

**120.250 “I-3” Industrial District, Heavy.**

**A. Description of District:**

This district is designed to provide land for activities of a heavy industrial nature, placing emphasis on heavy manufacturing as opposed to service type of industry. Because of the nature of the district, it should be located so as to be least objectionable to adjoining commercial or residential uses.

**B. Permitted Uses:**

1. Grain and equipment processing.
2. Outdoor storage and warehousing.
3. Public utility buildings and storage yards.
4. Truck terminals, maintenance, and service yards.
5. Essential services.
6. Any permitted uses in “I-2” Zoning District.

**C. Conditional Uses:**

The following uses are permitted by right if the required regulations can be met.

1. Accessory uses or buildings when in accordance with the provisions of Section 120.410.
2. Public utility buildings and structures in accordance with Section 120.110 C.4.
  - a. The use shall have frontage on a paved primary road.
  - b. The use shall have off-street parking facilities to satisfy peak parking needs.
  - c. Building and activities (including, but not limited to, parking, drive aisles, etc.) shall not be closer than 25 feet to adjacent residentially zoned properties.

- d. The use shall be enclosed by a solid wall or compact screening of suitable material as determined by the Planning Commission and shall not be less than 6 feet in height.
- 3. Private Solar Energy Systems when in accordance with Section 120.470.
- 4. Any conditional uses in “I-2” Zoning District

**D. Special Exception Uses:**

All Special Exception Uses are subject to the provisions noted herein as well as the requirements of Section 120.420.

- 1. Slaughterhouse and packing plant.
  - a. The use shall have frontage on a secondary road or greater.
  - b. The use shall have off-street parking facilities to satisfy peak parking needs.
  - c. Building and activities (including, but not limited to, parking, drive aisles, etc.) shall not be closer than 1000 feet to adjacent residentially zoned properties.
- 2. Junk yards, building material salvage yard.
  - a. The use shall have frontage on a secondary road or greater.
  - b. The use shall have off-street parking facilities to satisfy peak parking needs.
  - c. Building and activities (including, but not limited to, parking, drive aisles, etc.) shall not be closer than 1000 feet to adjacent residentially zoned properties.
  - d. The use shall be enclosed by a solid wall or compact screening of suitable material as determined by the Planning Commission and shall not be less than 6 feet in height.

3. Mining, excavation and/or removal, by transporting same off the premises, of earth or any earth minerals (including gravel) and temporary on-site processing of such earth or earth minerals, in accordance with the provisions of Section 120.490.
4. Mining, excavation, quarrying, removal of earth or earth minerals (including gravel), on-site processing and related businesses, in accordance with the provisions of Section 120.490.
5. Any industrial use which meets the intent and purpose of this District which does not emanate noise, vibration, odor, smoke, liquid wastes, or light to such an extent as to be objectionable to surrounding properties. A determination of the Planning Commission established under State Statute and this Ordinance shall be conclusive on any question of nuisance, or objectionableness of any business or operation under the terms of this section.
6. Public utility buildings including gas and electric substations.
7. Composting, Non-agricultural or residential, subject to the following:
  - a. All such facilities shall comply with applicable statutes, administrative rules, or similar regulations. Copies of any licensing, reporting or communications between the operator and those agencies shall be forwarded on to the Township for its records. In addition to the application requirements for a special exception use (Section 120.420) and the requirements for site plan review (Section 120.430), the following information requirements and conditions shall be imposed:
    - (1) Additional Information: The applicant shall identify the nature of the composting business, including the hours of operation, a complete list of material that is proposed for composting, the method of controlling any nuisance concerns (including, but not limited to, vectors, dust, odor, noise, vibration, light and litter), natural timeline for the process (from material transport, sorting and handling, to removal as compost), the intended capacity of the site (in cubic yards) and access and circulation for vehicular movement and emergency access. A daily operational plan shall be submitted, identifying the methods for extinguishing fire, odor

mitigation, or similar issues related to resolving problems before Township services and enforcement measures are required. The daily operational plan shall detail, in addition to the above, on-site staffing and security to prevent illegal dumping, the steps to be taken should anaerobic conditions occur and a description of daily cleanup procedures. The applicant shall supply proof of insurance for personal injury and property damage for not less than \$1,000,000 for each occurrence.

