

**CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN**

ORDINANCE NO. 20-02

An ordinance to amend the Charter Township of Union Zoning Ordinance No. 1991-5, as amended, by amending Sections 13.2 and 30.4 to update the standards and approval process requirements for sand and gravel pits and other extraction operations by authority of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended (MCL 125.3101 et seq.); to provide for repeal; to provide for severability; to provide for publication; and to provide an effective date.

THE CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN, HEREBY ORDAINS:

Section I – Title

This Ordinance shall be known and may be referred to as the “Charter Township of Union Ordinance Number 20-02, Ordinance Amending the Charter Township of Union Zoning Ordinance.”

Section II – Amendments

The Charter Township of Union Zoning Ordinance, No. 1991-5, as amended, is hereby amended as follows:

Section 13.2: Section 13.2 is amended to delete subsection “I. 12.” (sand and gravel pits) from the list of special uses in Section 13.2 and to re-number the remainder of the list accordingly, to insert a new subsection “I” before the list of special uses, to add “Sand and gravel pits and other extraction operations, subject to Section 30.4.S.” as a permitted use, and to move the list of special uses to a new subsection “J.” so that Sections 13.2 I. and 13.2 J. read as follows:

Section 13.2 PERMITTED USES (F, NO. 16, NEW; 1992-6 ORDINANCE)

- I. Sand and gravel pits and other extraction operations, subject to Section 30.4.S.
- J. Special uses: The following uses may be permitted in AG Districts when all requirements, condition and procedures of Section 30 of this Ordinance are complied with:
 - 1. Airports, public or private.
 - 2. Campgrounds or recreation grounds.
 - 3. Cemeteries, public or private, including mausoleums.
 - 4. Communication towers.
 - 5. Conservation areas, public or private.
 - 6. Country clubs and golf courses.
 - 7. Filling stations.
 - 8. Group day-care homes.
 - 9. Hunting clubs or gun clubs.

10. Public and institutional uses.
11. Race tracks.
12. Second living quarters on a farm.
13. State licensed residential facilities.
14. Veterinarian services.
15. Landscaping services.
16. Utility Grid Wind Energy Systems. See Section 30.4.AC
17. Boarding Kennels. (New Ord 98-11)
18. Rooming or Boarding Dwelling, Single Unit. See Section 30.4.AE. (New Ord 13-04)

Section 30.4: Subsection “S.” of Section 30.4 is deleted in its entirety and replaced as follows:

Section 30.4 SPECIAL USES PERMITTED (X, NEW, 1993-6 ORDINANCE; Y, NEW, 1995-6 ORDINANCE)

- S. Sand and gravel pits and other extraction operations, subject to compliance with the following requirements, with documentation provided to the Zoning Administrator:
 1. Compliance with all applicable federal, state, and county regulations.
 2. Compliance with the requirements of the Township’s Extraction Ordinance No. 20-01.
 3. Planning Commission approval of an Extraction Permit and associated mining and reclamation plans as authorized by the Township’s Extraction Ordinance No. 20.01 shall also constitute site plan approval for the use under this Ordinance.

Section III – Repeal

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance, except as herein provided, are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section IV – Severability

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section V – Publication

The Clerk for the Charter Township of Union shall cause this Ordinance to be published in the manner required by law.

Section VI – Effective Date

This Ordinance was approved and adopted by the Charter Township of Union Board of Trustees, Isabella County, Michigan, on July 8, 2020, after initiation and a public hearing by the Planning Commission on June 8, 2020 as required pursuant to the Michigan Public Act 110 of 2006, as

amended, and after introduction and a first reading by the Township Board on June 24, 2020 and publication after such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on July 20, 2020, which date is more than seven days after publication of the ordinance as is required by Section 401(6) of Act 110 of 2006, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110 of 2006, as amended.