

ARTICLE IV-LT. INDUSTRIAL
LIGHT INDUSTRIAL DISTRICT USE REGULATION

SECTION 404: I - INDUSTRIAL DISTRICT

(Ordinance #38 adopted 9/14/92)

SECTION 404.01: General Purpose or Intent:

Recognizing that within an agricultural community there exists a need to provide a location for business and/or manufacturing activities, and further, recognizing there is an extensive range of light industrial activities and, also, that the scope of how these activities interact with surrounding land uses of a different classification is extensive, this ordinance established a Light Industrial district in which certain activities are permitted by right and certain activities, which by their very nature may impact surrounding land uses of a different classification more adversely, may be permitted only by special approval of the Planning Commission.

It is the intent of this ordinance to control and minimize the nuisance effects of warehousing, wholesale activities, and industry, such as smoke, noise, odor, dust, dirt, glare, vibration and other adverse effects so that such uses will be compatible with other land uses, namely, residential, commercial and agricultural.

Activities which are permitted by right shall be wholly contained within a building or buildings. Outside storage of materials and equipment is not permitted unless it is equipment on display for sales purposes.

Further, it is the intent of this ordinance to encourage light industrial uses to locate on major highways so that traffic generated by these uses will not utilize local residential streets.

Before any building or structure or part thereof shall be erected, altered or used in the Light Industrial district a completed application for new land use or change and site plan shall be submitted to the Zoning Administrator. The site plan shall contain the information required in Section 404.04., par. 2, a. through i.

Section 404.02: Permitted Uses:

No building or structure or part thereof shall be erected, altered, or used and no land shall be used except for one or more of the following:

1. Warehousing and wholesale establishments.
2. General service and repair establishments, including but not limited to dyeing, cleaning, dry cleaning and laundry works, upholstery, and appliance repair.
3. Skilled trade services including plumbing, electric, heating/ventilation/air conditioning and printing.

ARTICLE IV-LT. INDUSTRIAL

4. Research, development, and testing laboratories and offices.
5. The manufacturing, compounding, processing or treatment of such products as bakery goods, candy, cosmetics, dairy products, food products, drugs, perfumes, pharmaceutical toiletries, and frozen food products.
6. The assembling of merchandise such as electrical appliances, electronic or precision instruments, and articles of a similar nature.
7. The packaging of previously prepared materials, but not including the bailing of discards, old iron or other metal, wood, lumber, glass, paper, rags, cloth or other similar materials.
8. Industrial office building.
9. Assembly and manufacture of household appliances, electronic products, machinery, hardware, and similar products, from prefabricated parts, or the processing or assembly of parts for production of finished equipment.
10. Accessory buildings and uses customarily incidental to any of the above permitted uses.
11. Uses which, in the opinion of the Planning Commission, are similar to the above permitted principal uses and fall within the intent of this district.

Section 404.03: Principal Uses Permitted Subject to Special Conditions and Approval:

The following Special Condition uses shall be permitted subject to review and approval by the Planning commission, and further subject to any and all reasonable conditions which may be imposed in accordance with Section 16 (b) of the Township Rural Zoning Act, as amended, Section 16.00, "Site Development Requirements", Section 18.00, "Review and Approval of Special Condition uses", and Section 17.00, "Site Plan Review" of this Zoning Ordinance. The Planning Commission may require the posting of a bond to insure compliance with the provisions of the permit; the amount of the bond to be determined by the Township Board.

1. Vehicle repair garages, but not including junk yards.
2. Trucking terminals.
3. Farm machinery and equipment sales and repair.
4. Contractor's storage yard and business, not including junk yards.
5. Retail uses which have an industrial character in terms of either outdoor storage requirements or activities such as lumber yards, building materials outlets, house trailer, automobile or agricultural implement sales, and similar uses.

ARTICLE IV-LT. INDUSTRIAL

6. Slaughter houses and similar live animal processing.
7. The manufacture, compounding, assembling, or improvement of articles or merchandise from the following previously prepared materials: canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, metals such as steel and iron, stone, soil, shell, textiles, tobacco, wax, wire, wood, or yarns.
8. Uses which in the opinion of the Planning Commission are similar to the above special approval uses and fall within the intent of this district.

