# ARTICLE 11.0 USE STANDARDS – INDUSTRIAL AND RESEARCH USES

# Section 11.01 Intent.

Each use listed in this Article, whether permitted by right or subject to approval of a special use permit, shall be subject to the site development standards specified, in addition to applicable standards and requirements for the zoning district in which the use is located. The standards of this Article are intended to:

- 1. Alleviate any adverse impacts of a use that is of an area, intensity or type unique or atypical for the district in which the use is allowed.
- 2. Mitigate the impact of a use that possesses characteristics unique or atypical for the district in which the use is allowed.
- 3. Ensure that such uses will be compatible with surrounding land uses.
- 4. Promote the orderly development of the district and the Township as a whole.

Unless otherwise specified in this Article, all uses shall be subject to the applicable dimensional and use standards for the zoning district in which the use is located. All uses shall comply with the performance standards for noise, odor, and other impacts specified in Article 22.0 (Performance Standards). Conformance with these standards shall be subject to site plan approval, where required per this Article or Article 17.0 (Site Plan Review).

# **Section 11.02 Intensive Industrial Operations.**

Intensive industrial operations, as defined in Section 2.03 (Definitions) and specified in Article 20.0 (Land Use Table), shall be subject to the following:

### A. General Standards.

Such uses shall comply with all standards of this Ordinance, the Township's utility and sewer ordinances, and all standards established by the U.S. Environmental Protection Agency, U.S. Department of Agriculture, Michigan Department of Environmental Quality, Michigan State Police, Bay County Environmental Health Division, and other agencies with jurisdiction.

### B. Impact Assessment.

The applicant shall submit an impact assessment with any plan submitted for review, which shall describe the expected impacts associated with the use and any mitigation measures to be employed. The assessment shall include the following minimum information and documentation:

- 1. Negative short-term and long-term impacts, including duration and frequency of such impacts, and measures proposed to mitigate such impacts:
  - a. Noise, light, and pollution of the land, water or air associated with the proposed use.

- b. Effect of the proposed use on public utilities.
- c. Displacement of people and other land uses by the proposed use.
- d. Alteration of the character of the area by the proposed use.
- e. Effect of the proposed use on the Township's tax base and adjacent property values.
- f. Impact of the proposed use on traffic.
- g. Impacts of the proposed use on emergency services and equipment, and the ability of the Fire Department to adequately protect the facility and respond in the event of fire, explosion or other emergency conditions.
- 2. Description of all planned or potential discharges of any type of wastewater to a storm sewer, drain, river, stream, wetland, other surface water body or into the groundwater.
- 3. Description of storage area for any salt, oil or other potentially hazardous materials including common name, name of chemical components, location, maximum quantity expected on hand at any time, type of storage containers or base material, and anticipated procedure for use and handling.
- 4. Description of any transportation, on-site treatment, cleaning of equipment, and storage or disposal of hazardous waste or related containers.
- 5. Description of all secondary containment measures, including design, construction materials and specifications, and security measures.
- 6. Description of the process for maintaining and recording of all shipping manifests.

All mitigation measures shall be subject to Planning Commission approval. The Planning Commission may impose conditions on the proposed use determines to be necessary to minimize any adverse impact of the facility on nearby properties, in addition to the conditions of approval specified in Article 18.0 (Special Land Uses).

## C. Development Standards.

To minimize impacts on neighboring land uses, road rights-of-way, and the Township as a whole, intensive industrial operations shall be subject to the following additional requirements:

- 1. Where such uses are located within 500 feet of any Residential Districts, a Planning Commission determination that the expected impacts associated with the use cannot be effectively mitigated at the proposed location shall constitute grounds for denial of a proposed intensive industrial operation.
- 2. Such uses shall be screened from all road rights-of-way and abutting uses in accordance with Section 60.09D (Methods of Screening).

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# Section 11.03 Junkyards.

Outdoor dismantling or recycling of motor or recreational vehicles, construction or farming machinery, manufactured houses or similar items shall conform to all applicable federal, state, county, and local laws and regulations, and the following:

#### General Standards. A.

The following general standards shall apply to such facilities:

- 1. The minimum lot area for such facilities shall be ten (10) acres.
- 2. Structures, fencing, and outdoor storage, dismantling, and recycling areas shall be set back a minimum of 50 feet from all front lot lines and road rights-of-way.
- 3. Parking facilities shall be provided for the anticipated peak load of customers, per the requirements of Article 14.0 (Off-Street Parking and Loading).
- Signs or other advertising materials shall not be placed on any fences or walls. 4.
- 5. Stored vehicles and materials shall be stored in organized rows with open intervals at least 20 feet wide between rows for purposes of fire protection access and visitor safety.
- 6. Burning shall be prohibited except within an enclosed incinerator, and only if the burning operation and incinerator are approved by the Fire Chief or other designated fire official, the Building Inspector, and the County Environmental Health Division.
- 7. Flammable liquids shall be drained immediately from automobiles and other vehicles brought to the facility. Such liquids shall be stored in containers approved by the Fire Chief or other designated fire official, and promptly disposed of in accordance with applicable outside agency regulations.
- 8. The site shall be maintained in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. The site shall be maintained free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis. The site shall be secured from unauthorized entry and removal of materials when attendants are not present.
- 9. Power driven processing, dismantling, and wrecking operations may be restricted or prohibited by the Planning Commission to minimize impacts of such operations on neighboring properties. Processing operations shall be limited to baling, crushing, compacting, grinding, shredding, and sorting of source-related recyclable materials.
- 10. Noise levels shall not exceed 65 dBA, as measured at the property line or road right-of-way. No dust, fumes, smoke, vibration, or odor above ambient levels shall be detectable on neighboring properties. To achieve this end, the Planning Commission may require odor-control devices or facilities.

