

**ALBION TOWNSHIP  
CALHOUN COUNTY, MICHIGAN  
ZONING ORDINANCE AMENDMENTS  
ORDINANCE NO. 42**

At a regular meeting of the Township Board of Albion Township, Calhoun County, Michigan, held at the Albion Township Hall on November 12, 2018, at 7:30 p.m., Township Board Member \_\_\_\_\_ moved to adopt the following ordinance, which motion was seconded by Township Board Member \_\_\_\_\_:

*An Ordinance to amend the Albion Township Zoning Ordinance, Ordinance No. 37, as amended, to authorize Small On-Site Solar Energy Systems as permitted uses in all Zoning Districts; authorize Large Solar Energy Systems as conditional uses in the Light Industrial and General Industrial Districts; authorize Event Barns and Bed and Breakfasts as conditional uses in the Agricultural District; authorize Bed and Breakfasts and Boarding Houses as conditional uses within the Rural Non-Farm Residential District; establish standards for the foregoing uses; and amend and add definitions to the Zoning Ordinance.*

Albion Township, Calhoun County, Michigan, ordains:

**Section 1. Amendment of Article II, Section 2.2, Definitions:** The Albion Township Zoning Ordinance, Article II, Section 2.2, shall be amended to add the following new sections as definitions for the following terms:

**2.2.0 Abandoned Solar Energy System:** Any Solar Energy System, Solar Array or combination of Photovoltaic Devices that remains nonfunctional or inoperative to the extent that it is not used to generate electric energy for a continuous period of six (6) months.

**2.2.14.5 Bed and Breakfast:** A dwelling in which transient guests do not stay more than seven consecutive days and are provided a sleeping room and a breakfast in return for payment. A Bed and Breakfast shall not contain more than five (5) sleeping rooms for hire.

**2.2.50.3 Event Barn:** A use of accessory agricultural structures, including barns, as organized meeting or gathering spaces for uses such as weddings, parties, receptions, and other social or community events.

**2.2.95.5 Photovoltaic Device:** A system of components that generates electric energy from sunlight by means of the photovoltaic effect, whether or not the device is able to store the electric energy produced for later use.

**2.2.105.2 Solar Array:** Any number of Photovoltaic Devices connected together to provide a single output of electric energy or other energy.

**2.2.105.4 Solar Energy System, Large:** A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, for the sale, delivery or consumption of

the generated energy by more than one end user, and typically the power output of that system is equal to or greater than 1 megawatt.

**2.2.105.6 Solar Energy System, Small On-Site:** A solar energy system where the sole use is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, primarily for personal consumption by a single end user at the same property upon which the Small On-Site Energy System is located. The power output of the system shall not exceed 150 kilowatts.

**2.2.118.5 Unreasonable Safety Hazard:** Any condition which could reasonably be expected to create, cause, or compound the substantial likelihood that death, illness or personal injury may occur to any member of the general public, including but not limited to trespassers or emergency services personnel. Adherence by the property owner to industry standards for safeguarding against such risks will be taken into consideration in determining whether a condition poses an unreasonable safety hazard.

**Section 2. Amendment of Article II, Section 2.2.17:** The Albion Township Zoning Ordinance, Article II, Section 2.217, defining Boarding House, shall be amended to read:

**2.2.17 Boarding House:** A dwelling in which more than three (3) persons either individually or as families are housed or lodged for hire with meals. A Boarding House shall not contain more than ten (10) sleeping rooms for hire.

**Section 3. Amendment of Article IV, Section 4.1.1, Agricultural District:** The Albion Township Zoning Ordinance, Article IV, Section 4.1.1, shall be amended to add Small On-Site Solar Energy Systems as a permitted use within the Agricultural District, and to add Large Solar Energy Systems, Bed and Breakfasts, and Event Barns as conditional uses within the Agricultural District:

**4.1.1 Agricultural District (AG):** The Agricultural District is established to protect land best suited for agricultural use from the encroachment of incompatible land uses, to preserve valuable agricultural land for agricultural uses, and to retain land suited for open space and recreation use for the future. The intent of this district is to set aside land suitable for agricultural development and agricultural related uses.

a. Permitted Uses:

1. General and specialized farming and agricultural activities including the raising or growing and storage or preservation of crops, sod, livestock, poultry, rabbits, furbearing animals, and other farm animals, and plants, trees, shrubs, and nursery stock.
2. Sale of agricultural products raised or grown on the farm premises including roadside stand for said sales.
3. Conservation and/or recreation areas including forest preserves, game refuges, nature reservations, including education facilities and interpretive centers, nature centers, and similar areas of low intensity use.

4. Conservation and/or recreation areas including forest preserves, game refuges, nature reservations, hunt clubs, and similar areas of low intensity use.
5. On-site signs in accordance with the regulations specified in Section 5.2.
6. Accessory uses or structures for agricultural purposes.
7. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Quarries.
2. Golf courses.
3. Group or organized camps, camping grounds, and general or specialized resorts or amusement parks.
4. Airports.
5. Public and private nurseries, primary or secondary non-profit schools, and colleges and universities.
6. Convalescent homes, nursing homes, hospitals, sanitariums, and orphanages.
7. Riding academies and stables.
8. Churches and other buildings for religious worship.
9. Cemeteries.
10. Golf driving ranges.
11. Travel trailer parks.
12. Animal hospitals.
13. Kennels.
14. Home occupations in accordance with the regulations specified in Section 5.14.
15. Uses not specifically authorized as permitted uses in this district, but which are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
16. Single-family detached dwellings, provided that such dwellings do not occupy more than the minimum acreage necessary and do not substantially interfere with or detract from the agricultural use and value of the surrounding lands.
17. Hunt club, hunting preserves, shooting ranges and similar uses.
18. Adult foster care homes for seven (7) or more persons as defined by State law.
19. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.
20. Repair of agricultural equipment including but not limited to combines, tractors, trucks, spreaders, thrashers, tillers, and similar such agricultural equipment.
21. Alternative Tower Structure, Antenna, Telecommunication Towers or Facilities or Tower, or Tower Compound.
22. WECS or Wind Park
23. Bed and Breakfast
24. Event Barns, subject to Article V, Section 5.5.9

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6

**Section 4. Amendment of Article IV, Section 4.2, Permitted Uses:** The Albion Township Zoning Ordinance, Article IV, Section 4.2 shall be amended to add Small On-Site Solar Energy Systems as permitted uses within all Residential Districts:

**SECTION 4.2 – RESIDENTIAL DISTRICTS:** The Rural Non-Farm Residential District, Suburban Residential Districts, Urban Residential District, Multiple Family Residential District, Residential Estate District, and Mobile Home Residential District are designated principally for residential use and are limited to dwellings and uses normally associated with residential neighborhoods in order to encourage a suitable and healthy environment for family life. The residential districts are designed to regulate the location of residential uses and dwellings according to a well-considered plan that reflects the different types of residential uses and dwellings, the different densities of population and the intensity of land use desired; potential nuisances and hazards that may cause unhealthy conditions; and the relationship of residential uses and dwellings to other areas devoted to agriculture, commercial, or industrial use and to streets. The purpose of each residential district is further stated below.

**4.2.1 Rural Non-Farm Residential District (RNF):** This district is established to provide suitable areas for single-family dwellings at low densities to preserve a predominantly rural character in these areas fit for concentrated residential use because of the ability of the soil to absorb sewage wastes from individual septic tanks.

a. Permitted Uses:

1. Single-family detached dwellings.
2. On-site signs in accordance with the regulations specified in Section 5.2.
3. Accessory uses or structures.
4. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Planned-unit residential developments.
2. Golf courses, but not including golf driving ranges.
3. Country clubs; public swimming pools, recreation centers; and parks, playgrounds, and play fields.
4. Churches and other buildings for religious worship.
5. Public and private nurseries; primary and secondary non-profit schools.
6. Government-or community-owned buildings.
7. Home occupations in accordance with regulations specified in Section 5.14.
8. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
9. Bed and Breakfasts or Boarding Houses.
10. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area, Yard, Height and Bulk Regulations: See Section 4.6

**4.2.2 Suburban Residential Districts (RS-1) and (RS-2):** These districts are designed to provide residential areas principally for moderate suburban densities generally where necessary urban services and facilities can be feasibly provided or currently exist.

a. Permitted Uses:

1. Single-family detached dwellings.
2. On-site signs in accordance with the regulations specified in Section 5.2.
3. Accessory uses or structures.
4. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Planned-unit residential developments.
2. Country clubs, recreation centers, public swimming pools, parks, playgrounds, and play fields.
3. Churches and other buildings for religious worship.
4. Public and private nurseries, primary and secondary non-profit schools.
5. Government-or-community-owned buildings.
6. Golf Courses, but not including golf driving ranges.
7. Home occupations in accordance with regulations specified in Section 5.14.
8. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
9. Bed and Breakfast or Boarding House.
10. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6.

**4.2.3 Urban Residential District (RU):** This district is designed to provide areas principally for high-density, single-family residential dwellings where necessary urban services and facilities are provided, including central sanitary sewage and central water systems.

a. Permitted Uses:

1. Single-family detached dwellings and two family dwellings.
2. On-site signs in accordance with the regulations specified in Section 5.2.
3. Accessory uses or structures.
4. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Planned-unit residential developments.
2. Recreation centers, public swimming pools, parks, playgrounds and play fields.
3. Churches and other buildings for religious worship.
4. Public and private nurseries, primary and secondary non-profit schools.
5. Government-or community-owned buildings.
6. Home occupations in accordance with regulations specified in Section 5.14.
7. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
8. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area, Yard, Height and Bulk Regulations: See Section 4.6.

**4.2.4 Multiple-Family Residential District (RM):** This district is designed to permit a high density of population and a high intensity of land use in those areas that are served by a central water supply system and a central sanitary sewerage system, and that abut or are adjacent to such other uses or amenities that support, complement, or serve such a density and intensity.

a. Permitted Uses:

1. Multiple-family dwellings.
2. Two-family dwellings.
3. On-site signs in accordance with the regulations specified in Section 5.2.
4. Accessory uses or structures.
5. Rooming houses and boarding houses.
6. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Planned-unit residential developments.
2. Public swimming pools, recreation centers, parks, playgrounds, and play fields.
3. Churches and other buildings for religious worship.
4. Public and private nurseries, primary and secondary non-profit schools, and colleges and universities.
5. Medical and dental clinics.
6. Hospitals, convalescent or nursing homes, sanitariums, and orphanages.
7. Offices.
8. Government-or community-owned buildings.
9. Funeral establishments.
10. Single-family dwellings.
11. Home occupations in accordance with the regulations specified in Section 5.14.

12. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
13. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6.

**4.2.5 Residential Estate District (RE):** This district is designed to accommodate large dwellings on large lots at low densities, free of other uses except those that are customarily accessory to such dwellings. The size of lots in this district is intended to accommodate onsite water supply and liquid wastewater disposal.

a. Permitted Uses:

1. Single family detached dwellings, containing a minimum living area of 2,500 square feet on lots of at least 1 acre.
2. On-site signs in accordance with the regulations specified in Section 5.2.
3. Accessory uses or structures.
4. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Country clubs, golf courses, parks, playgrounds, and play fields.
2. Churches and other buildings for religious worship.
3. Government- or community-owned buildings but not including schools.
4. Residential Condominium projects.
5. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.
6. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature to other uses in the district and consistent with the general intent of the district.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6.

**4.2.6 Mobile Home Residential District (MH):** This district is composed of those areas of the township whose principal use is or ought to be mobile home dwellings. The regulations of this district are designed to permit a density of population and an intensity of land use in those areas that are served by a central water supply system and a central sanitary sewerage system, and that abut or are adjacent to such other uses, buildings, structures, or amenities that support, complement, or serve such a density and intensity.

a. Permitted Uses:

1. Mobile Home Parks: All mobile home parks as defined in Section 2 of the Michigan Mobile Home Commission Act (1987 PA 96, as amended) shall meet the standards established and reference in that Act and its rules, R 125.1101-125.3069 of the Michigan Administrative Code (the Mobile Home Commission Rules).
2. Mobile Home Subdivisions in accordance with the provisions of RS-2, Suburban Residential District II.
3. Public schools.
4. On-site signs, in accordance with the regulations specified in Sec. 5.2.
5. Mobile homes meeting (c), (d), (e), (g), (h) and (i) of single family dwelling definition, and single family dwellings.
6. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Sales of Mobile Homes, provided that the sales operation is clearly subordinate and incidental to the use of the area for mobile home dwellings. The following conditions shall also apply:
  - (a) No more than one (1) sales area for mobile homes shall be located in the mobile home park or subdivision and the sales area shall be a Mobile Home Residential (MH) zone, single separated designated section within.
  - (b) No more than one (1) mobile home for sale purposes per ten (10) mobile homes located in the mobile home park or subdivision for residential purposes shall be permitted. The total number of mobile homes for sale shall not exceed ten (10).
  - (c) Sales shall be limited to Mobile Homes.
  - (d) The sales operation shall have frontage on a dedicated street and have access to such street or road.
  - (e) The minimum yard requirements for the Mobile Home Residential (MH) zone shall also apply to the portion of the Mobile Home Park or Subdivision utilized for sales purposes.
  - (f) Parking space shall be provided in the designated sales area in accordance with the requirements for the residential area of the Mobile Home Residential (MH) zone.
2. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6



**Section 5. Amendment of Article IV, Section 4.3.1, Office District:** The Albion Township Zoning Ordinance, Article IV, Section 4.3.1, Office District, shall be amended to add Small On-Site Solar Energy Systems as permitted uses within the Office District:

**4.3.1 Office District (O):** The Office District is designed principally for office use and those uses that are customarily associated with offices.

a. Permitted Uses:

1. Medical and dental clinics.
2. Funeral homes.
3. Laboratories, dental or medical.
4. Studios for professional work.
5. Offices of architects, engineers, surveyors, and other professions of similar nature.
6. Offices of executive, administrative, legal, accounting, insurance, real estate, and uses of similar nature.
7. On-site signs in accordance with regulations specified in Section 5.2.
8. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Hospitals, sanitariums, and charitable institutions for human care.
2. Schools and colleges.
3. Combined Residential and Office of Business Units: In addition to and as an integral part of such development, the following provisions shall apply:
  - (a) The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.
  - (b) The residential use shall be restricted in the same manner and subject to the same regulations as single family residential units, excluding height and set-back requirements.
  - (c) The residential use shall be restricted to the owner of the unit or the business located in the unit. The residential use cannot be a rental use or occupied solely by non-family members of the owner of the building or the business.
  - (d) The residential unit must be designed and constructed as part of the office or commercial use; however, unattached units may be permitted, and the area of the residential unit may not exceed the area of the office or commercial use.
4. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
5. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6.

