

# MEMORANDUM



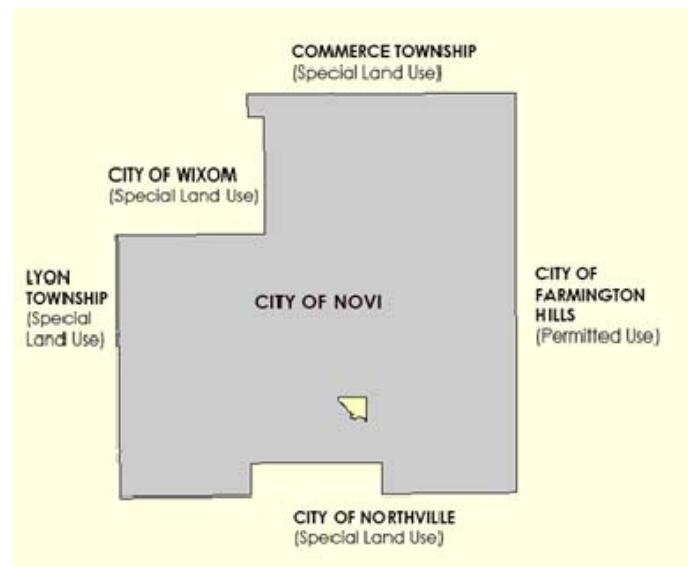
**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** SRI RAVALI KOMARAGIRI, PLANNER *SK*  
**THROUGH:** BARBARA MCBETH, *A/CP*, COMMUNITY DEVELOPMENT  
DEPUTY DIRECTOR  
**SUBJECT:** REVIEW OF PROPOSED TEXT AMENDMENT 18.275  
**DATE:** APRIL 29, 2015

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## Background

The applicant, Irwin J. Arkin, LLC/Martin Technologies was issued a Temporary Special Land Use Permit (PTSLU 14-0008) in accordance with Section 3004.2 of the Novi Zoning Ordinance for outside storage of new unlicensed, operable vehicles located at 43100 Nine Mile Road until November 14, 2015. The applicant is now requesting to change the Temporary Special Land Use Permit to a permanent Special Land Use Permit. The applicant's request included the conditions for permanent special land use specific to Martin Technologies' current use requirements (See attached).

Planning staff reviewed a number of ordinances from surrounding communities to determine common standards and concerns and found that the outside storage for the requested zoning district is permitted primarily as Special Land Use with additional conditions. The original staff version (see attached) was recommended instead of the approach Mr. Arkin had taken, to provide for broader application throughout Novi, and to allow for outside storage incidental to the current industrial use inside of the building at the time of Special Land Use permit approval.



The applicant indicated that they like to proceed to the Planning Commission with Staff's recommended version.

### **Revised Staff Draft Version**

The Planning Commission was asked to review the original draft ordinance and provide any comments at the April 8<sup>th</sup> meeting. The meeting minutes are attached.

Planning staff and the City Attorney's office have made changes to the original draft presented to the Planning Commission on April 8th, 2015. Staff has attached a revised amendment and suggested conditions. The current draft addresses the concerns of the Planning Commission members with regards to opacity of the screening and means to prevent outside storage to turn into a junkyard. The proposed ordinance changes considers many factors to help the City of Novi ensure that outside storage in light industrial districts is limited to certain type of material or equipment and is properly screened and maintained. The draft amendment also requires that outside storage does not conflict with the minimum site development standards required for I-1 District. The draft amendment also reserves the opportunity for the Planning Commissioners to review the specifics during the review of the Special Land Use approval.

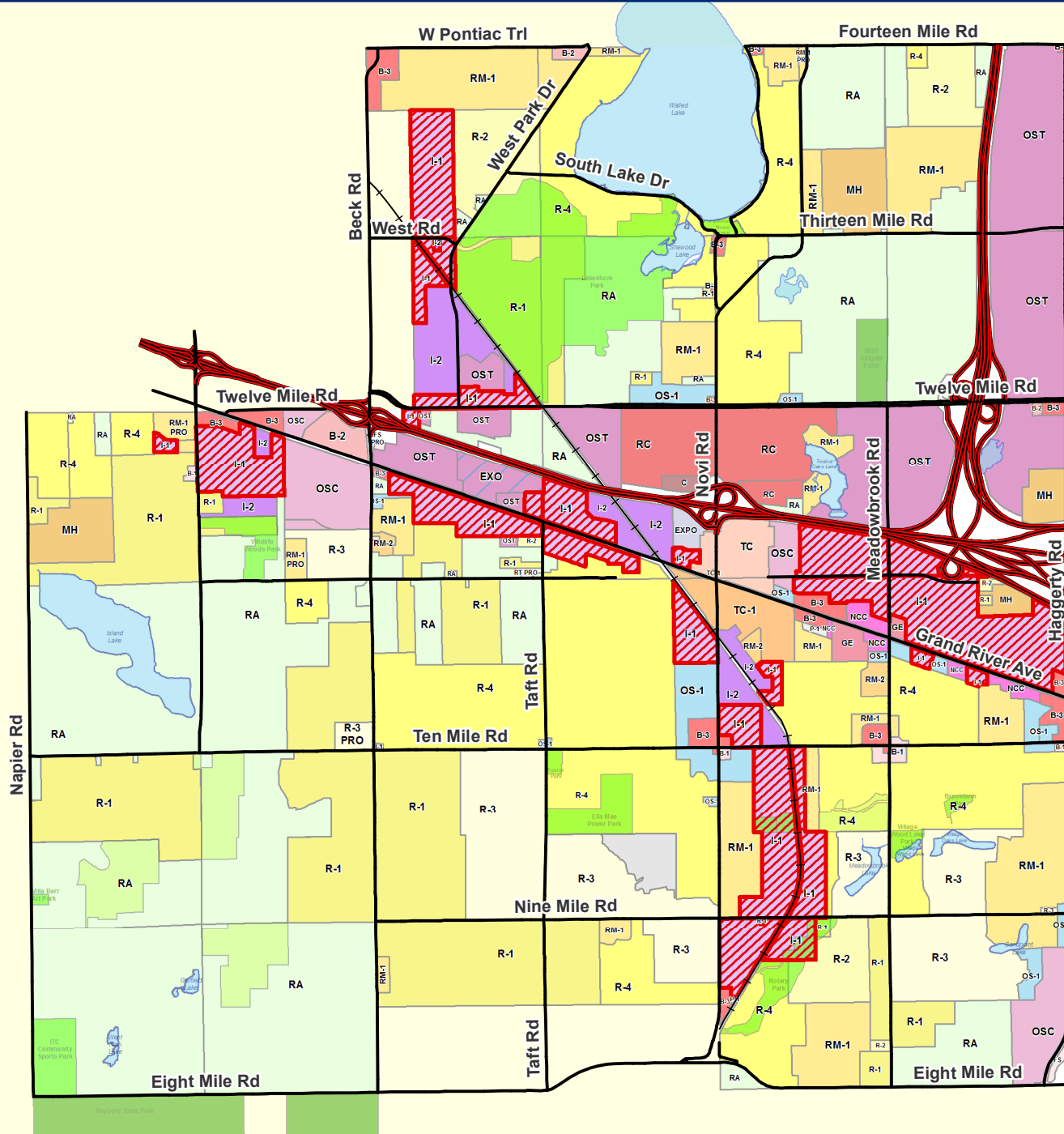
The applicant is asked to review this memo along with the attached language and contact the Planning Division to indicate whether they would like to make any additional revisions or would like to proceed with Staff's recommendations.