Section 404.04: Application Procedure for Special Approval Use:

Application for special approval uses authorized in this Ordinance shall be submitted to the Planning Commission through the Zoning Administrator. (See Section 404.09. for Administrative Procedure)

The application shall contain the following:

1. Completed form for new land use or change.
2. Site plan in six (6) identical copies which will include the following:
 - a. A scale of not less than 1"=20' if the subject property is less than three (3) acres and 1"=100' if three (3) acres or more.
 - b. The boundary lines of the area, including angles, dimensions and reference to a section corner, quarter corner or point on a recorded plat, an arrow indicating north and the lot area of the land included in the site plan.
 - c. Existing and proposed grades and indication of method of handling surface drainage.
 - d. The shape, size, location, height and floor area of all structures, the floor area and ground coverage ratios, the finished ground and basement floor grades, and building setback measurements.
 - e. Natural features such as woodlot, streams and lakes and ponds, and man-made features such as existing roads and structures, with indication as to which are to be retained, removed or altered. Adjacent properties and their uses shall be identified.
 - f. Proposed streets, driveways, parking spaces and sidewalks, with indication of direction of travel for one-way streets and drives and inside radii of all curves. The width of streets, driveways and sidewalks and the total number of parking spaces shall be shown.
 - g. The size and location of all existing and proposed public and private utilities and private utilities and required landscaping.

ARTICLE IV-LT. INDUSTRIAL

- h. A vicinity sketch showing the location of the site in relation to the surrounding street system and the classification of land bordering the site in question.
 - i. A legal description of the land, the name, address and telephone number of the owner, developer and designer.
 3. A comprehensive description of the nature of the activity to be engaged in on the proposed site which should include the following:
 - a. The decibel level of sound that will be produced at the property line of the proposed site.
 - b. The vibration level at the property line of proposed site measured in amount of displacement in 0.000 of one (1") inch.
 - c. The nature and chemical makeup of any airborne emissions that will be produced by the proposed use or activity.
 - d. The daily amount of water to be used on a gallon bases, and the source of this water.
 - e. The type of waste treatment system to be used for human waste and for industrial waste.
 - f. The availability of adequate utility capacity.
 - g. Any other information necessary to establish compliance with this and other ordinances.

Section 404.05: Requirements: Special Approval Use:

1. Outside storage of material and equipment is permitted provided such storage areas are screened by opaque barriers equivalent in height to the height of the stored material and equipment except equipment on display for sales purposes. (See Section 404.07.)
2. A greenbelt is required between approved buildings and/or activities and land zoned non-industrial unless the later is zoned as Ag. and has no roads or dwellings within five hundred (500) feet of the permitted building or activity. The type of green belt required, that is, whether it contains an earthen berm or not will be determined by the Planning Commission at the time of permit approval The Planning Commission may waive the requirement of a greenbelt if conditions warrant and the intent of this ordinance is achieved by other means. (See Section 404.08.)
3. A greenbelt is required between approved buildings and/or activities and public road frontage. The type of greenbelt to be determined by the Planning Commission at the time of permit approval. The Planning Commission may waive the requirement of a greenbelt if conditions warrant and the intent of this ordinance is achieved by other means. (See Section 404.08.)

