

ARTICLE V GENERAL PROVISIONS

Except as hereinafter specifically provided, the following regulations shall apply:

SECTION 5.1 CONFLICTING REGULATIONS

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern.

SECTION 5.2 SCOPE

No building or structure, or part thereof, shall hereafter be erected, constructed, reconstructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance.

SECTION 5.3 STREETS, ALLEYS AND RAILROAD RIGHT-OF-WAYS

All streets, alleys and railroad right-of-ways, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets, alleys, right-of-ways. Where the center line of a street or alley serves as a district boundary, the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

SECTION 5.4 PERMITTED USES

No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used, designed or arranged for any purpose other than is permitted in the district in which the building or land is located.

SECTION 5.5 PERMITTED AREA

No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner, except in conformity with the area regulations of the district in which the building is located.

SECTION 5.6 PERMITTED HEIGHT

No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except that roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, storage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks, wireless telecommunication facilities, or similar structures may be erected above the height limits herein prescribed. Except for wireless telecommunications facilities, no such structure may be erected to exceed by more than fifteen (15) feet the height limits of the district in which it is located; nor shall such structure have a total area greater than twenty-five (25) percent of the roof area of the building, nor shall a structure be used for any residential purpose or any commercial purpose other than a use incidental to the main use of the building. The height of wireless telecommunication facilities shall be established by Section 5.3.9.

SECTION 5.7 ZONING LOT

Every building hereafter erected or structurally altered to provide dwelling units shall be located on a lot as herein defined, and in no case shall there be more than one (1) such building on one (1) lot unless otherwise provided in this Ordinance.

SECTION 5.8 LOT AREA, YARDS, AND OPEN SPACE REQUIREMENTS

Space which has been counted or calculated as part of a side yard, rear yard, front yard, court, lot area or other open space to meet the requirements of this Ordinance for a building, shall not be counted or calculated to satisfy or comply with a yard, court, lot area or other open space requirement for any other building. An open porch or paved terrace may occupy a required front yard or rear yard provided that the unoccupied portion of the front yard or rear yard furnishes a depth of not less than twenty-one (21) feet.

SECTION 5.9 PROJECTIONS INTO YARDS

Architectural features, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard, and may extend to project into a required front yard or rear yard not more than three (3) feet. Architectural features shall not include those details which are normally demountable.

SECTION 5.10 USE OF YARD SPACES AND OTHER OPEN AREAS FOR STORAGE

No front or other yard shall be used for the storage of automobiles or any other material or equipment; provided that in residential areas automobiles with a current license and in operating condition may be parked on an approved service driveway, extending from the street directly to a side yard or a garage. No machinery, equipment vehicles, lumber piles, crates, boxes, building blocks, or other materials either discarded, unsightly or showing evidence of a need for repairs, with or without current license, shall be stored, parked abandoned or junked in any open area that is visible from the street, public place or adjoining residential property; and should such use of land occur, it shall be declared to be a nuisance. If such nuisance is not abated within ten (10) days after the owner of such land is notified by the Township, then the Township may perform the necessary work to eliminate the nuisance at the expense of the property owner; and in the event the property owner fails to reimburse the Township within thirty (30) days, after receiving notice of the amount due from the Township Treasurer, then the amount shall become a lien upon said property.

SECTION 5.11 STREET ACCESS

No dwelling or building shall be erected on any lot or parcel of land in the Township of Dundee that does not abut on a public street, road or highway, provided that this Ordinance shall not be the basis for preventing the issuance of a building permit for ordinary repair or maintenance of any building that is already erected on the date of the adoption of this Ordinance upon a lot or parcel of land that does not so abut such a street or highway.

SECTION 5.12 VISIBILITY

No structure, wall, fence, shrubbery or trees shall be erected, maintained or planted on any lot which will obstruct the view of the drive of vehicle approaching an intersection, excepting that shrubbery and low retaining walls not exceeding two and one-half (2 1/2) feet in height above the curb level and shade trees where all branches are not less than eight (8) feet above the street level will be permitted. For residential corner lots, this unobstructed area will be a triangular section of land formed by the two street curb lines and a line connecting them at points twenty (20) feet from the intersection of said curb lines.

SECTION 5.13 DWELLINGS IN NON-RESIDENTIAL DISTRICTS

No dwelling unit shall be erected in the C, I or FP Districts. However, the sleeping quarters of a watchman or a caretaker may be permitted in aid districts in conformance with the specific requirements of the particular district.

SECTION 5.14 ONE SINGLE FAMILY STRUCTURE PER LOT

No single family residential structure shall be erected upon a lot with another single family residential structure.

SECTION 5.15 ACCESSORY BUILDINGS

Accessory buildings, except as otherwise permitted in this Ordinance shall be subject to the following requirements:

1. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to main or principal buildings.
2. Accessory buildings shall not be erected in any required yard except a rear yard, unless all buildings are at least 200 feet from the front property line, providing further that in no instance shall such a building be nearer than three (3) feet to any side or rear lot line. Where easements exist, the easement line shall be considered as the side or rear lot line insofar as the location of accessory buildings shall be concerned. (Eff. 8/94)
3. An accessory building, not exceeding two (2) story or twenty (20) feet in height, may occupy not more than twenty-five percent (25%) of a required yard, plus forty percent (40%) of any non-required rear yard; provided, that in no instance shall the accessory building exceed one hundred fifty percent (150%) of the ground floor area of the main building. (Ord. 18-7, eff. 6-23-92)
4. An accessory building shall be located in the rear yard, except when structurally attached to the main building, and except that in row house development or apartment buildings, parking area location in the form of covered bays may be permitted in the rear of main buildings if the location is approved by the Zoning Board of Appeals.
5. No detached accessory building shall be located closer than ten (10) feet to any main building.
6. When an accessory building is located on a corner lot, the side lot of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard line required on the lot in rear of such corner lot.
7. In the case of double frontage lots, accessory buildings shall observe front yard requirements on both street frontages whenever there are any principal buildings fronting on said streets in the same block or adjacent blocks.
8. Accessory buildings shall be permitted to be erected on a vacant lot only in conjunction with the issuance of a permit for a residential dwelling on that same parcel in zoning districts Residential R-1A, R-1B, R-1C, and Rural Estates. This also applies to the Agricultural District when the parcel is less than 10 acres. (Eff. 4/00)

SECTION 5.16 PARKING AND STORAGE OF CAMPERS, TRAVEL TRAILERS AND BOATS

Campers, travel trailers, motorized homes, snowmobiles and trailers of any type, and boats may be parked or stored outdoors in any zoning district on occupied lots subject to the following requirements:

1. No more than one (1) licensed camper or travel trailer, and no more than two (2) licensed boats, and no more than four (4) snowmobiles may be parked on a lot of record which is zoned and used for residential purposes, and ownership of same must be in the name of a member of the immediate family of the lot's owner, tenant or lease.
2. Campers and travel trailers may be parked anywhere on the premises for loading or unloading purposes for a period not to exceed forty-eight (48) hours.
3. Licensed campers, travel trailers, snowmobiles, trailers, boats and the like, where parked or stored, shall be located in the rear yard and, in addition shall conform to the required yard space requirements for accessory buildings in the zoning district wherein located. Further they may be stored inside yards at the discretion of the Building Inspector.
4. The maximum permitted lot coverage of all buildings plus any camper, travel trailer, or boat parking or storage space, shall not be exceeded.
5. All campers, travel trailers, boats and the like, shall be locked or secured at all times when not in use so as to prevent access thereto by children.
6. A suitable covering (e.g. tarpaulin) shall be placed over all boats, whenever they are not enclosed, in order to prevent vandalism by, or injury to children.
7. Recreational equipment parked or stored shall not be connected to water, gas or sanitary facilities, and at no time shall same be used for living, lodging or housekeeping purposes.
8. All recreational equipment must be kept in good condition and have a current year's license and/or registration.
9. The parking or storage of a mobile home unit outside of a mobile home park, under these provisions, is expressly prohibited.

SECTION 5.17 AUTOMOBILE SERVICE STATIONS AND PUBLIC GARAGES

In order to regulate and control the problems of noise, odor, light, fumes, vibration, dust, danger of fire and explosion, and traffic congestion which result from the unrestricted and unregulated construction and operation of automobile stations; to regulate and control the adverse effects which these and other problems incidental to the automobile service station may exercise upon adjacent and surrounding areas; and to control the problem of abandoned stations which are a nuisance, as well as a blighting influence on surrounding properties, the following additional regulations and requirements are provided herein for automobile service stations locate in any zone. All automobile service stations erected after the effective date of this Ordinance, shall comply with all requirements of this section. No automobile service station existing on the effective date of this Ordinance shall be structurally altered so as to provide a lesser degree of conformity with the provisions of this section than existing on the effective date of this Ordinance.

1. An automobile service station shall be located on a lot having a frontage along the principal street of not less than one hundred fifty (150) feet, and having a minimum area of not less than fifteen thousand (15,000) square feet.

