

ONEIDA CHARTER TOWNSHIP PLANNING COMMISSION MEETING  
HELD April 4, 2023  
7:00 P.M.

MEMBERS PRESENT: CHAIRMAN KILGORE, MEMBERS GREEN, HAFNER, SCHROEDER, SCHERER, DEMBOWSKI, & WALTERS

MEMBERS EXCUSED: NONE

OTHERS PRESENT: ZONING ADMINISTRATOR GOSCHKA, BOARD MEMBER SCHULTZ, PLANNING COMMISSION SECRETARY PEÑA-KLANECKY

1. Meeting called to order at 7:03 p.m.
2. Pledge of Allegiance.
3. Additions to agenda: Shipping/Freight Containers – Motion made by Chairman Kilgore and seconded by Ms. Scherer.
4. Draft Minutes of March 7, 2023. Motion was made to approve the minutes as written by Chairman Kilgore and seconded by Ms. Schroeder. Motion carried.
5. Public Comment: None
6. Zoning Ordinance Review of Chapter 15 – Members reviewed and discussed Chapter 15 and made recommendations for any changes. It was decided to change “detached” to “stand alone” throughout the Zoning Ordinance, add “as amended” to sections throughout the ordinance with Laws or Acts sited, and change “dustless” or “dust free” to “minimize dust” throughout the ordinance. It was also decided that we should add a definition for “agricultural processing facility”. See Chapter 15 attached for other changes made. Due to time restraints the entire chapter was not completed. It was decided to continue to review the remaining chapter at the next Planning Commission meeting scheduled for May 2, 2023.
- 6a. Shipping/Freight Containers – Mr. Hafner asked for this item to be added to the agenda. He expressed his opinions regarding shipping/freight containers. The board members discussed and decided to gather additional information to discuss at length at a later date.
7. Other Business: None

Adjourn Meeting: Meeting was adjourned at 9:16 p.m.

Minutes respectfully submitted by Melissa Goschka Zoning Administrator and Jackie Peña-Klanecky, Planning Commission Secretary.

APPROVED:



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JUSTIN KILGORE, CHAIRMAN

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## CHAPTER 15 Special Land Uses

### SECTION 15.01 SCOPE

This Chapter provides a set of procedures and standards for special uses of land or structures which, because of their unique characteristics, require special consideration in relation to the welfare of adjacent properties and the community as a whole. The regulations and standards, herein, are designed to allow, on one hand, practical latitude for the applicant, but at the same time maintain adequate provision for the protection of the health, safety, convenience, and general welfare of Oneida Charter Township. For purposes of this Ordinance, all Special Land Uses within the various districts are subject to the conditions and standards of this Chapter. In addition, the following uses shall conform to the specific standards cited in Section 15.04, as applicable.

### SECTION 15.02 APPLICATION AND REVIEW PROCEDURES

- A. An application for a Special Land Use shall be submitted through the Zoning Administrator. Each application shall be accompanied by:
1. The payment of a fee, as established by the Township Board.
  2. A completed application form, as provided by the Township.
  3. A complete site plan in accordance with Chapter 16 of this Zoning Ordinance.
  4. A written project narrative and statement, as well as, supporting evidence, relating to each applicable required Special Land Use review standard listed within Section 15.03A.
- B. Applications for a Special Land Use shall be submitted at least thirty (30) days prior to the next Planning Commission meeting. The Zoning Administrator shall determine if the Application is administratively complete.
- C. The administratively complete application and all related materials shall be forwarded to the Planning Commission for consideration.
- D. The Planning Commission shall hold a public hearing on the application, a notice of which must be published in a newspaper, **of general circulation, Township website, posted at the Township office**, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. The notice shall be given not less than **5 nor more than** 15 days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than 1 occupant of a structure, except that if a structure contains more than 1 dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, 1 occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than 4 dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be

requested to post the notice at the primary entrance to the structure. The Township Planning Commission shall have the discretion of notifying property owners beyond the three— hundred feet depending on the type of development. An affidavit of mailing or delivery of notice shall be maintained by the Township Clerk.

