

ARTICLE XVI
SPECIAL LAND USE PERMITS: SUPPLEMENTARY USE REGULATIONS

Sec. 16.1 Supplemental Regulations

This Article establishes the supplemental regulations for the issuance of Special Land Use Permits. Prior to the issuance of a Special Land Use Permit the issuing authority must find that in addition to the standards specified in Article IV, that the specific supplemental regulations are also met.

Sec. 16.2 Reserved for Expansion

Sec. 16.3 Bed And Breakfast Establishments

A. Statement of Intent: It is the intent of this subsection to establish reasonable standards for Bed and Breakfast Establishments to assure that:

1. The property is suitable for transient lodging facilities.
2. Both the use and character of the lot is compatible with others in the same district.
3. Adjacent and nearby private lands shall not be subject to increased trespass.
4. The impact of the establishment is no greater than that of a private home with house guests.

B. The following requirements for Bed and Breakfast Establishments together with any other applicable requirements of this Ordinance shall be complied with:

1. Off-street parking shall be provided in accordance with Article XX of this Ordinance.
2. One non-illuminated sign in accord with Section 19.8.
3. The residence shall be the principal dwelling unit on the property and shall be owner-occupied at all times.
4. The residence shall have at least two(2) exits to the outdoors.

5. The rooms utilized for sleeping shall be a part of the primary residential use and not specifically constructed for rental purposes.
6. The rental sleeping rooms shall have a minimum size of one hundred (100) square feet for each two (2) occupants with an additional thirty (30) square feet for each occupant to a maximum of four (4) occupants per room.
7. Proof of evaluation of the well and septic system by the health department shall be supplied by owner/occupant.
8. The Zoning Administrator or Planning Commission shall require that a floor plan drawn to an architectural scale of not less than one-eighth inch (1/8") = one (1) foot be on file with the fire department.
9. In the event that noise generation may be disturbing to neighbors, or that the location of the establishment is an area where trespass onto adjacent properties is likely to occur, then the Zoning Administrator or Planning Commission may require that fencing and/or planting buffer be constructed and maintained.
10. Rental of snowmobiles, ATV's, or similar vehicles, boats and other marine equipment, in conjunction with the operation of the establishment shall be prohibited.
11. A Special Land Use Permit shall not be granted if the essential character of a lot or structure within the district, in terms of use, traffic generation or appearance will be changed substantially by the occurrence of the Bed and Breakfast use.

Sec. 16.4 Boarding Houses

- A. All residences shall meet all state and local health and safety codes.
- B. No more than three (3) individuals shall be accommodated in any single residence.
- C. Such uses shall be carried out in an inconspicuous manner

so that the nature of activities related to the residence do not differ significantly from activities related to normal residential uses in the districts.

Sec. 16.5 Drive-In Theaters, Race Tracks, Golf Driving Ranges, Golf Courses, and Transient Amusement Enterprises

- A. All sites shall be located on a major thoroughfare and all ingress and egress to the site shall be from said thoroughfare.
- B. All points of entrance and exit for motor vehicles shall be located no closer than two hundred (200) feet from the intersection of any two (2) streets or highways.
- C. Acceleration and deceleration lanes should be provided, where possible, at points of ingress and egress to the site, and left turn lanes at entrances should be located on the major thoroughfare where possible.
- D. Whenever any use permitted herein abuts property within any residential district, a transition strip at least two hundred (200) feet in width shall be provided between all operations and structures, and the residential property. Plant materials, grass, and structural screens or fences of a type approved by the Planning Commission shall be placed within said transition strip.
- E. A minimum yard of one hundred (100) feet shall separate all uses and operations permitted herein, including fences, from any public street or highway used for access or exit purposes. This yard shall be landscaped in accordance with plans approved by the Planning Commission.
- F. Drive-in theaters and race tracks shall be enclosed for their full periphery with a solid screen fence of at least eight (8) feet in height.
- G. For drive-in theaters, vehicle standing space shall be provided between the ticket gates and the street or highway right-of-way line equal to at least thirty percent (30%) of the vehicular capacity of the theater.
- H. Drive-in theater screens shall not be permitted to face any public street and shall be out of view from any major thoroughfare or adjacent residential district.

Sec. 16.6 Contractors and Building Material Dealers

- A. Outdoor display of individual pieces of equipment may be allowed in areas so designed in the site plan as approved provided the display area has been designed and constructed as part of the overall site improvements. Display areas shall be suitably landscaped. Such landscaping shall include shrubs and trees in sufficient quantity to mitigate any adverse impact of the outdoor display.
- B. Servicing and repairs shall be conducted only within a totally enclosed building.

Sec. 16.7 Automotive Service Installations

- A. Facilities to provide maintenance and minor repairs or replacement parts to automotive equipment, such as tires, mufflers, tune ups, electrical repairs, etc., but not including pumping of gasoline or diesel fuels nor major repairs to engines or drive trains.
- B. All repairs or servicing shall be conducted only within a completely enclosed building.
- C. Parking or storage of any vehicles shall be in accordance with an approved site plan.
- D. Screening or fencing shall be as required by the Planning Commission.

Sec. 16.8 Gasoline Service Stations

- A. Statement of Intent: Facilities to serve motor vehicles are of considerable importance within the Township, where the basic mode of transportation is the automobile. It is the intent of this Section to exercise a measure of control over service station buildings and their sites, and to establish a basic set of standards which will minimize traffic congestion and safety hazards including an emergency containment plan for spillage of petroleum products.
- B. Uses Permitted: Gasoline Service Stations, as defined in Article II, provided all uses and services are conducted within a completely enclosed building.
- C. Site Development Requirements: The following requirements for site development together with any other applicable requirements of this Ordinance shall be complied with:

1. Site Location: The proposed site shall have at least one (1) property line on a major thoroughfare.
2. Building Setback: The service station building or buildings shall be set back fifty (50) feet from all street right-of-way lines and shall not be located closer than twenty-five (25) feet to any property line in a residential district.
3. Access Drives: No more than two (2) driveway approaches shall be permitted directly from any major thoroughfare nor more than one (1) driveway approach from any other public street.
 - a. Driveway approach widths shall not exceed thirty- six (36) feet measured at the property line.
 - b. Driveways shall be located as far from street intersections as practical, but no less than fifty (50) feet.
 - c. No driveway or curb cut for a driveway shall be located within ten (10) feet of an adjoining property line.
 - d. Any two (2) driveways giving access to a single street shall be separated by an island with a minimum dimension of twenty (20) feet.
 - e. Lighting: Exterior lighting shall be so arranged that light is deflected away from adjacent properties.
 - f. Signs: As provided in Article XIX.
 - g. Off-Street Parking: As provided in Article XX.