2. An automobile service station building housing an office and/ or facilities for servicing, greasing and/ or washing motor vehicles shall be located not less than forty (40) feet from any street lot line.
3. All driveways providing ingress to or egress from an automobile service station shall be not more than thirty (30) feet wide at the property line. No more than one (1) curb opening shall be permitted for each fifty (50) feet of frontage or major fraction thereof along any street, and no more than two (2) curb openings are permitted on any street. No driveway or curb opening shall be located nearer than twenty-five (25) feet to any corner of exterior lot line, as measured along the property line.
4. A raised curb six (6) inches in height shall be erected along all street lot lines, except for driveway openings.
5. All lubrication equipment, motor vehicle washing equipment, hydraulic hoists and pits shall be enclosed entirely within a building.
6. An automobile service station located on a lot having an area of fifteen thousand (15,000) square feet shall include not more than two (2) enclosed stalls for servicing, lubricating, greasing and/ or washing motor vehicles. An additional one (1) enclosed stall may be included with the provision of each additional two thousand (2,000) square feet of lot area.
7. All gasoline pumps shall be located not less than fifteen (15) feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street or right-of-way.
8. Where an automobile service station adjoins property located in any residential zone, a screening wall five (5) feet in height shall be erected and maintained along the service station property line. All screening walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall.
9. All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent and neighboring property.
10. When a structure designed and used for automobile service station purposes ceases to operate on a continuing basis for a period of ninety (90) days within any period of eighteen (18) months, the owner of the premises shall be served written notice by the Building Inspector of the requirement within sixty (60) days of the date of said notice, to either: 1) resume operation of the premises on a continuing basis as a lawful automobile service station or filling station, or 2) lawfully convert said structure to another permitted use and completely remove the debris from the premises.

All new automobile service stations or filling stations constructed after the effective date of this Ordinance shall be required to post a bond with the Building Inspector in an amount equal to the estimated cost of demolition and clearance of improvements on the premises. Failure to comply with one of the above mentioned three (3) alternatives shall empower the Building Inspector to utilize said bond for the demolition and clearance of the premises in question.

If there should be declared a national emergency which could curtail the operation of motor vehicles or if the Planning Commission should determine that there exists a state of general economic depression or hardship, the provisions of this subsection (10) shall not apply.

11. Abandoned automobile service stations or gasoline filling stations may be converted to Principal Permitted Use in the District in which such station is located, provided the following conditions are met:

- a. The use shall not be out of harmony with the surrounding neighborhood by reason of its character or quality of development.
- b. All gasoline pumps and signs shall be removed, and underground gasoline storage tanks shall be abandoned in conformance with prescribed Township, County and State fire safety provisions.
- c. All buildings shall meet all applicable requirements of the Township Building Code for safety and structural condition.
- d. There shall be adequate off-street parking provided in accordance with Article XX.
- e. No outside storage areas shall be permitted.
- f. The use shall meet all Area, Height, Bulk and Placement requirements of the District in which such use is located in accordance with Article XIV.
- g. The use shall comply with all other requirements of the applicable District unless otherwise provided in this Ordinance.

SECTION 5.18 DRIVE-IN ESTABLISHMENTS

- 1. When a drive-in establishment adjoins property located in any residential district, a screening wall, five (5) feet in height shall be erected and maintained along the interior line, or if separated from the residential zone by an alley, then along the alley lot line. In addition, all outside trash areas shall be enclosed by said five (5) foot screening wall. The screening wall shall be protected from possible damage inflicted by vehicles using the parking area by a suitable barrier.
- 2. The entire parking area shall be paved with a permanent surface of concrete or asphaltic cement. Any unpaved area of the site shall be landscaped with lawn or other horticultural materials, maintained in a neat and orderly fashion at all times, and separated from the paved area by a raised curb or other equivalent barrier. Paving may be waived for a period of up to one (1) year by the Zoning Board of Appeals, then the lot must be maintained dust free.
- 3. Lighting shall be installed in a manner which will not create a driving hazard on abutting streets or which will not cause direct illumination on adjacent residential properties.
- 4. Before approval is given for any use, a site plan shall first be submitted to the Planning Commission for review as to suitability of location of entrances and exits to the site, parking area, screening, lighting signs and other design features, in accordance with the provisions of Article XVI.

SECTION 5.19 BUILDING GRADES

- 1. Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of water to run away from the walls of the structures thereon. The balance of yard spaces shall be graded and adequate drainage provided where necessary to deflect proper drainage of surface waters from the said premises.
- 2. When a new building is constructed on a vacant lot between two existing buildings or adjacent to an existing building, the existing established grade shall be used in determining the grade around the new building and the yard around the new building shall be graded in such a manner as to meet existing grades.
- 3. Final grade shall be approved by the Building Inspector.

SECTION 5.20 TEMPORARY BUILDINGS AND USES

Temporary buildings, trailers and other similar structures used as a field office in conjunction with construction work may be permitted in any district during such time that construction work is in progress, that adequate arrangements for sanitary facilities are made, that any such temporary field office shall be certified as such and as being in conformance with this Ordinance by the Building Inspector and provided further that any such temporary facilities shall be removed upon completion of construction work.

No temporary trailers shall be placed in any residential district unless a building permit has been issued for a permanent building on the same site. Further, said temporary trailer shall be permitted for six (6) months, only with one renewal of six (6) months. Before a certificate of occupancy shall be issued any temporary building shall be removed from the site within ten (10) days.

Circuses, carnivals, open air concerts, festivals and other transient amusement enterprises may be permitted in any district upon approval by the Township Board, based upon a finding that such an activity will not adversely affect public health, safety, morals and the general welfare.

1. The Township Board may require the following protections for the welfare of the community:
 - a. Necessary and reasonable sanitary facilities.
 - b. Adequate security for the protection of the general public who attends the festivities and to protect private property.
 - c. Adequate medical protection or ambulance facilities on the premises.
 - d. Compliance with all State Health Codes and all State Fire Protection and life guards if necessary and appropriate.
2. Any contracts to provide for such protection shall be provided by recognized legal entities and approved by the Board.
3. The Board may require the posting of a Bond running to the Township in a reasonable amount to hold the Township free from all liabilities incident to the operation of such above activity and to indemnify any adjoining land owner for any damages resulting from the operation of such activity and which damages shall be provable before a court having jurisdiction over the premises or which the damages occurred and payable through such court.

SECTION 5.21 SEWAGE DISPOSAL

No human excreta or domestic, ~~commercial~~ or industrial wastes shall be deposited on the surface of the premises. Where a sewer system is available, all sanitary fixtures, such as water closets, lavatories, catch and slop sink, laundry trays and bath tubs shall be connected to such system. Where a sewer is not available all facilities used in connection with the disposal of human excreta and water carried wastes shall be connected with and the wastes there from discharged into a private disposal system, the operation of which creates neither a nuisance nor pollutes a stream or lake or a water supply.

SECTION 5.22 OUTSIDE PRIVIES

Whenever earth pit outhouses, septic tank privies or chemical toilets are used for the disposal of human excreta for farm dwelling or for non-farming, the construction and maintenance shall comply with the provisions of the Monroe County, Michigan Sanitary Code, as presently established or hereafter amended, a copy of which is on file in the office of the Township Clerk.

SECTION 5.23 STORAGE: DUMPING OF WASTE, JUNK, GARBAGE, ETC.

The use of land for the storage or collection or accumulation of used lumber, and other used materials, or for the dumping, disposal, or accumulation of scrap iron, junk, garbage, rubbish or other refuse or of ashes, slag or other industrial wastes or by-products shall not be permitted in any district in the Township of Dundee except in the I, Industrial District, and then only after a petition has been submitted to the Township Board and such Board may approve and order the issuance of temporary certificates to the petitioner by the Building Inspector. This approval may be given by the Township Board only in appropriate cases where such petition is accompanied by a suitable agreement between the Township and the petitioner together with an appropriate bond to secure performance by the petitioner pursuant to this section that such dumping or disposal will not pollute the waters of the Township or cause stagnant water to collect on, or leave the surface of the land, at the expiration date of such permit, in an unstable condition or unfit for the growing of turf, or for other land uses permitted in the district in which such dumping occurs, except as provided in any other existing Ordinances. The dumping of dirt, sand, rock or other materials excavated from the earth is permitted in any district provided the surface of such material is graded within a reasonable time in a manner preventing the collection of stagnant water and which leaves the ground surface in a condition suitable for the growing of turf or for other land uses permitted in the district. The Bond required hereunder shall be in such amount as shall be reasonably necessary to insure conformity with this Section.

SECTION 5.24 RESTORING UNSAFE BUILDINGS

Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the Building Inspector or required compliance with his lawful order, except as provided in Section 6.6.

SECTION 5.25 CONSTRUCTION BEGUN PRIOR TO ADOPTION OF ORDINANCE

Nothing in this Ordinance shall be deemed to require any changes in the plans, construction or design use of any building upon which actual construction as lawfully begun prior to the adoption of the Ordinance, and upon which building actual construction has been diligently carried on, and provided further, that such buildings shall be completed within two (2) years from the date of passage of this Ordinance.

SECTION 5.26 VOTING PLACE

The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with municipal or other public elections.

SECTION 5.27 APPROVAL OF PLATS

No proposed plat of a new subdivision shall hereafter be approved by either the Township Board or the Township Planning Commission, unless the lots within such plat equals or exceeds the minimum size and width requirements set forth in the various districts of this Ordinance, and unless such plat fully conforms with the statutes of the State of Michigan and all other provisions of the Dundee Township Code.

SECTION 5.28 ESSENTIAL SERVICES

Essential services shall be permitted as authorized under any franchise or that may be regulated by any law of the State of Michigan or any ordinance of the Township of Dundee, it being the intention hereof to exempt such essential services from the application of this Ordinance, except as hereinafter required.