- E. The notice of public hearing must contain all of the following:
1. Describe the nature of the Special Land Use request.
  2. Describe the property which is the subject of the Special Land Use request.
  3. State the date, time, and place of the public hearing.
  4. Indicate when and where written comments will be received regarding the request.
- F. The Planning Commission shall review the application and all other information available to it through the public hearing or other sources, including recommendations or reports from the Township planner, engineer, or other expert, with reference to the standards and findings required herein, and shall issue a written recommendation to the Township Board for either approval, approval with conditions, or denial of the request. The Planning Commission shall incorporate into its written recommendation a statement of the basis for its recommendation and any conditions it recommends.
- G. Thereafter, the Township Board shall review and consider the Planning Commission's recommendation on the Special Land Use request at a public meeting after the Planning Commission issues its recommendation. The Township Board shall issue a decision on the Special Land Use request, by either approving, approving with conditions, or denying the request, notwithstanding the Planning Commission's recommendation. The Township Board's decision must be incorporated into a statement containing the conclusions relative to the Special Land Use under consideration which specifies the basis for its decision, and any conditions imposed, all of which shall be made part of the record of the meeting at which action is taken.
- H. No application for Special Land Use approval that has been disapproved may be resubmitted for a period of one (1) year from the date of disapproval, ~~provided, except however, that~~ where there exist new and significant facts or conditions which might result in favorable action upon resubmittal, and application may be resubmitted within earlier than one (1) year.
- I. A Special Land Use approved pursuant to this Chapter shall be valid for one (1) year from the date of approval. Each development shall be under construction within one (1) year after the date of approval of the Special Land Use, except as noted below.
1. The Planning Commission may grant one (1) six (6) month extension of the approval time period, provided the applicant requests the extension prior to the date of the expiration of the Special Land Use approval.
  2. The extension shall be approved if the applicant presents reasonable evidence to the effect that the development has encountered unforeseen difficulties beyond

- the control of the applicant, and the project will proceed within the extension period.
3. If neither of the above provisions are fulfilled or the six (6) month extension has expired prior to construction, the Special Land Use approval shall be null and void.
- J. The Planning Commission shall have the authority to recommend to the Township Board that a Special Land Use approval be revoked through utilization of the following procedures:
1. The Planning Commission shall consider the issue of revocation upon finding cause that an approved Special Land Use may be in violation of conditions or standards under which it was approved.
  2. Upon finding just cause the Planning Commission shall hold a public hearing following the notification procedures for the original approval.
  3. After the public hearing the Planning Commission shall send a recommendation to the Township Board of whether to revoke or not to revoke the Special Land Use approval. The recommendation shall include all pertinent facts that have lead to the decision, including the applicable requirements of this Chapter, other applicable sections of this Ordinance and conditions of the Special Land Use approval.
  4. The Township Board shall then make the final determination of whether to revoke or not to revoke the Special Land Use approval based upon all applicable requirements and the facts presented.

### **SECTION 15.03 GENERAL STANDARDS**

In addition to the standards established for specific uses herein, an application for a Special Land Use shall be reviewed for compliance with the review standards for approval of site plans in Section 16.08 hereof, and conditions, as authorized and governed in Section 15.03, B, may be placed upon a Special Land Use.

- A. Each application shall be reviewed for the purpose of determining that the proposed Special Land Use meets the following standards and, in addition, that each use of the proposed site will:
1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that the use will not change the essential character of the area in which it is proposed.
  2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, **and** water and sewage facilities.
  3. Not create excessive additional requirements at public cost for public facilities and services.