**Section 6. Amendment of Article IV, Section 4.4, Commercial Districts:** The Albion Township Zoning Ordinance, Article IV, Section 4.4, Commercial Districts, shall be amended to add Small On-Site Solar Energy Systems as permitted uses within all Commercial Districts:

**SECTION 4.4 – COMMERCIAL DISTRICTS:** The Local Commercial District, General Commercial District, Highway Service Commercial District, and Planned Commercial District are designed to limit compatible commercial enterprises at appropriate locations to encourage efficient traffic movement, parking and utility service; advance public safety; and protect surrounding property. The commercial districts are designed to regulate the location of these business uses according to a well-considered plan that determines the types of such uses and the intensity of land, street and highway use in each such district; potential nuisances and hazards that may cause unsafe conditions; and the relationship of commercial uses to each other and to other areas devoted to agricultural, residential, or industrial use and to streets and highways. The specific purpose of each commercial district is further stated below.

**4.4.1 Local Commercial District (C-1):** This district is designed to encourage planned and integrated groupings of stores that will retail convenience goods and provide personal services to meet regular and recurring needs of the neighborhood resident population. To these ends, certain uses that would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district, have been excluded.

a. Permitted Uses:

1. Personal services, including barber shops and beauty salons; medical and dental clinics; dry cleaners and self-service Laundromats; and sale and repair shops for watches, shoes, radios, televisions; tanning salons, health clubs, and spas.
2. Business services including banks, loan offices, real estate offices, and insurance offices.
3. Offices of an executive, administrative, or professional nature.
4. Retail sale of foods, drugs, hardware, notions, books, and similar convenience goods.
5. On-site signs in accordance with the regulations as specified in Section 5.2
6. Accessory uses or structures.
7. Tourist Home.
8. Bed and Breakfast or Boarding House.
9. Rooming House.
10. Ice Cream Parlors and Stores.
11. Donut Shops.
12. Eating Establishments.
13. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Planned-commercial unit developments.
2. Churches and other buildings for religious worship.
3. Government or community owned building but not including schools.
4. Eating and drinking establishments, but not including drive-in types.

5. Combined Residential and Office or Business Units: In addition to and as an integral part of such development, the following provisions shall apply:
  - (a) The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.
  - (b) The residential use shall be restricted in the same manner and subject to the same regulations as single family residential units, excluding height and set-back requirements.
  - (c) The residential use shall be restricted to the owner of the unit or the business located in the unit. The residential use cannot be a rental use or occupied solely by non-family members of the owner of the building or the business.
  - (d) The residential unit must be designed and constructed as part of the office or commercial use; however, unattached units may be permitted, and the area of the residential unit may not exceed the area of the office or commercial use.
6. Uses not specifically authorized as permitted uses in this district, but that are similar nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
7. Movie Theater.
8. Arcade.
9. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6.

**4.4.2 General Commercial District (C-2):** This district is intended to encourage planned and integrated groupings of retail, service, and administrative establishments that will retail convenience and comparison goods and provide personal services for the entire area and to accommodate commercial establishments that cannot be practically provided in neighborhood commercial areas.

a. Permitted Uses:

1. Any use permitted in the Local Commercial District (C-1).
2. Business schools; including dance schools, music schools, and art schools.
3. Indoor retail sales establishments.
4. Indoor commercial amusement and recreation services, including theaters, bowling alleys, and roller and ice skating rinks.
5. Eating and drinking establishments, but not including drive-in or drive through types.
6. Clubs and lodges.
7. Funeral homes.
8. Printing establishments.
9. On-site signs in accordance with the regulations as specified in Section 5.2.

10. Accessory uses or structures.
11. Tourist Home.
12. Bed and Breakfast or Boarding House.
13. Rooming House.
14. Arcade.
15. Medical laboratories.
16. Live theater, except Cabarets
17. Dinner theater, except Cabarets.
18. Dog grooming.
19. Automobile Service Stations.
20. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Hotels or motels.
2. Small animal clinics.
3. Drive-in business services.
4. Churches and other buildings for religious worship.
5. Government-or community-owned buildings, but not including schools.
6. Combined Residential and Office or Business Units: In addition to and as an integral part of development, the following provisions shall apply:
  - (a) The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.
  - (b) The residential use shall be restricted in the same manner and subject to the same regulations as single family residential units, excluding height and set-back requirements.
  - (c) The residential use shall be restricted to the owner of the unit or the business located in the unit. The residential use cannot be a rental use or occupied solely by non-family members of the owner of the building or the business.
  - (d) The residential unit must be designed and constructed as part of the office or commercial use; however, unattached units may be permitted, and the area of the residential unit may not exceed the area of the office or commercial use.
7. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with general intent of the district.
8. Car Wash.
9. Spas.
10. Physical Fitness Centers.
11. Adult Physical Culture Establishments, Adult Supply Stores, Adult Motion Picture Theaters, Cabarets, and Adult Drive-In Motion Picture Theaters (collectively "Adult Uses"). In addition to other requirements applicable to this District, the following provisions shall apply to all Adult Uses:

- (a) Required Spacing: The establishment of Adult Uses shall meet all of the following setback requirements, with the minimum distance between uses measured horizontally between the nearest points of each property line:
    - (1) One thousand (1,000) feet from:
      - (a) Any other Adult Use.
      - (b) All churches, convents, temples and similar religious institutions.
      - (c) All public, private or parochial nursery, primary or secondary schools, public parks, and hospitals.
      - (d) Any adult foster care or child care facility.
    - (2) Eight hundred (800) feet from:
      - (a) Any Single-Family or Multiple-Family Residential District or use.
      - (b) Any pool or billiard hall, amusement center, indoor and outdoor recreation such as miniature golf; dance club catering primarily to teenagers, movie theaters, ice or roller skating rinks, and similar uses generally frequented by children and teenagers.
  - (b) Special Site Design Standards for Adult Uses:
    - (1) The maximum size of the building shall be five thousand (5,000) square feet.
    - (2) The building and site shall be designed, constructed, and maintained so material such as a display, decoration, or sign depicting, describing, or relating to specified sexual activities or specified anatomical areas cannot be observed by pedestrians and motorists on a public right-of-way or from an adjacent land use.
    - (3) Adult Uses shall be located within a freestanding building. A shared or common wall structure or shopping center is not considered to be a freestanding building.
    - (4) The Planning Commission or Township Board shall determine the type of buffer to be required and maintained along the side and rear lot lines, based on the site conditions, views from public streets, and distance and type of surrounding land uses.
    - (5) The hours of operation shall be approved by the Planning Commission or Township Board.
    - (6) Access shall be from an arterial roadway.
    - (7) Any Adult Use that allows customers to remain on the premises while viewing live, filmed, or recorded entertainment, or while using or consuming the products or services supplied on the premises shall provide at least one (1) security guard on duty outside the premises, patrolling the grounds and parking areas, at all times while the business is in operation.
12. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.
13. Medical Marihuana Caregiver Distribution Facility

14. Medical Marihuana Growing Facility

c. Area, Yard, Height, and Bulk Regulations; See Section 4.6.

**4.4.3 Highway Service Commercial District (C-3):** This district is intended to provide for various commercial establishment offering accommodations, supplies, and services to local as well as through automobile and truck traffic. This district should be provided at locations along major thoroughfares or adjacent to the interchange ramps of a limited access highway facility and should encourage grouping of various facilities into centers and discourage dispersion of these activities.

a. Permitted Uses:

1. Automobile service stations.
2. Sales, rental, and service of motor vehicles, trailers, and boats.
3. Drive-in retail and service establishments, except drive-in theaters.
4. On-site and off-site signs in accordance with the regulations as specified in Section 5.2.
5. Motels and hotels.
6. Eating and drinking establishments.
7. Accessory uses or structures.
8. Indoor and outdoor commercial amusements.
9. Storage sheds and storage facilities for lease.
10. Arcades.
11. Dog Grooming.
12. Retail Sales.
13. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Motor vehicle repair garages, but not wreacking or junk yards.
2. Drive-in theaters, except Adult Drive-in Motion Picture Theaters.
3. Combined Residential and Office or Business Units:

In addition to and as an integral part of development, the following provisions shall apply:

- (a) The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.
- (b) The residential use shall be restricted in the same manner and subject to the same regulations as single family residential units, excluding height and set-back requirements.
- (c) The residential use shall be restricted to the owner of the unit or the business located in the unit. The residential use cannot be a rental use or occupied solely by non-family members of the owner of the building or the business.

(d) The residential unit must be designed and constructed as part of the office or commercial use; however, unattached units may be permitted, and the area of the residential unit may not exceed the area of the office or commercial use.

4. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
5. Farm machinery and equipment sales and repair.
6. General Service and repair establishments, including dyeing, cleaning, or laundry works and upholstery or appliance repair.
7. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.

c. Area Yard, Height, and Bulk Regulations: See Section 4.6.

**4.4.4 Planned Commercial District (PC):** The intent of the District is to provide flexible land use and design regulations for regulations for regional commercial shopping centers through the use of performance criteria. The Planned Commercial District (PC) shall be designed to relate to the character of surrounding areas, and whenever possible should be capable of functioning as a self-contained commercial development. This district specifically encourages innovations in shopping center development to enable greater variety in type, design, and siting and to achieve a more efficient use of land in such developments. The Planned Commercial District is intended to achieve the following objectives: (1) Encourage creative and innovative techniques for shopping center development; (2) Attain more efficient use of land as a result of smaller networks of utilities and streets; and (3) Encourage adequate buffers, setbacks, internal traffic circulation, and other amenities as needed to protect surrounding properties.

a. General Requirements for Planned Commercial District:

1. Minimum Area. The minimum area required to qualify for a PC District shall be not less than ten (10) contiguous acres of land.
2. Ownership. The tract of land for a project must be either in one ownership or the subject of an application filed jointly by the owners of all the properties included (the holder of a written option to purchase land shall for purposes of such application be deemed to be an owner of such land). In case of multiple ownership, the approved plan shall be binding on all owners.
3. Location of the Planned Commercial District. This District shall be applicable to any area of the Township where commercial shopping center development is appropriate and where the applicant can demonstrate that the characteristics of his/her holdings will meet the objectives of the PC District.

4. Permitted Uses. Any use permitted in the General Commercial District. Conditional uses include automobile service stations and government-or community-owned buildings, but not including schools.
- b. Area, Yard, Height, and Bulk Requirements: While standard zoning practices are appropriate for the regulation of land use in areas or neighborhoods that are already substantially developed, these controls represent a type of pre-regulation and regulatory rigidity that can hinder the creation of more attractive, safe, and efficient commercial shopping centers. Therefore, the intent of this District is to permit enough flexibility in development design so as to allow the development of the most desirable commercial amenities accruing from modern shopping center design techniques, but protecting adjacent residential areas. Where these techniques are deemed appropriate through the rezoning of land for a PC District, use and dimensional specifications elsewhere in this Ordinance are herein replaced by an approval process in which an approved plan becomes the basis for continuing land use controls.
- c. Site Plan Review and Approval: The PC District requires Site Plan Review and Approval in accordance with the provisions specified in Section 5.6.
- d. Site Condominium Projects: All commercial site condominium projects shall be subject to the provisions, rules, regulations and procedures set forth in this Ordinance for a Planned Commercial District (PC). The Planned Commercial District shall apply to any commercial site condominium project regardless of the zoning district in which the condominium project is situated or located; provided that commercial site condominium projects shall not be subject to the minimum sewage requirements of the planned commercial district. This provision shall apply to all commercial site condominium projects subject to and constructed under the Condominium Act, being Act 59 of 1978, as amended.

**Section 7. Amendment of Article IV, Section 4.5, Industrial Districts:** The Albion Township Zoning Ordinance, Article IV, Section 4.5, Industrial Districts, shall be amended to add Small On-Site Solar Energy Systems as permitted uses in all Industrial Districts, and to add Large Solar Energy Systems as conditional uses within all Industrial Districts:

**SECTION 4.5 - INDUSTRIAL DISTRICTS:** It is recognized by this Ordinance that the value to the public of designating certain areas for certain types of industrial uses is represented in the employment opportunities afforded to citizens and the resultant economic benefits conferred upon the Township of Albion. In order that this value may be maintained and this use encouraged, this Ordinance has established two zoning districts designed to regulate the location of industrial uses according to a well-considered plan that reflects the types of such use and the intensity of land, street, and highway use in each such district; potential nuisances and hazard that may cause unsafe and unhealthy conditions; and the relationship of industrial uses to each other and to other areas devoted to agricultural, residential, or commercial use and to streets, highways, and other means of transportation. To these ends, certain uses that would function more effectively in other districts and would interfere with the operation of these industrial activities and the purpose of these districts have been excluded. The purpose of each industrial district is further stated below.