Sec. 16.9 Golf Courses

Golf courses and Country Clubs: Other than golf driving ranges and miniature golf courses, subject to the following conditions:

- A. The site shall be directly accessible from a county, state, or federal highway.
- B. All principal or accessory buildings, including in-ground

swimming pools and parking areas, shall be at least one hundred (100) feet from any property line of abutting residentially-zoned lands.

C. Whenever a swimming pool is to be provided, said pool shall be constructed and operated in accord with Public Act 368 of the Public Acts of 1978, as amended.

Sec. 16.10 Hotels, Motels, Tourist Courts, and Resorts

A. It is the purpose of this section to establish reasonable requirements for transient lodging facilities, exclusive of bed and breakfast establishments. It is intended that these regulations will provide for such facilities in the Township that are appropriate in scale and location so as to not create undue traffic congestion, noise or other interference with the predominantly rural and residential character of the Township.

B. Qualifying Conditions:

1. Minimum Floor Area: Each guest unit shall contain not less than two hundred fifty (250) square feet of floor area.

2. Maximum Lot Coverage: All buildings, including accessory buildings, shall not occupy more than thirty (30) percent of the net area within property lines.

3. Minimum Yard Dimensions: All buildings shall meet all setback requirements.

4. Maximum Building Height: The maximum building height shall be two (2) stories, but not to exceed twenty-eight (28) feet.

5. Site Screening: The site may be enclosed by open structure wood or wire fences not to exceed six (6) feet in height and may be used in combination with shrubs and/or trees. Screening shall not impair site distance for vehicles but shall prevent headlight glare on adjacent property

6. Site Density: One (1) unit, including manager's quarters, shall be allowed for each five thousand (5,000) square feet of lot area.

7. Lighting: No lighting shall have a source of illumination or light lenses visible outside the property line of the parcel or lot, and shall in no way impair safe movement

of traffic on any street or highway.

8. Accessory Uses: Uses such as swimming pools and other outdoor recreational uses, meeting rooms, restaurants, taverns or bars, and a caretaker or proprietor's residence shall be permitted provided that these uses are located on the same site as the principle use to which they are accessory. Appropriate permits shall have been obtained from regulating agencies.

9. Well and Septic System: Proof of acceptability of the well and septic system by the Health Department shall be supplied by owner.

10. A floor plan drawn to a scale of not less than 1/8" = 1', shall be on file with the appropriate fire department.

Sec. 16.11 Sanitary Land Fills, Incinerators And Transfer Stations

- A. All installations shall be in conformity with PA 641 of 1978 - Solid Waste Management Act and the County Solid Waste Management Plan.

Sec. 16.12 Institutional Structures

Authorization: The Planning Commission may authorize the construction, maintenance and operation. Such institutional uses are limited to the following, viz:

- A. Religious Institutions: Churches or similar places of worship, convents, parsonages and parish houses, and other housing for clergy.
- B. Educational and Social Institutions: Public and private schools, auditoriums and other places of assembly, and centers for social activities.
- C. Public Buildings: Publicly owned and operated buildings and public utility buildings and structures.
- D. Human Care Institutions: Hospitals, sanitariums, nursing or convalescent homes, homes for the aged, and medical care offices.
- E. Animal Care Institutions: Veterinarian offices, laboratories and boarding facilities for large and small animals in accordance with Section 15.6.

Such institutions shall meet the following requirements:

1. Be designed to be compatible and appropriate in scale and character with existing or planned surrounding developments.
2. Have entrance and exit drives directly onto a county, state or federal highway.
3. Have lighting designed to be unobtrusive to neighboring properties.
4. Structures of other than residential scale shall observe a one hundred (100) foot setback from residential uses.

Sec. 16.13 Junk Yards

- A. All uses shall be established and maintained in accordance with all applicable State of Michigan statutes.
- B. The site shall be a minimum of ten (10) acres in size.
- C. A solid fence or wall at least eight (8) feet in height shall be provided around the entire periphery of the site.
- D. All activities, equipment, or material shall be confined within the fenced-in area and there shall be no stacking of material above the height of the fence, or wall.
- E. All fenced-in areas shall be set back at least one hundred (100) feet from the front street or highway right-of-way line. Such front yard setback shall be landscaped with plant materials as approved by the Planning Commission to minimize the appearance of the installation.
- F. No open burning shall be permitted.
- G. Whenever the installation abuts upon property within a residential district, a transition strip at least two hundred (200) feet in width shall be provided between the fenced-in area and the property within a residential district. Such strip shall contain plant materials, grass, and structural screens of a type approved by the Planning Commission to effectively minimize the appearance of the installation.

Sec. 16.14 Residential Uses In Commercial Districts

A. Statement of Intent: Modern commercial development is often of such a character that the inclusion of some limited residential units directly associated with the commercial use may be deemed as either desirable, or in some cases, necessary. Under these conditions, a Special Land Use Permit may be issued for the construction and occupancy of such units provided the standards, procedures and requirements set forth in the Section can be complied with.

B. A Special Land Use Permit for such may be issued providing:

1. Floor space used for residential purposes shall be subtracted from allowable commercial space.
2. Residential units shall have separate services including water, sewer, electric, etc. from commercial uses.
3. Units shall be designed for occupancy of owner or tenant, or their employees only.

Sec. 16.15 Marinas and Canoe Liveries

A. All sites shall be located on a major thoroughfare and all ingress and egress to the site shall be from said thoroughfare.

B. All points of entrance or exit for motor vehicles shall be located no closer than one hundred fifty (150) feet from the intersection of any two (2) streets or highways.

C. Whenever any use permitted herein abuts property within any Residential District, a transition strip at least one hundred (100) feet in width shall be provided between all operations and structures, and the residential property. Plant materials, grass and structural screens or fences of an approved type shall be placed within said transition strip.