ARTICLE IV-LT. INDUSTRIAL

Section 404.06: Performance Standards:

1. **PURPOSE:** No use, otherwise allowed, shall be permitted within this district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as minimum requirements to be maintained within said area.
2. **SMOKE:** It shall be unlawful for any person, firm or corporation to permit the emission of any smoke from any source whatsoever to a density greater than permitted by Federal Clean Air standards and those standards promulgated by the Michigan Department of Natural Resources according to Act 348 as amended.
3. **DUST, DIRT, AND FLY ASH:** No person, firm, or corporation shall operate or cause to be operated, maintained, or cause to be maintained, by any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, without maintaining and operating, while using said process or furnace or combustion device, recognized and approved equipment, means, method, device or contrivance to reduce the quantity of gasborne or airborne solids or fumes emitted into the open air, which is operated in conjunction with said process, furnace, or combustion device so that the quantity of gasborne or airborne solids shall not exceed Federal Clean Air Standards and those standards promulgated by the Michigan Department of Natural Resources.
4. **GLARE AND RADIOACTIVE MATERIALS:** Glare from any process (such as or similar to arc welding or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard along lot lines. Radioactive materials and wastes, including electromagnetic radiation such as x-ray machine operation, shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.

Glare from automobile headlights or commercial or industrial vehicle headlights shall not be directed into any adjacent property so as to become a nuisance.

In non-residential areas, exterior lighting shall be installed so that the source of light shall not be visible from any residential dwelling and shall be so arranged as far as practical to reflect light away from the residential use. In no case shall more than one candle-power of light cross a lot line five (5) feet above the ground into a residential district.

5. **FIRE AND EXPLOSIVE HAZARDS:** The storage and handling of flammable liquids, liquefied petroleum gases and explosives shall comply with the State Rules and Regulation as established by Public Act no. 207 of 1941, as amended.
6. **NOISE:** The emission of measurable noises from the premises shall not exceed sixty-five (65) decibels as measured at the boundary or property lines, except that where normal street traffic noises exceed sixty-five (65) decibels during such periods, the

ARTICLE IV-LT. INDUSTRIAL

measurable noise emanating from the premises may equal, but shall not exceed, such traffic noises. Within the Industrial District, sound levels not exceeding seventy-five (75) decibels may be permitted.

In addition, objectionable sounds of an intermittent nature, or sound characterized by high frequencies, even if they fall below the aforementioned decibel readings, shall be so controlled so as not to become a nuisance to adjacent uses. This shall particularly apply to loading and unloading areas adjacent to residential and agricultural districts.

7. **ODORS:** The emission of noxious odors, odorous matter in such quantities as to be readily detectable at any point along lot lines, when diluted in the ration of one volume of odorous air to four or more volumes of clean air or as to produce a public nuisance or hazard beyond lot lines, is prohibited.
8. **WASTE AND RUBBISH DUMPING:** No garbage, sewage, filth, refuse, waste, trash, debris, or rubbish, including cans, bottles, waste paper, cartons, boxes and crates, or other offensive or obnoxious matter shall be kept in open containers, or piled, placed, stored or dumped on any land within the district in such a manner as to constitute a nuisance or create a hazard to health, safety, morals, and general welfare of the citizens of the Township.

Section 404.07: Opaque Barrier:

1. An opaque barrier may be constructed of any of the following materials:
 - a. Chain link fence laced with opaque strips.
 - b. Wooden fence.
 - c. Natural barrier such as dense tree line or dense shrubbery.
 - d. Masonry materials.
2. Height: The height of the opaque barrier shall be no less than six (6) feet. When the height of a man made barrier exceeds eight (8) feet a set back from the lot line equal to that required for a structure will be maintained.

Section 404.08: Greenbelt:

1. A greenbelt is a strip of land not less that twenty-six (26) feet in width which serves as a buffer between the industrial use and the non-industrial use. The greenbelt shall be planted within six (6) months from the date of issue of certificate of occupancy for the industrial site. The greenbelt shall thereafter be maintained in a healthy, growing condition. Specific planting requirements are as follows.
 - a. Plant materials shall not be placed closer that four (4) feet to the property line.
 - b. A minimum of one (1) evergreen tree shall be planted at twenty (20) foot intervals (on average).

