



cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item 1
August 24, 2015

SUBJECT: Approval of Zoning Ordinance Text Amendment 18.275 to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.14, I-1 District Required Conditions, in order to allow for accessory outside storage as a Special Land Use in the Light Industrial District. **FIRST READING**

SUBMITTING DEPARTMENT: Community Development Department - Planning Division

CITY MANAGER APPROVAL: *✓ PA*

BACKGROUND INFORMATION:

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 temporary permit was required because outdoor storage is not currently allowed in the I-1 District. Mr. Arkin is now requesting a Zoning Ordinance Text Amendment that would change the Light Industrial Ordinance provisions throughout the City to allow outdoor storage through a permanent Special Land Use Permit. His request included the conditions for permanent Special Land Use specific to Martin Technologies' current use requirements.

Staff Review

Planning staff reviewed a number of ordinances from surrounding communities to determine common standards and concerns and found that where outside storage is permitted in a Light Industrial zoning district it is typically through a Special Land Use permit with additional conditions. Excerpts of these provisions are attached. A map indicating the existing I-1, Light Industrial zoned districts within the City of Novi is also attached.

Instead of the approach Mr. Arkin had taken, staff presented a modified version of an ordinance amendment to the Planning Commission that provided for a broader application of the standards throughout Novi and to accommodate a variety of Light Industrial uses. A couple of key provisions of the ordinance will all allow for outside storage incidental to an otherwise permitted light industrial use when that use is located inside a building on the same property. Special Land Use approval would be considered and approved by the Planning Commission for any such outside use, and would be intended for short-term storage associated with the operations taking place within the building, with the expectation that no item would be stored for more than one year. Appropriate screening from neighboring properties is proposed in staff's version of the ordinance.

Planning Commission Consideration

April 8, 2015 Planning Commission meeting: The proposed ordinance was first introduced to the Planning Commission at this meeting. The Planning Commission reviewed the language provided initial comments. Following the meeting, staff and the City Attorney's office met with the applicant to discuss a revised amendment addressing the concerns of the Planning Commission members with regard to the minimum opacity of the screening

of the outside uses and a means to prevent outside storage from turning into a junkyard. The proposed ordinance changes considered 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 required that outside storage does not conflict with the minimum site development standards required for I-1 District. The draft amendment also reserved the opportunity for the Planning Commission to review the specifics during the review of the Special Land Use approval. The Planning Commission set the public hearing for May 13, 2015.

May 13, 2015 Public Hearing: Staff's revised draft was discussed in detail at the public hearing. The Planning Commission held the public hearing, and did not make a recommendation to the City Council at the time, but instead requested staff and the City Attorney's office to address additional comments related to:

- The need for complete screening of the outside activities, using hard screening (fence or wall) and/or landscape screening,
- Compliance with state and federal requirements, particularly related to surface drainage
- Landscape maintenance standards, and
- Clarification regarding the use of storage racks.

These modifications were intended to help the City ensure that outside storage in Light Industrial districts is limited to certain type of material or equipment and is completely screened and properly maintained.

May 27, 2015 Planning Commission meeting: The Planning Commission considered the second revised draft at their May 27, 2015 meeting. **Based on concern of the applicant, and the specifics of the applicant's request, the City Attorney highlighted one of the provisions of the draft ordinance language that allows flexibility by the Planning Commission in review of any requests, and the direct application of the ordinance standards based on individual conditions of the site:**

The Planning Commission may modify the minimum standards of this subsection ... 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.

Following further discussion, the Planning Commission made a recommendation to the City Council to consider approval of the amendment to allow for accessory outside storage as a Special Land Use in the Light Industrial district, subject to certain standards listed below:

- 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. Amendments to the site plan shall require review and approval in the same manner as for the Special Land Use; however, minor modifications to the approved site plan as to layout, location of materials, screening, and similar operational details for the use may be approved administratively in accordance with the procedures for such approvals in this Ordinance.

- 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.
- 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. Such structures, fencing, or walls shall be or landscaping conforming to the applicable requirements of Section 5.5, at least six (6) feet in height and no greater than eight (8) feet in height. Alternatively, landscaping conforming to the applicable requirements of Section 5.5 may be used to completely screen the storage materials from the view of adjacent properties, if approved by the Planning Commission. For Such landscaping to satisfy this requirement, it shall be of suitable type with necessary quantities, height, and spacing to provide 100% opacity in winter and summer when adjacent to property zoned for single-family use, and eighty (80) percent winter opacity and ninety (90) percent summer opacity as to all other properties, as determined in accordance with this Ordinance and as approved by the City's Landscape Architect, with existing vegetation to be augmented as necessary to achieve those standards.
- h. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation, and all vegetation shall be regularly, professionally, and permanently maintained.
- 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. No racks for the holding of materials are permitted, except that pallets or low blocks may be used to keep materials from immediate contact with the ground.
- 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.
- k. Adequate fire protection and access for Fire vehicles shall be provided at all times.
- l. Storage areas shall be paved and properly drained per the City's Code of Ordinances.
- 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.
- 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.
- o. The open storage shall also comply with all other applicable requirements of this Code of Ordinances, and with all other applicable local, state, or federal laws, rules, or regulations.

The revised draft amendment and former revisions are attached along with relevant Planning Commission meeting minutes and supporting documentation from the applicant. The applicant has provided an attached email in support of the ordinance amendment, subject to the oral and written comments previously submitted.

RECOMMENDED ACTION: Approval of Zoning Ordinance Text Amendment 18.275 to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.14, I-1 District Required Conditions, in order to allow for accessory outside storage as a Special Land Use in the Light Industrial District. **FIRST READING**

