

***An ordinance to amend Chapter 10 I-1 Industrial District to revise the intent and purpose; to add certain permitted uses; to amend the design standards; to add parking requirements for certain uses; to add requirements for the enlargement of lawfully existing special land uses; to amend and add certain definitions; to amend General Provisions; and to amend the regulations for essential public services equipment, structures, and buildings.***

***As recommended to the Township Board by the Planning Commission following a public hearing held on February 11, 2020.***

**ZEELAND CHARTER TOWNSHIP  
COUNTY OF OTTAWA, MICHIGAN**

At a regular meeting of the Township Board for the Charter Township of Zeeland, Ottawa County, Michigan, held in the Zeeland Charter Township Hall, 6282 Byron Road, on the 5th day of May, 2020 at 7:00 p.m.

PRESENT: Members: Nykamp, Veldheer, Overweg, Brink and Salisbury

ABSENT: Members: Kraak and Riemersma

The following ordinance was offered for adoption by Trustee Salisbury and supported by Treasurer Veldheer.

**ORDINANCE NO. 405**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF ZEELAND CHARTER TOWNSHIP BY AMENDING CHAPTER 10 I-1 INDUSTRIAL DISTRICT TO AMEND SECTION 10.01 INTENT AND PURPOSE; TO AMEND SECTION 10.02 TABLE OF USES; TO AMEND SECTION 10.03 DEVELOPMENT REQUIREMENTS; TO ADD NEW SECTIONS 10.03 E. (*reserved for future use*); TO ADD NEW SECTION F. LAWFULLY EXISTING USES; TO AMEND 2.06 DEFINITIONS; TO ADD NEW SECTION 3.35 TO GENERAL PROVISIONS; AND TO AMEND SECTION 16.06 CC. TO REGULATE ESSENTIAL PUBLIC SERVICES EQUIPMENT, STRUCTURES, AND BUILDINGS.**

**THE CHARTER TOWNSHIP OF ZEELAND (the "Township")  
ORDAINS:**

**SECTION 1** Amend Section 10.01 to read as follows:

**SECTION 10.01 INTENT AND PURPOSE**

The I-1 Industrial District is intended primarily for general industrial uses. The Zoning District is established to permit operations which manufacture, compound, process,

package, treat and assemble products from previously prepared materials; and to permit industrial land uses which, due to certain operational characteristics, shall be permitted only with special land use approval.

**SECTION 2** Amend Section 10.02 to read as follows:

**SECTION 10.02 TABLE OF USES**

A. Permitted Uses: Land and/or Buildings in this Zoning District may be used for the purposes listed by right. Site plan approval is required.

Table of Uses	I-1
Assembly of paperboard containers, building paper, building board, and bookbinding	P
Commercial laundries and dry cleaning establishments	P
Contractor yards, Building material storage	P
Day care centers where such use is clearly incidental and accessory to the primary use	P
Laboratories including experimental, film, and testing	P
Lumber and wood products including millwork, prefabricated structural wood products and containers, not including logging camps	P
Lumber and feed supply yards	P
Manufacturing facilities, including tool and die	P
Municipal Buildings, public service buildings that are not essential public service structures and buildings	P
Printing and publishing	P
The manufacture, compounding, assembly, or treatment of articles from the following previously prepared materials such as aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paint, paper, paperboard, plastics, precious or semiprecious metals or stones, shell rubber, tin, iron, steel, tobacco, wood, yarn, and similar materials.	P

<b>Table of Uses</b>	<b>I-1</b>
Production of food products including meat, dairy, fruit, vegetable, seafood, grain, bakery, confectionary, beverage and kindred foods	P
Production of household goods like jewelry, silverware, toys, ceramics and pottery, athletic equipment, office and tobacco goods, musical instruments, etc.	P
Production of textile mill products including woven fabric, knit goods, dyeing and finishing, floor coverings, yarn and thread and other textile goods	P
Production or assembly of furniture and fixtures	P
Research and development facilities, including production	P
Saw mills	P
Trade or industrial schools	P
Wireless communications antenna when attached to a lawful existing telecommunications tower, water tower, or other Structure	P
Wholesale establishments distributing goods including automotive equipment, drugs, chemicals, dry goods, apparel, food, farm products, electrical goods, hardware, machinery, equipment, metals, paper products and furnishings, lumber and building products, and warehousing	P
Warehouses, distribution, and storage facilities, including self-storage and mini-storage	P
Machine shop and precision tooling	P
Essential public service equipment	P
Motor vehicle repair and body shops, including shops for trucks, tractors and commercial fleet vehicles; including upholstering, recapping and retreading service.	P
Manufacturing, compounding, assembling, processing, packing, treating or bulk storage of the following: Chemical products such as drugs, soaps, detergents, paint, plastics, enamel, wood chemicals, and agricultural and allied chemicals; Rubber products such as tires, tubes and footwear; Stone, clay, glass, semi-precious stones or metals, cement, brick, pottery, abrasives, tile, terra cotta, concrete and related products; and Engines, machinery, electrical equipment, automotive parts and components, metal stamping, wire products, structural metal products and other fabricated metal manufacturing products.	P
A single Wind Energy System (WES) including a structure mounted WES which is 65 feet or less in height with the blade in vertical position.	P
The manufacture, compounding, processing, packing, or treatment of such products as cosmetics, drugs, perfumes, pharmaceuticals, and toiletries.	P
Manufacturing or fabrication of products and components of medical or dental equipment and devices; metering instruments; optical devices, equipment and systems.	P
Processing and packaging of agricultural products.	P
Grain storage and milling, feed store, storage and sales of agricultural products and similar uses.	P

