, and objectionable.

(5) dBA: The A-weighted sound level.

(6) dBC: The C-weighted sound level.

(7) Decibel (dB): The practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (20 microPascals); abbreviated "dB."

(8) Emergency work: Any work or action necessary to deliver essential services in an emergency situation, including, but not limited to, repairing water, gas, electricity, telephone and sewer facilities and public transportation, removing fallen trees on public rights-of-way, and abating life-threatening conditions.

(9) Equivalent Sound Level (or Leq): The sound level measured in decibels with an integrating sound level meter and averaged on an energy basis over a specific duration.

(10) Excessive noise: Sound that is determined by ordinance to be too loud or unnecessary or creates a noise disturbance.

(11) FAA: The Federal Aviation Administration

(12) GIS: Geographic Information System and is comparable to GPS (global positioning system) coordinates.

(13) IEC: The International Electrotechnical Commission

(14) ISO: The International Organization for Standardization

(15) LMax (LAMax or LCMax): The maximum db(A) or db(C) sound level measured using the "fast response" setting of the sound meter (equivalent to 0.125 second exponential averaging time)

(16) Lease Unit Boundary: The boundary around a property or properties leased or purchased for purposes of operating a wind energy facility, including leased or purchased adjacent parcels to the parcel on which the wind energy facility tower or equipment is located. For purposes of setback, the Lease Unit Boundary shall not cross road rights of way.

(17) L10: Is the noise level exceeded for 10% of the time of the measurement duration. This is often used to give an indication of the upper limit of fluctuating noise, such as that from road traffic.

(18) L90: Is the noise level exceeded for 90% of the time of the measurement duration and is commonly used to determine ambient or background noise level.

(19) Noise: A sound that causes disturbance that exceeds 45 db(A) (Lmax) or 55 db(C) (Lmax).

(20) On Site Wind Energy Conversion System (also called Small Scale): A wind energy conversion system less than 80 feet in total height with the blade fully extended (tip height) intended to generate electric power from wind solely for the use of the site on which the system is located. Small-scale WECS that are primarily intended to provide on-site power, but contribute surplus energy to the grid, may also be considered On-Site Small-Scale WECS. Small scale wind energy systems that consistently sell power back to the public grid will require a Special Use permit.

(21) Pasquill Stability Class: Reference, wikipedia.org "Outline of air pollution dispersion."

(22) Pooled Parcel - A landowner who has leased land to the WECS Applicant, received financial remuneration from the WECS Applicant, recorded with the Clinton County Register of Deeds said agreement, and has a contract with the WECS Applicant. A Pooled Parcel may also be called a WECS contract leaseholder. A Pooled Parcel may or may not have turbines or infrastructure located on their property.

(23) Quiet Rural or Residential property: Any property where there is an inherent expectation of quiet, including, but not limited to, all residential, business, or agricultural-zoned properties, single family homes, and retirement homes.

(24) SCADA (supervisory control and data acquisition): A computer system that Matteson Township uses to control WECS units.

(25) Sound level meter: An instrument for the measurement of sound levels that meets the ANSI requirements of S1.4-1983 (or later revision) for Type 1 or 2 instruments. For frequency analysis, octave and 1/3 octave filters shall conform to ANSI S1.11-1986 (or later revision).

(26) Sound Pressure: An average rate at which sound energy is transmitted through a unit area in a specified direction. The pressure of the sound measured at a receiver.

(27) Sound Pressure Level: The sound pressure mapped to a logarithmic scale and reported in decibels (dB).

(28) Strobe Effect: The effect resulting from the flashing of reflected light, which can be visible from some distance, from the surface finish of turbine blades.

(29) Survival Wind Speed: The maximum wind speed, as designated by the WECS manufacturer, at which a WECS in unattended operation (not necessarily producing power) is designed to survive without damage to any structural equipment or loss of the ability to function normally.

(30) Tip Height: The height of the turbine with a blade at the highest vertical point.

(31) Unpooled Parcel - A landowner who has not signed a contract or any legal document with the WECS Applicant and has not given up rights to their owned land to the WECS Applicant.

(32) Utility Scale (also known as Commercial and/or Large-Scale) Wind Energy Conversion System: A wind energy conversion system greater than eighty (80) feet in total height (tip height) intended to generate power from wind primarily to supplement the greater electric utility grid. Utility-scale WECS include accessory uses such as, but not limited to, SCADA towers, anemometers, or electric substations.

(33) WECS Applicant: The person, firm, corporation, company, limited liability corporation or other entity, as well as the Applicant's successors, assigns and/or transferees, which applies for Township approval (permit) to construct a WECS and WECS Testing Facility. An Applicant must have the legal authority to represent and bind the Pooled Parcel, or lessee, who will construct, own, and operate the WECS or Testing Facility. The duties and obligations regarding a zoning approval for any approved WECS or Testing Facility shall be with the WECS or Testing Facility owner, and jointly and severally with the owner, operator, and lessee of the WECS or Testing Facility if different than the WECS owner.

(34) Wind Energy Conversion System (WECS): Any combination of the following:

(a) A mill or machine operated by wind acting on oblique vanes or sails that radiate from a horizontal shaft;

(b) A surface area such as a blade, rotor, or similar device, either variable or fixed, for utilizing the wind for electrical or mechanical power;

(c) A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity-producing device;

(d) The generator, alternator, or another device to convert the mechanical energy of the surface area into electrical energy;

(e) The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.

(f) Any other components not listed above but associated with the normal construction, operation, and maintenance of a wind energy conversion system.

(35) Wind Energy Conversion System (WECS) Testing Facility: A structure and equipment such as a meteorological tower for the collection of wind data and other meteorological data and transmission to a collection source, shall not be deemed to be a communication tower.

(36) Wind Energy Facility: Clusters of two or more Utility Grid Wind Energy Conversion Systems, placed upon a lot or parcel with the intent to sell or provide electricity to a site or location other than the premises upon which the Wind Energy Conversion Systems are located. Said Wind Energy Conversion Systems may or may not be owned by the owner of the property upon which they are placed.

(C) **On-Site Wind Energy Conversion System Standards (Also Called Small Scale).** The following standards shall apply to On-Site WECS, including Anemometer Towers, in addition to the general Special Approval/Special Land Use requirements of this Ordinance:

(1) Required Information

(a) Diagram of wind turbine showing blade length and ground clearance

(b) Determination of No-Hazard to Air and Navigation from Clinton County Airport

(c) Engineering Data concerning construction of the tower base

(d) **Site Plan.** The Applicant shall submit a site plan in full compliance with this Ordinance. The Applicant shall also submit a written explanation of the design characteristics and the ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards, as well as information regarding health, welfare and safety in areas including, but not limited to, noise, vibration, shadow flicker, and blade ice deposits. This information shall also address the potential for the WECS to structurally fail or collapse, and what results should be expected in such an event. The application for a WECS shall be reviewed in accordance with all applicable requirements in site plan review and special use requirements of this Ordinance. In addition to these requirements, site plans and supporting documents for WECS shall include the following additional information, as appropriate:

(i) Documentation that noise emissions, construction code, tower, and safety requirements have been reviewed by the appropriate third-party professional and the submitted site plan is prepared to show compliance with these issues.

(ii) Proof of the applicant's public liability insurance.

(iii) A copy of that portion of all the applicant's Pooled Parcel lease(s) with the land owner(s) granting authority to install the WECS and/or Anemometer Tower; legal description of the property(ies), Lease Unit(s); and the site plan shows the boundaries of the leases as well as the boundaries of the Lease Unit Boundary.

(iv) An un-redacted safety manual from the turbine manufacturer and a statement from the applicant verifying that the WECS is or will be operated in compliance with all requirements therein.

(v) The phases, or parts of construction, with a construction schedule.

(vi) Engineering data concerning construction of the tower base.

(vii) The project area boundaries, including all boundaries within pooled parcels.

(viii) The location, height, and dimensions of all existing and proposed structures and fencing.

(ix) The location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest private road, Township road, or State maintained road.

(x) All new infrastructure above and below ground related to the project, including transmission line locations.

(xi) A copy of Manufacturers' Material Safety Data Sheet(s) which shall include the type and quantity of all materials used in the operation of all equipment including, but not limited to, all lubricants and coolants.

(xii) Description of operations, including anticipated regular and unscheduled maintenance.

(2) Regulations

(a) Height. On-Site WECS shall have a maximum height of 80 feet or less; except where state and federal regulations may require a lesser height; or where, as a condition of special use approval, the Planning Commission requires a lesser height. Height is measured from the average grade at the base of the tower to the highest point of WECS when a blade is in its vertical orientation.

(b) Setbacks. The distance between an On-Site WECS and the property lines shall be equal to 110% of the height of the tower including the top of the blade in its vertical position. The distance between an accessory structure associated with the WECS and all property lines shall be at least the minimum setback for all accessory structures in the zoning district the WECS is located within. On-site WECS and associated accessory structures shall not count towards the maximum number of accessory structures on a given lot.

(c) Minimum Lot Area Size. The minimum lot size for a parcel to be eligible to have an On-Site WECS shall be one (1) acre

(d) Minimum Ground Clearance. The minimum vertical blade tip clearance from grade and any structure, adjoining property, or tree shall be 20 feet for an on-site WECS employing a horizontal axis rotor.

(e) Noise Emission. Noise emitting from an on-site WECS shall not exceed 35 dB(A) (L_{max}) or 45 dB(C) (L_{max}) at the property line closest to the WECS.

(f) Construction Codes, Towers, & Interconnection Standards. On-site WECS including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. On-site WECS including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act, and other applicable local and state regulations. An interconnected On-site WECS shall comply with Michigan Public Service Commission (MPSC) and Federal Energy Regulatory Commission (FERC) standards. Off-grid systems are exempt from MPSC and FERC requirements.

(g) Safety. The On-Site WECS shall meet the following safety requirements:

(i) The On-Site WECS shall be designed to prevent unauthorized access to electrical and mechanical components and shall have access doors that are kept securely locked at all times when service personnel are not present.

(ii) All energy collection system wiring shall comply with all applicable safety and stray voltage standards.

(iii) Each On-Site WECS shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds within 80% of design limits of the braking system.

(iv) A copy of the un-redacted Safety Manual from the turbine manufacturer shall be submitted to the Township and the turbine must comply with all requirements therein.

(v) All towers or poles must be unclimbable by design or protected by anti-climbing devices such as:

1) Fences with locking portals at least six (6) feet high

2) Anti-climbing devices twelve (12) feet from base of pole

(h) **Shadow Flicker.** On-site WECS shall produce no shadow flicker on any adjacent property. Measures to eliminate all effects of shadow flicker on adjacent properties, such as programming the WECS to stop rotating during times when shadow crosses occupied structures, may be required.

(i) **Fluid Containment.** Each On-Site WECS shall include both an internal and external fluid containment barrier located either within the nacelle, or at the base of the nacelle in the event of a spill or leak.

(j) **Liability Insurance.** The Applicant shall provide proof of insurance for each WECS at all times for at least $2,000,000 for liability, property damage, livestock damage, and future earnings loss. Applicant shall provide yearly proof of insurance to Township that confirms active coverage for the Applicant, Township, Pooled Parcels, and Unpooled Parcels. Aggregate policies are allowed if minimum coverage per WECS is satisfied and coverage is provided for every site where Applicant's equipment is located. In the event a public service such as police, fire, or rescue is required due to the operation, maintenance, or failure of a wind turbine, any cost incurred as a result of said event shall be the sole responsibility of the applicant and/or owner of the On-Site WECS.

(D) **Utility Scale Wind Energy Conversion System Standards (Also Called Large Scale)**

(1) Required Information

(a) Diagram of wind turbine showing blade length and ground clearance

(b) Determination of No-Hazard from Clinton County Airport

(c) Engineering data concerning construction of the tower base;

(i) Construction materials

(ii) Depth of the base

(iii) Analysis of impact on water table, nearby wells, and ground water

(iv) The Applicant shall provide certification with documentation (structural analysis) including calculations that the WECS and foundation and attachments, rooftop support structure, water tank structure, and any other supporting structure as proposed to be utilized are designed and will be constructed to meet all local, City, State and Federal structural requirements for loads, including wind and ice loads.

(v) A copy of a geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for the proposed WECS site.

(d) **Site Plan.** The Applicant shall submit a site plan in full compliance with this Ordinance. The Applicant shall also submit a written explanation of the design characteristics and the ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards, as well as information regarding health, welfare and safety in areas including, but not limited to, noise, vibration, shadow flicker, and blade ice deposits. This information shall also address the potential for the WECS to structurally fail or collapse, and what results should be expected in such an event. The application for a WECS shall be reviewed in accordance with all applicable requirements in site plan review and special use requirements of this Ordinance. In addition to these requirements, site plans and supporting documents for WECS shall include the following additional information, as appropriate:

(i) Documentation that noise emissions, construction code, tower, and safety requirements have been reviewed by the appropriate third-party professional and the submitted site plan is prepared to show compliance with these issues.

(ii) Proof of the applicant's public liability insurance.

(iii) A copy of that portion of all the applicant's Pooled Parcel lease(s) with the land owner(s) granting authority to install the WECS and/or Anemometer Tower; legal description of the property(ies), Lease Unit(s); and the site plan shows the boundaries of the leases as well as the boundaries of the Lease Unit Boundary.

(iv) An un-redacted safety manual from the turbine manufacturer and a statement from the applicant verifying that the WECS is or will be operated in compliance with all requirements therein.

(v) The phases, or parts of construction, with a construction schedule.

(vi) The project area boundaries, including all boundaries within pooled parcels.

(vii) The location, height, and dimensions of all existing and proposed structures and fencing.

(viii) Engineering data concerning construction of the tower base

(ix) The location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest Township or State maintained road.

(x) A description of the routes to be used by construction and delivery vehicles and of any road improvements that shall be necessary in the Township to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond which guarantees the repair of damage to public roads and other areas caused by construction of the WECS.

(xi) All new infrastructure above and below ground related to the project, including transmission line locations.

(xii) A copy of Manufacturers' Material Safety Data Sheet(s) which shall include the type and quantity of all materials used in the operation of all equipment including, but not limited to, all lubricants and coolants.

(xiii) Description of operations, including anticipated regular and unscheduled maintenance.

(e) Required Studies

(i) **Economic Impact Study Required.** The Applicant shall fund and provide an economic impact study for the area affected by the WECS project. Such a study shall include probable financial impact regarding jobs, tax revenue, lease payments and property values at a minimum and average set-backs distances. Business and residential growth potential shall be considered.

(ii) **Flicker Study.** A shadow flicker study shall be required, and shall be submitted by the applicant with the application. The purpose of the shadow flicker study is to examine the duration and location of shadow flicker on unpooled parcels. The model study area shall include all land extending a minimum of 20 rotor diameters in all directions from a wind turbine generator. The model shall be calculated using the following minimum inputs: turbine locations, shadow flicker receptor locations, existing topography, rotor diameter and hub height, joint wind speed and direction distribution (wind rose table, and hours of sunshine (long term monthly references)). The model shall calculate the locations and durations of shadow flicker caused by the proposed wind energy conversion system within the study area, and the total number of hours anticipated per year of shadow flicker. The application shall include estimates for shadow flicker to the nearest tenth of an hour, on a daily basis for each receptor. Assumptions regarding the percentage of time that shadow flicker is likely to occur shall be clearly explained and subject to approval of the Planning Commission. The shadow flicker study shall include a map that indicates the extent of shadow flicker, pooled and unpooled parcels, public roads and all potential shadow flicker receptors.

1) **Post-Construction Flicker Mitigation.** Should an unpooled parcel receive shadow flicker that was not indicated in the shadow flicker study, the owner of the wind energy conversion system may be required to cease operations of WECS and perform an additional flicker study and mitigation plan for the affected property and submit it to the Zoning Administrator for review prior to implementing mitigation measures.

(iii) **Avian Study Required.**

1) At the time of application, the Applicant shall submit a wildlife study, completed by a qualified professional, to assess the potential impacts of the proposed wind energy conversion system upon bird and bat species. The wildlife study shall include the results of an environmental review request from the Michigan Department of Natural Resources, a literature review for threatened and endangered species and for birds and bats, the results of supplemental environmental surveys conducted by the applicant to provide information related to critical flyways, migratory routes, feeding areas, and/or nesting sites for protected species. It is the intent of this ordinance to reasonably consider and protect avian and bat species, not just those that are endangered or threatened. The applicant must identify any plans for post-construction monitoring and studies. The analysis shall also include an explanation of potential impacts and proposed mitigation plans, if necessary.

2) A qualified, third party chosen at the discretion of the Planning Commission may be required to review the applicant's wildlife studies and/or environmental surveys may be required by the Planning Commission.

3) The Planning Commission may require a post-construction bird and bat mortality study completed by a third-party professional selected by the Planning Commission. The timing of such a study shall be specified as a condition of the special land use.

4) A wind development application shall adhere to and comply with all guidelines and best practice recommendations made by the United States Fish and Wildlife Service (USFWS) regarding the siting, design, and operation of a wind energy conversion system to protect the natural resources of watersheds, wetlands and wildlife. The application shall include documentation of all studies, consultations, and recommendations made by or with the USFWS regarding the placement of wind turbine generators and operation of the wind energy conversion system.

5) The compatibility of the tower structure with the rotors and other components of the conversion systems shall be certified by a certified, registered engineer and by the authorized factory representative. In addition, the lowest point of the blade shall be a minimum of one hundred (100) feet above the ground.

(iv) Preconstruction Noise Background Survey. The applicant shall provide a noise background study at the time of application which indicates Leq, L10, and L90 ten-minute sound levels using A-weighting. For applications submitted after the effective date of this ordinance, the applicant shall submit proposed measurement locations to the Planning Commission in advance of the survey for review and approval. Measurement procedures should generally follow the most recent versions of ANSI S12.18, and ANSI S12.9, Part 3 (with or without an observer present) guidelines. The selected test locations shall be described with GPS coordinates or some other level of detail such that the location can be used by others to repeat or verify sound measurements. Measurements shall be taken using an ANSI or IEC Type 1 Precision Integrating Sound Level Meter. The study must include a minimum of a four day (96-hour) testing period, including one Sunday, and produce data that includes a variety of ground and hub height wind speeds, at low (between 4 and 7 m/s) medium (7-10 m/s) and high (10m/s or more and/or capable of producing maximum power). The noise background study shall report for the period of monitoring topography, temperature, weather patterns, sources of ambient sound, and prevailing wind direction. The study shall include a map showing proposed wind turbine locations, pooled and unpooled parcels, and all occupied buildings.

(v) Sound Modeling Study.

1) A predictive sound study of turbine noise shall accompany an application to verify that ordinance requirements can be met for dBA sound levels. Due to the statistical uncertainty of sound propagation models, environmental factors, and variable wind shear, sound modeling shall demonstrate that the wind energy conversion system will not exceed 35 dBA (10 min- LAeq) at the property line of any adjacent parcel. The modeling shall also demonstrate that the system will not exceed 45 dBA (LMax) at the property line of any adjacent parcel.

2) The applicant shall present the maximum Sound Power Level of the proposed turbine on both the dBA and dBC scales, and will calculate the difference [dBC-dBA] in decibels and compare it to the 20 decibel threshold in IEC 61400-11:2002+A1:2006, as an indicator of whether the turbine is likely to produce low-frequency noise that could create annoyance.

3) For assessing potential low frequency or vibration problems, refer to Section C.2.(g).

4) The sound modeling must follow the most recent version of International Standard, ISO 9613-2 "Acoustics-Attenuation of sound during propagation outdoors – Part 2: General method of calculation.

5) The sound modeling study shall use wind turbine sound power levels determined according to the most recent version of IEC 61400 – Part 11. The model of wind turbine generator proposed for the development shall not be tonal as determined by the most recent version of IEC 61400- Part 11.

6) The sound study shall include a map with sound contour lines for dBA sound emitted from the proposed wind energy conversion system. The study shall include a map (at 1:200 or better) showing sound contours at 5 dBA intervals, proposed wind turbine locations, pooled and unpooled parcels, and all occupied buildings. The predicted values must include cumulative sound levels created by all existing, approved, and proposed turbines. The sound study and accompanying map shall extend out to the 30-dBA sound contour line or 1 mile from a wind turbine generator, whichever is closer to the nearest wind turbine.

7) The applicant shall identify each operational component of a wind turbine (other than the spinning blades) that will produce a sound that will be audible at the property line of an unpooled parcel.

8) For each operational component that is identified, the applicant shall also provide:

a) The maximum instantaneous volume of the noise, in dBA, that will be received at the property line of an unpooled parcel, along with the modeling results to support that projection.

b) The characteristics of the noise, in terms of frequency of occurrence, when it will occur, duration, tonal quality, and range of volume. In addition to a written description, the applicant shall provide a recording or video of the various operational sounds or some other form of demonstration.

c) The measures, if any, the applicant is proposing to implement in order to mitigate the sound.

9) The Planning Commission may require the applicant to implement measures to mitigate and/or eliminate an operational sound (other than the spinning blades).

10) Failure to submit information on all predictable, audible operational sounds of the wind turbines (such as yawing, cooling fans, hydraulics or cooling systems, etc.) may result in a violation of the special land use.

(vi) Post Construction Sound Survey

1) Documentation of sound pressure level measurements shall be provided to the Zoning Administrator by a third-party qualified professional selected by the Planning Commission and at the expense of the wind energy conversion system owner within 6 months of the commencement of the operation of the project. The post construction study shall be performed at the same locations as the pre-construction study unless additional or alternative locations are required by the Planning Commission. The study should generally follow the procedures in the most recent versions of ANSI S12.9 Part 3 (with an observer present) and ANSI S12.18. All sound pressure levels shall be measured with instruments that meet ANSI or IEC Type 1 Precision integrating sound level meter performance specifications. In addition to measuring A-weighted sound levels, at least one monitoring location shall collect one-third octave band data down to 1 Hertz. As part of the study, octave band data must be measured as addressed in Section C.2.(g).

2) **Testing Procedures.** The post construction test shall verify that equivalent sound level limits in dBA are in compliance with the standards of this ordinance. The compliance test procedure will use an alternating series of turbine-on and turbine-off 10-minute LAeq measurements when wind speeds are fairly constant. The testing shall result in a minimum of ten (10) ten-minute LAeq data points per testing location obtained when the wind energy conversion system is operating at maximum sound power. Measured levels (turbine-on and turbine-off) for similar hub height wind speeds (within 1.5 m/s) will be compared to determine the sound level from only the wind turbines. The firm conducting the study shall collect LA90 and LA10 data. The wind energy conversion system owner shall assist the Township and third-party qualified professional by turning off selected wind turbines and providing necessary logistical support for testing on-demand. During a testing period identified by the Township, the wind energy conversion system owner shall park or pause wind turbine operations for an "off" period within two hours of a request made by the third-party professional. During the on-off testing all wind turbine operations will be parked or paused within 8,000 feet of a test location to eliminate the background noise contribution from the wind energy conversion system.

3) **Test Locations.** The test locations shall take into consideration noise complaints on file with the Township and may require additional study locations as deemed necessary by the Planning Commission. The firm conducting the post-construction sound survey shall consult with the Planning Commission, or their representative, prior to conducting the study to agree on the compliance testing locations. The study shall delineate pooled and unpooled parcels as well as occupied buildings.

4) **Low Frequency Sound and/or Vibration.** WECS shall not create vibrations that are detectable by humans on unpooled parcels. The applicant shall provide acoustic modeling at the time of application to assess potential low frequency or vibration problems on both unpooled and pooled parcels. The modeling study of low frequency sound and vibration shall demonstrate meeting: (1) ANSI S12.9/Part 4 Annex D threshold for minimal annoyance and beginning of rattles from outdoor low frequency noise and (2) the ANSI S12.2 sound level limits for moderately perceptible vibration and rattles within homes as modified to equivalent outdoor sound limits in Table 2 of the March-April, 2011 Noise Control Eng. Journal article by O'Neal, et al.. The ANSI S12.2 interior sound level limits for low frequency sound and perceptible vibration within homes, as modified to equivalent outdoor sound limits in Table 2 of the March-April, 2011 Noise Control Eng. Journal article by O'Neal, et al. shall be utilized to determine if outdoor sound levels will create perceptible vibration or low frequency problems indoors. If the post-construction sound survey outdoor octave band sound level measurements reveal that low frequency sound from wind turbines at the exterior of an unpooled, occupied or non-occupied building may create a vibration or low frequency noise problem, then further studies should be conducted to assess the problem. The further studies shall use the above referenced standards (ANSI S12.2 and ANSI S12.9/Part 4 Annex D). If the further study indicates that the low frequency sound/vibration exceeds acceptable levels, mitigation may be required by the Planning Commission. Mitigation may include operational changes to the turbine, modifications to the subject building or buildings, or other measures as determined by the Planning Commission.

5) **Tonality:** If a tone is observed from a turbine during the post construction sound survey or at a later date (such as due to a malfunctioning gearbox), a defined assessment of the level of tonality shall be conducted utilizing an accepted international standard, such as ISO 1996-2, by an independent, third party sound consultant selected by the Planning Commission at the expense of the wind energy conversion system owner. A tonal audibility value adjustment (from 0 to 6 dB) will be added to the measured 10-minute LAeq sound level at the testing location of either a pooled or unpooled parcel in accordance with Section D.3.(h).1.d. For tonality arising from a mechanical failure or lack of maintenance, See Section D.8.f.

6) The Planning Commission retains the authority to require that all noise surveys and reports, both pre-construction and post-construction, be conducted by experts/consulting firm chosen at the Planning Commissions discretion and paid for by the wind developer.

7) **Non-Compliance.** Should the sound study indicate a non-compliant measurement, the owner of the wind energy conversion system will be required to obtain compliance through mitigation or other measures.

(vii) Wind Rose Chart. The applicant shall submit a Wind Rose Chart at the time of the application. This is a chart or graph that describes 12 months (or more) of wind data collected from the proposed project area. This graph or chart will demonstrate direction, duration, and intensity of the wind. These data will be for each height of wind sensor mounted on the meteorological tower.

(2) Regulations

(a) Height. Utility-scale WECS shall have a maximum height of 328 feet or less; except where state and federal regulations may require a lesser height; or where, as a condition of special use approval, the Planning Commission requires a lesser height. Height is measured from the average grade at the base of the tower to the highest point of WECS when a blade is in its vertical orientation.

(b) Setbacks: The following setbacks, measured from the outside edge (the point furthest from the pylon as it rotates horizontally) of the blades, not from the tower itself, shall be observed.

(i) Pooled Parcels

1) In the case of a “pooling of parcels,” no wind turbine generator shall be located such that the distance between the outside edge of the blades and any outside boundary line of the area comprising the special land use in which the pooled parcels are located is less than four times the height of the wind turbine generator.

2) No wind turbine generator shall be located such that the distance between the nearest point of the blade (while in rotation) and the nearest boundary line of any individual land parcel comprising the pooled parcel is less than 110% of the height of the wind turbine generator, as measured from the ground at the center of the base of the tower to the highest reach of the blade; provided, however, that the Planning Commission may approve a lesser setback distance if written consents for such lesser distance are obtained from the owners of all lands located, in whole or in part, within one rotor-diameter of the wind turbine generator measured from the center of the base of the wind turbine generator. In determining whether such lesser setback may be approved, the Planning Commission shall consider the technical needs of the applicant, the feasibility of alternate locations, the nature and proximity of nearby buildings, structures, and public roads, for the potential for adverse impacts that noise, shadow flicker, and other features may have on adjacent land uses.

(ii) Unpooled Parcels

1) In the case of an unpooled parcel, no wind turbine generator shall be located such that the distance between the center of the base of the tower and any property line is less than 1.25 miles as measured from the ground at the center of the base of the tower to the highest reach of the blade.

2) No wind turbine generator shall be located such that the distance between the center of the base of the tower and the nearest point of any existing building designed or used for human occupancy or assembly (including but not limited to a dwelling, school, foster care facility, church and the like) is less than four times the height of the wind turbine as measured from the ground at the center of the base of the tower to the highest reach of the blade.

3) No wind turbine generator shall be located such that the distance between the center of the base of the tower to the nearest point of any road is less than four times the height of the wind turbine generator, as measured from the ground at the center of the base of the tower to the highest reach of the blade.

4) No wind turbine generator shall be located such that the distance between the center of the base of the tower to the nearest point of any existing gas transmission, distribution, or gathering line is less than four times the height of the wind turbine generator, as measured from the ground at the center of the base of the tower to the highest reach of the blade.

5) Between WECS: Separation between Utility Scale WECS shall not be less than 200% of the height of the taller of the two WECS to allow for proper safety setback. Measurement shall be from center of hub to center of hub.

(iii) Lot Size. The size of the lot(s) to be used for a utility-scale WECS shall be sufficient to comply with all setback requirements in Section D.3.(b).

(iv) Minimum Ground Clearance. The minimum vertical blade tip clearance shall be a minimum of fifty (50) feet of clearance over and above any structure and a minimum of 100 feet of clearance above the ground.

(v) Aviation Safety.

1) All WECS shall fully comply with the Clinton County Memorial Joint Airport Authority Ordinance.

2) **Aviation Safety.** A Determination of No Hazard to aviation safety fro the Federal Aviation Authority must be submitted, and, if applicable, a Tall Structures Permit from the Michigan Department of Transportation, must be submitted.

(vi) Noise Emission:

1) No WECS shall generate or permit to be generated audible noise that exceeds 45 dBA (L_{max}) or 55 dBC (L_{max}) (dBC to dBA ratio of 10 dB per ANSI standard S12.9 Part 4 Annex D) for any duration, as measured at the property line.

2) No WECS shall generate or permit to be generated from commercial or industrial permitted facilities any acoustic, vibratory, or barometric oscillations in the frequency range of 0.1 to 1 Hz that is detectable at any time and for any duration by confirmed human sensation or exceeds a sound pressure level from 0.1 to 20 Hz of 50 dB(unweighted) re 20uPA or exceeds an RMS acceleration level of 50 dB(unweighted) re 1 micro-g by instrumentation at a landowner's property line or at any point within a landowner's property.

3) No WECS shall generate or permit to be generated from commercial or industrial permitted facilities any vibration in the low-frequency range of 0.1 to 20 Hz, including the 1, 2, 4, 8, and 16 Hertz octave bands that is perceivable by human sensation or exceeds an rms acceleration level of 50 dB(unweighted) re 1 micro-g at any time and for any duration either due to impulsive or periodic excitation of structure or any other mechanism at a landowner's property line or at any point within landowner's property.

4) A noise level measurement made in accordance with methods in Section D.3.g. that is higher than 45 dBA (L_{max}) or 55 dBC (L_{max}) adjusted for the penalty assessed for a tonal noise condition, shall constitute prima facie evidence of a nuisance.

5) An acoustic, vibratory or barometric measurement documenting oscillations associated to commercial or industrial permitted facilities with levels exceeding the noise limits shall constitute prima facie evidence of a nuisance.

6) All commercial and industrial activity shall comply with limits and restrictions anywhere at any time on another property.

7) Leq 1-sec shall be used for all measurements and modeling.

8) **Noise Measurement and Compliance**

a) Post construction validation and compliance testing shall include a variety of ground and hub height wind speeds, at low (between 6-9mph) medium (between 9-22mph) and high (greater than 22mph). SCADA data shall be provided in the format determined by Township, Township licensed engineers, or Township professional acousticians. Compliance noise measurements are the financial responsibility of the WECS owner of the facility and shall be independently performed by a qualified professional acoustician approved by the Matteson Township Board or their designated agent. Compliance noise measurements shall not exceed the stipulated noise limits and shall assess for and apply tonal noise penalties when warranted.

b) **Quality:** Measurements shall be attended. All noise measurements shall (must) exclude contributions from wind on microphone, tree/leaf rustle, flowing water, and natural sounds such as tree frogs and insects. The latter two can be excluded by calculating the dBA noise level by excluding octave band measurements above the 1000 Hz band as in ANSI S12.100 3.11. The ANS-weighted sound level is obtained by eliminating values for octave bands above 1000 Hz, or one-third octave bands above 1250 Hz, and A-weighting and summing the remaining lower frequency bands. The wind velocity at the sound measurement microphone shall not exceed 3 m/s (7 mph, maximum) during measurements. A 7-inch or larger diameter windscreen shall be used. Instrumentation shall have an overall internal noise floor that is at least 5 dB lower than what is being measured. During testing of elevated sources including, but not limited to, wind turbines, the atmospheric profile shall be Pasquill Stability Class E or F preferred, Class D as alternate.

9) **Noise Level:** Noise measurements shall be conducted consistent with ANSI S12.18 Procedures for Outdoor Measurement of Sound Pressure Level and ANSI S12.9 Part3 (Quantities and Procedures for Description and Measurement of Environmental Sound – Part 3: Short-term Measurements with an Observer Present), using Type 1 meter, A-weighting, Fast Response.

a) Sound Level Limits.

i) Between the hours of 7 a.m. to 10 p.m., any single 10-minute LAeq A-weighted equivalent sound level measured at the property line of an unpooled (single) parcel (as defined in Section B hereof) upon which there is an occupied building or dwelling shall not exceed 35 dBA or 5 dBA over ambient noise limit, whichever is lower. Between the hours of 10 p.m. to 7 a.m., any single 10-minute LAeq A-weighted equivalent sound level measured at the property line of an unpooled (single) parcel (as defined in Section B hereof) upon which there is an occupied building or dwelling shall not exceed 30 dBA or 5 dBA over ambient noise limit, whichever is lower.

ii) On a pooled parcel, the ten-minute LAeq sound level measured at the wall of an occupied building nearest to the wind turbine or turbines shall not exceed 45 dBA.

iii) These sound level limits are to be evaluated using the A-weighted equivalent sound level (LAeq) descriptor. The LAeq is measured using a ten-minute time interval.

iv) In the event audible noise due to wind energy conversion system operations contains a tone, such as from a gearbox or generator, the standards for audible noise set forth in Section D.3.(h).1.a and D.3.(h).1.b of this subsection shall be reduced from 0 to 6 dBA depending on the severity of the tone as determined by ISO 1996-2, see Sections D.3.a.iv. and D.6.f.