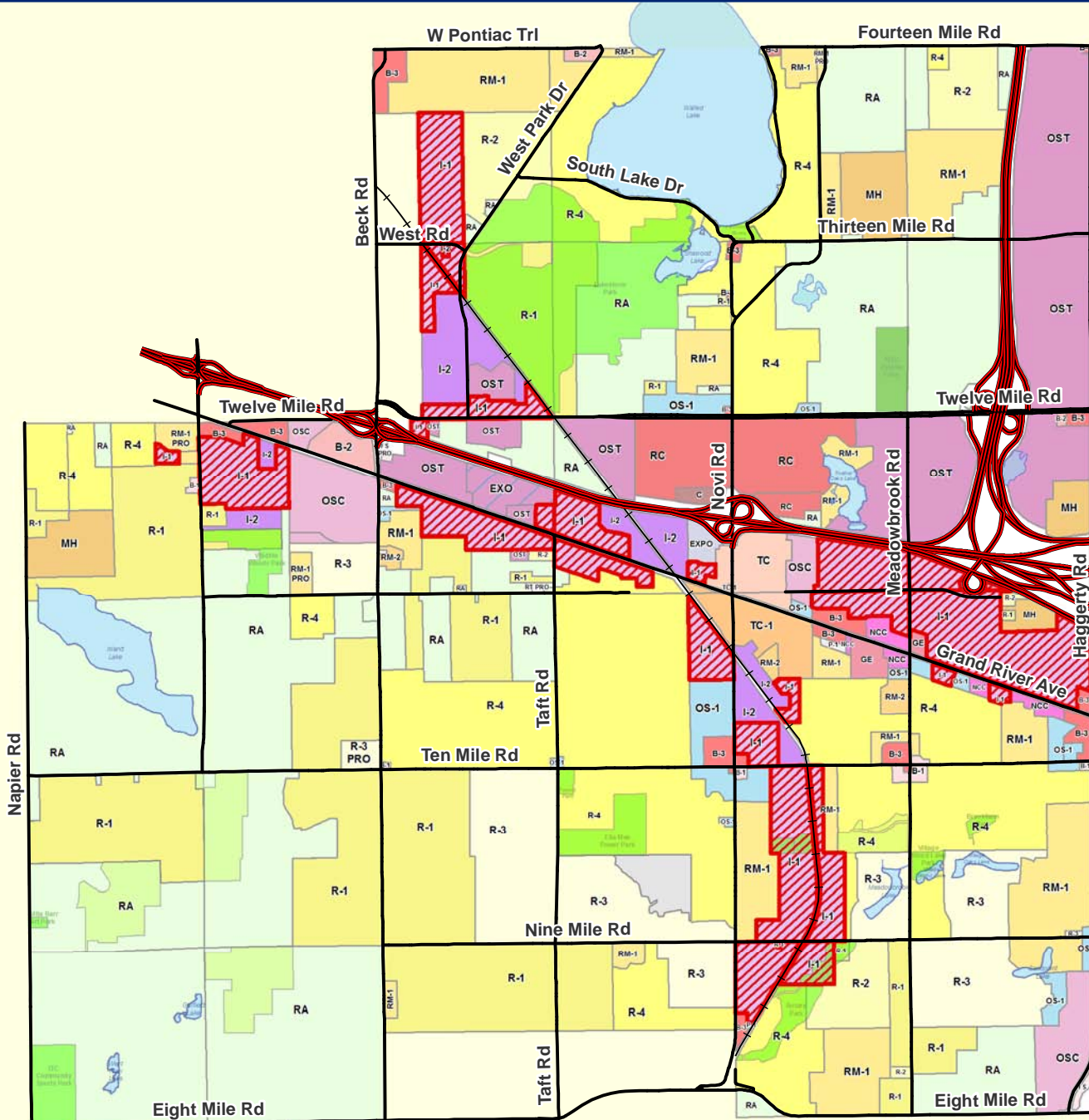
	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Markham				

	1	2	Y	N
Council Member Mutch				
Council Member Poupard				
Council Member Wrobel				


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.

Strike-Through Version

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. Amendments to the site plan shall require review and approval in the same manner as for the Special Land Use; however, minor modifications to the approved site plan as to layout, location of materials, screening, and similar operational details for the use may be approved administratively in accordance with the procedures for such approvals in this Ordinance.

- 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.
- 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. Such structures, fencing, or walls shall be at least six (6) feet in height and no greater than eight (8) feet in height. Alternatively, landscaping conforming to the applicable requirements of Section 5.5 may be used to completely screen the storage materials from the view of adjacent properties, if approved by the Planning Commission. Such landscaping shall be of suitable type with necessary quantities, height, and spacing to provide 100% opacity in winter and summer when adjacent to property zoned for single-family use, and eighty (80) percent winter opacity and ninety (90) percent summer opacity as to all other properties, as determined in accordance with this Ordinance and as approved by the City's Landscape Architect, with existing vegetation to be augmented as necessary to achieve those standards.
- h. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation, and all vegetation shall be regularly, professionally, and permanently maintained.
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- 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.
- k. Adequate fire protection and access for Fire vehicles shall be provided at all times.
- l. Storage areas shall be paved and properly drained per the City's Code of Ordinances.
- 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.
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- o. The open storage shall also comply with all other applicable requirements of this Code of Ordinances, and with all other applicable local, state, or federal laws, rules, or regulations.

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 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:

Clean Version

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

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 - 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:
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STAFF VERSION Council

- 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.
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STAFF VERSION Council

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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 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:

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

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 - i. [Unchanged]
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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.

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STAFF VERSION

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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 08 2015 Planning Commission Meeting

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

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 - 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 RESPONSE (08-17-15)

Komaragiri, Sri

From: Irwin J ARKIN <irwinjarkin@sbcglobal.net>
Sent: Monday, August 17, 2015 11:21 AM
To: Komaragiri, Sri
Subject: Re: City Council Meeting Date

Hi Sri,

Regarding text amendment scheduled for counsel meeting review 8-24-15:

You have my support subject to my oral and written comments previously submitted.

Thank you.

Please acknowledge receipt.

Irwin J. Arkin

APPLICANTS RESPONSE (06-17-15)

IRWIN J. ARKIN, L.L.C.

JUNE 16, 2015

CITY OF NOVI
Community Development
45175 Ten Mile Road
Novi, MI 48375

ATTENTION: Ms. Sri Komaragiri, Planner

RE: PROPOSED TEXT AMENDMENT 18.275

Ms. Komaragiri:

Thank you for your e-mail response of 6/16/15 to our conversation of 6/15/15.

First of all, I appreciate the time and effort that the City of Novi has and is putting forth in proposing the Text Amendment 18.275, to accommodate some outside storage in the I-1, Light Industrial District.

I also appreciate the City's concern to protect neighboring residential districts from any adverse impacts and at all times to protect the character and established pattern of adjacent developments.

While I am in full accord and support the proposed Text Amendment, I realize the intent is to protect against the unknown Company submitting for Special Land Use. I find it difficult to agree as it pertains to Martin Technologies.