D. A minimum yard of one hundred (100) feet shall separate all uses and operations permitted herein, from any public street or highway used for access or exit purposes. This yard shall be landscaped in accordance with approved plans.

Sec. 16.16 Amusement Arcades

Mechanical amusement arcades may be permitted subject to the following conditions:

- A. Adequate lighting inside and outside the premises shall be provided for the safety of patrons and the public.
- B. All off-street parking, loading and public street access requirements shall be provided as required by Article XX of this Ordinance.
- C. Bicycle racks shall be provided on-site within twenty-five (25) feet of any arcade.
- D. During periods when the school system is in normal session, excluding holidays and other vacations, no game arcade shall be open for business except between the hours of 10 a.m. and 10 p.m. on Sundays through Thursdays; and between the hours of 10 a.m. and 12 midnight Fridays and Saturdays.

Sec. 16.17 New and Used Auto, MC, RV, and Boat Dealers

- A. Outdoor display of individual pieces of equipment may be allowed in areas so designed in the site plan as approved provided the display area has been designed and constructed as part of the overall site improvements. Display areas shall be suitably landscaped. Such landscaping shall include shrubs and trees in sufficient quantity to mitigate any adverse impact of the outdoor display.
- B. Servicing and repairs shall be conducted only within a totally enclosed building.

Sec. 16.18 Mobile Home Parks And Mobile Home Subdivisions

- A. Statement of Intent: Mobile home park developments have special characteristics which require full consideration of their locational needs, their site layout and design, their demand upon community services and their relationship to and effect upon surrounding uses of land.
- B. All Mobile Home Parks and Subdivisions shall conform to Public Act 96 of 1987, as amended.

Sec. 16.19 Planned Residential Developments (PRD)

A. Statement of Intent: It is the purpose of this Section to encourage more imaginative and livable housing environments within the Township through a planned reduction, or averaging of the individual lot area requirements in any zoning district, providing the overall density requirements for each district remain the same. Such averaging or reduction of lot area requirements shall only be permitted when a land owner, or group of owners acting jointly, can plan and develop a tract of land as an entity and thereby qualify for regulation of that tract of land as one complex land use unit, rather than an aggregation of individual buildings located on separate, unrelated lots. Under these conditions, a Special Land Use permit may be issued for the construction and occupancy of a Planned Residential Development providing the standards, procedures, and requirements set forth in this Section can be complied with.

B. Objectives: The following objectives shall be considered in reviewing any application for a Special Land Use Permit for a Planned Residential Development:

1. To provide a more desirable living environment by preserving, where possible, the natural character of open fields, stands of trees, brooks, ponds, lakeshore, hills, and similar natural assets.
2. To encourage the provision of open space and the development of recreational facilities in a generally central location and within reasonable distance of all living units.
3. To encourage developers to use a more creative and imaginative approach in the development of residential areas.
4. To provide for more efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential site.
5. To encourage variety in the physical development pattern of the Township by providing a mixture of housing types.

C. Qualifying conditions: Any application for a Special Land Use Permit shall meet the following conditions to qualify for consideration as a Planned Residential Development:

1. The Planned Residential Development site shall not

be less than ten (10) acres in area, shall be under the control of the owner or group of owners, and shall be capable of being planned and developed as one integral unit.

2. The Planned Residential Development site shall be located in any zoning district except the R-1, R-2, C-1 and LI districts.

3. Community type water and sewer facilities shall be available or shall be provided as part of the site development unless expressly disallowed by the Health Department. Further, if community type water and sewer facilities cannot be developed, lot sizes shall not be reduced.

4. The proposed population density of the Planned Residential Development shall be no greater than if the tract were developed with the lot area requirements of the particular zone district in which it is located.

5. For each square foot of land gained through the reduction or averaging of lot sizes, equal amounts of land shall be dedicated or shall be set aside for the common use of home or lot owners within the Planned Residential Development.

D. Uses that may be permitted: The following uses of land and structures may be permitted within a Planned Residential Development:

1. All uses permitted by right, accessory uses, uses under special conditions, or by Special Land Use Permit subject to all the restrictions therefor.

2. Two-family dwellings.

3. Multiple dwellings, row houses, garden apartments, townhouses, or other similar housing types which can be defined as a single family dwelling with no side yards between dwelling units, provided that there shall be no more than eight (8) dwelling units in any contiguous group.

4. Recreation and open space, provided that only the following land uses may be set aside as commonland for open space or recreation use under the provisions of this Section:

a. Private recreation facilities exclusive of golf courses, such as swimming pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the Planned Residential Development.

b. Historic building sites, or historical sites, parks, cemeteries, parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams, areas of rough terrain or that have natural features worthy of scenic preservation.

c. Field crops and fruit farming, truck gardening and tree nurseries.

d. Public or privately owned golf courses subject to provisions of Section 16.9.

5. Name plates and signs as provided in Article XIX.

6. Off-street parking shall be in a ratio of two parking spaces per dwelling unit, plus one (1) additional space for every two (2) units.

E. Lot size variation procedure: The lot area for Planned Residential Developments may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures:

1. Site Acreage and Lot Computation: The gross acreage proposed for a Planned Residential Development shall be computed to determine the total land area available for development into lots:

a. That amount of lot area devoted to utilities and essential services shall be deducted from the total or gross lot area.

b. Fifteen (15) percent of the gross lot area shall be deducted for street right-of-way purposes.

c. Subtract all wetland areas as defined in Act 203 of 1979.

d. Deducting the provisions of subsections (a),

(b), and (c) above determines the net lot area, which, divided by the minimum lot size requirements of the Zoning District in which the PRD is to be located, determines the density or the number of building sites available for development in the PRD.

e. If the Planning Commission determines that additional density can be justified and will not be injurious to public health, safety and welfare, it may increase the net acreage available by a maximum of the percentage required for street right-of-way purposes.

2. Permissive Minimum Yard Requirement: Under the lot averaging or reduction procedures, each lot shall have at least the following minimum yards:

a. Front Yard: Twenty-five (25) feet for all dwellings provided that front yard requirements may be varied by the Planning Commission after consideration of common greens or other common open space if such space provides an average of twenty-five (25) feet of front yard area per dwelling unit.

b. Side Yard: Ten (10) feet on each side for all one and two-family dwellings; none for townhouses or row houses, provided that there shall be a minimum of fifteen (15) feet between ends of contiguous groups of dwelling units.

c. Rear Yard: Twenty-five (25) feet for all dwellings, provided that rear yard requirements may be varied by the Planning Commission after consideration of common open space lands or parks and waterfront areas which abut the rear yard area.