10) **Tonal Noise:** Tonal noise shall be assessed using unweighted (linear) 1/3 octave band noise measurements with time-series, level-versus-time data acquisition. A measurement shall constitute prima facie evidence of a tonal noise condition if at any time (single sample or time interval) the noise spectrum of the noise source under investigation shows a 1/3 octave band exceeding the average of the two adjacent bands for by 15 dB in low one-third octave bands (10–125 Hz), 8 dB in middle-frequency bands (160–400 Hz), or 5 dB in high frequency bands (500–10,000 Hz).

11) **Sample Metric and Rate:** Noise level measurements for essentially continuous non-time varying noise sources shall be acquired using the Leq(Fast) metric at a sample rate of 1-persecond. For fluctuating or modulating noise sources including, but not limited to, wind turbines, a 10-per-second sample rate or faster shall be used. These sample rates shall apply to dBA, dBC and unweighted 1/3 octave band measurements.

12) **Reporting:** Measurements of time-varying dBA and dBC noise levels and 1/3 octave band levels shall be reported with time-series level-versus-time graphs and tables. Graphs shall show the sound levels graphed as level-vs-time over a period of time sufficient to characterize the noise signature of the noise source being measured. For 1-per-second sampling, a 5-minute-or-longer graph shall be produced. For 10-per-second sampling, a 30-second-or-longer graph shall be produced. Reporting shall identify, and graphs shall be clearly notated, identifying what was heard and when the noise source is dominating the measurement. Reporting shall furnish all noise data and information on weather conditions and, Pasquill Class occurring during testing.

(vii) Construction Codes, Towers, & Interconnection Standards. Utility-scale WECS including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. Utility-scale WECS including towers shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act, the Clinton County Memorial Joint Airport Authority Ordinance, and other applicable local and state regulations. An interconnected utility-scale WECS shall comply with Michigan Public Service Commission (MPSC) and Federal Energy Regulatory Commission (FERC) standards. Off-grid systems are exempt from MPSC and FERC requirements. Utility-scale WECS shall comply with the following construction requirements:

1) Tubular towers are required for WECS.

2) The base of the wind turbine must be constructed in such a manner that upon removal of said tower, the soil will be restored to its original condition to a depth of 4 feet.

3) “Up wind turbines” are required.

4) Constant velocity turbines are preferred. Variable speed turbines must submit additional data concerning noise when their revolutions per minute exceed 25 rpms.

5) Visual appearance shall be limited by the use of paint color and finishes that minimize visibility and reflectivity and create a consistent appearance among turbines and turbine components.

6) Color shall be RAL 9001, or similar muted soft white or gray.

7) At the time of application, a paint sample shall be provided for all visible turbine components to demonstrate consistent appearance in paint finish and color.

8) Coatings shall be defined according to ISO 2813:2014 (or most recent version utilized at the time of turbine production) at a viewing angle of 60 degrees with a gloss rating of less than or equal to 30 gloss units.

9) All turbine components shall meet a gloss rating specification of equal to or less than 30 gloss units throughout special land use or shall be recoated at the owner’s expense within 180 days of a determination of non-compliance.

10) The Planning Commission, or designated staff, shall ensure verification of paint finishes and gloss rating prior to the erection of the turbine components, at the expense of the Wind Energy Conversion System (WES) owner, through a third-party qualified tester using ISO 2813:2014 (or most recent version utilized at the time of turbine production) to demonstrate compliance.

11) If the Planning Commission determines that additional testing of the paint finish is needed at any point during the duration of the special land use to confirm compliance with the 30-gloss unit maximum, testing shall be completed, at the expense of the WECS owner, by a third-party qualified tester selected by the Planning Commission. Testing shall follow ISO 2813:2014 (or most recent version) to demonstrate compliance.

12) No advertising of any kind shall be allowed on the wind turbine.

13) The electrical wires used to connect the turbine tower to its step-up transformer shall be installed at a depth of 48 inches or more below ground.

14) The certified registered engineer and authorized factory representative shall certify that the construction and installation of the conversion system meets or exceeds the manufacturer's construction and installation standards.

(viii) Safety. The utility-scale WECS shall meet the following safety requirements:

1) The utility-scale WECS shall be designed to prevent unauthorized access to electrical and mechanical components and shall have access doors that are kept securely locked at all times when service personnel are not present.

2) All energy collection system wiring shall comply with all applicable safety and stray voltage standards.

3)

4) Each utility-scale WEC shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds within 80% of design limits of the braking system.

5) A copy of the un-redacted Safety Manual from the turbine manufacturer shall be submitted to the Township and the turbine must comply with all requirements therein.

6) All towers or poles must be unclimbable by design or protected by anti-climbing devices such as:

   a) Fences with locking portals at least six (6) feet high

   b) Anti-climbing devices twelve (12) feet from base of pole

(ix) Shadow Flicker. Utility-scale WECS shall produce no shadow flicker on unpooled parcels. Measures to mitigate the effects of shadow flicker on adjacent properties, including pooled parcels such as programming the WECS to stop rotating during times when shadow crosses occupied structures, may be required by the Township depending on the location and duration of the shadow flicker impact.

1) **Mitigation and Mitigation Plan.** A shadow flicker detection/abatement system is required on each wind turbine generator. An equivalent type of system may be used, but only with prior approval by the Planning Commission. Shadow detection systems must be kept in good working order for the entire duration of the special land use. Shadow flicker mitigation measures for each receptor modeled to receive flicker shall be described in a mitigation plan and submitted with the application. Flicker mitigation measures may include but are not limited to, turbine siting changes and flicker detection/abatement system operation. If landscaping is used as a mitigation procedure, the planting of mature trees shall be required. The Planning Commission may require a performance guarantee or other mitigation measures, to assure the long-term viability and effectiveness of the mitigation.

(x) Fluid Containment. Each utility-scale WECS shall include both an internal and external fluid containment barrier located either within the nacelle, or at the base of the nacelle in the event of a spill or leak.

(xi) Vibrations. Wind turbines shall not create vibrations that are detectable by humans on unpooled properties.

(xii) Substations and Accessory Buildings. Structures related to a WECS shall be subject to the dimensional and locational standards of accessory structures in the zoning district. However, WECS and structures associated with a WECS shall not count towards the maximum number of accessory structures on a given lot.

(xiii) Inspection. The Township shall have the right upon issuing any WECS or wind energy facility special use permit to inspect the premises on which each WECS is located at any reasonable time. The Township may hire a consultant to assist with any such inspections at a reasonable cost to be charged to the operator of the WECS.

(xiv) Signage: Each WECS and Testing Facility shall have one sign per turbine, or tower, located at the roadside and one sign attached to base of each WECS, easily visible throughout four seasons. Signs shall be two square feet in area and be placed at the road right of way. Signs shall be the same and shall uniquely identify each WECS. Additional signage on and around the tower is recommended. The sign shall contain at least the following:

1) Warning high voltage.

2) The sign shall have at a minimum six (6) inch letters with 3/4-inch stroke.

3) This sign shall include a 24-hour emergency phone number.

4) Pooled Parcel Land owner's name, WECS owner's name, and operator's name.

5) Emergency telephone numbers and web address. (list more than one number).

6) If WECS uses fencing, place signs on the perimeter fence at fence entrance door.

7) Unique identification such as address of WECS. If more than one WECS on access drive, units shall have further identification such that first responders can positively identify.

(xv) Communication Interference: Each WECS shall be designed, constructed and operated so as not to cause radio and television or other communication interference. In the event that verified interference is experienced and confirmed by a licensed engineer, the Applicant must produce confirmation that said interference had been resolved to residents' satisfaction within ninety (90) days of receipt of the complaint. Any such complaints shall follow the process stated in Section D.9.

(xvi) Braking: Each WECS shall be equipped with a braking, or equivalent device, capable of stopping the WECS operation in high winds with or without SCADA control. Braking system shall be effective during complete GRID power failure where WECS are unable to communicate with SCADA control or receive power.

(xvii) Applicant Compliance: The WECS and related equipment shall comply with any and all State, Federal, County and Township requirements, and obtain all necessary permits from the FAA, Michigan Department of Transportation, and/or any other Federal, State, Township, or other government authority prior to construction of any WECS.

(xviii) Liability Insurance: The current WECS owner and operator shall insure for liability for the WECS in an amount of $2,000,000, without interruption until removed and to protect the current WECS owner and operator. In the event a public service such as police, fire, or rescue is required due to the operation, maintenance, or failure of a wind turbine, any cost incurred as a result of said event shall be the sole responsibility of the applicant and/or owner of the utility-scale WECS.

(xix) Decommissioning: To ensure proper removal of each WECS structure when it is abandoned or non-operational, application for a special land use permit shall include a proof of the financial security in effect before permit is approved. The security shall be in the form of a cash deposit. Additionally, security is based on each WECS and is to be backed by owner assets, operator assets, parent company assets, and leaseholder, or Pooled Parcel, assets (liquid or fixed such as cash equivalents, land, equipment, buildings, etc.) approved by the Planning Commission. a) The amount of each WECS security guarantee, shall be the average of at least two independent (applicant) demolition (removal) quotes obtained by the Planning Commission and approved by the Township Board. If the quantity of quotes obtained is two (2), the formula should be (quote 1 + quote 2) divided by two (2). The security guarantee shall be a cash deposit of no less than 150% of the cost for the first turbine, 120% of the cost for the second turbine and 100% of the cost for each additional WECS thereafter. The security guarantee shall be no less than one-million-dollar cash deposit with (150% for the first turbine, 120% for the second turbine, 100% for each additional turbine) per WECS. Quotes shall be based on individual WECS removal and shall not group multiple WECS simultaneous removals together. Quotes shall be ordered and obtained by the Township from established demolitions companies. Quotes shall not include salvage values. The cash deposit shall be updated every two (2) years at the rate of 1.5 times CPI (consumer price index) for each year. b) Such financial guarantee shall be deposited with the Township Treasurer after a special use has been approved but before construction operations begin on the WECS project. Failure to keep such financial security in full force and effect at all times while the structure exists shall constitute a material and significant violation of a special use approval and this ordinance, and shall subject the Applicant to all available remedies to the Township, including enforcement action, fines, revocation of the special use approval and WECS removal. The Applicant shall be responsible for the payment of all attorney fees and other costs incurred by the Township in the event that the structure is not voluntarily removed and the Township has to enforce removal. d) The Applicant/Owner and Operator shall execute any and all document (as provided or approved by the Township), sufficient to provide the Township with a perfected security interest in monies deposited with the Township for the purpose of decommissioning any wind energy conversion system.

(xx) Transfer or Sale. In the event of a transfer or sale of the WECS, the Township shall be notified and the special land use permit may be amended administratively by the Township board.

1) In the event of an ownership change the current owner shall present at a meeting of the Township Board a report and information regarding the following:

   a) The current condition of the WECS Tower

   b) Description and introduction of the new owner

   c) Any changes to ongoing maintenance of the WECS

2) Any proposed changes to the operating procedure or approved site plan shall be amended and resubmitted for Township review according to the procedures for all WECS as outlined herein, including a public hearing.

3) Upon transfer or sale, the cash bond shall be maintained at all times, the estimated costs of decommissioning shall be resubmitted, and the security bond adjusted to account for the new estimate.

(xxi) Safety Manual: The Applicant must provide an unredacted copy of the manufacturer's safety manual for each model of turbine without distribution restraints to be kept at the Township Hall and other locations deemed necessary by Planning Commission or local first responders. The Manual should include standard details for an industrial site such as materials, chemicals, fire, access, safe distances during WECS failure, processes in emergencies, etc.

(xxii) Operational, Maintenance, and Issue Resolution: Each WECS and Testing Facility must be kept and maintained in good repair and condition at all times. If a WECS is not maintained in operational and reasonable condition or poses a potential safety hazard, the Applicant shall take expeditious action to correct the situation, including WECS removal. The Applicant shall keep a maintenance log on each WECS and must provide complete log to the Township within thirty (30) days of request. To assure compliance with this requirement, an annual audit of maintenance records, conducted by a qualified third-party maintenance expert acceptable to the Township, shall be completed at the expense of the owner/operator of the turbine, and a copy of this report provided as specified by the Township.

1) WECS must be maintained and kept in operational working order or shall be removed by the owner of the wind energy conversion system. Any wind energy conversion system, or part of a wind energy conversion system such as a wind turbine generator, that has not produced electrical energy for 6 consecutive months shall be deemed to be abandoned; provided, however, that the owner or operator of the wind turbine may apply to the Planning Commission, not less than 60 days prior to the expiration of said 6-month period, for one additional extension of up to six months upon establishing, to the satisfaction of the Planning Commission, that the lack of production was caused by reasons beyond the control of the owner or operator. In determining whether such abandonment has occurred, the Planning Commission or Township Zoning Administrator may request, and the operator, system owner, or property owner shall provide written documentation accurately indicating the amount of electrical energy produced by the wind energy conversion system during said 6-month period. It shall be the obligation of the wind energy conversion system owner to remove the abandoned wind energy conversion system.

2) An escrow account shall be set up when the applicant applies for a Special Use Permit for a WECS and WECS Testing Facilities to cover permitting costs. The monetary amount filed by the Applicant with the Township shall be in an amount estimated by the Township Board to cover all reasonable costs and expenses associated with the special use zoning review and approval process, which costs can include, but are not limited to, fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates it may have done related to the zoning review process for the particular application. Such escrow amount shall include regularly established fees. At any point during the zoning review process, the Township may require that the Applicant place additional monies into the Township escrow should the existing escrow amount filed by the Applicant prove insufficient. If the escrow account needs replenishing and the Applicant refuses to do so within fourteen (14) days after receiving notice, the zoning review and approval process shall cease until and unless the Applicant makes the required escrow deposit. Any escrow amounts which are in excess of actual costs shall be returned to the Applicant within ninety (90) days of permitting process completion. An itemized billing of all expenses shall be provided to the Applicant. The Township shall hire qualified professionals for each and any of the technical fields associated with the Special Use Permit, such as, but not limited to, electrical, acoustics, environment, economics, wildlife, health, and land-use.

3) **Transfer or sale**. In the event of a transfer or sale of the WECS, the Township shall be notified and the special land use permit, may be amended administratively by the Township board.

a) Change in ownership alone shall be considered a minor amendment to the special land use and may be approved administratively without a public hearing.

b) Any proposed changes to the operating procedure or approved site plan shall be amended and resubmitted for Township review according to the procedures for all WECS as outlined herein, including a public hearing.

c) Upon transfer or sale, the cash bond shall be maintained at all times, the estimated costs of decommissioning shall be resubmitted, and the security bond adjusted to account for the new a performance bond or letter of credit, in an amount determined by the Planning Commission to be sufficient to cover the entire cost of removal, shall be submitted by the applicant prior to the issuance of the special land use. To assist the Planning Commission in determining the amount of the performance bond or letter of credit, the applicant may submit information regarding the estimated cost to remove a wind energy conversion system.

4) The WECS owner or operator shall provide the Zoning Administrator with a copy of the monthly maintenance inspections for WECS located on absentee landowner parcels.

5) Applicant must provide Township with current copy of the un-redacted manufacturer's user manuals including safety manuals with permit application. Manufacturer's safety manuals will be made available for review upon request by any resident living within 2 miles of any Industrial Wind Turbine.

6) If there is a mechanical failure resulting in, but not limited to, an abnormal sound emission, release of a pollutant, or a public safety hazard including blade throw, ice throw, fire or injury to any person or property, the Zoning Administrator shall be notified of the event the next day of business following the event. The applicant shall provide the Township at the time of application an operational procedure for this event, a mitigation strategy, and appropriate emergency contact information. A written report describing the failure and the owner's response to the failure shall be submitted to the Zoning Administrator within 10 business days of the event. Sound emitted from a wind turbine generator that is the result of a mechanical failure or lack of maintenance may not be subject to the complaint resolution procedure outlined in D.9. Emergency contact information and a turbine reference number shall be placed in an appropriate location near the site of the turbine, such as at the gate for the access road, so it can be viewed without trespassing on private property.

(c) Complaint Resolution. The purpose of this section is to provide the public with a mechanism to file a complaint with the wind energy conversion system owner and the Zoning Administrator and receive a timely response from the wind energy conversion system owner regarding alleged wind energy conversion system ordinance violations. The applicant shall submit procedures which it intends to implement for receiving, acting upon, and resolving complaints or allegations that the wind energy conversion system is not in compliance with this ordinance.

(i) Complaint resolution procedures must be presented at the time of application and must meet the approval of the Planning Commission prior to approval of a special land use. Those procedures, at a minimum, shall:

1) Require the system owner to accept complaints regarding non-compliance with the ordinance from all property owners within the project boundary and up to one a two-mile radius of a wind turbine generator.

2) Provide a telephone number and mailing address at which the operator can be contacted for purposes of submitting complaints or allegations of non-compliance.

3) Require that all such complaints or allegations be submitted in writing.

4) As a condition of the system owner acting on the complaint, require that a complainant allow the wind energy conversion system owner or designated staff, or other authorized personnel such as an engineer or acoustic professional, on the property of the complainant for further investigation and testing.

5) Set forth information that must be included in the complaint or allegation.

6) Require that a complaint is acknowledged in writing by the wind turbine owner to both the complainant and the Zoning Administrator within five (5) business days of receipt of said complaint.

7) Set forth the number of days, not to exceed thirty (30), in which the operator shall investigate and resolve any and all complaints or allegations, either by way of correction or formal denial of non-compliance.

8) Require the operator to advise the Zoning Administrator in writing of the resolution of any complaint or allegation of non-compliance within thirty (30) days of its receipt of the same.

(ii) Any complaint not resolved within thirty (30) days shall result in a performance review by the Planning Commission as described in Section D.12. Resolution or mitigation of a complaint that involves construction, landscaping, testing or other significant alteration/operational condition that is dependent on seasonal or other conditions may exceed thirty (30) days if approved by the Planning Commission.

(iii) For complaints not resolved within (30) days, the Planning Commission may request punitive damages for the complainant(s) and a civil penalty for the Commission to vindicate the public interest.

(iv) It shall be a violation of this ordinance to modify the approved complaint resolution procedures without the prior approval of the Planning Commission.

(d) **Non-Compliance with Standards:** The Township Board reserves the right to require WECS Applicant to shut down any WECS unit that does not meet ordinance requirements until such WECS unit meets ordinance requirements or is removed.

(e) **Signal Interference.** Through the appropriate placement of wind turbine generators, the applicant shall design to eliminate any interference such as, but not limited to, internet (Wi-Fi or satellite), AM or FM radio, cell telephones (including cellular and landline), 911, satellite television, microwave, navigational, emergency systems, and digital television. Post-construction signal interference caused by the wind energy conversion system shall be mitigated by the wind energy conversion system owner at their expense.

(i) An application shall include a Licensed Microwave Search and Worst-Case Fresnel Zone (WCFZ) analysis.

(ii) The application shall include an interference mitigation plan. The plan shall describe mitigation measures and procedures to eliminate interference from the wind energy conversion system. The plan shall address various forms of interference and corresponding mitigation measures employed before and after construction of the wind energy conversion system. The plan must include relevant maps and modeling showing all known television, internet, emergency services, radio broadcast, or other signal paths along with proposed wind turbine locations.

(f) **Performance Review.** The Planning Commission shall require a performance review of the special land use on a three-year basis or as it may be required. The three-year time period commences after the first turbine of the wind energy conversion system becomes operational. The Planning Commission shall provide the performance review and the Township shall perform, where reasonably practicable, investigation regarding a complaint or other matter requiring a performance review. In its sole discretion, the Township may require the assistance of an independent third party due to the specialized nature of the complaint, conflicting evidence, or other condition. The reasonable cost of an independent third-party consultant shall be at the expense of the WECS owner. Failure to maintain compliance with this ordinance shall result in enforcement action which may include the termination of the special land use, or portions of the special land use. The Township will retain jurisdiction to modify, suspend or revoke all IWT licenses, should any violations occur.

(i) To administer the provisions relating to the WECS, the Township may hire consultants and experts as are reasonably necessary in the sole discretion of the Township. The applicant shall pay the Township in advance for the costs of such consultants and experts. The Township may charge an annual fee to be determined by the Matteson Township Board and assess additional fees in order to execute its responsibilities related to a project. Any fees charged must be reasonable in light of efforts required.

(ii) The purpose of the performance review is to evaluate the status of:

1) Compliance with Special Land Use. Compliance with the conditions set forth by the special land use, such as specific mitigation measures or operation procedures.

2) Ownership Change. Changes in ownership or operation of the wind energy system. (Already addressed)

3) Avian or Bat Mortality. A significant avian or bat mortality event that exceeds projected impacts described in the Wildlife Study as required in Section D.2.(e).3 of this ordinance.

4) Other. Other matters as determined by the Planning Commission.

5) Unresolved and/or repeated complaints. A complaint taking longer than thirty (30) days to resolve may require a performance review unless otherwise specified in the ordinance. If after the performance review and further investigation, the Planning Commission verifies that alleged ordinance violations are the result of the operation or condition of the wind energy conversion system, the owner/operator shall eliminate the non-compliance by mitigation or other measures which may include temporary operational changes. The Planning Commission shall establish the effective date of the mitigation measure based on the nature of the mitigation.

6) As a condition of the Planning Commission conducting a performance review, the complainant shall be required to allow Township staff, the wind energy conversion system owner or designated staff, or other authorized personnel such as an engineer or acoustic professional, on the property of the complainant for further investigation and testing.

7) Actions taken by the Planning Commission to terminate or modify the Special Land Use, portions of the Special Land Use, or the conditions of the Special Land Use shall require a public hearing and notification to the wind energy conversion system owner pursuant to the conditions of the original permit.

Section 5.49 Wireless Telecommunications

(A) **Definition:** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

(B) **Standards:**

(1) New Facilities. New wireless telecommunications facilities shall be permitted by Special Use approval in all Zoning Districts, regardless of whether a new support structure (tower) will be constructed or not, subject to the following standards:

(a) Before constructing a new facility, the applicant must demonstrate that they cannot achieve the needed service improvement by co-locating at an existing facility.

(i) The applicant must submit coverage and/or capacity information, including propagation maps and other information requested by the Township, to demonstrate the needed service improvement and why co-location is not possible.

(ii) If an owner or operator of an existing tower refuses to allow a co-location, written evidence of the denial of the co-location request must be submitted to the Township, and must include the reason for the denial.

(iii) The proposed colocation will not do any of the following:

1) Increase the overall height of the wireless communications support structure by more than twenty (20) feet or ten percent (10%) of its original height, whichever is greater.

2) Increase the width of wireless communications support structure by more than the minimum necessary to permit colocation.

3) Increase the area of the existing equipment compound to greater than 2,500 sq. ft.

(iv) The proposed colocation complies with the terms and conditions of any previous final approval by the Planning Commission.

(b) To the extent practical, all ground equipment associated with the facility must be enclosed within a locked building.

(c) Information must be submitted showing that the facility is in compliance with all applicable FCC regulations regarding radio frequency emissions.

(d) Information must submitted showing that the facility will not cause interference with any nearby existing telecommunications facilities.

(e) Signage notifying the public of potential high voltage and radio frequency emissions and giving the contact information for the tower owner and the operators of all equipment on the site must be posted on the exterior fence.

(f) If a new tower is to be constructed for the facility, it shall meet the following standards:

(i) The tower must be set back from all property lines by a distance equal to 1.5 times its height.

(ii) Lighting on the tower shall prohibited unless required by the Federal Aviation Administration.

(iii) The tower must be a monopole design. Guyed and lattice towers are prohibited.

(iv) No signage shall be placed upon the tower structure.

(v) The tower must be the shortest possible height required to provide the service desired by the applicant. The applicant must submit coverage and/or capacity information, including propagation maps and other information requested by the Township, to demonstrate the needed service improvement and why the requested height is necessary. The Township may request further information, including propagation maps, demonstrating the service at lower heights, in order to determine for itself whether the requested height is necessary.

(vi) The base of the tower and all associated equipment must be surrounded by a locked, opaque screening fence meeting the standards of the zoning district that the tower is located within.

(vii) The applicant must specify the number of co-location sites that will be available on the tower.

(viii) A structural analysis, signed and sealed by a licensed engineer, must be submitted demonstrating that the proposed tower will be able to support all proposed antennae, including co-locations.

(ix) The applicant must submit renderings or photo-sims of the proposed tower as viewed from the following locations:

1) The nearest public roadway.

2) The nearest residential use.

3) Any other location requested by the Township from which the tower may potentially be visible.

(2) Co-locations and Modifications to Existing Facilities:

(a) Co-locations and modifications to existing facilities shall not require Special Use or Site Plan Approval, except as described in Subsection b, below. The Zoning Administrator shall have the authority to approve all co-locations and modifications that meet the standards of this chapter.

(b) Under the following circumstances, co-locations and modifications shall require Special Use approval, regardless of the Zoning District they are located in:

(i) The applicant proposes to increase the height of an existing tower by more than 20 feet, or ten percent of its original height, whichever is greater.

(ii) The applicant proposes to increase the width of the tower by more than the minimum necessary for structural stability given existing and proposed antennae.

(iii) The applicant proposes to increase the ground-level compound to more than 2,500 square feet in area.

(c) Co-locations and modification must meet the following standards in order to be approved, either administratively or by Special Use.

(i) The applicant must submit a structural analysis, signed and sealed by a licensed engineer, demonstrating that the tower, in its present condition, has the structural capacity to support any proposed new antennae or other tower-mounted equipment.

(ii) The applicant must submit the results of an inspection of the condition of the tower and equipment compound, noting any potential problems with the facility that could impact the health, safety, and welfare of the surrounding area, or the effective provision of service from the facility. Any concerns raised by the inspection must be corrected during construction of the modification of co-location.

(iii) Information must be submitted showing that the facility is in compliance with all applicable Federal Communications Commission regulations regarding radio frequency emissions.

(iv) Information must be submitted showing that the facility will not cause interference with any nearby existing telecommunications facilities.

(v) No lighting may be added to the tower unless required by the Federal Aviation Administration.

(vi) Signage notifying the public of potential high voltage and radio frequency emissions and giving the contact information for the tower owner and the operators of all equipment on the site must be posted on the exterior fence. No sign shall be placed upon the tower structure.

(3) Timelines for Approval. The Township will comply with all State and Federal requirements for approval timelines. As of the adoption of this Ordinance, those were as described in Subsections (a) and (b) below. In the event of changes to Federal or State law, this section shall be void and the laws in place at the time of application shall be followed.

(a) For new facilities, the Township shall request all required information within 14 business days of the application being filed with the Building Department. The Township shall issue a decision on the Special Use within 90 days of the application being deemed complete by the Township.

(b) For modifications and co-locations, the Township shall request all required information within 14 business days of the application being filed with the Building Department. The Zoning Administrator shall issue an administrative approval within 60 days of the application being deemed complete by the Township.

(4) Abandonment and Removal. All wireless facilities and support towers shall be removed by the property owner and/or owner of the tower if the facility is not used for telecommunications for a period of six months.

Article 6 General Provisions

Section 6.01 Administrative Regulations

(A) **Scope of Regulations.** No structure or tract of land shall hereafter be used or occupied, and no structure, or part thereof, shall be erected, altered, or moved, except in conformity with the provisions of this Ordinance.

However, where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this Ordinance and construction is begun within six months of the effective date, said building or structure may be completed in accordance with the approved plans. Furthermore, upon completion the building may be occupied under a Certificate of Occupancy for the use for which the building was originally designated, subject thereafter to the provisions of Article 8 concerning nonconformities. Any subsequent text or map amendments shall not affect previously issued valid permits.

(B) **Relationship to Other Ordinances or Agreements.** This Ordinance is not intended to abrogate or annul any ordinance, rule, regulation, permit, easement, covenant, or other private agreement previously adopted, issued, or entered into and not in conflict with the provisions of this Ordinance.

However, where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than other such ordinances, rules, regulations, permits, easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.

(C) **Vested Right**. Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district**,** zoning classification, or permissible activities therein. Furthermore, such rights as may exist through enforcement of this Ordinance are hereby declared to be subject to subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety, and welfare, to the extent that such rights are not protected by the nonconforming use provisions in Article 8.

(D) **Continued Conformity with Yard and Bulk Regulations**. The maintenance of yards and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, for as long as the building is in existence.

No portion of a lot used in complying with the provisions of this Ordinance in connection with an existing or planned building, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

(E) **Division and Consolidation of Land.** The division and consolidation of land shall be in accordance with the Land Division Act (Michigan Public Act 288 of 1967, as amended), and the Eagle Township Land Division Ordinance, Ordinance No. 89. No lot or parcel shall hereafter be divided into two or more lots and no portion of any lot shall be sold, unless all zoning lots resulting from each such division or sale conform to all regulations of the zoning district in which the property is located. The provisions of Section 8.04 shall also apply where applicable.

Section 6.02 Accessory Buildings, Structures, and Uses

(A) **General Requirements.**

(1) Timing of Construction. No accessory building, structure, or use shall be constructed or established on a parcel unless there is a legally-established principal building, structure, or use being constructed or already established on the same parcel of land. A parcel may not be divided if such division would result in an accessory building, structure, or use on a parcel on which there is no principal building, structure or use.

(2) Review and Approval. The Zoning Administrator shall review all proposed accessory structures for compliance with this Ordinance.

(3) Location in Proximity to Easements or Rights-of-Way. Accessory Buildings, structures, or uses shall not be located within a dedicated easement or right-of-way.

(4) Accessory Farm Buildings. The requirements in this section shall not apply to accessory buildings (such as barns and silos) used on a farm, as defined in Section 20.01. No structure that contains a dwelling unit shall be considered an accessory farm building.

(B) **Attached Accessory Buildings.** Unless otherwise specified in this Section, accessory buildings or structures which are attached to the principal building (such as an attached garage, breezeway, or workshop) shall be considered a part of the principal building for the purposes of determining conformance with area, setback, height, and bulk requirements. A breezeway or other attachment between the principal building and the accessory building or structure must have a complete foundation and must provide interior access to both buildings for the accessory building to be considered "attached".

(C) **Detached Accessory Buildings.**

(1) Location. Detached accessory buildings and structures shall not be located in a front yard, except if one of the following sets of conditions are met:

(a) Condition Set One:

(i) The parcel exceeds five (5) acres in lot area; and

(ii) All setback · requirements of the district in which the accessory structure is to be located are complied with; and

(iii) The accessory structure shall be located not less than two-hundred and twenty-five (225) feet from the road right-of-way; and

(iv) The accessory structure shall be located no closer than fifty (50) feet to an existing residential structure on an adjacent parcel.

(b) Condition Set Two:

(i) Accessory structure exterior siding generally matches the color of the principal structure of which it is accessory to; and

(ii) Accessory structure roofing material generally matches the color of the principal structure of which it is accessory to; and

(iii) Accessory structure must meet the minimum front yard setback of a principal structure in the district that it is located and must be located no more than seventy-five (75) feet from the principal structure; and

(iv) The accessory structure shall be located no closer than fifty (50) feet to an existing residential structure on an adjacent parcel; and.

(v) No more than twenty (20) percent of an accessory structure floor area shall be located within an area defined as between the principal structure's front building line and the public right-of-way and the principal structures side building lines so as to not obstruct the view of the principal structure from the public road right-of-way.

(2) **Minimum Setback - Residential.** For accessory structures serving residential principal uses, the minimum setback from side and rear lot lines shall be 5 feet. If the detached accessory structure is more than fourteen (14) feet in height, then one (1) foot additional setback · must be provided per each foot above fourteen feet.

(3) **Minimum Setback – Non-Residential.** For accessory structures serving non-residential principal uses, the minimum setback from side and rear lot lines shall be the same as the minimm setback requirements for principal buildings in the Zoning District the lot is located within.

(4) **Minimum Setback from Other Structures.** The minimum setback from all other structures shall be 10 feet.

(5) **Size.** The total of all detached accessory buildings located on a parcel shall be subject to maximum lot coverage requirements and accessory structure size shall be subject to the restrictions in floor area based upon parcel size listed in the schedule below.

MAXIMUM FLOOR AREA OF ACCESSORY BUILDINGS	
Parcel (Lot) Size	Total Accessory Floor Area ↔
One-half (1/2) acre or less	1,200 sq. ft.
More than one-half (1/2) and less than one (1) acre	1,600 sq. ft.
More than one (1) acre and less than five (5) acres	1,600 sq. ft. plus 2 sq. ft. of floor area for 100 sq. ft. of lot area not to exceed 5,000 sq. ft.
More than five (5) acres	1,600 sq. ft. plus 2 sq. ft. of floor area for 100 sq. ft. of lot area not to exceed 7,500 sq. ft.

(6) **Height.** Unless otherwise noted in this ordinance, the maximum height of an accessory building or structure (as defined in Section 20.01) shall be based on the size of the parcel as follows:

Parcel Size	Maximum Height
1 acre or less	18 ft.
Over 1 acre	24 ft.

(7)

Swimming Pools: Private swimming pools shall be considered as accessory structures and are subject to the following:

(a) No portion of the swimming pool or associated structures shall be permitted to encroach upon any easement or right-of-way that has been granted for public utility use.

(b) Rear or side yard setback shall not be less than ten (10) feet between the pool outside wall and the side or rear property line, or less than ten (10) feet between pool wall and any building on the lot. Front yard setbacks shall be that required of a principal structure in the district where located.

(c) The pool fence shall not be built within the required front yard.

(d) For the protection of the general public, all swimming pools shall be completely enclosed by a chain link fence or a fence of comparable safety not less than four (4) feet or more than six (6) feet in height, and set at a distance of not less than four (4) feet from the outside perimeter of the pool wall. All openings in any such fence or building shall be equipped with a self-closing, self-latching gate or door which shall be securely locked with a tamper-proof lock when the pool is not in use.

(e) Above ground pools of four (4) feet or more in wall height shall be exempt from complete enclosure by a fence. However, above ground pools shall be equipped with a removable ladder or locking gate system at all points of entry to the pool. Said ladder and gate system shall effectively control access to the pool. Said ladder shall be removed or gate locked when the pool is not in use.

Section 6.03 Exceptions

(A) **Essential Services.** Essential Services, as defined in Article 20, shall be permitted as authorized and regulated by franchise agreements and federal, state, and local laws and ordinances, it being the intention of this ordinance to permit modification to regulations governing lot area, building or structure height, building or structure placement, and use of land in the Township when strict compliance with such regulations would not be practical or feasible.

