

Section 16.00 – Preamble *(amended 02.01.16)*

The Limited Industrial (LI) District is designed so as to primarily accommodate employment centers related to light industrial uses, wholesale activities, warehouses, and limited manufacturing and industrial operations. The district is intended to permit only those uses whose external, physical effects are restricted to the area of the district and only exert minimal detrimental effects to the surrounding districts. The district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material.

Section 16.01 – Use Matrix *(added 02.01.16)*

Uses are allowed in the LI Zoning District in accordance with the use table of this section. The Planning Commission shall allow uses of a similar nature to those listed below, in accordance with Section 27.02 (E), provided that such uses will not create adverse impacts to surrounding uses.

LAND USE	Zoning District	Footnotes
P = Permitted by Right S = Special Use S* = Special Use permitted within Lapeer Road Overlay District	LI	
Industrial, Research, and Technology Uses		
<i>Manufacture, assembly, repair, processing, packaging of:</i>		
Electrical appliances, related electronic instruments and devices, including but not limited to computers, cellular phones and tablets.	P	
Fabricated metal products, electronic or neon signs.	P	
Material science products, such as plastics, polymers, laser technology and robotics.	P	
Professional, scientific and precision instruments, such as laboratory apparatus and analytical, optical, measuring and controlling instruments.	P	
Semi-finished products, articles, or merchandise such as, but not limited to bakery goods, food products, cloth, glass, and plastics.	P	
Building material sales	P	
Contractor storage yards	P/S	A
Mini-storage and warehousing	P	
Printing Plants	P	
Recreational vehicle storage buildings/yards	P/S	A
Tool, die, gauge, and machine shops	P	
Warehousing and wholesale establishments, storage and transfer facilities	P	
Office		
Offices related to the principal use.	P	
Veterinary clinics and animal boarding	S*	
Retail, Entertainment and Service		
<i>Entertainment, Amusement and Recreational Uses</i>		
Health clubs and exercise establishments	S	B
Private indoor recreation facilities (such as batting cages, dance studios, indoor soccer, ice rinks, archery)	S	B
Retail, Entertainment and Service (Contd.)		
<i>Automobile-Related Uses</i>		

LAND USE	Zoning District	Footnotes
P = Permitted by Right S = Special Use S* = Special Use permitted within Lapeer Road Overlay District	LI	
Automotive retail and service facilities	S*	H
Automobile dealership, repair, service center, and used car facilities	S*	H
Automotive repair, paint and body shop, collision shop	S*	H
<u>Equipment repair and sales</u>	S*	H
<u>Eating and Drinking Establishments</u>		
Restaurant (no drive-thru or carry-out)	S	C
Restaurants, including drive-through restaurants	S*	H
Outdoor Café	S	D
Outdoor Patio	P	E
<u>General Retail</u>		
Showrooms for retail activities associated with fabrication, assembly processing, or wholesaling.	S*	H
<u>General Service</u>		
Printing, copying, or shipping stores	P	
Hotels and Motels	S*	H
Financial and insurance service (banks, credit unions, etc. with or without drive-through)	S*	
Civic and Institutional		
Public utility buildings	S	F
Electric and gas transformer/regulator stations	S	F
Churches	S*	H
Other		
Outdoor storage, either as a principal or accessory use, in accordance with Section 27.19.	P/S	A
Accessory buildings and accessory uses customarily incidental to the permitted uses in this section, in accordance with Section 27.02.	P	G
Planned Unit Development, subject to the standards and approval requirements of Section 30.03	P	
Uses which in the opinion of the Planning Commission are similar to the above permitted or special uses.	P	

Section 16.02 – Footnotes to the Use Matrix *(amended 02.01.16)*

- A. Outdoor storage of equipment, vehicles, and/or other materials may occur as a principal use or on the same site as an accessory to a principal use.
 - 1. **Principal Use.** If a principal use, the storage area shall comply with the front and rear yard setbacks of the zoning district. Outdoor yards for the storage of materials, equipment and vehicles are permitted by right when located one hundred (100) feet or more from the property line of a residentially zoned or used parcel. When located within one hundred (100) feet of the property line of a residential zoned or used parcel, outdoor storage yards may be permitted as a special land use and shall be permitted only upon special land use review and approval as set forth in Section 30.02 and upon meeting the landscaping standards of Section 27.05 of this Ordinance.
 - 2. **Accessory Use.** An incidental storage area located outside of the principal building which does not exceed ten percent (10%) of the principal building area or one thousand (1,000) square feet, whichever is less, shall