My concerns are as follows:

- I RESPECT THE DESIRE FOR REASONABLE RESIDENTIAL SCREENING, BUT I BELIEVE A REQUIREMENT OF 100% OPACITY RESIDENTIAL SCREENING (SUMMER AND WINTER) TO BE IMPOSSIBLE AND IMPRACTICAL. THERE IS ALSO NO WAY TO SCREEN FOR RESIDENTS ABOVE THE FIRST FLOOR (REFER TO ARTICLE 3.14I-1 B.g.).

MY SUGGESTION WOULD BE:

TO OMIT THE WORD "COMPLETELY" WHEN USED WITH SCREENED.

TO OMIT THE WORD "ALL" WHEN USED WITH ADJACENT PROPERTIES.

TO ELIMINATE THE NEED FOR SCREENING OF ADJACENT INDUSTRIAL PROPERTY.

TO ELIMINATE THE IMPOSSIBLE NEED FOR 100% OPACITY SCREENING.

CITY OF NOVI
Sri Komaragiri, Planner
June 16, 2015
Page 2

- I THINK A REQUIREMENT TO SCREEN THE I-1 OUTSIDE STORAGE FROM NON-RESIDENTIAL, ADJACENT PROPERTIES TO BE AN UNREASONABLE REQUIREMENT WHEN ADJACENT PROPERTY IS ZONED INDUSTRIAL.
- NOW, THERE IS THE IMPORTANCE OF SECURITY. CAMERAS CAN ONLY TAKE PICTURES. THEY DON'T STOP A THIEF. BLOCKED VIEWS ENCOURAGE THIEVES, AS ONCE IN THE AREA, THEY HAVE AMPLE TIME TO STRATEGICALLY STEAL AND MAKE AN EASILY TIMED GETAWAY.
- VISIBILITY DISCOURAGES THEFT.
- ONE OF THE ATTRACTIONS OF OUR SITE TO CURRENT AND POTENTIAL TENANTS IS THE SECURITY OFFERED BY WAY OF THE ENCLOSED FENCING, LOCKED GATES, WALLS, LANDSCAPING (EVERYTHING BUT A MOAT) AND THE ABILITY TO VIEW INTO THE AREA FROM ALL FOUR SIDES.
- WHILE I UNDERSTAND THE STRINGENT REQUIREMENTS FOR THE OVERALL TEXT AMENDMENT, I'D APPRECIATE THE BOARD'S RECOGNITION THAT THE MARTIN USE IN THE ARKIN BUILDING AT 43100 NINE MILE ROAD LOCATION IS ONE OF UNIFORMED POSITIONED VEHICLES, A VERY NEAT LOOK AND HARDLY ONE WITH THE NEED FOR SCREENING, LET ALONE A SCREENING OF OPACITY.

Sincerely,


Irwin J. Arkin

CP:LT061615CITYOFNOVI

CC: HAROLD MARTIN
BRIAN JONES

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

- f. All storage shall be limited to the open storage areas on the approved site plan, which shall be located in the rear yard and/or interior side yards, 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.
- g. All storage shall be screened from adjacent residential properties by appropriate structures, fencing conforming to the applicable requirements in Section 5.11.2, or walls. Such structures, fencing, or walls shall be at least six (6) feet in height and no greater than eight (8) feet in height. Alternatively, landscaping conforming to the applicable requirements of Section 5.5 may be used to screen the storage materials from the view of adjacent residential properties, if approved by the Planning Commission. Such landscaping shall be of suitable type with necessary quantities, height, and spacing to provide adequate screening subject to approval by the Planning Commission when adjacent to property zoned for single-family use, and adequate screening as to all other properties other than industrial as approved by the Planning Commission, and determined in accordance with this Ordinance and as approved by the City's Landscape Architect, with existing vegetation to be augmented as necessary to achieve those standards.
- h. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation, and all vegetation shall be regularly, professionally, and permanently maintained.
- 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. No racks for the holding of materials are permitted, except that pallets or low blocks may be used to keep materials from immediate contact with the ground.
- 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.
- k. Adequate fire protection and access for Fire vehicles shall be provided at all times.
- l. Storage areas shall be paved and properly drained per the City's Code of Ordinances.
- 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.
- 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.
- o. The open storage shall also comply with all other applicable requirements of this Code of Ordinances, and with all other applicable local, state, or federal laws, rules, or regulations.

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- Carrie Path 6/17/15 9:18 AM
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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

Planning Commission Meeting Minutes

May 27, 2015



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

MAY 27, 2015 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

ROLL CALL

Present: Member Giacometti, Member Lynch, Chair Pehrson, Member Zuchlewski,

Absent: Member Baratta (excused), Member Greco (excused), Member Anthony (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri; Planner; Rick Meader, Landscape Architect; Tom Schultz, City Attorney

PLEDGE OF ALLEGIANCE

Member Giacometti led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Zuchlewski:

Motion to approve the May 27, 2015 Planning Commission Agenda. Motion carried 4-0

AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE

There was no correspondence

COMMITTEE REPORTS

There were no committee reports

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

There were no Community Development Deputy Director Reports

CONSENT AGENDA – REMOVALS AND APPROVAL

Nothing to remove or approve

PUBLIC HEARINGS

1. 13 MILE/NOVI ROAD AREA STUDY

Public Hearing for Planning Commission's recommendation to the City Council to consider the recommendations of the 13 Mile/Novi Road Area Study for a possible change in the approved land use. The subject property is located on south side of 13 Mile Road and east side of Novi Road and measures approximately 21 acres.

**Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.
Motion passes 4-0**

1. ZONING ORDINANCE TEXT AMENDMENT 18.275

Consideration for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.14, I-1 Light Industrial district required conditions; in order to allow outside storage associated with otherwise permitted light industrial uses.

Planner Komaragiri said the Planning Commission first considered the proposed text amendment to allow outside storage as a special land use incidental to a permitted primary use at the April 22, 2015 meeting. At the time, a public hearing was set for May 13, 2015. The Planning Commission did not make a recommendation to the City Council following the public hearing and requested staff to address additional comments.

Planning staff and the City Attorney's office have made changes addressing the concerns with regard to the 100 percent screening requirement using hard screening and/or landscape screening, compliance with state and federal requirements, landscape maintenance, and clarification regarding the use of storage racks.

The revised draft continues to maintain a broader application of the ordinance to various light industrial properties within City of Novi. The revised draft provides further clarification 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 completely screened and properly maintained. The revised draft amendment continues to require 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 and an option and to modify the minimum requirements based on their findings during the review of the Special Land Use approval.

