

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

MINUTES OF MEETING HELD MAY 8, 1997

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Agenda

"I-R" DISTRICT - TEXT AMENDMENT (SCHRAMM)

9TH STREET FOCUS AREA OVERLAY ZONE - TEXT AMENDMENT

NEIGHBORHOOD COMMERCIAL - TEXT AMENDMENT

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A meeting was conducted by the Oshtemo Charter Township Planning Commission on Thursday, May 8, 1997, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall, pursuant to notice.

Members Present:            Wilfred Dennie, Chairperson  
                                 Ted Corakis  
                                 Millard Loy  
                                 Marvin Block  
                                 Lara Meeuwse  
                                 Elizabeth Heiny-Cogswell

Member Absent:            Ken Heisig

Also present were Rebecca Harvey, Planning and Zoning Department, Patricia R. Mason, Township Attorney, and nine (9) other interested persons.

**CALL TO ORDER**

The Chairperson called the meeting to order at 7:05 p.m.

**AGENDA**

Mr. Block moved to approve the agenda as submitted. Ms. Meeuwse seconded the motion. The motion carried unanimously.

**MINUTES**

The Planning Commission next considered the minutes of the meeting of April 17, 1997. The Chairperson suggested changes to page 2 to state ". . .locations that would comply with the preliminary standards for the Residential Convenience Center. . .to visualize locational distance standards that needed to be established. . .existing neighborhood

commercial land uses. Ms. Harvey responded that she would draft language to that effect." Ms. Meeuwse suggested a change under "Other Business" to state "Focus Area Overlay Zone, Telecommunications Tower Ordinance, Work Plan."

Ms. Meeuwse moved to approve the minutes as amended, and Mr. Loy seconded the motion. The motion carried unanimously.

The Planning Commission considered the minutes of the meeting of April 24, 1997. Ms. Meeuwse moved to approve the minutes as submitted, and Mr. Corakis seconded the motion. The motion carried unanimously.

### **"I-R" DISTRICT - TEXT AMENDMENT (SCHRAMM)**

The next item was consideration of the application of Richard Schramm to amend Section 40 of the Township Zoning Ordinance to add the following as permitted uses within the "I-R" District: Offices and office buildings; wholesale sales of services and merchandise; central facilities for off-site retail sales of services and merchandise; limited on-site retail sales of services and merchandise as a secondary use. The item had been tabled from the meeting of March 13, 1997.

The Chairperson noted that the Planning Commission's consensus at the March 13, 1997, meeting was to consider whether the "I-R" District should allow offices and office buildings as a permitted or special use within the "I-R" District. It was noted that the "I-R" District currently allows offices if ancillary to a permitted use. The Planning Commission had discussed the possibility of an Industrial Park District. The Chairperson described the uses permitted within the "I-R" District. He noted that the Planning Commission had previously stated that it wished to distinguish the "I-R" District from the Commercial District and, therefore, the "I-R" District should not allow all types of offices. The Planning Commission had also determined that it did not wish to allow retail sales as a primary use.

The Chairperson noted that a packet of information had been received from the Planning and Zoning Department which included several items. The first was a publication entitled "Better Design Standards For Your Industrial and Research Parks." This article indicated that there were certain options for dealing with industrial/office parks. These options were PUD-industrial, industrial park overlay zone, and industrial park district. The Township Attorney indicated that a fourth option was to amend the "I-R" District text to include offices and/or industrial/research parks. The packet also included sample ordinances from Waterford Township and East Lansing. These two ordinances were for industrial or office districts.

The Chairperson discussed the location of "I-R" zoning within the Township along 9th Street and along Stadium Drive. There was also discussion of the location of "I-1" and "I-2" zoning in that permitted uses within the "I-R" District were also permitted within the "I-1" and "I-2" Districts. It was noted that PUDs are ordinarily treated as special uses.

Typically a PUD would include a mixture of uses. An overlay zone would be appropriate if office development were appropriate in a certain geographical area.

After further discussion, Planning Commission members indicated that they favored amending the "I-R" text, either as permitted or special exception use, to include offices or industrial parks. The Chairperson stated that he favored this option in that there would be no need to rezone industrial property and no elaborate process.

The Chairperson called for comment from the applicant. Mr. Schramm was present and stated that his reasoning for applying for the text change was that the current text did not allow for uses which should be allowed in this area. He noted that originally the "I-R" District was created as a "high-tech zone" but that this concept had not worked because offices were not allowed. He believed that this hampered high-tech development in the "I-R" District.

Larry Norris was present, stating that he was not in favor of amending to require a PUD in that this would involve large tracts of land. He further felt that offices would be less offensive than many industrial uses to neighboring residential users.

There was no other public comment offered.

Ms. Harvey noted that the Township's reasoning in creating the "I-R" District and precluding general office development therein was that there was a limited amount of land which was zoned industrial within the Township and which would be appropriate for industrial zoning due to the amenities available. Therefore, it was a goal to preserve locations with the available amenities for industrial development.

Mr. Loy stated he would have no problem with office development in the Industrial District except a concern about eating up a lot of industrial land.

The Chairperson suggested that an amendment to the "I-R" text could be drafted so as to create design standards with regard to the scale of office buildings so as to preserve the character of the "I-R" District. Another option would be to limit the types of offices allowed.

The Chairperson summarized the consensus of Planning Commission members, stating that ~~it was their consensus that~~ no industrial PUD be established, that no overlay zone be established, and that no new district be created. Planning Commission members agreed that they should consider amending the existing "I-R" District to allow offices and office buildings as a permitted and/or special exception use. Moreover, Planning Commission members were not opposed to an industrial park, which would allow for a mixture of uses. Planning Commission members also agreed that no retail sales should be allowed as a primary use in the "I-R" District. The Planning Commission requested that staff prepare draft #2 with these consensus items in mind.

Mr. Loy moved to table the item to the meeting of June 12, 1997, at which time draft #2 could be reviewed. Ms. Meeuwse seconded the motion, and the motion carried unanimously.

### **9TH STREET FOCUS AREA OVERLAY ZONE - TEXT AMENDMENT**

The Planning Commission next considered the draft outline of Section 50.000, the 9th Street Focus Area Overlay Zone. The Chairperson discussed the definition of an overlay zone and pointed out that the Commission had determined, with regard to certain rezoning applications in the 9th Street Focus Area, that it might be appropriate to consider an overlay zone to allow office development along the West Main and KL corridors within the 9th Street Focus Area.

The Chairperson began a review of the draft outline, first reading the Statement of Purpose. It was noted that the exact boundaries of the proposed overlay zone would be considered at a subsequent meeting. As to the permitted uses, Ms. Harvey noted that the standards included in the proposed Section 50.201 were the same standards as articulated for offices within the "R-3" District. There was a discussion of the size of office buildings which should be allowed, and it was noted that 10,000-sq.-ft. buildings were allowed in the "R-3" District. These standards were designed to allow for office development which would be compatible with residential uses. After further discussion, Planning Commission members concluded that it would be appropriate to limit each building to a maximum of 10,000 sq. ft. in the overlay zone so as to retain compatibility with residential use. It was noted that building coverage of a particular parcel would be limited to 30%.

As to design standards, it was suggested that the second paragraph of subpart (a) become the first paragraph in that subpart. A typographical error was corrected in subpart (c), and it was suggested that reference be made to Section 67.000 and a requirement for compliance therewith.

As to design standard subpart (d), there was discussion of the required setback which should be in place for the overlay zone. Planning Commission members agreed that the general setback provisions should be complied with for public roads. For private roads/the interior street system, there was a suggestion of 15' setback for buildings similar to the setback required for service drives.

Ms. Harvey noted ~~that the~~ need to add a section regarding building orientation.

There was a discussion of sidewalks or pedestrian travel routes, and Mr. Corakis stated he felt that for safety of children sidewalks should be encouraged. Mr. Block agreed, stating he found no problem with sidewalks on all streets. The Chairperson stated that he would be in favor of sidewalks or pedestrian travel routes but did not see the need to require sidewalks along each street. Ms. Cogswell agreed, stating that she did not feel that these travel paths would necessarily need to be "married" to each street. However, she felt it

would be appropriate to encourage a pedestrian travel network in the area. Ms. Meeuwse was concerned that the Township Board would not favor including a requirement for sidewalks. It was noted that this issue should be discussed further in draft #2.