**4.5.1 Light Industrial District (I-1):** This district is designed to provide suitable space for light industrial uses that operate in a safe, non-objectionable and efficient manner, and that are compatible in appearance with and require a minimum of buffering measures from adjoining non-industrial zoning districts. These uses generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, fire, explosive and radioactive hazards, and other harmful or obnoxious matter.

a. Permitted Uses:

1. Wholesale merchandising or storage warehouses.
2. Semi-tractor and/or trailer repair garages, but not including truck, auto, or vehicle junk yards.
3. Trucking terminals.
4. Appliance sales and repair.
5. Contractor's yard.
6. Industrial office buildings.
7. Cable television antennas and related transmitting structures.
8. Assembly and manufacture, from prefabricated parts, of household appliances, electronic products, machinery and hardware products, and similar products; or the processing or assembling of parts for production of finished equipment.
9. Skilled trade services, including plumbing, electric, heating, printing, and painting establishments.
10. Research and testing laboratories.
11. Lumber yards.
12. On-site and off-site signs in accordance with the regulations as specified in Section 5.2.
13. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Generally including those light manufacturing uses similar to the permitted uses in this district that do not create any more danger in health and safety in surrounding areas and that do not create any more offensive noise, vibration, smoke, dust, lint, odors, heat, or glare than that generally associated with light industries of the type specifically permitted.
2. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
3. Essential services and structures of a non-industrial character but not including maintenance depots and warehouses, water treatment plants or sewage treatment plants.
4. Large Solar Energy Systems.

c. Area, Yard, Height Bulk Regulations: See Section 4.6.

**4.5.2 General Industrial District (I-2):** This district is designed to provide suitable space for industrial operations of all types that can comply with all provisions of this Ordinance and can assure protection of the public interest and surrounding property and persons.

a. Permitted Uses:

1. All industrial uses not in conflict with any enacted state or local laws, or any provisions of this Ordinance.
2. Railroad terminals.
3. Any use permitted in Light Industrial District (L-1).
4. Small On-Site Solar Energy Systems, as provided in Section 5.24.

b. Conditional Uses:

1. Junk yards.
2. Sanitary landfills.
3. Bulk oil storage.
4. Uses not specifically authorized as permitted uses in this district, but that are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district.
5. Essential Services and structures.
6. Non-exempt public utility facilities.
7. Large Solar Energy Systems.

c. Area, Yard, Height, and Bulk Regulations: See Section 4.6.

**Section 8. Amendment of Article V, SUPPLEMENTAL REGULATIONS:** Zoning Ordinance Article V - SUPPLEMENTAL REGULATIONS, is amended to add new Section 5.24, Small On-Site Solar Energy Systems:

#### **SECTION 5.24 – SMALL SOLAR ENERGY SYSTEMS**

- a. Any Small On-Site Solar Energy System mounted on the ground shall comply with those requirements applicable to an accessory building under Section 4.6.5, or those requirements applicable to an accessory building within the zoning district in which the Solar Energy System is located, whichever are more stringent.
- b. A site plan shall be prepared and submitted to the Zoning Administrator for approval prior to commencing installation. The site plan shall include the proposed location and an elevation drawing showing the proposed height and foundation details.
- c. Small On-Site Solar Energy Systems shall not be constructed or installed in the front yard of any lot, absent a showing that the Solar Energy System cannot be operated efficiently on any other location on the property, and that such operation will not unreasonably interfere with adjacent properties.

- d. Any Small On-Site Solar Energy System erected on a building shall not extend beyond the peak of the roof, provided that a Small On-Site Solar Energy System erected on a flat roof shall otherwise comply with the other requirements of this Section. In no event shall any portion of a Solar Energy System extend beyond the lesser of either thirty (30) feet or the maximum building height permitted within the district in which that Solar Energy System is located.
- e. A Small On-Site Solar Energy System mounted on the roof of a property must be installed with a minimum three (3) foot setback from the edges of the roof, the peak, the eave, or the valley.
- f. No Small On-Site Solar Energy System shall be installed in such a way as to pose an unreasonable safety hazard.
- g. All Small On-Site Solar Energy Systems must conform to all applicable federal, state and county requirements, in addition to other applicable Township Ordinances, as well as any applicable industry standards.
- h. All Small On-Site Solar Energy Systems must be installed in a manner ensuring that concentrated solar glare shall not be directed onto nearby properties or roadways.
- i. Any Small On-Site Solar Energy System mounted on the ground shall be sufficiently screened from the view of adjacent properties or roadways through the use of fencing, consistent with Section 5.15, and greenbelts. A landscaped greenbelt may be required by the Township to be installed on a nonresidential site or district in order to provide protective screening for nearby or adjacent Residential Districts or uses. The greenbelt shall be a strip at least ten (10) feet in width planted and maintained with evergreens, such as spruce, pines, or firs at least five (5) feet in height, or a hedge of evergreens at least four (4) feet in height, at time of planting, and situated so as to provide an effective sound and visual permanent buffer. The portion of the landscaped area not covered by plantings shall be kept in a healthy growing condition, neat and orderly in appearance. Any shrubs, bushes or other growing plants which project into or across adjacent land may be trimmed back to the property line by the adjacent property owner.
- j. All power transmission lines from a ground mounted Small On-Site Solar Energy System to any building or other structure shall be located underground. The Township Board may waive this requirement, or may limit it through conditions, if it determines that it would be impractical or unreasonably expensive to install, place or maintain such transmission lines underground.
- k. Any Small On-Site Solar Energy System and the surrounding premises must be kept and maintained in good repair and condition at all times, and must continuously conform with all applicable building and electrical codes. This shall include, but is not limited to, ensuring that any fencing is maintained to provide sufficient protection and screening, that the property is kept clear of trash and other debris, that all aspects of the Solar Energy System are maintained according to industry standards, and that no portion of the Solar Energy System is in a blighted, unsafe, or substandard manner.

- l. An Abandoned Small On-Site Solar Energy System shall be removed by the property owner or occupant within 180 days.
- m. Prior to construction, any Small On-Site Solar Energy System shall be required to obtain building permits, electrical permits, and an engineering evaluation as required by any applicable building or electric codes.

**Section 9. Amendment of Article V, Section 5.5.9, Additional Development Requirements for Certain Uses:** The Albion Township Zoning Ordinance, Article V, Section 5.5.9, Additional Development Requirements for Certain Uses, is amended to add a new Subsection 5.5.9(l), governing Event Barns, and a new Subsection 5.5.9(m), governing Large Solar Energy Systems:

**5.5.9 Additional Development Requirements for Certain Uses:** A conditional use permit shall not be issued for the uses specified in this subsection unless complying with the site development requirements as herein specified. The Planning Commission may impose additional conditions and safeguards when deemed necessary by that body.

a. Quarries

1. Compliance with the following application procedure shall occur prior to the commencement of any quarry that is proposed after the effective date of this Ordinance.
  - a. All applicants shall use forms provided by the Township Clerk, accompanied by the documents enumerated on that form. Conditional use permits shall have a term of not more than five (5) years computed from January 1 of the year in which the conditional use is approved. To be considered for renewal, five copies of the proper application with required attachments must be submitted to the Township Clerk on or before November 1 of the year preceding the year in which the conditional use permit expires. Upon receipt of the five copies of the fully and properly completed application form with the required documents attached, the Township Clerk shall retain an official copy in the Clerk's office and shall forthwith distribute the remaining copies as follows: One copy to the Township Engineer, one copy to the Township Attorney, and two copies to the Chairman of the Planning Commission.
  - b. Upon receipt of an application, the Township Engineer shall review the application and attachments, physically inspect the premises to determine compliance with the prior reclamation plans and operational plans, and report to the Planning Commission on such compliance. The Township Engineer shall also estimate the cost of reclamation upon abandonment for performance guarantee purposes, and make such additional comments regarding general safety, drainage, equipment removal, and other engineering considerations pertaining to the conditional use application as appropriate. The report by the Township Engineer to the Planning

Commission shall be rendered no later than twenty (20) days after receipt of a complete application.

- c. The Township Planning Commission shall make its final recommendation on the approval or disapproval of the submitted reclamation plan and operational plan on or before December 1, in the case of renewals and within sixty (60) days of receipt of the Township Engineer's report in the case of original applications and shall report forthwith its determination concerning the reclamation plan and/or operation plan to the Township Board. The Township Board shall make a final determination on or before January 1 in the case of renewals and within thirty (30) days of receipt of the recommendation of the Township Planning Commission in the case of original applications. Failure of the Township Planning Commission or Township Board to act within such time frames shall not result in an automatic conditional use permit issuance or renewal, but such failure merely results in an extension of any existing conditional use for an additional period up to the time of final determination by the Township Board.

2. Application Contents.

- a. Name of the owner, or owners, of land from which removal is to be made or upon which operation will take place.
- b. Name and address of applicant making a request for the conditional use.
- c. Name and address of the person, firm or corporation who will be conducting the actual removal application.
- d. Location, size, and legal description of the area from which the removal is to be made.
- e. Type of materials or resources to be mined, stockpiled, or hauled away.
- f. Proposed method of removal and general haul route.
- g. General description of types of equipment to be used.
- h. The estimated number of years to complete operations and number of phases where appropriate.
- i. The applicant shall post a performance guarantee in such form and amount determined by the Township Board to be reasonably necessary to insure compliance hereunder. In the absence of any other information, the sum of the performance guarantee shall be Two Thousand Five Hundred (\$2,500.00) dollars for each acre or fraction thereof of the land proposed

for active excavation. The condition of such guarantee being that if upon completion of applicant's activities on the parcel described in the application, the land has been reclaimed to the satisfaction of the Township Board, the guarantee shall be void; otherwise, the Township shall have the right to use the performance guarantee to the extent necessary to reclaim the parcel. This performance guarantee shall be kept in effect by the applicant until the parcel or parcels have been restored as required by this Ordinance and until such time that the Township, and its agents and contractors are hereby granted approval to go on the applicant's premises to fulfill the guarantee requirements. In fixing the amount of performance guarantee, the Township Board shall take into account the size and scope of the proposed operation, current prevailing cost of reclaiming the premises upon default of the operator, and other such conditions and factors as might be relevant in determining the sum reasonable in light of all facts and circumstances surrounding each application. The applicant shall notify the guaranteeing company and provide proof thereof that the Township be notified in the event of any lapse in the effectiveness of the guarantee. For each acre restored and reclaimed in accordance herewith, or otherwise, said guarantee may be reduced pro-rata as determined by the Township Board.

- j. As part of the application, the applicant shall submit a plan of operation and will be expected to comply with such a plan for the life of the license. If required by the Planning Commission or Township Board, said plan of operation shall include a topographic survey of the existing parcel drawn to a scale of 1 inch = 100 feet and prepared by a registered civil engineer or registered land surveyor with contour intervals not to exceed 10 feet based upon U.S.G.S. datum. The drawing shall also clearly show the area to be mined, including existing areas and roads within 100 feet of all property lines, areas for stockpiling, maintenance areas, berms, fencing, and similar use areas. The plan of operation shall be accompanied by a projected schedule of mining operation, including the following specific dates:
  - 1. Commencement and completion of mining operations as provided by the plan of operation;
  - 2. Commencement and completion of erosion and drainage control measures to be instituted during mining operations; and
  - 3. Commencement and completion of fencing, roads, utilities, or any other structures or improvements to be located on the site as provided by the plan of operation.
- k. The applicant shall also prepare a plan of reclamation. The plan of reclamation shall be submitted in three parts: (1) A recent aerial

photograph with a general plan of reclamation as an overlay or as a separate drawing; (2) a reclamation contour plat, (3) and a description of reclamation methods and materials proposed for renewal of topsoil and replanting. The general plan of reclamation shall be presented at the same scale as the aerial photograph and shall provide the following information:

1. The general area of completely reclaimed land.
  2. The general area of reclamation under way.
  3. The general area currently used for topsoil and overburden storage.
  4. The general area proposed for reclamation during the period of the conditional use permit.
  5. The general area proposed for topsoil and overburden storage.
  6. The acreage for each item shown on the overlay or separate drawing.
  7. A reclamation contour plat with contour intervals not to exceed two feet indicating the general grade and slopes to which excavated areas are to be reclaimed.
  8. A description of the methods and materials proposed for restoration of topsoil to the required fertility and the amount of any type of planting as a part of the reclamation plan.
  9. The projected schedule of reclamation operations, including the following specific dates:
    - a. Commencement and completion of reclamation operations as provided by the reclamation plan;
    - b. Commencement and completion of erosion and drainage control measures to be instituted under the reclamation plan; and
    - c. Commencement and completion of final grading, top-soil replacement, and replanting or landscaping as provided by the reclamation plan.
1. Mining operational and reclamation plans shall be prepared to clearly depict and describe the sequence of mining operations including existing conditions, mining underway, mining completed, reclamation underway, reclamation completed, mining proposed, reclamation proposed, stock piles, roadways, and similar land use elements.

- m. All mining, operational and reclamation plans shall be reviewed by the Township Planning Commission and subject to its recommendation for approval or disapproval.
- 3. Fees: All applications shall be accompanied by a processing fee to be paid by the applicant in an amount established by resolution of the Township Board, which fee shall approximate the cost of monitoring, considering and issuing the conditional use permit.
- 4. Issuance of Conditional Use Permit: Upon finding the applicant has complied with the terms and conditions of this Ordinance and with the terms and conditions of prior permits and prior submitted plans, if any, a conditional use permit shall be issued.
- 5. Conditions of Permit: Upon the issuance of renewal of a conditional use permit, the Township Board may impose as conditions any reasonable restrictions or requirements related to the location, design, or operation of a mining site, as required to secure the public health, safety, and general welfare of the community or to ensure that the mining operations will not create a nuisance or unreasonably interfere with the enjoyment or property. Such conditions may be in addition to the express requirements of this Ordinance.
- 6. Fencing and Screening:
  - a. All excavated and mined areas shall be fenced as required by the Township Board. In the absence of any other requirement, such fencing shall consist of a six (6) foot high fence and shall be posted so as to indicate the danger of trespassing in the area. The minimum specification for said fencing shall be as follows: #9-gauge top wire; #12-gauge bottom wire with spacing of 6 inches by 12 inches. All stays shall be of 14-gauge wire with spacing of support posts to be no greater than 16 feet apart.
  - b. All active mining excavations shall be visually screened from view all adjacent public highways and residentially used parcels to a person standing on the paved portion of the public highway or from the lot line of adjacent residentially used parcels. The following methods are acceptable for screening of mining areas:
    - 1. Construction of a raised earth berm area on the mining site along boundary lines thereof where such lines abut a public highway or abut privately owned property that is improved and occupied for residential purposes. This provision with regard to lands improved and occupied for residential purposes shall be applicable to any land upon which dwellings are built and occupied subsequent to the date of this Ordinance. The berm shall be sufficient in length and heights to screen the mining area. During the planting season



next following the placement of the berm and as often as may be necessary to assure the existence of a vegetative ground cover, the applicant shall seed or plant the berm in a manner suitable for the area and soil conditions so as to provide vegetation to check erosion and to provide a visible ground cover substantially similar to the vegetation cover growing in adjacent fields. Where the topography of the area acts as a screen, the Township Board may waive the berm requirement. The berm shall have slopes not in the excess of one-foot vertical to two feet horizontal.