<b>Table of Uses</b>	<b>I-1</b>
Tool and Die establishments	P
Wholesale distribution and display of landscaping products such as mulch, woodchips, sod, dirt, and plant material and yard accessories.	P
Park and ride lots operated by a public agency	P

- B. **Special Land Uses:** The following uses may be permitted by obtaining Special Land Use approval when all applicable standards cited in Chapter 16 are met.

<b>Table of Uses</b>	<b>I-1</b>
Bulk oil, gasoline, liquid propane gas, and compressed natural gas distribution and storage facilities	SLU
Billboards	SLU
Retail sales of goods where such sale is clearly incidental and accessory to the primary use not exceeding 5,000 square feet in customer sales area	SLU
Sexually-oriented businesses	SLU
Truck and freight terminals including garaging and maintenance of equipment	SLU
Waste disposal for solid waste including sanitary landfills.	SLU
Water supply and treatment facilities	SLU
Wireless communication tower	SLU
Colleges and trade schools	SLU
Indoor recreation and athletic training facilities	SLU
Places of worship/churches and associated facilities	SLU
Essential public service structures and buildings	SLU
Recycling centers and solid waste transfer centers.	SLU
The sale, display, and lease of products such as trucks, tractors, mobile homes, trailers, and similar vehicles or equipment.	SLU
Primary metal industries, including blast furnaces, steel works, foundries, smelting or refining of nonferrous metals or alloys, rolling and extruding.	SLU
Pulp and paper manufacturing	SLU
Heating and electric generating plants	SLU

<b>Table of Uses</b>	<b>I-1</b>
Junk and salvage yards, including the processing of junk, waste or salvaged materials; dismantling of used motor vehicles or trailers; and the storage of dismantled, obsolete or wrecked vehicles or trailers or their parts.	SLU
Slaughterhouses or rendering plants.	SLU
Petroleum refining and storage, manufacture of paving or roofing materials and other related industries.	SLU
Composting facilities.	SLU
Railroad repair shops and yards.	SLU
Above and below ground bulk storage of flammable liquids, liquid petroleum, gases, chemicals, insecticides, solvents and corrosives, provided the storage is at least five hundred (500) feet from any Agricultural District, Residential District or agricultural or residential use.	SLU
A single Wind Energy System (WES) including a structure mounted WES which is greater than 65 feet in height with the blade in vertical position.	SLU
Sale, rental, and display of the following: temporary mobile storage units (pods); temporary refuse collection units; farm and garden products including fencing and equipment; pre-cast concrete products; utility trailers, animal trailers, and similar trailers; granite or marble or similar products or raw material.	SLU

**SECTION 3** Amend Section 10.03 to read as follows:

**SECTION 10.03 DEVELOPMENT REQUIREMENTS**

A. Lot, Yard, and Building Requirements.

Requirement		I-1 Industrial
<b>Minimum Lot Requirements</b>	Area	87,120 sq. ft. (2 acres)
	Width	150 ft.
	Maximum width to depth ratio	1:3
	Depth	200 ft.
	Maximum Coverage	75%
<b>Minimum Setback Requirements</b>	Front*	50 ft.
		20 ft.
	Side Adjacent to Agricultural or Residential District	100 ft.
	Rear Adjacent to Agricultural or Residential District	100 ft.
	In all other cases	25 feet
<b>Building Requirements</b>	Maximum Height	45 ft. or three stories in height, whichever is less.