The Planning Commission has set a public hearing for the May 13 meeting in order to hear public comment on the proposed text amendment and make a recommendation to the City Council. Following the public hearing, the Planning Commission is asked to review the ordinance language and formulate a motion to the City Council for approval or denial of the ordinance amendment, or approval with additional modifications. The attached staff version of the proposed amendment is subject to review and changes by City staff and/or the City Attorney's Office. Please contact Sri Komaragiri (248) 347-5607 or [skomaragiri@cityofnovi.org](mailto:skomaragiri@cityofnovi.org) with any questions or concerns


MAP  
Light Industrial Districts, City of Novi

# Text Amendment 18.275: Outside Storage in Light Industrial Districts (I-1)

Light Industrial Districts, City of Novi



## Map Legend

 I-1: Light Industrial District

Feet

0 1,200 2,400 4,800 7,200

1 inch = 4,804 feet



## City of Novi

Dept. of Community Development  
City Hall / Civic Center  
45175 W Ten Mile Rd  
Novi, MI 48375  
cityofnovi.org

Map Author: Sri Komaragiri  
Project: Text Amendment 18.275  
Version #: 1

Amended By:  
Date:  
Department:

### MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**REVISED VERSION OF THE TEXT AMENDMENT**

As Revised for May13, 2015 Planning Commission Public Hearing

**STATE OF MICHIGAN**

**COUNTY OF OAKLAND**

**CITY OF NOVI**

**ORDINANCE NO. 14- 18 – 275**

**AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE TO ALLOW FOR ACCESSORY OUTSIDE STORAGE AS A SPECIAL LAND USE IN THE LIGHT INDUSTRIAL DISTRICT.**

**THE CITY OF NOVI ORDAINS:**

**Part I.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, hereby amended to read as follows:

**ARTICLE 3.14 I-1 DISTRICT REQUIRED CONDITIONS**

All uses within the I-1 district shall be subject to the Site Plan Review Requirements as set forth in Section 6.1 and must comply with the following required conditions:

1. Uses which may take place within or outside of a completely enclosed building:
  - A. Except as provided in subpart (B), below, all uses shall be conducted wholly within a completely enclosed building.
  - B. The following uses may be conducted outside of a completely enclosed building:
    - i. [Unchanged]
    - ii. [Unchanged]
    - iii. [Unchanged]
    - iv. Nonresidential open storage as defined in Section 2.2, may be permitted as a Special Land Use by a Planning Commission approval or conditional approval as provided in Sections 6.1.2.C, 6.1.2.D, and 6.2, when conducted in conjunction with and accessory to an otherwise permitted use in the I-1 District provided that:
      - a. The open storage is of new materials used for operations taking place inside a building on the same lot, or of new finished product prior to shipment.
      - b. The open storage shall be short-term, meaning that no individual product or material shall be stored outside for more than one year.
      - c. In no case shall open storage areas to be used to store waste, used or secondhand materials, or obsolete machinery or materials no longer used or intended to be used in the industrial operation.
      - d. The Special Land Use approval shall expire when a change in use occurs.
      - e. Open storage areas shall be shown on a site plan, which shall be subject to Special Land Use review and approval. The site plan shall meet the standards of the Site Plan and Development Manual and clearly depict all of the required conditions of this section, including the boundaries of the proposed storage areas.
      - f. All storage shall be limited to the open storage areas on the approved site plan, which shall be located in the rear yard or an interior side yard, and shall be subject to the setback, lot coverage, and landscaping requirements in Sections 3.6.2.B, 3.6.2.D, 3.6.2.F, 3.6.2.M, and 3.6.2.P, subject to the Planning Commission's setback modification authority in Section 3.6.2.Q.

## STAFF VERSION

- g. All storage shall be ~~completely~~ screened from all adjacent properties by appropriate structures, fencing conforming to the applicable requirements in Section 5.11.2, or walls or landscaping conforming to the applicable requirements of Section 5.5, of suitable type and at least six (6) feet in height, ~~and conforming to the applicable requirements in Section 5.5.~~ For landscaping to satisfy this requirement, it shall be of suitable type with necessary quantities and spacing to provide eighty (80) percent winter opacity and ninety (90) percent summer opacity as approved by the City's Landscape Architect, with existing vegetation to be augmented as necessary to achieve those standards. ~~Openly stored materials shall not extend above the height of the screening material.~~
- h. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation.
- ~~h.i.~~ Openly stored materials shall not extend above the height of the screening, and shall be protected from damage due to weather precipitation as necessary.
- ~~h.j.~~ The storage areas shall not conflict with the minimum site development standards required for the I-1 District or by any previously approved site plan, including, but not limited to, parking, loading and landscaping.
- ~~j.k.~~ Adequate fire protection and access for Fire vehicles shall be provided at all times.
- ~~k.l.~~ Storage areas shall be paved and properly drained per the City's Code of Ordinances.
- ~~l.m.~~ The Planning Commission may modify the minimum standards of this subsection as listed above, if it finds that the proposed use will be compatible with, and will not have a material negative impact upon, existing and planned uses located on adjacent and surrounding properties, taking into consideration the size and configuration of the site and any other relevant aspects of the site.
- ~~m.n.~~ The open storage will not include any material or equipment that must be stored in an enclosed building as provided in, Section 4.54, Storage Facilities for Building Materials, Sand, Gravel, Stone, Lumber, Storage of Contractor's Equipment and Supplies, or that would constitute a Junkyard as defined in Section 2.2 and prohibited in the I-1 District by Section 4.58.