Under subpart (f), it was agreed that a minimum of 10% of the paved area should be used for interior parking lot landscaping. Under subpart (l), it was noted that not less than 5% of the site should be designated as open space consistent with the requirements of the PUD and "C-R" Districts.

As to subpart (m) which concerns signage, there was discussion of the fact that the "R-3" District allowed a 30-sq.-ft. sign at an 8' height in the "R-3" District. The "R-3" District did not allow for wall signage. Planning Commission members agreed that signage should be consistent with the "R-3" District.

Helen Brodasky asked for clarification with regard to the uses which would be permitted in the "R-2" District if the overlay zone were adopted.

John Pfisterer had questions as to whether the overlay zone would lead to a greater amount of nonresidential development in the 9th Street Focus Area. Mr. Pfisterer also communicated comments from his neighbor, Jerry Pahl, who was concerned that the overlay zone would not be consistent with the Master Land Use Plan. Mr. Pahl further felt that, since developers had purchased land zoned "R-2," they should not attempt to obtain a rezoning.

The Chairperson pointed out that the Master Land Use Plan calls for a mixture of uses in this area. He noted that the Planning Commission was attempting to ascertain in this drafting process whether an overlay zone could be constructed which would be compatible with the goals and objectives of the Focus Area Plan.

Mr. Sharp commented that he was concerned as to whether the Township would be allowing office use in the "R-2" District when it was not allowed currently.

It was agreed that draft #2 would be discussed at the meeting of June 12, 1997.

#### **NEIGHBORHOOD COMMERCIAL - TEXT AMENDMENT**

Due to the lateness of the hour, it was determined that the discussion of draft #3 of the Neighborhood Commercial text amendment should take place at the meeting of June 12, 1997.

**OTHER BUSINESS**

Ms. Harvey reported that an applicant was seeking approval for a site condominium project and had requested a meeting be conducted on the project prior to the Planning Commission meeting of June 26, 1997. It was noted that there would not be time for this item at the June 12, 1997, meeting, nor would there be sufficient time to process the application and obtain review. There was discussion of establishing a June 19, 1997, special meeting to consider the application. Ms. Meeuwse moved to schedule a special meeting for June 19, 1997, or provide the applicant the option of having his item considered at the meeting of June 26, 1997. Mr. Corakis seconded the motion. The motion carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourned at approximately 10:45 p.m.

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

BY: Lara Meeuwse  
Lara Meeuwse, Secretary

Minutes prepared:  
May 9, 1997

Minutes approved:  
May 22, 1997

AGENDA: \_\_\_\_\_

DATE: May 8, 1997

MINUTES: Planning Commission

SENT: June 5, 1997

ZBA

PEOPLE

- \_\_\_\_\_ Lara M.
- \_\_\_\_\_ Dave B.
- Bill S.
- Brian
- Tom B.

Richard Schramm  
 2001 South 4th Street  
 Kalamazoo, MI 49009

Home Builders Association  
 5700 West Michigan  
 Kalamazoo, MI 49009

PC

- Libby
- Marvin
- Lara
- Ken H.
- Millard
- Ted C.
- Wilfred

5-16-97

Oshtemo Business Association  
 P.O. Box 1  
 Oshtemo, MI 49077

McGraw-Hill/F.W. Dodge  
 Attn: Linda Hibbard  
 4000 Portage Road  
 Kalamazoo, MI 49001

TB

- Fred
- Dave B.
- Marvin
- Norm

OFFICE

- Becky
- Bob
- Marci
- Lois
- Ron
- Tony
- Jim
- \_\_\_\_\_ Attorney's
- \_\_\_\_\_ Index
- Elaine

Total

Mike West



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334  
616-375-4260 FAX 375-7180 TDD 375-7198

## NOTICE

### OSHTEMO TOWNSHIP PLANNING COMMISSION MEETING

May 8, 1997  
7:00 p.m.

### AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes

- April 17, 1997  
- April 24, 1997

4. Text Amendment - "I-R" District

*: Tabled from March 13, 1997 Planning Commission Meeting*

Consideration of the application of Richard Schramm to amend Section 40 of the Township Zoning Ordinance to add the following as permitted uses within the "I-R" District: offices and office buildings; wholesale sales of services and merchandise; central facilities for off-site retail sales of services and merchandise; limited on-site retail sales of services and merchandise as a secondary use (the primary use shall be another permitted use or a combination of other permitted uses).

5. Text Amendment - 9th Street Focus Area Overlay Zone

*: Board Review - Draft Outline*

6. Text Amendment - Neighborhood Commercial

- Board Review - Draft #3  
- Schedule Public Hearing - *June 26, 1997*

7. Other Business

8. Adjourn

**\*\* SCHEDULE OUTLINE**

**May 20, 1997 Joint Township Board/Planning Commission/Zoning Board  
of Appeals Meeting**

**May 22, 1997 Planning Commission Meeting**

- : Rezoning - Balkema (Tabled)
- : Text Amendment - Communications Towers

AGENDA: Planning Commission

DATE: May 8, 1997

MINUTES: \_\_\_\_\_

SENT: May 2, 1997

ZBA

- Lara M.
- Dave B.
- ✓   Bill S.
- ✓   Brian
- ✓   Tom B.

PEOPLE

Richard Schramm  
2001 South 4th Street  
Kalamazoo, MI 49009

Dave Person  
Kalamazoo Gazette  
P.O. Box 2007  
Kalamazoo, MI 49003

PC

- ✓   Libby
- ✓   Marvin
- ✓   Lara
- ✓   Ken H.
- ✓   Millard
- ✓   Ted C.
- ✓   Wilfred

Home Builders Association  
5700 West Michigan  
Kalamazoo, MI 49009

Cripps Fontaine Excavating  
7729 Douglas Avenue  
Kalamazoo, MI 49004

Oshtemo Business Association  
P.O. Box 1  
Oshtemo, MI 49077

TB

- ✓   Fred
- ✓   Dave B.
- Marvin
- ✓   Norm

Wightman Ward Corporation  
1818 W. Centre Street  
Portage, MI 49024

OFFICE

- ✓   Becky
- ✓   Bob
- ✓   Marci
- ✓   Lois
- ✓   Ron
- ✓   Tony
- ✓   Jim
- ✓   Attorney's
- Index
- ✓   Elaine

John Van Stratt  
Miller-Davis Company  
P.O. Box 2888  
Kalamazoo, MI 49003

Total

Draft Outline  
May 8, 1997

**Section**  
**Industrial Park District**

*Options:*

- Industrial PUD
- Industrial Park Overlay Zone
- Conventional Industrial Park Zoning District

*Purpose*

- : to provide areas within which industrial firms can locate with the assurance of a high permanent level of design quality, extensive site amenity, open space, and environmental protection
- : to provide protection and compatibility with abutting residential and other non-industrial parcels
- : to provide compatibility and amenity among the firms located within the district by application of stringent site planning and aesthetically desirable design

*Scope*

- : Land Division Mechanisms

*Permitted Uses*

*Primary -*

- : industrial and research uses

*Secondary -*

- : professional and university offices
- : incubator and spin-off small firms
- : general offices

: warehousing and distribution

### *Design Standards*

: unity of site design (lot layout, street network, common open space, building architecture, landscaping, streetscape/signs)

: minimum project (park) size/ minimum lot sizes

: minimum project open space/minimum lot coverage

: building design (height, spacing, FAR, #)

: setbacks, buffer yards

: parking

: screening, landscaping

: signs

### *Application Process*

### *Review Criteria*

# THE ZONING REPORT

For Planning and Zoning Professionals

ISSN 0748-0083

VOL. 4, NO. 12 - DEC 19, 1986 - Charles Reed, AICP, Editor/Publisher - \$48/year by subscription

## BETTER DESIGN STANDARDS

### FOR YOUR INDUSTRIAL AND RESEARCH PARKS

(Part One of two parts)

The key to better design for industrial and research parks is to determine what kinds of "parks" you need in your community. Most likely, you should consider revising your industrial park regulations before writing or revising research park regulations.

For most communities, for every clean high-tech research and science lab-type firm seeking a site in a nice research park, there are probably a hundred or more mundane widget makers seeking similar sites in conventional industrial parks.

Why? Because the huge increase in governmental regulations for environmental quality and work-place rules of the past 15-20 years is causing these firms to avoid finding sites on their own. Instead, more firms buy sites in industrial parks already packaged by a developer.