4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
  5. Be consistent with ~~it~~ and promote the intent of this Zoning Ordinance.
  6. Is compatible with adjacent uses of land, the natural environment, and capacities of public service and facilities affected by the land use.
  7. Is consistent with the public health, safety, and welfare of the Township.
  8. Is consistent with other applicable ordinances, and state and federal statutes.
  9. ~~Ingress and egress shall be from a paved roadway and shall be provided as far as practicable from two (2) intersecting streets or a driveway and shall be at least fifty (50) one hundred (100) feet from the nearest edge of an intersection or driveway. Constant with federal statute.~~  
OR Ingress and egress shall be determined by the appropriate county or state road authority.
- B. The Planning Commission may recommend or Township Board may stipulate any additional conditions and safeguards deemed necessary to accomplish the following purposes:
1. Meet the intent and purpose of the Zoning Ordinance.
  2. Relate to the standards established in the Zoning Ordinance for the land use or activity under consideration.
  3. Insure compliance with those standards.
  4. Protect the general welfare.
  5. Protect individual property rights.
  6. Ensure that the intent and objectives of this Zoning Ordinance will be observed.

Failure to comply with conditions approved by the Township Board may result in revocation of the Special Land Use approval, pursuant to Section 15.02(J).

## SECTION 15.04 SPECIAL LAND USE SPECIFIC REQUIREMENTS

The general standards and requirements of Section 15.03, A, are basic to all Special Land Uses. The specific and detailed requirements set forth in the following Section relate to particular uses and are requirements which must be met by those uses in addition to the foregoing general standards and requirements.

### A. Adult uses:

1. In the development and execution of this subsection, it is recognized that there are some uses which, because of their very nature, have serious objectionable

operational characteristics, particularly when several are concentrated in certain areas, or located in proximity to a residential zone, thereby having a detrimental effect upon the adjacent areas. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These controls of this subsection are for the purpose of preventing a concentration of these uses within any one area, or to prevent deterioration or blighting of a nearby residential or other neighborhood. These controls do not legitimize activities which are prohibited in other Sections of the Zoning Ordinance.

2. Adult uses shall comply with the following requirements:
  - a. The use shall not be located within a one thousand (1,000) foot radius of any other adult use.
  - b. The use shall not be located within a three hundred (300) foot radius of any Residential District or Use, public park, school, child care facility, or place of religious worship, or other adult use.
  - c. All persons massaging any client or customer must be certified as a massage therapist by the American Massage Therapy Association or be a graduate of a School of Massage Therapy that is certified by the State of Michigan, or have any other similar qualifications which must be submitted to and approved by the Township Board. All massage clinics are subject to inspection from time to time by the Zoning Administrator and shall be required to file reports as may be required by the Township, at least annually, as to the names and qualifications of each person who administers massages under the authority or supervision of the massage establishment.
  - d. For the purpose of this subsection, the measurement of a radius shall be measured in a straight line from the actual location of the use to the nearest property line of the Residential District or use, public park, school, child care facility, or place of religious worship, or other adult use.
  - e. Establishments where uses subject to the control of this subsection are located shall not be expanded in any manner without first applying for and receiving the approval of the Township Board, as provided herein.
  - f. AAn adult use shall not be located in the same structure or on the same parcel as another regulated use.
  - g. All on-site on-site parking areas shall comply with the requirements of this Ordinance and additionally shall be illuminated on any days the business is open from sunset until at least sixty (60) minutes after closing.
  - h. No product for sale or gift, nor any picture or other representation of any product for sale or gift, shall be displayed so that it is visible by a person of normal visual acuity from the nearest adjoining roadway or adjoining property.
  - i. Any sign or signs proposed for an adult use must comply with the

requirements of this Ordinance, and shall not include photographs, silhouettes, drawings, or pictorial representations of any type, nor include any animated illumination or flashing illumination.

- j. Signs must be posted on both the exterior and interior walls of the entrances, in a location which is clearly visible to those entering or exiting the business, and using lettering which is at least two (2) inches in height, that states the following:
- (1) "Persons under the age of 18 years are not permitted to enter the premises."
  - (2) "No alcoholic beverages of any type are permitted within the premises unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission."
- k. No adult use shall be open for business prior to ten o'clock a.m. (10:00 a.m.), nor after ten o'clock p.m. (10:00 p.m.). However, employees or other agents, or contractors of the business may be on the premises at other hours for legitimate business purposes such as maintenance, preparation, record keeping, and similar purposes.