## Part II

**Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

## PART III.

**Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

## PART IV.

**Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**STAFF VERSION**

**PART V.**

**Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:



**ORIGINAL STAFF VERSION OF THE TEXT AMENDMENT**

As presented at April 22, 2015 Planning Commission Meeting

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 14- 18 – 275

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1. Uses which may take place within or outside of a completely enclosed building:
  - A. Except as provided in subpart (B), below, all uses shall be conducted wholly within a completely enclosed building.
  - B. The following uses may be conducted outside of a completely enclosed building:
    - i. [Unchanged]
    - ii. [Unchanged]
    - iii. [Unchanged]
    - iv. Nonresidential open storage as defined in Section 2.2, may be permitted as a Special Land Use by a Planning Commission approval or conditional approval as provided in Sections 6.1.2.C, 6.1.2.D, and 6.2, when conducted in conjunction with and accessory to an otherwise permitted use in the I-1 District provided that:
      - a. The open storage is of materials used for operations taking place inside a building on the same lot, or of finished product prior to shipment.
      - b. The open storage shall be short-term, meaning that no individual product or material shall be stored outside for more than one year.
      - c. In no case shall open storage areas to be used to store obsolete machinery or materials no longer used or intended to be used in the industrial operation.
      - d. The Special Land Use approval shall expire when a change in use occurs.
      - e. Open storage areas shall be shown on a site plan, which shall be subject to Special Land Use review and approval. The site plan shall meet the standards of the Site Plan and Development Manual and clearly depict all of the required conditions of this section, including the boundaries of the proposed storage areas.
      - f. All storage shall be limited to the open storage areas on the approved site plan, which shall be located in the rear yard or an interior side yard, and shall be subject to the setback, lot coverage, and landscaping requirements in Sections 3.6.2.B, 3.6.2.D, 3.6.2.F, 3.6.2.M, and 3.6.2.PD, subject to the Planning Commission's setback modification authority in Section 3.6.2.Q.

## STAFF VERSION

- g. All storage shall be completely screened from all adjacent properties by appropriate structures, fencing, walls or landscaping of suitable type and at least six (6) feet in height and conforming to the applicable requirements in Section 5.5. Openly stored materials shall not extend above the height of the screening material.
- h. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation.
- i. The storage areas shall not conflict with the minimum site development standards required for the I-1 District or by any previously approved site plan, including, but not limited to, parking, loading and landscaping.
- j. Adequate fire protection and access for Fire vehicles shall be provided at all times.
- k. Storage areas shall be paved and properly drained per the City's Code of Ordinances.
- l. The Planning Commission may modify the minimum standards of this subsection as listed above, if it finds that the proposed use will be compatible with, and will not have a material negative impact upon, existing and planned uses located on adjacent and surrounding properties, taking into consideration the size and configuration of the site and any other relevant aspects of the site.
- m. The open storage will not include any material or equipment that must be stored in an enclosed building as provided in, Section 4.54, Storage Facilities for Building Materials, Sand, Gravel, Stone, Lumber, Storage of Contractor's Equipment and Supplies.

### **Part II**

**Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

### **PART III.**

**Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

### **PART IV.**

**Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

### **PART V.**

**Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is

**STAFF VERSION**

available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

APPLICANTS ORIGINAL REQUEST

# IRWIN J. ARKIN

FEBRUARY 4, 2015

## REQUEST FOR TEXT AMENDMENT

Irwin J. Arkin of 43100 Nine Mile Road, Novi, Michigan 48375, Applicant, is requesting a Text Amendment allowing the change from the Temporary Special Land Use Permit PTSLU14-0008 dated 10/17/14 to a Permanent Special Land Use Permit for Martin Technologies in accordance with 3004.2 of the Novi Zoning Ordinance for outside storage at 43100 Nine Mile Road, Novi, Michigan 48375, Parcel 50-22-26-300-010 allowing as a permitted use consisting of:

- Martin Technologies to perform various engineering and assembly services on both pre-production and production vehicles.
- General services to include assembly of show cars, installation or replacement of prototype parts on customer-owned vehicles with components that meet current production parts.
- Outside Storage of up to 200 vehicles new or used, operable or inoperable, licensed or unlicensed.
- Vehicle volumes and types will be variable.
- Martin Technologies will utilize the fully fenced parking lot to temporarily store vehicles prior to processing.
- No test vehicles will be parked south of the gates or fenced area in the front of the building.
- Each vehicle will be picked up and delivered to and from the site with vehicle transporters or under their own power during normal business operating hours, 6:00 a.m. – 5:00 p.m.
- All work on vehicles shall be performed inside the building. No work on vehicles to be performed in the parking lot.
- Adequate Fire Department access for Fire Department vehicles shall be provided.

CP:TX021015CITYOFNOVITXAMEND

43100 NINE MILE ROAD | NOVI, MICHIGAN | (248) 349-8675 | (248) 349-5970 FAX

EXCERPT  
Farmington Hills Zoning Ordinance

## A. INTENT

The LI-1 light industrial districts are designed to primarily accommodate wholesale activities, warehouses and industrial operations whose external physical effects, in the form of nuisance factors, are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The LI-1 district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly or treatment of finished or semifinished products from previously prepared material. It is further intended that the processing or raw material for shipment in bulk form, to be used in an industrial operation at another location, not be permitted.

**i** User Note: For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

The following uses are permitted subject to the required conditions in [Sections 34-3.14](#).