In this issue of The Zoning Report, (Part One), we discuss the rules and zoning standards for industrial and research parks. In the next issue, (Part Two), which is our January 23rd issue, we conclude with a review of changes you need to consider for your subdivision regulations for industrial parks, then quote selected sample text from zoning ordinances.

Where we use the term "industrial park" (or "IP") in this issue, you might also read that term to include research parks. Also, in this issue, you can read IP districts to be PUD's or PUD overlays for industrial park districts.

#### There are three ways to enact industrial park zoning

Each of the three ways has design implications. The three ways are: as a PUD zone, as a PUD overlay over a conventional zone and as a conventional zone. The trend in newer zoning ordinances is away from PUD zones and toward PUD overlays or "IP" zone districts.

PUD zones provide maximum design flexibility to applicants. The PUD regulations allow applicants to write most of their own zoning development standards for their project. But industrial park applicants prefer to avoid PUD's. They apply for conventional industrial zoning and seek variances, exceptions and waivers for design innovation, rather than go through the long and uncertain PUD approval process.

PUD overlay over conventional zones requires the PUD to be placed over the conventional light industrial zone for industrial parks or over the office park zone for research and science parks. This approach speeds up approval time for applicants. The development standards of the underlying zone save applicants the need to derive and justify many of the design standards they must propose for a PUD zone. This reduces design flexibility but encourages applicants to use the PUD concept.

The design standards of the underlying zone govern the PUD unless applicants request deviations for individual development standards.

Applicants ask for these deviations if their proposed standards exceed the standards of the underlying zone. The CPC approves these standards individually as part of the rezoning application.

An industrial park (IP) zone district is listed in your zoning ordinance as a conventional district. Like any other district, the IP district lists all zoning development standards and takes your general supplemental standards for parking and, perhaps, for signs. Some communities provide special zone standards for the IP zone; others use those in the light industrial district.

As with the PUD overlay approach, applicants apply for deviations from the required district standards. The CPC decides these deviations as part of the rezoning application to industrial park zoning.

All sections of your IP zone regulate industrial park design

The "purpose" section of your IP district states that the primary function of the IP district is to provide areas in your community within which industrial firms can locate with the assurance of a high permanent level of design quality, extensive site amenity, open space and environmental protection.

Two purposes are usually described: to provide protection and compatibility with abutting residential and other non-industrial parcels; and to provide compatibility and amenity among the firms located in the IP district by application of stringent site planning and aesthetically desirable design.

The "permitted uses" section of your IP district allows only those uses that create and promote quality industrial development through acceptable standards of site design. Uses that meet this criterion without question are allowed by right in the IP zone. But others might have problems that need solving before being allowed into the park and are only allowed as conditional uses.

You might consider this unusual limitation on uses—all by-right and conditional uses are divided into two groups: primary uses and secondary uses. This limitation tries to assure a compatible mix of uses within the park—especially within research and science parks. It limits the percentage allowed separately for primary and for secondary uses as the gross floor area or number of uses for all firms located in the park.

Primary uses either have no percentage limitation or are limited to 70-90% of total usage, with 75-80% being typical. Secondary uses are limited to the remaining percentage (10-30%) of park usage. Primary uses are industrial or research uses one expects to be the major uses that locate in industrial parks. Secondary uses are related or complementary to the primary uses. They include professional and university offices, incubator and spin-off small firms, general offices, warehousing, distribution, and specialty jobbers that serve the primary uses.

All uses must be housed in fully enclosed buildings. They must not involve dangerous processes (such as a firecracker warehouse), and emit no noise, smoke, vibration, glare and radiation. They have little or no outdoor storage. They do not make any unusual demands on public water and sewerage services, although they generate vehicular traffic and need commercial-grade police and fire protection.

Ancillary uses are commercial uses allowable in small quantity as a convenience to the industrial firms within the park. They may be principal uses on lots but they function as part of the overall mix of uses in the industrial park. They are secondary and incidental to the main industrial and research functions of the park.

Typical ancillary uses found in IP's are: sit-down and fast-food carry-out restaurants, bars and taverns, newspaper and tobacco shops, gas stations with no repair services, quick-print and secretarial services, motels with conference and banquet facilities to serve the park, banks, gift shops, post office, mail services and parcel exchange, beauty and barber shops, and—moving up fast in this list—day care service.

Ancillary uses often are grouped in a single building near the center of the park, or at a scenic or highly visible location that enhances the industrial/research marketing concept of the park. Location of these commercial uses might be allowed at the edge of the park conveniently accessible by the general public with access to a major arterial. But such a location is secondary to the function of the park and is limited to small acreage.

Accessory uses meet your general zoning definition for accessory uses and standards you require of any accessory use. They are secondary and incidental to the principal use on the lot, are commonly associated with the use, occupy a small percentage of the lot, and are usually housed within the building containing the principal use.

The "zoning development standards" section of your IP district is divided into tract standards and lot standards. Tract standards apply to the entire land area included in the rezoning application to IP for the industrial park. Lot zoning development standards apply to the individual lots in an IP tract.

"Supplemental zoning standards" required for IP zone districts are those required of all zone districts in your zoning ordinance. These standards include off-street parking, off-street loading, signs, landscaping and open space, accessory use standards, and exceptional uses heard and decided by the BZA.

The "administrative requirements" section of your IP zone district might require up to six items not usually required for conventional zone districts. These are: (1), applicant must submit a preliminary development plan for his site with his zoning application; (2), applicant must also simultaneously file subdivision plats for his tract and go through the platting process concurrently with the rezoning; (3), applicant might be required to prepare and file private covenants that additionally regulate development on his site; (4), applicant might describe the organization and operation of the

industrial park governing board that enforces the covenants; (5), applicant might be required to go through additional steps in the rezoning process not required of applications to conventional zone districts; and (6), your IP district regulations also describe the processes applicant goes through for later zoning conditional approvals, waivers and minor design adjustments within approved IP district plans.

Items shown on the preliminary development plan are those not required to be shown on sketch plans and preliminary plats by your subdivision code. These items are: proposed land uses for all lots; landscape plans, including planting plans for critical locations; the design of common open space areas in the proposed industrial park; location of signs; proposed covenants for the IP; and additional development standards that apply to all lots in the IP.

Private covenants are imposed on all firms occupying space in the park. They are enforced by the developer and the park governing board. The covenants vary widely from one IP to another and vary in detailed degree of design control. These covenants are critical to the design success of the park, whose requirements and enforcement goes beyond the legal bounds of control by public bodies. You check all proposed covenants to at least equal your required zoning standards for individual elements regulated by the covenants (such as signs).

You might consider requiring that the organization of the governing board for the industrial park and its architectural review committee, and the general policies for its operation and funding be described in a narrative submitted with the development plan. This description assures that there will be continuity of a private authority to regulate and enforce the design covenants for the park and to approve firms who seek to locate in the park.

There are two types of park governing boards: an association of the firms occupying and owning lots in the park as a form of condominium, or the sponsor-developer that owns the industrial park tract and leases all lots in the park—with development controlled in an owner-tenant relationship.

### Suggested specific zoning development standards

We divide our discussion of IP zoning development standards into eight parts: (1), direct design controls; (2), size and shape of the tract and lots; (3), percent coverage for the tract and lots; (4), buildings on a lot; (5), buffers, zone yards and setbacks; (6), landscaping, screens and walls; (7), signs; and (8), parking and loading.

#### 1. Direct design controls

Overall unity of site design for the entire industrial park is required in about 20% of zoning ordinances. This is evidenced as: a logical site layout and street pattern; the pattern of common open space; the landscape architecture for the park; the selection of typical tree and shrub species for the park and required of individual site tenants; and the plans, typical elevations and scale drawings illustrating design unity of street furniture and signs for the park.

Architectural harmony of buildings and structures is required to be included in the covenants by 10-20% of zoning ordinances. All building facades must be designed with architecturally finished materials approved by the park governing board. Less visible building walls shown on building plans for later additions might temporarily be finished with untreated concrete block. Roof vents, chimneys, fans and such must be screened from ground view by parapet walls architecturally integrated with the design of buildings. Accessory buildings and structures, outdoor storage screens and trash storage areas are subject to rules for architectural design and visual screening.