SECTION 5.29 COMMERCIAL RADIO, TELEVISION TOWERS

All commercial radio, television shall be permitted in any agricultural, commercial or industrial district which has access upon a major thoroughfare. The setbacks for such towers from all abutting streets or adjacent property, shall be a distance equal to the height of such tower. The structural plans must be approved by the Township Engineer. (Ord. 1B-6, eff. 2-90) Wireless communication facilities are not included in this provision.

SECTION 5.30 OPEN AIR BUSINESS USES

Open air business uses, where permitted in C-District shall be subject to the following regulations:

1. The minimum area of the site shall be ten thousand (10,000) square feet.
2. The minimum street frontage shall be one hundred (100) feet.
3. There shall be provided around all sides of the site, except at entrances, exits and Ion& sides of the premises enclosed by buildings, a screening wall five (5) feet m height in order to intercept windblown trash and other debris. Where the site abuts any residential zoned district, the requirements for protective screening shall apply as specified.
4. Off-street parking areas and aisles, as required under Article XX shall be paved in accordance with the requirements thereof.
5. Lighting shall be installed in a manner which will not create a driving hazard on abutting streets or which will cast direct illumination on adjacent properties.
6. Before approval is given for any use, a site plan shall be first submitted to the Building Inspector for review as to suitability of location of entrances and exits to the site, parking area, fencing, lighting and other design features.
7. All open air business uses shall comply with all Township and County health regulations regarding sanitation and general health conditions.

SECTION 5.31 EXTERIOR LIGHTING (All Districts) (Ord11-02)

- (1) *Intent and purpose.* It is the intent of this Section is to protect the health, safety, and welfare of the public by recognizing that buildings and sites need to be illuminated for safety, security, and visibility for occupants, users, pedestrians, and motorists. To do so, this section provides standards for various forms of lighting that will: 1) minimize light pollution; 2) maintain safe nighttime driver performance on public roadways; 3) preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow”; 4) reduce light trespass from light sources onto adjacent properties; 5) conservation of electrical energy; and 6) curtail the degradation of the nighttime visual environment.

(2) *Applicability.* All site plans shall include a detailed lighting plan that demonstrates compliance with the standards of this section. Such lighting plan shall include a photometric grid indicating lighting intensities on the site and at all site boundaries and shall include detailed specifications for proposed light fixtures.

(3) *Lighting Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

(a) **Canopy Structure.** Any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.

(b) **Footcandle.** The standard imperial unit used to measure the amount of light falling onto a surface, such as a roadway or parking lot.

(c) **Flood or Spot Light.** Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

(d) **Glare.** Direct light emitted by a lamp, luminous tube lighting or other light source.

(e) **Lamp.** The component of the luminaire that produces the actual light including luminous tube lighting.

(f) **Light Fixture.** The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

(g) **Light Pollution.** Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.

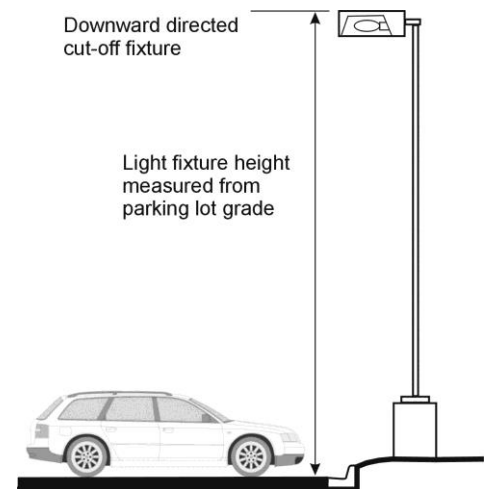
(h) **Luminaire.** The complete lighting system including the lamp and light fixture.

(i) **Luminous Tube Lighting.** Gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.

(j) **Outdoor Light Fixtures.** Outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.

(k) **Fully Shielded Fixture.** Outdoor light fixtures shielded or constructed so that zero percent (0.0%) of the lamp lumens are emitted above ninety degrees (90°). A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this section.

(l) **Sky Glow.** The “haze” or “glow” that surrounds highly populated areas and reduces the ability to view the nighttime sky. Specifically, light that enters the sky from an outdoor lighting system by indirect light reflected from atmospheric particles such as fog, dust, or smog.



(4) Submittal Requirements. The following information must be included for all site plan submissions and where site plan approval is not required, some or all of the items may be required by the Township Supervisor or designee prior to lighting installation:

- (a) Location of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations.
- (b) Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in footcandles).
- (c) Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding.
- (d) Use of the fixture proposed.
- (e) Any other information deemed necessary by the Planning Commission, Township Supervisor or designee to determine compliance with provisions of this section.

(5) Lighting Standards. All lighting must comply with the following standards:

(a) Freestanding Pole Lighting

1. Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward directed, metal halide, LED or induction full cutoff fixtures or approved decorative fixtures shall be used in an effort to maintain a unified lighting standard throughout the Township and prevent “sky glow”.
2. The intensity of light within a site shall not exceed ten (10) footcandles within any site or one (1) footcandle at any property line, except where it abuts a service drive or other public right-of-way. Footcandles abutting a residential or agricultural district can be a maximum of 0.5 footcandles at the property line. The only exception is for gas station canopy and automobile dealership lighting, where a maximum of twenty (20) footcandles is permitted within the site but the above standards shall apply to intensity at the property line. All gas station and canopy lighting and other canopy lighting must be recessed.
3. The Planning Commission, Township Supervisor or designee (depending upon who has approval authority over the project) may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
4. The maximum height of parking lot light fixtures shall be twenty (15) feet, except that the planning commission may permit a maximum height of thirty (30) feet within commercial and industrial zoning districts when the poles are no closer than one hundred fifty (150) feet to a residential district or use.
5. Parking lot poles shall be located in parking lot islands or in the periphery parking lot area. Light poles shall be prohibited in parking spaces.
6. Except where used for security purposes and not creating off-site glare, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within non-residential zoning districts shall be turned off between 11:00 p.m. and sunrise,

except where such use continues after 11:00 p.m. but only for so long as such use continues.

(b) Building-Mounted Lighting

1. Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward directed, metal halide or LED fixtures shall be used in an effort to maintain a unified lighting standard throughout the Township and prevent sky glow.
2. The intensity of light within a site shall not exceed ten (10) footcandles within any site or one (1) footcandle at any property line, except where it abuts a service drive or other public right-of-way. Footcandles abutting a residential district or use can be a maximum of 0.5 footcandles at the property line.
3. The Planning Commission, Township Supervisor or designee (depending upon who has approval authority over the project) may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
4. Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc.

(c) Window Lighting

1. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
2. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Article 19, Signs.

(d) Private Road Street Lighting

1. Street lights along private residential roads may be required by the Planning Commission as part of a condominium or site condominium project. Where required, the applicant shall provide a full lighting plan.
2. Where such lighting is required, the Planning Commission shall use the following standards for guidance:
 - a. Lighting may be provided along both sides of the street, or staggered on opposite sides with spacing generally between four hundred (400) and six hundred (600) feet.
 - b. Fixtures should be fully shielded and downward directed unless decorative light fixtures are used that provide no off-site glare and are in keeping with the character of the site.
 - c. Fixture height should not exceed 15 feet.
 - d. Lighting intensity should be limited to a range between one (1) and six (6) footcandles, depending upon the fixture style, with the greater intensity at intersections and crosswalks.

- e. A determination should be made that the proposed lighting plan will not adversely impact surrounding properties.

(e) Other Lighting

1. The use of laser light source, search lights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.
2. Lighting shall not be of a flashing, moving or intermittent type.

SECTION 5.32 LANDSCAPING ~~rorct.11-021~~

1. **Intent.** The intent of this section is to promote the public health, safety and welfare by establishing minimum standards for the design installation and maintenance of landscaping, greenbelts and buffer zones. Landscaping, greenbelts, and buffer zones are necessary for the continued protection and enhancement of all land uses. Landscaping and greenbelts enhance the visual image of the Township, preserve natural features, improve property values, and alleviate the impact of noise, traffic and visual distraction. Buffer zones protect less-intense uses from the noise, light, traffic, litter and other impacts. These regulations are further intended to maintain and enhance the natural, rural character of Dundee Township.
2. **Scope of Application**
 - a. The requirements set forth herein shall apply to all lots, sites, parcels and uses that are developed, expanded, or changed following the effective date of this Ordinance. This section applies to any application for site plan, subdivision or condominium approval. Single and two family dwellings located on individual lots of record are exempt from the regulations of this section.
 - b. The landscaping requirements shall be met prior to the issuance of a certificate of occupancy and shall be continuously maintained in a sound, healthy, and vigorous growing condition.
 - c. The requirements set forth herein are minimum requirements, and nothing herein shall preclude the applicant and the Township from agreeing to more extensive landscaping.
 - d. Creativity in landscape design is encouraged. The standards are intentionally flexible to encourage adaptability and creative design. Required trees and shrubs may be planted at uniform intervals, at random, or in groupings, depending on the designer's desired visual effect and the intent of the Township to preserve the natural, rural character of the Township.
3. **Definitions.** Whenever used in this Ordinance, the following words and phrases shall have the following meaning ascribed to them:
 - a. **Buffer Zone:** A strip of land with landscaping, berms or walls singularly or in combination required along mutual lot lines between certain zoning districts based on the landscaping standards of this zoning ordinance. The intent of the required buffer zones is to lessen the impact to less-intensive uses from the noise, light, traffic, clutter and litter of adjacent land uses.