3. Maximum Permissive Building Height: Shall be no greater than twenty-eight (28) feet.

F. Open space requirements: For each square foot of land gained through the averaging or reduction of lot sizes under the provisions of this section, equal amounts of land shall be provided in open space. All required open space, tree cover, recreational area, scenic vista, or other authorized open land areas shall be either (1) set aside as common land for the sole benefit, use and

enjoyment of present and future lot or homeowners within the development, or (2) used as a golf course(s) operated either privately or publicly; provided, under all circumstances the use of the course(s) is available to all existing and future residents of the development on an equal basis with all other users. The Planning Commission shall utilize one of the following options most appropriate as part of its approval of a Special Land Use Permit for a Planned Residential Development:

1. That open space land shall be conveyed by proper legal procedures from the tract owner or owners to a homeowners association or other similar nonprofit organization so that fee simple title shall be vested in tract lot owners as tenants in common; provided that suitable arrangements have been made for the maintenance of said land and any buildings thereon;
2. That open space land shall be dedicated to the general public for park or recreational purposes provided that the Township Board accepts such dedication; or to a nature conservancy provided a conservancy accepts such dedication;
3. Land to be utilized for golf courses may be leased for development or owned by the golf course developer. If the golf course is abandoned at any future time, it shall become common open land owned by a homeowners association, unless the association approves and the Township Board elects to have the said lands become Township property for use as a public park. Restrictions shall recite that they are for the benefit of the owner or owners of all other tracts in the Planned Residential Development, and also to the benefit of the Township.

It is the intent of this Section that in cases where option (2) above is determined to be in the best interest of the community, the owners or developers of the Planned Residential Development shall not be compelled or required to improve the natural condition of said open space lands.

Sec. 16.20 Shopping Centers

- A. The owner or owners of a tract of land which comprises five (5) acres or more may submit to the Planning Commission a request for a site plan approval for a Planned Shopping Center.

Such request shall also be accompanied by the following evidence and supporting data, without which an application shall not be accepted by the Planning Commission:

1. A market analysis by a recognized, reputable market analyst setting forth conclusively economic justifications and needs for the establishment of a center of the type and size proposed by the applicant.
2. A traffic survey prepared by qualified experts indicating the effects of the proposed shopping center on adjacent streets and also indicating the anticipated points of origin, direction, and amount of traffic flow to and from the proposed center.
3. A list of proposed uses to be included in the proposed center, with the area of each to be devoted to retail space.
4. A statement of financial responsibility to assure construction of the Planned Shopping Center in accordance with the site plan and the requirements of this Section.

B. Site Development Requirements: All permitted activities shall be conducted entirely within wholly enclosed permanent building(s), except as noted in the following:

1. The parking of customers' and employee's automobiles.
2. The loading and unloading of commercial vehicles, which must take place directly into or out of a building.
3. Temporary exhibitions and special quasi-civic events, provided they are conducted in spaces designated for such possible purposes on the final plans submitted with the application for a building permit, and provided further that they may not be operated for a profit.
4. Recreational facilities, incidental to the center's principal operations, normally conducted out-of-doors, provided there may be no admission charge.
5. Gasoline service stations, provided that they conform to the site development requirements of Section 16.8.
6. Outdoor eating or other supplemental sales areas,

provided they are approved by the Planning Commission.

C. Parking Areas and Circulation: All automobile parking areas and interior circulation for motor vehicles shall be designed in accordance with the following requirements:

1. Any individual parking space in the center shall be accessible by clearly demarcated walks from the shopping area.
2. Automobile, pedestrian, and truck traffic shall be separated to the fullest possible extent.
3. Automobile circulation design shall provide for access to parking areas in such a way that there shall be no backing up of traffic into any external street under conditions of anticipated maximum center-destined traffic.
4. All areas accessible to vehicles or pedestrians shall be illuminated.

D. Access to the shopping center shall be provided by at least one (1) direct access from a major thoroughfare, and all access points to an external street or streets shall be fully capable of absorbing the maximum hourly traffic anticipated to be generated by the center.

E. Surface Improvements: All areas accessible to vehicles shall be paved and maintained so as to provide a permanent, durable, and dustless surface; and shall be so graded and provided with adequate drainage facilities that all collected surface water is properly handled.

F. Structure Location: No structure, with the exception of permitted signs, fences, walls and light standards, shall be located closer to any property line of the center than a distance equal to twice its height.

G. All signs within the center shall conform to the provisions of Article XIX.

H. Lighting: All outdoor lighting shall be accomplished in such a manner that no illumination sources are visible outside the shopping center property lines.

I. Transition Strips: All planned shopping center districts when

located in or adjacent to a residential district, or when adjacent to a school, hospital or other public institutions shall include as an integral part of the site development a strip of land two hundred feet or more in width on all sides of the site except on the side fronting on a major thoroughfare. No part of such land may be used for any shopping center functions, except that up to one hundred (100) feet of the strip width on the interior side may be used as part of the parking area. Except for the part that may be occupied by the parking space, the strip shall be occupied by plant materials or structural fences and walls, used separately or in combination.

Sec. 16.21 Sand Or Gravel Pits, Quarries

- A. All uses shall be established and maintained in accordance with all applicable State of Michigan Statutes.
- B. The applicant shall be required to file a cash bond, performance bond or irrevocable letter of credit of sufficient amount, or other guarantees, to assure reclamation of the site following excavation, as required by item (J) of this Section.
- C. The minimum allowable lot size shall be twenty (20) acres. No machinery shall be erected, maintained, or operated within two hundred (200) feet of any property line.
- D. All uses shall be enclosed by a fence or suitable plantings six (6) feet or more in height for the entire periphery of the property.
- E. All slopes and banks shall be graded and treated to prevent erosion or any other potential deterioration.
- F. No building shall be erected on the premises except as temporary shelter for machinery or field office.
- G. Routes shall be established for truck movement to and from the site in order to minimize the wear on public streets and to prevent hazards and damage to properties in the Township. That portion of access roads within the area of operation shall be constructed or treated to minimize dust.
- H. All installations shall be maintained in a neat, orderly condition so as to prevent injury to property, any individual, or the Township in general.
- I. Proper measures shall be taken to minimize the nuisance of noise and flying dust or rock. Such measures may include

limitations upon the practice of stock-piling excavated materials on the site.