- b. Acreage, Location, Setback/Separation Requirements: The minimum parcel size for the operation shall be 20 contiguous acres in area. The location of the site (pad) utilized for the actual compost storage area shall not exceed ten acres. This site, defined as the area of active composting operations, including storage areas for raw or finished materials, shall be set back at least 100 feet from the boundary of the parcel utilized for the operation, 1,000 feet from any non-participating parcel boundary and 2,000 feet from any non-participating residential dwelling, private well or public wellfield, the 100-year floodplain or the road right-of-way. The Township shall require screening (fencing, berms, landscaping, or some combination) of the site where such site location is deemed detrimental to an adjoining property, with this determination based upon the sole reasonable direction of the Planning Commission.
- c. Water Quality Study Requirement: The applicant shall present a study establishing a baseline for existing groundwater and surface water conditions in the area of the site as part of the initial application. This baseline study shall also include soil conditions and identify at least three locations on the proposed site where test wells, which shall be grouted and locked, shall be located. Well testing logs shall be maintained, and samples shall be drawn, tested and analyzed by an independent laboratory on a quarterly basis, with results forwarded to the Township for review by the Township Engineer. The cost of such testing and analysis shall be borne by the applicant.

- d. The site plan shall indemnify the nature of the liner to be utilized on the site, whether clay or man-made material, manufacturer's warranty, the thickness of the liner and the location of the site (pad) and the parcel as it relates to any surface water within one mile of the pad location. The site plan application shall include calculations of storm water flow and the location of on-site retention.
  
- e. Transportation/Type of Organic Material: The applicant shall provide a truck route for the transport of material to and from the site and the internal circulation around the site. This material shall be covered during transport, and the route shall be maintained in a manner to control dust, litter, odor, or other nuisance associated with such operations. A truck cleaning station shall be located along the internal route prior to exiting only any County road, with the expectation that no mud or material shall be tracked onto the road.

The type of organic material allowed shall be limited to grass clippings, twigs, and organic wood waste, including sawdust and wood chips, USDA organic fruit and vegetable scraps, nut shells and coffee grounds. No hazardous or solid waste, human waste, industrial, municipal, or processing waste or animal waste shall be permitted. The applicant shall present, and the Planning Commission may approve, any other additive, other than water, which is proposed for either improving the compost or reducing the odor associated with the process.

- f. Site specifications/Noise standards: The site (pad) shall be arranged to allow access to all portions of the compost pile, wind row or tunnel. Any storage area for materials not yet added to the compost must be indicated, which such height to be no greater than six feet to allow for visual inspection.

A baseline noise study shall be submitted, with this to include readings along all adjoining property lines. This baseline shall then be used to determine conditions related to maximum decibel readings at those boundaries. The Planning Commission may base their requirements for screening (berms, landscaping, etc.) on the need to minimize such noise concerns in certain locations. Readings along such parcel boundary shall not exceed 65 decibels during the day (7 a.m. to 7 p.m.) or 55 decibels at night.

- g. Annual Review/Complaints: The Planning Commission shall conduct an annual review of the approved operation. Such review will include all quarterly reports of water testing, a listing of complaints received directly by the operator, the results of their steps to resolve the complaint and a list of complaints received by the Township and those results following contact. A complaint log shall be maintained by the Township. The annual review shall detail any changes to the daily operational plan allowed by the Zoning Administrator or minor modifications or administrative amendments to the site plan. No changes in conditions associated with the special exception use approval are allowed unless such change in condition is submitted as an application for review, complying with the public hearing requirements for any special exception use application.