Design integration of the common open space system and storm drainage system is required within the overall site design of the industrial park. The common open space system includes parks and recreational areas, environmental reserves protected from development or retained for their scenic beauty, the storm drainage

system, and open space around the park commercial and administrative center. About 50-60% of zoning ordinances exclude ROW within the park from being counted as common open space.

The storm drainage system includes conduits, swales, streams, wetlands and surcharge retention ponds sufficient to contain storm drainage on the tract and to avoid localized flooding on individual lots in the industrial park and other abutting and nearby parcels outside the tract.

The layout of lots and streets within industrial parks is often designed around the natural flow of site drainage and potential locations for surcharge retention ponds. The storm drainage system itself often serves as a major design focal point for the industrial park.

The function of the storm surcharge retention pond is to temporarily hold storm runoff draining from the developed parts of the tract. This runoff is excessive during early parts of storms and would cause downstream flooding if not held for a short while by the retention pond. The pond often is designed with a curving shoreline, extensive landscaping and water-jet fountains rather than as a utilitarian square box-shaped borrow pit. This is accomplished by providing a permanent water pool behind the pond's dike, with overflow conduits to handle storm waters for larger design storms.

Integration of the site layout of individual lots with overall design unity for the industrial park is rarely required by zoning ordinances even of zoning ordinances requiring this in covenants. This function is left to the architectural control committee of the park governing board. Tenants and firms are required by the covenants to obtain approval by this committee before starting any construction, remodeling or changes on their lots.

The review by the committee is for design compatibility of the site layout with near lots and the common areas of the park. The committee reviews the proposed site plan building elevations, grading plans, plant plans and scale drawings of outdoor site furniture and signs submitted by firms prior to construction on their lots.

Unified design of street furniture in the industrial park is required in scale drawings submitted with the development plan and subdivision construction plans and specifications. In most zoning and subdivision ordinances, this unity also requires utilities to be placed underground, wherever possible.

Unity in the design of street furniture may require the applicant to vary the construction specifications required by the subdivision code. These variations must be acceptable to the public works engineer for performance, safety, economy and reliability.

Street furniture subject to special design treatment includes: ROW items—street signs and poles, traffic directional signs, traffic control signs, light standards and luminaires, kiosks, pedestrian benches, bus shelters and fire hydrants (if acceptable to the fire department); project entrances—layout and design of main entrances, guardhouses, signs, entrance drives split by medians and turning lanes on abutting boundary streets; pavement treatment—for cross-walks, street surfaces, curbs and gutters, driveways, sidewalks, plazas and handicapped curb ramps; public utility fixtures—such as housings for power facilities, telephone service boxes and grouped mail box stanchions; and on-site facilities—such as parking lot attendant shelters, parking lot and walkway lighting, lighting and illumination of buildings, security lighting, flagpoles, flags, outdoor sculptures and statuary, decorative fountains, walkway railings and steps, and handicapped ramps to buildings.

## 2. Size and shape of the tract and lots

Minimum size of tract is not required in probably 75% of zoning ordinances. Where it is required, only 2 to 20 acres is required in municipal ordinances and 10-100 acres in county and township ordinances. The small size requirement encourages industrial parks on a wide choice of locations, especially for built-up urban areas and inner-city industrial areas. It allows individual firms to locate on a single-site tract in high-prestige non-industrial free-

standing locations, while assuring design and compatibility safeguards to abutting and nearby non-industrial uses.

Minimum size of lots in industrial parks is usually 0.5 to 2 acres with 1 acre typical, in most zoning ordinances. Minimum lot width standards are set forth in most IP zones. Lot width is 100-200 ft with 100-150 most typical, and 100 ft minimum required on industrial cul-de-sacs at the street property line. Lot depth is not a problem since industrial/commercial/office lots are almost always deeper than the 100-200 ft required.

Lot proportion can be a problem. Industrial lots tend to be more square in shape than the 1:2 to 1:3 rectangular proportion required of residential lots. Check your subdivision code that this standard does not apply to industrial lots.

## 3. Percent coverage for the tract and lots

Percent of common open space provided throughout the industrial park is required in about 20% of zoning ordinances. Of these, about 20-30% require a minimum percentage of the net area of the tract to be reserved as common open space—usually about 10%.

Minimum percent of lot coverage in open space is required in about 50% of zoning ordinances. In most zoning ordinances with this standard, 25% of the lot must be in permanent open space exposed to the sky, and the remaining few zoning ordinances require 35% open space lot coverage. This open space is allowed to be located in zone yards and in landscaped areas required in parking lots. Some ordinances require open space in 10% of the buildable area inside the setback lines defined by the zone yards.

The open space must be on the ground and not on roofs. It is further qualified in some ordinances as being landscaped and ground cover/lawn only and excludes paved areas. Inner-city redevelopment industrial parks, however, might allow roofed and paved areas to count as plazas and recreational areas if designed for use by employees.

Maximum percent of coverage by buildings is required on lots but not by the tract as a whole. This standard is the single most required standard in zoning ordinances for industrial parks and is found in all zoning ordinances. It is set at 40-60% with 50% being typical. This lot coverage standard includes all buildings and structures (including parking buildings) under roof.

You might allow a waiver of this standard in specific cases. An applicant can shift his outside ground-level parking into multi-story decks or building roofs or underground if the waiver significantly increases the percentage of landscaped open space on the lot.

A maximum percent of "total" lot coverage is required in about 25% of zoning ordinances. Total coverage is defined as the area of all paved surfaces exposed to the sky—roofs of buildings and structures, parking areas, walks, plazas, streets and drives, loading areas and outdoor storage areas.

In those zoning ordinances where both the total lot coverage and open space coverage standards are required, the two standards add to 100% coverage of the lot. Total lot coverage is almost always 75% of the lot area in most zoning ordinances and is 65% in the remaining ordinances that require 35% open space lot coverage. Common open space required for the entire tract cannot be apportioned to individual lots for total lot coverage.

#### 4. Buildings on a lot

Maximum floor area ratio (FAR) is required in about 75% of zoning ordinances. It applies to all buildings on each individual lot. Some zoning ordinances exclude parking structures and underground parking areas from the FAR requirement.

FAR varies considerably among zoning ordinances. Innercity redevelopment projects allow a higher allowable FAR, usually about 2.0 to 4.0 for larger metropolitan areas and 1.5-2.0 for smaller urban areas and older suburban redevelopment areas. Typical newer suburban IP's allow a maximum FAR of about 0.5 to 1.5 with

1.0 being typical. Rural and urban fringe industrial and research parks have FAR's from 0.25 to 1.0, with 0.75 to 1.0 being typical.

You might consider allowing an average tract FAR that allows variation in the FAR of the lots within the tract. On the applicant's development plan, low FAR's can be assigned to perimeter lots near non-industrial uses off-site and to perimeter prestige visible sites along freeways and major arterials. Higher FAR's can be assigned to lots abutting railroad service tracks, docks, piers or airport runways. Higher FAR's can also be calculated and assigned for each lot that has permanent natural open space in wooded stream bottoms, floodways, and wetlands.

Maximum building height is often applied along with FAR as a further zoning constraint on development. In this case, the height of buildings is limited, no matter what the FAR is. Suburban IP's limit height to 35-50 feet and 3-5 stories—a response to objections in zoning public hearings about visibility of buildings above the tree-line.

More than one principal building on a lot is allowed in IP's, to encourage a campuslike clustering of buildings. Principal buildings are those housing principal uses and ancillary uses approved for the site. Accessory buildings and waste storage areas are allowed in any case, but might be subject to severe architectural limitations by the park governing board.

Roofed arcades and weather-protected enclosed passageways between buildings might be allowed by IP zoning regulations. Buildings on abutting lots within the tract can be connected by passageway structures, with a waiver of zone yards for the portion of side yard covered by the passageway. Arcades and passageways are structures and are counted as contributing to lot coverage for buildings. Their footprint area is deducted from open space lot coverage.

Minimum spacing between buildings on the same site is usually set as the height of the lower of the two adjacent buildings, if either has windows or is a specific minimum distance—usually about 15 ft. Otherwise, spacing is regulated by building and fire codes.

### 5. Buffers, zone yards and setbacks

Perimeter buffer yards and screens are required for IP tracts in every zoning ordinance. In most cases, buffer yards are required only along boundaries of the industrial park tract abutting residentially zoned parcels. But some ordinances require buffer yards around the periphery of the entire tract. The recent trend is to eliminate the need for buffer yards except where IP's abut residential, office and, perhaps, neighborhood commercial zones.