J. When excavation and removal operations are completed, the excavated area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three (3) to one (1) in horizontal-vertical gradient. A layer of arable top soil shall be spread over the excavated area, in accordance with an approved contour plan furnished by the applicant. The area shall be seeded with a perennial grass, or other similar soil-holding material, and maintained by the applicant until the area is stabilized.

Sec. 16.22 Sewage Treatment And Disposal

A. All uses shall be established and maintained in accordance with all applicable State of Michigan statutes.

B. All operations shall be completely enclosed by a wire link fence not less than six (6) feet high.

C. All operations and structures shall be surrounded on all sides by a transition strip at least two hundred (200) feet in width within which grass, plant materials and structural screens shall be placed to minimize the appearance and odors of the installation.

D. All operations and structures shall conform to the performance requirements of Section 16.25.

Sec. 16.23 Airports

All airports shall be constructed or expanded in conformance with all F.A.A. regulations and PA 23 of 1950.

Sec. 16.24 Campgrounds And Trailer Parks

A. Intent and Purpose: To provide for travel trailer parks, campgrounds, etc., normally operated on a seasonal basis, for the accommodation of tents, travel trailers, self-propelled homes or vehicles designed primarily for temporary living or sleeping.

B. Site development requirements: Sites shall be a minimum of ten (10) acres, developments shall comply with the provisions of Act 368 of the Public Acts of 1978, as amended, and also with the following, viz:

1. Management headquarters, recreational facilities,

toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a travel trailer park are permitted as accessory uses in the districts in which trailer parks are allowed, PROVIDED that:

- a. Such establishments and the parking area primarily related to their operations shall not occupy more than ten percent (10%) of the area of the park.
 - b. Such establishments shall be restricted in their use to occupants of the park.
 - c. Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the park.
2. No space shall be so located that any part intended for occupancy is within one hundred (100) feet of a residential district.
 3. In addition to meeting the above requirements, the travel trailer site plan shall be subject to the review and approval of the Health Department.
 4. Storage areas for unoccupied travel trailers, motor homes and similar units may be allowed as an accessory use.

Sec. 16.25 Light Manufacturing, Warehousing, Commercial Storage

- A. Enclosed buildings: Activities in this District shall be carried on in completely enclosed buildings. Storage may be permitted out-of-doors, provided that within three-hundred feet (300) of any residential use, all storage shall be in completely enclosed buildings. All outdoor storage shall be effectively screened by a solid, uniformly finished wall or fence with solid entrance and exit gates, such fence or wall shall be at least seven (7) feet in height. Such storage shall not be deemed to include the parking of licensed motor vehicles under one (1) ton rated capacity.
- B. Noise emanating from a use in this district shall not exceed the level of ordinary conversation at the boundaries of the lot. Noise may equal but shall not exceed average street traffic noise.
- C. Uses in this district shall conform to the following standards:

1. Emit no obnoxious, toxic or corrosive fumes or gases which are harmful to the public health, safety or general welfare; except for those produced by internal combustion engines under designed operating conditions.
2. Emit no smoke, odorous gases, or other odorous matter in such quantities as to be offensive at or beyond any boundary of the use of the parcel.
3. Discharge into the air no dust or other particulate matter created by any industrial operation or emanating from any products stored prior to or subsequent to processing.
4. Produce no heat or glare humanly perceptible at or beyond the lot boundaries.
5. Discharge no radioactive materials that exceed quantities established by the U.S. Bureau of Standards.
6. Does not include in the manufacturing process any production or storage of any material designed for use as an explosive, nor in the use of any such material in production.

D. Yards in this district shall conform to the following standards:

1. Except for landscape improvements and necessary drives and walks, the front yard shall remain clear, and shall not be used for parking, loading, or accessory structures. Side and rear yards, except for a strip along the lot boundary ten (10) feet in width, may be used for parking and loading but not for storage.
2. When the side or rear yard areas abut land within a residential district and when such yard areas are to be used for parking, loading, unloading, or servicing, then such side and rear yard areas shall be effectively screened by a solid, uniformly finished wall or fence. Such wall or fence shall be at least four (4) feet in height, but in no case shall the fence or wall be lower than the enclosed parking, loading, or servicing activity to be screened. The height and extent of such wall or fence shall be determined by the Zoning Administrator on the basis of proposed side or rear yard usage.

Sec. 16.26 RENEWABLE ENERGY DEVICES

16.26.1 Purpose and Intent

Wind energy is an abundant, renewable, and nonpolluting energy resource. When converted to electricity, it reduces our dependence on nonrenewable energy resources, reduces air and water pollution that result from conventional sources, and enhances our energy security. The purpose of this amendment is to foster the development of Benzonia and/or Platte Township's wind power resource while preserving our natural resources, rural character, and farmlands as compatible adjoining uses and protecting public health and safety.

16.26.2 General Requirements

A. ACCESS: All ground mounted electrical and control equipment or structures shall be labeled and secured to prevent unauthorized access. All anemometer and WECS towers shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of 12 feet above the ground. Lattice-type or guyed towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device; The Planning Commission or Zoning Administrator may waive such requirements as it deems necessary.

B. ACCESS ROADS: A private road or drive shall be constructed according to applicable Zoning Ordinance requirements as specified in Sec. 3.3 Fire Hazards and Emergency Vehicle Access, Sec. 3.20 Clear Vision Corners, AND 3.22 Access Management. Such regulations or standards provide for adequate access, egress, and protection of emergency service vehicles and personnel. Further regulations may restrict construction of private drives or roads in environmental areas such as those in identified wetlands or steep slopes such as in Article XXIV Crystal Lake Overlay District. These standards apply to all single-Tower community WECS designed primarily to supply the power grid, multi-tower Community WECS or Utility Grid WECS, and to other WECS in similar areas. Where these standards apply, these roads will conform to the above standards and other regulations or standards for private road construction specified in the Townships zoning ordinance.