Once a complaint is directed to and received by the Township Supervisor or Code Enforcement Officer, he/she shall make immediate contact with the operator, who shall resolve the problem and report back to the Township as to such resolution. If the Township believes no resolution of the matter has taken place within 12 hours of the contact, it may then initiate violation action against the operator.

h. Closure/Reclamation Plan: The applicant shall submit a closure and reclamation plan with the application. It shall post a cash bond as part of the approval that can be utilized by the Township to ensure compliance with the Plan. The Plan shall require notice to the Township within 30 days of business interruption that the operator either seeks to discontinue such operation or has a plan to remove and dispose of any existing material before restarting the operation. Should the applicant fail to submit this notice or cease operation of the site for more than a three-month period (excluding any seasonal fluctuations identified with the Plan), such bond may be utilized by the Township to dispose of material and reclaim the site in the approved condition. The Township Engineer shall determine the cost estimate associated with closure and reclamation and establish the cash bond at 150% of the estimated cost, which may be reviewed periodically and may be increased or decreased in the Township's discretion based in whole or part upon the Township Engineer's determination.

- 8. Outdoor Storage subject to Sections 120.350 and 120.420.
- 9. Commercial Solar Energy Systems when in accordance with Section 120.470.
- 10. Any "Special Exception Use" listed in "I-2" Zoning District.

**E. Conditions and Limitations:**

- 1. All operations must be carried out within fully enclosed buildings except for the following:
  - a. Outdoor storage of products or material shall be subject to approval of a special exception use.
  - b. Delivery operations which must not involve excessive noise, excessive fumes, or any excessive nuisance to adjacent premises.

2. No buildings shall be located within 150 feet from the boundaries of any residential district classification and where property adjoins non-residential district classification, 75 feet of the property line abutting any public street and 15 feet of the interior, side or rear line. Any building or structure which exceeds 25 feet in height as measured from the lowest abutting grade level shall be set back an additional foot for each foot of height in excess of 25 feet from all boundary lines of the site.
3. Adequate off-street parking shall be maintained in accordance with Section 120.310.
4. All land of any individual site in use hereunder, not occupied by buildings, structures, improved parking areas or storage areas, shall be maintained in a neat and attractive manner, free of junk and debris and excessive uncontrolled growth. All land areas abutting a public or private street shall be landscaped and maintained in a neat and attractive manner, with grass, shrubbery, or other comparable attractive growth or materials.
5. Streets and drives servicing the buildings must have a right-of-way width of 66 feet where said street or drive connects or is intended to connect to adjoining property. All other streets and drives may be constructed of 24 feet of traveled area upon a 30-foot right-of-way. All streets and drives shall be constructed and maintained so as to be dust free.
6. Lighting of all types shall be so arranged that it does not produce unreasonable glare upon adjoining premises.
7. No exposed or outdoor loading and unloading docks or areas shall face any adjoining residential zone unless the same are screened therefrom by other buildings, structures, or natural screening adequate to obscure the view thereof from such adjoining residential area.
8. Water and sanitary sewer shall be utilized if available within 300 feet of any portion of the site and the user of the site uses or reasonably anticipates using more than 1,000 gallons of water per 24-hour period. Surface drainage shall be through storm sewers or shall be disposed of upon the site. Leaching basins shall be fenced so as to prevent danger to the general public.

9. No use shall be allowed which shall emanate noise or glare to such an extent as will be a nuisance or annoyance to owners or occupants of surrounding premises, nor which violates the "air quality standard" established by the Michigan Air Pollution Control Commission.

**F. Screening:**

Screening shall be provided in accordance with Section 120.350.

**G. Lot, Parcel or Building Site, Yard, and Area Requirements:**

Except as specified herein, the lot, yard, and area requirements shall be as specified in Section 120.600.

**H. Related Principal Structure or Building:**

Principal building or structure shall be defined as a building which is primarily occupied or devoted to the principal use of the lot parcel or building site and is owned and occupied by the title holder of the lot parcel or building site or a legal business entity principally owned by the title holder of the lot parcel or building site and operated on an integrated single industrial operation. Any principal building or structure leased, or any necessary building or structure subleased to any person or legal business entity other than that owned by the title holder of the lot parcel or building site shall constitute a separate principal building for purposes of this section.

**I. Principal Buildings or Structures Allowed:**

Not more than one (1) unrelated principal building or structure may be constructed on a lot, parcel, or building site.

[Ord. No. 239, eff 9/27/2016]

[Ord. No. 245, eff 11/26/2017]

[Ord. No. 265, eff 08/31/2023]