- i. The following uses are permitted subject to [Section 34-4.46.1](#)
  - a. Manufacturing <sup>□</sup>
  - b. Laboratories—experimental, film or testing, except biological laboratories engaging in genetic research
  - c. Warehouse, storage and transfer and electric and gas service buildings and yards, excluding gas treatment and gas pumping stations; water supply and sewage disposal plants; water and gas tanks and holders
  - d. **Automobile repair** <sup>□</sup> § 34-4.31
- ii. Farms <sup>□</sup>
- iii. Freestanding non-accessory signs
- iv. Trade or industrial schools
- v. Commercial kennels
- vi. Other uses similar to and of no more objectionable character than the above uses
- vii. Accessory buildings and uses <sup>□</sup> customarily incident to any of the above uses
- viii. **Storage facilities for building materials, sand, gravel, stone, lumber, open storage for construction contractor's equipment, and supplies** § 34-4.47
- ix. **Cellular tower** <sup>□</sup> and **cellular antennae** <sup>□</sup> § 34-4.24
- x. The following uses shall be permitted subject to [Section 34-4.46.2](#) and [Section 34-4.46.3](#)
  - a. Office buildings for any of the following occupations: Executive, administrative, professional, accounting, writing, clerical, stenographic, drafting or sales
  - b. Banks, credit unions, savings and loan associations
  - c. Medical offices or clinics <sup>□</sup>
  - d. Bowling alleys
  - e. Personal service establishments, which perform services on the premises
  - f. Laundry, dry-cleaning establishments or pickup-stations
  - g. Restaurants <sup>□</sup>, including fast food or carryout restaurants, **drive-in restaurants** <sup>□</sup> § 34-4.35
  - h. **Gasoline service stations** <sup>□</sup> § 34-4.28

## B. PRINCIPAL PERMITTED USES (cont.)

- i. Any service establishment or an office, showroom or workshop of an electrician, decorator, dressmaker, tailor, baker, printer or upholsterer; or an establishment doing radio or home appliance repair, photographic reproduction and similar service establishments that may include a retail adjunct
- j. Retail sales of plant materials not grown on-site and sales of lawn furniture, playground equipment and other home garden supplies
- k. Recreation space providing children's amusement park, shuffleboard, miniature golf and other similar outdoor recreation
- l. Lawnmower sales or service
- m. Data processing, computer centers
- n. **Outdoor sales space for sale or rental of new or used motor vehicles, trailers, mobile homes, boats, recreational vehicles and other similar products** § 34-4.36

## C. SPECIAL APPROVAL USES

The following uses are permitted subject to the required conditions in [Sections 34-3.14](#).

- i. **Automobile or other machinery assembly plants** § 34-4.48
- ii. **Painting, varnishing and undercoating shops** § 34-4.49
- iii. **Lumber and planing mills and lumber cutting and other finishing processes** § 34-4.53
- iv. **Junkyards** <sup>□</sup>
- v. **Other industrial uses of a similar and no more objectionable character** § 34-4.51
- vi. **Indoor tennis or racquet court facilities, indoor ice or roller skating arenas and other similar uses** § 34-4.52
- vii. **Metal plating, buffing, polishing, and the manufacturing, compounding, processing, packaging or treatment of solvents, surface coatings, degreasing/metal cleaning materials, pesticides (including storage), pharmaceuticals or chemicals** § 34-4.50

## D. ACCESSORY USES

- i. **Electric vehicle** <sup>□</sup> **Infrastructure** § 34-4.55





### 34-3.14 LI-1 DISTRICT REQUIRED CONDITIONS

1. Any use established in the LI-1 districts shall be operated so as to comply with the performance standards set forth in Chapter 17, Article VII.
2. Outdoor storage of materials shall be permitted in the rear yard only, and no articles shall be stacked or piled so as to exceed the height of the wall or berm. The outdoor storage areas shall be screened from the view of any adjoining public street, thoroughfare or freeway and shall be constructed in accordance with the applicable requirements of Section 34-5.15.
3. All uses permitted in Section 34-3.1.29 shall require review and approval of the site plan by the planning commission.
4. Unless otherwise provided, special approval uses shall not occupy a zoning lot which is located within three hundred (300) feet of a residential district.

### 34-3.15 SUBDIVISION OPEN SPACE PLAN

1. The purpose of a subdivision open space plan is to promote the preservation of open space while allowing a reduction in lot sizes in instances where the reduction would be compatible with lot sizes existing in the surrounding area. In reviewing a subdivision open space plan, the council shall consider the following objectives:
  - A. To encourage appropriate relationships in orientation and size of yards and open spaces with other developed parcels in the area.
  - B. To provide a more desirable living environment by preserving the natural character of wetlands, stands of trees, brooks, hills, and similar natural assets;
  - C. To encourage developers to use a more creative approach in the development of residential areas;
  - D. To encourage the provision of open space within reasonable distance of all lot development of the subdivision and to further encourage the development of recreational facilities or preservation of natural environmental assets;
  - E. To encourage a more efficient, aesthetic, and desirable use of open area while recognizing a reduction in development costs and by allowing the developer to bypass natural obstacles on the site.

2. Modifications of the standards as outlined in Section 34-3.1 may be made in the RA-1B, RA-2B, RA-1 and RA-2 districts when the following conditions are met:
  - A. Lot dimensions may be reduced in accordance with the following schedule, provided that the number of residential lots shall be no greater than if the land area to be subdivided was developed in the minimum square foot lot areas as required for each one-family district under these Section 34-3.1, Development Standards. All calculations of density for residential development shall be predicated upon the one-family districts having the following gross densities (including roads):

34-3.15.2.A Density of Residential Development	
Districts	Dwelling Units Per Acre
RA-1B, RA-2B	1.3
RA-1	1.7
RA-2	2.0

- B. Lot widths shall not be less than the following:

34-3.15.2.B Minimum Lot Width	
Districts	Lot width (in feet)
RA-1B, RA-2B	110
RA-1	90
RA-2	85

- C. Lot depths shall not be less than the following:

34-3.15.2.C Minimum Lot Depth	
Districts	Lot depth (in feet)
RA-1B, RA-2B	140
RA-1 and RA-2	120

- D. Minimum front and side yard setbacks may be reduced as follows:
  - i. RA-1B districts, 45-foot front yard, side yard shall remain at fifteen (15) feet.
  - ii. RA-2B, RA-1 and RA-2 districts, setbacks of the RA-2 district as indicated in Section 34-3.1 shall apply.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



EXCERPT  
Northville Zoning Ordinance

**ARTICLE 13****PERFORMANCE REGULATED INDUSTRIAL DISTRICT NO. 1 (PR-1)****SECTION 13.01 STATEMENT OF PURPOSE**

The Performance Regulated Industrial District No. 1 (PR-1) describes a light industrial and manufacturing zoning district in which manufacturing and related operations have few if any adverse impacts on adjoining properties.