- be permitted. The outdoor storage shall be incidental to the existing principal building. The accessory storage area shall be located in the rear yard and appropriately screened.
3. All principal and accessory outdoor storage yards must conform to the standards set forth in Section 27.19 of this Ordinance.
- B. Indoor recreation establishments are subject to a review of parking by the Planning Commission and subject to the submittal of parking studies based upon Institute of Transportation Engineers (ITE) standards, if required. The Planning Commission may allow a maximum building height of forty (40) feet, subject to the review of adjoining land use and a determination that additional building height for recreation uses will not adversely impact neighboring uses.
- C. Restaurants serving food and beverages for consumption within the building, but not having the character of a carry-out, drive-in, or drive-through facility, subject to the following conditions:
1. The site shall abut an existing or proposed major thoroughfare having a minimum right-of-way of one hundred twenty (120) feet.
 2. Provision shall be made for vehicular access from abutting industrial or commercial zoned land.
 3. The site and all structures shall abide by the provisions of **Section 16.03**, Required Conditions, except as modified herein:
 - a. Off-street parking shall be provided on the site in an amount equal to at least one (1) parking space for each one hundred (100) square feet of gross floor area of the principal structure
 - b. A parking area or driveway shall not be closer than ten (10) feet to an adjacent property line.
 - c. Parking areas shall be located to the side and/or rear of the principal structure.
 4. A restaurant shall be located so that it is not within a one thousand (1,000) yard radius, as measured from nearest property line to nearest property line, from another restaurant.
- D. A restaurant use may include an outdoor patio, subject to administrative review by the Building Department and approved by the Planning Commission. No site plan will be required unless requested by the Planning Commission:
1. Restaurant with an outdoor café, subject to special use conditions imposed by the Planning Commission in accordance with Section 30.02, with the exception that no site plan will be required unless requested by the Planning Commission, and subject to:
 - a. Seasonal use restrictions.
 - b. Hours of operation
 - c. Sketch plan indicating location of tables, chairs, awnings, canopies, dance floor, protective fencing, railings, planters, or other pedestrian barriers.
 - d. Compliance with Michigan Liquor Control Commission (MLCC) requirements.
 - e. Compliance with Township Noise Regulations (Ordinance No. 135).
 - f. Other conditions as required by the Planning Commission, with the Planning Commission retaining the full option of requiring a full site plan.

- E. Restaurant uses may also include an outdoor patio subject to administrative review by the Building Department and approved by the Planning Commission. No site plan will be required for an administrative review unless requested by the Planning Commission.
- F. Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations (but not including service or storage yards), when operating requirements necessitate the location of such facilities within the District in order to serve the immediate vicinity.
- G. The following accessory uses shall be permitted, subject to the standards and requirements set forth herein and in Sections 27.02 and 30.02:
 - 1. Repair and maintenance of vehicles and equipment owned by the proprietor or lessee of the storage facility, provided that such repair and maintenance activities take place within a completely enclosed building.
 - 2. The repair and maintenance of vehicles and equipment left for long-term storage of at least four (4) months with the proprietor or lessee of the storage facility, provided that such repair and maintenance activities take place within a completely enclosed building.
 - 3. One storage building for materials or equipment related to the principal use. However, building material outlets may be permitted, subject to Planning Commission approval.
 - 4. Accessory uses which in the opinion of the Planning Commission are subordinate and customarily incidental to the above permitted or special uses.
- H. Uses as listed below are allowed as a special land use on parcels within the Lapeer Road Overlay District. These uses are to be complementary to the Limited Industrial zoning district, and may include uses such as: *(added 09.02.14)*
 - 1. Showrooms for kitchen, bath, household fixtures, household furniture or other retail activities associated with fabrication, processing, or wholesaling. Products retailed shall be a minor part of the principal use activity. Retail floor area shall not exceed thirty percent (30%) of the total floor area.
 - 2. Automotive retail and service facilities, such as trailer hitches, car stereo, window tinting, and similar uses.
 - 3. Automotive repair, paint and body shop, collision shop.
 - 4. Equipment repair and sales, such as recreational vehicles, lawn equipment, power tools, and construction equipment.
 - 5. Banks and credit unions, with or without drive-through.
 - 6. Restaurants, including drive-through restaurants.
 - 7. Churches.
 - 8. Veterinary clinics and animal boarding.
 - 9. Automobile dealership, repair, service center, and used car facilities.
 - 10. Hotels and motels.
 - 11. Uses similar to the above, in accordance with Section 27.02(E), and which will not create adverse impacts to surrounding uses.