Although Essential Services may be exempt from certain regulations, proposals for construction of Essential Services shall still be subject to site plan review and special land use review in all zoning districts, it being the intention of the Township to achieve efficient use of the land and alleviate adverse impact on nearby uses or lands. Essential Services shall comply with all applicable regulations that do not affect the basic design or essential operation of said services.

(B) **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 public election.

Section 6.04 Home-Based Businesses

(A) **Definition:** Any use customarily conducted entirely within the dwelling and carried on by the inhabitant thereof, including giving instruction in a craft or fine art within the residence, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided, however, that no article or service is sold or offered for sale on the premises, except that such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customary to residential areas.

(B) **Standards.**

(1) Type 1 Home Based Business. A Type 1 Home Based Business is a profession or an occupation that is clearly a customary, incidental, and secondary use of a residential dwelling unit and does not negatively impact the character of the neighborhood in which the Home Based Business is located.

(a) Type 1 Home Based Businesses shall fall within the following categories, and shall not be permitted if not consistent with at least one of the descriptions below.

(i) **Professional Office:** Work space for an accountant, lawyer, architect, engineer, or similar profession.

(ii) **Hairdresser/Nail Salon/Spa:** Facilities for the cutting of hair, decoration of nails, or other spa or beauty services.

(iii) **Medical Office:** Facilities for the provision of low intensity medical care. Physical therapy and therapeutic massage shall be permitted, but dental care shall be prohibited. Surgery and other invasive medical procedures shall be prohibited.

(iv) **Fine Arts/Craft Instruction:** Facilities for the provision of instruction in a craft or fine art, where no more than one student at a time is provided services on the premises.

(v) **Online Sales:** Work space for a business that engages in online retail sales, where no sales are made to customers on-premises.

(vi) **Food or Drink Production:** Facilities for the preparation of edible products, where customers do not consume the edible products on-site. Pick-up of products by customers shall be permitted.

(vii) **Service Business Office:** Work space for the administrative staff of a service business, such as cleaning, handyman services, electronics repair, or a similar business, where all service work is provided off-site, and clients or customers visit the administrative work space infrequently or not at all.

(viii) **Marijuana Caregiver:** The physical premises of a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana and who has not been convicted of any felony within the past 10 years, has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in section 9a of chapter 10 of the code of criminal procedure, 1927 PA 175, MCL 770.9a, and is licensed to distribute medical marijuana under Initiated Law 1 of 2008.

(b) **Location and Employees** The Home Based Business shall be conducted solely within the dwelling unit, or within a permitted acccessory building, by residents of that dwelling unit. No person, employee or volunteer, shall be involved in the regular business of the Home Based Business, on a daily or frequent basis, who does not live within the residential home on the site.

(c) **Equipment or Process**: No equipment or process shall be used in the Home Based Business which creates vibration, glare, fumes, odor or electrical interference detectable to the normal human senses beyond the exterior walls of the dwelling unit in which the Home Based Business is conducted.

(d) **Noise:** The Home Based Business shall not generate noise that is audible beyond the exterior walls of the dwelling.

(e) **Exterior Alterations:** There shall be no exterior alteration of the premises in connection with the Home Based Business.

(f) **Size Limitation:** No more than thirty percent (30%) of the total floor space (including basements) of the principal structure shall be devoted to the Home Based Business. The entirety of any permitted accessory building on the site may be used for the Home Based Business.

(g) **Storage:** All articles or materials used in connection with the Home Based Business shall be stored within the principal building, or within a permitted accessory building. No outside storage is permitted.

(h) **Limitation on Customers:** No more than one customer, client, or patient shall be provided goods or services at a Type 1 Home Based Business at any given time.

(i) **Signage Restriction:** No permanent signage over two square feet in area shall be erected on the site of a Type I Home Based Business.

(j) **Marijuana Caregiver Co-Location Prohibited:** No more than one marijuana caregiver shall operate on any given lot.

(k) **Licensure and Regulations:** All professionals working in a Home Based Business shall carry proper licensure for their field of work, if required by State law. All County, State, and Federal regulations shall be met. In the event that a County, State or Federal regulation cannot be met while in compliance with the Type 1 Home Based Business regulations, then the use shall be deemed a Type 2 Home Based Business, and shall be required to receive Special Use Approval, and meet the standards in Subsection 2, in order to operate.

(2) **Type 2 Home Based Business.** A Type 2 Home Based Business is a business, institution, or non-profit that, while incidental and accessory to a residential use, is more intensive and larger in scale than a Type 1 Home Based Business. The following regulations are intended to ensure that Type 2 Home Based Businesses do not negatively impact their surroundings or the health, safety, and welfare of the Township.

(a) Type 2 Home Based Businesses shall fall within the following categories, and shall not be permitted if not consistent with at least one of the descriptions below.

(i) **Equipment Repair and Service:** Facilities for the repair or service of lawn mowers, motorcycles, electronics, appliances, bicycles, buggies, and other similar goods, where the repair or service takes place on-site. The repair of large vehicles, such as automobiles, boats, or aircraft shall not be permitted.

(ii) **Artisan Production:** Facilities for the production and sale of hard goods, such as furniture, cabinets, artwork, decorative home goods, and other similar goods. Production of electronics or motorized vehicles shall be prohibited, but production of non-motorized vehicles, such as buggies or bicycles, shall be permitted. Retail sales shall be limited to goods produced on the site.

(iii) **Commercial Kennels:** Must meet the standards of this Section and Section 6.05.E.2.

(iv) **Type 1 Home Based Business Not Meeting Type 1 Standards**: A Home Based Business listed under Type 1 that does not meet the requirements for a Type 1 Home Based Business may be approved as a Type 2 Home Based Business, provided that all requirements of this section are met.

(b) Location and Employees The Home Based Business shall be conducted solely within the dwelling unit, or within a permitted acccessory building. No more than three people who do not live within the residential home on the site shall be involved in the regular business of the Home Based Business, on a daily or frequent basis, regardless of whether they are employees or volunteers.

(c) Equipment or Process: No equipment or process shall be used in the Home Based Business which creates vibration, glare, fumes, odor or electrical interference detectable to the normal human senses beyond the property lines where the Home Based Business is taking place.

(d) Noise: The Home Based Business shall not generate noise that is disturbing to the peace and quiet on properties in proximity to the Home Based Business. Animal noises shall be subject to this section.

(e) Size Limitation: No more than fifty percent (50%) of the total floor space (including basements) of the principal structure shall be devoted to the Home Based Business. The entirety of any permitted accessory building on the site may be used for the Home Based Business.

(f) Floor Plan Requirement: As part of the Special Use application, the applicant must submit a floor plan of the principal building, showing the space used for the business, as well as the space used for the residence. The residence must include at least one bedroom, at least one bathroom, and at least one kitchen, all of which must meet the requirements of the Building Code.

(g) Storage: Outside storage shall conform to the requirements of Section 1.27.

(h) Parking Limitation: No more than five (5) outdoor parking spaces may be located on the site on a Type 2 Home Based Business. Excessive and frequent parking outside of the approved parking spaces shall be considered a violation of this Ordinance.

(i) Signage: One (1) freestanding sign, of up to six (6) square feet in area, shall be permitted on the premises of an approved Type 2 Home Based Business. No wall signage shall be permitted.

(j) Licensure and Regulations: All professionals working in a Home Based Business shall carry proper licensure for their field of work, if required by State law. All County, State, and Federal regulations shall be met. In the event that a County, State or Federal regulation cannot be met while in compliance with this Ordinance, the Special Use permit shall not be approved.

~~(A) **Requirements.** All home-based businesses shall be subject to the applicable requirements of the zoning district in which they are located. Home-based businesses which comply with those standards, plus all of the following standards shall be permitted by right in all zoning districts. A Zoning Permit shall be required prior to beginning operation of a home based business. The Zoning Administrator shall issue the permit if the requirements are met.~~

~~**(1)** Any business activity must be clearly incidental to the use of the dwelling as a residence.~~

~~**(2)** The exterior appearance of any structure shall not be altered due to the business activity.~~

~~**(3)** No business activity shall be conducted in such a manner so as to cause the premises to differ from a residential character, whether by the use of colors, materials, construction, lighting, signs (except as permitted in this Section), or the emission of sounds or vibrations.~~

~~**(4)** The delivery and pickup of goods and materials used and/or produced in the operation of a home-based business or home-based business shall be limited to the customary activity of the United States Postal Service and/or alternative private package services common to residential property in the area.~~

~~**(5)** A home-based business may increase vehicular traffic flow and parking demand by no more than two additional vehicles at a time. No more than ten customers or clients shall visit the dwelling unit for services or products during any one day.~~

~~**(6)** Any demand for parking generated by a home-based business shall be met off the street and behind the required front setback line.~~

~~**(7)** A home-based business may be subject to annual inspection by the Zoning Administrator and shall be subject to termination if found not to be in compliance with the Zoning Ordinance.~~

~~**(8)** No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home-based business shall be allowed on the premises in any zoning district.~~

~~**(9)** Any person who is not a resident occupant of the dwelling unit shall not be employed in a home-based business located there.~~

~~**(10) Sign**. One non-illuminated nameplate, not more than four (4) square feet in area, shall be allowed per residence to identify a home-based business. The permitted sign shall not be located in any road right-of-way and shall not obstruct the clear vision of drivers. No other sign shall be used on the premises to advertise a home-based business.~~

~~**(11)** One detached accessory building may be used by a home-based business, provided that there is no external evidence of the business activity. Any accessory building used for a home-based business shall be in full compliance with the standards for accessory buildings, as provided in Section 7.02 of this Ordinance.~~

~~**(12)** Pursuant to Section 204 of Michigan Public Act 110 of 2006 (MCL 125.3204), individual instruction in a craft or fine art within a residence is a permitted home-based business.~~

~~**(13)** The Township Board may require a fee to cover the costs of administering the Zoning Permit. The fee, if required, must be paid prior to the issuing of the permit.~~

~~(B) **Activities Not Considered a Home-Based Business**. Bed-and-breakfast inns, roadside stands, garage or yard sales, vehicle service or repair garages, restaurants and bars, and any other business activity specifically regulated by provisions elsewhere in this Ordinance shall not be considered a home-based business and shall be subject to the regulations applicable to such use under this Ordinance.~~

Section 6.05 Keeping of Animals

(A) **Pets.** Animals of any species that meet the definition of "pet" under the definition of "animal" may be kept on any lot. Pets must remain in the care of a human or housed in a safe and secure location at all times, and must be leashed when not on private property. Horse stables and kennels of all types must meet the standards below.

(B) **Domestic Livestock.**

(1) Except in the A district, no person shall keep domestic livestock, as defined under the definition of "Animals", without first securing a permit from the Township. The permit shall be issued by the Zoning Administrator. No permit shall be issued by the Zoning Administrator without the written authorization from an owner of the property (if different from the applicant) consenting to the application on a form provided. Such permit may be revoked by the Zoning Administrator if it is determined that any provision of this section is violated. Once authorization is obtained it shall continue for as long as the applicant is in possession or control of the property. If a violation occcurs, the permit holder shall be noticed of such violation and have the right to a hearing by the Planning Commission before the permit may be revoked. Establishment of an Accessory Use and/or accessory building under this section shall not confer a vested right to keep domestic livestock on the site. Further, a permit granted under this section is personal to the applicant occupying the dwelling and is not transferable. All licensing required by the State of Michigan and Clinton County, as well as all other statutes, ordinances and codes, shall be satisfied.

(2) Structures for the keeping of domestic livestock mammals shall be set back at least sixty (60) feet from all lot lines. Structures for the keeping of domestic livestock birds shall be set back at least ten (10) feet from all lot lines. All structures must be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties.

(3) Consistent with Article 20, no lot shall contain more than 10 animals that are considered to be domestic livestock. Any livestock animal on a lot with more than 10 animals shall be considered commercial livestock and be subject to Subsection C below.

(4) The following limits shall apply to domestic livestock:

(a) **Cattle:** No more than one per acre. In calculating the permitted number of cattle, the number of acres shall be rounded down to the nearest whole number.

(b) **Pigs, Sheep, Goats, and all other fur-bearing domestic livestock not listed in this Ordinance:** No more than one per half-acre, in any combination. In calculating the permitted number of animals, the number of acres shall be rounded down to the nearest half acre.

(c) **Bees:** Domesticated honey-producing bees shall be permitted as Domestic Livestock in all Zoning Districts, provided that all requirements of the applicable Generally Accepted Agricultural and Management Practices ("GAAMPs") are satisfied.

(d) **Poultry and Other Domestic Livestock Birds:** No more than one per tenth of an acre, in any combination. In calculating the permitted number of birds, the number of acres shall be rounded down to the nearest tenth of an acre. Further, the following standards shall apply to poultry and other birds:

(i) Roosters shall be prohibited. Other male birds may be permitted.

(ii) Birds shall be kept only in the rear yard secured within a coop and attached pen during non-daylight hours. During daylight hours, birds may be allowed to roam outside of the coop and pen, if supervised, and only within an area completely enclosed by a fence with a minimum height of four feet.

(iii) The coop and pen shall be designed to provide safe and healthy living conditions for birds while minimizing adverse impacts on other residents and the neighborhood. The coop and pen shall meet the following additional requirements:

1) The coop and pen shall be a maximum of six feet in height and shall not exceed a combined total of 80 square feet.

2) The coop and pen may be movable only if the dimensional/setback restrictions contained in this section are satisfied.

(iv) All feed and other items associated with the keeping of birds shall be protected so as to prevent rats, mice or other rodents from gaining access or coming into contact with them.

(v) The outdoor slaughter of poultry and other birds is prohibited.

(C) **Commercial Livestock.** The keeping of commercial livestock, as defined under the definition of "Animals", shall be permitted in the A district only.

(1) All commercial livestock operations must comply with all applicable State regulations, including applicable General Accepted Agricultural and Management Practices (GAAMP).

(2) All structures for the keeping of domestic livestock shall be set back at least sixty (60) feet from all lot lines and be constructed and maintained so that odor, dust, noise, and drainage shall not create a nuisance or hazard to adjoining properties.

(3) All manure shall be stored at least one hundred (100) feet from any property line and shall be removed from the premises at least once per week.

(4) An accessory building used to house domestic livestock shall not be located nearer than sixty (60) feet to any property line and not nearer than one hundred (100) feet to any dwelling.

(5) Concentrated Animal Feeding Operations (CAFOs) shall require Special Use Approval and shall be subject to the requirements of Section 5.08.

(D) **Wild and Exotic Animals.** Wild and exotic animals may only be kept on a premises owned or leased by an Animal Rehabilitator, as defined and licensed by the State of Michigan. The Animal Rehabilitator must comply with all State requirements and must keep their licensure current in order to be permitted to house the animal in the Township.

(E) **Kennels.** The following regulations shall apply to Kennels which are defined as lots where more than three (3) dogs six (6) months or older are kept:

(1) Rescue/Foster/Personal Kennel . Rescue/Foster/Personal Kennels house only animals owned or fostered by the occupant of the dwelling unit located on the same parcel shall be permitted subject to the following:

(a) Lot Size. The lot on which any such kennel is located shall be a minimum of two (2) acres in size.

(b) Number of Animals. No more than a combined total of six (6) dogs over the age of six (6) months shall be housed in a Rescue/Foster/Personal Kennel. Any lot with more than six (6) dogs shall be considered a Commercial Kennel and shall be subject to Subsection 2 below, as well as required to obtain a Special Use Permit in the districts noted in Section 3.01.

(c) Breeding. Breeding of animals shall be restricted to no more than two (2) litters per year.

(d) Setbacks. Buildings in which animals are kept, animal runs, and exercise areas shall not be located in any required front, side, or rear yard setback area, and shall be located at least one hundred (100) feet from any dwellings or buildings used by the public on adjacent property.

(2) Commercial Boarding and/or Breeding Kennels. Commercial (boarding/breeding) kennels shall be permitted subject to the following:

(a) Operation. Any such kennel shall be subject to all permit and operational requirements established by County and State regulatory agencies.

(b) Lot Size. The lot on which any such kennel is located shall be minimum of two (2) acres in size. If more than six (6) animals are housed in the kennel, an additional one (1) acre shall be required for every additional ten (10) animals.

(c) Maximum Number of Animals. No boarding or breeding kennel shall house more than thirty (30) dogs.

(d) Setbacks.

(i) The minimum setback for fully-enclosed kennel buildings shall be fifty (50) feet from any property line and 100 feet from any residential structure on another parcel.

(ii) The minimum setback for outdoor runs, animal yards, or any other portion of the kennel where animals will be allowed outdoors shall be 150 feet from any property line and 200 feet from any residential structure on another parcel.

(iii) Animals shall not be kept in outdoor runs between the hours of 6:00 p.m. and 8:00 a.m.

(e) Sound Control. All animals shall be contained in a building which is fully soundproofed, using insulation, soundboards, and acoustic tile.

(f) Odor Control. Non-absorbent surfaces (such as sealed concrete or ceramic tile) shall be used throughout the kennel. Dog waste shall be power flushed or otherwise removed on a regular schedule, but no less than four (4) times daily.

(F) **Stables.** The following regulations shall apply to horse stables:

(1) A building or structure in which animals are kept shall be located a minimum of one hundred (100) feet from all property lines, and shall be located a minimum of one hundred and fifty (150) feet from any dwelling unit other than the dwelling unit on the same property.

(2) The maximum number of animals which may be kept shall be three (3).

(3) The minimum lot area on which one (1) to three (3) animals may be kept shall be three (3) acres.

(4) All manure shall be stored at least one hundred (100) feet from any property line and shall be removed from the premises at least once per week.

(G) **Standard of Care.** Any property observed by the Zoning Administrator to be in violation of the Humane Society of the United States' most recently adopted *Standards of Care* guidelines shall be refered, by the Zoning Administrator, to Clinton County Animal Control for enforcement of relevant animal welfare laws.

Section 6.06 Lighting

(A) **Intent.** The regulations in this section are intended to require sufficient lighting for parking areas, walkways, driveways, building entrances, loading areas, and common areas to ensure the security of property and safety of persons. These regulations are also intended to prevent the adverse effects of inappropriate lighting, including glare, light trespass onto adjoining properties, light pollution and sky glow, and energy waste. These regulations are also intended to permit and encourage the use of lighting that promotes energy efficiency and conservation in the Township.

(B) **Applicability**

(1) Any person applying for site plan approval, or for a commercial building, electrical permit, or sign permit to install outdoor lighting fixtures shall submit evidence that the proposed work will comply with this Section. Any non-residential and/or non-agricultural property that has been vacant and/or unused for more than six months must be brought into compliance with this Section prior to being issued a Certificate of Occupancy for a new use.

(2) The site plan or building, electrical, or sign permit application shall identify the location, type, height, method of mounting, and intensity of proposed lighting. The manufacturer's catalog specifications and documents, and a photometric plan shall be submitted. The information submitted shall be sufficiently complete to demonstrate compliance with Ordinance requirements.

(3) Single family homes and lots dedicated to agriculture shall be exempt for this Section 6.06.

(C) **General Requirements.**

(1) Provide compliance with the most recent edition of the "Illuminating Engineering Society of North America (IESNA) Model Lighting Ordinance (MLO)," shall be required for parking areas, walkways, driveways (except private residential driveways), building entrances, loading areas, and public common areas to ensure the security of property and safety of persons.

(2) All outdoor lighting shall be downward facing at a 90 degree angle and shielded so as to conceal the source of the light. Uplighting of landscaping shall be exempt from this requirement, but must be shielded so it does not spill over onto adjacent lots.

(3) Light trespass on a commercial property shall not exceed 0.5 foot-candles at the property line, measured at grade.

(4) Light trespass on a residential property shall not exceed 0.25 foot-candles at the property line, measured at grade.

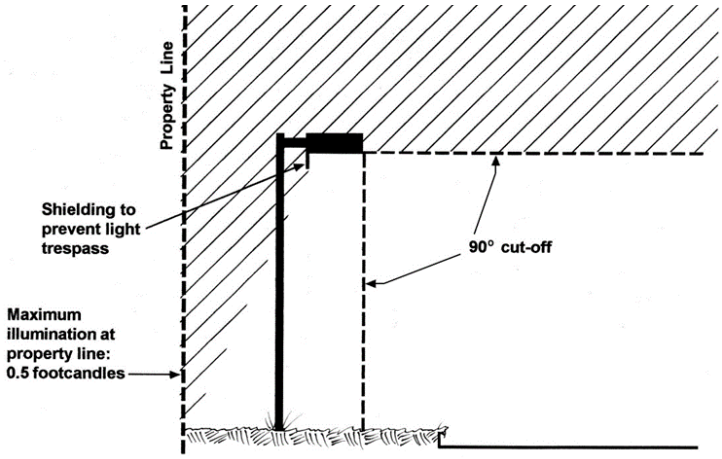


Figure 2.3: Lighting Fixture Orientation and Shielding

(5) To prevent sky glow, lighting shall be shielded or designed to prevent light to project above a 90 degree horizontal plane (see illustration).

(6) Gas station canopies and similar structures shall have fully recessed lighting fixtures and the total initial lamp output under the canopies shall be limited to 32 lumens per square foot of canopy.

(D) **Height.** Lighting fixtures shall not exceed a height of twenty-five feet.

Prohibited Lighting.

(1) Recreational Facility Lighting. No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m. except to conclude a permitted recreational or sporting event or other activity in progress prior to 11:00 p.m.

(2) Outdoor Building and Landscaping Lighting. Unshielded illumination of the exterior of a building or landscaping is prohibited, except in Agricultural Districts.

(3) Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.

(4) Searchlights. The operation of searchlights for advertising purposes is prohibited between 10:00 p.m. and sunrise the following morning.

(E) **Exceptions.**

(1) Temporary Lighting. Lighting for permitted temporary circus, fair, carnival, or civic uses is exempt from the provisions of this Section. Holiday lighting is also exempt from this Section, but may only be in place for up to 90 days per year.

(2) Construction and Emergency Lighting. Lighting necessary for construction or emergencies is exempt from the provisions of this article provided that said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency.

(3) Roadways. Lighting for public roadways shall be exempt from this section.

(4) Legally Required or Emergency Lighting. Lighting that is required by the County, State, or Federal government shall be exempt from this section, as shall emergency lighting, for the duration of the emergency, as determined by responding emergency personnel. Airports shall also be exempt from this Section.

(5) Lighting of U.S. Flags. Lighting of the U.S. flag, as recommended by the Flag Code, is exempt from this Section.

(6) Special Conditions. Additional exceptions may be permitted, subject to site plan review, and upon finding that unique or special conditions on the site warrant the exception.

Section 6.07 Streets, Roads, and Other Means of Access

(A) **Intent.** Unimpeded, safe access to parcels of land throughout the Township is necessary to provide adequate police and fire protection, ambulance services, and other public services, and to otherwise promote and protect the health, safety, and welfare of the public. The standards and specifications set forth herein are determined to be the minimum standards and specifications necessary to meet the above stated intentions.

(B) **Public Access Required / Minimum Frontage.** The front lot line of all lots shall abut onto a publicly dedicated road right-of-way or approved private road. The required frontage on an approved road right-of-way shall be equal to or greater than the minimum lot width for the district in which the lot is located, as specified in Section 4.02; except that the minimum frontage of lots that abut the turnaround at the end of a cul-de-sac shall be equal to or greater than 50% of the minimum lot width. On lots located on a curve, frontage shall be measured along a straight line between the two points where the side lot liness intersect the curved right-of-way line. Frontage on a "T" turnaround shall not be counted toward the minimum road frontage requirements. Any parcel or lot existing at the time of the enactment of this Ordinance may be excluded from these requirements as long as the parcel or lot has access provided by an exsiting lane, road, easement, or similar access route. Such parcel or lot shall not be considered non-conforming by reason of road frontage.

(C) **Access on Through Lots.** On through lots, a driveway must be constructed to at least one of the abutting roads.

(D) **Road and Driveway Standards.** Public roads shall comply with the requirements of Clinton County or the Michigan Department of Transportation, as applicable.

Section 6.08 Temporary Structures and Uses

(A) **General Requirements.** Temporary Buildings and structures shall comply with the following requirements:

(1) Temporary Structures Used for Residential Purposes. A building or structure may be approved for temporary residential use only while damage to the principal dwelling due to fire, flood, ice, wind, or other natural disaster is being repaired. Any such temporary building shall not be used as a residence without prior review and approval by the Police, Fire, and Zoning Administrators.

(2) Temporary Structures Used for Nonresidential Purposes. Temporary buildings for nonresidential use, including semi- trucks/trailers and concrete batch plants, shall be permitted only when the intended use is by a contractor or builder in conjunction with a construction project, and only after review and approval by the Zoning Administrator. Such temporary structures shall be removed immediately upon completion of the construction project and prior to a request for a Certificate of Occupancy for the project.

(3) Permits. Permits for the utilization of temporary structures shall be issued by the Zoning Administrator. The permit shall specify a date for the removal of the temporary structure, and the Zoning Administrator may require posting of a bond to insure removal. A Certificate of Occupancy shall be required for such structures.

(B) **Roadside Farm Stands and Farmer's Markets.** The following regulations shall apply to all Roadside Stands and Farmer's Markets, as defined in Section 20.01:

(1) Roadside Farm Stands.

(a) Site Maintenance. Adequate provisions shall be made for waste collection and removal. Plant and vegetable waste shall be removed daily so that it does not rot or cause odors. Litter shall be picked up and disposed of daily.

(b) Parking. Off-street parking may be provided in the required front yard setback area. Parking shall conform to the regulations in Article 9, except that hard-surfacing shall not be required.

(c) Product. The Roadside Farm Stand shall be solely for the purpose of selling agricultural products cultivated on the property where the Roadside Farm Stand is located.

(2) Farmer's Markets.

(a) Structures. Although considered temporary outdoor sales, farmer's markets may be the principal use of a lot and may have either permanent or temporary structures (or both). Unless exempt, structures shall be subject to inspection under the Single State Construction Code Act and Property Maintenance Code.

(b) Trash Containers. A sufficient number of trash containers shall be placed on the premises for public use.

(c) Parking. Off-street parking shall be provided, which may be located in the front yard. Off-street parking may be located on a grass or gravel area for seasonal uses. Off-street parking shall be provided at the following rates: five (5) spaces, plus 1 (one) space per 200 sq. ft. of interior retail floor area, plus one (1) space per 1,000 square feet for outdoor activities. Parking shall comply with the dimensional and barrier-free parking requirements in Article 9.

(d) Exterior Lighting. Parking lot and pedestrian route lighting shall be required for any farmer's market that operates after dusk or before dawn, subject to Section 7.08. Adequate lighting shall be provided to assure the safety of pedestrians and drivers.

Section 6.09 Trash Removal and Collection

The regulations in this section are intended to require sufficient screening of outdoor trash receptacles and dumpsters, 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. In addition, these standards provide a reasonable period for those existing dumpsters that do not comply with those standards to be brought into compliance.

(A) **Applicability.** The following shall apply only to trash containers with over 100 gallons of capacity, on a lot with a commercial, industrial, or multi-family housing use.

(B) **Location.**

(1) Dumpsters shall be permitted in the side or rear yard provided that no Dumpster shall extend closer to the front of the lot (both street frontages shall be considered "front" on corner lots) than any portion of the principal structure.

(2) Dumpsters shall comply with the setback requirements for the district in which they are located.

(3) With the permission of the Township Fire Chief, Dumpsters may be located against the building. Otherwise, a minimum ten (10) feet of separation shall be provided.

(4) The Dumpster shall not encroach on a required parking area and shall be clearly accessible to servicing vehicles.

(5) Trash Receptacles shall be permitted to be located in the front yard along the road side on collection days. They may be placed at the side of the road.

(C) **Concrete Pad.** Dumpsters shall be placed on a concrete pad. The concrete pad should extend a minimum of ten (10) feet in front of the Dumpster enclosure.

(D) **Screening.** Dumpsters shall be screened from view from adjoining properties and public streets and thoroughfares.

(1) Dumpsters shall be screened on three sides with a permanent building, masonry wall, or wood fencing, not less than six (6) feet in height.

(2) The fourth side of the Dumpster screening shall be equipped with an opaque lockable gate that is constructed of wood or wood composite material. The gate shall be the same height as the enclosure around the other three (3) sides. When not in use, enclosure gates shall be closed and locked.

(E) **Bollards.** Bollards (concrete filled metal posts) or similar protective devices shall be required at the opening to prevent damage to the screening wall or fence.

(F) **Temporary Dumpsters.** Temporary Dumpsters on site for construction, demolition, or similar temporary purposes may be permitted for the duration of the project provided that consistent progress is made on the project and the dumpster is necessary throughout.

Section 6.10 Outdoor Storage

In all zoning districts, objects, substances, materials, or equipment which are not contained within a completely enclosed building shall be enclosed by an opaque fence not less than 6 feet in height. Above-ground storage facilities for bulk oil, gasoline or chemicals shall only be permitted where described in this Ordinance, and shall be constructed in conformity with regulations of the State Fire Marshall, shall be entirely enclosed within a substantial fence not less than 6 feet in height.

Section 6.11 Outdoor Seating

(A) Outdoor seating for restaurants, bars, coffee shops, ice cream shops, and other businesses in commercial zones shall meet the following requirements.

(1) Businesses proposing outdoor seating shall submit a site plan showing the layout of the outdoor seating area for a site plan review by the Planning Commission.

(2) The hours of operation for the outdoor seating shall be included on the site plan and are subject to Township approval.

(3) Outdoor seating shall be included in the calculation of required parking for the principal use of the site, and any additional required parking spaces triggered by the addition of outdoor seating must be constructed before the outdoor seating can be used.

(4) Outdoor seating shall be subject to review and approval by the Fire Department and all relevant County or State approvals.

Article 7 Nonconformities

Section 7.01 Intent

(A) Nonconformities are uses, structures, buildings, or lots which do not conform to one or more provisions or requirements of this Ordinance or a subsequent amendment, but which were lawfully established prior to the time of adoption of the Ordinance or amendment. Such nonconformities are not compatible with the current or intended use of land in the district in which they are located. Therefore, it is the intent of this Ordinance to permit such nonconformities to continue under certain conditions, but to discourage their expansion, enlargement, or extension. Accordingly, the purpose of this section is to establish regulations that govern the completion, restoration, reconstruction, extension, and/or substitution of nonconformities, and to specify the circumstances and conditions under which nonconformities shall be permitted to continue.

(B) The following table summarizes the nonconforming regulations contained in this Article:

Summary of Nonconformity Regulations	
Issue	**Requirements**
Period of non-use before nonconformity must cease*	*Nonconforming use of open land:* 180 days *Nonconforming use of structure or* building*:* 12 months
Establishment of new conforming use	Nonconforming use must cease
Change in ownership	No effect on nonconformity
Nonconforming single family use	May be enlarged, subject to conditions (see Section 8.03.J)
Substitution of one nonconformity for another	Permitted under certain conditions (see Section 8.03.K and Section 8.05)
Nonconforming contiguous lots under same ownership	See Section 8.03
Expansion of nonconforming use within building	See Section 8.04
Expansion of nonconforming use beyond existing building	Not permitted
Enlargement of nonconforming structure	See Section 8.04.A.2.B
Maintenance; structural repairs	Generally permitted (see Section 8.05.C)
Renovation; modernization	Maximum value: 50% of assessed value
Rebuilding after catastrophe	Permitted if damage is less than 75% of pre-catastrophe fair market value. The Township may require the property owner the provide an independent appraisal to determine the fair market value.

* Non-use shall be defined as the disconnection of essential public utilities including electricity, water, or heating fuel, OR the substantial decrease in the use of such utilities to the point where they are no longer consistent with the use in question.

Section 7.02 General Requirements

(A) The following regulations shall apply to all nonconforming uses, structures, and lots:

(1) Continuation of Nonconforming Uses and Structures. Any lawful nonconforming use existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered to be in violation of this Ordinance, provided that (unless otherwise noted in this Article) the use shall not be enlarged or extended to occupy a greater area of land, nor moved in whole or in part to another portion of the lot.

Any lawful building or structure existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered in violation of this Ordinance, provided that (unless otherwise noted in this Article) the building or structure involved shall not be structurally altered, enlarged, or moved unless such modifications conform to the provisions of this Ordinance for the district in which it is located.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official.

(2) Purchase or Condemnation. In order to accomplish the elimination of nonconforming uses and structures which constitute a nuisance or are detrimental to the public health, safety and welfare, Eagle Township may acquire, by purchase, condemnation or otherwise, private property for the purpose of removal of nonconforming uses pursuant to Section 208(3) of Public Act 110 of 2006, as amended.

(3) Establishment of a Conforming Use or Structure. In the event that a nonconforming principal use or structure is superseded by a conforming principal use or structure on a site, the nonconforming use or structure shall be immediately and permanently removed.

(4) Change of Tenancy or Ownership. In the event there is a change in tenancy, ownership, or management, an existing nonconforming use or structure shall be allowed to continue provided there is no change in the nature or character of such nonconformity.

(5) Unlawful Nonconformities. No building, structure, or use shall be permitted to continue in existence if it was unlawful at the time it was established.

(6) Substitution. A nonconforming use may be changed to another nonconforming use upon approval of the Zoning Board of Appeals provided that no structural alterations are required to accommodate the new nonconforming use, and that the proposed use is equally or more appropriate in the district than the existing nonconformity. In permitting such a change, the Zoning Board of Appeals may require conditions to accomplish the purposes of this Ordinance.

(7) Change of Location. Should a nonconforming structure be moved to another parcel or to another location on the same parcel for any reason whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 7.03 Nonconforming Lots of Record

(A) Nonconforming lots of record are those lots of record, as defined in Article 17, existing and lawful prior to the effective date of this Ordinance or amendments thereto, which could not be created lawfully thereafter. The following regulations shall apply to any nonconforming lot of record or nonconforming lot described in a deed or land contract executed and delivered prior to the effective date of this Ordinance or amendment thereto:

(1) Use of Nonconforming Lots. Any nonconforming lot shall be used only for a use permitted in the district in which it is located.