C. ANEMOMETER REQUIREMENTS: The construction, installation, or modification of an anemometer tower shall require a building permit and shall conform to all applicable local, state and federal applicable safety, construction, environmental, electrical, communications, and FAA requirements. An anemometer shall be permitted for no more than fifteen (15) months in preparation for locating an On-site and single tower Community WECS that is not designed to supply the power grid; and for 3 years for Single-Tower Community WECS designed primarily to supply energy to the power grid, Multi-Tower Community or Utility Grid WECS.

These time limitations can be waived by either the Zoning Administrator or Planning Commission if the anemometer also serves as a SCADA for the on-going operation of the WECS.

D. APPEARANCE, COLOR, AND FINISH: The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless an alternative is approved in the building permit. For Multi-Tower Community and Utility Grid WECS, all towers will be a uniform color and finish.

E. BLADE CLEARANCE: For towers 200 feet or greater in height, blade clearance shall conform to the manufacturer's standard. For towers of less than 200 feet in height or for any towers without a manufacturer's standard, blade clearance shall be no less than 15 feet from ground level and a safe distance from walkways and common areas.

F. BRAKING SYSTEM: All WECS shall be equipped with an automatic braking, governing or feathering system to prevent uncontrolled rotation, over-speeding, and excessive pressure on the tower structure, rotor blades and other wind energy components.

G. CONSTRUCTION CODES: TOWERS, & INTERCONNECTION STANDARDS: All WECS shall comply with all applicable state construction and electrical codes and local building permit requirements. All electrical components of the Wind Energy Facility shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards. All On-site WECS expected to engage in net-metering or some version of a feed-in tariff, Utility Grid WECS, and Community WECS will comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards. All Off-grid WECS are exempt from compliance with MPSC and FERC requirements.

H. All WECS shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950, MCL 259.431 et seq.), the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations, as amended or succeeded.

I. DISCONTINUATION AND DECOMMISSIONING: A WECS shall be considered a discontinued use after 1 year without energy production, unless a plan is developed and submitted to the Township Zoning Administrator or Planning Commission outlining the steps and schedule for returning the WECS to service. All WECS and accessory facilities shall be removed to a depth of three feet below ground level within 90 days of the discontinuation of use.

Each Single-Tower Community WECS designed primarily to supply energy to the power grid, Multi-Tower Community WECS or Utility Grid WECS shall have a decommissioning plan outlining the anticipated means and cost of removing the WECS at the end of its serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a third-party qualified professional, such as a Professional Engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning.

The owner or operator of a single-tower Community WECS designed to primarily supply energy to the power grid, a multi-tower Community WECS or Utility Grid WECS shall post with the Planning Commission or Zoning Administrator as escrow agent sufficient funds in an amount equal to the gross decommissioning costs. Decommissioning funds may be in the form of a performance bond, surety bond, or other form of financial assurance as may be acceptable to the Planning Commission or Zoning Administrator. If the owner/operator indicates an intention to restart the system, the decommissioning process may be extended at the discretion of the Planning Commission or Zoning Administrator.

J. DISPOSAL OF HAZARDOUS MATERIALS: All spent lubricants, cooling fluids, and any other hazardous materials shall be properly and safely removed in a timely manner.

K. ENVIRONMENTAL AND PROTECTION: For WECS requiring a Special Land Use Permit, the site plan and other documents and drawings shall show mitigation measures to minimize potential impacts on the natural environment including, but not limited to those specified in Article XXII of the Township Zoning Ordinance, Regulation of Environmentally Sensitive Areas. Other such areas may include but are not limited to: major wildlife and avian migratory corridors, wilderness areas, national parks, and wildlife refuges.

L. GUY WIRES: For all guyed towers, visible and reflective objects, such as plastic sleeves, reflectors or tape, shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of 8 feet above the ground.

M. ENGINEERING SAFETY: The structural integrity of the WECS shall conform to the design standards of the International Electrotechnical Commission; specifically IEC 61400-1 "Wind Turbine Safety and Design," IEC 61400-2 "Small Wind Turbine Safety," IEC 61400-22 "Wind Turbine Certification," and IEC 61400-23 "Blade Structural Testing," as amended or succeeded.

N. LIGHTING: No portion of any WECS shall be lighted except to be

in compliance with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950, MCL 259.431 et seq.), the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations, as amended or succeeded. The minimum FAA lighting standards shall not be exceeded. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to surrounding views.

O. MAINTENANCE FACILITY: A WECS may include a maintenance facility for storing trucks, service equipment, spare parts, lubricants, and other supplies. The maintenance facility may be located on- or off-site. Turbine control and maintenance functions may be in one building.

P. MAXIMUM TOTAL WECS HEIGHT: Mounted WECS, On-site or single tower Community WECS not designed primarily to supply energy to the power grid 95 feet in height or less shall not require a zoning permit. On-site and single tower Community WECS not designed to supply energy to the power grid over 95 feet but under 200 feet in height shall be considered a Use-By-Right. Erection of towers 200 feet or greater in height and/or designed to supply energy to the power grid will require a Special Land Use (SLU) Permit. The decision to require either a minor or major SLU Permit shall be made at the discretion of the Zoning Administrator or Planning Commission.

Q. SOUND LEVELS (MAXIMUM): This section applies only to Mounted WECS, On-site WECS and single-tower Community WECS.

Where an adjacent parcel contains a residential use, school, hospital, or park, the sound produced by a WECS may not exceed the ambient sound level that exists at the property line or lease unit boundary. Where no adjacent parcel contains a residential use, school, hospital, or park, the maximum sound level may be the ambient sound level plus 5 dB(A) on a consistent basis at the property line or lease unit boundary

R. OTHER DESIGN REQUIREMENTS: No WECS shall be used for displaying any advertising except for identification of the turbine manufacturer.

S. POST-CONSTRUCTION PERMITS: Construction Codes, Towers, and Interconnection standards shall comply with all applicable state construction and electrical codes and local building permit requirements.

T. SETBACK FOR ON-SITE WECS AND SINGLE-TOWER COMMUNITY WECS:

1. From adjoining property lines: 1 times the radius of the fall

zone distance from the property line or lease unit boundary.