- b. **Greenbelt:** A strip of land of definite width and location along a public road right-of-way or private road easement reserved for the planting of trees, and ground cover to enhance the visual image of the Township.
- c. **Landscaping:** The treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, a landscape design may include other decorative non-living materials, such as wood chips, crushed stone, boulders or mulch.
- d. **Shrub:** A woody plant of one (1) to thirteen (13) feet in height with several erect, spreading or prostrate stems and having a general bushy appearance. Shrub planting species utilized in landscape plan shall have sufficient mature height to achieve desired screening or landscaping effect.
- e. **Tree:** A woody plant which at maturity is thirteen (13) feet or more in height with an erect perennial trunk and having a definite crown of foliage.
 - 1) **Deciduous tree:** A tree that sheds its foliage at the end of the growing season.
 - 2) **Evergreen tree:** A tree that has foliage that persists and remains green throughout the year.
 - 3) **Ornamental tree:** A deciduous tree that is typically grown because of its shape, flowering characteristics or other attractive features and typically grows to a mature height of 25 feet or less.
 - 4) **Canopy tree:** A deciduous tree which has a height of 25 feet or more feet and a trunk with at least five (5) feet of clear stem at maturity.

4. Landscaping Requirements

- a. **General Requirements.** Unpaved portions of the site shall be planted with grass, ground cover, shrubbery, or other suitable live plant material. Areas to be preserved in a natural state may be planted with native groundcover and maintained in an unimproved state.
- b. **Greenbelts.** Within all districts, a twenty (2) foot wide greenbelt shall be planted adjacent to and outside of the public right-of-way, which shall conform to the following standards:
 - 1) Within the Commercial District, a minimum of one (1) deciduous canopy tree shall be planted for each forty (40) lineal feet, or portion thereof, of required greenbelt length. Trees may be planted at uniform intervals, at random, or in groupings.
 - 2) Within the Industrial District and for all subdivisions and condominiums in the residential districts, a minimum of one (1) deciduous canopy tree and one (1) evergreen tree shall be planted for each thirty (30) lineal feet, or portion thereof, of required greenbelt length. Trees may be planted at uniform intervals, at random, or in groupings.
- c. **Buffer Zones.** In order to provide protective screening and buffers between abutting land uses, a landscaped buffer zone shall be provided in accordance with the following. These regulations do not apply along a lot line where the abutting land use is separated by a public road right-of-way or private road easement.

Table 5.32A identifies where and what type of buffer is required based upon the zoning of adjacent property. The proposed use is listed on the left column and adjacent property zoning across the top row. Table 5.32B details the minimum landscape elements that must be included in each type of buffer zone.

**Table 5.32A
Required Buffer Zones**

The purposed use will be adjacent to:			
The purposed use will be:	Residential District	Commercial District	Industrial District
Single Family Residential ¹	None	B	B
Multiple Family Residential	B	B	B
Commercial ²	B	C	C
Industrial	A	B	None

Footnotes:

- 1) Applies to applications for subdivision plat or condominium site plan approval only.
- 2) Includes non-residential special approval uses in a residential district such as churches, schools and public utility buildings.

TABLE 5.32B
DESCRIPTION OF REQUIRED BUFFER ZONES

Buffer Zone	Minimum Width	Minimum Plant Materials
A	50 feet	1 deciduous tree, 2 evergreen trees and 4 shrubs per each 20 linear feet along the property line, rounded upward.
B	20 feet	1 deciduous tree, 1 evergreen tree and 4 shrubs per each 30 linear feet along the property line, rounded upward.
C	10 feet	1 deciduous or evergreen tree or 4 shrubs per each 20 linear feet along the property line, rounded upward.

d. **Landscaping of Off-Street Parking Areas**

- 1) When off-street parking and loading of a non-single family residential use abuts a residential zoning district, the parking lot and loading area shall be screened from such contiguous, residential district by a solid, ornamental masonry wall at least six (6) feet tall meeting the requirements of Section 5.32.8, in addition to the landscape plant materials required in Section 5.32.4.c, above. In lieu of a wall, the Planning Commission may permit or require one (1) evergreen tree planted every fifteen (15) feet along the mutual property boundary, in addition to the landscape plant materials required in Section 5.32.4.c, above.

- 2) In addition to screening which may be required around off-street parking and loading areas, all off-street parking areas containing greater than twenty (20) spaces shall also provide one (1) canopy tree for each ten (10) parking spaces. The trees required shall be placed within landscape islands in the interior of the parking lot or around the perimeter of the parking lot.
 - e. **Landscaping of Rights-of-Way.** Public rights-of-way located adjacent to required landscaped areas and greenbelts shall be planted with grass or other suitable live ground cover, and shall be maintained by the owner or occupant of the adjacent property.
 - f. **Utility Structures.** Utility structures such as electrical transformers shall be screened from view by landscaping. A minimum of three (3) evergreen shrubs shall be planted adjacent to the utility structure to screen it from view. All landscape plantings shall be spaced a minimum of twenty (20) feet from any fire hydrant. Trees shall be placed to avoid growing into overhead utility lines.
5. **Maintenance of Unobstructed Visibility for Drivers.** Where a driveway intersects a public right-of-way or private road or where a site abuts the intersection of public rights-of-way or private roads, all landscaping within thirty (30) feet of the intersecting right of way lines shall not be permitted to grow to a height of more than thirty (30) inches above the pavement grade at the edge of the pavement.
6. **Modification of Landscape Requirements.** The Planning Commission may reduce or modify the location of the landscape requirements contained in this section based upon a determination that the landscaping required in this section will not be necessary or effective in meeting the intent of this Ordinance. In making such a determination, the following shall be considered.
 - a. The existence of natural vegetation that will meet the requirements of this ordinance and will be preserved as part of the site plan.
 - b. Parking, vehicular circulation, or existing or planned land use are such that required landscaping would not enhance the site or result in the desired screening effect.
 - c. The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of the Ordinance.
 - d. The intent to comply with the standards has been demonstrated by the applicant with alternatives considered to achieve the intent of this section.
7. **Plant Material Requirements.** Unless otherwise specified, all landscape materials shall comply with the following standards:
 - a. Plant materials used in compliance with the provisions of this Ordinance shall be nursery grown, free of pests and diseases, hardy in Monroe County, in conformance with the standards of the American Association of Nurserymen or ANSI American Nursery Stock Index. Landscaping used shall be native to the states of Michigan and Ohio.
 - b. The following minimum specifications shall apply to all plant material at the time of planting proposed in accordance with the landscaping requirements of this Ordinance:

**MINIMUM PLANT MATERIAL SIZE
AT TIME OF PLANTING**

Plant Type	Minimum Caliper	Minimum Height	Minimum Spread
Deciduous canopy trees	2 1/2 inches	--	--
Ornamental trees	2 inches	6 feet	--
Evergreen trees	--	2 feet	2 1/2 feet
Shrubs	--	2 feet	15 inches
Hedges	--	3 feet	--

- c. Grass areas shall be planted using species normally grown as permanent lawns in Monroe County. Grass, sod, and seed shall be clean and free of weeds, noxious pests, and diseases. Straw, mulch or hydro-seed shall be used to protect newly seeded areas.
- d. Landscaping shall be installed in a sound, professional manner to ensure the continued growth of healthy plant material. Required landscaping shall be maintained in a healthy, neat, and orderly appearance, free from refuse and debris. All unhealthy and dead plant material shall be replaced in the first appropriate planting period.
- e. Use of the following plant materials is not encouraged because of susceptibility to storm damage, disease, or other undesirable characteristics:

UNDESIRABLE PLANT MATERIALS	
COMMON NAME	GENUS SPECIES
Silver Maple	Acer sacharinum
Box Elder	Acer negundo
Tree of Heaven	Ailanthus altissima
European Barberry	Berberis thunbergii
Northern Catalpa	Catalpa speciosa
Eastern Red Cedar	Juniperus virginiana
Poplar	Populus deltoids
Willow	Salix spp.
American Elm	Ulmus Americana

- 8. **Obscuring Wall Requirements.** Where permitted or required by this Ordinance, obscuring walls shall be subject to the following regulations.
 - a. Required obscuring walls shall be six (6) feet in height, and shall be constructed of brick or other materials that are architecturally compatible with the materials used on the principal building and found to be suitable by the Planning Commission.
 - b. Masonry walls shall be erected on a concrete foundation, which shall have a minimum depth of forty-two (42) inches and shall not be less than four (4) inches wider than the wall to be erected.

SECTION 5.33 FENCES, WALLS AND OTHER PROTECTIVE BARRIERS

All fences, walls and other protective barriers (referred to in this section as "fences") of any nature, description, located in the Township of Dundee shall conform to the following regulations:

1. The erection, construction or alteration of any fence shall be approved by the Building Inspector in compliance with the provisions of this Ordinance.
2. Fences in other than AG, or I Districts, unless specifically provided otherwise, shall conform to the following requirements.
 - a. No fence shall hereafter be erected in any required yard space in excess of six (6) feet in height above the grade of the surrounding land, with the bottom of the fence no more than 9 inches above the natural grade, unless the Township Board shall give its special approval as provided in Article XV.
(Ord. Eff. 5/23/95)
 - b. No fence shall hereafter be located in the road right-of-way in the R1A, R1B and R1C districts except as restricted by Section 5.12. (Ord. rn-7, eff. 6-23-92)
 - c. All fences hereafter erected shall be of an ornamental nature. Barbed wire, spikes, nails or any other sharp instrument of any kind are prohibited on top of or on the sides of any fence, except that barbed wire cradles may be placed on top of fences enclosing utility buildings or equipment in any district or whenever deemed necessary in the interest of public safety or protection of private property.
3. Fences in the AG, or I District may be located on property or right-of-way lines of a lot provided that such fences shall be maintained in a good condition and shall not constitute an unreasonable hazard.
4. No fence shall be erected, established or maintained on any corner lot, which will obstruct the view of a driver of a vehicle approaching the intersection, with the exception that shade trees shall be permitted where all branches are not less than eight (8) feet above the road level.