(2) Area and Bulk Requirements. No new division of any parcel shall be made which creates a non-conforming lot with area or frontage less than the area or bulk requirements of this Ordinance, for the zoning district in which it is situated.

(3) Nonconforming Contiguous Lots under the Same Ownership. If a nonconforming lot of record abuts one or more nonconforming lots of record in the same ownership, such lots shall be legally consolidated to reduce or eliminate the non-conformity. No lot shall be used or sold in a manner which diminishes compliance with lot area or frontage requirements of this Ordinance, nor shall any division of a lot be made which creates a lot with area or frontage less than the requirements stated in this Ordinance. These provisions shall not apply to contiguous lots in single ownership where each of the lots is occupied by an existing home, unless such lots are at any time consolidated under a single tax identification number or unless one or more of the existing homes is removed.

Section 7.04 Modification to Nonconforming Uses or Structures

(A) No nonconforming use or structure shall be enlarged, extended, or structurally altered, nor shall any nonconformity be changed to a different nonconformity which increases the intensity of use or nonconformity, except as permitted in this Section.

(1) Applicability. The following regulations shall apply to any nonconforming use or structure, including:

(a) Nonconforming uses of open land.

(b) Nonconforming use of buildings designed for a conforming use.

(c) Nonconforming use of buildings specifically designed for the type of use that occupies them but not suitable for a conforming use.

(d) Buildings designed and used for a conforming use but not in conformance with area and bulk, parking, loading, or landscaping requirements.

(e) Nonconforming structures, such as fences and signs.

(2) Nonconforming Structures by Reason of Dimensional Inadequacies. Where a lawful structure exists on the effective date of this Ordinance or amendments thereto which could not be built under its terms by reason of restrictions on area, height, yards, location on the lot, or other dimensional requirements, such a structure may be continued so long as it remains otherwise lawful, provided:

(a) Repairs, maintenance and renovation necessary for health or safety reasons or to keep such a nonconforming structure in a sound condition may be made.

(b) A nonconforming structure may be enlarged, expanded or altered, so long as the nonconforming characteristic of the structure is not enlarged upon, extended or increased in its degree of nonconformance.

(c) Should such a nonconforming structure be relocated for any reason or for any distance whatever, it shall thereafter conform to the regulations for the zoning district in which it is located.

(d) Under no circumstances shall a non-conforming structure be rebuilt if the structure is determined to be located on more than one lot or parcel. The Township may require the owner/applicant to provide a current survey of the property. The suvey shall be acceptable the Zoning Administrator and shall include all structures on the property.

(e) If such a nonconforming structure becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the zoning district in which it is located.

(f) Any non-conforming strcture that is voluntarily demolished or razed shall not be re-built unless in full compliance with the terms of this Ordinance.

(g) Such a nonconforming structure which is damaged or destroyed by wind, fire, explosion, a natural calamity may be altered, repaired or replaced and the nonconforming nature thereof continued, provided that:

(i) The repair, replacement or alteration is undertaken within two years following the damage,

(ii) There is no change in use, and

(iii) The extent of the nonconformance with the provisions of this Ordinance is not increased.

(iv) The site shall be secured by the owner within fourteen (14) days of the natural calamtiy, in order to safeguard the public heatlh, safety, and welfare. The Zoning Administrator shall determine what permits and safeguards are required.

(3) Nonconforming Land or Structures by Reason of Use. Where a lawful use of land or a structure exists on the effective date of this Ordinance or amendments thereto which would not thereafter be permitted in the zoning district, such use may be continued so long as it remains otherwise lawful, provided:

(a) The nonconforming use of land or structure shall not be enlarged, extended or expanded in such a way as to increase the nonconforming nature of the use, such as the addition of dwelling units, additional manufacturing or selling area, or by the addition of facilities which would allow the establishment of other nonconforming uses.

(b) A nonconforming structure by reason of use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by such structure at the effective date of adoption or amendment of this Ordinance.

(c) Normal repairs, maintenance and renovation necessary for health or safety reasons or to keep any structure in a sound condition may be made, but a nonconforming structure by reason of use shall not be structurally altered except in order to change its use to one permitted in the zoning district in which it is located.

(d) Any structure in which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the zoning district, and the nonconforming use may not thereafter be resumed.

(e) If a structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the zoning district in which it is located.

(4) Enlargement, Extension, or Alteration.

(a) Increase in Nonconformity Prohibited. Except as specifically provided in this section, no person may engage in any activity that causes an increase in the extent of any nonconformity. For example, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

(i) An increase in the total amount of space devoted to a nonconforming use, or

(ii) Greater nonconformity with respect to dimensional restrictions, such as setback requirements, height limitations, density requirements, or other requirements in the district in which the property is located.

(b) Permitted Extension. Any nonconforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building. No nonconforming use of land shall be enlarged, increased, or extended to occupy a greater area of land, nor shall any such use be moved in whole or in part to any portion of the lot or parcel than was occupied on the effective date of this Ordinance or amendment thereto.

(c) Alterations that Decrease Nonconformity. Any nonconforming structure or any structure or portion thereof containing a nonconforming use, may be altered if such alteration serves to decrease the nonconforming nature of the structure or use.

(5) Repairs, Improvements, and Modernization.

(a) Required Repairs. Repairs or maintenance deemed necessary by the Zoning Administrator to keep a nonconforming building structurally safe and sound are permitted. However, if a non-conforming structure or a structure containing a nonconforming use becomes physically unsafe and/or unlawful due to lack of maintenance and repairs and is declared as such by the Zoning Administrator, it shall not thereafter be restored, repaired, or rebuilt except in full conformity with the regulations in the district in which it is located.

(b) Additional Permitted Improvements. Additional repairs, improvements, or modernization of nonconforming structures, beyond what is required to maintain the safety and soundness of the structure, shall be permitted provided such repairs or improvements do not exceed fifty percent (50%) of the assessed value of the structure during any period of twelve (12) consecutive months. The provisions in this paragraph shall apply to all structures except as otherwise provided in this Article for single-family residential uses and for reconstruction of structures damaged by fire or other catastrophe.

(6) Damage by Fire or Other Catastrophe.

(a) Any nonconforming structure that is damaged by fire, flood, or other catastrophe in excess of seventy-five percent (75%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor) shall not be rebuilt, repaired, or reconstructed except in complete conformity with the provisions of this Ordinance, or on the exact same footprint, with all other aspects brought into conformity with the Ordinance.

(b) Any nonconforming structure or structure housing a nonconforming use that is damaged by fire, flood, or other catastrophe by less than or equal to seventy-five percent (75%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor) may be restored to its pre-catastrophe status, provided that restoration is completed within a period of twenty-four (24) months from the date of such fire, flood, or other catastrophe.

(c) Residential developments that are non-conforming by virtue of being a higher density(i.e. more dwelling units per acre) than permitted in the zoning district may be rebuilt to 50% of their previous density, or to the maximum density permitted in the zoning district, whichever is greater, if damaged by fire, flood, or other catastrophe by more than seventy-five percent (75%) of the structure's pre-catastrophe fair market value (as determined by the Township Assessor).

Article 8 Off-Street Parking and Loading Requirements

Section 8.01 Off-Street Parking Requirements

(A) **Schedule of Off-Street Parking:**

Use	Minimum Required Parking Spaces
Adult Day Care Home	1.2 per resident
Agritourism	(1)
Art Studio	1 per 500 square feet
Bank	1 per 300 square feet
Barber Shops/Beauty Shops	1 per 300 square feet
Boarding Kennels (Commercial)	None
Breeding Kennels (Commercial)	None
Brewpub/Microbrewery/Distillery	1 per 250 square feet
Bus Station	(1)
Cemetery	None
Child Care Center (Non-Home-Based)	4 per classroom
Child Day Care Home, Family	2
Commercial Livestock	None
Commercial Lodging	
Bed and Breakfast	1.1 per bed room
Boarding House	1.1 per bed room
Boutique Hotel	1.2 per bed room
Campground	1.1 per campsite
Resort (including Detached Unit Resorts)	1.1 per bed room
Hotel/Motel	1.3 per bed room
Single Family Rental Home	1.3 per bed room
Crop Cultivation	None
Domestic Livestock	None
Drive-Thru	None (except what is required for principal use)
Dwelling Units	
Single Family	2
Multiple Family (including Senior Housing)	1 per unit
Above First Floor in Mixed Use Buildings	1 per unit
Manufactured Housing Mobile Structure	2 per unit
Manufactured Housing Permanent Structure	2 per unit
Model Home	2
Accessory Dwelling Unit	1
State-Licensed Residential Facility (non-Daycare)	1 per bed room
Essential Services	None
Farmer's Market	(1)
Funeral Home and Mortuary	1 per 500 square feet
Government and Public Building	(1)
Group Day Care Home	2
Home Based Businesses	2
Hospitals	(1)
Institution of Higher Education	(1)
Manufacturing	1 per 1000 square feet
Medical or Dental Clinic	1 per 500 square feet
Mini-Warehouse or Portable Storage Unit	0.25 per storage unit
Rescue/Foster/Personal Kennel	None
Office	1 per 500 square feet
Open Air Business	(1)
Outdoor Event	(1)
Parking Lot with No Other Principal Use	None
Pet Shop and Pet Grooming	1 per 300 square feet
Preserve/Conservation Area	None

Use	Minimum Required Parking Spaces
Primary/Secondary School (Private)	3 per classroom
Recreation - Indoor	(1)
Recreation - Outdoor	(1)
Recycling Collection Station	(1)
Religious Institution	1 per 3 seats of capacity in the worship space
Restaurant/Bar	1 per 250 square feet
Retail Store	1 per 300 square feet
Roadside Farm Stands	5
Sexually Oriented Businesses	1 per 300 square feet
Shooting Range - Outdoor	1.2 per shooting bay
Solar Energy System	None
Stables (Horses)	None
Theater	1 per 3 seats in maximum capacity
Utility Structures and Substations	None
Vehicle Dealership	1 per 300 square feet of interior space
Vehicle Filling Stations (Gas Stations)	1 per 300 square feet of indoor retail space, plus 1 space per pump (located next to the pump)
Vehicle Repair	2 per repair bay
Vehicle Wash	5
Veterinary Clinics	1 per 500 square feet
Warehousing	1 per 1000 square feet
Wholesale	1 per 500 square feet
Wind Energy Conversion System	None
Wireless Telecommunications	None

(1) For these uses, the applicant shall submit a parking standard for approval by the Planning Commission, based on the specifics of the proposed use. If approved by the Planning Commission, the proposed standard shall be used to calculate the minimum number of spaces.

(2) **Additional Off-Street Parking; Maximum Parking.** Nothing in this Ordinance shall be deemed to prevent voluntary establishment of off-street parking facilities to serve an existing use of land or buildings, or to prevent provision of additional parking facilities beyond what is required by the Ordinance, provided all such parking is in conformance with the regulations herein. Except for single-family detached residential uses, any person proposing the provision of greater than 125% of the minimum required off-street parking as specified in this Article shall demonstrate to the Planning Commission sufficient justification for the additional parking.

(3) **Uses Not Cited.** For those uses not specifically mentioned, the requirements for off-street parking for a similar use shall apply, as determined by the Planning Commission.

(4) **Units of Measurement.**

(a) **Floor Area.** For the purposes of determining required number of parking spaces, "floor area" shall be measured in accordance with the definitions in Article 19. All parking requirements that are based on square footage shall be based on gross floor area.

(b) **Fractional Spaces.** When calculations for determining the required number of parking spaces results in a fractional space, any fraction of less than one-half (1/2) may be disregarded, while a fraction of one-half (1/2) or more shall be counted as one space.

(c) **Places of Assembly.** For religious institutions, theaters, or similar places of assembly in which those in attendance occupy benches, pews, or similar seating, each twenty-four (24”) inches of such seating shall be counted as one seat.

(B) **Off-Street Parking Standards.** The following standards shall be used in determining the required number and characteristics of off-street parking spaces:

(1) Banked Parking. If the minimum number of required parking spaces exceeds the amount necessary to serve a proposed use, the Planning Commission may approve the construction of a lesser number of parking spaces, subject to the following:

(a) The banked parking shall be shown on the site plan and set aside as open space, including the provision of trees, shrubs s, and other landscaping.

(b) Banked parking shall be located in areas suitable for future parking that meet Ordinance requirements.

(c) The Township may require construction of the banked parking area upon finding that vehicles are regularly overflowing the designated parking area

(2) Barrier-Free Parking Requirements. Each parking lot that serves a building, except single family dwelling units, shall have a number of level parking spaces, identified by an above-grade sign which indicates the spaces are reserved for physically handicapped persons. Barrier-free parking shall comply with the State of Michigan Barrier-Free Rules, Michigan Public Act No. 1 of 1966, as amended, the adopted Township Building Code, and the Federal Americans with Disabilities Act. Amendments or additional legislation at the State or Federal level may result in changes to this Section.

(a) Dimensions of Barrier-Free Parking Spaces. Each barrier-free parking space shall have no more than a nominal three percent (3%) grade and shall be not less than eight (8) feet in width and be adjacent to an access aisle not less than five (5) feet in width. Required van-accessible barrier-free spaces must be eight (8) feet in width and be adjacent to an access aisle not less than eight (8) feet in width.

(b) Minimum Required Number of Barrier-Free Parking Spaces. The number of barrier-free spaces required is as follows:

Total Number of Parking Spaces Provided in Lot	Minimum Number of Barrier-Free Spaces Required	Number of Van-Accessible Barrier-Free Spaces Required
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 and Over	8	1

(3) Storage and Repair Prohibited. The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles, or repair of vehicles are prohibited in required off-street parking lots or areas. Emergency service required to start vehicles shall be permitted.

(4) Duration. Except when land is used as permitted storage space in direct connection with a legitimate business, a twenty-four (24) hour time limit for parking in non-residential off-street parking areas shall prevail provided that it shall be unlawful to permit the storage of wrecked, inoperable, or junked vehicles in any parking area in any district for any period of time. The Township may enact a program to exempt certain residents from this requirement in via a permit that would be affixed to their cars.

(C) **Scope of Off-Street Parking Requirements.** Compliance with the off-street parking regulations shall be required as follows:

(1) General Applicability. For all buildings and uses established after the effective date of this Ordinance, off-street parking shall be provided as required in this Article prior to issuance of a Certificate of Occupancy. However, where a building permit has been issued prior to the effective date of the Ordinance and construction has been diligently carried on, compliance with the parking requirements at the time of issuance of the building permit shall be required.

(2) Change in Use or Intensity. Whenever use of a building, structure, or lot is changed, parking facilities shall be provided as required by this Ordinance for the new use, regardless of any variance which may have been in effect prior to change of use. If the intensity of use of any building, structure, or lot is increased through the addition of dwelling units, increase in floor area, increase in seating capacity, or through other means, additional off-street parking shall be provided for such increase in intensity of use.

(D) **Layout and Construction.** Off-street parking facilities containing four (4) or more spaces shall be designed, constructed, and maintained in accordance with the following requirements:

(1) Review and Approval Requirements. Plans for the construction of any parking lot in conjunction with a new development shall be submitted for review and approval according to the normal site plan review procedures. Plans for expansion of an existing parking lot that is not associated with other new development shall be submitted to the Zoning Administrator for review and approval prior to the start of construction. Upon completion of construction, the parking lot must be inspected and approved by the Zoning Administrator before a Certificate of Occupancy can be issued for the parking lot and for the building or use the parking is intended to serve.

Plans shall be prepared at a scale of not less than fifty (50) feet equal to one (1) inch. Plans shall indicate existing and proposed grades, drainage, water mains and sewers, surfacing and base materials, and the proposed parking layout. The plans shall conform to the construction and design standards established by the Township.

In the event that required parking cannot be completed because of cold or inclement weather, a temporary Certificate of Occupancy may be issued by the Zoning Administrator provided the applicant first deposits a performance guarantee in accordance with Section 18.07.

(2) Dimensions.

(a) Off-street parking shall be designed in conformance with the following standards and diagram:

Parking Angle	**Parking Stall Dimensions**		**Drive Aisle Width**	**Total Width (wall-to-wall) of Drive Aisle and Parking**	
	Width	Depth to Wall		One Row of Stalls (***x***)	Two Rows of Stalls (***y***)
0° (parallel)	24.0 feet	8.0 feet	16.0 feet ***(one-way)*** 24.0 feet ***(two-way)***	24.0 feet ***(one-way)*** 32.0 feet ***(two-way***	32.0 feet ***(one-way)*** 40.0 feet ***(two-way***
Up to 45°	8.5 feet	16.6 feet	12.0 feet ***(one-way only)***	28.6 feet	45.2 feet
46° to 60°	8.5 feet	18.2 feet	16.0 feet ***(one-way only)***	34.2 feet	52.4 feet
61° to 75°	8.5 feet	18.5 feet	20.0 feet	38.5 feet	57.0 feet
76° to 90°	9.0 feet	18.5 feet	24.0 feet	42.5 feet	61.0 feet

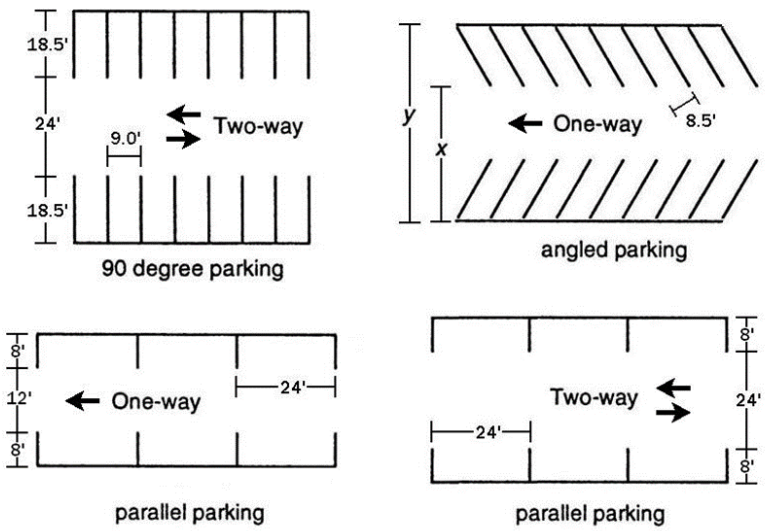


Figure 4.1: Off-Street Parking Layouts

(b) Driveways. Driveways providing access to residential, commercial or industrial uses shall comply with the standards in Section 7.14.

(3) Layout.

(a) Striping. All paved parking lots must be striped with conforming parking spaces matching the approved plan for the parking lot and in compliance with ADA requirements for barrier-free parking spaces. The striping must be maintained so as to be visible to drivers.

(b) Ingress and Egress. All spaces shall be provided with adequate access by means of clearly defined maneuvering lanes and driveways. Spaces backing directly onto a street shall be prohibited. Entrances and exits from off-street parking lots shall be located at least twenty- five (25) feet from the nearest point of any adjacent property zoned for single-family residential use.

(c) Parking Rows. Continuous rows of parking shall be limited to not more than twenty (20) contiguous spaces. Longer rows shall provide landscaped breaks (e.g., islands or bio swales) with shade trees.

(d) Consolidated Landscaping. Parking spaces and rows shall be organized to provide consolidated landscape areas and opportunities for on-site storm water management. The use of bio swales and/or rain gardens is encouraged.

(e) Pedestrian Circulation. The parking lot layout shall accommodate direct and continuous pedestrian circulation, clearly divided from vehicular areas. Pedestrian crosswalks shall be provided and integrated into the pedestrian circulation network.

(4) Surfacing and Drainage.

(a) All off-street parking areas, access lanes, driveways and other vehicle maneuvering areas shall be maintained with a smooth, dustless surface (including re-grading and watering down the unpaved surface as necessary), but need not be paved.

(b) Off-street parking areas, access lanes, and driveways shall be graded and drained so as to dispose of surface waters. Surface water shall not be permitted to drain onto adjoining property.

(5) Curbs, Wheel Stops. Wheel stops must be provided to prevent vehicles from extending over grass areas, setback lines, or lot lines.

(6) Maintenance. All parking areas shall be maintained free of dust, trash, and debris. Surfacing, curbing, lighting fixtures, signage, and related appurtenances shall be maintained in good condition.

(E) **Recreational Vehicle Parking.** Recreational vehicles, as defined in Section 20.01, including campers and other recreational equipment, may be parked or stored by the owner on residentially zoned property subject to the following requirements. The requirements in this sub-section apply to recreational vehicles that are parked or stored for a period of more than forty-eight (48) hours.

(1) Use as Living Quarters. At no time shall recreational vehicles, while parked or stored, be used for permanent living or housekeeping purposes.

(2) Connections to Utilities. Recreational vehicles parked or stored shall not be connected to water, gas, or sanitary sewer lines.

(3) Location. Recreational vehicles that are not parked or stored in a building may be parked or stored on a lot provided that the vehicles are located no closer to the front of the lot than any portion of the principal structure and comply with minimum front, side, and rear setback requirements.

(4) Condition. Parked or stored recreational vehicles must be kept in good repair. Vehicles capable of being moved from place to place under their own power must be maintained in good running condition. All such vehicles must be properly registered in the name of the resident of the dwelling unit.

(5) Storage of ~~Mobile Home~~Manufactured Housings. The parking or storage of an unoccupied ~~mobile home~~Manufactured Housing as defined in Section 20.01, being designed as a permanent structure for residential occupancy, is prohibited, except as may be permitted in the ~~Mobile Home Park~~Manufactured Housing Community District.

Section 8.02 Loading Space Requirements

(A) **Scope of Loading Space Requirements.** Compliance with the loading space regulations set forth herein shall be required in order to avoid interference with the public use of streets, alleys, parking areas, driveways, sidewalks, and other public areas.

(1) General Applicability. On the same premises with every building, or part thereof, erected and occupied for manufacturing, storage, warehousing, display and sale of goods, including department stores, wholesale stores, markets, hotels, hospitals, mortuaries, laundries, dry cleaning establishments, and other uses involving the receipt or distribution of materials, merchandise, or vehicles, there shall be provided and maintained adequate space for loading and unloading as required in this Section.

(2) Change in Use or Intensity. Whenever use of a building, structure, or lot is changed, loading space shall be provided as required by this Ordinance for the new use, regardless of any variance which may have been in effect prior to change of use.

(B) **General Requirements.**

(1) Location. Required loading space shall be located to the rear or side of the building being served. The loading space shall be clearly marked and defined with appropriate signage and striping. Loading/unloading operations shall not interfere with traffic on streets or off-street parking.

(2) Size. Unless otherwise specified, each required loading space shall be a minimum of ten (10) feet in width and fifty (50) feet in length, with a vertical clearance of fifteen (15) feet.

(3) Surfacing and Drainage. Loading areas shall be maintained with a smooth, dustless surface (including re-grading and watering down the unpaved surface as necessary), but need not be paved.

(4) Minimum Loading Space. The amount of required loading space shall be determined in accordance with the schedule that follows. The Planning Commission may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

Schedule of Loading Space Requirements

Gross Floor Area	Number of Loading Spaces
0 – 4,999 sq. ft.	*see note below*
5,000 – 19,000 sq. ft.	**1** space
20,000 sq. ft. and over	**1** space, plus **1** space for each 20,000 sq. ft. in excess of 20,000 sq. ft.

Establishments containing less than 5,000 square feet of gross floor area shall be provided with adequate off-street loading space that is accessible by motor vehicle, but which does not interfere with pedestrian or vehicular traffic. The size of any such loading space shall be based on the types of delivery vehicles typically utilized by the establishment, provided that in industrial districts sufficient land area must be available to provide a 10 ft. by 50 ft. space if the use of the property changes.

Article 9 Landscaping and Screening

Section 9.01 Intent and Scope of Requirements

(A) **Intent.** Landscaping enhances the visual image of the Township, while preserving natural features, improving property values, and alleviating the impact of noise, traffic, and visual distraction associated with certain uses. Screening is important to protect less intensive uses from the noise, light, traffic, litter and other impacts of more intensive, nonresidential uses. These provisions are intended to set minimum standards for the design and use of landscaping, greenbelts, and screening, and for the protection and enhancement of the Township's environment. More specifically, the intent of these provisions is to:

(1) Improve the appearance of off-street parking areas, vehicular use areas, and property abutting public rights-of- way,

(2) Protect and preserve the appearance, character, and value of the neighborhoods that abut non-residential areas, parking areas, and other intensive use areas, thereby protecting the public health, safety and welfare,

(3) Reduce soil erosion and depletion, and

(4) Increase soil water retention, thereby helping to prevent flooding.

(B) **Scope of Application.** The requirements in this Article shall apply only in the C and I Zoning Districts. Sites must be brought into compliance with the requirements of this section at the time of Site Plan Approval. Improvements not requiring site plan approval shall not trigger the requirements of this section.

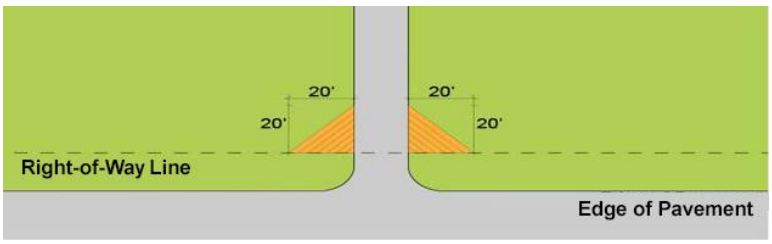
(C) **Minimum Requirements.** The requirements in this Article are minimum requirements, and under no circumstances shall they preclude the developer and the Township from agreeing to more extensive landscaping.

Section 9.02 General Landscaping Requirements

(A) **Screening of Residential or Agricultural.** Along any lot line abutting an R, RE, MH, or A ~~R or A~~ District, landscape screening shall be required. Landscape screening shall take the form of an area, at least 10 feet wide and extending along the entire lot line, planted with trees and shrubs that effectively block the view of the non-residential use from the R, RE, MH, or A Zoning District.

(1) Waivers a Due to Sufficient Existing Vegetation. The Planning Commission may waive the above requirement upon determining that the development plan for the site retains sufficient existing trees and other vegetation so as to make any additional landscaping redundant.

(B) **Clear Corner Vision.** All landscaping in all zoning districts must allow clear corner vision for all street intersections and driveway entrances. landscaping must be less than three feet tall within a triangle formed by two points, each 20 feet away from the intersection of the right-of-way line and the driveway, and the line connecting them.



(C) **Potential Damage to Utilities.** In no case shall landscaping material be planted in a way that will interfere with or cause damage to underground utility lines, public roads, or other public facilities. Trees shall be set back from overhead utility lines as required by required by the relevant easements.

Section 9.03 Installation and Maintenance

The following standards shall be observed where installation and maintenance of landscape materials are required:

(A) **Installation.** Landscaping shall be installed in a sound, workmanlike manner to ensure the continued growth of healthy plant material. Trees, shrubs , hedges, and vines shall be generously mulched at the time of planting.

(B) **Seeding or Sodding.** Lots or parcels shall be seeded or sodded within ninety (90) days after occupancy.

(C) **Protection from Vehicles.** Landscaping shall be protected from vehicles through use of wheel stops in parking lots. Except for storm water management features such as bio swales, landscape areas shall be elevated above the pavement to a height that is adequate to protect the plants from snow removal, salt, and other hazards.

(D) **Off-Season Planting Requirements.** If development is completed during the off-season when plants cannot be installed, the owner shall provide a performance guarantee to ensure installation of required landscaping in the next planting season, in accordance with Section 18.06.

(E) **Maintenance.** landscaping required by this Ordinance shall be maintained in a healthy, neat, and orderly appearance, free from refuse and debris. All unhealthy and dead plant material shall be replaced immediately upon notice from the Zoning Administrator, unless the season is not appropriate for planting, in which case such plant material shall be replaced at the beginning of the next planting season.

(a) Trees, shrubs , and other plantings and lawn areas shall be watered regularly throughout the growing seasons.

(b) All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained in good condition and neat appearance. Rotted, deteriorated, or damaged landscape elements shall be repaired, replaced, or removed.

Article 10 Walls and Fences

Section 10.01 Maximum Height

(A) **Measurement of Height.** The maximum height of a fence or wall shall be measured from grade level adjacent to the fence or wall, to the top of the fence or wall. Where the elevation is higher on one side than on the other, such as with a retaining wall, the grade level measurement shall be made on the side with the lower elevation.

(B) **R, RE, MH, or A ~~A and R~~ Districts:**

(1) The maximum height of a fence within the required front yard setback shall be 3 feet.
(2) The maximum height of a fence in any other portion of a lot shall be 6 feet.

(C) **MR, C, and I Districts:** The maximum height of any fence shall be 12 feet, provided that the requirements of Section 10.02.F are met.

Section 10.02 Materials and Appearance

(A) **Wall, Fence, and Gate Materials.** Walls shall be constructed of masonry material that is architecturally compatible with the materials used on the facade of the principal structure on the site, such as face brick, decorative block, or poured concrete with simulated brick or stone patterns.

Fences shall consist of materials commonly used in conventional fence construction, such as wood, wood composite, vinyl, and metal. Fences that carry electric current shall be permitted only in the A district to contain animals. Barbed wire may be permitted in non-residential districts, provided that the barbed wire is at least six (6) feet above the ground. Wood fences shall be constructed of cedar or an appropriate grade of pressure-treated wood.

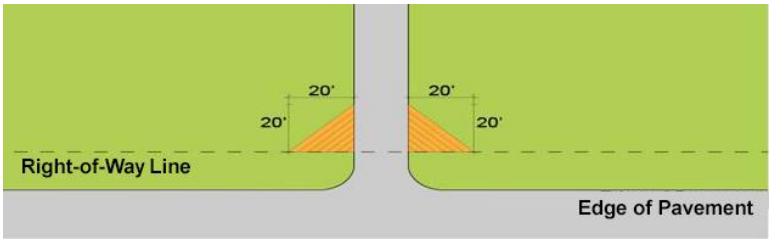
(B) **Finished Appearance.** If one side of a fence or wall has a more finished appearance than the other, then the side of the fence or wall with the more finished appearance shall face the exterior of the lot.

(C) **Obstruction to Use of Adjoining Property.** No fence or wall shall be erected where it would prevent or unreasonably obstruct the use of adjacent property, nor shall a fence or wall be eected where it would obstruct or prevent the continued safe use of an existing driveway or other means of access to adjacent property. In enforcing this provision, the Zoning Administrator may require a fence or wall to be lowered or set back a minimum distance from a driveway or property line.

(D) **Fence and Wall Maintenance.** Fences and walls shall be maintained in good condition. Rotten, crumbled or broken components shall be replaced, repaired, or removed. As required, surfaces shall be painted, stained, or similarly treated.

(E) **Signs on Fences.** No advertising signs or banners may be attached to any fence.

(F) **Clear Corner Vision.** All fences in all zoning districts must allow clear corner vision for all street intersections and driveway entrances. fences must be less than three feet tall within a triangle formed by two points, each 20 feet away from the intersection of the right-of-way line and the driveway, and the line connecting them.



Article 11 Signs

Section 11.01 Purpose

The intent of this Article is to encourage the effective use of signs as a means of communication in the Township, to maintain the aesthetic environment, and to promote the Township's ability to attract sources of economic development and growth. The placement and design of signs should further the land use planning objectives of the Township and minimize the possible adverse effect of signs on nearby public and private property. Signs should be compatible with neighborhood character and protect the value of surrounding properties. The regulations contained in this Article are based on a determination that an excessive amount and improper placement of signs results in reduced ability of motorists to see and clearly interpret signs and to safely and efficiently maneuver to their desired destination, as well as degradation of the aesthetic environment of the Township, which is important to economic prosperity and property values in the Township. These regulations also are based on a recognition that businesses and other land uses in the Township require an amount of signage sufficient to provide awareness to passing motorists of the location and nature of the business.

Section 11.02 Scope of Requirements

It shall be unlawful for any person, firm, or corporation to erect, construct, or alter any sign in the Township except in conformance with the provisions of this Article, subject to issuance of a permit, except as otherwise provided herein.

Section 11.03 Administration and Enforcement

(A) **Plans, Specifications, and Permits.**

(1) Permits. Any person or entity desiring to construct, reconstruct, replace, modify, or alter any permitted signage on the property shall first obtain a permit authorizing such signage . Written application for a sign permit, on forms provided for such by the Township, shall be submitted to the Zoning Administrator. A permit shall require payment of a fee, which shall be established by the Township Board. The Township Board may waive any fee at its discretion.

(2) Applications. Application for a sign permit shall be made upon forms provided by the Zoning Administrator. Where several signs are proposed for the same use, all such signs may be included in a single permit application. The following information shall be required:

(a) Name, address, and telephone number of the applicant.

(b) Location of the building, structure, or lot on which the sign is to be attached or Erected.

(c) Position of the sign in relation to nearby buildings, structures, property lines, and right-of-way lines.

(d) A permit fee, when applicable, in an amount established from time to time by Resolution of the Township Board.

(e) Plans of the sign drawn to scale, accurately depicting its dimensions, height and location in relation to surrounding lot lines and public rights-of-way.

(f) Identification of means of illumination of the sign, if any.

(g) Copies of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.

(h) Name and address of the person, firm, or corporation owning, erecting, and maintaining the sign.

(i) Information concerning required electrical connections.

(j) Insurance policy or bond, as required in this Article.

(k) Written consent of the record owner of the property upon which the sign is proposed to be located, or by other evidence that the applicant is entitled to erect and maintain the sign as proposed.

(l) Other information required by the Zoning Administrator to make the determination that the sign is in compliance with all applicable laws and regulations.

(3) Review of Application.

(a) Planning Commission Review. Sign permit applications submitted in conjunction with the proposed construction of a new building or addition to an existing building shall be reviewed by the Planning Commission as a part of the required site plan review. Proposed signs must be shown on the site plan.

(b) Zoning Administrator Review. The Zoning Administrator shall review the sign permit application for any sign proposed on a site or existing building where no other new construction is proposed.

(c) Approval of Application. An application for a sign permit shall be approved if the application, plans and other supporting information are in conformance with the provisions of this Article.

(d) Issuance of Permit. Following review and approval of a sign application by the Planning Commission or Zoning Administrator, as appropriate, the Zoning Administrator shall have the authority to issue a sign permit.