2. Planting of coniferous trees along the boundaries of the property with sufficient rows and depth to permit effective screening of the mining area.
  3. To the extent that the foregoing is not practical, the applicant may submit alternate proposals.
  4. The amount and extent of required screening shall be reasonable and practical as determined by the Township Board.
7. Hours of Operation: Maximum hours of operation should be determined by the Township Board. In the absence of any other requirements, the hours of the mining operation shall be 7 a.m. to 5:00 p.m. No hours of operation shall be permitted on Sundays and legal holidays. In emergency situations this time period may be modified by the Township Supervisor provided such emergency order shall not be effective for more than 72 hours.
  8. Road Access: All sites permitted under the provisions of this Section shall have direct access to a County road having a minimum right-of-way width of 66 feet and improved to the specifications of the Calhoun County Road Department. When the permitted operation results in the mined material, overburden and/or similar material being deposited or spilled upon the public roadway, it shall be the responsibility of the applicant to remove such material immediately. The conditional use permit may specify the haul route to be used for access to and from the site, and may require a performance guarantee in an amount sufficient to repair any roads damaged by such hauling to or from the site.
  9. Road Maintenance: Access roads within the permitted site shall be maintained by the applicant so as to minimize the dust arising from the use of said roads. Such maintenance shall be accomplished through the application of chloride, water and/or similar dust retardant material. Application of oil shall be prohibited. A paved road from the entrance and exit, a reasonable distance from the right-of-way line into the area of operation may be required in order to minimize the deposit of dirt and gravel from trucks onto the public highway. Entrances and exits shall be securely locked during hours that the facility is not operating.

10. Operation of Use: All equipment and facilities used in the mining of sand, gravel, and stone shall be conducted, maintained, and operated in such manner as to eliminate insofar as practicable, noises, vibrations, or dust that interfere with the reasonable use and enjoyment of surround property.
  11. Noise Standards: Mining sites shall be operated such that the noise of operation or equipment vibration cannot reasonably be considered disturbing to neighboring uses of land. Objectionable noises due to intermittence, beat, frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses. Equipment on licensed sites at any time or under any condition shall not be operated so as to result in noise exceeding the following levels for specified adjacent land uses when measured at the common property line nearest the active work area.
  12. Dewatering: The Township Board may establish reasonable conditions and procedures for dewatering activities on the site, in order to protect surface water and groundwater rights in the vicinity of the mining site.
- b. Junk Yards: In addition to, and as an integral part of development, the following provisions shall apply:
1. It is recognized by this Ordinance that the location of such materials in an open area included in this Ordinance's definition of "junk yard" will cause the reduction of the value of adjoining property. To the end that the character of the district shall be maintained and property values conserved, a solid, unpierced fence or wall at least seven (7) feet in height, and not less than the height of the materials on the lot on which a junk yard shall be operated, shall be located on said lot no closer to the lot lines than the yard requirements for buildings permitted in this district. All gates, doors, and access ways through said fence or wall shall be of solid, unpierced material. In no event shall any materials included in this Ordinance's definition of "junk yard" be located on the lot on which a junk yard shall be operated in the area between the lines of said lot and the solid, unpierced fence or wall located on said lot.
  2. All traffic ingress and egress shall be on major streets, and there shall be not more than one (1) entrance way to the lot on which a junk yard shall be operated from each public road on which said lot abuts.
  3. All roads, driveways, parking lots, and loading and unloading areas within any yard of a junk yard shall be paved, watered, or chemically treated so as to limit adjoining lots and public roads the nuisance cause by wind-borne dust.
- c. Drive-In Theaters: In addition to, and as an integral part of development, the following provisions shall apply:

1. Drive-in theaters shall be enclosed for their full periphery with a solid screen fence at least seven (7) feet in height. Fences shall be of sound construction, painted, or otherwise finished neatly and inconspicuously.
  2. All fenced-in areas shall be set back at least one hundred (100) feet from any front street or property line.
  3. All traffic ingress or egress shall be on major streets and all local traffic movement shall be accommodated within the site so that entering and exiting vehicles will make normal and uncomplicated movements into or out of the public thoroughfare. All points of entrance to the exit of motor vehicles shall be located no closer than two hundred (200) feet from the intersection of any two (2) streets or highways.
- d. **Planned-Unit Development:** The purpose of this section is to permit flexibility for residential, commercial, and industrial development where large tracts of land are planned with integrated and harmonious design, and where the overall design of such units is so outstanding as to warrant modification by the Township of the regulations. Any planned-unit development to be eligible under this provision must comply with the following requirements:
1. The tract of land to be developed must have a minimum area of not less than 10 acres.
  2. The owner of the property must submit to the Planning Commission a plan for the use development of the total tract of land as a planned-unit development in accordance with the provisions of SECTION 5.6, SITE PLAN REVIEW AND APPROVAL. In addition to the site plan data specified in SECTION 5.6, the application must contain such other pertinent information as may be necessary to make a determination that the contemplated arrangement or use may make it desirable to apply regulations and requirements differing from those ordinarily applicable under this Ordinance.

The plan must contain such proposed covenants, easements, and other provisions relating to the bulk, location, and density of structures, accessory uses thereto, and public facilities as may be necessary for the welfare of the planned-unit development and not inconsistent with the best interests of the entire Township of Albion.
  3. The average density of structures of the tract must not be greater than the density requirements in the district in which the planned-unit development is located.
  4. The use of land must be in conformance with the permitted uses of the district in which the proposed plan is to be located.

5. The proposed development must be served by adequate public facilities and service, such as: highways, streets, police, and fire protection, drainage, structures, and refuse disposal. These facilities may be provided by a governmental or private organization.
6. The proposed unit must be of such size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit without dependence on any subsequent unit or development.
7. The common open-space, common properties, individual properties, and all other elements of the development must be so planned that they will achieve a unified environmental scheme, with open spaces and all other elements in appropriate locations, suitably related to each other, the site, and surrounding land.
8. The applicant may be required to dedicate land for street and park purposes by appropriate covenants, to restricting areas perpetually for the duration of the Planning Developments as open space for common use. The development as authorized must be subject to all conditions so imposed, and must be exempt from other provisions of this Ordinance only to the extent specified in the authorization.
9. Following receipt of a request to approve a planned unit development, the Township Board must hold at least one (1) public hearing on the request. Nothing of the public hearing must be given as follows:
  - a. Method of Notice.
    1. The Township must publish notice in a newspaper of general circulation in the Township; and
    2. The Township must also send notice by mail or personal delivery to the owners of property for which approval is being considered; and
    3. The Township must also send notice to all persons to whom real property is assessed within 300 feet of the property, and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the Township.
  - b. Timing of Notice. The notice must be given not less than 15 days before the date the application will be considered for approval. If the name of the occupant is not known, the term “occupant” may be used in making notification.
  - c. Contents of Notice. The notice must do all of the following:

1. Describe the nature of the planned unit development request.
  2. Indicate the property that is subject of the request. The notice must include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
  3. State when and where the public hearing will be held.
  4. Indicate when and where written comments will be received concerning the request.
- e. Combined Residential and Office or Business Units: In addition to and as an integral part of development, the following provisions shall apply:
1. The principal use of the property must be office or commercial, and the residential use only incidental to the office or commercial use.
  2. The residential use shall be restricted in the same manner and subject to the same regulations as single family residential units, excluding height and set-back requirements.
  3. The residential use shall be restricted to the owner of the unit or the business located in the unit. The residential use cannot be a rental use or occupied solely by non-family members of the owner of the building or the business.
  4. The residential unit must be designed and constructed as part of the office or commercial use; however, unattached units may be permitted, and the area of the residential unit may not exceed the area of the office of commercial use.
- f. Animal Parks, Zoos and Aquariums: The nature of animal parks, zoos, and aquariums is such that each project must be reviewed individually, and certain conditions imposed on the use so as not to endanger the life of the residents in the area, or adversely affect the value of properties in the area. Prior to issuing a conditional use for an animal park, zoo, or aquarium the Planning Commission shall consider the following in making its recommendation to the Township Board:
- An animal park, zoo, or aquarium is defined as the temporary or permanent housing, or keeping for display of non-domestic birds, fish, and/or animals. An animal park, zoo, or aquarium is an operation that is open to the public, whether free or for admission, and may be part of a larger park or common area used for other purposes.
1. Whether the public roads are sufficient to handle the increased traffic expected to be generated by such a project.

2. Whether the project is located so closely to surrounding residential property that the traffic and noise generated from the project will adversely impact and affect the peace and quiet of surrounding residents.
3. Whether there is adequate parking proposed by the applicant.
4. Whether the proposed fencing of the project will be adequate to prevent animals from within the project from escaping and being a danger to surrounding residents.
5. Whether the applicant has submitted a plan showing sufficient personnel to maintain the quality of life of the animals within the project, order among the visitors to the project, and crowd control within the project.
6. Whether the proposed landscaping is adequate to create an attractive appearance, and to shield the activities from surrounding residential neighborhoods.
7. Whether such applicant has received all applicable federal and state licenses. An applicant who has been denied a federal or state license shall not be approved by the Planning Commission. An applicant who violates a state or federal license, guideline, or regulation shall be deemed to violate the conditional use permit granted under this Section, and if a permit has been issued it shall be subject to revocation by the Township Board for such violation.
8. Whether such animal park, zoo, or aquarium will place an undue burden on public services such as police, fire, water, sewer, or any other public service provided by the municipality.
9. Liability insurance of no less than \$1,000,000 per person and \$2,000,000 per incident to protect the public and persons using the park, zoo, or aquarium from monetary loss and compensate for damages to property or persons caused by the park or zoo, or such other amount as may be required by the Township Board if dangerous or exotic animals are kept on the premises.
10. Whether the nature of the operation is sufficiently removed from residences so as not to cause a nuisance by reason of odors, dust, trash, or noise.
11. In determining any application for a park, zoo, or aquarium the Planning Commission shall consider the appropriateness of the applicant posting a bond to assure compliance with the conditional use permit with respect to odors, dust, trash or noise and restoration of the property if the enterprise is closed. The necessity of said bond would protect the Township by allowing the Township to use the proceeds from said bond to defray costs incurred in the event that the Township was required to remedy a nuisance on the property.

In considering such a conditional use the Planning Commission may make recommendations concerning lighting, hours of operation, parking, landscaping, buffer zones, and any other conditions reasonably calculated to maintain the integrity of the value of surrounding properties and the peace and tranquility of the residents in and about the proposed project.

That a conditional use authorized under this Section preempts any contrary provisions in the Zoning Ordinance, and in particular the prohibition against keeping exotic animals in residential areas. This Section shall take precedence over any other Section of the Zoning Ordinance.

g. Essential Services and Public Utilities:

1. The application shall contain a diagram of the proposed site.
2. The application shall contain a detailed statement as to the intended buffering of the property to minimize structures on the property from surrounding uses. Such buffering shall include but not be limited to the planting of evergreen trees, a fence no less than 6' tall unless otherwise recommended by the Planning Commission, and the material from which the fence will be erected.
3. The proposed height, location, and size of all structures to be erected on the property. A statement as to the types of equipment to be used on the site, which equipment shall not create noise that will interfere with the normal use and enjoyment of abutting and nearby properties.
4. There shall not be displayed any advertising or identification visible to surrounding properties.
5. The structures erected on the site shall meet the minimum setback requirements contained in the Zoning Ordinance for that Zoning District.
6. The use shall conform to all applicable federal, state, and local health and safety standards.
7. All fuel tanks shall be buried or screened with landscaping, fencing or berms. Trash areas must be screened.
8. Noise levels shall not exceed State noise standards and shall conform to recommended decibel standards adopted by the appropriate federal agency.
9. The site shall be secured from intruders.

h. Telecommunication Tower or Alternative Tower Structure: In addition to the standards set forth Section 5.5.5 of this ordinance, any telecommunication tower or alternative tower structure shall meet the following additional standards:

1. Application: The applicant must demonstrate that no existing tower, alternative tower structure or alternative technology not requiring the use of towers or alternative tower structures can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the Township Board related to the availability of suitable existing towers, other alternative towers or alternative technology. Evidence submitted to demonstrate that no existing tower, alternative tower structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:
  - a. No existing towers or alternative tower structures are located within the geographic area that meet applicant's engineering requirements.
  - b. Existing towers or alternative tower structures are not of sufficient height to meet applicant's engineering requirements.
  - c. Existing towers or alternative tower structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
  - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or alternative tower structures, or the antenna on the existing towers or alternative tower structures would cause interference with the applicant's proposed antenna.
  - e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or alternative tower structure or to adapt an existing tower or alternative tower structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
  - f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
  - g. The applicant demonstrates that an alternative technology that does not require the use of towers or alternative tower structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wire line system is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.
2. Setbacks: The following setback requirements shall apply to all towers for which a conditional use permit is required; provided, however, that the Township Board may reduce the standard setback requirements if the goals of this ordinance would be better served thereby:



- a. Towers must be set back a distance equal to at least seventy-five percent (75%) of the height of the tower from any adjoining lot line.
  - b. Guys and accessory buildings must satisfy the minimum zoning district setback requirements.
3. Security Fencing: Towers and attendant accessory structures shall be enclosed by security fencing not less than six feet (6') in height and shall also be equipped with an appropriate anti-climbing device.
4. Landscaping: The following requirements shall govern the landscaping surrounding towers for which a conditional use permit is required; provided, however, that the Township Board may waive such requirements if the goals of this ordinance would be better served thereby.
  - a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four feet (4') wide outside the perimeter of the compound.
  - b. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived.
  - c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth and around the property perimeter may be sufficient buffer.
5. State or Federal Regulations: All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
6. Aesthetics: Towers and antennas shall meet the following requirements:
  - a. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted neutral color so as to reduce visual obtrusiveness.