SECTION 5.34 OUTDOOR TRASH CONTAINERS

Outdoor trash containers shall be permitted in the RM, C and I Districts provided that they comply with the following requirements.

1. Adequate vehicular access shall be provided to such containers for truck pickup either via a public alley or vehicular access aisle which does not conflict with the use of off-street parking areas or entrances to or exits from principal buildings nearby.
2. A solid screening wall or fence shall be provided around all sides of trash containers which shall be provided with a gate for access and be of such height as to completely screen said containers, the maximum height of which shall not exceed six (6) feet.
3. The trash container(s), the screening wall or fence and the surrounding ground area shall be maintained in a neat and orderly appearance, free from rubbish, waste paper or other debris. This maintenance shall be the responsibility of the owner of the premises on which the containers are placed.
4. There shall be compliance with all Township, County and State health ordinances and statutes.

SECTION 5.35 PRIVATE SWIMMING POOLS

All swimming pools erected in the Township of Dundee shall comply with the requirements of the Section.

1. **Application:** The application for a building permit to erect a swimming pool shall include the name of the owner, the manner of supervision of pool, a plot plan and location of adjacent buildings, fencing, gates, public utility, plan and specifications to scale of pool walls, slope bottom, walkways, and diving boards, type and rating of auxiliary equipment, piping and valve layout, and any other detailed information affecting construction and safety features deemed necessary by the Building Inspector.
2. **Pool location:** Minimum side yard setback shall comply with the provisions of the respective districts as set forth in this Ordinance. Furthermore, the pool fence must not be built within the required front yard or required corner lot side yard. Rear yard setback shall not be less than four (4) feet as measured from the outside wall of the pool to the rear property line, or less than the established easement width at the rear property line. There shall be not less than four (4) feet between the wall of the pool and any building on the lot.
3. **Fence:** For the protection of the general public all swimming pools shall be completely enclosed by a wooden privacy fence, chain link, or masonry fence, capable of preventing unauthorized entrance, not less than four (4) feet height nor more than six (6) feet in height and located at least four (4) feet from the outside perimeter of the pool wall, provided, that if a building not having any means of access thereto is located on the lot, a fence shall not be required on any such side. All openings in any such fence shall be equipped with a self-closing, self-latching gate which shall be securely locked with a tamper-proof lock when the pool is not in use. (Ord. 1B-7, eff. 6-23-92)
4. **Permits:** Upon compliance with all requirements of this Section and upon determination by the Building Inspector and the Monroe County Health Department that the proposed swimming pool will not be injurious to the general public health, safety and welfare of the Township and its citizens, the Building Inspector shall issue a permit conditioned upon compliance of the permit holder with the requirements of this Section.
5. **Supervision:** No person shall maintain an outdoor swimming pool on his premises without providing adequate supervision at all times when the pool is in use so that no person may be injured or drowned therein. (Ord. m-7, eff. 6-23-92)

SECTION 5.36 STABLES

1. **Public Stables** - Shall be located only in the AG, Agricultural District on lots 10 acres or larger.
 - a. Stables shall not be located closer than one hundred (100) feet to any residential dwelling in an AG or RE District.
 - b. Property used for Public Stables purposes shall be adequately fenced to prohibit trespass on neighboring lands.
 - c. Maximum density for public stables shall not exceed one (1) horse per acre.

2. **Private Stables** - Private stables located on non-farm single-family residences in the AG, Agricultural, and RE, Rural Estates, Districts must have a minimum of five (5) acres of land to accommodate a maximum of two (2) horses. Additional horses may be allowed provided an additional ten thousand (10,000) square feet of land is provided for each horse over and above the minimum lot size.
 - a. Stables shall not be located closer than one hundred (100) feet to any residential dwelling in an AG or RE District.
 - b. Property used for private stable purposes shall be adequately fenced to prohibit trespass on neighboring lands.
 - c. Private stables must be constructed so that the corral and pasture are behind the rear setback line of the principal building and/or behind the rear setback line of the nearest residential uses.
 - d. Maximum density for private stables shall not exceed one (1) horse per acre.

SECTION 5.37 PONDS (Ord. IB-7, eff. 6-23-921)

Ponds excavated for recreational, scenic or farm purposes shall be a permitted use in the Agricultural and Residential Districts subject further to the requirements and standards listed below:

1. The pond must be located on a parcel of at least two (2) acres in size.
2. Property owner shall live in a permanent residence on proposed pond site before construction of scenic/recreation pond; or shall have obtained a home building permit from the Township and be at a stage in construction where fill is required, as determined by the Township Building Inspector. A farm pond for purpose of irrigation or watering of livestock may be constructed on site where no permanent residence exists; however, there shall exist proven evidence of commercial agricultural operations, operated by a sole proprietorship, partnership, or corporation, and including all necessary farm buildings, structures and machinery.
3. The pond size shall be not less than twenty thousand (20,000) square feet, nor more than five (5) acres.
4. The pond begins at the excavation point of the original grade and must be setback a minimum of fifty (50) feet from property lines and dwellings and a minimum of seventy-five (75) feet from roads.
5. The pond shall be constructed in conformance with the design standards of the Soil Conservation Service, and have a permit from the Monroe County Drain Commission in accordance with the provisions of Act 347, P.A... 1972, The Soil Erosion and Sedimentation Act.
6. For the protection of the general public, appropriate safety measures shall be provided such as warning signs, and rescue facilities, such as life rings.
7. Written evidence shall be provided from the Monroe County Health Department that the separation distance between the pond and any septic system or septic system replacement field is sufficient, but in no case shall a pond be located closer than one hundred (100) feet to a septic system nor any closer than fifty (50) feet to a well.

8. Pond slopes shall comply with the following, depending on the use of the pond. The Township Supervisor or their designee may allow deviation from these requirements when Strict interpretation is not practical:
 - a. Fishing & Swimming: Minimum size must be at least ½ acre to 1 acre in size, with as much of the pond as possible having a water depth of 15 feet or more. Side slopes beneath the surface of the water for fishing ponds must be at least 1:3 (1 vertical foot to 3 feet horizontal) to discourage aquatic plant growth. Side slopes beneath the surface of the water for swimming must not exceed 1:4 for safe entry and exit. Fishing ponds shall have irregular shorelines and protection from storm water runoff.
 - b. Wildlife: Side slopes beneath the surface of the water must not exceed 1:10 (1 foot vertical to 10 feet horizontal). At least 50% of the pond shall not exceed 4 feet deep, to encourage aquatic plant growth. Wildlife ponds shall have irregular shorelines.
 - c. Stock Watering: Pond must be at least ¼ acre to 1 acre in size. Side slopes beneath the surface of the water for stock watering ponds must not exceed 1:4 for safe entry and exit.
9. The current Dundee Township permit fee is payable upon application.
10. If the pond is to be used in any part for livestock purposes, the setbacks shall be one hundred (100) feet from dwellings and lot lines.
11. A performance guarantee shall be posted with the Township prior to the issuance of a permit for excavation of a pond and shall be sufficient to cover the cost of restoration of the site if the pond is not properly excavated in accordance with the plans approved by the Planning Commission and the permit from the Monroe County Drain Commission. The amount of the performance guarantee shall be determined by the Building Inspector based upon two (2) dollars per cubic yard of soil to be removed or based upon a cost estimate supplied by a licensed contractor. The performance guarantee shall be refunded upon inspection and approval of the completed pond by the Building Inspector.
12. No earth excavated during construction of the pond shall be removed from the parcel, unless special approval has been obtained from the Dundee Township Board. Special approval shall be based upon the recommendation of the Planning Commission following a public hearing conducted in accordance with Section 15.2. The special approval standards of Section 15.3 shall be met in addition to the following requirements:
 - a. The following information shall be provided:
 1. The amount of earth to be removed from the property.
 2. The destinations for the earth to be removed, including a description for its intended use.
 3. The off-site route over which materials will be hauled from the site, including an identification of the truck routes that will be used and the physical capabilities of these routes to accommodate the truck traffic. A Haul Route Permit shall be obtained from the Monroe County Road Commission prior to the issuance of a permit for the pond's construction.
 - b. Dust control measures shall be utilized to ensure minimal impact on surrounding uses. All vehicles used to transport material to be removed from the property shall be loaded in a manner so that the material cannot be unintentionally discharged from the vehicle. Vehicles shall be cleaned of all material not in the load-bed prior to entering the public streets. If

materials excavated from the site are deposited or spilled upon the public road way, it shall be the responsibility of the licensee, without requiring any action or request by the Township, to immediately remove the spilled or deposited material.