Buffer yards are typically required to be 50-200 ft wide, with 50-100 ft being typical. The buffer is allowed to be narrower if abutting residential is across the other side of a ROW and street, especially if the street is an arterial. No buffer is required if the residential uses are on the other side of a freeway with a ROW width of at least 150 ft. Nor is a buffer required if a railroad is in active use and the tracks are on an embankment blocking the view between the industrial park and residential uses, or if the railroad ROW is at least 100-150 ft wide. No buffer is probably required if the IP boundary abuts residential zoning on a lake, river or canal at least 100-150 ft wide.

The buffer strip must be landscaped, perhaps requiring screens of berms or walls supplemented by or consisting of dense landscaping. No parking or other uses are allowed in the buffer, but drives and streets can cross it. The buffer must be owned and maintained by the IP developers, sponsors or park governing board and is not part of any private lots that abut it.

Zone yards are required on all lots in the tract. These are the usual front, rear, street-side and interior-side yards. The range of yard widths are: for front yards—10-100 ft with 25-35 ft being typical, and in 25% of zoning ordinances, 50-75 ft where lots abut arterial streets; for street side yards—10-50 ft with 20-25 ft being typical, but often the requirement is the same as for front yards in, perhaps, a third of zoning ordinances; for interior side yards—0 to 25 ft; and for rear yards—0-50 ft with 25 ft being typical. For rear and interior side yards abutting residential, office or

civic zones, the yard width increases to 20-100 ft with 35-50 ft being typical, plus a wall 6 to 8 ft high or landscape screening hiding a security fence.

Front and street side yards must be landscaped or be lawn. Walls and fences in these yards must have a lawn and possibly low-height landscaping between the fence and property line, sidewalk or street curb. Some ordinances allow no parking or loading in yards, including side and rear yards, and require all yards to be landscaped.

### 6. Landscaping, screens and walls

Required in all zoning ordinances, landscaping and landscape screens have no specific standards beyond those required for lot zone yards, tract buffer space, tract common open space, drainage easements and ROW cross-sections.

Opaque walls and fences are required around outdoor waste and trash storage containers and areas, outdoor storage areas, parking and storage areas for commercial vehicles and equipment, and loading and service areas. All walls and fences must be decorative, whose design must be approved by the architectural review committee of the park governing board.

Walls are masonry in most cases, or are wood fences with masonry pilasters. They must equal the height of the objects to be screened or be limited to a height of 6-8 ft with no outdoor storage visible over the top of the wall from ground level, at the setback line or property line.

### 7. Signs

Signs are severely restricted in IP zone districts in most zoning ordinances. Signs have separate zoning regulations for the tract as a whole and for individual lots.

Signs for the tract as a whole allow one industrial park ground identification sign with the park logo at each entrance or along each street abutting the boundaries of the tract. Very few zoning ordinances specify that this sign is single- or double-sided. A double-sided

entrance sign might be placed approximately perpendicular to the abutting street and a single-sided sign parallel to the street. The maximum area of each sign face is 100-300 sq ft, with a maximum height of 4-8 ft. The sign is set back from the ROW line a distance of 0 to 100 ft with 25 ft being typical. Most zoning ordinances allow these signs to be illuminated.

A tract directory sign that lists the firms in the industrial park is allowed in some zoning ordinances as a pole or ground sign near the main park entrance. It is allowed in addition to the IP entrance identification sign or replaces entrance signs at each entrance. It is located some distance in from the abutting major arterial street at major park entrances, perhaps 100-300 ft. The directory sign is limited in height to 8-12 ft. Each firm name sign on the listing sign is limited in size to 4-12 inches wide and 2-8 ft long, with 4 in by 4 ft being typical.

A map locator directory sign may be needed in large industrial parks. This sign replaces the sign listing the firms in the park since each firm is located on the map. The sign has one or two parking spaces next to it so a motorist can park a moment to read the map.

Signs on individual lots are also severely restricted. Usually only one sign identifying the firm or its chief product, and a logo, is allowed per lot. This sign is located in the front yard or behind the front yard setback as a single-sided ground sign or flat wall sign, but never a pole sign. The area of the sign is 100-300 sq ft maximum. It can be illuminated and must be non-flashing, non-blinking and non-moving. An additional ID sign is allowed in street side yards in a few ordinances. Real estate signs, future-tenant identification signs and construction signs are allowed subject to your general sign regulations. The covenants to the IP may further regulate these signs.

Directional and information signs are allowed as needed. They are approved for size and wording within the overall architectural design unity format submitted by the applicant with his development plan.

## 8. Parking and loading

Off-street parking ratios for firms locating in industrial parks must meet your general ratios required of all uses in the off-street parking chapter of your zoning ordinance. However, you might consider adding special parking ratios for all firms locating in industrial and research parks. These ratios require 2 spaces for every 3 to 4 employees.

The covenants prohibit parking on streets in industrial parks. Parking for a firm must be on its lot. Through the covenants, the park governing board can force a firm to solve its parking overflow problems, even if the firm meets all required parking ratios.

Parking lot design for industrial parks is that required of parking lots in all zones in your zoning ordinance. This includes landscaping and screening; dimensions of parking spaces, aisles and drives; lighting; and buffers and screens required for parking areas abutting residential zones or dwellings. However many zoning ordinances allow these standards to be varied within industrial parks if the variations are approved by your deciding authority.

Off-street loading for industrial parks has no special regulation in zoning ordinances. The covenants may require location and design of loading berths to be approved by the park governing board before construction. These berths must be unobtrusive and screened from off-site views where appropriate. Some covenants may specify a standard size, design and color of overhead door for berths throughout the entire park, to promote design unity.

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We make every effort to present accurate information and sound opinion in this report. However, we do not guarantee results, accuracy, or assume liability for errors, omissions, or for information you may act upon. This publication does not purport to be engaged in the practice of law or give legal advice, but is the opinion of the editor and publisher solely as a professional urban planner.

**SECTION 1704. PERMITTED USES AFTER SPECIAL APPROVAL.** The following uses shall be permitted only after Special Approval is obtained from the Planning Commission in accordance with SECTION 2525, and all requirements, standards, and conditions imposed in this Section are met:

1. Aircraft and aircraft parts manufacturing.

**SECTION 1705. PROHIBITED USES.** Notwithstanding any other local, state or federal regulations, no use will be permitted in this zone which will create electrical or electronic interference with radio communication between the airport and aircraft, or which will interfere with the visibility or clarity of any airport lights or other navigation aids. Furthermore, no use will be allowed which impairs visibility in the vicinity of the airport or otherwise endangers aircraft or airport operations.

**SECTION 1706. DENSITY, AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS.** In accordance with the attached Schedule of Regulations, ARTICLE XXII.

**SECTION 1707. SCREENING AND LANDSCAPING.** All screening and landscaping shall be in accordance with SECTION 2522. Screening in the form of a landform, buffer strip, or fence/wall and adjacent five (5) ft. wide greenbelt shall be required along all property lines that border, either contiguous or across an alley, on S-F, R-1A, R-1B, R-1C, R-2, R-3, and R-4, residential districts and previously developed R-01, TISO, C-1, C-2, C-3, M-1 and M-2 zoned properties which lack screening in accordance with the provisions of this ordinance.

**SECTION 1708. SITE PLAN REVIEW.** Site Plan Review shall be in accordance with SECTION 2529 and the Township Site Plan Review Ordinance No. 147. Site Plans for all developments within this district shall require Site Plan review and approval by staff after consultation with Oakland County Director of Aviation.

**ARTICLE XVIII  
TISO, TECHNICAL INDUSTRIAL SERVICE AND OFFICE DISTRICT**

**SECTION 1801. PURPOSE.** This district is intended to provide areas for technical, industrial, service and office uses adjacent to the airport or as a transitional use between more intensive uses of land such as industrial or commercial and less intensive uses of land such as residential. These uses may require some service areas along with storage facilities. This district is specifically intended to prohibit commercial establishment of a retail nature or other activities which require constant short-term parking and traffic from the general public which could reasonably be located in designated commercial areas elsewhere in the community.