- b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
  - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
  - d. Where a feasible alternative exists, towers, alternative tower structures and supporting structures shall not utilize a power source that generates noise able to be heard by a person of normal aural acuity at adjoining property lines or public property; however, this section shall not be construed as limiting the use of temporary generators or similar devices used to create power during periods of interruption of the primary power source.
7. Lighting: Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
8. Compliance with Codes: Antenna and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical connections and wiring and as to structural integrity with all applicable state and local building codes and the applicable standards for towers published by the Electronic Industries Association, as amended from time to time.
9. Interference with Residential Reception. Towers shall be located so that they do not interfere with television and radio reception to neighboring residential areas.
10. Signs. No signs shall be allowed on an antenna or tower, except for any sign related to emergency service or controlling agency or owner of tower.
11. Spacing – Towers. Towers shall be located no closer than one (1) mile from an existing telecommunication tower or alternative tower structure containing one or more antenna, as measured in a straight line between the base of the existing tower and the proposed base of the proposed tower.
12. Spacing – Residences. A tower shall not be located within two hundred (200) feet or two hundred (200%) percent of the height of the tower; whichever is greater, of a single family or multiple family dwelling unit, church, school, or other structure normally used and actually used for the congregation of persons. Distance for the purpose of this section shall be measured from the base of the tower structure to the lot line of the single family or multiple family dwelling unit, church, school,

or other structure normally used and actually used for the congregation of persons.

13. Height. Towers shall have a maximum height of three hundred (300') feet.
14. Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within ninety (90) days of receipt of notice from the Township notifying the owner of such abandonment. Along with said removal, said owner shall restore the site of said antenna or tower to its original condition prior to location of the antenna or tower subject to reasonable wear and tear. Failure to remove an abandoned antenna or tower within ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. The Planning Commission may require the applicant to file a bond or other letter of credit equal to the reasonable cost of removing the tower, antenna, alternative tower structure or other supporting structure(s) as a condition of a conditional use permit given pursuant to this section.

i. Wind Energy Conversion Systems and Wind Parks

1. The Township finds that:
  - a. Wind energy is an abundant, renewable and carbon-free energy resource of the Township, and the conversion of wind energy to electricity may reduce dependence on nonrenewable energy sources and decrease the adverse effects that result from the use of conventional energy sources.
  - b. The generation of electricity from properly sited Wind Energy Conversion Systems (WECS) can be cost-effective, and in many cases existing power transmission and distribution systems can be used to transmit electricity from WECS to utilities and transmission companies.
  - c. Regulation of the siting, installation and operation of WECS is necessary to protect the health, safety, and welfare of neighboring property owners and the general public.
  - d. WECS may cause significant potential negative aesthetic effects because of their large size, lighting, and shadow flicker.
  - e. If not properly regulated, installation of WECS can create drainage problems through erosion and lack of sediment control for facility and access road sites, and harm farmlands through improper construction methods.

- f. WECS may present a risk to birds, bats and other creatures if not properly sited.
  - g. If not properly sited, WECS may adversely affect the property values of adjoining property owners.
  - h. WECS may be sources of noise that, if unregulated, can negatively impact the quiet enjoyment, health, and safety of persons and properties in their vicinity.
  - i. Construction of WECS can create traffic problems and damage local roads.
  - j. WECS can cause electromagnetic interference issues with various types of communications.
  - k. To be properly sited, WECS should be located in and surrounded by substantial tracts of largely undeveloped land, referred to in this Ordinance as Wind Parks, thereby diminishing the negative effects of WECS on surrounding properties outside Wind Parks.
  - l. By properly siting WECS in Wind Parks containing substantial surrounding undeveloped land, it is also possible to preserve the surrounding undeveloped land for agricultural uses and purposes that are not inconsistent with the location of WECS.
2. Purpose. The purpose of this Section is to establish standards for the siting, installation and operation of Wind Parks within the AG Agricultural District as a conditional use.
  3. Applicability. On Site Use Residential WECS may be an accessory use in any residential district, provided that they are to be incidental to and subordinate to a use on the parcel and the WECS meets the standards set forth in Section 2.2.92 and the remaining provisions of this Section where applicable.

WECS with a rate capacity of 20 kW or greater, or WECS height exceeding 20 meters, and Wind Parks may be allowed as a conditional use only within the AG Agricultural District, subject to the regulations and requirements of this Section and the general conditional use procedures, standards and criteria of Article V of this Zoning Ordinance.

4. Application; Signatures. The application for the conditional use for a Wind Park shall be submitted on a form prepared for that purpose by the Township, and shall demonstrate the support in writing of each and every legal and equitable owner of each lot or parcel within Albion Township that is located in whole or in part within the Wind Park. If any owners of property within Albion Township that is

proposed to be within the Wind Park do not support the application, the application shall identify those owners by name, address and telephone number, and a copy of the last offer the applicant made to that owner, or if applicant made no offer to the owner, then a copy of any written communications between the applicant and the owner. The Planning Commission shall investigate the basis for each such owner's objections. The record of the investigation shall be made a part of the record in the consideration of the conditional use proceedings, and the Planning Commission shall give due consideration to the basis for the objections in determining whether to permit any properties to be excluded from the Wind Park.

The applicant shall submit eight (8) copies of the application and all supporting materials to the Township Zoning Coordinator. The Zoning Coordinator will cause the application to be placed on the Planning Commission's next regular meeting agenda.

5. Site Plan Drawing and Supporting Materials. All applications for a Wind Park conditional use shall be accompanied by a detailed site plan, drawn to scale and dimensioned, and certified by a registered engineer licensed in the State of Michigan, displaying the following information:
  - a. All requirements for a site plan contained in Section 5.6 of this Ordinance.
  - b. All lot lines and dimensions, including a legal description of each lot or parcel within the Wind Park.
  - c. Names of the owners of each lot or parcel within Albion Township that is proposed to be within the Wind Park.
  - d. Location and height of all proposed buildings, structures, electrical lines, towers, guy wires, guy wire anchors, security fencing, and all above ground structures associated with each WECS.
  - e. Location and height of all buildings, structures, and above ground utilities located or proposed within the Wind Park. Specific distances to other on-site buildings, structures, and utilities shall also be provided.
  - f. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Wind Park, as well as within 1,000 feet of the outside perimeter of the Wind Park.
  - g. Proposed setbacks between each WECS and from each WECS to all existing and proposed structures within the Wind Park.

- h. Land elevations at each proposed WECS location and its relationship to the land elevations of all existing and proposed structures within the Wind Park.
  - i. Access driveways to each WECS, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access driveways shall be subject to Calhoun County Road Department approval, and the use of drives shall be planned so as to minimize the use of lands for that purpose.
  - j. The location of all farmland within the Wind Park that is designated for preservation, a written description of the plan for preservation of farmland within the Wind Park, and copies of all easements, restrictive covenants, or other documents proposed to be used to achieve that plan.
  - k. Planned security measures to prevent unauthorized trespass and access and to warn of potential dangers, during both the construction and operation of the WECS.
  - l. A written description of the maintenance program to be used to maintain each WECS, including removal when determined to be obsolete or abandoned. The description shall include maintenance schedules, the types of maintenance to be performed, and removal procedures and schedules should the WECS become obsolete or abandoned.
  - m. A copy of the manufacturer's safety measures to prevent uncontrolled rotation or over speeding.
  - n. Planned lighting protection measures.
  - o. Additional detail(s) and information as required by the conditional use requirements of this Ordinance, or as requested by the Planning Commission.
6. Compliance with the County Building Code. The applicant shall obtain County approval under the County Building Code as a condition of any conditional use under this section.
7. Construction Codes, Towers, & Interconnection Standard. Each WECS shall comply with all applicable state construction codes, as well as Federal Aviation Administration (FAA) requirements, the Michigan Airport Zoning Act, the Michigan Tall Structures Act, and local jurisdiction airport overlay zone regulations. The tower shaft shall not be illuminated unless required by the FAA. Each WECS shall comply with applicable utility, Michigan Public Service Commission, and Federal Energy Regulatory Commission interconnection standards.

8. Farmland Preservation. Farmland located within the Wind Park that is not designated as an immediate location of any WECS and accessory structures is encouraged to be preserved for agricultural uses and purposes through the execution and recording of appropriate farmland easements, restrictive covenants, or other documents approved by the Planning Commission. Although such preservation measures are not required, they will be favorably considered by the Planning Commission in the review of a conditional use application under this Section.
9. Design Standards:
  - a. Height: The permitted maximum total height of each WECS (i.e., WECS height) shall be 430 feet including the blade in vertical position.
    1. State and federal regulations may require a lesser height.
    2. As a condition of approval, the Township may require a lesser height for a WECS if it determines that it is reasonably necessary.
    3. Each WECS shall be constructed with a tubular tower, not a lattice tower.
    4. The Planning Commission may approve a WECS height of greater than 430 feet if the applicant clearly demonstrates that such greater height would be in the interest of persons and properties surrounding the Wind Park.
  - b. Setbacks: No part of a WECS (including guy wire anchors) shall be located closer than 150% of the WECS height to any habitable structure and no closer than 100% of the WECS height to any road or utility line.
  - c. Isolation: No WECS shall be located closer than 2,640 feet from the base of the WECS to any point outside the Wind Park within Albion Township, unless the Planning Commission otherwise expressly provides in the permit for the conditional use. If the applicant seeks approval of an isolation distance less than 2,640 feet as required by this section, the applicant shall be required to demonstrate to the Planning Commission with clear and convincing evidence and state-of-the-art modeling, monitoring and measurement techniques that the proposed WECS will have no material adverse effects on any residences, businesses, schools, churches or other places of human habitation within the requested isolation distance from the WECS, as determined by a licensed qualified professional. Such evidence shall include, at a minimum, baseline readings, using state-of-the-art techniques, of the existing noise levels measured at least at ten (10) representative residences outside the Wind Park and state-of-the-art noise modeling data demonstrating that the anticipated noise generated by the WECS will not increase the existing noise levels above a maximum of forty-five (45) decibels on the dBA

scale at any of those representative residences, as determined in the conditional use permit. As a condition of approval for any such lesser isolation distance, the applicant shall also post a performance guarantee in an amount fixed by the Planning Commission to assure that the WECS when installed will not have any material adverse effects on any residences, businesses, schools, churches or other places of human habitation within the requested isolation distance from the WECS, as determined by a licensed qualified professional.

- d. Rotor or Blade Clearance: Blade arcs created by a WECS shall have a minimum of seventy-five (75) feet of clearance over and from any structure, adjoining property or tree. The minimum blade or rotor clearance above ground level shall be at least seventy-five (75) feet.
- e. Rotor or Blade Safety: Each WECS shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds within 80% of design limits of the braking system.
- f. Tower Access: To prevent unauthorized climbing, WECS must comply with at least one of the following provisions:
  - 1. External tower climbing apparatus shall not be located within twelve (12) feet of the ground.
  - 2. A locked anti-climb device shall be installed and maintained.
  - 3. A tower capable of being climbed externally shall be enclosed by a locked, protective fence at least ten (10) feet high with barbed wire fence.
- g. Signs: Each WECS shall have one sign, not to exceed two (2) square feet in area, posted at the base of the tower. The sign shall contain at least the following:
  - 1. Warning high voltage.
  - 2. Warning falling ice.
  - 3. Manufacturer's name.
  - 4. Emergency numbers (list more than one number).
  - 5. FAA regulated sign with precise description with latitude and longitude and shall also contain both the applicant's current telephone number and the current telephone number for the FAA's regional office having jurisdiction over Albion Township.
  - 6. If fenced, place signs on the fence.
- h. Lighting: A lighting plan for each WECS shall be approved by the Planning Commission. Such plan must describe all lighting that will be utilized, including any lighting that may be required by the FAA. Such a plan shall include but is not limited to the planned number and location of



lights, light color and whether any lights will be flashing. All tower lighting will comply with FAA regulations and guidance and shall be consistent with USFWS/MDNR guidelines.