Staff met with the applicant to discuss the comments provided by the Planning Commission and to address the applicant's concerns. The applicant was asked to review this memo along with the revised draft. The applicant has indicated that he would like to move forward with staff's recommendations. Planning staff recommends approval of the proposed text amendment based on the current revised draft presented today. 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. Planner Komaragiri said she will be glad to answer any questions. The applicant, Irwin J. Arkin is present along with representatives from Martin Technologies who are present as well.

Irwin Arkin, 43100 Nine Mile Road came forward to speak. It was after input from a resident at the last Planning Commission meeting May 13th that the Commission gave us direction. It seems to me that the Planning Department has embellished those remarks by significantly increasing the screening requirements. I respect the desire for residential screening requirements but I believe the requirement of 100 percent residential screening summer and winter to be impossible and impractical. There is no way to screen for residents above the first floor.

Mr. Arkin showed pictures of screening coverage on the east side of the building. Section 1.4g of the Article 3.3141-1 District Required Conditions states that all storage shall be completely screened from all adjacent properties by appropriate structures. I think that the requirement to screen the I-1 outside storage from non-residential adjacent properties to be an unreasonable

requirement and is a requirement that I believe was not originally contemplated. Regarding the issue of security, cameras can only take pictures. They cannot stop a thief. Blocked views encourage thieves. Once in the area they have ample time to strategically steal and make an easily timed get away. Visibility discourages theft. The attractions of our site to current and potential tenants is the security offered by way of the enclosed fencing, locked gates, and ability to view the area from all sides.

Mr. Arkin said, I have been an occupant of the 43100 Nine Mile Rd building for over 41 years. Most of that time our property has abutted residential property to the north. While we have a very good screening it is impossible to achieve 100 percent opacity in winter and summer. It would be hard to lure tenants to any significant lease term with proposed restrictions and impossible future exceptions. We would appreciate the board considering a more realistic, less stringent, residential screening and a total elimination of the screening requirements covering non-residential adjacent properties. Individuals see things differently. While the board addressed the comments of others I hope the board will give us the same consideration.

Chair Pehrson turned the matter over to the Planning Commission for comments.

Deputy Director McBeth pointed out that draft minutes containing discussion at the last meeting is provided at the table.

Member Lynch stated that Mr. Arkin has a valid point. You're not going to get a 100 percent screening of anything. I think sometimes that we put a number in there that is not really the intent. I think the intent is to soften the appearance of this outside use from residential areas. How do we accomplish the objective to soften the visibility from a residential area and at the same time not over-burden the business owner.

City Attorney Schultz stated in the relevant section of the ordinance we added the word "completely" at the direction of what appeared to be the majority of the Commissioners at the last meeting. The other thing that the ordinance does is separates out the wall or fence, which could be a completely opaque barrier, from the landscaping which then says has to be 80 or 90 percent opaque, depending on the season. That is the actual standard.

To add to that clarification, if you scroll down and look at subsection N it essentially acknowledges that the Planning Commission would have some ability for an individual property, depending what is around it, to waive that standard in G if the circumstances require it. You may say when exercising your discretion on a particular piece of property, not only do we need a law but we want the law to be clear if that is what a special land use requires. So it has the full breadth of your discretion with the intention that people are not supposed to see what is 8 foot and below.

Member Lynch said he agrees as long as we have the discretion to accomplish the objective.

Member Zuchlewski asked Mr. Arkin if he feels this would create undue hardship the way the ordinance is drafted.

Mr. Arkin said a potential tenant, after reading the ordinance, would not sign a lease.

City Attorney Schultz replied that the structure that we are trying to facilitate specifically for any of these uses that abut residential. By adding paragraph M, while it might not be exactly clear, it provides the Commission with the ability to look at one location vs. the next location. Because

the conditions are unique you would be able to say here are the conditions that best fit that particular location. In this case we have 80-90 percent opacity in winter/summer. We are not judging your location on 100 percent we are saying 80-90 percent, and if any that was the fence and the fence has the bars that would constitute opacity. It is a necessity of the ordinance that we put enough language to protect the next person that comes in. We are not looking to harm you. We are looking to say to the people that have a house that is abutting the next property. How do we take care of the residents? I do not think this is undue hardship of what we are asking you do to at this point.

Member Zuchlewski said, we are not looking for either landscaping or a fence. We are looking for the landscaping just to soften up the fence. So if the fence is constructed properly whether if it is stockade or cyclone with plastic slates if the backside has a canvas that runs all the way around it. It is to protect the property owners that abut it or anyone else. The landscaping was just to soften up that fence. So I really can't see in having to do both and look for 100 percent in both. It is more a softening feature so we are not insulting the people that are adjacent to you.

Chair Pehrson asked City Attorney Schultz for this particular application of special land use, do we need to make the conditional statement of opacity of 80-90 percent or is what is written and covered and we just move on.

City Attorney Schultz responded that first, we have to get the ordinance passed by the City Council. The applicant will come back and at that point the Planning Commission will decide the 80-90 percent opacity standard, or whatever is appropriate for each case.

Mr. Arkin asked if we could get rid of the wording that the outside use has to be "completely screened" from the adjacent properties. For instance I have industrial on both sides of me. Why do I have to worry about screening from industrial property? It is in that ordinance now that the use has to be screened from all adjacent properties.

Member Zuchlewski asked what would be the implication if we struck the word "completely"?

City Attorney Schultz responded that he would argue that completely is probably a little redundant because screen means screen. You could do as Mr. Arkin suggested, saying that I only have to screen from residential property, you don't have to screen from a like use.

Member Zuchlewski questioned if G were to read "all storage shall be completely screened from all adjacent residential properties" do we have the discretion to use clause M for other similarly zoned properties. If article G was to be revised so it said all storage shall be completely screened from all adjacent residential properties, we are adding the word residential, would the city have the discretion for appropriate screening for nonresidential adjacent properties?

City Attorney Schultz said if you were to just say screened from residential properties then there would be no standard for any other kind of property. So Section M really wouldn't apply. I would say again that this is a special land use and with a special land use we are allowed to add some conditions that aren't in the standards.

Member Zuchlewski said I am more comfortable to limiting the scope to residential.