#### **B. Agricultural processing facilities**

1. The principal and accessory buildings for processing shall not be located within two-hundred (200) feet of any Residential District or use property line.
2. The proposed site shall front upon a **public road.** ~~paved County Primary or County Local street.~~ All ingress and egress shall be from that thoroughfare.

#### **C. Assembly buildings including dance halls, auditoriums, and private clubs**

1. The proposed site shall front upon a **public road.** ~~paved County Primary or County Local street.~~ All ingress and egress shall be from that thoroughfare.
2. Public access to the site shall be located at least one hundred (100) feet from any intersection as measured from the nearest right-of-way line to the nearest edge of that access.
3. Minimum lot area shall be one (1) acre.
4. Parking shall not be permitted within any required yard.
5. Outside activities shall take place at least fifty (50) feet from any Residential District or use.

#### **D. Bed and breakfast establishments.**

1. The establishment shall be serviced by approved water and sanitary sewer services.

2. The establishment shall be located on property with direct access to a paved public roadway.
3. The uses shall only be established in a detached stand-alone single-family dwelling.
4. Parking shall be located to minimize negative impacts on adjacent properties.
5. The lot on which the establishment is located shall meet the minimum lot size requirements of the zone district.
6. The total number of guest rooms in the establishment shall not exceed five (5), plus one (1) additional guest room for each ten thousand (10,000) square feet or fraction thereof by which the lot area of the use exceeds one (1) acre, not to exceed a total of nine (9) guest rooms.
7. Exterior refuse storage facilities beyond what might normally be expected for a stand-alone detached single-family single-family dwelling shall be screened from view on all sides by a six (6) foot solid, decorative fence or wall.
8. The establishment shall contain the principal residence of the operator.
9. Accessory retail or service uses to a bed-and-breakfast establishment shall be prohibited, including but not limited to gift shops, antique shops, bakeries, and other similar uses.
10. Meals may be served only to the operator's family, employees, and overnight guests.

**E. Building materials sales, including building trade contractors and related storage yards**

1. Minimum lot width shall be two hundred (200) feet.
2. The Township Board may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.
3. Ingress and egress shall be provided as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection. Public access to the site shall be located at least one hundred (100) feet from any intersection as measured from the nearest right-of-way line to the nearest edge of that access.
4. All lighting shall be shielded from adjacent residential Districts or uses.
5. The storage or materials display areas shall meet all the yard setback requirements applicable to any main building in the District.

**F. Cemeteries**

1. The proposed site shall front upon a public road, paved public street.

2. All grave sites, buildings and structures shall be set back at least fifty (50) feet from any side or rear property line.

**G. Churches Places of Worship.**

1. Minimum lot area shall be two (2) acres; plus an additional fifteen thousand (15,000) square feet for each one hundred (100) seating capacity or fraction thereof in excess of one hundred (100).
2. The property location shall have at least one (1) property line that abuts and has access to a ~~collector, major arterial, or minor arterial street~~ public road.
3. A greenbelt shall be provided in accordance with Section 3.12 where, in the opinion of the Township Board, screening is required to minimize visual, noise, or other effects from the proposed development.
4. No building shall be closer than fifty (50) feet to any property or ~~street line road right-of-way line~~. Greater height is allowable past the height limitations of the zoning district provided there is an increased setback distance of one (1) foot for each increased one (1) foot of height.

**H. Commercial recreation including mini-golf, driving ranges, bowling lanes, theaters, indoor skating rinks, billiard parlors, or similar uses**

1. The proposed site shall front upon a public road ~~paved County Primary, or County Local street~~. All ingress and egress shall be from that thoroughfare.
2. Public access to the site shall be located at least one hundred ~~fifty (150)~~ 100 feet from any intersection as measured from the nearest right-of-way line to the nearest edge of that access.
3. Any lot line abutting a Residential District shall provide a fifty (50) foot wide greenbelt in accordance with Section 3.12.
4. The main and accessory buildings and structures shall not be located within one-hundred (100) feet of any Residential District or permitted use.
5. Golf driving ranges shall be sufficient in size to retain balls within the site by means of landscaping, berms or a six (6) foot high fence. Netting shall be prohibited unless the Township Board determines that it would be compatible with surrounding uses.