**SECTION 13.02 USES PERMITTED BY RIGHT**

The following provisions shall apply to the Performance Regulated Industrial Districts. In all PR-1 Districts no person shall use any building structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Any manufacturing use involving assembly, treatment, compounding, processing and/or manufacturing pursuant to Section 18.13, "Performance Standards".
- b. Warehousing and wholesale distribution facilities which may combine therewith retail related activities that do not exceed twenty-five (25) percent of gross volume sales.
- c. Wholesale and retail building supplies such as lumber and lawn and garden materials.
- d. Recreational vehicle storage, truck/trailer rental.
- e. Research laboratories and experimental product development.
- f. Printing and lithographic services.
- g. Accessory uses to a principal use which may include such uses as offices, restaurants, gymnasiums and similar uses.
- h. Tool, die, gauge and machine shops.
- i. The repair of vehicles and earth moving, construction industry and farm equipment when said repairs are conducted entirely within an enclosed building.
- j. Kennel: Any lot on which dogs or cats are kept, boarded, raised, bred or trained for a fee, or financial gain, whether in special buildings or runways or not, subject to the following standards and regulations:
  - 1) Minimum lot size shall not be less than one (1) acre.

- 2) No animal shelter or runs shall be located within one hundred and fifty (150) feet of any lot line adjoining a residential district.
- k. Office buildings for any of the following: executive, administrative, professional, accounting, writing, clerical, drafting, sales, medical, financial and other similar uses.
  - 1. Rental warehouses including mini- or self-storage warehouses.
- m. Auto body repair, automatic car wash, self-service car wash.
- n. Accessory buildings, structures and uses.

**SECTION 13.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL**

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject to the following provisions. *(Rev. 8/06)*

- a. **Outdoor storage yards associated with Permitted Uses.**
- b. Solid waste processing, recycling and composting.
- c. Commercial television and radio towers, public utility microwave-radio towers, transmitting towers, in accordance with Section 16.13.
- d. The Siting of Heliports and Helistops. *(Rev. 3/04)*
- e. Wireless Communication Facilities, in accordance with Section 18.23. *(Rev. 10/12)*

**SECTION 13.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS**

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, "Schedule of Regulations".

	Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Side yards				Maximum Floor Area	Minimum Landscaped Area	Maximum Lot Area Coverage
		In Stories	In Feet	Least Total						
				Front	Each	Side	Rear			
Office Uses	N/A	3	30	20	10	20	25	Ratio 0.50	Percent of Lot Area 10	Percentage of Lot Ratio 50

EXCERPT  
Lyon Township Zoning Ordinance

## ARTICLE 33.00 - I-1 AND I-2 INDUSTRIAL DISTRICTS

### Section 33.01. - Statement of purpose.

- (a) The intent of the I-1 and I-2 industrial districts is to permit the use of land, buildings, and structures for the manufacturing, processing, fabricating, compounding, treatment, packaging and/or assembly of materials or goods, warehousing or bulk storage of goods, and related accessory uses. Related accessory uses may include, by way of example, research, design, and prototype development related to the industrial operations; the storage of goods in connection with or resulting from industrial operations; the provision of amenities for persons engaged in such operations; the sale of goods resulting from such operations; and, any work of administration or accounting in connection with the industrial operations.
- (b) The I-1 and I-2 industrial districts are also intended to accommodate certain quasi-industrial uses which have characteristics typically associated with industrial operations even though such uses are not engaged in manufacturing, processing, or other industrial operations. Such uses may include, by way of example, lumber yards or contractor yards.
- (c) The regulations in this article 33.00 are further intended to protect lands and uses surrounding industrial development. These regulations are therefore intended to promote only those industrial operations that pose minimal risk from fire; explosions; release of toxic, noxious or hazardous material; exposure to radiation; or other hazards to the health, safety and welfare of the citizens of Lyon Township.
- (d) The regulations in this article provide for two industrial districts with the intent that only the least intensive industrial operations having no external off-site impacts should be located in the I-1 district, which may abut land zoned for residential or commercial use. More intensive industrial operations should be located in the I-2 district, which is intended to be separated from residential and commercial districts.

### Section 33.03. - Development standards.

#### A. *Enclosure of operations in a building.*

1. All manufacturing, compounding, assembling, processing, packaging, or any other industrial or business activity shall be conducted within a completely enclosed building, except as otherwise specified herein, and except for outside storage that may be permitted in accordance with the conditions specified in section 33.03, subsection B. Operation of pollution control equipment is an industrial activity that is subject to these enclosure requirements.
2. All doors and windows must be closed at all times, except as otherwise specified, to insure that the maximum amount of noise, odor, smoke, steam, debris or other by-products of the manufacturing, compounding, assembling, processing, packaging or other industrial or business activities are retained within the confines of the enclosed building. Any pedestrian or delivery doors may be opened, but only during the actual process of loading or unloading supplies and/or materials and for the normal ingress and egress of pedestrian use. Additionally, windows and doors may be open for valid emergency purposes that affect the health, safety, and welfare of the industrial or business employees.

3. A waiver from these building enclosure requirements may be sought to allow doors and/or windows to be left open. Upon receipt of a written request, such a waiver may be granted by the building official or his/her designee. The building official or his/her designee may revoke the waiver at his/her discretion.

B. **Outside storage.** Outside storage may be permitted in conjunction with and accessory to any permitted use in the I-1 and I-2 district subject to the following conditions:

1. Outside storage may be used only to store materials to be used on a timely basis in the inside industrial operations or for storage of finished product prior to shipment. In no case shall outdoor storage areas be used to store obsolete machinery or materials no longer used or intended to be used in the industrial operation.
2. No individual product or material shall be stored outside for more than one year.
3. Outside storage may extend to the property lines except that it shall extend no closer to any road than the principal building on the site, and no closer than 75 feet to any residentially-zoned district.
4. Outside storage shall be completely screened with a screen that is opaque through all seasons from the ground to a height of at least eight feet. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, existing vegetation or a combination thereof. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation. Compliance with landscaped or vegetative screening shall be based on the average mature height and year-round density of foliage of the proposed plant species, and may include field observation of existing vegetation. Walls and fences shall comply with the requirements in [article 15.00](#)  
The planning commission may waive or modify these requirements for screening upon determining that the outdoor storage will be adequately screened from view by existing or proposed buildings, trees or shrubs, or other physical features.
5. Outside storage shall not exceed eight feet in height.
6. Outside storage that is screened with vegetation alone shall be completely enclosed within a security fence.
7. Outside storage areas shall be paved and properly drained. The planning commission may waive the requirement for paving where the applicant submits sufficient evidence that a paved surface would not support heavy machinery used on the site or would not otherwise be appropriate for the intended use of the site. Paved, gravel, crushed concrete or other surfacing shall be subject to review and approval by the township engineer. Unpaved open storage shall be permitted only where it is not visible from the perimeter of the site and all public roads. Pavement shall be required if there is any risk of ground or surface water contamination as a result of a spill or leakage.
8. Outside storage areas shall be shown on a site plan, which shall be subject to special land use review and approval. The site plan shall illustrate or specify the following information, at minimum:
  - a. The exact boundaries of proposed outside storage.
  - b. Surfacing and drainage details.

- c. Screening details.
  - d. Layout of outside storage areas, including access and maneuvering areas. The applicant shall demonstrate on the site plan how clear access throughout the storage area will be maintained for emergency vehicles.
9. For the purposes of this subsection, trucks, trailers, and other equipment used in the normal course of an approved, legally operated business shall not be considered outside storage. Any such accessory truck and trailer parking shall be permitted in the I-1 and I-2 districts provided such parking is screened in accordance with section 15.02, subsection E. Trailers parked on a site shall not be used for storage.
  10. Outdoor storage shall only be permitted on parcels abutting principal arterial, minor arterial, rural major/urban collector, or rural minor collector roads, as identified in the Lyon Township Master Plan.
- C. *Lumber yards and building material sales establishments.* Lumber yards or building material sales establishments may have storage in partially open structures (instead of fully-enclosed structures), subject to the following conditions:
1. The ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, sales or display.
  2. Open storage structures shall be enclosed on three sides with a roof and the open side shall not be visible from the road.
  3. The entire site, exclusive of access drives, shall be enclosed with a six-foot high chain link fence or masonry wall, constructed in accordance with section 12.16
  4. A landscaped greenbelt with a minimum width of 20 feet shall be required adjacent to any street, in conformance with section 15.02, subsection D.
- D. *Landscape contractor operations.* Landscape contractor operations shall comply with the following requirements:
1. All vehicles and equipment shall be stored in a fully-enclosed building.
  2. Heavy construction equipment, such as bulldozers and front-loaders, shall not be stored or used on the site, unless approved as a special land use.
  3. Outside storage of plant material is permitted in the I-1 and I-2 districts. Outside storage of landscape materials, such as mulch, top soil, stone, etc., shall be permitted subject to the requirements in the preceding subsection B.
- E. *Accessory retail and service uses.*
1. Accessory retail or service uses that are intended to serve the employees and patrons of the principal use shall be an incidental use occupying no more than five percent of a building that accommodates a principal permitted use. Permitted accessory retail and service uses shall be limited to the following:
    - a. Retail establishments that deal directly with the consumer and generally serve the convenience shopping needs of workers and visitors, such as convenience stores, drug stores, uniform supply stores, or similar retail businesses.
    - b. Personal service establishments which are intended to serve workers or visitors in the district, such as dry cleaning establishments, travel agencies, tailor shops, or similar service establishments.



EXCERPT  
City of Wixom Zoning Ordinance

## Chapter 18.09 - INDUSTRIAL DISTRICTS

### Sections:

#### 18.09.010 - Intent.

- A. The general intent of the industrial districts is to provide for a range of industrial and office development divided into two districts that are appropriately located in the city for the following specific purposes:
1. To provide sufficient space, in appropriate locations, to meet the needs of the municipality's expected future economy for certain types of research, office, industrial, warehouse, manufacturing and related uses;
  2. To protect abutting residential districts by separating them from manufacturing, warehousing and related activities, and by prohibiting the use of such industrial areas for new residential development;
  3. To promote research, office and light industrial development that is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards and from offensive noise, vibration, smoke, odor and other objectionable influences;
  4. To protect the most desirable use of land in accordance with the city of Wixom master plan while protecting the character and established pattern of adjacent development, and in each area conserving the value of land and buildings and other structures to protect the municipality's tax revenue base.
- B. M-1 Light Industrial District. The M-1 light industrial district is designed primarily to accommodate research and development, corporate office and light industrial uses, including wholesale activities, warehouses and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The M-1 district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material. It is further intended that the processing of raw material or shipment in bulk form, to be used in an industrial operation at another location, not be permitted.
- C. M-2 General Industrial District. The M-2 general industrial district is designed primarily for manufacturing, assembling and fabrication activities including large-scale or specialized industrial operations whose external physical effects will be felt to some degree by surrounding districts. The M-2 district is so structured as to permit the manufacturing, processing and compounding of semi-finished or finished products from raw materials as well as from previously prepared material.

*(Ord. 08-05 § 1 (part), 2008)*

#### 18.09.020 - Schedule of uses.

Use and development of land and buildings shall only be for the following specified uses, unless otherwise provided for in this title. Land and/or buildings in the districts indicated at the top of Table 9.02 may be used for the purposes denoted by the following abbreviations:

P: Permitted Use: Land and/or buildings in this district may be used for the purposes listed by right.

SLU: Special Land Use: Land and/or buildings in this district may be used for this purpose by obtaining Special Land Use approval when all applicable standards cited in Chapter 18.18, Special Land Use Review Requirements and Procedures and specific standards of Section 18.09.040 are met.

NP: Not Permitted: The use is not permitted in the district.

"Requirement" provides reference to additional requirements or conditions applicable to that specific use.