Chair Pehrson said I think the ordinance provides us with the ability to say draw it up and let us know if this is what you wanted. Here is the standard. Now where do you want to vary the standard in essence to screen. In this case we have residential being to the north side of the

property. The obligation on Mr. Arkin's part would be to screen to the north side where there is residential. On the other two sides you have industrial. What is there is fine but on the residential side I would want it to be to the level of 80-90 percent opacity. That could be the condition that is added to this special land use as the project would then go forward.

Mr. Arkin said the additional adjacent screening restriction will cause a lot of difficulty in luring a potential tenant. They see all those hurdles, and they go elsewhere. I can see the screening for the residential but not for nonresidential.

Chair Pehrson said, I like the way it is written. When the special land use comes before us, I would prefer a motion to state that the residential be held to the higher standard than the two adjacent sides.

Member Lynch said I would like to see a separate clause for industrial added to the proposed amendment where G is really strong for residential property and then maybe a little ambiguous but partially screened, or as the circumstance dictates, for adjacent industrial property or non-residential property.

Chair Pehrson said let me extend one step further. In Mr. Arkin's case you have fence along the east and west property line that is just cyclone fence. There is a wall and fence on the west. In this case side the fence on the east portion you could say that is enough.

Member Giacometti said I don't like an ordinance to be written so that we are constantly creating waivers.

Chair Pehrson said, given that it is a special land use, that is the point of why somebody is going to come in front of us and we are going to put conditions in front of them that says, "Here is what it needs to be".

Member Giacometti asked if this would come to us as a waiver to this article, once we receive a site plan.

Deputy Director McBeth said that it would come forward as a Special Land use request. It would have to meet all the criteria of the outside use section plus the section that is associated with special use consideration. Staff is thinking that an outside use is going to be more of an exception than the norm. We are thinking that not every industrial establishment is going to take us up on this part of the ordinance.

Member Giacometti asked Deputy Director McBeth as City Planner, and what you know about Mr. Arkin's site, would you recommend approval of this site to us.

Deputy Director McBeth said, from what we have seen so far, the north side is the side that we are most concerned with because that is the side adjacent to the residential. We probably want to take a closer look at that screening before we make a formal recommendation. There may be gaps in other spots where we, as staff, might be requesting additional screening.

Member Giacometti asked if the 80-90 percent standard is the typical opacity standard in which we hold in this city anyway.

Deputy Director McBeth said that is the standard that we have use in the past.

Member Giacometti said if we are just creating a framework and having the latitude then I don't have a problem with the ordinance as presented.

Motion by Member Lynch and seconded by Member Zuchlewski:

ROLL CALL VOTE ON THE ZONING ORDINANCE TEXT AMENDMENT 18.275 APPROVAL MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ZUCHLEWSKI

Motion to recommend approval to the City Council of the ordinance amendment as written, further clarifying that 100 percent opacity will be required for outside uses abutting residential. *Motion carried 4-0.*

MATTERS FOR DISCUSSION

CONSENT AGENDA – REMOVALS AND APPROVAL

There were no removals or approvals to the consent agenda

SUPPLEMENTAL ISSUES

There were no supplemental issues.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Motion by Member Lynch and seconded by Member Zuchlewski:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ZUCHLEWSKI:

Motion to adjourn the May 27, 2015 Planning Commission meeting. *Motion carried 4-0.*

The meeting was adjourned at 9:43 PM.

Transcribed by Richelle Leskun

Date Approved:

Richelle Leskun, Planning Assistant

Planning Commission Meeting Minutes

May 13, 2015



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

MAY 13, 2015 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

ROLL CALL

Present: Member Greco , Member Lynch, Chair Pehrson, Member Zuchlewski, Member Baratta

Absent: Member Giacobetti (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri; Planner; Jeremy Miller, Engineer; Rick Meader, Landscape Architect; Tom Schultz, City Attorney, Maureen Peters and Paula Johnson, Traffic Consultants

PLEDGE OF ALLEGIANCE

Member Greco led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Baratta and seconded by Member Greco:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER BARATTA AND SECONDED BY MEMBER LYNCH

Motion to approve the May 13, 2015 Planning Commission Agenda. Motion carried 6-0.

AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE

There was no correspondence

COMMITTEE REPORTS

There were no committee reports

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

There was nothing to report

CONSENT AGENDA – REMOVALS AND APPROVAL

Nothing to remove or approve

PUBLIC HEARINGS

1. ZONING ORDINANCE TEXT AMENDMENT 18.275

Public Hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.14, I-1 Light Industrial district required conditions; in order to allow outside storage associated with otherwise permitted light industrial uses.

Planner Sri Komaragiri stated as previously noted, the proposed text amendment was requested by the applicant, Irwin J. Arkin, LLC representing Martin Technologies. The applicants were issued a temporary land use permit for outside storage of new unlicensed, operable vehicles that expires on November 14, 2015. The applicant is requesting an amendment to the section 3.14 I-1 district required conditions of Article 3 of City of Novi Zoning ordinance to allow outside storage in I-1 districts. After reviewing local ordinances of surrounding communities, staff has prepared a draft version that allows outside storage as a special land use with certain conditions.

The Planning Commission was asked to review the original draft ordinance amendment at their last meeting held on April 8th. On that day, the Planning Commission has set a public hearing for today's meeting in order to hear public comment on the proposed text amendment and make a recommendation to the City Council.

Planning staff and the City Attorney's office have made changes to the original draft presented to the Planning Commission on April 8th, 2015. The Planning Commission is provided with 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 was asked to review this memo along with the attached language and the applicant is interested to proceed with Staff's recommendations.

Chair Pehrson opened the public hearing and asked if anyone wished to address the board.

Resident Lynn Kocan 23088 Ennishore Drive said, I currently live in Meadowbrook Lake Subdivision which is a residential district that abuts I-1 zoning, so a special land use is associated with the zoning that's directly abutting our neighborhood. When I look at this ordinance it brings up things that are near and dear to my heart. The City of Novi Ordinances have been very specific with respect to Light Industrial properties abutting residential properties, particularly as it relates to special land uses. The intent has always been to protect the quality of life of the residents, allowing light uses which may abut residential properties. The proposed ordinance revision as I read it may be suitable to most I-1 zoned areas. However, care really needs to be taken when you propose to change an ordinance to satisfy one company's request that is in a specific location, which is not next to a residential zone, and currently faces an arterial road, particularly if the changes to the Ordinance could negatively impact other areas in the city,

specifically residential.