**SECTION 1802. PERMITTED PRINCIPAL USES.**

Any of the following uses shall be permitted when the sales, service, component assembly or research activity is conducted entirely within a completely enclosed building,

1. Office buildings for any of the following type uses: Executive, administrative, accounting, data processing, clerical, graphic, drafting or sales and other general service/office uses, such as real estate, insurance, etc.
2. Banks, credit unions, savings and loan associations.
3. Business machine and scientific equipment sales and service.
4. Research and testing and/or service facilities for small mechanical, electrical, electronic and industrial components.
5. Processing and assembling of scientific instruments, small electronic machines or computers and similar types of production.

**SECTION 1803. ACCESSORY STRUCTURES AND USES.** Accessory structures and uses shall be permitted in accordance with SECTION 2521. However, enclosed storage buildings may be allowed by the Planning Commission, up to 50% of the main structure size if constructed in a manner similar to the main structure and located so as to be secondary to the main structure. The following structures and uses may also be permitted subject to the regulations in this Section:

1. Off street parking and loading in accordance with ARTICLE XXVI.
2. Signs in accordance with ARTICLE XXVII.

**SECTION 1804. PERMITTED USES AFTER SPECIAL APPROVAL.** The following uses shall be permitted only after Special Approval is obtained from the Planning Commission in accordance with SECTION 2525, and all requirements, standards and conditions imposed in this Section are met:

1. The manufacture, assembly, or fabrication of products other than those permitted in SECTION 1802, provided that such operations are specifically related to and support the principal use, and the floor area devoted to such operations shall not exceed fifty percent (50%) of the floor area devoted to the principal use.
2. Retail sales when clearly incidental to the main use (sales area shall not exceed twenty-five percent (25%) of the total floor area of the main structure and use.)

**SECTION 1805. PROHIBITED USES.** The specific uses which are prohibited in this district shall be the erection, construction, alteration, or use of a building or premises for:

1. Commercial uses of a retail nature.
2. Dwelling, except those that are for the residence of a caretaker, watchman or custodian on the same lot with the principal use to which they are accessory and are located, when detached, at least ten (10) feet from any other building.
3. Elementary and secondary schools, except those that are for training purposes for skilled and unskilled workers in the industrial plant on the same property.
4. Hotels and motels.
5. Libraries, art galleries and churches.
6. Hospitals, sanitariums and public welfare institutions.

**SECTION 1806. GENERAL DEVELOPMENT REQUIREMENTS.** All development within Technical Industrial Service and Office Districts shall be planned to protect the existing environmental quality of the site. Preservation of slope, trees and other significant vegetation shall be taken into account when present. Appropriate care shall be taken to insure minimum negative impact upon adjacent residential uses. There shall be no production of sound at the lot lines exceeding the average intensity of street noise and in no case shall excess of seventy (70) decibels be produced. Also there shall be no production of heat or glare discernible at any lot line. All storage of equipment supplies or other material shall be within enclosed buildings.

**SECTION 1807. DENSITY, AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS.** In accordance with the attached Schedule of Regulations, ARTICLE XXII.

**SECTION 1808. SCREENING AND LANDSCAPING.** All screening and landscaping shall conform to SECTION 2522. Screening in the form of a landform, buffer strip, or fence/wall and adjacent five (5) ft. wide greenbelt shall be required along all property lines that border S-F, R-1A, R-1B, R-1C, R-2, R-3, and R-4, residential districts and previously developed R-01, TISO, C-1, C-2, C-3, M-1 and M-2 zoned properties which lack screening in accordance with the provisions of this ordinance.

**SECTION 1809. SITE PLAN REVIEW.** Site Plan Review shall be in accordance with SECTION 2529 and the Township Site Plan Review Ordinance No. 147. Site Plans for all developments within this District shall require Site Plan review and approval by the Planning Commission.

**ARTICLE XIX  
M-1, LIGHT INDUSTRIAL DISTRICT**

**SECTION 1901. PURPOSE.** This district is designed for industrial uses that are generally not objectionable in terms of

noise, heavy truck traffic, fumes or similar characteristics, or uses that generate nuisances which can be effectively improved by proper screening, buffering and performance standards. These districts shall promote environmentally sound industrial development and shall be located along major thoroughfares.

**SECTION 1902. PERMITTED PRINCIPAL USES.**

1. All uses permitted in the C-3, Extensive Business District, including those uses permitted with Special Approval in the C-3 District.
2. All permitted principal uses in the TISO, Technical, Industrial, Service & Office District subject to the Schedule of Regulations for this district.
3. Building material sales or storage yards and lumberyards (excluding asphalt or concrete mixing).
4. Bulk materials or machinery storage.
5. Dry cleaning and laundry plants, carpet and rug cleaning plants.
6. Contractors offices and equipment storage yards provided that all storage areas are screened by an obscuring fence or wall.
7. Furniture cleaning and refinishing plants.
8. Bakeries, food products and equipment manufacturing.
9. Pharmaceutical products manufacturing.
10. Plastic molding and extrusion uses.
11. Printing, publishing, engraving and book binding plants.
12. Cabinet, carpentry, refinishing, paneling, plumbing and other similar trade shops.
13. Tool, die, gauge and machine shops manufacturing small parts.
14. Tinsmith and sheet metal shops.
15. Bottling plants.
16. Uses providing both general and collision repair services, but not including uses where bump and paint operation is the principal use.
17. Truck and transfer terminals.
18. Fuel oil, ice, coal, and wood sales.
19. Mini or self-storage warehouses.
20. Veterinary clinics with outdoor runs.
21. Wholesale uses, warehousing, storage and loft buildings, including the distribution of the items so handled.
22. Manufacturing, including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs, and small products, provided such uses have less than two-hundred and fifty-thousand (250,000) square feet of gross floor area, or less than one-thousand (1,000) employees on every shift.
23. Other light industrial uses similar to the above and consistent with the purposes for this district, provided each use shall have less than two-hundred and fifty-thousand (250,000) square feet gross floor area and less than one-thousand (1,000) employees on every shift.

ARTICLE XIII - OFFICE INDUSTRIAL PARK DISTRICT "OIP"

5.85. Purpose. The purpose of this District is to permit a specialized range of uses which will strengthen the local economy by expanding job opportunities and diversifying the City's tax base in a manner which is consistent with the overall character of the City and compatible with surrounding uses and facilities. The District is intended to accommodate larger offices, scientific and applied research facilities, and uses dedicated to the development and application of innovative technology and production techniques. The nature, scale and function of such uses will be limited and regulated to ensure that they pose no significant or unusual risk to the public health, safety and welfare, generate a minimum of noise, heat, glare, odor, dust, vibration or other nuisances; emit no harmful radiation or pollution of the air, water or the ground; and pose a minimum of traffic, fire or other safety hazards. The location of such uses will be limited to areas which are highly visible and accessible from major transportation facilities. The design and development of land and facilities in this District will be regulated to create a low-density, well-planned, park-like environment with architecturally attractive buildings and structures, large, well-landscaped yard areas and vistas, and screened parking, access and storage facilities. To achieve these objectives, the District requires the integrated planning of large tracts of land while permitting phased development to minimize disruptions and instability for existing residents.

5.86. Uses Permitted. The following uses of buildings and premises, individually or in combination, shall be permitted in this District.

- (1) Principal uses permitted subject to an approved Plan of Development as provided for in Section 5.147(a) of this Chapter:
  - (a) Corporate headquarters, administrative offices or business or professional offices;
  - (b) Scientific or medical laboratories, engineering, testing or design facilities, or other theoretical or applied research facilities;
- (2) Uses permitted subject to an approved Special Use Permit as provided for in Article XIX of this Chapter, except that the major street frontage and access requirement in Section 5.164(8) of Article XIX shall not apply:
  - (a) Facilities for the assembly, treatment or packaging of finished or semi-finished parts or components from prefabricated parts or previously prepared materials. Manufacturing, processing and assembling from basic raw materials shall be prohibited.

- (b) The retail sale of products or services produced or assembled on the property, together with related accessories or similar supporting goods or services, provided such use occupies no more than 10 percent of the total floor area of all principal buildings on the lot;
  - (c) The manufacture or production of prototypical products as may be minimally necessary for research and development purposes, provided such use occupies no more than 25 percent of the total floor area of all principal buildings on the lot.
- (3) Permitted accessory uses:
- (a) Cafeterias, lunch rooms, meeting rooms, training facilities, day care facilities, recreation facilities and similar uses provided for the benefit of employees;
  - (b) Accessory structures for the storage of motor vehicles, equipment, products or materials;
  - (c) Accessory structures for the collection and temporary storage of waste materials;
  - (d) Accessory structures for security personnel.