- i. Electromagnetic Interference: Each WECS shall be designed, constructed and operated so far as possible so as not to cause radio, television and other wireless signal interference. In the event that electromagnetic interference is experienced by properties outside the Wind Park, and the WECS is determined to cause radio, television or other wireless signal reception to be degraded from the conditions prior to the installation of the Wind Park through the proper utilization by an expert of relevant facts, data and reliable scientific principles and methods, the WECS owner shall provide alternate service to each individual resident or property owner affected. If a property owner or resident is successful in demonstrating degradation of their radio, television or other wireless signal reception caused by a WECS, then the WECS owner shall also reimburse the property owner or resident for their reasonable costs and fees incurred to prove the existence and cause of the degradation.
  - j. Noise Emissions: All WECS shall be manufactured and constructed with the best available noise reduction technology available at the time of their construction. Noise emissions from the operation of one or more WECS operating within a Wind Park shall not in any case exceed fifty (50) decibels on the dBA scale as measured at any point on the boundary between land within the Wind Park and land outside the Wind Park, and not more than forty-five (45) decibels on the dBA scale as measured at residences outside the Wind Park. A state-of-the-art baseline noise emission study of the proposed site and impact of estimated operating noise levels upon all areas within a one (1) mile radius of each proposed WECS location shall be performed (at the applicant's cost) and submitted to the Township with the application for conditional use.
  - k. Distribution, Transmission and Interconnection: All collection lines and interconnections from the WECS to the electrical substation shall be located and maintained underground inside of the Wind Park. The Planning Commission may waive the requirement that collection lines and interconnections be located and maintained underground if the Planning Commission determines that it would be impractical or unreasonably expensive to install, place, or maintain such collection lines and interconnections underground.
10. Approval Standards. In addition to the other requirements and standards contained in this section, the Planning Commission shall not approve any Wind Park conditional use unless it finds that all of the following standards are met:

- a. The general conditional use standards contained in Section 5.5 of this Ordinance; and
  - b. The Wind Park will not pose a safety hazard or unreasonable risk of harm to the occupants of any surrounding properties or area wildlife.
11. Conditions and Modifications. Any conditions or modifications approved by the Planning Commission shall be recorded in the minutes of the appropriate Planning Commission meeting. The Planning Commission may in addition to other reasonable conditions, require landscaping, walls, fences, and other improvements that are reasonable in relation to and consistent with the nature of the AG Agricultural District. After approval, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Chairman of the Planning Commission and the authorized representative of the Applicant. One copy shall be kept on file by the Township Clerk, and one copy shall be returned to the applicant's authorized representative.
12. Completion; Testing. The applicant shall complete the Wind Park construction within twelve (12) months after commencement of construction. Within 12 months of completion and commencement of operation, the applicant shall be required to present a report prepared by a third party, qualified professional, demonstrating that the Wind Park while in operation meets the requirements of this Ordinance and the permit for conditional use with respect to noise emissions and electromagnetic interference, and shadow flicker effect.
13. Inspection. The Township shall have the right upon issuing any Wind Park conditional use to inspect the premises on which each WECS is located at any reasonable time. The Township may hire a consultant to assist with any such inspections at the applicant's reasonable cost.
14. Maintenance and Repair. Each WECS must be kept and maintained in good repair and condition at all times. If the Township Zoning Coordinator determines that a WECS fails at any time to meet the requirements of this Ordinance and the permit for conditional use with respect to noise emissions, electromagnetic interference, or shadow flicker effect, or that it poses a potential safety hazard, the applicant shall shut down the WECS within 48 hours after notice by the Zoning Coordinator and not restart the WECS until the condition has been corrected. The applicant shall keep a maintenance log on each WECS that shall be available for the Township's review on a monthly basis. The applicant shall keep all sites within the Wind Park neat, clean, and free of refuse, waste, or unsightly, hazardous, or unsanitary conditions.
15. Roads. Any material damages to a public road located within the Township resulting from the construction, maintenance, or operation of a WECS shall be repaired at the applicant's expense. In addition, the applicant shall submit to the Calhoun County Road Department a description of the routes to be used by

construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment, or other deliveries; and a performance guarantee acceptable to the Road Commission in an amount necessary to assure repair of any damage to the public roads cause by construction of the Wind Park or any of its elements.

16. Complaint Resolution. The applicant shall develop a process to resolve complaints from nearby residents and property owners concerning the construction and operation of the Wind Park. The process may use an independent mediator or arbitrator and shall include a time limit for acting on a complaint. The process shall not preclude the Township from acting on a complaint. During construction and operation, the applicant shall maintain a telephone number during business hours where nearby residents and landowners can reach a project representative.
17. Abandonment. Any WECS that is not used for the production of energy for a period of six (6) successive months or longer shall be deemed to be abandoned and shall be promptly dismantled and removed from the property, unless the applicant receives a written extension of that period from the Township Zoning Coordinator in a case involving an extended repair schedule for good cause. All above and below ground materials (down to 4 feet below the ground) must be removed. The ground must be restored to its original condition within 180 days of abandonment.
18. Continuing Security and Escrow. If any WECS is approved for construction under this Ordinance, the applicant shall be required to post continuing security and a continuing escrow deposit prior to commencement of construction, which shall remain in effect until the WECS has been finally removed, as provided below:
  - a. Continuing Security: If a conditional use is approved pursuant to this section, the Planning Commission shall require security in the form of a cash deposit, irrevocable letter of credit, corporate bond or surety bond in a form, amount, time and duration deemed acceptable to the Township, which will be furnished by the applicant to the Township in order to ensure full compliance with this section and any conditions of approval. When determining the amount of such required security, the Township may also require an annual escalator or increase based on the Consumer Price Index (or the equivalent or its successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a conditional use has been approved but before construction commences upon a WECS within the Wind Park. At a minimum, the financial security shall be in an amount determined by the Township to be reasonably sufficient to have each WECS fully removed (and all components properly disposed of and the land returned to its original state) should such structure or structures become abandoned, dangerous or obsolete, or not in compliance with this ordinance or the conditional use permit. Such financial security shall be

kept in full force and effect during the entire time while a WECS exists or is in place, and such financial security shall be irrevocable and non-cancelable (except by the written consent of both the Township and the then-owner of the WECS).

- b. Continuing Escrow Deposit: A continuing escrow deposit to be held by the Township shall be funded in cash by the applicant prior to the commencement of construction of any WECS and shall be maintained by the WECS owner until the WECS has been permanently removed. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with continuing enforcement of this Ordinance and the terms of the conditional use permit, which costs can include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that the Township anticipates it may have done that are reasonably related to enforcement of the Ordinance and the conditional use permit. If the Township is required to expend any portion of the escrow deposit, or if the existing escrow amount paid by the applicant proves to be insufficient to cover the Township's enforcement costs, the Township may require that the WECS owner place additional monies into escrow with the Township.
  - c. Continuing Obligations: Failure to keep such financial security and escrow deposit in full force and effect at all times while a WECS exists or is in place shall constitute a material and significant violation of a conditional use and this ordinance, and will subject the WECS owner to all remedies available to the Township, including possible enforcement action and revocation of the conditional use.
19. Liability. The applicant shall insure each WECS at all times, and shall maintain such insurance on its own behalf and on behalf of the Township as a co-insured, with limits of liability not less than \$2,000,000 per occurrence for damages to persons and property (to be adjusted annually to an amount equivalent to 2010 dollars based on the CPI).
20. Colors. A WECS shall be painted a non-obtrusive (light environmental color such as beige or gray) color that is non-reflective. The wind turbine base and blades shall be of a color consistent with all other turbines in the area. No lettering, company insignia, advertising, or graphics shall be on any part of the tower, hub, or blades.
21. Shadow flicker effect. All reasonable efforts shall be made not to affect any resident with any shadow flicker effect in the operation of any WECS.

22. Vibrations or Wind Currents. Under no circumstances shall a WECS produce vibrations or wind currents humanly perceptible beyond the perimeter of the Wind Park.
  23. Stray Voltage. The applicant shall be responsible for compensation for damages due to any stray voltage caused by a WECS in accordance with the rules of the Michigan Public Service Commission.
  24. Environmental Impact Assessment. At the Township's request, the applicant shall fund an environmental assessment or impact study and/or other relevant report(s) or studies (including, but not limited to, assessing the potential impact on endangered species, eagles, birds, and/or other wildlife) as required by the Township for review by the Township regarding the Wind Park or surrounding areas. Each such study or report shall be provided to the Township prior to the time when the Planning Commission makes its final decision regarding the conditional use.
  25. Application Escrow Account. An escrow account shall be funded by the applicant when the applicant applies for a conditional use for a Wind Park. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with the conditional use review and approval process, which costs can include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that the Township anticipates it may have done that are reasonably related to the zoning review process for the particular application. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the conditional use review process, the Township may require that the applicant place additional monies into escrow with the Township should the existing escrow amount filed by the applicant prove insufficient. If the escrow account needs replenishing and the applicant refuses to do so promptly, the conditional use review and approval process shall cease until and unless the applicant makes the required escrow deposit. Any applicable zoning escrow resolutions or other ordinances adopted by the Township shall also be applicable.
  26. Reasonable conditions. In addition to the requirements of this section, the Planning Commission may impose additional reasonable conditions on the approval of a Wind Park as a conditional use.
  27. Other Requirements. Each Wind Park and WECS shall also comply with all applicable federal, state, and county requirements, in addition to other Township ordinances.
- j. Medical Marihuana Caregiver Distribution Facility
1. Purpose and Scope.

- a. The Township recognizes that Medical Marihuana Caregivers may not wish to or be able to distribute Medical Marihuana as part of a Medical Marihuana Home Occupation, as provided by Section 5.14. To the extent that such facilities are lawful under state and federal laws, the Township provides the following objectives, standards, and requirements for a Medical Marihuana Caregiver Distribution Facility, which shall be located in General Commercial (C-2) districts only. It is the intent of this section to exercise a measure of control over Medical Marihuana Caregiver Distribution Facilities and their sites and to establish a basic set of standards within which individual solutions may be developed.
  - b. Only one (1) Medical Marihuana Caregiver is permitted to operate such a facility.
  - c. A land use, business, or other operation that provides, sells, or involves Medical Marihuana in any way is prohibited in the Township except as provided in this Ordinance.
  - d. Nothing in this section, or in any companion regulatory provision adopted in any other provision of the Township's Ordinances, is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the Michigan Medical Marihuana Act and the General Rules as they may be amended from time to time. Nothing in this subsection, or in any companion regulatory provision adopted in any other provision of the Township's Ordinances, is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution under State or Federal law. In particular, the Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring, from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act.
2. Required Documentation. All Medical Marihuana Caregivers distributing Medical Marihuana from a Medical Marihuana Caregiver Distribution Facility must provide or otherwise make available proof of valid, unexpired registry identification cards.
  3. Location Standards. The parcel on which the Medical Marihuana Caregiver Distribution Facility is conducted shall be located at least at least one thousand (1,000) feet from any parcel on which a school, day care facility, church, house of worship or other religious facility, public or private park and three hundred (300) feet from any other Medical Marihuana Caregiver Distribution Facility or Medical Marihuana Growing Facility, measured horizontally between the nearest points of each property line.

4. Amount of Marihuana. The amount of marihuana on the property must not exceed that amount permitted by state law: no more than twelve (12) marihuana plants or 2.5 ounces of usable marihuana per Medical Marihuana Patient to which the Medical Marihuana Caregiver is lawfully connected, up to a maximum of five (5) patients or sixty (60) marihuana plants or 12.5 ounces of usable marihuana per caregiver.
5. Use of Marihuana; Odors. Smoking or consumption of controlled substances, including marihuana, shall be prohibited on the site of the Medical Marihuana Caregiver Distribution Facility. The Facility shall not emit odors, emanating from marihuana, beyond the Facility building or structure.
6. Storage of Marihuana. All medical marihuana must be contained within the main building in a separate Enclosed, Locked Facility for each Medical Marihuana Patient for which a Caregiver is lawfully connected, in accordance with the Michigan Medical Marihuana Act. Medical Marihuana shall not be visible from any location outside of the building.
7. Related Activity
  - a. All activity related to Medical Marihuana must occur indoors.
  - b. Use of Medical Marihuana is prohibited at the Medical Marihuana Caregiver Distribution Facility.
  - c. Growth or cultivation of Medical Marihuana is prohibited at the Medical Marihuana Distribution Facility.
  - d. The sale of foods, equipment, or supplies on the premises is prohibited.
8. Security Measures. The Medical Marihuana Caregiver Distribution Facility shall have secure windows and doors and the owner or occupant shall implement security measures to deter and prevent theft of marihuana, diversion of marihuana to illicit markets, and unintended or unlawful access.
9. Signage. Any signage utilized in compliance with the Township's Ordinance, such signage must not use the words marihuana, marijuana, cannabis, hash, hemp, grass, weed, ganja, reefer, sinsemilla, pot or any other phrase, word, graphic, or picture commonly understood to refer to marihuana.
10. Permits. All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the structure in which electrical, wiring, lighting, or watering devices that support the storage or distribution of Medical Marihuana are located.
11. Conditions of Approval. Prior to the granting of approval for the establishment of a Medical Marihuana Caregiver Distribution Facility, the Township may impose any conditions or limitations upon the establishment, location, construction,

maintenance, or operation (including hours of operation), of the Facility that are necessary for the protection of the public interest, including inspections. Any evidence, bond, or other performance guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

12. To Whom Marihuana may be Distributed. No person operating a Medical Marihuana Caregiver Distribution Facility shall provide or otherwise make available Medical Marihuana to any person who is not a Medical Marihuana Patient legally connected to that person as a Medical Marihuana Caregiver.

k. Medical Marihuana Growing Facility

1. Purpose and Scope

- a. The Township recognizes that Medical Marihuana Patients or Medical Marihuana Caregivers may not wish to or be able to cultivate or grow Medical Marihuana as part of a Medical Marihuana Home Occupation, as provided by 5.14. To the extent that such facilities are lawful under state and federal laws, the Township provides the following objectives, standards, and requirements for a Medical Marihuana Growing Facility, which shall be located in General Commercial (C-2) districts only. It is the intent of this section to exercise a measure of control over Medical Marihuana growing facilities and their sites and to establish a basic set of standards within which individual solutions may be developed.
- b. Only one Medical Marihuana Patient or Medical Marihuana Caregiver is permitted to operate such a facility.
- c. A land use, business, or other operation that provides, sells, or involves Medical Marihuana in any way is prohibited in the Township except as provided in this Ordinance.
- d. Nothing in this section, or in any companion regulatory provision adopted in any other provision of the Township's Ordinances, is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the Michigan Medical Marihuana Act and the General Rules as they may be amended from time to time. Nothing in this subsection, or in any companion regulatory provision adopted in any other provision of the Township's Ordinances, is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution under State or Federal law. In particular, the Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring, from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act.