Ms. Kocan continued, while I question why you are proposing to allow more extensive outdoor storage at all, I have specific concerns regarding certain articles within the ordinance. Article 3.14 g where you say that all storage should be screened with landscaping and walls at least 6 feet in height providing eighty percent winter opacity and ninety percent summer opacity. The screening must be at least 6 feet in height but you don't state a maximum height. If the screening is done only with landscaping is your request for winter opacity of 80 percent, 90 percent summer required immediately or within 2 years? Ms. Kocan said, I am of the thought that you to need complete screening if you are going to allow this at all.

With regard to Article 3.14 19i, openly stored materials shall not extend above the height of the screening. You need to have a maximum height. When I look at other ordinances that you looked at, I looked at South Lyon's Ordinance: In their articles they have statements that say outside storage may be permitted as opposed to being a right of that zoning. They also state that Outside Storage should be completely screened verses our ordinance that says that it should have some opacity. That ordinance also states that the storage shall not exceed a maximum height of 8 feet in height. They do have a maximum height in their ordinance. They also state that outside storage shall only be permitted on parcels abutting arterial, minor arterial, rural major, urban collector or rural minor collector roads as identified in the Master Plan. So to me, South Lyon would never allow this abutting a residentially zoned area. Wixom's ordinance says all storage facilities shall be enclosed in a building or within an obscuring wall on all sides not less than 6 feet and may be required to be 8 feet in height. Again Wixom's ordinance states more specifics. Wixom's ordinance also says that it shall be completely screened.

Novi Ordinance 3.1.18.C. is very specific regarding uses; "uses shall be permitted where the proposed site does not abut a residentially zoned district" and lists in Section 9, storage facilities for building materials, and in Section 12, outdoor space for parking of licensed rental motor vehicles. In my opinion from reading the activities of Martin Technologies with the storage of the quantities and types of material indicated, 200 cars operable and inoperable which is basically a large scale storage facility and will necessitate continual movement in the yard area. This totally escalates and changes the use of that area. If a development of this scale were allowed next to residential, you know it would substantially reduce property values. Again, I ask you to take care when you propose to change an ordinance that could negatively impact other areas in the city in the future, specifically residential, to satisfy one company's request which in a particular instance it may not be a negative impact. Is it really necessary to change the Special Land Use Ordinance that already works? If so please insure that any changes will not be made that will negatively impact residential properties.

Seeing no one else who wished to speak, and finding that there is no correspondence related to this request, Chair Pehrson stated closed the public hearing. He turned it over to the Planning Commission for consideration.

Member Baratta stated I have a couple of concerns with the revised ordinance. When we are talking about screening and using landscaping I think it is preferable to have a hard surface type of screening opposed to landscaping. Landscaping dies and you just don't want to see this stored product or fixtures in the yard, particularly if they are abutting residential properties. I think that you could do something with that whether it is masonry fence or some other type fencing - even plastic fencing or fencing of that category which totally screens. There are other materials that can be used in order to protect the views that we are talking about. The other thing that we have to add is complete screening from the surrounding properties. You have

different elevations of property. If I have a house that is a little higher than what the light industrial property is I could see through the screening because I could see over it. If you have it maxed at 6 feet, I am still seeing the product or items. I think that you need to add that language that it has to be completely screened from the surrounding properties.

Member Baratta continued, the other thing we are talking about is one year. I am wondering if a year is too long. As I drive down the highway I see that one facility where they have their racks and products in the back of the facility. You see all their products in the back. I think it is unsightly. Again we have the elevation of the road higher than where the storage is. I think it is something that we need to look at. I don't know if a year is the right number or where we came up with a year but I am assuming that we could do something shorter than a year. Those are my concerns with the ordinance and my recommendations are to modify the ordinance.

Member Anthony has a question for City Attorney Schultz. When I looked at this ordinance, one thing that I did like is that outside use is required to be on a paved surface. It didn't give the option of the gravel aggregate surface as in some of the other city ordinances, also requiring the surface to be well drained. When I saw that I immediately started to think that there are also state and federal regulations for an industrial use under a specific code that can store anything outside. It can trigger state or federal regulations and additional steps that the owner will have to do in order to manage and protect their storm water runoff. None other other cities did this, which I am asking or suggesting, would we also want to add in to that ordinance a requirement for compliance with federal and state storm water control? The reason I bring it up is because it is specifically for industrial sites and where regulations come in. It adds additional requirements that they would be required to do. Keep in mind some other municipalities that I have worked with that standard would come in handy when a property becomes derelict and all the other ordinance violations that they have. It could give us some additional enforcement to helping the property back into compliance. My question is can you do that in a municipal ordinance?

City Attorney Schultz answered, yes, if there are additional state or federal regulations that apply to the kind of industrial uses, we can add a binder. Those things might already be covered by code of ordinance as a whole as it was written. If the direction is to take a look at this and come back with some other changes, we can look at what that would involve and look at some of the other recommendations.

Member Anthony stated that he also lives in a neighborhood that abuts areas of light industrial zoned property. My neighbors often have to look out their back yards and look at the industrial property. The change in the ordinance is an opportunity to make some improvements. One that I wouldn't want to remove is the phrase "completely screened". I wouldn't want to remove the option for landscaping. There are times when the landscaping is much more appealing than a fence with the barbed wire over the top of it. I would at least like to leave that in there. The complete screening, season round is important as well whether that is achievable. I would like to leave that piece in.

City Attorney Schultz asked Member Anthony if he would have an objection to doing both?

Member Anthony stated, he does not object. Do both with a fixed screen and a landscaping requirement. That would make everyone in the neighborhood feel comfortable.

Member Zuchlewski stated that he would support the 8 foot height around the fencing and go for both the hard screen and soft landscaping.

Member Greco stated that he agrees with the fellow commissioners regarding the changes with the revisions that need to be made, but also particular consideration both to the city staff and city attorney about maybe even making it slightly more stringent for residential properties. Looking at the map we have a portion of the I-1 properties abut residential properties and that is the major concern of the residents here. I think for all of us we are mostly concerned with what residents would be seeing from their back yards, around their front door, or the side of their house - whether they are looking at a wall screen or a wall with shrubs in front. That would be my comment. I generally agree with my fellow commissioners and what we are looking for.

Chair Pehrson stated I agree with what has been stated so far relative to the height and maximum of the height - that should be the standard the completely screened portions. Mr. Schultz, would you be comfortable with what you have heard tonight to able to redraft and come up with the language that would address the comments?