#### В. **Enclosures and Screening.**

The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 16.10D (Methods of Screening) and the following:

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1. The facility shall be enclosed within a solid wall or fence at least six (6) feet and no more than ten (10) feet in height. Strips of metal, plastic or other materials inserted into wire fences shall be prohibited. Gates shall also be made of solid, opaque material.

- 2. Automobiles, trucks, and other vehicles or junk materials shall not be stored in piles or stacked higher than the top of the fence or wall surrounding the facility.
- 3. All exterior storage of recyclable or recoverable materials, other than large vehicle components, shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized. No storage containers or enclosures, excluding truck trailers, shall be visible above the height of the fence or wall.

### C. Access and Truck Routes.

Such facilities shall be located on a paved primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.

- 1. Such facilities shall not be located on property contiguous to or across a road right-of-way from the boundary of any Rural Districts or Residential Districts.
- 2. Travel routes within the Township for trucks entering and leaving the facility shall be shown on a map submitted with the site plan required by Article 17.0 (Site Plan Review).
- 3. Truck travel routes shall not pass through residential areas, unless such routes follow paved primary roads.
- 4. All roads, driveways, parking lots, and loading and unloading areas within any junkyard shall be paved, oiled, watered or chemically treated so as to limit for adjoining lots and public roads, the nuisance caused by windborne dust.
- 5. There shall not be more than one (1) entranceway from each public road that adjoins the facility.

## D. Proximity to Residential Districts and Uses.

The facility, when established and located within 1,000 feet of any Residential Districts or existing RESIDENTIAL USES, as measured on a straight line distance, shall be limited to business hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 7:00 a.m. and 12:00 noon on Saturdays. Such facilities shall not be open for business or otherwise operate on Sundays and legal holidays.

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# Section 11.04 Outdoor Storage, General.

Outdoor storage of equipment, products, machinery, lumber, landscaping and building supplies or similar items for future transfer to other premises shall be subject to the following:

- 1. Structures, fencing, and outdoor storage areas shall be set back a minimum of 50 feet from all front lot lines and road rights-of-way.
- 2. Signs or other advertising materials shall not be placed on any fences or walls.
- 3. The storage area shall be enclosed within a solid wall or fence at least six (6) feet and no more than ten (10) feet in height. Strips of metal, plastic or other materials inserted into wire fences shall be prohibited. Gates shall also be made of solid, opaque material.
- 4. The site shall be screened from all road rights-of-way and abutting uses in accordance with Section 16.10D (Methods of Screening). A landscape strip shall be provided along the road right-of-way, and the remaining required yard areas shall be landscaped and maintained in good condition.
- 5. The storage of soil, fertilizer and similar loosely packaged materials shall be contained to prevent dispersal by the wind.
- 6. Any outside storage area shall be paved or surfaced with a gravel or similar hard surface material, and shall include an approved stormwater management system.
- Outdoor storage of materials within any yard setback areas or above the height 7. of the required wall or fence shall be prohibited.
- 8. Storage or disposal of used oil or other petrochemicals, junk vehicles, garbage, or similar materials shall be prohibited.

# Section 11.05 Self-Storage Warehouses.

The following regulations shall apply to self-storage warehouses:

- 1. Such facilities shall be located on a paved primary road as classified by the master transportation plans of the Township, or county or state road authorities. Vehicle access to private, local or unpaved roads shall be prohibited.
- 2. All areas intended for vehicular travel shall be paved with asphalt or concrete, as approved by the Planning Commission.
- 3. Site development shall be compatible with the surrounding area and the following:
  - a. Storage unit exterior walls shall be of decorative masonry construction.
  - The self-storage warehouse buildings shall be visually screened from all b. road rights-of-way and abutting uses in accordance with Section 16.10D (Methods of Screening).
- 4. A caretaker's residence may be provided within the principal building as an accessory dwelling in accordance with Section 8.02 (Accessory Dwelling).

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5. Self-storage-warehouse establishments shall be limited to storage of household goods and non-hazardous commercial goods. Storage of recreational vehicles and recreational equipment may be permitted as an accessory use, subject to the following:

- a. Such storage shall be incidental and secondary to the main use of enclosed storage, as determined by the Planning Commission.
- b. Outdoor storage of such vehicles and equipment shall be located to the rear of the lot, and completely screened from road rights-of-way and abutting uses in accordance with Section 16.10D (Methods of Screening).
- c. All recreational vehicles and equipment shall be operable and licensed to operate on the highways of the State of Michigan.