- c. A time limit shall be set for completing the soil removal. Soil removal from the site shall be limited to Monday through Friday, 8 AM to 5 PM.
- d. The removal of soil under this section shall be limited to a total of five thousand 5,000 cubic yards of material. Removal of material in excess of the five thousand 5,000 cubic yards shall require a license from the Township Board under the requirements of the Dundee Township Mineral Extraction Ordinance.

13. The cleaning & maintenance of any pond shall not be considered a new pond application unless the pond owner also intends to enlarge said pond. However, a pond cleaning permit must be obtained from the building inspector prior to commencement of any pond cleaning project. Cleaning shall not result in a pond of greater size or depth than that permitted in the original permit application. The fee for the permit shall be determined by the Township Board.

All requirements stated in Section 5.37 Ponds shall be adhered to during the cleaning process.

SECTION 5.38 REGULATED LAND USES (Ord. 23, eff. July 25, 1996)

1. ***State of Intent:*** It is recognized that there are some uses which because of their very nature, are recognized as having serious objectionable' operational characteristics, particularly when several of these uses are concentrated under certain circumstances which produce or result in a deleterious effect upon the use and enjoyment of adjacent areas and the surrounding neighborhood. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of property values in the surrounding neighborhood. The special regulations that are set forth in this Section are designed to prevent the concentration of such uses in any one area.
2. ***Regulated Land Uses:*** Uses which are subject to the conditions of this Section shall be referred to as regulated land uses. Such uses shall include the following facilities:
 - a. Adult bookstore
 - b. Adult cabaret
 - c. Adult motion picture theater
 - d. Adult motel
 - e. Adult personal service business
 - f. Any use similar to the above listed uses
3. ***Locational Requirements:*** Regulated land uses shall be permitted by special approval in the C, Commercial District and the I, Industrial District subject to the following locational requirements.
 - a. No regulated land use shall be established within one thousand (1,000) feet of any residential dwelling which is zoned AG, Agricultural District or RE, Rural Estate District. The required separation distance shall be measured from the nearest point along the property line of the regulated use to the nearest point of the protected residential dwelling.
 - b. No regulated land use shall be established within one thousand (1,000) feet

of any property which is zoned R IA, R IB, R IC, Single Family Residential District or RM, Multiple Family District. The required separation distance shall be measured from the property line of the regulated use to the protected zoning district boundary, using the closest points along the property line and the zoning district boundary involved.

- c. No regulated land use shall be established within one thousand (1,000) feet of a public or private school, child care facility, place of worship, public building or park. The required separation distance shall be measured from property line to property line, using the closest points along the property lines involved.
- d. No regulated land use shall be established within five hundred (500) feet of another regulated land use nor within five hundred (500) feet of an establishment licensed by the Michigan Liquor Control Commission. The required separation distance shall be measured from property line to property line, using the closest points along the property lines involved.

This section shall not be construed as to prohibit a regulated land use from obtaining and operating under a license duly granted by the Michigan Liquor Control Commission.

- e. No more than one (1) regulated land use shall be permitted in a single structure.
 - f. The Planning Commission shall apply the above listed separation requirements to uses located in adjacent communities as well as those located in Dundee Township.
4. ***Application Procedure:*** Because regulated land uses possess unique characteristics and because minors are excluded from such facilities by virtue of age, these facilities shall be permitted only upon approval of the Township Board subject to the procedures specified in ***Article XV, Standards for Special Approval Uses.***
5. ***Approval Criteria:*** No regulated land use shall be approved by the Township unless all the following criteria are fulfilled:
- a. The establishment, location, maintenance, and operation of the regulated land use will not be detrimental to or endanger the public, health, safety, morals, comfort or general welfare; and
 - b. The regulated land use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes permitted nor substantially diminish or impair property values within the neighborhood; and
 - c. The establishment of the regulated land use will not impede the normal and orderly development and improvement of surrounding property for uses permitted within the zoning district; and
 - d. The regulated land use will not be conducted in any manner that permits the observation of any material depicting or describing specified sexual activities and specified anatomical areas from any public right-of-way or from any other property.

This provision shall apply to any display, decoration, sign, show window, or other opening; and

- e. The regulated land use will conform to all other requirements of the zoning district.
 - f. Prior to granting approval to any regulated land use, the Township Board may impose additional conditions or limitations upon the establishment, location, construction, maintenance or operation of the regulated land use as it deems necessary for the protection of the public interest and to secure compliance with the standards specified above. The Township Board may require such evidence and guarantees as it deems necessary as proof that the conditions stipulated in connection therewith are being and will be fulfilled.
6. **Appeal Procedure:** The Board of Appeals may reduce any of the foregoing spacing requirements if it finds that the following conditions exist:
- a. The proposed use will not be contrary to the public interests or injurious to nearby properties in the proposed location and the spirit and intent of the purpose of the spacing requirement will still be required.
 - b. The proposed use will not enhance or promote a deleterious effect upon adjacent areas through causing or encouraging blight, or disrupting neighborhood development.
 - c. The establishment of the additional regulated use in the area will not be contrary to any program of neighborhood conservation nor interfere with any program of neighborhood renewal.
 - d. Where all other applicable regulations within the Zoning Ordinance or other pertinent general law ordinances will be observed.
7. **Resubmittal Procedure:** No application land use which has been denied wholly or in part by the Township Board shall be resubmitted for a period of one (1) year from the date of denial, except upon the ground that new evidence or proof of changed conditions are found to be valid, as determined by the Township Board.

Section 5.39 WIRELESS TELECOMMUNICATION FACILITIES AND WIRELESS TELECOMMUNICATION ANTENNAE (Ord. 9-98)

All wireless telecommunication facilities and wireless telecommunication antenna shall be subject to the requirements of this section, as well as any other applicable provisions of this Ordinance.

- Zoning District Requirements:*** Wireless telecommunication Facilities and wireless telecommunication Antenna shall be permitted as follows:

Zoning District Requirements	Type of Wireless Telecommunication Facility or Antenna			
	Wireless telecommunication facility	Wireless telecommunication antenna mounted on an alternative tower structure	Co-location of wireless telecommunication antenna(s)	Replacement of an existing wireless telecommunication tower
Agricultural District	Permitted subject to special use and approval and site plan approval	Permitted subject to special use approval and site plan approval	Permitted as an accessory use; requires a building permit	Permitted subject to site plan review; special use approval may be required
Single Family Residential Districts	Permitted subject to special use an site plan approval	Permitted subject to special use an site plan approval	Permitted as an accessory use; requires a building permit	Permitted subject to site plan review; special use approval may be required
Rural Estate Residential District	Permitted subject to special use and site plan approval	Permitted subject to special use and site plan approval	Permitted as an accessory use; requires a building permit	Permitted subject to site plan review; special use approval may be required
Multiple Family Residential District	Permitted subject to special use and site plan approval	Permitted subject to special use and site plan approval	Permitted as an accessory use; requires a building permit	Permitted subject to site plan review; special use approval may be required
Commercial District	Permitted subject to special use and site plan approval	Permitted subject to special use and site plan approval	Permitted as an accessory use; requires a building permit	Permitted subject to site plan review; special use approval may be required
Industrial District	Permitted subject to special use and site plan approval	Permitted subject to special use and site plan approval	Permitted as an accessory use; requires a building permit	Permitted subject to site plan review; special use approval may be required

2. ***Compliance with Federal Regulations:***

- a. All telecommunication towers shall comply with current regulations of the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC) or any other federal or state agency with authority to regulate telecommunication towers and/or antennas.
- b. In the event of a change in federal or state regulation, the owner of the telecommunication tower and/or antenna shall bring its facility into compliance with the revised regulations within 6 months of the effective date of such regulations, unless a different compliance schedule is mandated by the state or federal agency.

3. ***Compliance with Building Codes:*** All wireless telecommunication facilities and towers shall be constructed in compliance with the applicable building codes, including Electronic Industries Association/Telecommunication Industry (EIA/ TIA) standards for the construction of antenna towers and antenna support structures.

4. ***General Site Location Requirements:***

- a. ***Parcel or lot area requirements:*** A wireless telecommunication facility may be located on a parcel or lot with other principal uses provided the lot or parcel meets one of the following criteria:
 1. If the property is undeveloped or occupied by a nonresidential use, it must have a minimum area of 2.5 acres.
 2. If the property is occupied by a residential use, it must have a minimum area of 20 acres.

Notwithstanding these requirements, the portion of the lot or parcel leased for the wireless telecommunication facility may be smaller than the minimum lot or parcel area.

b. ***Setback requirements:***

1. In nonresidential zoning districts, wireless telecommunication towers shall be setback at least 200 feet from the front property boundary, at least 100 feet from any side property boundary, and at least 50 feet from the rear property boundary of adjoining property zoned for nonresidential use. If the adjacent property is zoned for residential use, the provisions of paragraph 2 shall apply.
2. In residential zoning districts (including Agricultural, Single-Family, Rural Estate, and Multiple Family Residential Districts), wireless telecommunication towers shall be setback at least 200 feet from all adjoining property zoned for residential use. If the tower height exceeds 200 feet, the setback distance shall be increased 1-foot for each additional 1-foot of height over 200 feet.
3. Other structures associated with the wireless telecommunication facility (such as equipment shelters, guy wire anchors) shall comply with the setback requirements of the district in which the facility is located.
4. The setback requirements of this section are minimums. The Planning Commission may require additional setback distance as part of a

conditional land use approval or for towers located within 1000 feet of property zoned for residential use.