ARTICLE IV-LT. INDUSTRIAL

- c. A minimum of three (3) intermediate shrubs shall be placed between the spaced evergreen trees.
 - d. Planting should have a pleasing natural appearance by staggering the plants in one or more rows or by grouping materials.
 - e. Evergreens and similar plants shall be of a minimum height of four (4) feet and have an average spread of thirty (30) inches when planted.
 - f. Single stem, tree-like shrubs shall have a minimum caliper of two (2) inches when installed.
 - g. Deciduous shrubs shall have a minimum height of three (3) feet when planted.
 - h. Deciduous trees shall have a minimum caliper of three (3) inches when installed.
2. When a berm is required within the greenbelt the following specification will be followed:
- A 2.5 foot (minimum) to four (4) foot (maximum) high berm planted with grass or other non-invasive ground cover shall be installed within the greenbelt. The berm shall be finish graded to have a smooth appearance and shall have a slope of not greater than three (3) feet horizontal to one (1) foot vertical. The berm shall have one evergreen tree four (4) feet minimum height at time of planting) or one deciduous tree three (3) inch caliper minimum at time of planting) for every twenty (20) linear feet of berm. To enhance the appearance and insure proper drainage in the area, the berm shall be provided with openings at least every seventy-five (75) feet.
3. If the intent of this ordinance can be achieved by other means the Planning Commission may at its discretion waive the requirements set for in Section .07 and .08.

Section 404.09: Administrative Procedure:

When the Planning Commission receives an application for a special approval use, the following takes place:

1. One (1) notice indicating that a request for a special approval use has been received shall be published in a newspaper of general circulation within the Township. Notices shall also be sent by mail or personal delivery to the owners of property for which approval is being considered.
2. Notices indicating that a request for special approval use has been received will be sent by mail

ARTICLE IV-LT. INDUSTRIAL

or personal delivery to all persons to whom real property is assessed within 300 feet of the boundary of the property requesting special approval use. Notices will also be sent by mail or personal delivery to the occupants of structures located within 300 feet of the property in question. If the name of the occupant is not known, the term "Occupant" may be used in making notification. Notices to property owners and occupants shall be given not less than five (5) days nor more than fifteen (15) days before the special approval use application is considered by the Planning Commission.

3. The notice shall:
 - a. Describe the nature of the special approval use request;
 - b. Indicate the property which is the subject of the special approval use request;
 - c. State when and where the special approval use request will be considered;
 - d. Indicate when and where written comments will be received concerning the request;
 - e. Indicate the day, date, place and time of the public hearing of the Planning Commission on the property being considered for special approval use.
4. A public hearing with public notification shall be held by the Planning Commission.
5. **PLANNING COMMISSION ACTION:** The Planning Commission may deny, approve, or approve with conditions, requests for special approval use. The decisions on a special approval use shall be incorporated in a statement of conclusions relative to the special approval use under consideration. The decision shall specify the basis for the decision and any conditions imposed.
6. **BASIS OF DETERMINATION:** The Planning Commission shall review the proposed special approval use in terms of the standards stated within this Ordinance and shall establish that such use and the proposed location:
 - a. Will be harmonious and in accordance with the general objectives or any specific objectives of the Master Plan of Land Use.
 - b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
 - c. Will not be hazardous or disturbing to existing or future nearby uses.
 - d. Will be an improvement in relation to property in the immediate vicinity and to the community as a whole.

ARTICLE IV-LT. INDUSTRIAL

- e. Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately any such service or facility.
- f. Will not create excessive additional public costs and will not be detrimental to the economic welfare of the community.
- g. Will be consistent with the intent and purpose of this Ordinance.

Section 404.10: CONDITIONS AND SAFEGUARDS:

The Planning Commission may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for insuring that the purposes of this Ordinance and the general spirit and purpose of the District in which the special approval use is proposed will be observed.

Section 404.11: EFFECT OF APPROVAL:

Any approval given by the Commission, under which premises are not used or work is not started within six (6) months, or under which such use or work has been abandoned for a period of six (6) months, shall lapse and cease to be in effect.

SEVERABILITY: The provisions of this ordinance are hereby declared to be severable. If a clause, sentence, paragraph, rule, regulation, section, or sub-section is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof other than the part declared void or inoperable.

REPEAL: All Ordinances in conflict herewith are hereby revoked.