(4) Exceptions. A sign shall not be enlarged or relocated except in conformity with the provisions set forth herein for new signs, nor until a proper permit has been secured. However, a new permit shall not be required for ordinary servicing or repainting of an existing sign message, cleaning of a sign, or changing of the message on the sign where the sign is designed for such changes (such as, but not limited to, changeable copy on a marquee or monument sign). Furthermore, a permit shall not be required for certain exempt signs listed in Section 12.05.A.

(5) Removal Agreement or Bond. The Zoning Administrator may require a performance guarantee to guarantee the future removal of a sign. All signs erected by a business must be removed within 30 days if that business closes. Freestanding sign structures may remain in place, but must be fitted with a blank face or a Real Estate Sign until put in use again by a new business.

(6) Removal of Unsafe or Unlawful Signs. Signs which are unlawful or deemed to be unsafe by the Zoning Administrator shall be removed or made safe in conformity with the provisions of this Article.

(B) **Nonconforming Signs.** All signs erected or constructed after the effective date of this Ordinance shall conform to the requirements set forth herein and any amendments hereof. Any sign or billboard erected or constructed after the effective date of this Ordinance that does not conform to the requirements of this Ordinance shall be deemed an unlawful structure.

A sign in existence on the effective date of this Ordinance which was constructed in conformity with the ordinances and other applicable laws in effect on the date of its construction, but which, by reason of its size, height, location, design, or construction, is not in conformance with the requirements of this Ordinance, shall be a lawful nonconforming sign, and shall conform to the following regulations.

(1) No Increase in Nonconformity. A lawful nonconforming sign may be continued and shall be permitted to remain in place, provided that no action is taken which increases the degree or extent of the nonconformity. However, any sign that has been destroyed by fire, storm, or other unintentional act, or any sign that has been intentionally demolished, shall be either replaced by a conforming sign, or not replaced at all.

(2) Repairs and Maintenance. Normal maintenance shall be permitted, provided that any nonconforming sign that is destroyed by any means to an extent greater than fifty percent (50%) of the sign's pre-catastrophe fair market value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or, repair or replacement of electrical wiring or electrical devices.

(3) Nonconforming Changeable Copy Signs. The message on a nonconforming changeable copy sign or nonconforming bulletin board sign may be changed provided that the change does not create any greater nonconformity.

(4) Substitution. No nonconforming sign shall be replaced with another nonconforming sign.

(5) Modifications to the Principal Building. Whenever the principal building on a site on which a nonconforming sign is located is modified to the extent that site plan review and approval is required, all nonconforming signs shall be removed.

(C) **Waiver Process.** The Planning Commission shall have the ability to waive or modify any of the standards in this chapter, provided that the following criteria are met. A waiver granted under this section shall apply for only the lifespan of the sign in question and shall not be transferable to any other sign or lot.

(1) The applicant provides all requested information and pays all applicable application and review fees, to be determined by the Township Board.

(2) The proposed sign does not endanger the public health, safety, and welfare by virtue of being distracting to drivers, obscuring vision, being unnecessarily bright, being designed or constructed poorly, or in any other way.

(3) The sign does not block the view of other nearby signs to the extent that it would harm the ability of neighboring businesses to operate.

(4) The sign will not be a nuisance to any residential uses.

(5) A sign designed to meet the standards of the Ordinance would not adequately serve the purpose desired by the applicant.

(D) **Removal by Zoning Administrator.** The Zoning Administrator may remove or cause to be removed any permanent sign that did not receive a permit prior to installation or any temporary sign that violates any provision of this Ordinance. The sign owner will be invoiced for removal costs at a rate to be determined by the Township Board.

Section 11.04 Exempt and Prohibited Signs

(A) **Exempt Signs.** A sign permit shall not be required for the following signs, provided all applicable requirements and standards as specified are met, and which shall be permitted subject to applicable provisions herein.

(1) All signs of two square feet or less in area.

(2) Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business, provided that the vehicle shall be operable and licensed at all times.

(3) Public signs, including the authorized signs of a government body or public utility such as traffic control signs and devices, emergency and warning signs, legal notices, warnings of a hazard, and similar signs.

(4) Any sign required to be displayed by law or necessary for the public safety or civil defense.

(5) Public and private traffic control signs which conform to the requirements of the **Michigan Manual of Uniform Traffic Control Devices.**

(6) Interior signs.

(7) Historical plaques erected and maintained by non-profit or governmental organizations, memorial signs, tablets, building cornerstones and erection date stones.

(8) Signs intended to safely and efficiently direct vehicular or pedestrian traffic to parking areas, loading areas, or to certain buildings or locations on the site. Such signs shall not exceed four (4) square feet in area, or four (4) feet in height, and must be outside the existing or planned right-of-way line.

(9) One sign, not exceeding thirty-two (32) square feet, on a site with a building that is actively under construction.

(10) Integral decorative or architectural features of buildings or artwork, including murals, so long as such features or works do not contain an explicit message, words in any language, moving parts, or illumination. All murals must be painted with the permission of the property owner.

(11) All signage that complies with the provisions of this Ordinance and is in place for fewer than 90 days.

(B) **Prohibited Signs.** The following signs are prohibited in all districts.

(1) Signs where illumination can shine directly into the eyes of any occupant of any vehicle traveling upon a road, driveway, or parking area, or into any window of any residence, or where the illumination interferes with the visibility or readability of any traffic sign or device.

(2) Tube lights, whether LED, neon, or any other type of light, and string lights other than holiday decorations.

(3) Moving signs, including any sign which has any visible moving parts, visible revolving parts, visible mechanical movement, or any other visible movement achieved by electrical, electronic, or mechanical means, including intermittent electric pulsations or movement caused by normal wind current or multi-vision signs, as defined herein. Flag and banner signs shall be exempt from this regulation.

(4) Any sign or sign structure which:

(a) Is structurally or electrically unsafe;

(b) Constitutes a hazard by reason of inadequate maintenance, dilapidation, or abandonment;

(c) Has deteriorated to the point where it has become a blight on surrounding properties; or

(d) Is not kept in good repair, such that it has broken parts, non-operational lights, or similar issues.

(5) Signs affixed to a parked and unregistered vehicle without a valid license plate.

(6) Any sign obstructing free access to or egress from a required door, window, fire escape, or other required exit.

(7) Any sign containing obscene material.

(8) Any sign projecting into the public right-of-way.

(9) Any sign erected on any property, public or private, without the consent of the property owner.

(10) Any sign located within the public right-of-way, except those placed by authorized public entities.

(11) Inflatable and balloon signs.

(12) Billboards, except when permitted by State of Michigan regulations that supersede this Ordinance.

(13) Signs using electronic display, video display, or projected images.

(C) The Township Zoning Administrator shall have the authority to immediately remove or cause to be removed any sign which has been placed or located within the public right-of-way contrary to the provisions of the Ordinance or not authorized by the Clinton County Road Commission.

Section 11.05 Sign Design Standards

(A) **Construction Standards.** All signs placed upon any building, structure, lot or parcel shall comply with the following standards. See Sections See Sections 12.06 and 12.07.

(1) General Requirements. All signs shall be designed and constructed in a safe and stable manner in accordance with the Township's adopted building code and electrical code. All electrical wiring associated with a freestanding sign shall be installed underground.

(2) Building Code. In addition to complying with the requirements of this Article, the design and construction of all signs shall comply with the most current version of the Michigan Building Code, as adopted and amended by the Township.

(3) Sign Maintenance. Every sign in the Township, including those signs for which permits are required or exempt signs for which no permits are required, shall be maintained in good structural condition at all times. All signs, including exempt signs, shall be kept neatly painted, including all metal parts and supports. The Township shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute a hazard to public safety.

(B) **Illumination.**

(1) General Requirements. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it. Signs may be internally or externally illuminated, except where prohibited in this Article. Uplighting of signage shall be prohibited.

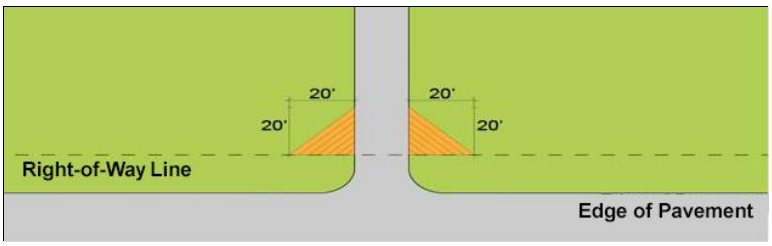
(2) Non-Glare, Shielded Lighting. Use of glaring, unshielded, undiffused lights or bulbs shall be prohibited. The source of illumination shall not be visible, shall be fully shielded, and shall cause no glare hazardous to pedestrians, motorists or adjacent residential uses or districts. Light sources for externally-illuminated signs shall be arranged so that light is deflected away from adjoining properties and so that it does not cast glare onto a public right-of-way.

(3) Light Trespass. All illuminated signs shall be placed so as to prevent their rays and illumination from being cast upon neighboring residences. The light cast from any sign illumination must reach below 0.5 foot candles at all lot lines.

(4) Bare Bulb Illumination. Illumination by unshielded bare bulbs or flames is prohibited..

(5) Flashing Signs. There shall be no flashing or intermittent illuminations causing interference with clear driver vision along any highway, street or road or at any intersection of two or more streets.

(C) **Clear Corner Vision.** All freestanding signs in all zoning districts must allow clear corner vision for all street intersections and driveway entrances. Freestanding signs must be less than three feet tall within a triangle formed by two points, each 20 feet away from the intersection of the right-of-way line and the driveway, and the line connecting them, as displayed below:

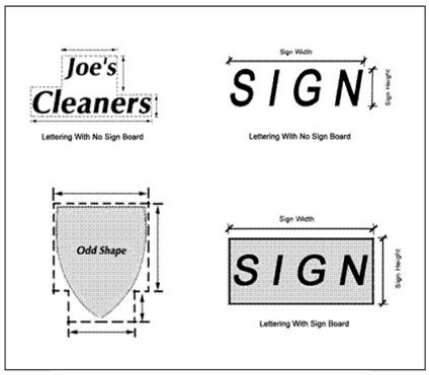


(D) **Measurement.**

(1) Sign Area. Sign area shall be computed as follows:

(a) General Requirements. Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.

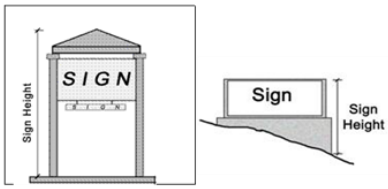
(b) Individual Letters, Logos, or Irregular Shapes. Where a sign consists of individual letters, logos, or other messages affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering, logo, or other message. For irregularly shaped signs, the area shall be computed as including the entire area as measured by enclosing the most protruding points or edges of a sign within the area of the smallest rectangle comprising all of the display area of the sign and including all of the elements of the matter displayed (see illustration below).



Measurement of Sign Area

(c) Freestanding Sign. The area of a double-faced freestanding sign shall be computed using only one (1) face of the sign provided that: 1) the outline and dimensions of both faces are identical, and 2) the faces are back-to-back so that only one face is visible at any given time.

(2) Sign Height Measurement. The height of a sign shall be measured from the lowest grade directly below the sign. The maximum sign height shall be measured to the top of the sign.



Sign Height

Section 11.06 Permanent Sign Standards

Type of Sign	Districts Permitted	Maximum Size	Maximum Height	Maximum Number	Setback Required
Wall*	C, I	100 sq. ft. (total for all signs on lot)	None	None	N/A
Freestanding*	C, I,	72 sq. ft.	9 feet	1 per road frontage	12 feet from all lot lines
	R**, RE, MH, or A ~~MR, A,R~~**	48 sq. ft.	5 feet	1 per road frontage	12 feet from all lot lines
Awning* / Canopy*	C,I	50% of canopy	No Max	None	None
Window*	C, I	50% of window	No Max	None	None
Projecting*	C, I	12 sq. ft.	10 feet off ground	1 per entrance	None

* See Section 20.01 under "Sign" for Definition
** Permanent signage is prohibited on lots in the R District where the only use is a single family home

Section 11.07 Temporary Sign Standards

(A) **Temporary Signs.** Temporary signs shall be permitted as specified in the table below. Aside from any exempt temporary signs, property owners must receive a permit as described in this Article prior to the erection of a temporary sign and must follow all applicable requirements as described below.

(1) Temporary signs shall be permitted in the zoning districts specified in the table at the end of this Article.

(2) Each sign shall be placed in a manner which provides five feet of free passage for pedestrians, and does not interfere with normal pedestrian or vehicle traffic.

(3) All sign frames shall be constructed of a weatherproof material and shall be kept in good repair.

(4) Any temporary sign in place for more than 90 consecutive days shall be considered a permanent sign and be subject to all relevant provisions of this Ordinance for permanent signage.

Type of Sign	District Permitted	Max. Size	Max. Height	Max. Number
Freestanding*	MR, C, I, R, RE, MH, A~~R, A~~	24 sq. ft.	6 ft.	There shall be no maximum number of signs, but the total square footage of temporary freestanding signage shall not exceed 32 square feet at any given time.
Banner*	C, I	32 sq. ft.	None	1
Window*	C, I	100% of window	None	None

* See Section 20.01 under “Sign” for Definition

Article 12 Performance Standards

Section 12.01 Intent and Scope of Application

(A) **Intent.** The purpose of this Article is to establish controls on the impacts generated by permitted uses so as to prevent an unreasonable negative impact that might interfere with another person's use of his or her property, or that might cause harm to the public health, safety, and welfare.

(B) **Scope of Application.** After the effective date of this Ordinance, no structure or tract of land shall hereafter be used, created or occupied, and no structure, or part thereof, shall be erected, altered, reconstructed, or moved, except in conformity with all applicable performance standards set forth in this Article. No site plan or other land use or development application shall be approved unless evidence is presented to indicate conformity with the requirements of this Article.

Section 12.02 Performance Standards

No activity, operation or use of land, building**s**, or equipment shall be permitted if such activity, operation, or use produces an environmental impact or irritant to sensory perception which exceeds the standards set forth in this Section.

(A) **Noise.** No use in the Township shall generate or permit to be generated audible noise that exceeds 45 dBA (L_{max}) or 55 dBC (L_{max}) (dBC to dBA ratio of 10 dB per ANSI standard S12.9 Part 4 Annex D) on a consistent and regular basis, as measured at the property lline.

(B) **Surface Water Flow.** ~~No site plan review application shall be approved if it would result in identifiable~~ No building, driveway, paved area, landscaping, or other site improvement shall have the effect of disruption to the existing or natural flow of water within drainage ditches, natural water courses, or drains, and no building, driveway, paved area, landscaping, or other site improvement shall have the effect of increasing the flow of water onto adjacent properties beyond the level that was present prior to construction. Previous approval of a Zoning Permit or other approval under this Ordinance shall not preclude the Township for taking enforcement action against a property deemed in violation of this section. ~~having a recorded easement, unless evidence of a feasible alternate method of drainage is presented and approved by the County Drain Commissioner.~~

(C) **Dust, Smoke, Soot, Dirt, Fly Ash and Products of Wind Erosion.** Dust, smoke, soot, dirt, fly ash, and products of wind erosion shall be subject to the regulations established in conjunction with the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended, or other applicable state or federal regulations. No person, firm or corporation shall operate or maintain any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, unless such processes or devices use or are equipped with recognized and approved equipment, methods, or technology to reduce the quantity of gas-borne or airborne solids or fumes emitted into the open air.

(1) The drifting of air-borne matter beyond the lot line, including wind-blown dust, particles or debris from open stock piles, shall be prohibited. Emission of particulate matter from material products, or surfaces subject to wind erosion shall be controlled by paving, oiling, wetting, covering, landscaping, fencing, or other means.

(2) Residential wood stoves, wood-burning fireplaces, personal campfires, and personal grills/barbecues shall be exempt from this section.

(D) **Odor.** Offensive, noxious, or foul odors shall not be allowed to escape into the atmosphere in concentrations which are offensive, which produce a public nuisance or hazard on adjoining property, or which could be detrimental to human, plant, or animal life.

(E) **Glare and Heat.** Any operation or activity which produces glare shall be conducted so that direct and indirect illumination from the source of light does not exceed one-half (1/2) of one (1) foot candle when measured at any point along the property line of the site on which the operation is located. Any operation which produces intense glare or heat shall be conducted within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot lines. If heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

(F) **Impacts from Other Activities.** Upon request, property owners shall provide the Township with evidence of compliance with relevant county, state and federal laws, ordinances, rules and regulations related to any of the following activities.

(1) Storage and handling of flammable liquids, liquefied petroleum, and explosives.
(2) Use of above or below ground storage tanks to contain flammable or toxic material.
(3) The storage, use, or manufacture of detonable material.
(4) Emission of gasses that could be injurious or destructive to life or property.
(5) Use of electronic equipment in an industrial, commercial, residential or other operation.
(6) Use of radioactive material and production of radioactive waste.
(7) Use of solar panels or wood burners.
(8) Wind-powered generators.

Section 12.03 Procedures for Determining Compliance

In the event that the Township receives complaints or otherwise acquires evidence of possible violation of any of the performance standards set forth in this Article, the following procedures shall be used to investigate, and if necessary, resolve the violation:

(A) **Official Investigation.** Upon receipt of evidence of possible violation, the Zoning Administrator shall make a determination whether there is reasonable cause to suspect the operation is indeed in violation of the performance standards. The Zoning Administrator may initiate an official investigation in order to make such a determination.

(1) Upon initiation of an official investigation, the Zoning Administrator is empowered to require the owner or operator of the facility in question to submit data and evidence deemed necessary to make an objective determination regarding the possible violation. Failure of the owner or operator to supply requested data shall constitute grounds for taking legal action to terminate the use and/or deny or cancel any permits required for continued use of the land. Data which may be required includes, but is not limited to the following:

(a) Plans of the existing or proposed facilities, including buildings and equipment.

(b) A description of the existing or proposed machinery, processes, and products.

(c) Specifications for the mechanisms and techniques used or proposed to be used to control emissions regulated under the provisions of this Article.

(d) Measurement of the amount or rate of emissions of the material purported to be in violation.

(B) **Method and Cost of Determination.**

(1) The Zoning Administrator shall take measurements and complete the investigation necessary to make an objective determination concerning the purported violation. Where required measurements and investigation can be accurately made by the Zoning Administrator with equipment and personnel normally available to the Township without extraordinary expense, such measurements and investigation shall be completed before notice of violation is issued. If necessary, skilled personnel and equipment or instruments shall be secured in order to make the required determination.

(2) If the alleged violation is found to exist, the costs of making such determination shall be charged against those responsible, in addition to such other penalties as may be appropriate. If it is determined that no substantive violation exists then the costs of this determination shall be paid by the Township.

(C) **Appropriate Remedies.** If, after appropriate investigation, the Zoning Administrator determines that a violation does exist, the Zoning Administrator shall take, or cause to be taken, lawful action as provided by this Ordinance to eliminate such violation. The owners or operators of the facility deemed responsible shall be given written notice of the violation. The Zoning Administrator shall take appropriate action in accordance with the owner or operator's response to the notice of violation. Appropriate action includes the following:

(1) Correction of Violation within Time Limit. If the alleged violation is corrected within the specified time limit, even if there is no reply to the notice, the Zoning Administrator shall note "Violation Corrected" on the Township's copy of the notice, and the notice shall be retained on file. If necessary, the Zoning Administrator may take other action as may be warranted by the circumstances of the case, pursuant to the regulations in this and other ordinances.

(2) Violation Not Corrected and No Reply from Owner or Operator. If there is no reply from the owner or operator within the specified time limits, and the alleged violation is not corrected in accordance with the regulations set forth in this Article, then the Zoning Administrator shall take such action as may be warranted to correct the violation, as specified in Section 17.09, Violations and Penalties.

(3) Reply Requesting Extension of Time. If a reply is received within the specified time limit indicating that an alleged violation will be corrected in accordance with the regulations set forth in the Zoning Ordinance, but that more time is required than was granted by the original notice, the Zoning Administrator may grant an extension if:

(a) The Zoning Administrator deems that such extension is warranted because of the circumstances in the case, and

(b) The Zoning Administrator determines that such extension will not cause imminent peril to life, health, or property.

(4) Reply Requesting Technical Determination. If a reply received within the specified time limit requests further review and technical analysis even though the alleged violations continue, then the Zoning Administrator may call in properly qualified experts to complete such analysis and confirm or refute the initial determination of violation.

Article 13 PUD, Planned Unit Development

Section 13.01 Intent

(A) Planned Unit Development provides a regulatory option that is intended to provide a degree of flexibility so as to achieve development that is in accord with the Township's Master Plan; economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities; useful open space particularly suited to the proposed development; conservation of natural features; and, development that satisfies the needs of Township residents. A subdivision plat must be approved as a Planned Unit Development.

(B) Furthermore, Planned Unit Development is intended to encourage innovation in land use, particularly on sites with significant natural, historical, and architectural value, or on sites that exhibit difficult development constraints. Planned Unit Development allows for a mix of land uses and clustering of residential structures, so as to reduce development costs, preserve natural features, and maintain open space.

(C) Planned Unit Development is intended to further the following objectives:

(1) Preserve open fields, woodlands, wetlands, areas of steep topography, creeks, ponds and similar natural assets;

(2) Encourage a creative approach to development design in the Township;

(3) Encourage an efficient, aesthetic and desirable use of open areas and a reduction in development costs by allowing the developer to avoid and preserve natural obstacles on the site;

(4) Encourage open space and recreational facilities within and around new development;

(5) Promote the goals of the Township's Master Land Use Plan to maintain the Township's rural character, maintain an attractive landscaped corridor along the Township's major road frontages, maintain the traffic carrying capacity of the Township's major roads, and protect environmentally-sensitive areas;

(6) Provide the Township with a higher degree of control over the use of land and structures and design details of development in locations where application of conventional zoning requirements may not be appropriate;

(7) Provide the opportunity for inclusion in a single, unified development plan of associated or ancillary uses which are related to or supportive of the principal use.

Section 13.02 Unified Control

The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project, or assuring completion of the project, in conformity with this Ordinance. The property owner must have a physical street address.

The applicant shall provide legal documentation of single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors. These legal documents shall bind all development successors in title to any commitments made as a part of the documents. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is given to the Township Clerk.

Section 13.03 Project Design Standards

Proposed Planned Unit Developments shall comply with the following project design standards:

(A) **Permitted Uses.** Any land use allowed as a principal permitted use or approvable special use in this ordinance may be included in a Planned Unit Development as a principal or Accessory Use**.**

(B) **Residential Density.** The overall density of residential uses within a Planned Unit Development shall not exceed the density designated for the Future Land Use category that the land in question is designated for in the Township Master Plan.

(C) **Dimensional Standards.** Modification to dimensional standards may be approved by the Township Board, upon recommendation from the Planning Commission, upon making the determination that other setbacks would be more appropriate because of the topography, existing trees and other vegetation, proposed grading and landscaping, or other existing or proposed site features. The Township Board may also approve modifications to dimensionsal standards, including minimum lot area or width, in exchange for the provision of dedicated open space by the developer.

(D) **Open Space.** The Township Board, upon receiving a recommendation from the Planning Commission, may require open space to be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land or through a conservation easement, whereby all rights to develop the land are conveyed to a land conservation organization or other public body, assuring that the open space will be developed according to the site plan. Such conveyance shall:

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

(2) Indicate how the leisure and recreation needs of all segments of the population residing in or using the planned development will be accommodated.

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

(4) Provide maintenance standards and a maintenance schedule.

(5) Provide notice of possible assessment to the private property owners by Eagle Township for the cost of maintenance of the open space in the event that it is inadequately maintained and becomes a public nuisance or in the event that other public facilities are not maintained.

(6) Be recorded with the Clinton County Register of Deeds to provide record notice of the restrictions to all persons having an interest in the property contained in the planned unit development.

(7) **Frontage and Access.** Planned Unit Developments shall front onto a paved public road and the main means of access to the development shall be via the paved public road. Each residential lot shall have frontage on, and each residential dwelling unit shall have direct access to, an approved public or private road. Individual residential dwelling units in a Planned Unit Development shall not have direct access onto a county primary road or state highway.

Section 13.04 Approval Procedures

(A) **Zoning Amendment.** The approval of a Planned Unit Development application shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as "PUD, Planned Unit Development." Approval granted under this Article, including all aspects of the final plan and conditions imposed on it, shall constitute an inseparable part of the zoning amendment.

(B) **General Application Requirements.** The application shall be submitted to the Eagle Township Clerk and shall be accompanied by all required fees and documents as specified herein. The applicant or a designated representative shall be present at all scheduled review meetings or consideration of the plan may be tabled due to lack of representation.

(C) **Pre-Application Conference.** In order to facilitate review of a Planned Unit Development proposal in a timely manner, the applicant may request an informal pre-application conference with the Township Zoning Administrator. The purpose of such a conference is to provide information and guidance to the applicant that will assist in preparation of the application and supporting materials.

(D) **Approval Process:**

(1) Professional Review. The Planning Commission may request professional review of the preliminary plans by appropriate agencies or consultants. If such review is requested, the designated agencies or consultants shall prepare and transmit reports to the Planning Commission stating their findings and conclusions and any recommended changes or revisions. The Township shall require the applicant to pay the cost of any such review fees.

(2) Public Hearing. The Planning Commission shall hold a public hearing, following the requirements for notice in the Michigan Zoning Enabling Act on any Planned Unit Development proposal before it is approved.

(3) Recommendation of Planning Commission. The Planning Commission shall review the application for Planned Unit Development, together with the public hearing findings and any requested reports and recommendations from the Zoning Administrator and Township Public Safety officials, Township Engineer, and other reviewing agencies. The Township Attorney shall review and comment on the proposed Planned Development Agreement and all related documents. Based on its review of the proposed plans and supporting documentation, the Planning Commission shall make findings of fact with respect to compliance with the standards and criteria in this Ordinance. The Planning Commission shall then set forth its findings and recommendation in a written report to the Township Board, based on the requirements and standards of this Ordinance. The Planning Commission may recommend approval, approval with conditions, or denial as follows:

(a) Approval. Upon determination by the Planning Commission that the final plan for Planned Unit Development is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall recommend approval.

(b) Approval with Conditions. The Planning Commission may recommend that the Township Board impose reasonable conditions upon the approval of a Planned Unit Development, to the extent authorized by law, for the purposes of insuring that public services and facilities affected by the proposed development will be capable of accommodating increased public service loads caused by the development, protecting the natural environment and conserving natural resources and energy, insuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect the natural resources and the public health, safety and welfare of individuals in the development and those immediately adjacent, and the community as a whole. Conditions imposed shall also be necessary to meet the intent and purpose of this Ordinance. In the event that the Planned Unit Development is approved subject to specified conditions, such conditions shall become a part of the record of approval, and such conditions shall be modified only as provided in this Ordinance. Where construction is not proposed to begin immediately, or where a project is proposed for construction in phases, the Planning Commission may recommend that final approval be granted subject to subsequent review and approval of detailed site plans for each facility or phase, provided that:

(i) The location and approximate size of such buildings shall be shown on the overall plan for the Planned Unit Development,

(ii) Detailed site plans for such buildings shall be submitted for review and approval in accordance with the site plan review requirements in Section 17.02, and

(iii) Phasing requirements shall be complied with.

(c) Denial. Upon determination by the Planning Commission that a Planned Unit Development proposal does not comply with the standards and regulations set forth in this Ordinance or otherwise would be injurious to the public health, safety, welfare, and orderly development of the Township, the Planning Commission shall recommend denial.

(4) Transmittal of Findings to Township Board. The Planning Commission shall prepare and transmit a report to the Township Board stating its conclusions and recommendation, the basis for its recommendation, and any recommended conditions relating to an affirmative decision.

(E) **Township Board Decision.** Following receipt of the Planning Commission's report, the application shall be placed on the agenda of the next available Township Board meeting. The applicant shall provide additional copies of the plan as requested by the Township to be provided to the Board. The Township Board shall review the final plan and proposed Planned Unit Development Agreement, together with the findings of the Planning Commission, and, if requested, any reports and recommendations from consultants and other reviewing agencies. Following completion of its review, the Township Board shall approve, approve with conditions, or deny a planned development proposal in accordance with the guidelines in this Ordinance.

(1) Planned Unit Development Agreement. If the Township Board approves the Planned Development proposal, the Township and applicant shall execute a Planned Unit Development Agreement, subject to Township Legal Counsel approval which shall be recorded in the office of the Clinton County Register of Deeds. Final approval of the Planned Unit Development plan shall become effective upon recording of the Agreement and evidence of the recording being presented to the Township.

(2) Effect of Approval. Approval of a Planned Unit Development proposal shall constitute an amendment to the Zoning Ordinance. All improvements and use of the site shall be in conformity with the Planned Unit Development and any conditions imposed. Notice of the adoption of the amendment shall be published in accordance with the requirements set forth in this Ordinance.

(F) **Completion of Site Design.** Following final approval of the Planned Unit Development proposal, a building permit may be obtained for the entire project or specific phases provided that final site plan approval for the project or the phase, as applicable, has been obtained, and provided further that the engineering plans for the project or the phase, as applicable, have been approved by the Township Engineer and Zoning Administrator. It shall be the responsibility of the applicant to obtain all other applicable Township, County, or State permits prior to issuance of a building permit.

(1) Construction shall commence on at least one phase of the project within twelve (12) months of final approval. The Township Board may also approve Planned Unit Development Agreements that waive this requirement. The Township Board may also consider a twelve (12) month extension, upon written request from the applicant, if it finds that the approved site plan adequately represents current conditions on and surrounding the site. The written request for extension must be received prior to the 12-month expiration date. In the event that construction has not commenced and a request for extension has not been received within 12 months, the Township may initiate proceedings to void the PUD approval.

(2) It shall be the responsibility of the owner of a property for which approval has been granted to maintain the property in accordance with the approved Planned Unit Development amendment on a continuing basis until the property is razed, or until an amendment to the Planned Unit Development is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the Zoning Ordinance and shall be subject to the penalties appropriate for such violation.

(3) Prior to expansion or conversion of a Planned Unit Development project to include additional land, site plan review and approval shall be required pursuant to the requirements of this Article and Ordinance.

(G) **Performance Guarantee.** A performance guarantee may be required the Township to ensure faithful completion of improvements.

(H) **Application Data Requirements.** Applications for Planned Unit Development shall include all data requirements specified in this sub-section. All information required to be furnished under this sub-section shall be kept updated until a Certificate of Occupancy has been issued.

(1) A Site Plan meeting the requirements of this Ordinance.

(2) A draft Planned Unit Development Agreement, setting forth the terms and conditions negotiated and to be agreed to by the applicant and the Township, and upon which approval of the Planned Unit Development proposal will be based. The Planned Unit Development Agreement shall, at minimum, include the following:

(a) A description of the land that is subject to the agreement.

(b) A description of the permitted uses of the property, the density or intensity of use, and the maximum height and size of proposed buildings.

(c) History of the review procedures and action taken by the Planning Commission or Township Board.

(d) List of all plans, documents, and other materials submitted by the applicant.

(e) Review and explanation of all special provisions agreed to by the applicant and Township during the course of review of the Planned Development proposal.

(f) An explanation of all public improvements to be undertaken by the applicant or the Township in conjunction with the proposed Planned Development project.

(g) Description of any required dedications and permits.

(h) Confirmation that the proposed development is consistent with applicable Township ordinances and planning objectives.

(i) Duration of the Planned Unit Development Agreement, along with terms under which a termination date may be extended by mutual agreement.

(j) Applicability of future amendments to the general zoning regulations to land that is subject to the proposed Planned Unit Development Agreement.

(k) Extent to which the Planned Unit Development plan may be modified subject to administrative approval, Planning Commission approval, or Township Board approval.

(I) **Revision to Approved Plans.** Approved final plans for a planned development may be revised through the same process as the first approval, described above.

Section 13.05 Review and Approval Standards

In considering any application for approval of a Planned Unit Development plan, the Planning Commission and Township Board shall make their determinations based on the following:

(A) **Conformance with the Planned Unit Development Concept.** The overall design and all uses proposed in connection with a Planned Unit Development shall be consistent with and promote the intent of the Planned Unit Development concept, as well as with specific project design standards set forth herein.

(B) **Compatibility with Adjacent Uses.** The proposed Planned Unit Development shall set forth specifications with respect to height, setbacks, density, parking, circulation, landscaping, views, and other design and layout features which exhibit due regard for the relationship of the development to surrounding properties and the uses thereon. In determining whether this requirement has been met, consideration shall be given to:

(1) The bulk, placement, and materials of construction of proposed structures.

(2) The location and screening of vehicular circulation and parking areas in relation to surrounding development.

(3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

(4) The hours of operation of the proposed uses.

(5) The provision of landscaping and other site amenities.

(C) **Public Services.** The proposed Planned Unit Development shall not exceed the capacity of existing and available public services, including but not necessarily limited to utilities, public roads, police and fire protection services, and educational services, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the Planned Unit Development is completed. All utility services shall be underground.

(D) **Protection of Natural Environment.** The proposed Planned Unit Development shall be protective of the natural environment, and shall be in compliance with all applicable environmental protection laws and regulations.

(E) **Compatibility with the Master Plan.** The proposed Planned Unit Development shall be consistent with the Future Land Use map in the Township Master Plan.

(F) **Compliance with Applicable Regulations.** The proposed Planned Unit Development shall be in compliance with all applicable Federal, state, and local laws and regulations.

Article 14 Procedures and Processes

Section 14.01 Purpose

The purpose of this Article is to provide procedures and related standards for the processing of all requests for Township action or review under the provisions of this Ordinance.

Section 14.02 Zoning Permit

A Zoning Permit, approved by the Zoning Administrator, shall be required prior to the any application to the Clinton County Building Department for a building permit for any exterior construction work in Eagle Township. Interior construction work shall not require a Zoning Permit. For activities requiring Site Plan Approval, the Site Plan Approval shall be considered the Zoning Permit. Alterations to the exterior of a building that do not alter the footprint or the height of the building shall be exempt from the Zoning Permit requirement.