Section 16.03 – Required Conditions *(amended 02.01.16)*

All activities and uses in this District shall comply with the following required conditions, except where an existing

building is legally in nonconformance with certain conditions, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals. *(amended 01.30.86)*

- A. Site Plan Approval. The proprietor shall submit a site plan for approval pursuant to the requirements set forth in Section 30.01 of the Zoning Ordinance.
- B. Minimum Parcel Size. The minimum lot area shall be two (2) acres.
- C. Off-Street Parking.
 - 1. Parking requirements shall be based upon the following schedule, except as modified for a specific use within **Section 16.02** *(amended 08.06.07)*:
 - a. One (1) parking space per one thousand (1000) square feet of gross floor area or one (1) space per employee whichever is greater.
 - b. One (1) additional parking space shall be added for every four (4) required spaces for facilities which operate more than one employee shift.
 - 2. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic. *(amended 01.30.86)*
 - 3. No parking area or driveway shall be closer than twenty (20) feet to the adjacent property line. However, if the parcel in question abuts a residentially used or zoned parcel, then no parking area or driveway shall be closer than fifty (50) feet to the adjacent property line. *(amended 06.15.89)*
 - 4. All internal roadways and driveways in the front yard area shall be continuously curbed. Driveways and parking areas shall be curbed and consist of hard-surfaced concrete, blacktop, crushed concrete or gravel, as approved by the Planning Commission.
 - 5. All off-street parking shall conform to the standards set forth in Section 27.04 of this Ordinance.
 - 6. The required setback for parking may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office, or industrial zoned property, and when existing off-street parking, drives, and/or structures are located within the setback area. *(amended 09.16.93)*
- D. Landscaping.
 - 1. A landscape plan shall be submitted to the Planning Commission for approval. The landscape plan shall specify plant materials and landscape treatment, based on the requirements of Section 27.05 of this Ordinance for such items. This landscape plan shall be part of, or accompany, the site plan.
 - 2. A landscaped greenbelt at least twenty (20) feet in width shall be provided along the entire perimeter of an LI District, except where ingress and egress drives are located, when the parcel abuts commercial/office or industrially zoned property. However, when the parcel abuts any residentially used or zoned property, the landscaped greenbelt shall be at least fifty (50) feet in width, except where ingress or egress drives are located. *(amended 06.15.89)*
 - 3. The off-street parking areas and access driveways shall be screened from view from any adjoining residential property. Such screening shall consist of earth berms, permanent walls or evergreen landscaping subject to approval of the Planning Commission.
 - 4. All landscaping and screening shall be maintained in an attractive, litter-free, safe, and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition.

5. The landscaped greenbelt required along with the perimeter of the parcel may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office or industrially zoned property and when existing off-street parking, drives and/or structures are located within the setback area. The Planning Commission may, at their discretion, modify or waive certain landscaping requirements in accordance with the considerations outlined in Section 27.05. *(amended 01.30.86, 09.16.93)*
 6. Sign Regulation. All signs shall comply with the standards set forth in Orion Township Sign Ordinance No. 138. *(amended 10.08.98, 02.21.06)*
- E. Lighting Regulations. *(amended 04.27.00)*
1. A lighting plan shall be submitted with all site plans as set forth in Section 27.11 of this Ordinance. All other Zoning Ordinance regulations shall apply unless otherwise noted in this Ordinance.
 2. Exterior site lighting shall be fully shielded and directed downward to prevent off-site glare.
 3. Site illumination on properties adjacent to residential properties shall not exceed 0.3 foot-candle along property lines, or 1.0 foot-candle along non-residential property lines. Parking lot lighting shall be governed by Section 27.11.
- F. Public Road Access. Any use developed or proposed within this district shall have direct access to a dedicated public road having an existing or proposed right-of-way of at least eighty-six (86) feet. Utilities. All utilities servicing the buildings or structures shall be buried underground
- G. Utilities. If possible, all utilities servicing the business structure shall be buried underground.
- H. Covered Trash Areas.
1. Covered trash receptacles, surrounded on three (3) sides by masonry brick-type walls one (1) foot higher than the receptacle shall be provided in the rear yard of the building or principal use structure.
 2. The fourth side of the trash receptacle enclosure shall be equipped with an opaque lockable gate that is the same height as the brick-type wall.
 3. The Planning Commission may, at their discretion, waive the requirements for a covered trash receptacle as described herein, if, after considering the nature of the operation being proposed, the Commission determines that the amount of trash generated can be adequately disposed of without use of an outside trash receptacle. *(amended 01.30.86)*
- I. Loading and Unloading.
1. Loading and unloading areas shall be located in the rear or side yard of a non-residential district.
 2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress or egress.
 3. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04.
- J. Performance Guarantee Requirement. The Planning Commission shall require a performance guarantee to be deposited with the Township Clerk in accordance with the provisions set forth in Section 30.09, to ensure that necessary and required improvements proposed on the site plan will be completed. *(amended 08.15.16)*
- K. General. All activities and uses within this District shall conform to the following:
1. Smoke. A person or industry shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three (3) minutes in any one

hour, which is:

- a. As dark or darker in shade as that designated as No. 1/2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or
 - b. Of such density as to obscure an observer's view to a degree equal to or greater than the level of smoke described in Subsection (a) of this section.
 - c. At no time may smoke emissions be darker than Ringelmann No. 1.
2. Open Fires. A person or industry shall not burn any combustible refuse in any open outdoor fire within the District.
 3. Noxious Gases. No noxious or malodorous gases shall be allowed to escape into the atmosphere in concentrations which are offensive, which produce a public nuisance or hazard on any adjoining lot or property, or which could be detrimental to human, plant or animal life.
 4. Air Contaminants. A person or industry shall not discharge from any source whatsoever such quantities of air contaminants or other material, including fly-ash, dust, vapor, or other air pollutants, which could cause injury or harm to health, animals, vegetation, or other property, or which can cause excessive soiling. Dust, dirt, smoke, or fly-ash shall not be in excess of 0.3 grams per cubic foot of flue gas at stack temperature of 500 degrees Fahrenheit and not to exceed fifty percent (50%) excess air.
 5. Glare and Heat. Any operation or activity producing glare shall be so conducted that direct and indirect illumination from the source of light shall not cause illumination in excess of one-half (0.5) of one (1) foot-candle when measured at any adjoining residence or business district boundary line. Flickering or intense source of light shall be so controlled as not to cause a nuisance across any lot lines.

If heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

6. Noise. The measurable noise emanating from the premises and as measured at the street or property line, may not exceed sixty (60) decibels as measured on the "C" scale of a sound level meter constructed and calibrated in conformance to the requirements of the American Standards Association. Objectionable noises, due to intermittence, beat frequency or shrillness, shall be muffled so as not to become a nuisance to adjacent uses. Sirens and related apparatus used solely for safety and other public purposes are exempt from this standard.
7. Vibration. Vibrations from industrial operations and vehicular traffic in this zone must be controlled to the extent that they cannot be felt past any property line.
8. Radio Transmission. For electronic equipment required in an industrial operation, the equipment shall be so shielded that its operation will not interfere with radio, television or other electronic equipment.
9. Storage of Flammable Materials. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire suppression equipment and such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.
10. Radioactive Materials. No activity shall emit dangerous radioactivity at any point, or unreasonable electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
11. Water Pollution. Pollution of water shall be subject to such requirements and regulations as are established by the Michigan State Department of Health, the Michigan Water Resources Commission, the Oakland County Health Department, and the U.S. Environmental Protection Agency. Such requirements and regulations shall apply in all cases except when they are less stringent than the following standards in

which case the following standards shall apply:

- a. No wastes shall be discharged into the public sewer system which are dangerous to the public health and safety.
 - b. Acidity or alkalinity shall be neutralized to a pH of 7.0 as a daily average on a volumetric basis, with a maximum temporary variation of pH 5.0 to 10.0.
 - c. Wastes shall contain no cyanides and no halogens and shall contain not more than 10 p.p.m. of the following gases: hydrogen sulphite, sulphur dioxide and nitrous oxide.
 - d. Wastes shall not contain any insoluble substance in excess of 10,000 p.p.m. or exceeding a daily average of 500 p.p.m. or fail to pass a No. 8 Standard Sieve, or have a dimension greater than one-half (1/2) inch.
 - e. Wastes shall not have chlorine demand greater than 15 p.p.m.
 - f. Wastes shall not contain phenols in excess of .005 p.p.m.
 - g. Wastes shall not contain any grease or oil or any oil substance in excess of 100 p.p.m. or exceed a daily average of 25 p.p.m.
- L. **Safety Paths.** Construction of safety paths for pedestrian use and use by non-motorized vehicles shall be required in conjunction with the development of all parcels in this zoning district. The safety paths shall conform to the specifications outlined in Section 27.06 and Ordinance No. 97. *(amended 01.05.87, 02.03.03)*
- M. **Tree Preservation Regulations.** The tree permit requirements apply to developments in this District, according to the terms of Section 27.12. *(amended 08.03.00)*
- N. **Wetland Setbacks.** The wetland setback requirements apply to all developments in this District, according to the terms of Section 27.17. *(added 09.17.07)*

Section 16.04 – Area and Bulk Requirements (Applies to Principal and Accessory Uses) *(amended 02.01.16)*

		LI
A	Front Yard Setback	50 ft.
B	Rear Yard Setback	25 ft. *
C	Side Yard Setback	25 ft. on each side *
D	Minimum Lot Area	2 acres
E	Maximum Lot Area	30 acres
F	Maximum Lot Coverage	30%
G	Maximum Heights of All Structures	40 ft. *
H	Minimum Clear Space Around Structures	25 ft.

* Within the Lapeer Road Overlay District, building height shall not exceed fifty (50) feet. However, if a building exceeds forty (40) feet in height, rear yard and side yard setback shall increase by ten (10) feet for a total of thirty-five (35) feet side yard and thirty-five (35) feet rear yard. *(added 02.01.16)*