5.87 Required Conditions. The following requirements must be complied with in this District:

- (1) All uses and operations in this District shall be designed, operated and restricted as necessary to comply with the following performance standards. It shall be the responsibility of any applicant to provide sufficient evidence that a proposed use will meet these standards. Applicants may also be required to submit evidence on a recurring basis showing that the proposed use continues to operate in a manner that meets these standards. Uses in this District shall not:
- (a) Allow the emission of noxious or odorous matter in such quantities as to be humanly perceptible at any point along lot lines, or the escape of or emission of any gas into the atmosphere in such quantities as to be toxic to plants or animals, corrosive or explosive.

- (b) Discharge smoke into the atmosphere from any single source of emission whatsoever, any air contaminator for a period or periods aggregating more than four minutes in any half hour period which is as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, and which is hereby made a part of this Ordinance. A Ringelmann Chart shall be on file in the office of the Zoning Administrator. In addition, the discharge of steam of opacity equal to No. 1 on a Ringelmann Chart shall not be allowed.
- (c) Discharge dust or other particulate matter into the air, except smoke as permitted in subparagraph (b) above, from any process, stored material or material being processed, so that said dust will cross the property line as either airborne material or wind-blown material on the ground surface.
- (d) Produce intense glare or heat which may be humanly perceptible outside of the building.
- (e) Produce vibrations which are humanly perceptible at the property line.
- (f) Produce electromagnetic radiation disruptive of communications or injurious to public health as listed in applicable F.C.C. regulations.
- (g) Discharge any liquid or solid waste onto or into the ground or into sewers or septic facilities that are detrimental to the public health or welfare. All waste products shall be properly disposed of off-site by licensed disposal services.
- (h) Produce constant or regularly recurring sounds which exceed the following decibel levels at the lot line adjacent to the following types of zoning districts:

<u>Decibels (dba)</u>	<u>Adjacent Uses</u>
70	OIP District
65	Commercial/Office District
55	Other Districts

- (i) Emit radioactivity or biologically active pathogens injurious to plant or animal life.

- (j) Violate any applicable Federal, State or local regulations or licensing requirements. In reviewing each application to develop a use in this District, it shall be the responsibility of the City to inform the applicant of Federal and State regulations and licensing requirements which may apply to each application, and to notify the appropriate agencies of each application. It shall be the responsibility of the applicant to seek, obtain and maintain all required Federal and State approvals and permits, and to operate in compliance with all relevant local, State and Federal standards and regulations. It shall be the responsibility of the appropriate State or Federal agency to determine compliance, issue required approvals or permits, and enforce State and Federal regulations. It shall also be the City's responsibility to report any suspected violations to the appropriate Federal and State agencies.
- (2) All activities of the use shall be conducted within completely enclosed buildings. Storage may be permitted outside in areas completely enclosed by buildings or solid, uniformly-finished screen walls. Such screen walls shall be architecturally compatible with other structures on the property. No stored materials shall be higher than the surrounding buildings or screen walls.
- (3) Minimum Site Area.
- (a) Each park in this District shall be at least 30 contiguous acres in size. The park may consist of one or more parcels under single ownership or owned separately but developed jointly according to a common park development plan or subdivision plan.
- (b) Each park within this district may be divided into development sites which are at least 8 acres in size with at least 300 feet of frontage on a public street. Each development site may be developed as a separate phase of the park but in accordance with the overall park development plan or subdivision plan. One or more principal buildings may be placed on a development site.
- (c) Each park in this District may be further subdivided into individual building lots which are at least 5 acres in size with at least 300 feet of frontage on a public street or private roadway; except that up to 20 percent of the park area may be subdivided into individual building lots which are at least 2 acres in size with at least 200 feet of frontage.
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- (1) Such lots shall be subdivided in accordance with Chapter 56, Subdivision Regulations of the City Code.
  - (ii) The design standards in Chapter 56 may be modified, or additional standards may be required as necessary to accommodate appropriate uses and ensure their compliance with the purpose and standards of this District.
- (4) Minimum Setbacks.
- (a) Exterior Park Boundaries.
    - 1. Buildings, screen walls and opaque fences shall be set back an average distance equal to the projected building width from all existing and proposed major streets and other existing public streets, and a distance equal to 25% of the projected building width from other exterior park boundaries. No building screen wall or fence shall be located closer than 75 feet from any public street or closer than 50 feet from any other exterior park boundary. Projected building width shall be a distance equal to the continuous length of all buildings, screen walls and opaque fences projected perpendicular to the adjacent property line.
    - ii. Portions of buildings in excess of 20 feet in height shall be set back an additional distance equal to the height of the structure in excess of 20 feet.
    - iii. Parking spaces, loading spaces and driveways shall be set back at least 75 feet from all existing and proposed major streets and other existing public streets, and at least 50 feet from all exterior park boundaries, as appropriate, except for the segment of the driveway which must penetrate through the required setback area to provide access to a public street or private roadway.
  - (b) Individual development sites and subdivided lots.
    - 1. Buildings, screen walls, fences, parking spaces, loading spaces and driveways located around the perimeter of a park shall meet the setback requirements above from exterior park boundaries.
    - ii. Buildings, screen walls and opaque fences shall be set back a distance equal to the projected building width from all public streets. No building, screen wall or fence shall be located closer than 50 feet from a public street right-of-way or closer than 25 feet from a private drive or any other property line.
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- iii. Portions of buildings in excess of 20 feet in height shall be set back an additional distance equal to the height of the structure in excess of 20 feet.
  - iv. Parking spaces, loading spaces and driveways shall be set back at least 75 feet from an existing and proposed major street right-of-way, at least 50 feet from any other public street right-of-way, and at least 25 feet from a private drive or any other property line except for the segment of a driveway which must penetrate through the required setback area to provide access to a public street or private roadway.
- (c) Shared parking and access facilities, as permitted in paragraph (10) below, shall be exempt from the setback standards above.
- (5) Maximum Height.
- (a) No building shall exceed 4 stories or 40 feet in height.
  - (b) No screen wall shall exceed 20 feet in height.
  - (c) No fence shall be higher than 4 feet in a front yard or an exposed side yard on a corner lot, or 8 feet in a side or rear yard.
- (6) Maximum Floor Area. Total gross floor area for all buildings shall not exceed a figure equal to 40 percent of the park or any individual development site or subdivided lot.
- (7) Maximum Ground Coverage. Total ground coverage shall not exceed a figure equal to 50 percent of the park or any individual development site or subdivided lot.
- (8) Parking Requirements. On-site parking and access facilities shall be provided in accordance with the standards specified in Article XVI - Off-Street Parking Requirements of this Chapter, except that the following minimum parking ratios shall apply for uses in this District.
- (a) Office uses and retail activities -- one parking space for each 300 square feet of net floor area in all principal buildings.
  - (b) Laboratories and design and research facilities -- one parking space for each 500 square feet of gross floor area in all principal buildings, or one space for each employee per work shift, whichever provides the greatest number of parking spaces.
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- (c) Assembly uses one parking space for each 500 square feet of gross floor area in all principal buildings, or one space for each employee per work shift, whichever provides the greatest number of parking spaces.
  - (d) Appropriate numbers of over-sized parking spaces for vehicles larger than typical passenger cars and trucks shall be provided in addition to the requirements above.
- (9) Loading Space Requirements. An appropriate number of on-site loading spaces shall be provided for all uses in this District according to the following standards:
- (a) Loading spaces shall be at least 10 feet wide, 25 feet long and 15 feet high, exclusive of access drives.
  - (b) Loading spaces shall be constructed in accordance with the paving and design standards that apply to parking spaces under the provisions of Article XVI of this Chapter.
  - (c) Loading spaces shall be placed and designed to minimize their visibility from properties outside this District.
- (10) Access Requirements.
- (a) Access within a park may be provided via either a public street or private roadway, constructed of materials adequate to permit its year-round usage by heavy trucks.
  - (b) One access point to an external public street shall be permitted for each development site, unless additional access points are necessary because of the size of the parcel, the expected number of trips generated or the operating characteristics of the public street or adjacent uses.
  - (c) Public streets or private roadways may be built along exterior lot lines to serve two or more adjacent properties if each property is within, or planned to be within, this District and if adequate provision is made to ensure that such shared facilities will be perpetually available to each property.
  - (d) Public streets and associated rights-of-way shall meet the standards for local streets in Chapter 56 of this Chapter.
  - (e) Public streets may be required where the facility will provide access through the park to other public streets.
  - (f) Private roadways shall meet the standards for local streets in Chapter 56 of this Chapter, except that no public right-of-way is required.
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- (g) Sidewalks shall be provided along all adjacent public streets and to each lot and principal building within a park. Such sidewalks shall be constructed according to local standards and shall not be placed closer than 7.5 feet from the back of a curb along a public street or private road.
  - (h) One driveway access shall be permitted for each subdivided lot within a park, unless additional driveways are necessary because of operating characteristics of the proposed use or adjacent facilities. Subdivided lots shall be arranged to provide access only from streets or roadways internal to the park where practicable.
  - (i) Shared driveways, parking and access facilities serving two or more adjacent lots are encouraged and permitted where adequate provision is made to ensure such shared facilities will be perpetually available to each lot.
- (11) Building and Site Improvements. It is intended that property within this District be developed in an attractive manner, to create a park-like atmosphere which is visually compatible with adjacent uses. To this end buildings, other site improvements and yard areas shall be developed in compliance with the following requirements.
- (a) All building walls and screen walls which face the exterior of the park, public streets or private roadways, shall be architecturally finished with attractive, durable materials such as textured concrete, masonry, stone, brick, finishing wood, stucco or glass to project an appearance comparable to a quality office building.
  - (b) The placement, shape and architecture of buildings and screen walls shall be designed to minimize the apparent bulk of the development.
  - (c) The design and siting of buildings and other improvements shall complement the natural terrain and significant vegetation.
  - (d) The design of buildings, screen walls and fences on each development site or subdivided lot shall be complementary and compatible to create a unified development image.
  - (e) The development of each development site or subdivided lot within a development site shall be designed to create a compatible, unified image.
-