**Table 9.02**

**Schedule of Uses**

Use	M-1	M-2	Requirement
<b>Manufacturing Uses</b>			
The manufacture, processing, compounding, assembling, packaging or treatment of finished or semi-finished products from previously prepared materials	P	P	
Heavy industrial uses such as blast furnaces, steel furnaces, blooming or rolling mills, smelting of copper, iron, or zinc ore, chemicals, and allied products manufacturing, lumber, and planing mills, manufacture of corrosive acid, or alkali, cement, lime,	SLU	SLU	<u>Section 18.09.040(A)</u>

gypsum, or plaster of Paris and petroleum, or other flammable liquids, production, refining, or storage			
Printing and publishing	P	P	
<b>Transportation, Warehouse, Storage and Waste Handling Uses</b>			
Airports	SLU	SLU	<u>Section 18.09.040(B)</u>
Commercial composting facilities	NP	SLU	<u>Section 18.09.040(C)</u>
Garbage, refuse and rubbish transfer stations and incineration of garbage or refuse	NP	SLU	<u>Section 18.09.040(D)</u>
Mini warehouses and storage buildings for lease to the public including the office and dwelling of a caretaker	SLU	P	<u>Section 18.09.040(E)</u>
Outdoor storage of trucks, trailers, equipment, supplies, materials, finished and semi-finished products, building materials, sand, gravel, stone, lumber, contractor's equipment, and supplies and recreational	SLU	SLU	<u>Section 18.09.040(F)</u>

The location, size, intensity, site layout and periods of operation must be designated to eliminate any possible nuisance that might be noxious to the occupants of any other nearby permitted uses, whether by reason of odor, dust, noise, fumes, vibration, smoke or lights.

3. Stacking area for a minimum of five vehicles must be provided on site. Any area used for parking or unloading packaged compostable materials must be screened with a six-foot enclosure to prevent materials from leaving the unloading area.
4. Overnight storage of any refuse material in the building shall be prohibited and the dumping or storage of any material on the site outside the building at any time shall be prohibited.
5. Storing or disposing of any kind shall not pollute a water supply or contaminate surrounding land to the extent that public health is endangered. The surface water detained on the site shall be purified of contaminants before leaving the site or must be disposed of in accordance with the requirements of the Oakland County Health Division, Environmental Health Department. All storage, processing and disposal areas shall be a minimum of one hundred feet from any wetland, drain or body of water.
6. Depositing, storing or disposing of garbage or wastes shall not attract vermin, insects or other pests or allow the wastes to become a breeding place for mosquitoes, flies or other disease-carrying insects. Offensive odors shall not interfere with the enjoyment of adjacent properties.
7. The city may impose such reasonable conditions as it deems necessary to protect the public health, safety and general welfare from excessive noises, excessive traffic patterns, obnoxious and unhealthy odors, and any detrimental effects from the general operation of such transfer station.

E. Mini Warehouses and Storage Buildings for Lease. Mini warehouses and storage buildings for lease to the public shall be subject to the following:

1. Side and rear yard building setbacks of not less than forty feet shall be provided. Ten feet of width of such yard shall be planted in materials sufficient to screen such yards from abutting uses. Side and rear yards may be reduced to thirty feet of width in those instances where a completely obscuring reinforced masonry wall not less than six feet high is provided along the entire side and rear yards;
2. Buildings shall be spaced not less than thirty feet apart;
3. Exterior building walls visible from a public right-of-way or nonindustrial district shall be finished with brick or other high-quality masonry material;
4. Adequate maneuvering space for fire safety vehicles shall be provided;
5. The office and dwelling of a caretaker may be included on-site.

F. Outdoor Storage. Outdoor storage of trucks, trailers, equipment, supplies, materials, finished and semi-finished products, building materials, sand, gravel, stone, lumber, contractor's equipment, and supplies and recreational equipment shall be subject to the following:

1. All outdoor storage uses shall be located within the rear yard or side yard.
2. Outdoor storage areas shall be located no closer than one hundred fifty feet from any street right-of-way. Outdoor storage areas shall comply with building setbacks of the district for all other yards.

3. The height of any item stored outdoors shall not exceed twelve feet. The planning commission may increase this standard if the storage area will not have a negative impact on surrounding properties and all storage is in accordance with the fire code requirements.
  4. All storage facilities shall be enclosed within a building or within an obscuring wall on those sides abutting all residential, office or business districts, and on any yard abutting a public street. The extent of the wall may be determined by the planning commission on the basis of usage. The wall shall not be less than six feet in height, and may, depending on land usage, be required to be eight feet in height.
  5. Landscaping shall be provided around the exterior boundary of the storage area. All planting plans shall meet the requirements of Section 18.14.020 and shall be subject to the approval of the planning commission.
  6. All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose of stormwater without negatively impacting adjacent property; the planning commission may approve a gravel surface for all or part of the storage area for low intensity activities, such as landscape materials, upon a finding that neighboring properties and the environment will not be negatively impacted.
  7. A dedicated fire lane through the storage yard shall be provided for emergency services.
- G. Major Automotive Repair. Major automotive repair businesses such as engine rebuilding, paint and body shops, rebuilding or reconditioning of motor vehicles and collision service shall be subject to the following:
1. Outdoor storage of parts or materials shall be prohibited.
  2. Vehicles shall not be allowed to be stored outside the building for more than forty-eight hours unless awaiting repair for which a work order, signed by the owner of the vehicle, is posted in the vehicle so as to be visible from outside the vehicle. The area to be used for vehicle storage shall be shown on the site plan.
  3. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repair.
  4. All vehicle servicing or repair shall be conducted within an enclosed building.
  5. Suitable containers shall be provided and utilized for the disposal of used parts and such containers shall be screened from public view. Used tire storage shall be limited to twenty-five tires and all tires shall be stored inside a building.
- H. Outdoor Sales and Display. Outdoor sales and display (as a principal or accessory use) of: building/lumber supply, stone, farm implements, recreational vehicles, mobile homes, boats, jet skis, mowing equipment, trucks, construction equipment and similar materials or equipment shall be subject to the following:
1. Outdoor sales and display areas shall comply with building setbacks of the district.
  2. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.
  3. The planning commission may require additional landscaping, screening or ornamental fencing as appropriate to obscure the use from adjacent properties and the street.
  - 4.

- F. Loading Area. Loading space shall be provided in accordance with Chapter 18.15, Off-Street Parking, Loading, Access and Circulation Requirements. No truck well, loading dock or overhead door shall be permitted within fifty feet of a residential district or use. Site circulation must be designed so as to discourage truck traffic access adjacent to the residential district or use.
- G. Storage. All storage shall be in the rear yard or side yard and shall be completely screened with an obscuring wall or fence, not less than six feet high, or with a black vinyl coated chain-link type fence and a greenbelt planting so as to obscure all view from any adjacent property or public street. Open storage shall be completely screened from view from all public streets.
- H. Freeway Setback. A minimum fifty-foot setback shall be provided from freeway rights-of-way. The setback shall be unoccupied except for earth berms, screening walls and landscaping. Landscaping shall be provided in accordance with Section 18.14.020 and shall be installed to provide an effective screening of outdoor storage areas and to screen any service or loading area of any building from the freeway.
- I. Stream Setback. All structures shall be a minimum of twenty feet from each side of Norton Creek and any other stream or established county drain unless a greater setback is required in this chapter.
- J. Lot Coverage. All site improvements, such as buildings, accessory structures, parking lots, drives, and public and private roads shall not cover more than seventy-five percent of the total lot area. Total lot area shall be the gross area, including wetland and woodland areas.