- c. **Co-location requirements:** Wireless telecommunication towers shall be designed to permit co-location by at least two additional entities proposed locations for wireless telecommunication facilities and shall be adequately sized and configured to allow the placement of at least two additional telecommunication equipment shelters.
- d. **Tower design:** Wireless telecommunication towers shall be constructed as freestanding structures (monopole or lattice towers, as approved by the Planning Commission) unless the applicant can demonstrate that such structure cannot accommodate the user or obtrusiveness, except as otherwise required by a state or federal agency.
- e. **Signs:** Wireless telecommunication towers shall not be used for advertising purposes nor shall such tower display any signs other than one sign, not to exceed two square feet, which defines the service provider and an emergency telephone number. These restrictions shall not apply to any safety signs placed on the security fence or tower.
- f. **Fencing:** Wireless telecommunication facilities shall be enclosed by a security fence not less than 6 feet in height. The Planning Commission shall review the need for the installation of anti-climbing devices and make a determination based on adjacent land use and zoning patterns.
- g. **Screening:** Wireless telecommunication facilities shall be effectively screened to obscure views of the tower base, equipment shelter, security fencing, or guy wire anchors from adjacent uses and public rights-of-way. In locations where the visual impact of the tower will be minimal or where existing vegetation or topography provide an effective natural screen or where the security requirements of the principal use prevent screening (utility substations), the Planning Commission may modify this requirement.
- h. **Lighting:** Wireless telecommunication towers shall not be artificially lighted unless required by the FAA or other applicable authority. If lighting is required, the lighting alternative approved by the Planning Commission shall cause the least disturbance possible.
- i. **Equipment shelter design:** The design and materials used in the construction of the equipment shelter shall, to the extent possible, blend the structure with the surrounding built or natural environment. The equipment shelter shall not exceed 15 feet in height.
- J. **Off-street parking:** Wireless telecommunication facilities shall provide 1 off-street parking space to accommodate maintenance vehicles. Driveways and parking spaces serving such facilities may have a gravel surface provided the surface is maintained in a dust-free condition and graded to maintain proper drainage.
- 5. **Permitted Additional Antenna:** Wireless telecommunication antenna shall be considered a permitted accessory use when placed on or attached to any existing wireless telecommunication structure which constitutes a principle use, provided that all other applicable ordinance requirements are complied with. The initial wireless telecommunication antenna placed on an alternative tower shall be subject to special land use and site plan approval in the AG, R1A, R1B, R1C, RE and RM Districts and subject to site plan approval in the C and I

Districts. Subsequent antennas on alternative tower structures shall be considered permitted accessory uses in all districts.

6. **Permitted Tower Placement:** An existing wireless telecommunication tower may be replaced for the purposes of accommodating the co-location of additional wireless telecommunication antenna subject to the following review and approval process:
 - a. Tower replacements which result in the addition of 50 or fewer feet of additional tower height shall require site plan review and approval by the Planning Commission.
 - b. Tower replacements which result in the addition of more than 50 feet. in height shall require conditional land use review and approval by the Planning Commission.
 - c. Tower replacements which require the installation of tower lights shall require conditional land use review and approval by the Planning Commission.
7. **Application Requirements:** In addition to the applicable requirements Article XV, Standards for Special Approval Use, and Article XVI, Site Plan Review, the following information shall be provided in support of an application to construction of a wireless telecommunication facility:
 - a. Certification from a Michigan licensed professional engineer as to the manner in which the proposed wireless telecommunication tower is designed to collapse.
 - b. A report which addresses the review criteria contained in subsection 8, below. This report shall include a map depicting the existing and know proposed location of wireless telecommunication facilities, including wireless telecommunication antenna attached to alternative tower structures, within Dundee Township as well as within the proposed service area radius. Known proposed locations shall include, at minimum, pending telecommunication facility applications in adjacent communities, approved telecommunication facility applications in adjacent communities which have not yet been constructed, and sites which are a part of the applicant's long-term network development plan.
 - c. The name, address, and telephone number of the person to contact regarding site maintenance or other notification purposes. This information shall be periodically updated by the facility owner.
 - d. A statement which indicates the applicant's intent to allow the co-location of other antenna, provided that the cost of modifying the existing tower is borne by the co-locating entity and reasonable compensation is paid by the co-locating entity.
 - e. The Planning Commission may require a visual impact assessment to determine the visual impact of the wireless telecommunication facility on scenic views.
8. **Review Criteria:** A wireless telecommunication facility shall not be approved unless it can be demonstrated by the applicant that there is a need for the facility which cannot be met by placing wireless telecommunication antenna on an existing tower or other suitable structure, or replacement of an existing tower:

- a. No existing towers or alternative tower structures have the structural capacity to support the proposed antenna nor can existing towers or alternative tower structures be reinforced to support the proposed antenna.
 - b. No existing towers or alternative tower structures are located within the geographic area which meets the systems engineering requirements.
 - c. The cost of using an existing tower or other suitable structure or replacing an existing tower exceeds the cost of constructing a new wireless telecommunication facility.
 - d. The installation or use of an alternative technology is unsuitable or infeasible.
9. ***Removal of Abandoned Facilities:*** Any wireless telecommunication tower or antenna that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such tower or antenna shall remove the same within 90 days of receiving an abandonment notification from the Township. Failure to remove an abandoned tower or antenna within 90 days shall be grounds for the Township to remove the tower or antenna at the owner's expense. The Planning Commission may require the applicant to post a bond in an amount equal to the reasonable cost of removal for the tower and/or antenna. If a bond is to be required, the Planning Commission shall include the requirement as a condition of approval.

Section 5.40 USES NOT OTHERWISE INCLUDED WITHIN A DISTRICT

A land use which is not cited by name as a permitted use in a zoning district may be permitted upon determination by the Planning Commission that such use is clearly similar in nature and compatible with the principal uses permitted by right or special approval uses listed in that district. Such determination shall be made at a public hearing, with notice given following the procedures contained in Article 15. Such public hearing shall not replace the requirement for a separate public hearing to consider a special approval use, following the procedures and requirements of Article 15, if such use is determined to be a special approval use. The applicant shall be required to submit pertinent information on the physical and operational characteristics of the proposed use and any additional information that may be requested by the Planning Commission.

1. ***Determination of Compatibility:*** In making the determination of compatibility, the Planning Commission shall consider specific characteristics of the use in question and compare such characteristics with those of the uses which are expressly permitted by right or special approval in the district. Such characteristics shall include, but are not limited to, traffic generation, parking, types of service offered, types of goods produced, methods of operation, and building characteristics.
2. ***Conditions by Which Use May be Permitted:*** If the Planning Commission determines that the proposed use is compatible with permitted uses in the district, the Commission shall decide whether the proposed use is most similar to those uses permitted by right or as a special approval use. The proposed use shall be subject to the review and approval requirements for the district in which it is located. The Planning Commission shall have the authority to establish additional standards and conditions under which a use may be permitted in a district.
3. ***Use Provided For in Other District:*** No use shall be permitted in a district under the terms of this Section if said use is specifically listed as a use permitted by right or as a special approval use in any other district.

Section 5.41 PARKING OF SEMI-TRUCKS AND CONSTRUCTION EQUIPMENT ON AGRICULTURAL AND/OR RESIDENTIAL LOTS

The storage or parking of semi-tractor trucks and/ or semi-trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery in an agricultural or residential district is prohibited with the exception of the following:

1. In an agricultural district parking and storage of such larger vehicles for farming operations is permitted provided such vehicles are used exclusively for such agricultural use. The vehicles may be used for other offsite uses that are not associated with the agricultural uses provided while such vehicles are on the property, they shall only be used for agricultural purposes. In order to qualify for the additional use, the owner of the vehicle(s) shall petition the Planning Commission, providing a plan for use. Notice of the Planning Commission hearing shall be sent to the owners and occupants of all lots adjacent to the petitioner's lot, no more than eight (8) days prior to the hearing. The Planning Commission may grant approval to allow the additional use based upon finding that:
 - a. All vehicles are owned by the property owner of record; and,
 - b. The vehicles are parked and used in a manner that will not have an adverse impact on the aesthetic character of the surrounding area or landscaping will be provided to mitigate any aesthetic impact; and,
 - c. The location of the vehicles parking shall not be located within a required front or side yard setback. The setback must be equal to or greater than the dwelling setback.
2. In an agricultural or residential district parking of one (1) semi-tractor without a trailer is permitted on a residential lot where the operator of such semi-tractor resides within the principal dwelling on that lot. An individual may petition the Planning Commission to allow a second semi-tractor on the lot. The petitioner shall provide a sketch plan or survey of the property illustrating the location(s) where the semi-tractors will be parked. Notice of the Planning Commission hearing shall be sent to the owners and occupants of all lots adjacent to the petitioner's lot no more than eight (8) days prior to the hearing. The Planning Commission may grant approval to allow a second semi-tractor on the lot based upon a finding that:
 - a. Both semi-tractor operators reside within the principal dwelling on that lot: and,
 - b. The semi-tractors are parked in a location that will not have an adverse impact on the aesthetic character of the surrounding area or landscaping will be provided to mitigate any aesthetic impact; and
 - c. The location of the semi-tractor parking shall not be located within a required front or side yard setback. The setback must be equal to or greater than the dwelling setback.
3. Construction vehicles may be parked while in use for approved construction on the property only while a current building permit is in effect or during other site landscaping or utility work not subject to a building permit. Such vehicles shall only be parked on the property while in use for a construction project that is being diligently earned on toward completion.