2. From Road Rights-of Way, or Other Rights-of-Way (e.g., railroads, utility wires, etc): 1 times the radius of the fall zone.

3. From environmentally sensitive areas (bird habitats, wetlands, etc.): 1 times the radius of the fall zone. The Planning Commission may adjust the setback upward or downward before approval of the WECS application following consideration of environmental analysis and proposed mitigation effects.

4. For On-Site WECS or single-tower Community WECS with a tower height 200 feet or over or single-tower Community WECS designed primarily to supply energy to the power grid, the setback will be determined on a case-by-case basis and require a Special Land Use Permit. The setback decision will be based on the considerations listed in Section U. below.

U. SETBACK FOR MULTI-TOWER COMMUNITY WECS AND UTILITY GRID WECS will be equal to three times the height of the turbine from the nearest occupied structure. This distance may be reduced at the discretion of the Zoning Administrator or Planning Commission if the owner/operator can demonstrate within the sound modeling and analysis report that sufficient sound mediation measures will be taken such that the sound level at the property line or lease unit boundary does not exceed 55 DB(A). At no time will a turbine be sited closer to the property line or lease unit boundary than 1 times the radius of the fall zone.

V. SETBACK FOR ANEMOMETER TOWER including guy wires, if applicable, shall be the greater distance of the following:

1. The setback from property lines of the respective zoning district;

2. The setback from the road right-of-way; and

3. A distance equal to the height of the tower from property lines or from the lease unit boundary, which ever is less.

W. SIGNAGE: Utility Grid and Multi-tower Community WECS shall have only one sign, not to exceed two (2) square feet in area posted at the base of the tower [and on a security fence if applicable. The sign shall contain a) Warning of high voltage, b) Manufacturer's and owner/operator's name, and c) Emergency contact numbers.

X. SIGNAL INTERFERENCE: Operation of a WECS shall not

interfere with communication systems such as, but not limited to, radio, telephone, television, satellite, or emergency communication systems.

Y. SOIL CONDITIONS: A proposal for any wind turbine generator or anemometer tower shall be accompanied by a report of the soils present on the site based on soil borings, and a description of the proposed foundation size, materials, and depth..

Z. SURVIVAL SPEED: Neither the turbine nor tower shall be erected unless the survival speed as certified by the manufacturer is more than 90 mph as stated by the manufacturer.

AA. UTILITIES: Power lines should be placed underground, when feasible, to prevent avian collisions and electrocutions. All aboveground lines, transformers, or conductors should comply with the Avian Power Line Interaction Committee published standards to prevent avian mortality.

AB. UTILITY NOTIFICATION: No WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. If a WECS is connected to a public utility for net-metering or feed-in tariff purposes, the owner/operator will need an interconnection agreement with the local utility prior to operation. Off-grid systems shall be exempt from this requirement.

16.26.3 Permit Application and Site Plan Review Requirements

A. Table 1 specifies the zoning, minor SLUP and Major SLUP permit requirements for all WECS. Site Plan Review will not be initiated until all permits from applicable federal, state, and/or local regulatory bodies as specified in this ordinance have been obtained. This section applies only to those WECS and anemometers requiring either a minor or major special land use permit. In addition to this section, Article XIV and respective Sections 14.8 in regard to Zoning Permits and parts of Sections 14.2 applying to Minor and Major Special Land Use Permits (SLUP), the applicant shall show compliance with all other applicable standards in the West Benzie Joint Zoning Ordinance, i.e., Article III General Provisions (private driveways and roads), each respective Zoning District within which the project is located, and the general SLUP Application Standards in Article XIV. In addition to the requirements specified in those sections, site plans for WECS requiring special land use permits shall include:

1. Documentation that sound pressure level, construction code, tower, interconnection (if applicable), and safety requirements have

been reviewed and the submitted site plan is prepared to show compliance with these issues.

2. Proof of the applicant's public liability insurance for the project.

3. A copy of that portion of the applicant's lease(s) with the land owner(s) granting authority to install the Anemometer Tower and/or Utility Grid Wind Energy System; legal description of the property(ies), Lease Unit(s); and the site plan showing the boundaries of the leases as well as the boundaries of the Lease Unit Boundary.

4. Phases, or parts of construction, along with a construction schedule.

5. The project area boundaries including lease unit boundaries.

6. The location, grades, average cross section and dimensions of all temporary and permanent on-site and access roads from the nearest county or state maintained road.

7. Any new infrastructure above ground related to the project not specified in Section 14 of the Ordinance.

8. 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.

B. For Utility Grid Wind Energy Systems only:

1. A copy of a sound modeling and analysis report. The site plan also shall show locations of equipment identified as a source of sound, how that equipment is placed, and the sound levels based on the analysis, so that the wind energy system will not exceed the maximum permitted sound levels. The sound modeling and analysis shall conform to IEC 61400 and ISO 9613. After installation of the Utility Grid wind energy system, sound pressure level measurements shall be done by a third party, qualified professional according to the procedures in the most current version of ANSI S12.18. All sound pressure levels shall be measured with a sound meter that meets or exceeds the most current version of ANSI S1.4 specifications for a Type II sound meter. Documentation of the sound pressure level measurements

shall be provided to the local government within 60 days of the commercial operation of the project.

2. A copy of an Environmental Analysis by a third party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to wetlands and other fragile ecosystems, historical and cultural sites, and antiquities. The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis, and shall show those measures on the site plan. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.

3. A copy of an Avian and Wildlife Impact Analysis by a third party qualified professional to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis, and shall show those measures on the site plan. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.

a. Sites requiring special scrutiny include wildlife refuges, other areas where birds and/or bats are highly concentrated, such as wooded ridge tops that attract birds and bats, sites that are frequented by federally and/or state listed endangered species of birds and bats, significant bird migration pathways, and areas that have landscape features known to attract large numbers of raptors. At a minimum, the analysis shall include a thorough review of existing information regarding species and potential habitats in the vicinity of the project area. Where appropriate, surveys for bats, raptors, and general avian use should be conducted. The analysis shall include the potential effects on species listed under the federal Endangered Species Act and Michigan's Endangered Species Protection Law.

b. The analysis shall indicate whether a post construction wildlife mortality study will be conducted and, if not, the reasons why such a study does not need to be conducted

4. A copy of a shadow flicker analysis at occupied structures to identify the locations of shadow flicker that may be caused by the project and the expected durations of the flicker at these locations from sun-rise to sun-set over the course of a year. The site plan shall identify problem areas where shadow flicker may affect the

occupants of the structures and show measures that shall be taken to eliminate or mitigate the problems.