2. Required Documentation. All Medical Marihuana Caregivers or Medical Marihuana Patients growing Medical Marihuana from the facility must provide or otherwise make available proof of valid, unexpired registry identification cards.
3. Location Standards. The parcel on which the Medical Marihuana Growing Facility is conducted shall be located at least at least one thousand (1,000) feet from any parcel on which a school, day care facility, church, house of worship or other religious facility, public or private park and three hundred (300) feet from any other Medical Marihuana Caregiver Distribution Facility or Medical Marihuana Growing Facility, measured horizontally between the nearest points of each property line.
4. Amount of Marihuana. The amount of marihuana on the property must not exceed that amount permitted by state law: no more than twelve (12) marihuana plants or 2.5 ounces of usable marihuana per Medical Marihuana Patient; and no more than twelve (12) marihuana plants or 2.5 ounces of usable marihuana per Medical Marihuana Patient to which the Medical Marihuana Caregiver is lawfully connected, up to a maximum of five (5) patients or sixty (60) marihuana plants or 12.5 ounces of usable marihuana per caregiver.
5. Use of Marihuana; odors. Smoking or consumption of controlled substances, including marihuana, shall be prohibited on the site of the Medical Marihuana Growing Facility.

The Facility shall not emit odors, emanating from marihuana, beyond the Facility building or structure.

6. Storage of Marihuana. All Medical Marihuana must be contained within the main building in a separate Enclosed, Locked Facility for each Medical Marihuana Patient for which a Caregiver is lawfully connected, in accordance with the Michigan Medical Marihuana Act. Medical Marihuana shall not be visible from any location outside of the building.
7. Related Activity
  - a. All activity related to Medical Marihuana must occur indoors.
  - b. Transfer, distribution, or use of Medical Marihuana is prohibited at the Medical Marihuana Growing Facility.
  - c. The sale of foods, equipment, or supplies on the premises is prohibited.
8. Security Measures. The Medical Marihuana Growing Facility shall have secure windows and doors and the owner or occupant shall implement security measures to deter and prevent theft of marihuana, diversion of marihuana to illicit markets, and unintended or unlawful access.

9. Signage. Any signage utilized in compliance with the Township's Ordinance, such signage must not use the words marihuana, marijuana, cannabis, hash, hemp, grass, weed, ganja, reefer, sinsemilla, pot or any other phrase, word, graphic, or picture commonly understood to refer to marihuana.
  10. Permits. All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the structure in which electrical, wiring, lighting, or watering devices that support the cultivation, growing, or harvesting of marihuana are located.
  11. Conditions of approval. Prior to the granting of approval for the establishment of a Medical Marihuana Growing Facility, the Planning Commission may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operation (including hours of operation), of the facility that is necessary for the protection of the public interest, including inspections. Any evidence, bond, or other performance guarantee may be required, as proof that the conditions stipulated in connection therewith will be fulfilled.
  12. For Whom Marihuana may be grown. No person operating a Medical Marihuana Growing Facility shall grow or cultivate Medical Marihuana for any person who is not a Medical Marihuana Patient.
1. Event Barns.
1. Intent. The intent of this section is to promote the preservation and viable use of existing agricultural structures in a manner that is harmonious with neighboring properties while maintaining peace and quiet of the area.
  2. Conditional Use Permit Requirements. Event Barns shall be permitted by conditional use permit, subject to the standards and procedures set forth in Article V, as well as the provisions of this Section. Anyone granted a conditional use permit for the operation of an Event Barn shall strictly adhere to, and shall require all persons using the property to strictly adhere to, the following provisions:
    - a. Access. Primary access to the property on which the Event Barn is located shall be via a county maintained road.
    - b. Setback. Event Barns shall be set back 100' from the front lot line and 500' from all neighboring residences.
    - c. Attendance. No event shall involve the presence of more than 250 persons or more than allowed by the applicable state construction code and fire code, whichever is less.
    - d. Lot Size. Event barns shall be located on parcels greater than 20 acres.
    - e. Hours of Operation. Hours of operation for events shall be limited from 8 a.m. through 11 p.m., unless otherwise pre-approved by the township board for good cause shown for a specific event.

- f. Presence of Permit Holder Required. The Event Barn conditional use permit holder or his or her representative shall be on site for all events. The name and contact number of the permit holder or their representative shall be provided to the Township in May of each year.
- g. Use of Outdoor Areas. All events shall take place within a barn and accessory structures on the property. Events shall not include outdoor activities, except accessory activities in areas expressly approved in the Site Plan for the conditional use. All sound amplification equipment, performances, and musical entertainment shall be contained within the barn and accessory structures, except that a wedding ceremony may be outdoors.
- h. Screens or Barriers. Sight and sound barriers such as walls, berms and/or vegetation screens may be required in order to minimize impacts to neighboring properties.
- i. Lighting. All lighting fixtures, including pathway lighting, shall be down-lit and directed in a manner as to not be visible from off the property and on neighboring properties. All lighting must be extinguished at or before the same time for conclusion of the event. All lighting proposed at an Event Barn shall be addressed and approved as part of the Site Plan.
- j. Trash. The Event Barn operator shall require that caterers and sponsors of every event remove all trash associated with the event immediately after the conclusion of the event. Any dumpster maintained or used on the property must be screened from public view and maintained so as not to produce offensive odors that annoy or disturb the comfort or repose of a reasonable person of normal sensitivities.
- k. Noise. No person may unreasonably make, continue or cause to be made any noise that annoys or disturbs the quiet, comfort or repose of a reasonable person of normal sensitivities outside the boundaries of the property, or that injures or endangers the health, welfare, or peace of any person outside the boundaries of the property. The permit holder shall install noise-elimination and noise-suppression improvements at the property so that the noises emitted from inside any barn or other building meet all the requirements of this subparagraph, and such noise-elimination improvements shall be addressed and approved as part of the Site Plan. The following are declared to be prima facie evidence of unlawful noises, and are deemed to be public nuisances per se:
  - 1. Singing or operating, playing or permitting the operation or playing of any music, radio, music player, television, stereo, public address system, megaphone, musical instrument, drum, loudspeaker or other sound-producing device, amplified or unamplified, in such a manner or with such volume at any time or place so as to annoy or disturb the quiet, comfort or repose of a

reasonable person of normal sensitivities outside the boundaries of the property; or

2. Singing or operating, playing or permitting the operation or playing of any music, radio, music player, television, stereo, public address system, megaphone, musical instrument, drum, loudspeaker or other sound-producing device, amplified or unamplified, inside either a barn or other building, after 9:30 p.m. on Sunday through Thursday evenings, and after 11:00 p.m. on Friday and Saturday evenings; or
  3. Singing or operating, playing or permitting the operation or playing of any music, radio, music player, television, stereo, public address system, megaphone, musical instrument, drum, loudspeaker or other sound-producing device, amplified or unamplified outside any of the buildings, at any time, except for unamplified music, such as a string quartet, only as part of a wedding, which unamplified wedding music shall cease prior to 8:00 p.m.; or
  4. Yelling, shouting, hooting, or whistling, or making any other noises so as to excessively annoy or disturb the quiet, comfort or repose of a reasonable person of normal sensitivities outside the boundaries of the property.
- l. Food. There shall be no food preparation inside an Event Barn. Any food served, provided or consumed at the venue must be legally prepared in accordance with Calhoun County Health Department rules. Dishwashing associated with any event must be accomplished off site.
  - m. Security. At all times when an event is taking place at an Event Barn, a sufficient number of security personnel and support staff shall be present to provide security, to direct traffic and parking, to prevent any intentional or inadvertent trespassing onto any neighboring properties, and to assure that all events begin and end at the times specified in this Ordinance.
  - n. Alcohol. Where the caterer or sponsor of the event intends to sell or provide alcohol or alcoholic beverages, the caterer or event sponsor must provide an event insurance policy, naming the Township as an additional insured, and must comply with all applicable liquor licensing and regulatory requirements. Event Barn permit holders shall not sell or provide alcohol or alcoholic beverages.
  - o. Parking. Adequate parking shall be provided. There shall be no parking on any properties outside the boundaries of the property on which the Event Barn is located, without the express written permission of the property owner. Parking shall be provided on the property on which the Event Barn is located and designated as the “parking lot” on the Site Plan. The parking lot shown on the approved Site Plan shall be grass, gravel, or gravel-type material only, and not paved with blacktop or concrete or any other

impervious substance, in keeping with the rural character of the area. The number of parking spaces shall be in accordance with Township Ordinances and the Americans with Disabilities Act.

- p. Insurance. Event Barn permit holders and operators shall maintain general liability for personal injury and property damage in the amounts of \$1,000,000 per occurrence and \$2,000,000 general aggregate limit. The Township shall be named as an additional insured on the policies and the venue shall provide evidence of insurance to the Township's Zoning Administrator annually or more frequently on request.
  - q. Permits and Approval. The Event Barn permit holders and operators shall obtain all building permits and approvals from agencies that have jurisdiction applicable to the Event Barn or the holding of the events on the property. All facilities shall be approved and inspected by the appropriate agencies.
  - r. Conditional Use Permit, Site Plan and Landscape Design. An applicant for an Event Barn conditional use permit shall submit a proposed Site Plan in addition to its conditional use permit application. The Site Plan shall comply with and be reviewed in accordance with this Ordinance, and shall include all parking facilities, lighting, noise-elimination and noise-suppression improvements, outdoor activity areas, landscaping and plantings. Additional consideration shall be given to facilities that incorporate the preservation or use of existing agricultural structures.
  - s. Temporary Structures; Bathroom Facilities. No temporary structures or tents shall be permitted in connection with any event unless removed within a reasonable amount of time after the conclusion of the event. Exceptions may be made with approval of the Zoning Administrator. Adequate bathroom facilities shall be used at all times at an Event Barn.
3. Term: A conditional use permit for an Event Barn shall be valid only for five (5) years from the date of issuance. Upon expiration, a conditional use permit may be renewed only after an additional application as provided by this Section. Renew process will be available no less than one full year prior to expiration. If the property is sold, the conditional use permit is null and void until new owner applies for a new conditional use permit.
- m. Large Solar Energy Systems.
- 1. Purpose and Intent: The purpose and intent of this Subsection is to establish standards for the siting, installation, operation, repair, decommissioning and removal of Large Solar Energy Systems where allowed as a conditional use.
  - 2. Site Plan Drawing and Supporting Materials: All applications for a Large Solar Energy System must be accompanied by detailed site plans, drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:

- a. All requirements for a site plan contained in Section 5.6 of the Township Zoning Ordinance.
- b. All lot lines and dimensions, including a legal description of each lot or parcel comprising the Large Solar Energy System.
- c. Names of owners of each lot or parcel within the Township that is proposed to be within the Large Solar Energy System.
- d. Vicinity map showing the location of all surrounding land uses.
- e. Location and height of all proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with the Large Solar Energy System.
- f. Horizontal and vertical (elevation) scale drawings with dimensions that show the location of the proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property.
- g. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Large Solar Energy System and within 1,000 feet of the outside perimeter of the Large Solar Energy System.
- h. Proposed setbacks from the Solar Array(s) to all boundary lines and all existing and proposed structures within the Large Solar Energy System.
- i. Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within the Large Solar Energy System.
- j. Access driveways within and to the Large Solar Energy System, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Calhoun County Road Department or Michigan Department of Transportation approval as appropriate, and shall be planned so as to minimize the use of lands for that purpose.
- k. Planned security measures to prevent unauthorized trespass and access and to warn of potential dangers during the construction, operation, removal, maintenance or repair of the Large Solar Energy System.
- l. A written description of the maintenance program to be used for the Solar Array(s) and other components of the Large Solar Energy System, including decommissioning and removal procedures when determined by the Township to be obsolete, uneconomic or an Abandoned Solar Energy

System. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Large Solar Energy System becomes obsolete, uneconomic or an Abandoned Solar Energy System.

- m. A copy of the manufacturer's safety measures.
- n. Planned lighting protection measures.
- o. The environmental impact of the Large Solar Energy System, as reflected in an environmental impact study, including, but not limited to, a review of the following factors:
  - 1. Impact on area water resources
  - 2. Impact on air quality
  - 3. Noise impacts caused by the Solar Energy System
  - 4. Impact on utilities and infrastructure
  - 5. Protection of neighboring property owners and occupants
  - 6. Impact on wildlife
  - 7. Effects on floodplains and wetlands
  - 8. Unique farmlands or soils
  - 9. Areas of aesthetic or historical importance
  - 10. Archeological or cultural concerns
  - 11. Any other environmental factors typically evaluated by other members of the commercial energy industry when evaluating locations for a proposed power-generating facility
- p. A written description of measures to be taken to support the flow of rainwater throughout the Large Solar Energy System, including any measures to promote the growth of vegetation beneath the arrays and/or otherwise limit the impacts of storm water runoff. The measures shall be subject to the approval of the Calhoun County Water Resources Commissioner.
- q. A written report of all power supplied to the electrical grid by the Large Solar Energy System. If this information is considered a confidential trade secret, the Township, upon written request from an energy provider, will keep such information confidential to the extent and through the means authorized by Public Act 442 of 1976.
- r. Additional detail(s) and information as required by the conditional use requirements of the Zoning Ordinance, or as required by the Planning Commission.
- s. Application Escrow Deposit: An escrow deposit shall be paid to the Township by the applicant when the applicant applies for a Conditional use permit for a Large Solar Energy System. The monetary amount deposited by the applicant in escrow with the Township shall be the

amount estimated by the Township Board to cover all reasonable costs and expenses associated with the Conditional use permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the Conditional use permit review process, the Township Board may require that the applicant place additional funds into escrow with the Township if the existing escrow amount deposited by the applicant is deemed insufficient by the Township Board. If the escrow account needs replenishing and the applicant refuses to do so promptly, the Conditional use permit process shall cease unless and until the applicant makes the required additional escrow deposit. Any applicable zoning escrow resolutions or other ordinances adopted by the Township must also be complied with by the applicant.