\* Parcels fronting on M-21, Adams Street, Byron Road, 48<sup>th</sup> Avenue, 64<sup>th</sup> Avenue, 96<sup>th</sup> Avenue, New Holland, Ransom, Quincy, Riley, Perry, 88<sup>th</sup>, 84<sup>th</sup>, and 56<sup>th</sup> are subject to the access management provisions of Chapter 13.

B. Design Requirements

1. The intent of this section is that industrial buildings shall be both attractive and functionally appropriate for industrial uses. Building color, materials, finishes, and forms shall be substantially compatible with the character of the surrounding industrial park or area.
2. A minimum of fifteen percent (15%) of the front face of the Building shall be glass.
3. A minimum of twenty-five percent (25%) of that portion of the building which faces a public or private street, public or private parking area, private access drive, residential zoning district or residential use, shall be finished with the following:
  - a. Brick.

- b. Architectural masonry block.
  - c. Cement board.
  - d. Cut stone.
  - e. Logs or wood.
  - f. Glass.
  - g. Metal siding (corrugated) provided that exposed fasteners shall match the color of the metal finish.
  - h. In recognition of developing technologies, the Planning Commission may permit the use of building materials other than those listed in Section 10.03 B. if, in the judgement of the Planning Commission, the materials are compatible with surrounding properties, and that such materials comply with the architectural, safety, and other requirements of the Zeeland Charter Township building code, fire code, and other applicable Township ordinances.
  - i. In determining if the requirements of Section 10.03 B. shall be required for that portion of a building facing upon an access drive, the Planning Commission shall consider the following:
    - 1) The visibility of the building served by the access drive to clients, visitors, and the general public;
    - 2) The intended use of the access drive in regard as to whether the drive will be primarily utilized by clients, visitors and the general public; or whether the drive will be utilized primarily by employees, delivery vehicles, and refuse transport vehicles.
4. Exterior walls over one hundred (100) feet in length shall be broken up with varying building lines, windows, and architectural accents. ~~and trees.~~ The Planning Commission shall determine the extent of the required architectural features based upon the following:
- a.
    - 1) The character of the proposed use and future uses of the building.
    - 2) The existing and future uses of the surrounding area.
    - 3) The existing and proposed exterior building materials.

- b. For exterior walls over one hundred (100) feet in length, landscaping shall abut the walls so that the vegetation combined with the architectural features significantly reduce the visual impact of the building mass as viewed from the street. Landscaping shall be as approved by the Planning Commission.

C. Parking Requirements

1. Parking areas adjacent to a residential use or zone shall be a minimum of thirty (30) feet from side and rear property lines, fifteen (15) feet of which shall be developed as a Buffer Zone for the entire length of the parking area. The Buffer Zone shall comply with the standards of Section 15.05(D) of the Ordinance.
2. Parking shall be provided within three-hundred (300) feet of the Building.
3. The amount of required off-Street Parking Spaces for individual uses shall be determined in accordance with the following table and shall meet the dimensional requirements of Chapter 15, in addition to all lighting, Loading Spaces and landscaping standards.
4. Parking requirements for uses not listed. The minimum parking space requirements for all uses shall be as required by Section 10.03 C. herein. For uses not specifically listed, the Zoning Administrator shall establish the parking requirement by making the determination that the proposed use is similar in parking requirements to a use which is listed in Section 10.03 C. The Zoning Administrator may refer to engineering or planning manuals, publications and reports, or to the parking requirements required by other similar municipalities for similar uses in determining the minimum parking requirement.



Use	<b>Parking Requirement</b> <b>Spaces per unit of measurement</b> <b>GFA = Gross Floor Area, UFA = Usable Floor Area</b>
Accessory office areas related to Principal Uses	1 space per each 300 sq. ft. of UFA
Bulk oil, gasoline, liquid propane gas, and compressed natural gas distribution and storage facilities	1 space per 1.3 employees on the largest shift
Day care centers where such use is clearly incidental and accessory to the primary use	1 space per each 3 clients computed on the basis of the greatest number of clients on-site at a given time
Truck and freight terminal including garaging and maintenance of equipment	1 space per each 300 sq. ft. of UFA of office space plus 1 space per employee on the largest shift
Municipal Buildings, public service Buildings, essential public service structures and buildings	1 space per each 300 sq. ft. not including parking areas for municipal vehicles
Production of apparel and other finished products made from fabrics, leather goods, fur, canvas, and similar materials	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Production of food products including meat, dairy, fruit, vegetable, seafood, grain, bakery, confectionary, beverage and kindred foods	
Production of household goods like jewelry, silverware, toys, athletic equipment, office supplies, tobacco goods, musical instruments, etc.	
Production of textile mill products including woven fabric, knit goods, dyeing, and finishing, floor coverings, yarn and thread and other textile goods	
Production or assembly of furniture and fixtures	
Research and development facilities	
The manufacture, compounding, processing, assembly, packing, bulk storage, or treatment of articles and goods not otherwise specified.	
Retail sales of goods where such sale is clearly incidental and accessory to the Principal Use	1 space for each 500 sq. ft. UFA <u>plus</u> those spaces required for offices located on the premises