Section 14.03 Site Plan Review / Process

(A) **Intent.** The site plan review procedures, standards, and required information in this Section are intended to provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the regulations and standards contained in this Ordinance and other applicable ordinances and laws, including the Michigan Building Code, as amended, to achieve efficient use of the land, to protect natural resources, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the Township and applicant so as to facilitate development in accordance with the Township's land use objectives.

(B) **Site Plan Required.**

(1) Site Plan Required. Site plan approval shall be required for the development of any new use, the construction of any new structures, any change to the footprint or height of an existing structure, and all other building or development activities, with the exception of the following actitivities, when they do not accompany an activity that requires site plan approval:

(a) Erecting, moving, relocating, expanding, or altering the footprint or height of a single family home, which shall require only approval of a Zoning Permit by the Zoning Adminstrator.

(b) Erecting, moving, relocating, expanding, or structurally altering an accessory structure on any lot, which shall require only approval of a Zoning Permit by the Zoning Adminstrator. This exemption shall not apply to accessory structures designed for a use that requires Special Use approval.

(c) Construction of a fence or wall on a site, which shall require only approval of a Zoning Permit by the Zoning Administrator.

(d) Expansion of off-street parking (on a lot containing a use other than a single family home) involving twenty (20) or fewer spaces, which shall require only approval of a Zoning Permit by the Zoning Administrator. Expansions of parking involving twenty one (21) or more spaces shall require Site Plan Approval.

(e) Alteration of the lighting or landscaping on a site (other than a single family home), which shall require only approval of a Zoning Permit by the Zoning Administrator.

(f) Erection of a sign, which shall require only approval of a Sign Permit by the Zoning Administrator.

(C) **Site Plan Review Applications and Procedures.**

(1) Submission of Site Plan for Formal Review. In order to initiate formal review by the Planning Commission and Township Board, the applicant is required to submit the materials listed in Section E below, as well as all required fees, to the Township Clerk. Electronic submission is permitted.

(2) Distribution of Plans. Upon submission of all required application materials, the site plan proposal shall be placed on the next open Planning Commission agenda. The site plans and application shall be distributed to appropriate Township officials for review.

(D) **Review and Final Action.**

(1) Planning Commission Review. The Planning Commission shall review the site plan proposal and any requested reports and recommendations from the Zoning Administrator and/or reviewing agencies. The Planning Commission shall then make a final decision, based on the requirements and standards of this Ordinance. The Planning Commission may approve, approve with conditions, deny, or they may table the proposal, as noted below.

(a) Approval. Upon determination that a site plan is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall approve the site plan.

(b) Approval Subject to Conditions. Upon determination that a site plan is in compliance except for minor modifications, the Planning Commission may impose reasonable conditions upon approval of the site plan. The conditions for approval shall be identified and the applicant shall be given the opportunity to correct the site plan. The conditions may include, but need not be limited to, the need to obtain variances, obtain approvals from other agencies, or obtain special land use approval.

(i) The applicant shall submit a revised plan with a revision date, indicating compliance with the conditions. The applicant must re-submit the site plan to the Planning Commission for final approval after conditions have been met, unless the Planning Commission waives its right to review the revised plan, and instead authorizes the Zoning Administrator to review and approve the site plan after all required conditions have been addressed.

(c) Denial. Upon determination that a site plan does not comply with the standards and regulations set forth in this Article or elsewhere in this Ordinance, or requires extensive revision in order to comply with said standards and regulations, the Planning Commission shall deny the site plan.

(d) Tabling. Upon determination that a site plan is not ready for approval or rejection, or upon a request by the applicant, the Planning Commission may table consideration of a site plan until a later meeting.

(2) Time Period for Obtaining Approval. An applicant shall have a maximum of two (2) years from the date of submittal of a site plan for formal review to achieve final approval of the site plan, including compliance with all conditions. If approval is not achieved within this period, the application becomes null and void and a new application is required to pursue site plan review further.

(3) Recording of Site Plan Review Action. Each action taken with reference to a site plan review shall be duly recorded in the minutes of the Planning Commission. The grounds for action taken upon each site plan shall also be recorded in the minutes.

(a) After final action has been taken on a site plan and all steps have been completed, three copies of the application and plans shall be marked APPROVED or DENIED, as appropriate, with the date that action was taken. One marked copy will be returned to the applicant and the other two copies will be kept on file in the Township Hall. To the extent that a written decision in a case is requested or required, the minutes, prepared under the supervision of the Planning Commission secretary, along with the plan submitted, shall serve as the written decision, even if the minutes are awaiting final Planning Commission approval.

(4) Procedure after Site Plan Approval.

(a) Application for Building Permit. Following final approval of the site plan and the engineering plans, the applicant may apply for a building permit from the Clinton County Building Department. It shall be the responsibility of the applicant to obtain all other applicable Township, County, State, or Federal permits prior to issuance of a building permit.

(b) Expiration of Site Plan Approval. If construction has not commenced, or if the project has commenced but has not made reasonable progress, within twelve (12) months after final approval of the site plan, the site plan approval expires and a new application for site plan review shall be required. However, the applicant may apply in writing to the Planning Commission for an extension of site plan approval. The Planning Commission may grant one or more extensions of up to a total of twelve (12) months upon request from the applicant prior to expiration of the previous approval and provided that it finds that the approved site plan adequately represents current conditions on and surrounding the site and provided that the site plan conforms to current Zoning Ordinance standards.

(c) Property Maintenance after Approval. It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site plan approval was based, or until a new site design is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

(i) With respect to condominium projects, the Master Deed shall contain provisions describing the responsibilities of the condominium association, condominium owners, and public entities, with regard to maintenance of the property in accordance with the approved site plan on a continuing basis. The Master Deed shall further establish the means of permanent financing for required maintenance and improvement activities which are the responsibility of the condominium association. Failure to maintain an approved site plan shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

(5) Site Plan Violation. In the event that construction is not in compliance with the approved plans, the Zoning Administrator or his/her designee shall take corrective action, unless a revised site plan is submitted for Township review. If the builder or developer fails to take corrective action or pursue approval of an amended site plan, the Zoning Administrator or his/her designee may issue a citation, after which the Township Board may commence and pursue appropriate action in a court having jurisdiction.

(6) Modification to Approved Plan. Modifications to an approved site plan shall be reviewed by, and may be approved by, the Zoning Administrator. The Zoning Administrator may determine that the requested revisions are substantial enough that a new site plan approval process, as described in this Ordinance, is required, and refer the site plan to the Planning Commission.

Each action related to modification of a site plan shall be duly recorded in writing on a copy of the approved plan, and shall be kept on file at Township Hall. The Planning Commission shall be advised of all minor site plan modifications approved by the Zoning Administrator.

(E) **Required Information on Site Plans.** The following information shall be included on all site plans, where applicable. The Planning Commission or Zoning Administrator shall have the jurisdiction to waive any of these requirements upon determining that it does not apply to the site or that there are practical difficulties of a non-monetary nature in obtaining the information.

(1) Application Form. The application form shall contain the following information:

(a) Applicant's name and address.

(b) Name, address and signature of property owner, if different from applicant.

(c) Common description of property and complete legal description including the Tax Identification number.

(d) Dimensions of land and total acreage.

(e) Existing zoning of applicant's parcel and surrounding land.

(f) Existing use of the applicant's parcel.

(g) Proposed use of land and name of proposed development, if applicable.

(h) Proposed buildings to be constructed, including square feet of gross and usable floor area.

(i) Proof of property ownership.

(j) Number of permanent employees, if applicable.

(k) Names, addresses, and telephone numbers of engineers, attorneys, architects, and other professionals associated with the project.

(l) Review comments and/or approvals from County, State, and Federal agencies. Copies of letters or approval forms should be submitted with the site plan application.

(2) Descriptive and Identification Data. Site plans shall consist of an overall plan for the entire development, drawn to a scale of not less than 1 inch = 20 feet for property less than 1 acre, 1 inch = 30 feet for property larger than 1 acre but less than 3 acres, and 1 inch = 50 feet for property larger than 3 acres, unless another scale is approved by the Zoning Administrator. Sheet size shall be at least 24 inches by 36 inches. The following descriptive and identification information shall be included on any site plans.

(a) Applicant's name and address, and telephone number.

(b) Title block indicating the name of the development.

(c) Scale.

(d) Northpoint.

(e) Dates of submission and revisions (month, day, and year).

(f) Location map drawn to scale with north point.

(g) Legal and common description of property, including acreage.

(h) The dimensions of all lots and property lines, showing the relationship of the site to abutting properties. If the site is a part of a larger parcel the plan should indicate the boundaries of total land holding.

(i) A schedule for completing the project, including the phasing or timing of all proposed developments.

(j) Identification and seal of the architect, engineer, land surveyor, or landscape architect who prepared or supervised and approved the plan.

(k) Written description of proposed land use.

(l) Zoning classification of applicant's parcel and all abutting parcels.

(m) Proximity to driveways serving adjacent parcels.

(n) Proximity to section corner and major thoroughfares.

(o) Notation of any variances that have or must be secured.

(p) Net acreage (minus rights-of-way) and total acreage, to the nearest 1/10 acre.

(3) Site Data.

(a) Existing lot lines, building lines, structures, parking areas, and other improvements on the site and within 100 feet of the site.

(b) Front, side, and rear setback dimensions.

(c) Topography on the site and within 100 feet of the site at two foot contour intervals, referenced to a U.S.G.S. benchmark.

(d) Existing and proposed site features, including buildings, roadway widths and names, and parking areas.

(e) Existing structures within fifty (50) feet of the subject property.

(f) Dimensions and centerlines of existing and proposed roads and road rights-of-way, and acreage of proposed roads and road rights-of-way.

(g) Acceleration, deceleration, and passing lanes, where required.

(h) Proposed vehicular circulation system, including location of driveway entrances, roads, and on-site driveways.

(i) Typical cross-section of proposed roads and driveways.

(j) Location of existing drainage courses, floodplains, lakes and streams, with elevations, and acreage of bodies of water.

(k) Boundaries of all wetland areas, with sufficient dimensions between various points on the wetland boundary and buildings, property lines, or other features to allow accurate portrayal of the wetlands. The acreage shall be provided separately for all wetlands, and wetlands regulated by the State shall be identified. Wetlands staking and identification shall be done by a qualified wetlands expert (who must be approved by the Township). If deemed necessary because of site or soil conditions or because of the scope of the project, a detailed hydrology study may be required.

(l) Location of existing and proposed interior sidewalks and sidewalks in the road right-of-way.

(m) Exterior lighting locations and method of shielding lights from shining off the site.

(n) Trash and recycling receptacle locations and method of screening.

(o) Transformer pad location and method of screening, if applicable.

(p) parking spaces, typical dimensions of spaces, indication of total number of spaces, drives, and method of surfacing.

(q) Information needed to calculate required parking in accordance with Zoning Ordinance standards.

(r) The location of lawns and landscaped areas, including required landscaped greenbelts.

(s) Landscape plan, including location, size, type and quantity of proposed shrubs , trees and other live plant material.

(t) Location, sizes, and types of existing trees five (5) inches or greater in diameter, measured at one (1) foot off the ground, before and after proposed development.

(u) Cross-section of proposed berms.

(v) Location and description of all easements for public rights-of-way, utilities, access, shared access, and drainage.

(w) Designation of fire lanes.

(x) Loading/unloading area.

(y) The location of any outdoor storage of materials and the manner by which it will be screened.

(z) Indicate locations of steep slopes.

(4) Building and Structure Details.

(a) Location, height, and outside dimensions of all proposed buildings or structures.

(b) Indication of the number of stores and number of commercial or office units contained in the building, if applicable. If the site plan involves an existing non-residential building, then a list of all tenants shall be provided. No new tenants shall be allowed to occupy the building until the site plan is fully implemented.

(c) Building floor plans.

(d) Total floor area.

(e) Location, size, height, and lighting of all proposed signs.

(f) Proposed fences and walls, including typical cross-section and height above the ground on both sides.

(g) Building facade elevations, drawn to a scale of one (1) inch equals four (4) feet, or another scale approved by the Zoning Administrator and adequate to determine compliance with the requirements of this Ordinance. Elevations of proposed buildings shall indicate type and color of exterior building materials, roof design, projections, canopies, awnings and overhangs, screen walls and accessory buildings, and any outdoor or roof-located mechanical equipment, such as air conditioning units, heating units, and transformers.

(5) Information Concerning Utilities, Drainage, and Related Issues.

(a) Schematic layout and description of existing and proposed sanitary sewers, sewage treatment systems, and/or septic systems; water mains, well sites, and water service leads; hydrants that would be used by public safety personnel to service the site; storm sewers and drainage facilities, including the location of retention/detention facilities; and, the location of gas, electric, and telephone lines.

(b) Layout and description of telecommunications infrastructure.

(c) Indication of site grading and drainage patterns.

(d) Types of soils and location of floodplains and wetlands, if applicable.

(e) Soil erosion and sedimentation control measures.

(f) Proposed finish grades on the site, including the finish grades of all buildings, driveways, walkways, and parking lots.

(g) Assessment of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable.

(h) Assessment of potential impact on groundwater, including but not limited to quality, quantity, and recharge.

(i) All utilities shall be located underground within the boundaries of a proposed development, including but not limited to gas, electric, telephone and cable television service leads.

(6) Information Concerning Residential Development.

(a) The number, type and location of each type of residential unit (one bedroom units, two bedroom units, etc.).

(b) Density calculations by type of residential unit (dwelling units per acre).

(c) Lot coverage calculations.

(d) Floor plans of typical buildings with square feet of floor area.

(e) Garage and **Carport** locations and details, if proposed.

(f) Pedestrian circulation system.

(g) Location and names of roads and internal drives with an indication of how the proposed circulation system will connect with the existing adjacent roads.

(h) Community building locations, dimensions, floor plans, and facade elevations, if applicable.

(i) Swimming pool fencing detail, including height and type of fence, if applicable.

(j) Location and size of recreation open areas.

(k) Indication of type of recreation facilities proposed for recreation area.

(l) If common area or community buildings are proposed, then the site plan should indicate the responsibilities of the subdivision or condominium association, property owners, or other public entity, with regard to maintenance of the common areas or community property on a continuing basis.

(7) Information Applicable to ~~Mobile Home Park~~Manufactured Housing ~~s~~Communities.

(a) Location and number of pads for ~~mobile home~~Manufactured Housings.

(b) Distance between ~~mobile home~~Manufactured Housings.

(c) Proposed placement of ~~mobile home~~Manufactured Housing on each lot.

(d) Average and range of size of ~~mobile home~~Manufactured Housing lots.

(e) Density calculations (dwelling units per acre).

(f) Lot coverage calculations.

(g) Garage and **Carport** locations and details, if proposed.

(h) Pedestrian circulation system.

(i) Location and names of roads and internal drives.

(j) Community building location, dimensions, floor plans, and facade elevations, if applicable.

(k) Swimming pool fencing detail, including height and type of fence, if applicable.

(l) Location and size of recreation open areas.

(m) Indication of type of recreation facilities proposed for recreation area.

(8) Additional Information.

(a) Information Related to Condominium Development. The following information shall be provided with all site plans involving condominium development:

(i) Condominium documents, including the proposed Master Deed, condominium Bylaws, and Condominium Subdivision Plan (Exhibit B).

(ii) Condominium subdivision plan requirements, as specified in the Condominium Rules promulgated by the Department of Licensing and Regulatory Affairs, Bureau of Commercial Services and Corporations, or successor agency.

(b) Items Not Applicable. If any of the items listed are not applicable to a particular site, the following information should be provided on the site plan, or accompanying the site plan:

(i) A list of each item considered not applicable.
(ii) The reason(s) why each listed item is not considered applicable.

(c) Other Data That May Be Required. Other data may be required if deemed necessary by the Township administrative officials or Planning Commission to determine compliance with the provisions in this Ordinance. Such information may include, but need not be limited to, traffic studies, market analysis, environmental assessment and evaluation of the demand on public facilities and services.

(F) **Standards for Site Plan Approval.** The following criteria shall be used as a basis upon which site plans will be reviewed and approved. The Planning Commission shall approve a site plan ONLY if it conforms to all of the following standards.

(1) Adequacy of Information. The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

(2) Site Design Characteristics. All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance.

(3) Compliance with District Requirements. The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in the Schedule of Regulations unless otherwise provided in this Ordinance.

(4) Emergency Vehicle Access. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

(5) Ingress and Egress. Every structure or dwelling unit shall be provided with adequate means of Ingress and egress via public or private streets.

(6) Exterior Lighting. Exterior lighting shall be designed so that it is focused downward and deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets.

(7) Public Services. Adequate services and utilities, including water, sewage disposal, sanitary sewer, and stormwater control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development. All streets and roads, water, sewer, and drainage systems, and similar facilities shall conform to the design and construction standards of the Township or County, as appropriate.

(8) Screening. Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height and shall comply with Articles 10.00 and 11.00 of this Ordinance.

(9) Coordination with Adjacent Sites. All site features, including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.

Section 14.04 Special Land Uses

(A) **Intent.** The procedures and standards in this Section are intended to provide a consistent and uniform method for review of proposed plans for special land uses (sometimes also referred to as Special Uses). Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be property classified as a permitted use in a particular zoning district. This Section contains standards for review of each special land use proposal individually on its own merits to determine if it is an appropriate use for the district and specific location where it is proposed.

(B) **Procedures and Requirements.** Special land use proposals shall be reviewed in accordance with the procedures for site plan review, as follows:

(1) Public Hearing Required. A public hearing shall be scheduled by the Township Administration and held by the Planning Commission, with notice as required by the Michigan Enabling Act, before a decision is made on a special land use request.

(2) Planning Commission Action. The Planning Commission shall review the application for special land use together with the public hearing findings and reports and recommendations from the Zoning Administrator, Township Public Safety officials, and other reviewers. The Planning Commission shall then make a recommendation to the Township Board regarding the proposed special land use, based on the requirements and standards of this Ordinance. The Planning Commission may approve, approvel with conditions, or deny the special land use application as follows:

(a) Approval. Upon determination by the Planning Commission that the final plan for special land use is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall approve the special land use.

(b) Approval with Conditions. The Planning Commission may impose reasonable conditions upon the approval of a special land use, to the extent authorized by law, for the purposes of insuring that public services and facilities affected by the proposed development will be capable of accommodating increased public service loads caused by the development, protecting the natural environment and conserving natural resources and energy, insuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner. Conditions imposed shall be designed to protect natural resources and the public health, safety and welfare of individuals in the development and those immediately adjacent, and the community as a whole. Conditions imposed shall also be necessary to meet the intent and purpose of this Ordinance.

(c) Denial. Upon determination by the Planning Commission that a special land use proposal does not comply with the standards and regulations set forth in this Ordinance, or otherwise would be injurious to the public health, safety, welfare, and orderly development of the Township, the Planning Commission shall deny the special land use.

(3) Recording of Action. Each action taken with respect to a special land use shall be duly recorded in the minutes of the Planning Commission. The minutes shall record the findings of fact relative to each special land use proposal, the grounds for the action taken, and any conditions imposed in conjunction with approval.

(4) Effect of Approval. Upon approval, a special land use shall be deemed a conforming use permitted in the district in which it is proposed, subject to any conditions imposed and final approval of the site plan. Such approval shall affect only the lot or portion thereof on which the proposed use is located. Such approval shall remain valid regardless of change of ownership.

(5) Zoning Board of Appeals Authority. The Zoning Board of Appeals shall not have the authority to consider an appeal of a decision concerning a special land use proposal. The ZBA shall have the authority to consider variances associated with a special land use that relate to specific requirements of this Ordinance, but not to the approval or denial or imposition of conditions regarding the Special Use as a whole.

(6) Application for a Building Permit. Prior to issuance of a building permit, the applicant shall submit proof of the following:

(a) Final approval of the special land use application.
(b) Final approval of the site plan.
(c) Final approval of the engineering plans.
(d) Acquisition of all other applicable Township, County, or State permits.

(7) Expiration of Special Land Use Approval. If construction has not commenced, or if the project has commenced but has not made reasonable progress within twelve (12) months after final approval, the approval becomes null and void and a new application for special land use approval shall be required. However, the applicant may apply in writing to the Planning Commission for an extension of special land use approval. The Planning Commission may grant one or more extensions of up to a total of twelve (12) months, upon request from the applicant prior to expiration of the previous approval and provided that it finds that the approved special land use plan conforms to current Zoning Ordinance standards.

(8) Modification to Approved Special Land Use. Special land use approval in accordance with provisions of this Section may subsequently be modified, subject to a revised application being submitted, including payment of a fee, which shall be equal to half the fee for the original approval, notice provided to the public as required for all Special Use applications, and subject to the following requirements:

(a) Modifications that do not change the nature of the use or that do not affect the intensity of use may be reviewed and approved following normal site plan review procedures. In evaluating change in intensity of use, the Planning Commission shall consider the extent of increase of vehicular or pedestrian traffic, the change in demand for public services, extent to which the total floor area occupied by the proposed use will increase, increased demand for parking, off-site impacts from noise, fumes, drainage, etc., and similar considerations.

(b) Modifications that change the nature of the use or that result in an increase in the intensity of the use shall be reviewed in the same manner as a new special land use proposal, following the procedures in this Section.

(9) Special Land Use Violation. In the event that construction or subsequent use is not in compliance with the approved special land use application, the Zoning Administrator or his/her designee shall take corrective action, unless a revised special land use application is submitted for Township review, following the normal special land use review procedures. If the builder, developer, or current user fails to take corrective action or pursue approval of an amended plan, the Zoning Administrator or his/her designee may issue a citation, after which the Township Board may commence and pursue appropriate action in a court having jurisdiction.

(10) Performance Guarantee. The Planning Commission may require that a performance guarantee be deposited with the Township to ensure faithful completion of the improvements.

(C) **Standards for Granting Special Land Use Approval.** Approval of a special land use proposal shall be based on the determination that the proposed use will be consistent with the intent and purposes of this Ordinance, will comply with all applicable requirements of this Ordinance, and the following standards:

(1) Compatibility with Adjacent Uses. The proposed special land use shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

(a) The location and screening of vehicular circulation and parking areas in relation to surrounding development.

(b) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

(c) The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.

(d) The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

(e) Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.

(2) Compatibility with the Master Plan. The request satisfies the Goals, Objectives, narrative, and intent of the Township Master Plan.

(3) Public Services. The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, roads, police and fire protection, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special land use is established.

(4) Impact of Traffic. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets shall be appropriate for the volume of traffic they will carry, based on Clinton County Road Commission standards. In order to insure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points, construct a secondary access road, install traffic controls or signage, or otherwise modify the circulation plan.

(5) Detrimental Effects. The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

(6) Compatibility with Natural Environment. The proposed special land use shall be compatible with the natural environment and conserve natural resources and energy.

Section 14.05 Variances and Appeals

(A) **Intent.** The purpose of this Section is to provide guidelines and standards to be followed by the Zoning Board of Appeals (ZBA) to act on matters where this Ordinance or state law gives jurisdiction to the ZBA.

(B) **Authority of the Zoning Board of Appeals.**

(1) General Authority. The Zoning Board of Appeals (ZBA) shall have the authority to act on those matters where this Ordinance provides for administrative review/appeal, interpretation, or special approval/appeal, and shall have authority to authorize a variance as defined in this Ordinance and the laws of the State of Michigan. Such authority shall be subject to the rules and standards in this Section. The ZBA shall not have the authority to alter or change zoning district classifications of any property, nor to make any change in the text of this Ordinance. The ZBA has no authority to grant variances to overturn decisions involving special land uses or planned unit developments. The Township Board may require fees to cover the reasonable costs of ZBA processes.

(2) Administrative Review. The ZBA shall have authority to hear and decide appeals where it is alleged that there is an error in an order, requirement, permit, decision, or refusal made by an official, board or commission in carrying out or enforcing any provisions of this Ordinance. Such appeal shall be requested by the applicant within 30 days of the date of the order, refusal, requirement, or determination being appealed.

(a) In hearing and deciding appeals under this sub-section, ZBA review shall be based upon the record of the administrative decision being appealed, and the ZBA shall not consider new information which had not been presented to the administrative official, board or commission from whom the appeal is taken. The ZBA shall not substitute its judgment for that of the administrative official, board or commission being appealed, and the appeal shall be limited to determining, based upon the record, whether the administrative official, board or commission breached a duty or discretion in carrying out this Ordinance.

(3) Interpretation. The ZBA shall have authority to hear and decide requests for interpretation of the Zoning Ordinance, including the zoning map. The ZBA shall make such decisions so that the spirit and intent of this Ordinance shall be observed. Text interpretations shall be limited to the issues presented, and shall be based upon a reading of the Ordinance as a whole, and shall not have the effect of amending the Ordinance. Map interpretations shall be made based upon rules in the Ordinance, and any relevant historical information. In carrying out its authority to interpret the Ordinance, the ZBA shall consider reasonable and/or practical interpretations which have been consistently applied in the administration of the Ordinance. Prior to deciding a request for an interpretation, the ZBA may confer with staff and/or consultants to determine the basic purpose of the provision subject to interpretation and any consequences which may result from differing decisions. A decision providing an interpretation may be accompanied by a recommendation for consideration of an amendment of the Ordinance.

(4) Variances. The ZBA shall have authority in specific cases to authorize one or more dimensional or "non-use" variances from the strict letter and terms of this Ordinance by varying or modifying any of its rules or provisions so that the spirit of this Ordinance is observed, public safety secured, and substantial justice done. A dimensional or non-use variance allows a deviation from the dimensional (i.e., height, bulk, setback) requirements of the Ordinance. A use variance authorizes the establishment of a use of land that is otherwise prohibited in a zoning district. The ZBA is not authorized to grant use variances by this Ordinance. Such authority shall be exercised in accordance with the following standards.

(a) The ZBA may grant a requested "non-use" variance only upon a finding that practical difficulties exist *and* that the need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. In determining whether practical difficulties exist, the ZBA shall consider the following factors:

(i) Unique circumstances or conditions exist which apply to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

(ii) As a result of the unique circumstances or conditions, strict compliance with the provisions of this Ordinance would unreasonably prevent the use of the property for a permitted purpose, or would be unnecessarily burdensome.

(iii) The unique circumstances do not result from the actions of the applicant, including the knowing purchase of a property limited by existing non-conformities.

(iv) The variance requested is the minimum variance which will make possible the reasonable use of the land, building or structure.

(v) The granting of the variance will be in harmony with the spirit and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety and welfare.

(b) In all variance proceedings, it shall be the responsibility of the applicant to provide information, plans, testimony and/or evidence from which the ZBA may make the required findings. Administrative officials and other persons may, but shall not be required to, provide information, testimony and/or evidence on a variance request.

(5) Conditions. The ZBA may impose reasonable conditions in connection with an affirmative decision on an appeal, interpretation or variance request. Conditions imposed shall meet the following requirements:

(a) Be designed to protect natural resources, the health, safety and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

(b) Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.

(c) Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

(6) Conditions imposed with respect to the approval of a variance shall be recorded as part of the ZBA minutes, and shall remain unchanged except upon the mutual consent of the ZBA and the landowner following notice and hearing as required in a new case.

(C) **Applications and Notices.**

(1) Application. All applications to the ZBA shall be filed with the Township, on forms provided by the Township, and shall be accompanied by the applicable fee established by resolution of the Township Board. Applications shall include seven (7) individually folded copies and one (1) digital copy of all plans, studies and other information and data to be relied upon by the applicant. These materials shall be submitted to the Township no later than thirty (30) days prior to the Zoning Board of Appeals meeting at which the review is requested.

(2) Plot Plan. A plot plan be required with all variance requests. The plan, which shall accompany all variance requests, shall be based on a mortgage survey or land survey prepared by a licensed land surveyor. The plan shall be to scale and shall include all property lines and dimensions, setbacks and all existing and proposed structures. .

(a) The Zoning Board of Appeals has the authority to require a land survey prepared by a licensed land surveyor when the ZBA determines it to be necessary to insure accuracy of the plan.

(b) The ZBA shall have no obligation to consider and/or grant a request for relief unless and until a conforming and complete application has been filed; including relevant plans, studies and other information.

(3) Applications Involving an Appeal of Administrative Order. In a case involving an appeal from an action of an administrative official or entity, the administrative official, or the clerk or secretary of the administrative entity, as the case may be, upon notice from the Zoning Department, shall transmit to the ZBA copies of all papers constituting the record upon which the action was taken, together with a letter specifying an explanation of the action taken.

(4) Consent of Property Owner Required. Applications to the ZBA shall be made with the full knowledge and written consent of all owners of the property in question. This requirement shall include the consent of a land contract seller to the relief sought by a land contract purchaser.

(5) Notice. Notice of a public hearing concerning a request for a dimensionsional variance, interpretation of the zoning ordinance, or an appeal of an administrative decision shall be given as follows:

(a) A notice stating the time, date, and place of the public hearing shall be published in a newspaper of general circulation in the Township and sent to the person requesting the interpretation not less than 15 days before the public hearing.

(b) If the request for a dimensional variance, interpretation, or appeal involves a specific parcel, written notice stating the nature of the request and the time, date, and place of the public hearing shall be sent by first-class mail or personal delivery to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question, and to the occupants of all structures within three hundred (300) feet of the boundary of the property in question. If a tenant's name is not known, the term "occupant" may be used.

(6) Stay of Proceedings. An appeal shall have the effect of staying all proceedings in furtherance of the action being appealed unless the officer or entity from whom the appeal is taken certifies to the ZBA that, by reason of facts stated in such certification, a stay would in his or her opinion cause imminent peril to life or property, in which case proceedings shall not be stayed unless specifically determined by the ZBA, or by a court of competent jurisdiction.

(7) Decision by the Zoning Board of Appeals. The concurring vote of a majority of the membership of the ZBA shall be necessary to reverse any order, requirement, decision, or determination of an administrative official, board, or commission made in the administration of this ordinance, to decide in favor of an applicant on any matter upon which the ZBA is required to pass under this ordinance, or to grant a "non-use" variance from the terms of this ordinance.

(D) **Disposition and Duration of Approval.**

(1) The ZBA may reverse, affirm, vary of modify any order, requirement, decision, or determination presented in a case within the ZBA's jurisdiction, and to that end, shall have all of the powers of the officer, board or commission from whom the appeal is taken, subject to the ZBA's scope of review, as specified in this Ordinance and/or by law. The ZBA may remand a case for further proceedings and decisions, with or without instructions.

(2) Decision Final. A decision by the ZBA shall be considered final as of the meeting at which the decision has been made, and the date of such meeting shall be deemed to be the date of notice of the decision to the applicant. To the extent that decisions are requested or required to be in writing, the minutes of the ZBA meeting, and decision, as proposed under supervision of the secretary, shall constitute the written decision.

(3) Period of Validity. Any decision of the ZBA favorable to the applicant shall remain valid only as long as the information and data relating to such decision are found to be correct, and the conditions upon which the decision was based are maintained. The relief granted by the ZBA shall be valid for a period not longer than one (1) year, unless otherwise specified by the ZBA, and within such period of effectiveness, actual on-site improvement of property in accordance with the approved plan and the relief granted, under a valid building permit, must be commenced or the grant of relief shall be deemed void.

(4) Record of Proceedings. The Township administrative staff, under the supervision of the secretary of the ZBA, shall prepare and keep minutes of the ZBA proceedings, showing the findings, decisions, conditions, if any, and votes of each member in each case, including a member's absence or failure to vote. The minutes shall be within the ultimate authority, and shall be the responsibility, of the secretary of the ZBA, and shall be subject to approval of the ZBA. To the extent that a written decision in a case is requested or required, the minutes, prepared under the supervision of the ZBA secretary, along with the plan submitted, shall serve as the written decision, even if the minutes are awaiting final ZBA approval.

(a) The official records of the ZBA proceedings shall be filed in the Township Hall and shall be public records.

(5) Appeal of a ZBA Decision. Appeals of a ZBA decision shall be taken in the manner provided by law.

(6) New Application for Variance. If the ZBA denies a request for a variance, the decision of the ZBA shall not be subject to re-consideration for a period of one year, whereupon the applicant may submit a new application for the variance. However, the ZBA may waive the one year period if conditions upon which their original decision was made change, or if information relating to the original decision are found to be incorrect or inaccurate.

Section 14.06 Amendments

(A) **Initiation of Amendment.** The Township Board may amend, supplement, or change the district boundaries or the regulations herein, pursuant to the authority and procedures set forth in Michigan Public Act 110 of 2006, as amended. Text amendments may be proposed by any governmental body or any interested person or organization. Changes in district boundaries may be proposed by any governmental body, any person having a freehold interest in the subject property, or by the designated agent of a person having a freehold interest in the property.

(B) **Application for Amendment.** A petition for an amendment to the text of this Ordinance or an amendment to change the zoning classification of a particular property, shall be commenced by filing a petition on the forms provided by the Township and accompanied by the fees specified. The petition shall describe the proposed amendment and shall be signed by the applicant. Petitions for rezoning of a specific site shall be accompanied by a plot plan or survey, which shall contain the following information. These materials shall be submitted to the Township no later than noon thirty (30) calendar days prior to the Planning Commission or Township Board meeting at which the review is requested.

(1) Applicant's name, address, and telephone number.

(2) Scale, north point, and dates of submittal and revisions.

(3) Zoning classification of petitioner's parcel and all abutting parcels.

(4) Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within fifty (50) feet of the site.

(5) Proposed lot lines and lot dimensions, and general layout of proposed structures, parking areas, driveways, and other improvements on the site.

(6) Dimensions, centerlines, and right-of-way widths of all abutting streets and alleys, both public and private.

(7) General location of existing drainage courses, floodplains, lakes and streams, and woodlots.

(8) All existing and proposed easements.

(9) Location of sanitary sewer or septic systems, existing and proposed.

(10) Location and size of water main, well sites, and building services, existing and proposed.

(11) **Optional Conditional Rezoning (CR) Agreement:** A CR Agreement, which is voluntarily offered by the applicant (or designee), may be submitted. If submitted, the Agreement shall set forth the Rezoning Conditions, together with any other term mutually agreed upon by the parties, including the following terms:

(a) Agreement and acknowledgement that the conditional rezoning was proposed by the applicant to induce the Township to grant the rezoning, and that the Township relied upon such proposal and would not have granted the rezoning but for the terms in the CR Agreement.