**I. Commercial removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources**

1. No soil, sand, gravel, or other earth material shall be removed from any land within the ~~T~~township without Special Land Use approval, with the following exceptions:
  - a. When the earth removal is incidental to an operation for which a building permit has been issued by the Township.
  - b. When the earth removal involves any normal landscaping, driveway installation and repairs, or other minor projects.

- c. The earth removal involves less than one hundred (100) cubic yards.
  - d. The earth removal is for the purpose of construction of a swimming pool.
  - e. The soil removal will not be in violation of any other section of this ordinance, other Township ordinance, Soil Erosion and Sedimentation Control Act of 1972, as amended, or any other applicable state or federal law.
2. In addition to the materials required by this Chapter, the application for Special Land Use approval shall include the following:
- a. A written legal description of all of the lands proposed for the use.
  - b. Ten (10) copies of a plan for mineral removal, drawn and sealed by a registered civil engineer, and including the following, at a minimum:
    - (1) A North arrow, scale, and date.
    - (2) Shading indicating the extent of land area on which mineral removal operations and activities will take place.
    - (3) The location, width, and grade of all easements or rights-of-way on or abutting the lands.
    - (4) The location and nature of all structures on the lands.
    - (5) The location and direction of all water courses and flood control channels which may be affected by the mineral removal operations.
    - (6) Existing elevations of the lands at intervals of not more than five (5) feet.
    - (7) Typical cross sections showing the estimated extent of overburden, estimated extent of mineral material location in or on the lands, and the water table.
    - (8) Mineral processing and storage areas.
    - (9) Proposed fencing, gates, parking areas, and signs.
    - (10) Roads for ingress to and egress from the lands, including on-site roads, other areas to be used for movement of vehicles and a description of the proposed measures to limit dust generated by mineral removal activities and movement of vehicles.
      - (a) A map showing access routes between the subject lands and the nearest County Primary Arterial road.
      - (b) Areas to be used for ponding.

- c. A narrative description and explanation of the proposed mineral removal operations and activities; including the date of commencement, proposed hours and days of operation, estimated by type and quantity of mineral materials to be removed, description of extraction and processing methods, including proposed equipment and the noise rating of each type thereof, and a summary of the procedures and practices which will be used to ensure compliance with the conditions of this subsection.
  - d. A site rehabilitation plan including the following:
    - (1) A written description of planned site rehabilitation and end-use(s), including potential methods of accomplishment and phasing.
    - (2) A plan showing final grades of the lands as rehabilitated, at contour intervals not exceeding five (5) feet; water courses, ponds, or lakes, if any; landscaping and plantings; areas of cut and fill; and all of the components of the proposed end-use(s).
    - (3) A description of the proposed methods or features which will ensure that the end-use(s) are feasible and can comply with all applicable requirements of this Ordinance.
  - e. The Township Board may require an environmental impact statement, engineering data, or other additional information concerning the need for and consequences of the extraction if it is believed that the extraction may have an adverse impact on natural topography, drainage, water bodies, floodplains, or other natural features.
3. Each site rehabilitation plan shall be reviewed by the Township Board and shall comply with all of the following requirements:
- a. Topsoil shall be replaced on the site to a depth of not less than six (6) inches, except where the end-use activities or features do not involve the planting of lawns or growing of vegetation. Slopes shall be graded and stabilized to an extent that will accommodate the proposed end-use. The plan shall indicate the phasing of site rehabilitation, if in phases. Topsoil shall be replaced and slopes shall be graded and stabilized before mineral removal operations or activities are begun in another phase.
  - b. Final slopes shall have a ratio of not more than one (1) foot of elevation to three (3) feet of horizontal distance.
  - c. Grass, shrubs, trees, and other vegetation shall be planted to maximize erosion protection, screen less attractive areas, and enhance the beauty of the site as rehabilitated.
4. No machinery shall be erected or maintained within one hundred (100) feet of any exterior property line. No cut or excavation shall be made closer than fifty (50) feet to any street right-of-way line or property line in order to ensure sublateral support to surrounding property. The Township Board may require greater distances for the location of machinery, storage or parking of equipment, or limits of excavation where the site is located within two hundred (200) feet of any

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Residential District.