- (f) All yard areas shall be improved with a variety of trees, shrubbery and ground cover to create attractive natural buffers between adjacent uses and properties.
- (g) The placement of sculpture, fountains and similar improvements in the yard area is encouraged, and is exempted from the setback requirements in Paragraph (4) above.
- (h) All parking and loading facilities shall be screened in accordance with the provisions in Article XVI of this Chapter.
- (i) On-site storm water retention facilities shall be improved to create an attractive appearance.

5.88. Issuance of Permits. No permit shall be issued to establish, construct, reconstruct, expand or structurally alter any use or building permitted in this District until all of the following provisions are met.

- (1) The necessary plan of development and/or special use permit shall first be approved.
  - (2) Evidence shall be submitted that all State and Federal agencies which may regulate the proposed use have been notified of the nature, extent and location of the proposed use and have issued appropriate approvals.
  - (3) Evidence shall be submitted, signed by the owners of all property within the park or their legal representatives, showing that the remaining portions of the park shall be developed in accordance with the purpose and specific provisions of this District. Such evidence shall include, at a minimum, the following information:
    - (a) An overall park development plan showing the size and layout of individual development sites and subdivided lots, existing and proposed public streets and private roadways, existing and proposed utility systems, and other site features such as landscape buffers and storm water retention areas.
    - (b) Covenants, deed restrictions or other legally binding agreements showing that individual development sites and subdivided lots will be improved and developed in accordance with the building and site improvement requirements of this District.
    - (c) An anticipated strategy and schedule for the development of the park and the construction of required improvements.
  - (4) In addition, for subdivided lots, the required final plat shall first be approved and recorded.
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*Draft Outline*  
*May 8, 1997*

**Section 50.000**  
9th Street Focus Area Overlay Zone

**50.100 - Statement of Purpose**

This overlay zone is designed to allow for office development along the West Main and KL Avenue corridors within the 9th Street Focus Area in concert with the goals and objectives of the 9th Street Focus Area Development Plan.

**50.200 - Permitted Uses**

50.201 - Office buildings, including medical clinics and doctor's offices for the treatment of human beings, subject to the following conditions and limitations:

- a) No such building shall be more than 25 feet in height.
- b) No such building shall be larger than    sq ft in area.
- c) Any such building shall be compatible in exterior design with the character of the surrounding land use.

50.202 - Accessory buildings and uses customarily incidental to the foregoing.

**50.300 - Design Standards**

- a) The minimum parcel, lot, or building site area, frontage, and width shall not be reduced more than 10 percent below that required by Section 66.201.

To encourage flexibility and creativity consistent with the objectives of the 9th Street Focus Area Development Plan, the Planning Commission may grant specific deviations from the dimensional requirements set forth in Section 66.201. Any dimensional deviation shall be approved through a finding by the Planning Commission that the deviation meets the purpose of the 9th Street Focus Area Development Plan and Overlay Zone. Such a dimensional deviation is not subject to variance approval by the Zoning Board of Appeals.

- b) Development within the 9th Street Focus Area Overlay Zone shall be serviced by an interior street system designed in compliance with the Street System Design Guidelines established in the 9th Street Focus Area Development Plan.

No use within the the Overlay Zone shall gain direct access from a public road network except in compliance with the 9th Street Focus Area Development Plan.

- c) All two-way interior streets within the Overlay Zone shall have a paved driving surface with a minimum width of 24 feet, exclusive of parking area. All one-way interior streets within the commercial development shall have a minimum width of 15 feet, exclusive of parking area.

Interior street systems shall comply with the access management guidelines set forth in the Access Management Plan.

- d) There shall be a ft building setback requirement from the right-of-way line of all public roads.

The first ft from the right-of-way line of the public road shall be maintained as open space unencumbered by structures, sidewalks, or other paved areas.

There shall be a ft building setback requirement from the interior street system.

- e) Required off-street parking shall be located in compliance with building setback requirements and designed in recognition of the area's topography and natural features.

Parking layouts shall be designed to accomodate cross-access and/or cross-parking arrangements and facilitate pedestrian travel.

#### Sidewalks

- f) Interior parking lot landscaping shall be provided to enhance the visual environment, promote public safety, moderate local climatic effects, and minimize noise and glare.

A minimum of % of the paved parking area shall be used for interior parking lot landscaping.

- g) Exterior site lighting shall be designed in compliance with the lighting objectives and standards set forth in Section 78.700 and in coordination with other land uses within the immediate 9th Street Focus Area.

- h) Public water and sanitary sewer shall be provided as part of the site development. All utilities, including telephone, electric, and cable television, shall be placed underground.

- i) The design of storm water management systems shall respond to the natural drainage patterns of the area and be designed in coordination with the groundwater protection standards of Section 67.000, the groundwater protection policies set forth

in the Master Land Use Plan, and the 9th Street Focus Area Development Plan.

- j) The site shall be designed to incorporate and/or promote the preservation of natural features and unique physical character. A natural features preservation plan shall be submitted for review/approval. Greenspace enhancement plans for land area along public roads abutting the site shall also be required.
- k) The total area of all such buildings shall not occupy more than 30% of the ground area of the parcel, lot, or building site on which they are located.
- l) Not less than % of the site shall be designated as open space and subject to the following standards:
  - : significant environmental resources
  - : purpose
  - : accessibility
  - : structures
  - : irrevocable conveyance
  - : connection with adjacent properties (open space networks)
- m) signage

**50.400 - Application Procedure/Approval Process**

**50.500 - Review Criteria**

**50.600 - Application Guidelines**



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May 8, 1997

**Charter Township of Oshtemo**  
**Attn: Township Board & Planning Commission**  
**7275 West Main Street**  
**Kalamazoo, Michigan 49009**

**Dear Township Board & Planning Commission,**

We are writing this letter with regards to the text revisions of the permitted uses in the I-R zone currently under consideration as submitted by Richard A. Schramm.

We would like our position to go on record in support of the proposed text amendment. Being an owner of industrial zoned property, we feel these changes will allow us, and other owners of industrial zoned property, the opportunity to make better use of our property.

Respectfully,  
 A-1 Refrigeration Sales & Service, Inc.



Steve R. Kuhtic

SRK/akc

"Service Is A  
 Business With Us,  
 Not A Sideline"