(b) Agreement and acknowledgement that the conditions and CR Agreement are authorized by all applicable state and federal laws and constitution, and that the CR Agreement is valid and was entered into on a voluntary basis, representing a permissible exercise of authority by the Township.

(c) Agreement and understanding that the property in question shall not be developed or used in a manner that is inconsistent with the CR Plan and CR Agreement.

(d) Agreement and understanding that the approval and CR Agreement shall be binding upon and inure to the benefit of the property owner and the Township, and their respective heirs, successors, assigns, and transferees.

(e) Agreement and understanding that, if a conditional zoning expires in the manner provided in this Section, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.

(f) Agreement and understanding that each of the requirements and conditions in the CR Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved conditional rezoning, taking into consideration the changed zoning district classification and the specific use authorization granted.

(g) Any other agreement voluntarily proposed by the applicant (or designee) that is consistent with all applicable state and federal laws and is agreed to by the Township.

(C) **Review Procedures.** After the completed petition and all required supporting materials have been received and fees paid, the petition shall be reviewed in accordance with the following procedures:

(1) Planning Commission Review. The petition shall be placed on the agenda of the next regularly scheduled meeting of the Planning Commission. The Planning Commission shall review the petition for amendment in accordance with the procedures and public hearing and notice requirements set forth in Michigan Public Act 110 of 2006, as amended, and schedule a public hearing for the request on the next available Planning Commission agenda.

(2) Action by the Planning Commission. Following the hearing on the proposed amendment, the Planning Commission shall make written findings of fact which it shall transmit to the Township Board, together with the comments made at the public hearing and its recommendations.

(3) Action by the Township Board. The Township Board may hold additional hearings if the Board considers it necessary, following the hearing and notice requirements of Michigan Public Act 110 of 2006, as amended. The Township Board may by majority vote of its membership adopt the proposed amendment, reject the proposed amendment, or refer the proposed amendment back to the Planning Commission for further review and recommendation within a specified time period. Thereafter, the Township Board may either adopt the amendment with or without the recommended revisions, or reject it.

(4) Review Considerations. The Planning Commission and Township Board shall at minimum, consider the following before taking action on any proposed amendment.

(a) Will the proposed amendment be in accordance with the basic intent and purpose of the Zoning Ordinance?

(b) Will the proposed amendment further the comprehensive planning goals of the Township as reflected in the Master Plan?

(c) Have conditions changed since the Zoning Ordinance was adopted or was there a mistake in the Zoning Ordinance that justifies the amendment?

(d) Will the amendment correct an inequitable situation created by the Zoning Ordinance, rather than merely grant special privileges?

(e) Will the amendment result in unlawful exclusionary zoning?

(f) Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?

(g) If a rezoning is requested, is the proposed zoning consistent with the zoning classification of surrounding land?

(h) If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?

(i) If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?

(j) Will the proposed amendment be consistent with the purposes of this Ordinance and, in particular, will the proposed amendment promote the public health, safety and welfare?

(5) Notice of Record of Amendment Adoption. Following adoption of an amendment by the Township Board, one notice of adoption shall be filed with the Township Clerk and one notice shall be published in newspaper of general circulation in the Township within fifteen (15) days after adoption, in accordance with Michigan Public Act 110 of 2006, as amended. A record of all amendments shall be maintained by the Township Clerk. A master Zoning Map shall be maintained by the Township, which shall identify all map amendments.

(6) Effects of Approval of a Conditional Rezoning Agreement. If a Conditional Rezoning Agreement has been approved, the use of property in question shall conform to all regulations governing development and use in the zoning district to which the property has been rezoned, subject to the following:

(a) Development Subject to Conditional Rezoning Requirements. Development and use of the property shall be subject to the more restrictive requirements specified on the CR Plan, in the Rezoning Conditions and in the CR Agreement, required as part of the Conditional Rezoning approval. Such requirements shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.

(b) Site Plan Review and Other Approvals Required. Approval of the CR Plan and Agreement confirms only the rezoning of the property, subject to any conditions imposed as reflected in the CR Plan. Site plan, special land use, plat, and condominium approval, as appropriate, shall be required, pursuant to procedures in Article 17.00, prior to any improvements to the property.

(i) Any use or development proposed as part of any offer of conditions that would require a variance under the terms of this Ordinance may only be commenced if a variance for such use or development is ultimately granted by the Zoning Board of Appeals in accordance with the provisions of this Ordinance.

(c) Recording and Publication of CR Agreement. A conditional rezoning shall become effective following publication in the manner provided by law, and, after recordation of the CR Agreement, whichever is later.

(D) **Referendum.** Within thirty (30) days following the passage of the amendment, a petition signed by a number of qualified and registered voters as specified in Section 402 of Public Act 110 of 2006, as amended, may be filed with the Township Clerk requesting submission of an ordinance or part of an ordinance to the electors for their approval, in accordance with Section 402(2) of Michigan Public Act 110 of 2006, as amended.

Section 14.07 Filing Fees

(A) All applications shall be accompanied by a filing fee which shall be established by resolution of the Township Board, in accordance with Section 406 of Public Act 110 of 2006, as amended. This filing fee may include a deposit toward the costs of any consultants retained by the Township for reviewing the application, such as consulting planning services, consulting engineering services, legal services, court reporter services, or similar services. The filing fee and deposit shall be paid before the review process begins. Upon notification of deficient payment of fees, administrative officials charged with enforcement of the Ordinance shall suspend further review of the application.

(B) Any deposit toward the cost of any consultants shall be credited against the expense to the Township of such consultants, which shall be fully charged to the applicant. Any portion of the deposit not needed to pay such expense shall be refunded without interest to the applicant within 30 days of final action on the application.

(C) A schedule of the current filing fees and deposit requirements shall be made available to anyone who requests it.

(D) The assessment and payment of application fees does not affect the requirements for a performance guarantee.

Section 14.08 Violations and Penalties

(A) **Public Nuisance.** Buildings Erected, altered, razed or converted (including tents, ~~mobile home~~Manufactured Housings, and trailer coaches), or uses carried on in violation of any provision of this Ordinance are hereby declared to be a nuisance per se, and shall be subject to abatement or other action by a court of appropriate jurisdiction.

(B) **Violation Defined.** Any person, firm, corporation, or agent, or any employee, contractor, or subcontractor of same, who fails to comply with any of the provisions of this Ordinance or any of the regulations adopted in pursuance thereof, or who impedes or interferes with the enforcement of this Ordinance by the Zoning Administrator or other Enforcement Official shall be deemed in violation of this Ordinance.

(C) **Penalties.** Any violation of this Ordinance shall constitute municipal civil infraction (as defined by Michigan Statute). The penalty for a municipal civil infraction shall be a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1st Offense	$75.00	$500.00
2nd Offense	150.00	500.00
3rd Offense	325.00	500.00
4th Offense	500.00	500.00

(1) In addition, the violator shall pay costs which may include all expenses, direct and indirect, which Eagle Township has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than $25.00 be ordered.

(2) Upon notice of a violation, the appropriate Township employee shall investigate any violation and then make a determination as to whether the penalty shall be imposed. This municipal civil infraction ticket shall serve as notice of the alleged violation. The imposition of a municipal civil infraction fine for any violation shall not excuse the violation or permit it to continue. Further violations subject the owner or occupant, or person or persons, agent, firm or corporation to subsequent municipal civil infraction violations.

(3) Furthermore, the owner or tenant of any building, structure, premise, or part thereof, and any architect, engineer, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains any violation, of the Ordinance may each be found guilty of a separate offense and may be subject to the penalties provided herein. The cost of prosecution shall also be assessed against the violator.

(4) The imposition of any sentence shall not exempt the offense from compliance with the requirement of this Ordinance.

(D) **Authority to Pursue Court Action.** The Township Board or its duly authorized representative is hereby empowered to commence and pursue any and all necessary and appropriate actions or proceedings in the Circuit Court, or any other court having jurisdiction, to restrain or prevent any non-compliance with, or violation of, any of the provisions of this Ordinance, and to correct, remedy, or abate such noncompliance or violation. Any person aggrieved or adversely affected by such noncompliance or violation may institute suit or join the Township Board in such a suit to abate the violation.

(E) **Other Remedies.** The rights and remedies set forth above shall not preclude the use of other remedies provided by law, including any additional rights of the Township to initiate proceedings in an appropriate court of law to restrain or prevent any noncompliance with any provisions of this Ordinance, or to correct, remedy, or abate such non-compliance.

(F) **Rights and Remedies Preserved.** Any failure or omission to enforce the provisions of this Ordinance, and failure or omission to prosecute any violations of this Ordinance, shall not constitute a waiver of any rights and remedies provided by this Ordinance or by law, and shall not constitute a waiver or nor prevent any further prosecution of violations of this Ordinance.

Section 14.09 Records

The Township shall keep accurate records of all decisions on all applications submitted pursuant to this Ordinance.

Section 14.10 Public Notice

The Township shall ensure that any application process requiring a public hearing shall comply with the requirements of PA 110 of 2006, as amended, and the procedures of this Section.

(A) **Publication in a Newspaper of General Circulation.** Notice of the request shall be published in a newspaper of general circulation not less than 15 days before the date the application will be considered for approval.

(B) **Personal and Mailed Notice.**

(1) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.

(2) Notice shall be sent to all persons to whom real property is assessed within three hundred (300) feet of the property and to the occupants of all structures within three hundred (300) feet of the property, including the owners or occupants of structures located in adjacent cities or townships. If the name of the occupant is not known, the term “occupant” may be used in making notification.

(3) All notice delivered by mail or personal delivery must be given not less than fifteen (15) days before the date of the public hearing. Notice shall be deemed mailed by its deposit in the United States mail.

(4) The Township shall prepare a list of property owners and occupants to whom notice was mailed or delivered.

(5) **Content.** Any notice published in a newspaper or delivered by mail or personal delivery shall:

(a) Describe the nature of the request.

(b) Indicate the property that is the subject of the request.

(c) Include a listing of all existing street addresses within the property. If no such addresses exist, other means of identifying the property may be used.

(d) When and where the public hearing will occur.

(e) When and where written comments may be submitted concerning the request.

Article 15 Administrative Organization

Section 15.01 Overview

(A) The Township Board of Trustees or its duly authorized representative as specified in this Article is hereby charged with the duty of enforcing the provisions of this Ordinance. Accordingly, the administration of this Ordinance is hereby vested in the following Township entities:

(1) Township Board of Trustees
(2) Township Planning Commission
(3) Zoning Board of Appeals
(4) Zoning Administrator

(B) The purpose of this article of the Zoning Ordinance is to set forth the responsibilities and scope of authority of these entities.

Section 15.02 Township Board of Trustees

The Township Board of Trustees shall have the responsibilities granted to it by the Michigan Planning Enabling Act (Public Act 33 of 2008, as Amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as Amended), as well as the powers explicitly granted to it in this Ordinance.

(A) **Setting of Fees.** By resolution, the Township Board shall have the authority to set all fees for permits, applications, and requests for action pursuant to the regulations set forth in this Ordinance.

Section 15.03 Township Planning Commission

The Township Planning Commission shall have the following responsibilities and authority pursuant to this Ordinance.

(A) **Creation.** The Township Planning Commission was created pursuant to Michigan Public Act 33 of 2008, as amended, the Michigan Planning Enabling Act, and Township Ordinance. The Planning Commission will continue to operate under the jurisdication of those Acts.

(B) **Membership and Operation.** Members of the Planning Commission shall be appointed by the Township Supervisor with the approval of the Township Board of Trustees. The qualifications of members, the term of each member, filling of vacancies, removal of members, compensation of members, and operation of the Planning Commission shall be in accordance with Michigan Public Act 33 of 2008, as amended, and Township Ordinance.

(1) The Planning Commission by resolution shall determine the time and place of meetings. A special meeting may be called by either two (2) members upon written request to the secretary, or by the chairperson. The Planning Commission shall adopt by-laws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(C) **Jurisdiction.** The Planning Commission shall have the responsibilities granted to it by the Michigan Planning Enabling Act (Public Act 33 of 2008, as Amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as Amended), as well as the powers explicitly granted to it in this Ordinance.

(1) Report on Operation of the Zoning Ordinance. In accordance with Section 308(2) of Michigan Public Act 110 of 2006, as amended, the Planning Commission shall periodically prepare for the Township Board of Trustees a report on the operations of the Zoning Ordinance including recommendations as to the enactment of amendments or supplements to the Ordinance.

(2) Capital Improvements Plan. In accordance with Section 65(1) of Michigan Public Act 33 of 2008, as amended, the Planning Commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements.

Section 15.04 Zoning Board of Appeals

The Township Zoning Board of Appeals (hereinafter referred to as "ZBA") is created pursuant to Michigan Public Act 110 of 2006, as amended.

(A) **Membership and Operation.** The ZBA shall consist of three (3) members who shall be appointed in accordance with Section 601(3) of Michigan Public Act 110 of 2006, as amended, as follows:

(1) The first member shall be a member of the Planning Commission, as appointed by the Township Board.

(2) The remaining members (including any alternate members) shall be electors of the Township residing outside of incorporated cities and villages, and shall be representative of the population distribution and of the various interests present in the Township.

~~**(3)** Of the remaining members, one shall be a member of the Township Board.~~

~~**(4)**~~**(3)** No employee or contractor of the Township may be a member or employee of the Board of Appeals. No Township Board member may serve as chairman of the Board of Appeals.

~~**(5)**~~**(4)** The qualifications of members, the term of each member, filling of vacancies, compensation of members, and operation of the ZBA shall be in accordance with Michigan Public Act 110 of 2006, as amended. The ZBA shall not conduct business unless a majority of the members of the Board are present.

~~**(6)**~~**(5)** The Township Board may appoint up to 2 alternate members for the same term as regular members to the ZBA. An alternate member may be called to serve as a member of the ZBA in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the ZBA.

(B) **Meetings.** Meetings of the ZBA shall be held in accordance with an adopted schedule, or at the call of the Chairperson, or at such other times as the ZBA may specify in its bylaws. The ZBA shall state the grounds of each determination, and shall maintain a record of its proceedings, which shall be filed in the office of the Township Clerk.

Section 15.05 Zoning Administrator

(A) **Overview.** As specified throughout this Ordinance, certain actions necessary for the implementation of this Ordinance shall be administered by the Zoning Administrator/Zoning Administrator, or their duly authorized assistants, agents or representatives. In carrying out their designated duties, all such enforcement officers shall administer the Ordinance and shall not make changes or vary the terms of the Ordinance.

(B) **Responsibilities of the Zoning Administrator and/or Zoning Administrator.** In addition to specific responsibilities outlined elsewhere in this Ordinance, the Zoning Administrator and/or Zoning Administrator or his/her duly authorized assistants or agents shall have the following responsibilities. The roles of Zoning Administrator and/or Zoning Administrator shall include:

(1) Provide citizens and public officials with information relative to this Ordinance and related matters.

(2) Assist applicants in determining and completing appropriate forms and procedures related to site plan review, rezoning, and other zoning matters.

(3) Review and investigate permit applications to determine compliance with the provisions of the Zoning Ordinance.

(4) Issue appropriate permits upon compliance with provisions of this Ordinance and other applicable ordinances.

(5) Perform inspections of buildings, structures, and premises to insure proposed land use changes or improvements are in compliance with this Ordinance.

(6) Investigate alleged violations of this Ordinance and enforce appropriate corrective measures when required, including issuance of violation notices, citations, issuance of orders to stop work, and revoking of permits.

(7) Perform other related duties required to administer this Ordinance.

(8) Maintain records as accurately as is feasible of all nonconforming uses, structures, and lots existing on the effective date of this Ordinance, and update this record as conditions affecting the nonconforming status of such uses changes.

Section 15.06 Performance Guarantee

(A) **Intent and Scope of Requirements.**

(1) To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Planning Commission, Zoning Board of Appeals, or Township Board may require that a performance guarantee be deposited with the Township to insure faithful completion of improvements, in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

(2) Improvements for which the Township may require a performance guarantee include, but are not limited to, landscaping, berms, walls, lighting, driveways and parking, acceleration/deceleration lanes, traffic control devices, sidewalks, completion of construction in a timely fashion, wetlands disturbance, and land reclamation activities.

(B) **General Requirements.** The performance guarantee shall meet the following requirements:

(1) The performance guarantee shall be in the form of an insurance bond, an irrevocable bank letter of credit, or cash escrow. Any such performance guarantee shall not have an expiration date and shall include a provision that calls for notification of the Township if the bond is canceled. If the applicant posts a letter of credit, the credit shall require only that the Township present the credit with a sight draft and an affidavit signed by the Township Supervisor attesting to the Township's right to draw funds under the credit. The escrow funds shall be delivered directly to the Township for deposit.

(2) The performance guarantee shall be submitted at the time of issuance of the permit authorizing the activity or project. If appropriate, based on the type of performance guarantee submitted, the Township shall deposit the funds in an interest-bearing account in a financial institution with which the Township regularly conducts business.

(3) The amount of the performance guarantee shall be 125% of the estimated cost of the improvements for which the performance guarantee is required. The applicant shall provide an itemized schedule of estimated costs to complete all such improvements. The exact amount of the performance guarantee shall be determined by the Zoning Administrator.

(4) The entire performance guarantee shall be returned to the applicant following inspection by the Zoning Administrator and a determination that the required improvements have been completed satisfactorily. The performance guarantee may be released to the applicant in proportion to the work completed on various elements, provided that a minimum of ten percent (10%) shall be held back on each element until satisfactory completion of the entire project.

(5) An amount not less than ten percent (10%) of the total performance guarantee may be retained for a period of at least one year after installation of landscape materials to insure proper maintenance and replacement, if necessary. This amount shall be released to the applicant upon certification by the Zoning Administrator, or his/her designee, that all landscape materials as defined in Article 10 are being maintained in good health and condition.

(C) **Unsatisfactory Completion of Improvements.** Whenever required improvements are not installed or maintained within the time stipulated or in accordance with the standards set forth in this Ordinance, the Township may complete the necessary improvements itself or by contract to an independent developer, and assess all costs of completing said improvements against the performance guarantee. Prior to completing said improvements, the Township shall notify the owner, site plan review applicant, or other firm or individual responsible for completion of the required improvements.

Article 16 Rules of Construction

Section 16.01 Rules of Construction

The following rules of construction apply to the text of this Ordinance:

(A) The particular shall control the general.

(B) Words used in the present tense shall include the future, unless the context clearly indicates the contrary.

(C) Words used in the singular number shall include the plural; and words used in the plural shall include the singular, unless the context clearly indicates the contrary.

(D) Terms referred to in the masculine gender include the feminine and neuter.

(E) The word **shall** is always mandatory and not discretionary; the word **may** is permissive and discretionary.

(F) The word build includes the words **erect** and **construct**.

(G) The word building includes the word structure. A building or structure includes any part thereof.

(H) The words **include or including** shall mean including but not limited to.

(I) The phrase **such as** shall mean such as but not limited to.

(J) The phrase **used for** includes arranged for, designed for, intended for, occupied for, and maintained for.

(K) The word **person** includes an individual, firm, association, organization, private or public corporation, partnership or co-partnership, a limited liability company, incorporated or unincorporated association, trust, or any other entity recognizable as a person under the laws of the State of Michigan.

(L) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction **and, or,** or **either/or,** the conjunction shall be interpreted as follows:

(1) **And** indicates that all the connected items, conditions, provisions, or events shall apply.

(2) **Or** indicates that the connected items, conditions, provisions, or events may apply singularly or in any combination.

(3) **Either/or** indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.

(M) All measurements shall be to the nearest integer, unless otherwise specified herein.

(N) Unless otherwise stated, the word **day** shall mean a calendar day; **month** shall mean any consecutive period of 30 calendar days; and **year** shall mean any consecutive period of 365 calendar days.

(O) Unless the context clearly indicates the contrary, where an illustration accompanies any item within this Ordinance, the written text shall have precedence over said illustration.

(P) The term **residential districts** includes the A and R Districts.

(Q) In the event that a word or phrase is not defined in this Ordinance, the Township, including its board and commissions, shall use the definition as stated in the Township Clerk's copy of Webster's *New World Dictionary.*

Article 17 Definitions

Section 17.01 Definitions

The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning. Words or terms not herein defined shall have the meaning customarily assigned to them. Definitions of uses in the Table of Permitted Uses in Article 3 are defined in Article 5.

Accessory Use, Accessory Building, or **Accessory Structure:** A use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and located on the same zoning lot (unless otherwise specifically permitted) as the principal use to which it is related.

Accessory Dwelling Unit: A second dwelling unit associated with the principal dwelling which cannot be sold or leased separately from the principal dwelling unit.

Alterations: Any change, addition or modification to a structure or type of occupancy, or any change in the structural members of a building, such as walls or partitions, columns, or beams or girders, or any change which may be referred to herein as **altered** or **reconstructed**.

Animal: Any member of the kingdom Animalia, other than humans. All domesticated animals in the Township shall be considered one of the following for the purposes of this Ordinance:

Pet: An animal kept solely for companionship, recreation, and pleasure, regardless of the use of the property where the animal resides. All animals kept for companionship, recreation, and pleasure shall be considered domestic pets for the purposes of this ordinance, except for those defined as “Exotic or Wild Animals.” Pets may include, but are not limited to, dogs, cats, birds,and small fish.

Domestic Livestock: An animal raised for slaughter or kept for the purposes of contributing to an agricultural use through labor or the production of milk, eggs, manure, wool, or other animal-based products, but for which the proceeds of the animal are used primarily for the use of the owner of the animal and not for commercial purposes. Any livestock animal kept on a premises where there are more than 10 total livestock animals shall be considered commercial livestock, regardless of the use of the animal’s proceeds.

Commercial Livestock: An animal raised for slaughter or kept for the purposes of contributing to an agricultural use through labor or the production of milk, eggs, manure, wool, or other animal-based products, for which the proceeds of the animal are used primarily for commercial purposes. Any livestock animal kept on a premises where there are more than 10 total livestock animals shall be considered commercial livestock, regardless of the use of the animal’s proceeds.

Exotic or Wild Animal: Any animal not commonly (in Michigan) domesticated, raised for slaughter, or used for agricultural purposes, especially animals that pose a clear and present danger to humans, including but not limited to big cats, venomous snakes, and large apes.

Architectural Feature: An integral element of a building that does not contain any discernable message.

Artwork: Any decorative element that is not integral to a building and does not contain an immediately discernable message.

Applicant. The property owner, or a person acting with the written and signed authorization of the property owner to make application under this Ordinance.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

Basement: That portion of a building which is partially or totally below grade, but is so located that the vertical distance from the average grade to the floor below is greater than the vertical distance from the average grade to the ceiling. This definition shall not apply to earth- sheltered homes. A 'basement' shall not be counted as a story (see illustrations on pages 225 and 250).

Bed Room: A room designed or used in whole or part for sleeping purposes.

Berm: A continuous, raised earthen mound, with flattened top and sloped sides, capable of supporting live plant materials. See Landscaping.

Block: The property bounded by a street or by a combination of streets and public lands, rights-of-way, rivers or streams, boundary lines of the Township, or any other barrier to the continuity of development.

Buildable Area: The area of a lot which is defined by the minimum setback requirements within which building construction is permitted by the terms of this Ordinance.

Buildable Area, Net: The net buildable area is that portion of a site that is not encumbered by regulated wetlands (except as specifically noted), steep slopes, road rights-of-way, easements, structures or lots, or other existing or proposed features that would prevent construction of a building or use of the site for a use permitted in the district in which the site is located.

Building: Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animal **s,** or property or materials of any kind. A building shall not include such structures as signs, fences, or smokestacks, but shall include structures such as storage tanks, grain elevators, coal bunkers, or similar structures.

(a) **Building, Permanent**: A building which is permanently affixed to the ground with footings or a foundation and/or is permitted to exist for an indefinite period of time exceeding six (6) months.

(b) **Building, Temporary**: A building which is not permanently affixed to the ground and is permitted to exist for a specific reason for a specific period of time, such as during a construction project.

Building, Accessory: See Accessory Use, Building, or Structure.

Building, Principal: A permanent building or, where the context so indicates, a group of permanent building**s** (such as a school or office campus) which are built, used, designed or intended for the shelter or enclosure of the principal use of the parcel.

Building Envelope: See Buildable area.

Building height: The vertical distance measured from the established grade to the following. Ventilators, chimneys, and antennae shall be not be considered part of the Building Height for purposes of this Ordinance.

(a) The highest point of the coping or parapet of a flat roof;

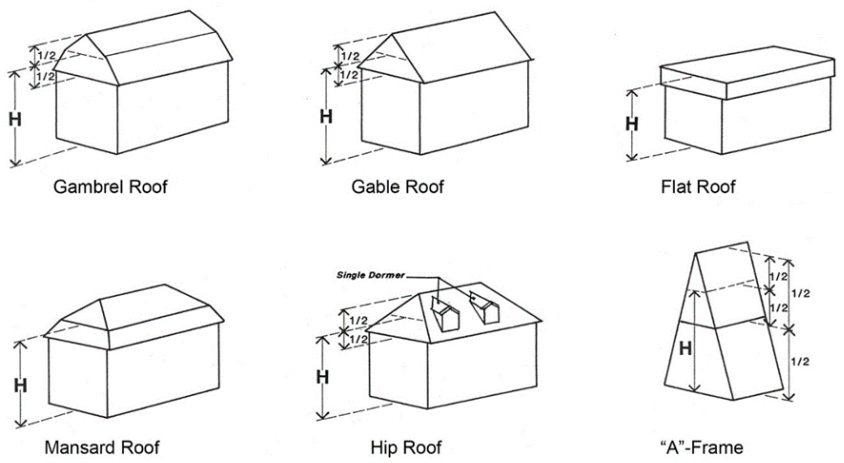
(b) The deck line of a mansard roof; or,

(c) The average height between the eaves and the ridge for a gable, hip, studio (shed), or gambrel roof (if the eaves are not even, then the height shall be the average height between the highest eave and the peak of the roof); or

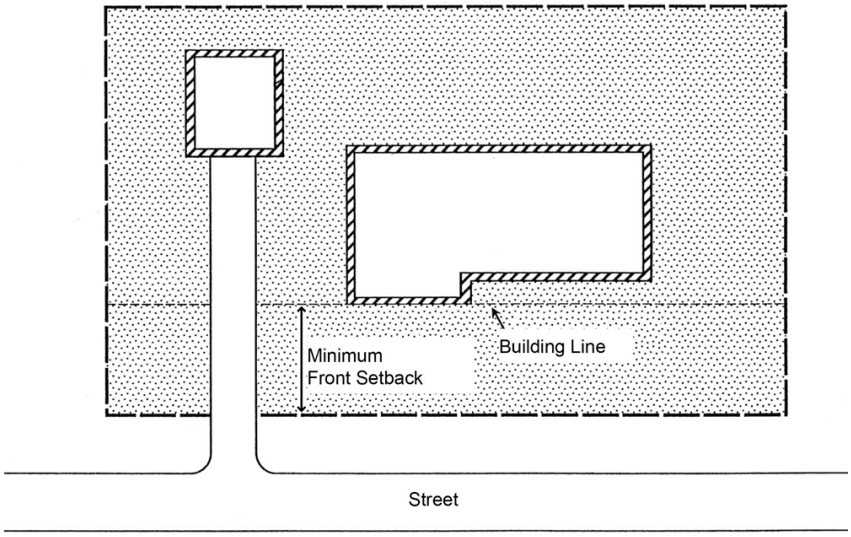
(d) Seventy-five percent of the height of an A-frame.

Building Height

H = Height of building



Building Line



Building Line: A line parallel to the front lot line at the minimum required front setback line.

Bulb (or **Lamp**): The source of electric light (to be distinguished from the whole assembly, which is called the luminaire). “Lamp” is often used to denote the bulb and its housing.

Bulk: The term used to indicate the size and setbacks of buildings and structures , including standards for the height and area of buildings; the location of exterior walls in relation to the lot lines, streets, and other buildings; gross floor area of buildings in relation to lot area; open space; and, the amount of lot area required for each dwelling unit.

Campground: A plot of ground upon which two (2) or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

Candela (cd): A unit of luminous intensity. One candela is one lumen per steradian. Also known as one candlepower.

Child Day Care Home:

> **Family Child Day Care Home:** a private home (where the licensee permanently resides as a member of the household) with the approved capacity of 1 to 6 minor children to be cared for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children at a Family Child Care Home does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

Group Child Day Care Home: A private home with the approved capacity of 7 to 12 minor children for less than 24 hours a day unattended by a parent or legal guardian. The limit on the number of children does not include children who are related to an adult member of the family by blood, marriage or adoption. It includes care to an unrelated minor child for more than 4 weeks in a calendar year.

Child Care Center (Non-Home-Based): A facility, other than a private residence, receiving more than twelve (12) preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two (2) consecutive weeks regardless of the number of hours of care per day. The facility is generally described as a child care center. "Child Care Center" or "Day Care Center" does not include instruction solely for religious purposes conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

Colocation. The location by two or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the intent to reduce the total number of structures required to support wireless communication antennas in the Township.

Commercial use: The use of property for retail sales or similar businesses where goods or services are sold or provided directly to the consumer. As used in this Ordinance, 'commercial use' shall not include industrial or manufacturing businesses.

Curb Cut: The entrance to or exit from a property provided for vehicular traffic to or from a public or private road or highway.

Deck: A raised platform, commonly constructed of wood, which does not have a roof and is typically attached to or abuts a house and used for outdoor leisure activities.

Density (Residential): The number of dwelling units per acre of land.

Gross Density: The number of units per acre of total land being developed.

Net Density: The number of units per acre of land not encumbered by regulated wetlands (except as specifically noted), steep slopes, road rights-of-way, easements, structures, lots, or other existing or proposed features that would prevent construction of a building or use of the site for a residential dwelling.

Detention Basin: A structure or facility, natural or artificial, which stores stormwater on a temporary basis and releases it at a controlled rate. A detention basin may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events. See also Retention Basin

Development: The construction of a new building, reconstruction of an existing building, or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the improvement of open land for a new use.

District, Zoning: A portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

Donation Bin: A donation bin is a closed container, typically constructed of metal, in which clothing, shoes, books, and/or other goods are placed by the public to be donated to charitable organizations or for recycling in other ways.

Driveway: A private lane, designed primarily for use by vehicles, which connects a house, garage, or other buildings with the road.

Dwelling Units: Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by a single family. In no case shall a detached or attached accessory structure, travel trailer, motor home, vehicle, tent, or other temporary structure or vehicle be considered a 'dwelling'.

Easement: A right, created by an express or implied agreement, of one owner of land to make lawful and beneficial use of the land of another. A public easement is any easement enjoyed by the public in general, e.g., the right of the passage of the public over the surface of streets, alleys, highways, etc.

Enforcement Official: The Enforcement Official is the person or persons designated by the Township as being responsible for enforcing and administering requirements of this Zoning Ordinance. Throughout this Ordinance the Enforcement Official may be referred to as the Zoning Administrator, Zoning Administrator, Public Safety official, or their agents. Such titles do not necessarily refer to a specific individual, but generally the office or department most commonly associated with the administration of the regulation being referenced.

Erected: Any physical change on a site, including construction, reconstruction, or alteration of buildings or structures thereon. Excavation, fill, drainage, and the like shall be considered part of 'erection.'

Essential Services: The term *"*Essential Services*"* means the erection, construction, alteration or maintenance by public utilities or Eagle Township departments or commissions, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, telephone exchange and/or repeater buildings, electric substations and substation buildings, gas regulator stations and regulator buildings and other similar equipment and accessories in connection therewith (but not including any buildings *except those expressly referred to herein),* reasonably necessary for the furnishing of adequate service by such public utilities or Eagle Township departments or commissions or for the public health or safety or general welfare. This definition does not include towers or other buildings or structures intended specifically to service commercial wireless telecommunications such as cellular, personal communications services, specialized mobilized radio, enhanced specialized mobile radio, paging and similar services. This definition also does not include sales or business offices and commercial buildings or activities.

Excavation: The removal or movement of soil, sand, stone, gravel, or fill dirt, except for common household gardening, farming, and general ground care.

Exception: An exclusion from the normal Zoning Ordinance rules and regulations for the purposes of permitting particular uses or structures which are considered essential or appropriate in certain locations or under certain conditions. A variance is not required for uses or structures which are permitted because of an exception.

Family: A collective number of individuals domiciled together in one dwelling whose relationship is of a permanent and distinct domestic character, with a demonstrable and recognizable bond characteristic of a cohesive unit, and who are in fact cooking and living as a single nonprofit housekeeping unit.

Family Daycare Home: A private home in which one but not more than six children are received for child day care, including a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.

Farm: The term “farm” shall have definition given to it in the Michigan Right to Farm Act. At the time of the adoption of this Ordinance, that definition was as follows: The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Foot-candle: Illuminance produced on a surface one foot from a uniform point source of one candela or when one lumen is distributed into an area of one square foot.

Fence: An artificially constructed barrier of wood, wire, metal or any other manufactured material or combination of materials, used to prevent or control entrance, confine within, or mark a boundary. Plant material shall always be considered landscaping, not a fence.

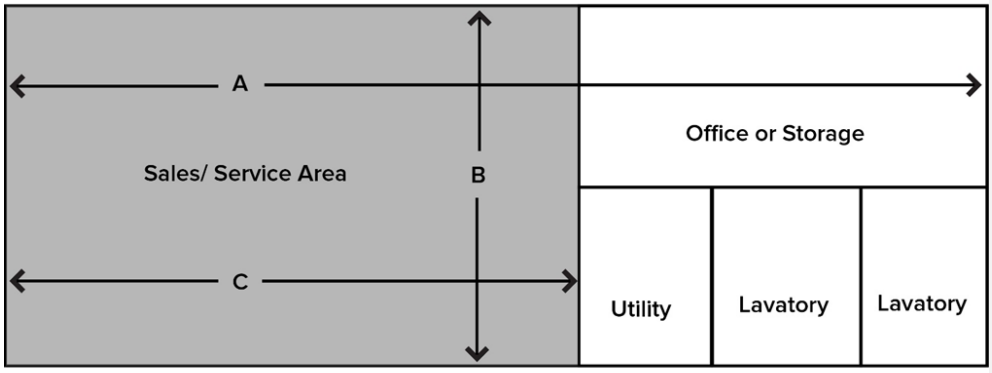
Fill, Filling: The deposit or dumping of any matter onto or into the ground, except for common household gardening, farming, and general ground care.