5. The Township Board shall recommend routes 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 community. Access roads within the area of operation shall be provided with a dustless surface that will minimize dust and the entry road shall be hard surfaced for a distance established by the Township Board to minimize dust, mud, and debris being carried onto the public street.
6. Proper measures, as determined by the Zoning Administrator shall be taken to minimize the nuisance of noise and flying dust or rock. These measures may include, when considered necessary, limitations upon the practice of stockpiling excavated material upon the site.
7. During activities and operations for the removal of mineral material, no mineral material or other excavated materials shall be left during weekends or overnight in a condition or manner as to constitute a danger to children or others who may enter the removal areas.
8. All banks of excavated material shall be graded to slopes having a vertical to horizontal ratio of not greater than one (1) foot of elevation for each two (2) feet of horizontal distance, after the cessation of daily operations, provided, however, that the Township Board may require some lesser daily grading requirement if the applicant provides and maintains a substantial welded wire fence, or fence of equal material, of at least four (4) feet in height, located so that any slopes steeper than one (1) foot of elevation for each two (2) feet of horizontal distance cannot inadvertently be approached by any persons who may enter the removal area.
9. The Township Board may require compliance with any other conditions as may be necessary to ensure compliance with the terms of this subsection. These conditions may include, though need not be limited to, time limits, weed controls, erosion and sedimentation controls, fencing and visual screening, requirements for groundwater monitoring wells, preservation of trees and other vegetation, and fuel loading and storage requirements.
10. An applicant for a permit shall submit a performance bond in accordance with the requirements of this Ordinance, naming the Charter Township of Oneida as the insured party and conditioned upon the timely and faithful performance by the applicant of all of the terms and conditions of the permit. The bond shall have any other terms and shall be in an amount recommended by the Township Board as reasonably necessary to ensure compliance with all of the terms and conditions of this subsection and the permit.
  - a. The performance bond shall not be refunded, reduced, or transferred until the mineral removal operations and activities, land reclamation or restoration, and all other required activities have received final inspection by the Zoning Administrator and until the Township Board has determined that the applicant, or its successor, has fully complied with all of the terms, conditions, site rehabilitation and restoration requirements, and all other matters required of the applicant under the terms of the permit.

- b. The timely and faithful compliance with all of the provisions of the performance bond shall be a condition of any mineral removal operations. In the absence of any compliance with the terms of the performance bond, or if the same is revoked or it expires or is not renewed, the Township Board need not approve the renewal of any permit, even if the applicant has otherwise complied with all other terms and provisions of the current permit.

**J. Commercial storage warehouses**

1. Minimum lot area shall be three (3) acres.
2. A residence may be permitted on the premises for security personnel or on-site operator. The residence shall conform to the minimum requirements for a single-family ~~detached stand-alone~~ dwelling in the R-1B District.
3. Public access to the site shall be located at least one hundred (100) feet from any intersection as measured from the nearest right-of-way line to the nearest edge of that access.
4. One (1) parking space shall be provided for each ten (10) storage cubicles, equally distributed throughout the storage area. The parking requirement may be met with the parking lanes required for the storage area.
5. Two (2) parking spaces shall also be required for the residence of security personnel or on-site operator employed on the premises.
6. One (1) parking space shall also be required for every twenty (20) storage cubicles, up to a maximum of ten (10) spaces, to be located adjacent the rental office, for the use of customers.
7. Parking lanes and access aisles adjacent the individual storage facilities shall be required. The parking lanes may be eliminated when the access aisle does not serve storage cubicles.
8. All driveways, parking, loading, storage, and vehicular circulation areas shall be paved.
9. All lighting shall be shielded from adjacent Residential Districts or uses.

**K. Drive-through restaurants and establishments, including banks, dry cleaners, pharmacies, and similar services with drive-through service**

1. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of ten (10) stacking spaces for the service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the drive-through portion of the facility.
2. In addition to parking space requirements, at least three (3) parking spaces shall

be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.