5. A second site plan, which includes all the information found in Section XIV of this Ordinance, and shows the Discontinuation and Decommissioning plan for the site after completion of the project which includes the following supporting documentation:

- a. The anticipated life of the project.
- b. The estimated decommissioning costs net of salvage value in current dollars.
- c. The method of ensuring that funds will be available for decommissioning and restoration.
- d. The anticipated manner in which the project will be decommissioned and the site restored.

6. A copy of the Operations and Maintenance Plan.

7. A compliance summary showing how the project will comply with all of the requirements of the relevant federal, state, and/or local regulatory agency requirements.

8. A description of the traffic logistics associated with transportation and construction of the WECS components and equipment including:

- Construction transport routes
- Intersection reconstruction
- Restoration of roads, curbing, culverts, signage, land features, buildings or other infrastructure.
- Construction timetable
- Description of at least one alternative transport route and the rationale for the one chosen.

9. A description of the complaint resolution process developed by the applicant to resolve complaints from nearby residents concerning the construction or operation of the project. The process must include the option to use an independent mediator or arbitrator and shall include a time limit by which the applicant will act on a complaint. The process shall not preclude the local government from acting on a complaint. During construction and operation, the applicant shall maintain and make available to nearby residents a telephone number where a project representative can be reached during normal business hours.

10. The final determination of whether a third-party qualified professional has the necessary neutrality to provide a reliable analysis of the relevant professional area under consideration shall be at the discretion of the Zoning Administrator or the Planning Commission. Every attempt should be made to assure that the qualified professional be a resident of Michigan or an employee of a Michigan firm in order to promote and support the Michigan economy.
11. A copy of a microwave analysis of possible interference with aeronautic and/or communication signals.

Table 1

Permit Requirements

No permit required	Mounted WECS. Small on-site WECS with tower height 95 feet or less
Use by Right – Permit required	Small On Site WECS for residential use in all districts. Single tower, single user Community WECS not designed primarily to supply power to the energy grid with a tower over 95 but less than 200 feet in all districts. Anemometer towers under 200 feet in height in all districts.
	Small On-site WECS with tower height over 95 but less than 200 feet for commercial, industrial or agricultural use in districts that allow commercial, industrial, or agricultural land uses.
Minor Special Land Use Permit	Large On-site WECS with tower height 200 feet or over. Single tower, single user Community WECS not designed primarily to supply energy to the power grid with a tower 200 feet or higher. Anemometers 200 feet or greater in height.
Major Special Land Use Permit	Single-tower Community WECS designed primarily to supply energy to the power grid. Multi-tower Community WECS.
	Utility Grid WECS

Sec. 16.27 GUN AND SKEET CLUBS, SHOOTING RANGES

A. Definition: Any facility; whether public or private; whether operated for profit or not; which is designed for the use of firearms in a confined area; including pistols, rifles, and shotguns aimed at targets or clay pigeons.

B. Location and Minimum Size Requirements: By Special Land Use Permit in the Rural Preservation, RP 5, RP 10, and RP 20 Zoning Districts. Minimum lot size shall be twenty (20) acres with a minimum lot width of six hundred sixty (660) feet.

C. Buffering Requirements: Minimum front, rear, and side yard setbacks shall be one hundred fifty (150) feet or a combination earth berm/conifer plantation of no less than eight (8) feet to create a sight, sound, and safety barrier adequate for the location as determined by the Planning Commission to be reasonable, and shall meet requirements of site plan review as specified in Article XIV of this Ordinance.

D. Performance Standards:

1. The operation shall comply with all Federal, State, and Local Laws and Regulations, and accepted design and safety standards.

2. A site plan shall be required, including but not limited to shooting areas, access, parking, structures, sanitary and solid waste disposal means, fire and explosion control, back stop and side flare design, written comments from the Sheriff, Health Department, and applicable Fire Department.

3. Access shall be from a Federal, State, or County road or deeded, recorded easement.

4. Fencing with warning signs shall completely envelope the outside areas devoted to firearm discharge to assure that individuals and stray animals will not unknowingly enter the property.

5. Hours of operation shall be between 8 a.m. and dusk. Intensity of noise shall not exceed reasonable levels.

6. Alcoholic beverages shall not be consumed on any shooting range.

Sec. 16.28 HUNT CLUBS

A. Definition: Any facility; whether public or private; whether operated for profit or not; which is designed for the use of firearms for the organized/group hunting of fowl in a confined area.

B. Location and Minimum Size Requirements: By Special Land Use Permit in the Rural Preservation, RP 10 and RP 20 Zoning

Districts only. Minimum lot size shall be eighty (80) acres with a minimum lot width of one thousand three hundred twenty (1320) feet.

C. Buffering Requirements: Minimum front, rear, and side yard setbacks shall be five hundred (500) feet. The setback or buffer area shall contain evergreen trees either occurring naturally or planted at a minimum height of eight (8) feet in four (4) to eight (8) rows and spaced six (6) feet apart in a staggered pattern; or a combination earth berm/conifer plantation no less than eight (8) feet in height to create a sight, sound, and safety barrier adequate for the location, as determined by the Planning Commission to be reasonable, and shall meet requirements of the site plan review process as specified in Article XIV of this Ordinance.

D. Performance Standards:

1. The operation shall comply with all Federal, State, and Local Laws and Regulations, and accepted design and safety standards.

2. A site plan shall be required, including but not limited to shooting areas, access, parking, structures, sanitary and solid waste disposal means, fire and explosion control, back stop and side flare design, written comments from the Sheriff, Health Department, and applicable Fire Department.

3. Access shall be from a Federal, State, or County road or deeded, recorded easement.

4. Fencing with warning signs shall completely envelope the outside areas devoted to firearm discharge to assure that individuals and stray animals will not unknowingly enter the property.

5. Hours of operation shall be between 8 a.m. and dusk. Intensity of noise shall not exceed reasonable levels.

6. Alcoholic beverages shall not be consumed on any shooting range.