Flag Lot: See Lot, Flag.

Floodplain: Any land area susceptible to being inundated by floodwaters when high amounts of precipitation are experienced or natural cyclic conditions raise the water levels.

Floor Area, Gross: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage, measured from the exterior faces of the exterior walls.

Floor Area Terminology



Gross Floor Area = A x B
Useable Floor Area = B x C

Note on Graphic: All Dimensions measured to exterior faces of exterior walls.

Floor Area, Net: See ***Floor Area, Usable Residential,*** and ***Floor Area, Usable Nonresidential***.

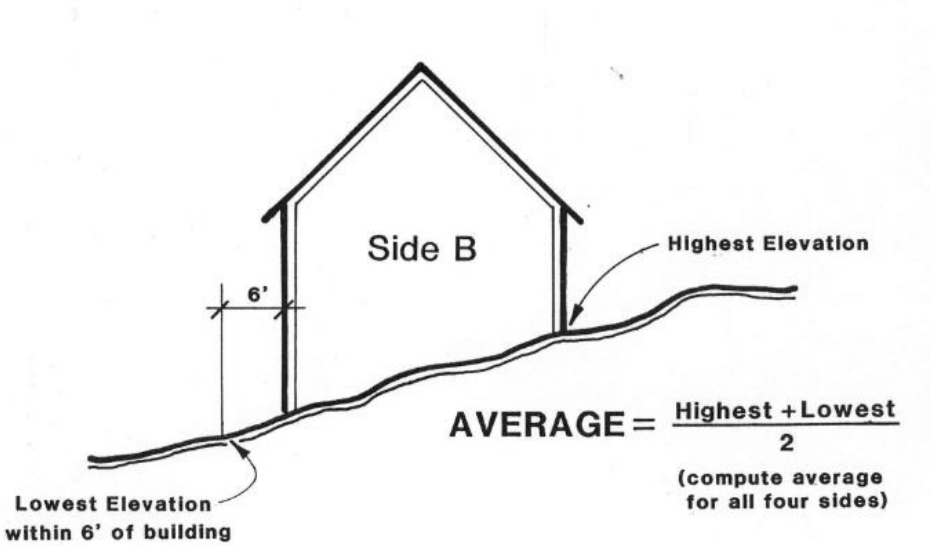
Floor Area, Usable Residential: The gross floor area minus areas in basements, unfinished attics, attached garages, and enclosed or unenclosed Porches.

Floor Area, Usable Nonresidential: The gross floor area, minus the area used for or intended to be used for storage, hallways, vestibules, elevators, stairs, mechanical equipment, sanitary facilities or for utilities (see illustration).

Garage or Yard Sale: A temporary retail use located on a lot otherwise used for residential purposes.

Garbage: Discarded items, including but not limited to organic refuse and rejected food waste; ashes, i.e. the residue left from burning of paper, leaves, weeds, wood and coal; kitchen rubbish, i.e. all types of food containers and wrappings, including cans, bottles, jars, broken glass, crockery, paper, plastic, wood and metal objects; household rubbish, i.e. all types of household materials commonly discarded such as newspapers, magazines, books, wrappings, cartons, boxes, crates, excelsior, rags, clothing, bedding, floor covering, wallpaper, leather objects and sweepings.

Grade: The term 'grade' shall mean the ground elevation established for the purpose of regulating the number of stories or height of a building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the highest point adjacent to the building and the lowest point within six feet of the building. The Zoning Administrator shall be the entity responsible for determining the grade and determining compliance with this Ordinance.



Group Daycare Home: A private home in which more than six but not more than 12 minor children are received for child day care, including a home in which care is given to an unrelated minor child for more than four weeks during a calendar year.

Hazardous Uses: Any activity which is or may become injurious to public health, safety, or welfare or the environment. Hazardous uses include but are not limited to all uses which involve the storage, sale, manufacture, or processing of materials which are dangerous or combustible and are likely to burn immediately, and from which either poisonous fumes or explosions are to be anticipated in the event of fire. These uses include all high hazard uses listed the State Building Code, as amended.

Home Based Business: An occupation or profession undertaken entirely within a dwelling unit by one or more resident occupants of that dwelling unit. A "home based business" must be clearly secondary to the use of the dwelling unit for residential purposes.

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, including but not limited to asphalt, concrete, and all building roofs. Pervious pavement, structures that permit water to run between the slats, and gravel surfaces shall not be considered impervious surface.

Ingress and Egress: As used in this Ordinance, 'ingress and egress' generally is used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk which allows pedestrians to enter or leave a parcel of property, a building, or another location.

Junk: Any motor vehicles, machinery, appliances, products or merchandise with parts missing, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured.

Kennel, Boarding: Any lot or premises where three or more dogs or cats over six months of age are boarded and/or trained for compensation.

Kennel, Breeding: Any lot or premises where three or more dogs or cats are owned, kept, or harbored for the purpose of breeding for commercial gain.

Kennel, Rescue/Foster/Personal: Any lot or premises, where more than three dogs are owned or kept, and for which commercial gain is not the primary objective.

Kitchen: Any room principally used, intended, or designed to be used for cooking or the preparation of food. The presence of a range or oven, or gas utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen – any room with these shall be considered a kitchen, and any room without shall not be considered a kitchen.

Loading Space, Off-Street: An off-street space which is safely and conveniently located on the same lot as the building or buildings being served, for the temporary parking of delivery vehicles while loading and unloading merchandise and materials.

Lot: A tract of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A 'lot' may or may not be specifically designated as such on public records.

Lot Area, Net: The portion of the gross lot area excluding private and public road right-of-ways and area of any ponds, lakes or permanently submerged lands in excess of one (1) acre in size The 'net lot area' shall be used in determining compliance with Minimum Lot Area standards.

Lot Area, Gross: The total area of land contained within the boundaries of a lot.

Lot, Contiguous: Lots adjoining each other.

Lot, Corner: A lot abutting on and at the intersection of two or more streets, provided that the streets intersect at an angle of not more than 135 degrees. For the purposes of this definition, the 'street lot line' shall be the line separating the lot from the street or road right-of-way.

Where a lot is on a curve, if the tangents through the extreme point of the street lines of such lot make an interior angle of not more than 135 degrees, it shall be considered a corner lot. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above (see illustration in definition of Lot Width). A tangent is a straight line extended from the outer edges of a curve which intersect to form a corner.

Lot Coverage: The part or percent of a lot that is occupied by impervious surface, as defined in this Ordinance. Pervious pavement and gravel surfaces shall not be considered impervious surface.

Lot Depth: The horizontal distance between the front lot line and rear lot line, measured along the median between the side lot lines.

Lot, Double Frontage (or Through Lot): A lot, other than a corner lot, having frontage on two streets. In the case of a row of double frontage lots, one street shall be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing building in the same **block** fronting on one or both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front.

Lot, Flag: A **Lot** located behind other parcels or lots fronting on a public road, but which has a narrow extension providing access to the public road. For the purposes of this Ordinance, the extension, which provides access to the buildable portion of the lot, shall comply with the lot width standards for the district in which the lot is located.

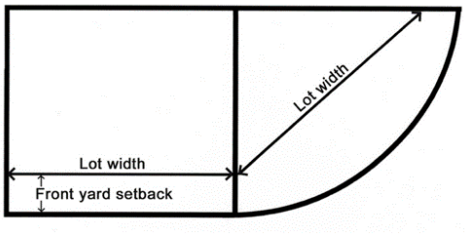
Lot, Interior: Any lot, other than a corner lot, with only one lot line fronting on a street.

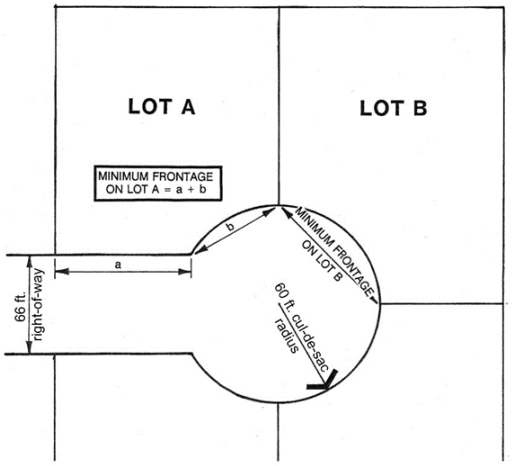
Lot Lines: The lines bounding a lot as follows:

> **Front Lot Line:** The line separating said lot from the public or private road right-of-way. In the case of a corner lot or double frontage lot, the 'front lot line' shall be that line that separates said lot from the right-of-way for the road which is designated as the front on the plat, or which is designated as the front on the site plan review application or request for a building permit. On a flag lot, the 'front lot line' shall be the interior lot line most parallel to and nearest the street from which access is obtained.
>
> **Rear Lot Line:** Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of irregular, triangular, wedge-shaped, or lots that are pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, 10 feet in length, lying farthest from the front lot line and wholly within the lot.
>
> **Side Lot Line:** Any lot line other than the front or rear lot lines. A side lot line separating a lot from a road right-of-way is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
>
> **Waterfront Lot Line:** Any lot line that abuts Lake Michigan or an inland body of water, regardless of whether the lot line meets the definition of Front, Rear, or Side Lot Line.

Lot of Record: A parcel of land, the dimensions and configuration of which are shown on a subdivision plat recorded in the offices of the Clinton County Register of Deeds and Township Treasurer, or a **Lot** or parcel described by metes and bounds, and accuracy of which is attested to by a land surveyor registered and licensed in the State of Michigan and is recorded with the Clinton County Register of Deeds and Township Treasurer.

Lot Width: The straight line distance between the side lot lines, measured at the two points where the minimum front yard setback line intersects the side lot lines..





Lot Split or **Lot Consolidation:** The dividing or uniting of lots by virtue of changes in the deeds in the office of the Clinton County Register of Deeds and the Township Treasurer.

Manufactured Housing: A building or portion of a building designed for long-term residential use and characterized by all of the following:

(a) The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended; and

(b) The structure is designed to be transported to the site in a nearly complete form, where it is placed and attached to a foundation consisting of an approved crawl space or basement and connected to utilities; and

(c) The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building that complies with Michigan Building and Energy codes.; and

Master Plan: The most recent Master Plan document adopted by the Township Board, in accordance with the Michigan Planning Enabling Act.

Mineral Resource Extraction: The removal or recovery by any means whatsoever of soil, rock, sand, gravel, peat, muck, barrow, shale, limestone, clay or other mineral or organic substances, other than vegetation, from water or land, whether exposed or submerged. Said definition does not include common household gardening and farming operations.

Multiple Family Housing (or Multi-Family Housing): A building or complex of mulitple buildings where each building contains at least two dwelling units. buildings or complexes designed for senior housing, but not including assisted living, shall be considered “multi-family housing” for purposes of this Ordinance.

Municipality: Eagle Township, Clinton County, Michigan.

Natural Resources: Natural resources shall include land, soils, wetland**s**, floodplain**s**, surface and ground water, topography, trees and other types of vegetative cover, subsurface strata, geologic formations, animal life, and naturally occurring substances and living organisms that can be useful to people. Natural resources are of two types: renewable (e.g., plants and trees) and nonrenewable (e.g., mineral resources). Natural resources may also be referred to as ‘natural features’ in this Ordinance.

Nonconformity: Any structure, lot, or use of any lot, land or structure, which does not conform at the time of adoption of this Ordinance or any amendment thereto, to the regulations for the district in which it is located. Additionally, for the purposes of non-conformities, the following terms shall have the following definitions:

> **Effective Date.** Whenever this article refers to the "effective date," the reference shall be deemed to include the effective date of any amendments to this Ordinance if the amendments created a nonconforming situation.
>
> **Nonconforming Building or Nonconforming Structure.** A building, structure, or portion thereof that does not meet the limitations on building size, location on a lot, or other regulations for the district in which such building or structure is located.
>
> **Nonconforming Lot.** A lot existing at the effective date of this Ordinance, or amendments thereto, that does not meet the minimum area or dimensional requirements of the district in which the lot is located.
>
> **Nonconforming Sign.** A sign that on the effective date of this Ordinance does not conform to one or more regulations set forth in the Ordinance.
>
> **Nonconforming Use.** A use which was lawfully in existence at the effective date of this Ordinance, or amendment thereto, and which does not now conform to the use regulations of this Ordinance for the zoning district in which it is now located.
>
> **Structural Nonconformity.** A nonconformity that exists when the height, size, or minimum floor space of a structure, or the relationship between an existing building and other buildings or lot lines, does not conform to the standards of the district in which the property is located. Also sometimes referred to as a *Dimensional Nonconformity*.

Nuisance: Any offensive, annoying, or disturbing practice or object, which prevents the free use of one's property, or which renders its ordinary use or physical occupation uncomfortable. 'Nuisance' commonly involves continuous or recurrent acts which give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endangers life and health.

Occupancy, Change of: A discontinuance of an existing use, as defined by the Michigan Building Code, and the substitution of a use of a different kind or class, or, the expansion of a use.

Occupied: Used in any way at the time in question.

Open Air Business: Any commercial use that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

> Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.
>
> Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.
>
> Outdoor display and sale of garages, swimming pools, playground equipment, and uses.

Open Space: Any parcel or area of land or water that is generally free of structures and that is set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. 'Open space' may be required for recreation, resource protection, aesthetics, or other purposes.

Open Space, Usable: Open Space that is accessible to a majority of residents in a development for recreation or leisure activities. Examples of 'usable open space' include, but are not limited to, open fields and woodlands. Swamps or marshes are not generally considered usable open space, except as specifically exempted elsewhere in this Ordinance.

Ordinary High Water Mark (OHWM): "Ordinary High Water Mark", as used in this Ordinance, shall have the definition given to it by the State of Michigan for the body of water in question.

Parcel: A continuous area, tract, or acreage of land that has not been subdivided according to the provisions of the Subdivision Control Act and that has frontage on a public or private street.

Parking Lot, Off-Street: An area on private property that provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than three vehicles.

Parking Space: An area of definite length and width as designated in this Ordinance for parking a vehicle and which is fully accessible for such purposes.

Perc Test or **Percolation Test:** A test designed to determine the ability of ground to absorb water, and used to determine the suitability of a soil for drainage or for the use of a septic system.

Performance Guarantee: A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with the Ordinance, regulations, and approved plans and specifications of the development.

Pervious Surface: A surface that permits full or partial absorption of storm water, including but not limited to grass, dirt, mulch, gravel, decks with space between the slats, and pervious pavers.

Pervious Pavement: Pavement (including concrete or asphalt) with a base and/or sub-base that allows the movement of stormwater through the pavement to reduce water runoff.

Planning Commission: The Planning Commission of Eagle Township.

Plat, Subdivision: The division of a tract of land for the purpose of sale, lease or building development, in accordance with Subdivision Control Act, Michigan Public Act 288 of 1967, as amended, or any successor thereto, and subdivision control regulations as may be adopted by the Township.

Plot Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and all salient features required to adequately evaluate whether the approvals sought by an applicant are in compliance with this Ordinance.

Pond, Detention: A low lying area that is designed to temporarily hold a set amount of water while slowly draining to another location.

Pond, Retention: A low lying area that is designed to hold a set amount of water indefinitely.

Porch: A raised platform with or without railings and covered by a roof, which is attached to a building but is outside of its enclosing walls .. A Porch without a roof is considered a "Deck" for the purposes of this Ordinance.

Property Line: The line separating a piece of property from the street right-of-way and the lines separating a parcel of property from adjacent parcels. See also Lot line.

Public Safety Official: Public Safety Official refers generally to the departments or persons who perform police, fire fighting, and other public safety functions for the Township.

Public Utility: Any persons, firm, corporation, municipal department, or board, duly authorized to furnish under federal, state, or local regulations a service which is of public consequence and need. The principal distinctive characteristics of a public utility are that: (1) because of the nature of its business, it has characteristics of a natural monopoly, and (2) it provides a service to an indefinite public (or portion of the public) which has a legal right to demand and receive its services.

Real Property: Includes the surface, whatever is attached to the surface (such as buildings or trees), whatever is beneath the surface (such as minerals), and the area above the surface, i.e., the sky.

Reception Antenna: An apparatus installed out-of-doors which is capable of receiving communications for radio and/or television purposes, including satellite reception antennas, but excluding such facilities that have been preempted from Township regulation by applicable state or federal laws or regulations.

Recreational Vehicle: A class of vehicle which shall include the following:

Travel Trailer: A portable vehicle on a chassis, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a "travel trailer" by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.

Pickup Camper: A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.

Motor Home: A recreational vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities.

Folding Tent Trailer: A folding structure, mounted on wheels and designed for travel and vacation use.

Boats, Boat Trailers: Boats, floats, rafts, canoes, etc., plus the normal equipment used to transport them on the highway.

Other Recreational Equipment: Snowmobiles, all terrain or special terrain vehicles, utility trailers, etc., plus the normal equipment to transport them on the highway.

Park Model: Vehicles designed to look like a permanent dwelling unit.

Rezoning. The amendment of this Ordinance to change the Zoning Map classification on property from its existing district to a new district classification.

Right-of-Way: The strip of land over which an easement exists to allow facilities such as streets, roads, highways, and power lines to be built.

Road or Street: Any public or private thoroughfare or Right-of-Way, other than a public or private alley, dedicated to or designed for travel and access to any land, lot or parcel whether designated as a thoroughfare, road, avenue, highway, boulevard, drive, lane, place, court, or any similar designation. Various types of roads are defined as follows:

> **Private Road or Street**: Any Road or Street that is privately maintained and has not been accepted for maintenance by the Clinton County Road Commission, the State of Michigan or the federal government, but is subject to approval by the Township.
>
> **Public Road or Street:** Any Road or Street or portion thereof which has been dedicated to and accepted for maintenance by the Clinton County Road Commission, State of Michigan or the federal government. For the purposes of funding, public roads are classified as either County Primary Roads or County Local Roads, pursuant to Michigan Public Act 51 of 1951, as amended. The County Primary Roads are those selected by the board of county road commissioners and certified to the Michigan Department of Transportation as being of greatest general importance to the county. All roads not included in the County Primary system shall constitute and be the County Local Road system.

Roof Line: The top edge of a roof or Building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

Room: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bed room, equal to at least 80 square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing 1, 2 or 3 bed room units and including a den, library, or other extra room shall count such extra room as a bed room for the purpose of computing density.

Semi-Trailer: A trailer, which may or may not be enclosed, having wheels generally only at the rear and supported in front by a truck tractor or towing vehicle.

Setback: The horizontal distance between any lot line and the nearest part of a structure on a lot. The 'minimum required setback' is the minimum distance between a front, side or rear lot line and the nearest part of a structure in order to conform to the required yard setback provisions of this Ordinance (see Yard).

Sign: Any device, structure, fixture, or placard which uses words, numbers, figures, graphic designs, logos or trademarks for the purpose of informing or attracting the attention of persons. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk alley, park, or public property, but not signs which are primarily directed at persons within the premises upon which the sign is located.

> **Accessory Sign**: An on premise sign which pertains to the use of the premises on which it is located.

Animated Sign: A sign that uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning or Canopy Sign: A sign which is made of non-rigid material such as heavy canvas that is supported by a framework, which is attached to a building's substrate. An awning sign extends outward from the building and so provides shaded cover and protection from weather for customers and pedestrians.

Balloon Sign: A balloon sign is an inflatable device, regardless of size, that is designed for use as an on premise advertising device for a commercial promotional event.

Banner Sign: A sign made of fabric, cloth, paper, or other non-rigid material.

Banner Sign

Billboard: A sign over 72 square feet in area and separate from a premises, erected for the prupose of advertising a product, event, person, or subject not related to the premises on which the sign is located.

Changeable Copy Sign (Manual): A sign, which has a reader board for the display of information (e.g., text, alphanumeric characters, graphics or symbols) which is changed manually.

Directional Sign: An on premise sign which is located and sized in a manner to safely and efficiently direct the flow of vehicular and pedestrian traffic to, from, and within a development site.

Electronic Display Signs: A sign that uses changing lights to form a sign message or messages in text or graphic or video display form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic process.

Feather Sign: A feather banner is a type of banner sign comprised of a metal or plastic frame, pole, and/or base to which a vinyl, nylon, canvas or polyester fabric sign face is attached (see illustration).

Festoon: A string of ribbons, tinsel, small flags, pennants, pinwheels or lights, typically strung overhead in loops.

Flag: A sign made of cloth, fabric, or other durable, flexible material and attached to a permanent or temporary conforming pole.

Flashing Sign: A sign that contains an intermittent or sequential flashing light source. Electronic Display Signs, as defined herein, shall not constitute a flashing sign for the purpose of this ordinance.

Freestanding Sign: Any on-site sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure, including the following:

(a) Pole Sign: A type of freestanding sign that is elevated above the ground on poles or braces.

(a) Monument Sign: A three-dimensional, self-supporting, base-mounted freestanding sign, consisting of two (2) or more sides extending up from the base, and upon which a message is painted or posted. A monument sign may also consist of a base-mounted cylindrical structure upon which a message is painted or posted.

Illuminated Sign: Any sign which contains a mechanism that emits artificial light, including the following:

(a) Externally Illuminated Sign: Any sign with lights designed for illumination and not located within the sign itself.

(b) Internally Illuminated Sign: Any sign with lights designed for illumination from within the sign itself.

Inflatable Sign: A sign consisting of flexible material or fabric that takes on a three-dimensional shape when filled with a sufficient volume of air or other gas. Inflatable signs are commonly used as temporary signs to draw attention to a site.

Interior Sign: A sign placed within a building, but not including a window sign as defined herein, that is not visible from any public street, sidewalk, **alley**, park, or public property.

Moving Sign: Any sign in which the sign itself or any portion of the sign moves or revolves. A "rotating sign" and a “revolving sign” are types of moving signs. Such motion does not refer to the method of changing the message on the sign.

Nonconforming Sign:

(a) A sign which is prohibited under the terms of this Ordinance but was Erected lawfully, with a permit and was in use on the date of enactment of this Ordinance, or amendment thereto.

(b) A sign which does not conform to the requirements of this Ordinance, but for which a variance has been granted.

Permanent Sign: Any sign constructed and intended to be displayed for an indefinite, long-term period of time. Any sign, regardless of construction and intention, that is in place for more than six months shall be considered a permanent sign.

Portable Sign: A sign designed to be moved easily and not permanently affixed to the ground or to a structure. This also includes signs worn or carried by a person.

Portable Message Center Sign: A sign designed to be transported easily and not permanently affixed to the ground or to a structure. A portable message center sign includes a manual and electronic changeable copy sign, an electronic graphic display sign, a video display sign or multi-vision/tri-vision sign that may be displayed or affixed to a movable object such as but not limited to a car, truck, trailer or similar transportation device. The following are examples of portable message center signs:

Projecting Sign: A sign, other than a flat wall sign, that projects from the face of the building or structure upon which it is located and is designed to attract the attention of drivers. A projecting roof sign is one that projects beyond the face or exterior wall surface of the building upon which the roof sign is mounted. A projecting sign is not a projecting sign, as defined herein.

Setback, Sign: The distance from the lot line to the nearest part of a sign structure.

Temporary Sign: A sign not constructed or intended to be in place for more than 90 days.

Vehicle Signs: Signs painted or mounted on the side of a vehicle, including signs on the face of a truck trailer. Vehicle signs do not include Portable Message Center Signs.

Wall Sign: A sign painted on, incorporated in or attached directly to the exterior wall of a building, with the exposed face of the sign in a plane parallel to the building wall, and projecting no more than twelve (12) inches from the wall face. Permanent signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall also be considered wall signs.

Wall Sign

Window Sign

Window Sign: A temporary sign located in or on a window which is intended to be viewed from the outside. Permanent window signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall be considered wall signs. Temporary signs affixed to a window for more than thirty (30) days shall be considered wall signs.

Sign Height: The distance from the grade at the bottom of a sign to the upper-most point of the sign. If the sign is located on a Berm, the height of the Berm shall be included in the height of the sign.

Single Family Dwelling Unit: A room, or rooms, within one independent structure, connecting together constituting a separate, independent dwelling unit for one family.

Special Event: An occurrence or noteworthy happening of seasonal, civic, or church importance, which is organized and sponsored by a non-profit Eagle Township community group, organization, club or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural or community enrichment. Special events typically run for a short period of time (less than two weeks) and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Special Land Use/Special Use: Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted use in a particular zoning district or districts. After due consideration of the impact of each such proposed use upon the neighboring land and of the public need for the particular use at the proposed location, such special land uses may be permitted following review and approval subject to the terms of this Ordinance.

Spirits: Any beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, including wine containing an alcoholic content of more than 21% by volume, except for sacramental wine and mixed spirit drink.

State-Licensed Residential Facility (Non-Daycare): Any structure constructed for residential purposes and licensed by the State of Michigan pursuant to Michigan Public Act 116 of 1973 (the Child Care Licensing Act) or Michigan Public Act 218 of 1979 (the Adult Foster Care Facility Licensing Act), including adult foster care facilities**,** foster family homes**,** foster family group homes**,** family day care homes**,** and group day care homes**.**

(a) **Adult foster care:** The provision of supervision, personal care, and protection, in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks for compensation.

(i) *Adult foster care facility:* A residential structure that is licensed to provide adult foster care**,** but not continuous nursing care, for unrelated adults over the age of 17. An 'adult foster care facility' does not include any of the following: a licensed child caring institution, children's camp, foster family home**,** or foster family group home; an alcohol or substance abuse rehabilitation center; a residential facility for persons released from or assigned to adult correctional institutions; a maternity home; a hotel or rooming house that does not provide or offer to provide foster care; or a veterans' facility.

(ii) *Adult foster care family home:* A private home with the approved capacity to receive not more than six adults to be provided with adult foster care.

(iii) *Adult foster care small group home:* An adult foster care facility with the approved capacity to receive not more than 12 adults.

(iv) *Adult foster care large group home:* An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults.

(v) *Adult foster care congregate facility:* An adult foster care facility with the approved capacity to receive more than 20 adults.

(c) **Child foster care:** The care and supervision for 24 hours a day, for four or more days a week, and for two or more consecutive weeks, of minor children who are not related to an adult member of the household by blood or marriage, are not placed in the household under the Michigan adoption code, and are unattended by a parent or legal guardian.

(i) *Foster family home:* A private home in which one but not more than four children are provided with child foster care.

(ii) *Foster family group home:* A private home in which more than four but not more than six children are provided with child foster care.

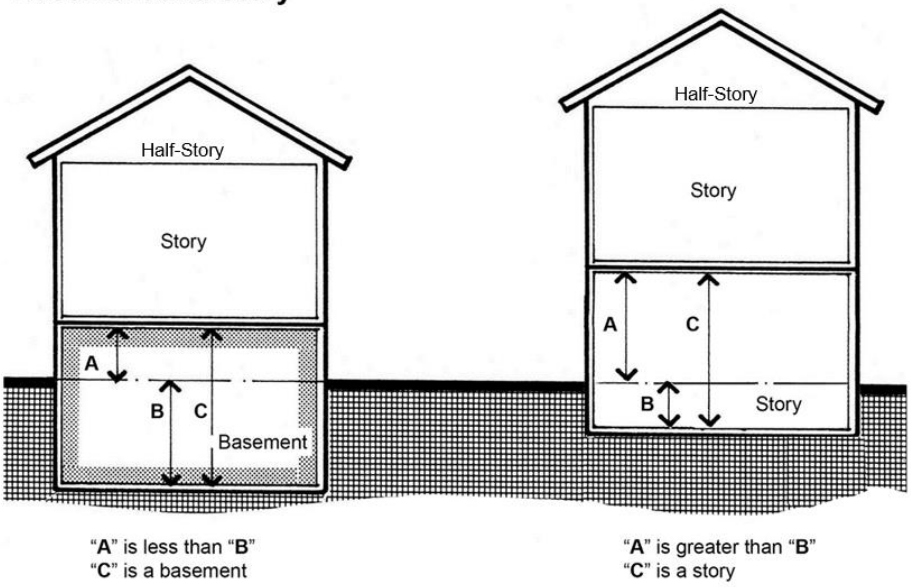
(d) Private home: For the limited purpose of defining a state-licensed residential facility**,** a 'private home' means a private residence in which the facility licensee or registrant permanently resides as a member of the household.

Story: That portion of a building, other than a basement as defined herein, included between the upper surface of any floor and the upper surface of the floor or roof next above it.

A mezzanine shall be deemed a full story when it covers more than one-third of the area of the story underneath, or, if the vertical distance from the floor next below the mezzanine to the floor above it is 24 feet or more.

A basement shall be deemed a full story when the vertical distance from the average grade to the floor below is less than the vertical distance from the average grade to the ceiling.

Basement and Story



Story, Half: The uppermost story lying under aroof, the usable floor area of which does not exceed two-thirds of the floor area of the uppermost full story. The usable floor area of a half story shall be at least 160 square feet with a minimum clear height of seven feet, six inches.

Street: See Road.

Street Lot Line: A dividing line between the street and a lot, also known as the right-of-way line.

Structural Alteration: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Structure: Anything constructed or Erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures include, but are not limited to, principal and accessory buildings, towers, decks, fences, privacy screens, walls, antennae, swimming pools, and signs. Not all structures shall be considered impervious surface – see definition of "surface, permeable." A simple concrete pad, including, but not limited to, a sidewalk or driveway, shall not be considered a structure.

Swimming Pool: Any permanent, non-portable structure or container located either above or below grade designed to hold water to a depth of greater than 24 inches, intended for swimming or bathing.

Temporary Use or Building: A use or building permitted to exist for a limited period of time under conditions and procedures as provided for in this Ordinance.

Township: Eagle Township, Clinton County, Michigan.

Township Board: The Supervisor, Clerk, Treasurer, and Trustees of Eagle Township, Clinton County, Michigan.

Tube Lights: Any light fixture that has the appearance of a "tube" of light, including neon, LED, fluorescent, or other lighting types. This definition shall not include words or images made up of tubes of light.

Use: The purpose for which land, lots, or buildings thereon is designed, arranged or intended, or for which it is occupied, maintained, let or leased.

> **Use, Accessory:** See *Accessory Use, Building, or Structure*.
>
> **Use, Permitted:** A use which may be lawfully established in a particular district or districts provided it conforms to all requirements, regulations, and standards of such district.
>
> **Use, Principal:** The main use of land and buildings and the main purpose for which land and buildings exist.
>
> **Use, Special Land**: See *Special Land Use*.

Variance: A modification of the literal provisions of the Zoning Ordinance granted by the Zoning Board of Appeals when strict enforcement of the Zoning Ordinance would cause practical difficulties owing to circumstances unique to the individual property on which the variance is granted.

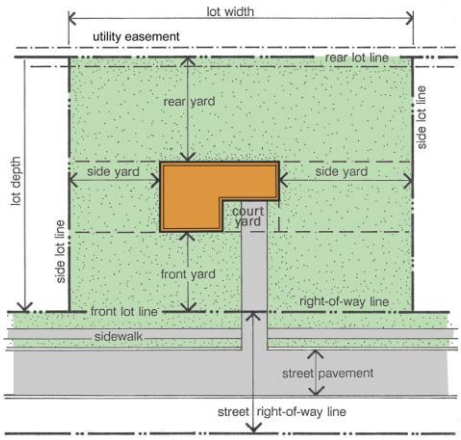
Vehicle: Unless specifically indicated otherwise, 'vehicle' shall mean any vehicle including by way of example, cars, trucks, vans, motorcycles, boats, and the like.

Vendor: Any person or persons engaging temporarily in the retail sale of goods, wares, or merchandise involving the display, sale, offering for sale, offering to give away, or giving away of anything of value including any food, beverage, goods, wares, merchandise, or services.

Wetland: Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and which is commonly referred to as a bog, swamp, or marsh. A wetland is further characterized by the presence of hydric soils and prevalence of aquatic vegetation (hydrophytes) typically adapted for life in saturated soil conditions. A wetland that exhibits these characteristics may be dry on the surface during part or all of the year.

Yard: An open space on the same lot with a building. The 'minimum required setback' is the minimum depth of a front, rear or side yard necessary to conform to the required yard setback provisions of this ordinance (see illustrations).

> **Yard, Front:** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the principal building. Unless otherwise specified, on corner lots and through lots, the front yard shall be defined as the yard adjacent to the front lot line.
>
> **Yard, Rear:** An open space extending the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and the nearest line of the principal building. On corner lots, the rear yard shall be opposite the front yard.
>
> **Yard, Side:** An open space between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest point on the principal building.
>
> **Yard, Interior Side/Street Side:** A side yard that abuts an adjacent lot (in contrast to a 'street side yard', which abuts a street or road right-of-way).



Article 18 Severability, Repeal, Effective Date, Adoption

Section 18.01 Severability

(A) This Ordinance and the various parts, sentences, paragraphs, sections and clauses it contains are hereby declared to be severable. Should any part, sentence, paragraph, section or clause be declared unconstitutional or invalid by any court for any reason, such judgment shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

(B) Furthermore, should the application of any provision of this Ordinance to a particular property, building, or structure be adjudged invalid by any court, such judgment shall not affect the application of said provision to any other property, building, or structure in the Township, unless otherwise stated in the judgment.

Section 18.02 Effective Date

Made and passed by the Township Board of Eagle, Clinton County, Michigan, on _____ and effective on _____.

Section 18.03 Adoption

We hereby certify that the foregoing ordinance is a true copy of an ordinance as enacted by the Township Board of Trustees.

(C) Public hearing by Planning Commission:

(D) Recommendation of Planning Commission to approve the Zoning Ordinance text to the Township Board:

(E) Township Board adoption of the Zoning Ordinance text and map:

(F) Date the Ordinance text and map shall take effect:

_____ _____

Supervisor Date

I, _____, Clerk of Eagle Township, Clinton County, Michigan, hereby certify that notice of adoption of the foregoing ordinance was published pursuant to the provisions of Michigan Public Act 110 of 2006, as amended, in a newspaper of general circulation in Eagle Township on _____.

_____ _____

Township Clerk Date

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