Section 5.42 GARAGE SALES

Garage sales, yard sales, barn sales or similar activities shall be permitted as an accessory use on a residential lot, provided the total time of all garage sales shall not exceed eight (8) days within a calendar year.

SECTION 5.43 OUTDOOR WOOD STOVES AND FURNACES (Ord. No. 09-10-02 Eff. 07/12/10)

The Building Inspector may issue a permit for a wood stove or furnace located outside the principal building only under the following conditions:

1. The stove/furnace shall be for the purpose of heating a dwelling and/or accessory structure(s) on the same lot.
2. The stove/furnace unit shall be forty (40) feet from any other structure on the lot.
3. The stove/furnace unit shall be located a minimum of one hundred (100) feet from all property lines.
4. The unit may only be located in a rear or side yard and shall not be located in the front yard.
5. An area at least thirty (30) feet in diameter around the unit shall be free of ignitable vegetation and debris.
6. The outdoor stove/furnace shall utilize a chimney with a minimum height of fifteen (15) feet.
7. Trash, garbage, plastics, gasoline, rubber, naphtha, materials treated with petroleum products (particle board, railroad ties and pressure treated wood), leaves, paper products, cardboard and materials that could pose a hazard to surrounding residents shall not be used for fuel.
8. The unit shall not be located where smoke will create a nuisance to neighboring properties.
9. The unit shall be certified by the Environmental Protection Agency (EPA).

SECTION 5.44 SOLAR PANELS (Ord. No. 09-10-01 Eff. 07/12/10)

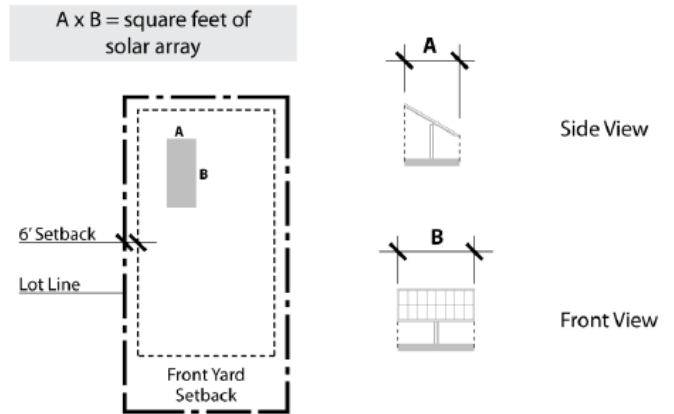
Solar panels shall be allowed in all zoning districts either attached to permitted principal or accessory buildings or as accessory structures subject to the following regulations:

1. **Attached to building.** Where attached to a building, the solar panels shall be subject to the same regulations as the building in terms of height and setbacks. Solar panels may be attached to the roof or the building wall, but not both.
 - a. Roof mounted panels shall include solar panels integrated as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.
 - (1) Solar panels integrated as the surface layer of the roof structure may be located on any part of the roof.
 - (2) Separate flush-mounted solar panels may only be located on a rear- or side-facing roof.
 - (3) Separate flush-mounted solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached.
 - (4) Solar panels mounted on a flat roof shall not project vertically higher than the height of the parapet wall surrounding the roof or shall be screened by architectural features in accordance with Section 11.6.2.

b. Flush-mounted solar panels on the building wall may only be attached to one (1) side or rear building façade and shall not face a street.

2. **Free-standing.** Solar panels that are not attached to a building shall be permitted as accessory structures subject to the following regulations:

- a. Free-standing solar panels shall be permitted in the rear yard only.
- b. Free-standing solar panels shall be setback six (6) feet from the side and rear lot line.
- c. Free-standing solar panels shall not exceed a height of four (4) feet.
- d. The surface area covered by a free-standing system shall not exceed two percent (2%) of the lot or three hundred sixty (360) square feet, whichever is less. Area covered shall be included in the lot coverage calculations for the lot.



e. All power transmission lines shall be underground.

f. Free-standing solar panels shall not be visible from adjacent property and shall be screened by landscaping where necessary.

3. **Glare.** Solar panels shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties or roadways.

4. **Building permit.** Solar energy systems shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system in accordance with the Building and Electrical Codes.

SECTION 5.45 ALTERNATIVE ENERGY FARMS (Ord. No. 36 Eff. 3/11/2014)

1. Compliance with Federal and State Regulations
 - a. Alternative energy farms shall comply at all times with applicable County, State and Federal requirements.
 - b. Facilities shall be constructed according to the adopted building code for the State of Michigan.
 - c. Failure to comply with such regulations shall be considered a violation of this ordinance.
2. Minimum Lot Area: A minimum of 10 acres shall be required.
3. Setback Requirements. Setbacks for Alternative Energy Farms are listed in the table below. The Planning Commission may require additional setbacks as part of a conditional land use approval.

	Solar	Wind
Front	200 ft.	500 ft.
Side	100 ft.	500 ft.
Rear	100 ft.	500 ft.
From Residential Districts or Sites Containing Residential Uses	100 ft.	500 ft.
Setback from Residential structures	200 ft.	500 ft.
Distance from Non-Residential structures	100 ft.	500 ft.

4. Site Development Requirements
 - a. Maximum Height
 1. Freestanding solar collection devices shall not exceed forty (40) feet in height.
 2. Roof mounted solar collection devices shall not extend more than 10 feet from the top of the roof. The total height of the building including the solar collection devices shall not exceed forty (40) feet.
 3. Commercial wind energy conversion systems shall not exceed three hundred (300) feet in height. Tower blades may not extend closer than thirty (30) feet to the ground.
 - b. Fencing and storage
 1. All wind energy towers shall be fenced to prevent trespass.
 2. Where needed for safety or security, the Planning Commission may require fencing around the entire perimeter of the farm.
 3. At a minimum, equipment and materials, whether temporary or permanent, used to maintain or operate the farm shall be housed in a completely enclosed building.
 4. The Planning Commission may allow outside equipment where it is necessary to the operation, or where no other feasible alternative exists, such as for solar panels. In such cases, equipment shall be fully enclosed within a fence at least six (6) feet in height.
 5. Where required, fencing shall be setback at least ten (10) feet from all property lines.
 - c. Landscaping:
 1. Farms shall be effectively screened to obscure views from adjacent residential uses and public rights-of-way. In locations where the visual impact will be minimal or where existing vegetation or topography provide an effective natural screen or where the security requirements of the principal use prevent screening, such as for utility substations, the Planning Commission may modify this requirement.
 2. Solar Farms shall include screening, capable of providing year round screening, shall be provided along the non-reflective axis of the solar collection device or collection of devices.

- d. Lighting: Lighting shall be prohibited, except as may be required by another regulating agency, or where the Planning Commission finds it is necessary for security or safety purposes.
 - e. Accessory Buildings and Structures: All structures, including those accessory to the operation, shall be constructed in accordance with the requirements for principal structures.
 - f. Access/Driveways: Access to Alternative Energy Farms shall be paved with a durable hard surface, such as asphalt or concrete. The Planning Commission may modify this requirement for driveways that are not expected to generate more than one service call per day.
5. Performance Standards
 1. Alternative Energy Farms shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. Where possible, a rust-resistant, non-obtrusive color and finish shall be used on visible towers and equipment.
 2. The applicant shall demonstrate that an alternative energy farm will not unreasonably interfere with the use of or view from, sites of significant public interest, such as a park or civic building.
 3. Use of guy wires is prohibited.
 4. Alternative Energy Farm operations shall not exceed 60 dBA as measured at the property line.
 6. Removal of Abandoned Facilities.
 1. Alternative Energy Farms not operated for a continuous period of 12 months shall be considered abandoned and the owner shall remove all equipment and materials associated with the operation within 90 days of receiving an abandonment notification from the Township. Failure to remove an abandoned tower or antenna within 90 days shall be grounds for the Township to remove said items at the owner's expense.
 2. The Planning Commission may require the applicant to post a bond in an amount equal to the reasonable cost of removal for the tower and/or antenna. If a bond is to be required, the Planning Commission shall include the requirement as a condition of approval.
 7. Submittal Requirements: The following information shall be submitted to the Township, in addition to the information required for special land use and site plan review.
 1. Manufacturer's specification sheets, including specific engineering tests that verify the safety of proposed systems.
 2. Elevation drawings showing the height, color and design of all buildings, structures and visible equipment.
 3. Engineering drawings showing compliance with the Building Code and certified by a licensed professional engineer.
 4. Siting elevations, existing photography, and a photo simulation of the proposed visual impacts.
 5. A narrative that explains how the site will not unreasonably interfere with the use of or view from sites of significant public interest such as a public park or civic building.
 6. The Planning Commission may require a visual impact assessment to determine the visual impact of the wireless telecommunication facility on scenic views.
 7. The name, address, and telephone number of the person to contact regarding site maintenance or other notification purposes. This information shall be periodically updated by the facility owner.
 8. Any additional information as may be required by the Planning Commission as appropriate, to demonstrate compliance with the regulations.
 9. Proof of liability coverage naming the Township of Dundee as a certificate holder.
 10. A sound pressure level modeling and analysis study.
 11. An environmental impact analysis.
 12. An avian and wildlife impact analysis.
 - 13.** A shadow flicker analysis.