3. Parking areas shall have side and rear yard setbacks of at least ten (10) feet.
4. Public access to the site shall be located at least one hundred (100) feet from any intersection as measured from the nearest right-of-way line to the nearest edge of that access. ~~Public access to the site shall be located at least one hundred (100) feet from any intersection or other driveway on the same side of the street, as measured from the nearest right-of-way line to the nearest edge of that access.~~
5. The parking and maneuvering areas of the site shall be fenced and screened from the view of any abutting Residential District or use by a decorative fence or wall, or a landscaped equivalent.
6. Outdoor speakers for the drive through facility shall be located in a way that minimizes sound transmission toward neighboring property and uses.
7. Exterior refuse storage facilities beyond what might normally be expected for a stand-alone ~~detached single-family~~ single-family dwelling shall be screened from view on all sides by a six (6) foot solid, decorative fence or wall.

**L. Fairgrounds, riding stables, public or private campgrounds, and publicly - owned athletic grounds and parks, and other similar uses, including related uses, such as snack bars, small retail shops selling goods directly related to the primary use, and other similar uses integral to the principal use**

1. The use shall be located on property with direct access to a public street.
2. Any outdoor activity areas shall be set back a minimum of one hundred (100) feet from any Residential District or use.
3. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any Residential District or use.
4. Public access to the site shall be located at least one hundred (100) feet from any intersection as measured from the nearest right-of-way line to the nearest edge of that access. ~~Access driveways shall be located no less than one hundred and fifty (150) feet from the nearest part of the intersection of any street or any other driveway.~~
5. Buildings housing animals, storage equipment, or other similar buildings shall be located at least fifty (50) feet from any lot line.
6. Public or private campgrounds shall comply with the following:
  - a. Direct vehicular access to a public street or road shall only be permitted for the main entrance to the campground site.
  - b. Public stations, housed in all-weather structures, containing adequate water outlet, waste container, toilet and shower facilities shall be provided.

- c. No commercial enterprise shall be permitted to operate on the lot, except that a convenience shopping facility may be provided on a lot containing more than eighty (80) sites. A convenience store, excluding laundry and similar ancillary uses, shall not exceed a maximum floor area of one thousand (1,000) square feet GFA.
- d. Each lot shall provide hard-surfaced, dust-free vehicle parking areas that will minimize dust for site occupant and guest parking. The parking area shall be located within four hundred (400) feet of the site it is intended to serve (except in the case of sites specifically designated only for tent camping).
- e. Each site shall contain a minimum of one thousand five hundred (1,500) square feet. Each site shall be set back at least seventy five (75) feet from any public or private right-of-way or property line.
- f. Each travel trailer site shall have direct access to a hard-surfaced, dust-free roadway of at least twenty four (24) feet in width for two-way traffic and twelve (12) feet in width for one-way traffic. Parking shall not be allowed on any roadway. Sites specifically designated for, and only used for, tent camping, need not have direct vehicular access to any street or road.
- g. Any open drainage ways must have seeded banks sloped at least 3:1 and designed to properly drain all surface waters into the County drain system, subject to approval by the Drain Commissioner of Eaton County.
- h. All sanitary facilities shall be designed and constructed in strict conformance to all applicable County health regulations.
- i. A minimum distance of fifteen (15) feet shall be provided between all travel trailers and tents.

#### **M. Funeral homes and mortuary establishments**

1. Minimum lot area shall be one (1) acres with a minimum width of one hundred and fifty (150) feet.
2. A well designed and landscaped off-street vehicle assembly area shall be provided to be used in support of funeral procession activity. This area shall not obstruct internal circulation within the required off-street parking area or its related maneuvering space. Access driveways shall be located no less than fifty (50) feet from the nearest part of the intersection of any street or any other driveway.
3. A caretaker's residence may be provided within the main building.
4. The proposed site shall front upon a paved County Primary or County Local street. All ingress and egress shall be from that thoroughfare.

#### **N. Greenhouses and nurseries**

1. The lot area used for parking, display, or storage shall be provided with a