Use	<b>Parking Requirement</b> <b>Spaces per unit of measurement</b> <b>GFA = Gross Floor Area, UFA = Usable Floor Area</b>
Trade or industrial schools	1 space per employee plus 1 space per every two students
Wholesale establishments, warehouses, distribution, and storage facilities, including self-storage and mini-storage	1 space per each 300 sq. ft. of UFA or one per employee, whichever is greater.
Waste treatment facilities	1 for each 2,000 sq. ft. <u>plus</u> that required for office space
Water supply and treatment facilities	1 space per employee, not including areas for municipal vehicles
Wireless communication tower	1 space for a maintenance vehicle
Machine shop and precision tooling, Tool and Die establishments	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Motor vehicle repair and body shops, including shops for trucks, tractors and commercial fleet vehicles; including upholstery, recapping and retreading service.	Two parking spaces per each service bay; plus one space per each employee plus those spaces required for offices located on the premises
A single Wind Energy System (WES) of any permitted height	One space for each maintenance vehicle
Processing and packaging of agricultural products; grain storage and milling, feed store, storage and sales of agricultural products and similar uses.	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Wholesale distribution and display of landscaping products such as mulch, woodchips, sod, dirt, and plant material and yard accessories.	One per employee, in addition to loading spaces as required by Section 15.02 herein.
Park and ride lots operated by a public agency	As proposed by the public agency, subject to approval by the Planning Commission

Use	<b>Parking Requirement</b> <b>Spaces per unit of measurement</b> <b>GFA = Gross Floor Area, UFA = Usable Floor Area</b>
Recycling centers and solid waste transfer centers.	One per employee, in addition to loading spaces as required by Section 15.02 herein, and if open to the public, parking spaces subject to approval by the Planning Commission
Open air business for the sale of manufactured products such as trucks, tractors, mobile homes, trailers, and similar products or equipment.	One space per 5,000 square feet of outdoor sales area, plus one space per each employee, plus three spaces per service bay.
Primary metal industries, including blast furnaces, steel works, foundries, smelting or refining of nonferrous metals or alloys, rolling and extruding.	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Pulp and paper manufacturing	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Heating and electric generating plants	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Junk and salvage yards, including the processing of junk, waste or salvaged materials; dismantling of used motor vehicles or trailers; and the storage of dismantled, obsolete or wrecked vehicles or trailers or their parts.	One per employee, in addition to loading spaces as required by Section 15.02 herein, and if open to the public, parking spaces subject to approval by the Planning Commission
Slaughterhouses or rendering plants.	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises

Use	Parking Requirement Spaces per unit of measurement GFA = Gross Floor Area, UFA = Usable Floor Area
Petroleum refining and storage, manufacture of paving or roofing materials and other related industries.	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Composting facilities.	One per employee, in addition to loading spaces as required by Section 15.02 herein, and if open to the public, parking spaces subject to approval by the Planning Commission
Railroad repair shops and yards.	1 space for each 1,000 sq. ft. of gross floor area, or one space for every employee on the largest shift (whichever is greater) <u>plus</u> those spaces required for offices located on the premises
Above and below ground bulk storage of flammable liquids, liquid petroleum, gases, chemicals, insecticides, solvents and corrosives, provided the storage is at least five hundred (500) feet from any Agricultural District, Residential District or agricultural or residential use.	1 space per 1.3 employees on the largest shift
Sale, rental, and display of the following: temporary mobile storage units (pods); temporary refuse collection units; farm and garden products including fencing and equipment; pre-cast concrete products; utility trailers, animal trailers, and similar trailers; granite or marble or similar products or raw material.	One space per each 800 feet of lot area used for the business, plus parking for any main use building, and associated accessory uses

E. *(Reserved)*

F. Lawfully existing uses which are currently required to obtain approval as a special land use by this Chapter, and for which no record exists of such approval as a special land use, shall not be enlarged, increased, extended to occupy a greater area of land, or increased in intensity of use except as required by the procedures for approval of a special land use in Chapter 16 of this Ordinance.