*(Ord. 08-05 § 1 (part), 2008)*

EXCERPT

Commerce Township Zoning Ordinance





## ARTICLE 23

# I, INDUSTRIAL DISTRICT

### Preamble

The I, Industrial District is designed to accommodate manufacturing, assembling and fabrication activities, wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I, Industrial District is structured to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared and raw materials.

The general goals of this use District include:

1. To provide sufficient space, in appropriate locations, to meet the needs of the Township's expected future economy for various types of manufacturing and related uses.
2. To protect abutting residential districts from detrimental impacts from industrial uses by separating residential uses from industrial activities, and by prohibiting the use of industrial areas for new residential development.
3. To promote manufacturing development which is free from the danger of fire, explosions, toxic and noxious matter, radiation, and other hazards, and from offensive noise, vibration, smoke, odor and other objectionable influences.
4. To promote the most desirable use of land in accordance with a well considered plan. To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the Township's tax revenue.

### SECTION 23.01. Principal Uses Permitted

In the I, Industrial District no building or land shall be used and no building shall be erected except for one or more of the uses listed in the following Table of Permitted Uses, unless otherwise provided for in this Ordinance.

<b>Section 23.01</b>			
<b>Table of Permitted Uses</b>			
<b>Use</b>	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		<b>Conditions</b>
Building material storage and sales, provided that such uses located within the boundaries of the Downtown Development Authority shall not have outdoor storage.	<i>P</i>		
Vehicle repair establishments, including engine repair, body repair and painting, exhaust system repair, tire replacement, glass repair and transmission repair, when operated in a completely enclosed building.	<i>P</i>		
Dry cleaning plants.	<i>P</i>		
Tennis houses, racquetball courts, ice arenas and other similar uses involving large structures of the type which can be easily converted to industrial use.	<i>P</i>		
Gas and electric service and storage buildings and yards.	<i>P</i>		
Warehousing and wholesale establishments within a wholly enclosed building.	<i>P</i>		
Self-storage warehouse facilities.	<i>P</i>		1) The entire facility must be enclosed with a fence a minimum of eight (8) feet in height; 2) the portion of the fence fronting on any public or private street, road or access easement shall be constructed of decorative masonry block or brick extending across the entire frontage and returning no less than fifty (50) feet along the intersecting sides of said enclosure, and 3) a landscaped greenbelt consisting of closely-spaced evergreens in staggered rows shall be provided whenever such a use abuts a residentially-used property. Such uses shall not be permitted within the Downtown Development Authority.

<b>Section 23.01</b>			
<b>Table of Permitted Uses</b>			
<b>Use</b>	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use	<b>Conditions</b>	
Septic service establishments.		<i>SP</i>	
Electric power and heat generating plants and all accessory uses.		<i>SP</i>	
Rental space for the storage of vehicles such as travel trailers, motor homes, recreational vehicles, campers, snowmobiles, boats and similar facilities.		<i>SP</i>	Subject to the following conditions: 1) the storage shall be enclosed within a building or be completely obscured by a wall or fence on those sides abutting a public thoroughfare, 2) the extent of the wall or fence shall be determined by the Planning Commission, based on the extent of the storage, 3) the wall of fence shall be subject to the requirements in Article 29, and 4) no such use shall be permitted within the boundaries of the Downtown Development Authority.
Freight yards and terminals,		<i>SP</i>	Subject to the following conditions: 1) All access to the facility shall be provided from a major thoroughfare, as defined in the Master Plan, having a right-of-way of at least one hundred twenty (120) feet; 2) All sides of the development not abutting a major thoroughfare shall be provided with a twenty (20) foot wide greenbelt, and fence or decorative wall, so as to obscure from view all activities within the development. Screening shall comply with Article 29
Tractor and trucking facilities, including storage and repair.		<i>SP</i>	
Chemicals and allied products manufacturing.		<i>SP</i>	
Lumber yards, landscape, building supply yards and similar uses that involve outdoor storage.		<i>SP</i>	No such use shall be permitted within the boundaries of the Downtown Development Authority.
Primary metal industries.		<i>SP</i>	

<b>Section 23.01</b>			
<b>Table of Permitted Uses</b>			
<b>Use</b>	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		<b>Conditions</b>
Recycling centers.		<i>SP</i>	A recycling center shall consist of the collection, separation, and storage of recoverable household materials prior to shipment to others who will use the materials to manufacture new products
Contractor yards and storage facilities for building materials, sand, gravel, stone, lumber, equipment and supplies.		<i>SP</i>	Such facilities shall be enclosed within a building or within an obscuring wall or fence. The extent of such wall or fence may be determined based on the nature of surrounding land use. Such fence or wall shall be eight (8) feet in height. No such use shall be permitted within the boundaries of the Downtown Development Authority.
Accessory buildings and uses customarily incidental to any of the above land uses.		<i>SP</i>	
Uses determined to be similar to the above land uses in accordance with the criteria in Article 26.		<i>SP</i>	
Places of Assembly		<i>SP</i>	

**SECTION 23.02. Special Land Use Conditions**

Special land uses may be permitted by the Planning Commission, pursuant to Article 34, after a public hearing and site plan review, and subject to reasonable conditions which, in the opinion of the Planning Commission, are necessary to provide adequate protection to the public health, safety and welfare. In addition to the conditions specified in the previous Table of Permitted Uses, the following conditions apply to all special land uses:

- A. **Fencing.** The need for fencing will be determined on a case-by-case basis, in consideration of the nature of the use and the character of the surrounding uses.
- B. **Landscaped Screening.** If the Planning Commission requires landscaped screening, then it shall consist of closely spaced evergreens in staggered rows, augmented with other plantings for aesthetic enhancement.