3. Compliance with State Building Code and the National Electric Safety Code: Construction of a Large Solar Energy System shall comply with the National Electric Safety Code and the state construction codes as administered and enforced by the Township (as shown by approval by the Township) as a condition of any Conditional use permit under this section.
4. Certified Solar Array Components: Components of a Solar Array shall be approved by the Institute of Electrical and Electronics Engineers (“IEEE”), Solar Rating and Certification Corporation (“SRCC”), Electronic Testing Laboratories (“ETL”), or other similar certification organization acceptable to the Township.
5. Height: Maximum height of a Solar Array shall not exceed fifteen (15) feet. Other collection devices, components or buildings of the Large Solar Energy System shall not exceed thirty-five (35) feet, or the maximum building height permitted within the district in which that Solar Energy System is located, whichever is less, at any time or location on the property. The height shall be measured from the natural grade at the base of the Solar Array, device, component or building measured. The Township Board may waive or modify these height requirements for certain aspects of a Solar Energy System (such as structures associated with above-ground transmission lines) through the implementation of conditions when appropriate.
6. Lot Size: A Large Solar Energy System shall be located on one or more parcels with an aggregate area of 20 acres or greater.
7. Project Area. The Project Area of a Large Solar Energy System shall not exceed 250 acres in total. For the purposes of this section, “Project Area” means the surface area of all land covered by Solar Arrays, including spacing between rows of panels, but not including setbacks required by this Ordinance, regardless of whether that land is located on one or multiple parcels within the Township.



8. Setbacks: A minimum setback distance of seventy five (75) feet from all property boundaries on the outside perimeter of the Large Solar Energy System shall be required for all buildings and Solar Arrays except for property boundaries where the applicable adjoining owner(s) agree to lessen or increase that setback distance by executing a signed written waiver of this requirement in recordable form, provided no such waiver shall act to permit less than the required minimum setback of the applicable zoning district.
9. Lot Coverage: A Large Solar Energy System is exempt from maximum lot coverage limitations.
10. Screening/Security: A Large Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be 8 (eight) feet in height as measured from the natural grade of the fencing perimeter. Electric fencing is not permitted. The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the Large Solar Energy System's entire perimeter from adjacent parcels, subject to the following requirements:
  - a. Unless screened and buffered at all times by natural forest vegetation meeting the minimum spacing and height requirements, and having a substantially similar obscuring effect of an evergreen vegetative buffer installed pursuant to this Section, a continuous evergreen vegetative buffer shall be installed and maintained at all times at the perimeter of the all Large Solar Energy Systems, including without limitation between such Large Solar Energy Systems and adjacent residential or commercial/industrial areas and/or public highways or streets. Nothing contained herein shall be construed to prevent reasonable access to any Large Solar Energy System as approved by the Conditional use permit.
  - b. The evergreen or native vegetative buffer shall be composed of native or evergreen trees that at planting shall be a minimum of four (4) feet in height and shrubs two (2) feet in height. The evergreen trees shall be spaced no more than fifteen (15) feet apart on center (from the central trunk of one plant to the central trunk of the next plant), native trees shall be placed no more than thirty (30) feet apart on center and shrubs shall be spaced no more than seven (7) feet apart on center. All unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the applicant within six (6) months, or the next appropriate planting period, whichever occurs first, but under no circumstances should the applicant allow unhealthy or dead material to remain in place for more than six (6) consecutive months. Failure to maintain the required evergreen vegetative buffer as required by this section shall constitute a violation of this Ordinance and sufficient grounds for revocation of any Conditional use permit previously granted

- c. All plant materials shall be installed between March 15 and November 15. If the applicant requests a Final Certificate of Occupancy from the Township and the applicant is unable to plant during the installation period, the applicant will provide the Township with a letter of credit, surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.
11. Signs: No lettering, company insignia, advertising, graphics or other commercially-oriented inscriptions or designs shall be on any part of the Solar Arrays or other components of the Large Solar Energy System. This section does not prohibit signs reasonably necessary to inform the public of potential safety hazards associated with the Large Solar Energy System, nor does it prohibit any other signs that may be required by this Ordinance, the conditional use permit or other applicable law.
12. Noise: No component of any Large Solar Energy System shall emit noise exceeding forty-five (45) dBA as measured at the outside perimeter of the project.
13. Lighting: All lighting for parking lots, driveways, external illumination of buildings, or the illumination of signs shall be directed away from and be shielded from adjacent properties and shall be so arranged as to not adversely affect driver visibility on adjacent public roads.
14. Glare: All solar panels shall be placed such that concentrated solar glare shall not be directed onto or visible from nearby properties or roadways.
15. Distribution, Transmission and Interconnection: All collection lines and interconnections from the Solar Array(s) to any electrical substations shall be located and maintained underground inside the Large Solar Energy System. The Township Board may waive this requirement, or modify it with appropriate conditions, if it determines that it would be impractical or unreasonably expensive to install, place or maintain such collection lines and interconnections underground.
16. Abandonment and Decommissioning: Following the operational life of the project, or at the time the project becomes obsolete, uneconomical or an Abandoned Solar Energy System, as determined by the Township Engineer or any other expert or specialist to be designated by the Township to make such a determination, the applicant shall perform decommissioning and removal of the Large Solar Energy System and all its components. The applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Conditional use permit. Under this plan, all structures and facilities shall be removed, including any structures below-grade, and removed offsite for disposal. No concrete, piping and other materials may be left in place. Any Solar Array or combination of Photovoltaic Devices that

become an Abandoned Solar Energy System shall be removed under the Decommissioning Plan. The ground must be restored to its original condition within 180 days of becoming an Abandoned Solar Energy System, or decommissioning, whichever occurs first. If decommissioning is not completed within a 180-day period, the Township Board shall have the authority to complete any decommissioning and restoration activities necessary to restore the property to the condition in existence prior to the installation of the Large Solar Energy System or any components thereof. Any costs incurred by the Township in pursuing such activities shall be financed by Applicant's continuing restoration security as provided by this Section.

17. General Standards: The Planning Commission shall not recommend for approval any Large Solar Energy System Conditional use permit unless it finds that all of the applicable standards for conditional uses contained in Section 5.5 of this Ordinance are met.
18. Safety: The Planning Commission shall not recommend for approval any Large Solar Energy System Conditional use permit if it finds the Large Solar Energy System will pose an Unreasonable Safety Hazard to the occupants of any surrounding properties or area wildlife.
19. Conditions and Modifications: Any conditions and modifications approved by the Planning Commission shall be recorded in the Planning Commission's meeting minutes. The Planning Commission may, in addition to other reasonable conditions, require landscaping, walls, fences and other improvements that are reasonable in relation to and consistent with the nature of the applicable or adjacent zoning districts. After approval, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Chairman of the Planning Commission and authorized representative of the applicant. One copy shall be kept on file by the Township Clerk, and one copy shall be returned to the applicant's authorized representative.
20. Inspection: The Township shall have the right at any reasonable time to inspect the premises on which any Large Solar Energy System is located. The Township may hire one or more consultants to assist with any such inspections, at the applicant's or project owner's expense.
21. Maintenance and Repair: Each Large Solar Energy System must be kept and maintained in good repair and condition at all times. If the Township Zoning Administrator determines that a Large Solar Energy System fails at any time to meet the requirements of this Ordinance and the Conditional use permit, or that it poses a potential Unreasonable Safety Hazard, the applicant shall shut down the Large Solar Energy System within 48 hours after notice by the Zoning Administrator and not operate, start or restart the Large Solar Energy System until the condition has been corrected. Applicant shall keep a maintenance log on the Solar Array(s), which shall be available for the Township's review on a monthly basis. In addition to such a log, Applicant shall maintain a robust maintenance and

repair diagnostic system, which shall record the electrical output of each Solar Array on a daily basis. Such system shall also maintain a list of any fault codes, descriptions of faults, a notes log of any maintenance or repairs, and recordings indicating the amount of time any Solar Array was offline or otherwise not producing its ordinary allotment of electrical power. Applicant shall keep all sites within the Large Solar Energy System neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.

22. Roads: Any material damages to a public road located within the Township resulting from the construction, maintenance or operation of a Large Solar Energy System shall be repaired at the applicant's expense. In addition, the applicant shall submit to either the Calhoun County Road Department or Michigan Department of Transportation (as appropriate) a description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment or other deliveries; and a performance guarantee acceptable to the appropriate agency in an amount necessary to assure repair of any damage to the public roads caused by construction of the Large Solar Energy System or any of its elements.
23. Continuing Security and Escrow: If any Large Solar Energy System is approved for construction under this Section, applicant shall be required to post continuing security and a continuing escrow deposit prior to commencement of construction, which shall remain in effect until the Large Solar Energy System has been finally removed, as provided below:
  - a. Continuing Restoration Security: If a Conditional use permit is approved pursuant to this section, the Township Board shall require security in the form of a cash deposit, or surety bond acceptable to the Township, which will be furnished by the applicant to the Township in order to ensure full compliance with this section and all conditions of approval. When determining the amount of each required security, the Township may also require an annual escalator or increase based on the Consumer Price Index (or the equivalent or its successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a Conditional use permit has been approved but before construction commences on the Large Solar Energy System. At a minimum, the financial security shall be in an amount determined by the Township to be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the Large Solar Energy System. Such financial security shall be kept in full force and effect during the entire time that the Large Solar Energy System exists or is in place, and such financial security shall be irrevocable and non-cancelable. In addition, the party operating a Large Solar Energy System approved by the Township shall inform the Township in the event that System, or a material portion of that system is sold to a third party, and any such sale shall require the purchasing party to provide the Township with the security described by this section, along with relevant contact information.

- b. Continuing Compliance and Enforcement Escrow Deposit: A continuing escrow deposit shall be held by the Township and shall be funded in cash by the applicant prior to the commencement of construction of any Large Solar Energy System and shall be maintained by the owner or operator until the Large Solar Energy System has been permanently decommissioned and removed. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with continuing enforcement of this Ordinance and the terms of the Conditional use permit, which costs can include, but are not limited to, reasonable fees for the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that the Township determines are reasonably related to enforcement of the Ordinance and the Conditional use permit. If the Township is required to expend any portion of the escrow deposit or if the existing escrow amount paid by the applicant proves to be insufficient to cover the Township's enforcement costs, the Township may require the applicant to place additional monies into escrow with the Township.
  - c. Continuing Obligations: Failure to keep any required financial security and escrow deposit in full force and effect at all times while a Large Solar Energy System exists or is in place shall constitute a material and significant violation of the Conditional use permit and this Ordinance, and will subject the Large Solar Energy System applicant, owner and operator to all remedies available to the Township, including any enforcement action and revocation of the Conditional use permit. A review of security and escrow requirements shall occur no less than annually to determine compliance with this section.
- 24. Conditions: In addition to the requirements of this Section, the Planning Commission may impose additional reasonable conditions on the approval of a Large Solar Energy System as a conditional use.
  - 25. Completion of Construction: Notwithstanding Section 5.5.8 of this Ordinance, the construction of any Large Solar Energy System must commence within a period of one (1) year from the date a conditional use permit is granted, and must be completed within a period of three (3) consecutive years from the date a Conditional use permit is granted. The Planning Commission may grant an extension not to exceed one (1) year, provided the applicant requests the extension prior to the date of the expiration of the conditional use approval. Failure to complete construction within the permitted time period shall result in the approved Conditional use permit being rendered null and void.
  - 26. Quarterly Reports: The owner or operator of a Large Solar Energy System shall provide the Zoning Administrator with quarterly reports on trends and usage of that System as set by the Township Board. If this information is considered a confidential trade secret, the Township, upon written request from an energy

provider, will keep such information confidential to the extent and through the means authorized by Public Act 442 of 1976.

27. Transfer of Ownership/Operation: Prior to a change in the ownership or operation a Large Solar Energy System, including, but not limited to, by the sale or lease of that System or the underlying property, the current owner or operator shall provide written notice to the Township at least sixty (60) days prior to that change becoming effective. This notice shall inform the Township of the intended transfer of control of the Large Solar Energy System, and shall include a copy of the instrument or agreement effecting that transfer. Such an instrument or agreement shall include an express statement that the new owner or operator of the Large Solar Energy System shall not be permitted to operate that System until compliance with the terms of this Ordinance, including requirements for continuing security and escrow funds, has been established.
28. No Large Solar Energy System shall be installed in such a way as to pose an unreasonable safety hazard.
29. All Large Solar Energy Systems must conform to all applicable federal, state and county requirements, in addition to other applicable Township Ordinances, as well as any applicable industry standards.
30. Any Large Solar Energy System mounted on the ground shall be sufficiently screened from the view of adjacent properties or roadways through the use of fencing, consistent with Section 5.15, and greenbelts. A landscaped greenbelt may be required by the Township to be installed on a nonresidential site or district in order to provide protective screening for nearby or adjacent Residential Districts or uses. The greenbelt shall be a strip at least ten (10) feet in width planted and maintained with evergreens, such as spruce, pines, or firs at least five (5) feet in height, or a hedge of evergreens at least four (4) feet in height, at time of planting, and situated so as to provide an effective sound and visual permanent buffer. The portion of the landscaped area not covered by plantings shall be kept in a healthy growing condition, neat and orderly in appearance. Any shrubs, bushes or other growing plants which project into or across adjacent land may be trimmed back to the property line by the adjacent property owner.
31. All power transmission lines from a ground mounted Large Solar Energy System to any building or other structure shall be located underground. The Township Board may waive this requirement, or may limit it through conditions, if it determines that it would be impractical or unreasonably expensive to install, place or maintain such transmission lines underground.
32. An Abandoned Large Solar Energy System shall be removed by the property owner or applicant within 180 days after the installation ceases to be used for the generation of electricity.

**Section 10. Severability:** The provisions of this Ordinance are hereby declared to be severable and if any provision, section or part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provisions, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance, which shall continue in full force and effect.

**Section 11. Effective Date:** This Ordinance shall become effective seven (7) days after its publication following final adoption or as required by law.

**Section 12. Repeal:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Thomas Frank, Albion Township Supervisor

**CERTIFICATION**

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Albion Township Board at a duly scheduled and noticed meeting of that Township Board held on November 12, 2018, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the \_\_\_\_\_ newspaper, a newspaper that circulates within Albion Township, on \_\_\_\_\_, 2018.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Calhoun County Clerk on \_\_\_\_\_, 2018.

ATTESTED:

\_\_\_\_\_

Kathy Grundemann, Albion Township Clerk