City Attorney Mr. Schultz stated we need to read the minutes and come back.

Member Anthony stated that I did stop and think about that one year period. My first reaction to that seems like that is too long. I then sort of look at that through the eyes of what I do outside of the Commission as a profession, and that is to look at industrial properties and how storage creates degradation to the environment, which can also migrate away from this site. In the cases where that has been an issue in Michigan where we have found signification that has migrated offsite the storage has been longer than a year. So with looking at it through that eye I would think that in most businesses that are not storing for longer than a year then we are not looking at a risk to environmental degradation that can get into our water system. Novi has our green linear parks and all of our neighborhoods are built around. Provided that they provide the complete screening then with that in conjunction complete screening less than a year I think it is an okay time frame.

Member Anthony stated I guess one of my concerns is, if you have a year period and you have something stored there you're going to have vegetation growing among the items stored, perhaps a lot of weeds and dandelions. Ground water issues are one thing that can be affected as a product deteriorates. A second issue is the landscape is maintained inside that enclosure. A year allows that to happen. Does the current ordinance or code take into account those considerations for vegetation, grass heights, and things of that nature.

Deputy Director McBeth stated, yes, the code take weeds into consideration. But if something hidden or behind an item that is being stored that would be hard for the owner to maintain.

Member Anthony said, we need to think about that language so that we are putting some responsibility on the proprietors to keep the property in good repair, in good stead. Maintaining the landscape would be good as well.

Member Zuchlewski stated that, he was thinking that if we are asking for a permanent hard surface and landscaping around it is a year enough time for that outside storage? In that time frame say the facility has equipment stored out there for 10 months and then they pull it out and ship it off and they are looking for approval for another ten months? Would the approval carry on year after year after year?

Deputy Director McBeth stated the intent of the ordinance is prohibit the same materials from being left in place indefinitely. Materials coming and going in through the site would be fine

and expected as a part of the industrial operation. If one year has passed and that piece of equipment has not moved then that would be a violation of the ordinance.

Member Zuchlewski said, so one year relates to one piece of equipment specifically?

Deputy Director McBeth stated, that is correct.

Member Zuchlewski said, I think that the hard surface and landscaping issue might really help.

Member Baratta said, the reason that I wanted the hard surface is to protect our natural resources of our city. As we are talking about outdoor storage and things that may be stored there for a period longer than one year, there are many industrial sites that have these very heavy metal racks that they use outside to store material on. Do those racks then become subject to the material that is stored outside? Do we then develop some ordinance for those racks such as we do for a dumpster that is outside?

Attorney Schultz said that we will work to address that in the revised ordinance.

Moved by Member Greco and seconded by Member Zuchlewski:

ROLL CALL VOTE ON THE PROPOSED ORDINANCE AMENDMENT MADE BY MEMBER GRECO AND SECONDED BY MEMBER ZUCHLEWSKI:

Motion to direct the staff and the City Attorney to present the Planning Commission in the future with a revised ordinance along the lines with what has been discussed among the Planning Commissioners this evening. Motion carried 6-0.

2. PROVIDENCE PARK ONE ACRE OFFICE BUILDING JSP14-87

Public hearing at the request of Whitehall Real Estate Interests for the approval of Preliminary Site Plan, Woodlands Permit and Stormwater Management Plan. The subject property is located in Section 17 in the south west corner of Grand River Avenue and Providence Parkway. The applicant, Whitehall Real Estate Interests, proposes to build a one story 6,660 square foot speculative general medical office building and associated parking facilities on the northwest corner of the Providence Park Hospital planned office complex site. The project fronts on Providence Parkway and is adjacent to Grand River Avenue.

Planner Sri Komaragiri states that the applicant, Whitehall Real Estate Interests, has received a Preliminary Site Plan approval for the subject site back in 2008 which is no longer valid. The applicant is proposing a similar site layout with reduced building print.

The project site is approximately 1.31 acres and fronts on Providence Parkway and is adjacent to Grand River Avenue. The site is located on the northwest corner of the Providence Park Hospital planned office complex site. The property is surrounded by vacant land on all sides.

The subject property is zoned OSC, Office Service Commercial and is bordered by OSC on all three sides with I-1 Light industrial on the west. This is a permitted use in OSC district. The Future Land Use map indicates Office Commercial use for the subject property and the surrounding properties on all sides with Office research development and technology use on the west.

Planning Commission Meeting Minutes

April 08, 2015



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

APRIL 8, 2015 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

ROLL CALL

Present: Member Giacometti, Member Lynch, Chair Pehrson, Member Zuchlewski

Absent: Member Anthony (excused), Member Baratta (excused), Member Greco (excused)

Also Present: Barbara McBeth, Community Development Deputy Director; Sri Komaragiri; Planner; Jeremy Miller, Engineer; Rick Meader, Landscape Architect; Gary Dovre, City Attorney.

PLEDGE OF ALLEGIANCE

Member Giacometti led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Giacometti and seconded by Member Lynch:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GIACOPETTI AND SECONDED BY MEMBER LYNCH:

Motion to approve the April 8, 2015 Planning Commission Agenda. Motion carried 4-0.

AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

CORRESPONDENCE

There was no correspondence.

COMMITTEE REPORTS

There were no committee reports.

COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Community Development Deputy Director Barbara McBeth stated that she had nothing to report.

CONSENT AGENDA - REMOVALS AND APPROVAL

1. Big Boy Façade Renovations, JSP13-16

Approval of the request of The Foresta Group for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 36 at 20800 Haggerty Road, at the northeast corner of Haggerty Road and Eight Mile Road in the FS, Freeway Service District. The applicant is proposing to replace and modify all building facades.