**SECTION 4** Amend Section 2.06 DEFINITIONS E to read as follows:

ESSENTIAL PUBLIC SERVICES

- A. Essential Public Service Equipment - Wires, mains, drains, sewers, pipes, valves, pumps, conduits, cables, fire alarm and police call boxes, traffic signals, fire hydrants, post office boxes, streetlights, utility poles, telephone or television switching boxes, electrical transformer apparatus or similar equipment located either entirely underground, on poles not greater than 35 feet in height, or which are in the public right of way and are less than three feet above ground but not including essential public service structures or buildings. Telecommunication towers and antennas and similar wireless communications facilities operated or owned by private enterprise shall not be considered Essential Public Service Equipment.
- B. Essential Public Service Structures and Buildings - Buildings or structures owned and operated by public utilities or municipal departments or otherwise regulated by the Michigan Public Service Commission and used for gas, electrical, steam, fuel, water supply, water or wastewater treatment or disposal, electrical substations, telephone communications and sewage lift stations all of which are above ground and outside the public right of way, on poles greater than 35 feet in height and structures greater than three feet in height whether in or outside the public right of way, and including similar structures or buildings necessary to furnish adequate service to the public within Zeeland Charter Township, but not including essential public service equipment. Telecommunication towers and antennas and similar wireless communications facilities and wind energy systems operated or owned by private enterprise shall not be considered Essential Public Service Structures or Buildings.
- C. The term shall not include wireless communication towers, unless located on public property and used as part of a governmental emergency communications network.

**SECTION 5** Amend Chapter 3 General Provisions to add new Section 3.35 to read as follows:

Section 3.35                      ESSENTIAL PUBLIC SERVICE EQUIPMENT

Essential public service equipment as defined herein is a permitted use in all zoning districts and is not subject to the provisions of this Zoning Ordinance.

**SECTION 6** Amend Section 16.06 CC. Specific Special Land Use Standards *list* to read as follows:

CC.    Essential public service structures and buildings

**SECTION 7** Amend Section 16.06 CC. Specific Special Land Use Standards *regulations* to read as follows:

CC.    Essential public service structures and buildings

Essential public service structures and buildings as defined herein are allowed in all zoning districts as a Special Land Use subject to the requirements and standards of Chapter 16 of this Zoning Ordinance and the following regulations:

1. An essential public service structure or building may be located on a parcel or an area leased for such use which does not have frontage on a public or private street and which does not meet the minimum lot area or lot width requirement of the zoning district in which such use is proposed.
2. An essential public service structure or building shall be setback a minimum of 50 feet from any public or private street right of way line, 25 feet from all other lot lines and boundary lines of a leased area and 50 feet from a dwelling unit.
3. Access to the building or structure shall be provided by a driveway. Such driveway shall be constructed and located to accommodate vehicles and equipment accessing the parcel or leased area, to avoid storm water runoff onto adjoining parcels, and to minimize negative impacts on adjacent residents and properties. Such driveway may be located within an easement which is at least 20 feet wide and which intersects the public street.
4. The Planning Commission in its review of such use and in order to minimize the impact of such use on nearby land uses shall have the discretion to increase the minimum yard requirements, to require screening such as fencing, landscaping or a berm or to require a certain building style, material or colors and to require paving of driveways and access roads. The Commission shall consider the following criteria and factors in its determination of such requirements:
  - a. The size, height and appearance of the structure or building.
  - b. Any noise, odor, glare, vibration or similar nuisance produced by the use.
  - c. Potential hazards such as electrical shock.
  - d. The types of existing or planned nearby land uses.

#### **SECTION 7 SEVERABILITY:**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance will not be affected thereby, and shall remain in full force and effect.

#### **SECTION 8 EFFECTIVE DATE:**

This Ordinance shall take effect upon the expiration of seven (7) days after the date of publication of the Ordinance or a summary of its provisions in a local newspaper of general circulation in accordance with the law.

The vote in favor of this Ordinance was:

YEAS: Nykamp, Veldheer, Overweg, Brink and Salisbury

NAYS: None

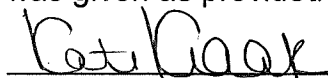
ABSENT: Kraak and Riemersma

ORDINANCE DECLARED ADOPTED.

#### CERTIFICATION

STATE OF MICHIGAN     )  
                                      ) ss.  
COUNTY OF OTTAWA    )

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Charter Township of Zeeland at a regular meeting held on the date first stated above, and I further certify that the public notice of such meeting was given as provided by law.

  
\_\_\_\_\_  
Kate Kraak, Township Clerk