- d. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

This motion is made because the plan is otherwise in compliance with Article 4.40, Article 4 and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

ROLL CALL VOTE ON THE SPECIAL LAND USE APPROVAL MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ZUCHEWSKI:

In the matter of Taco Bell, JSP15-05, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 4-0.*

MATTERS FOR CONSIDERATION

- 1. SET PUBLIC HEARING FOR MAY 13, 2015 FOR ZONING ORDINANCE TEXT AMENDMENT 18.275 TO ALLOW OUTSIDE STORAGE IN LIGHT INDUSTRIAL DISTRICTS, SUBJECT TO SPECIAL LAND USE APPROVAL BY THE PLANNING COMMISSION**

The applicant, Irwin J. Arkin, LLC representing Martin Technologies were issued a temporary Special Land Use permit (PTSLU 14-0008) in accordance with 3004.2 of the Novi Zoning Ordinance for outside storage of new unlicensed, operable vehicles until November 14, 2015. The applicant is now requesting to change the Temporary Special Land Use Permit to a permanent Special Land Use Permit through a text Amendment to I-1 district general conditions. The subject property is located north of Nine Mile Road and east of Novi Road at 43100 Nine Mile Road. The subject property is currently zoned I-1, Light Industrial and is surrounded by I-1 on all sides with RM-1 (Low Density Multiple Family) on North. The Future Land Use map indicates Industrial research development and technology for the subject property and the surrounding properties on all sides except on the North. It indicates Multiple Family on the North side. Outside storage is generally not a permitted or a Special Land Use in the Light Industrial District. If the text amendment is approved, it would apply to all of the City's Light Industrial Districts. As seen on our zoning map, I-1 districts are located along the railroad corridor and Grand River Avenue abutting primarily residential districts such as R-2, and R-4 and a few zoned RM-1, RM-2 and RA. In some places, they are adjoined by Office Service districts such as OS-1, OSC, and OST and Commercial districts such as B-2, B-3 and TC and TC-1.

Planning staff reviewed a number of ordinances from surrounding communities to determine common standards and concerns. Staff's review of those ordinances revealed outside storage for the light industrial zoning district is permitted primarily as Special Land Use with additional conditions. Staff version of the draft is 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 Planning Commission is asked today to review the draft ordinance and provide any comments. If it is generally acceptable, the Planning Commission is asked to 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. She and the applicant are available to address any concerns.

Chair Pehrson asked the applicant if he wished to address the Planning Commission. He chose not to and the case was turned over to the board for discussion.

Member Lynch stated that he does not see anything detrimental. He asked for confirmation that the I-1 Zoning District does not allow outside storage but they are making a change to allow outside storage as long as it has a vegetation screen around it.

Planner Komaragiri confirmed that was correct. Also, the outside storage should be incidental to the use that is going on in the building.

Member Lynch stated that this may enhance the standards. The language is specific that the outside storage would be completely screened. If any of the vegetation dies they have to fix it.

Planner Komaragiri stated that was correct if they chose vegetation as one of the screening options. They do have other options for screening.

Member Lynch told the other board members that he personally does not have a problem with this.

Member Giacometti stated he has questions for the applicant.

Brian Jones, Vice President of Martin Technologies, stood before the board.

Member Giacometti asked him if he had a chance to read the staff's version of the amendment.

Mr. Jones confirmed that he had.

Member Giacometti asked if the staff version would suit his particular needs.

Mr. Jones confirmed that it does.

Member Giacometti stated that he is having a hard time making a connection between the storage materials versus the storage of vehicles.

Mr. Jones stated that from the language, they are one in a same based upon the use. For their business, it is an engineering services activity and development activity. In the technology space, the business they conduct within the four walls is directly related to what would be considered storage outside. In this case, it would be motor vehicles. It's not a storage yard per se, but a development facility and many of the vehicles have newer technology. It is very specific to their business and for the most part, they support the screening function because a lot of it is confidential.

Member Giacometti stated he is interested to know how the city will enforce the new ordinance. He asked what in the ordinance would prevent one from using this amendment for a salvage yard.

Director McBeth stated there are a number of protections written into the ordinance to keep the district from turning into a salvage yard. It must be clear that the materials stored on site are for

some production use within the building. There is also a provision that items cannot be stored for longer than one year outside of the building. There must also be Special Land Use approval initially from the Planning Commission so they can review the work being proposed. When the use changes inside the building the Special Land Use approval would expire. Ordinance Officers can also take a look at things on the outside, and take action if they see something has been there for at least a year. The Planning Department has looked at other communities ordinances and has taken some of the better parts to possibly incorporate them into our ordinance.

Member Giacometti stated he was glad the applicant was present to explain their business model and what they do. His concern was having someone with a business model that does work on automobiles and needs outdoor storage of automobiles for the purpose of picking and choose what parts are needed and not being there for a full year. This was the worst case scenario going through his head and is not sure if this should be enabled in an amendment. He would like to give this some thought before the public hearing.

Planner Komaragiri stated that item C under the staff version states that in no case shall open storage areas be used to store obsolete machinery or machines no longer used or intended to be used in the industrial operation. Maybe this could be modified.

Chair Pehrson thanked the staff for including other cities ordinances. He found it interesting to see how they covered it. One of the cities actually made a numerical value to opacity during summer and winter which he believes would be very helpful as opposed to just a word.

Moved by Member Lynch and seconded by Member Giacometti:

ROLL CALL VOTE TO SET PUBLIC HEARING FOR MAY 13, 2015 FOR ZONING ORDINANCE TEXT AMENDMENT 18.275 MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:

Motion to set the public hearing for May 13, 2015. Motion carried 4-0.

SUPPLEMENTAL ISSUES

Director McBeth stated that she sent out a reminder there will be an open house for the Master Plan study area. Everyone is welcome to come next Monday. It is from 4:00 p.m. to 6:30 p.m. in the Activities Room.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

ADJOURNMENT

Moved by Member Lynch and seconded by Member Giacometti:

VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GIACOPETTI:

Motion to adjourn the April 8, 2015 Planning Commission meeting. Motion carried 4-0.

The meeting was adjourned at 7:28 PM.

Transcribed by Stephanie Ramsay
April 10, 2015
Date Approved:

EXCERPT
Farmington Hills Zoning Ordinance

34-3.1.29

LI-1 Light Industrial District

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 [□]
 - 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** [□] § 34-4.31
- ii. Farms [□]
- 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 [□] 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** [□] and **cellular antennae** [□] § 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 [□]
 - d. Bowling alleys
 - e. Personal service establishments, which perform services on the premises
 - f. Laundry, dry-cleaning establishments or pickup-stations
 - g. Restaurants [□], including fast food or carryout restaurants, **drive-in restaurants** [□] § 34-4.35
 - h. **Gasoline service stations** [□] § 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** [□]
- 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** [□] **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 there 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.



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	In	Least Total						
		Stories	Feet	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
Manufacturing Uses			
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	
Transportation, Warehouse, Storage and Waste Handling Uses			
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.

Section 23.01			
Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
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.

Section 23.01			
Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use	Conditions	
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>		

Section 23.01			
Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
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.