

C. Medical buildings and facilities, including medical offices, clinics and associated laboratories;

D. Museums, libraries and other cultural institutions; and

E. Housing for the elderly.

(Ord. 188, eff. 2-25-1981)

Sec. 53-50. SITE PLAN REVIEW.

For all uses permitted in the CS District, a site plan shall be submitted and no building permit shall be issued until the City Council has approved the site plan after a recommendation from the City Planning Commission.

(Ord. 188, eff. 2-25-1981)

Sec. 53-51. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

Area, height, bulk and placement requirements unless otherwise specified are as provided in Article XV.

(Ord. 188, eff. 2-25-1981)

ARTICLE XII. I, INDUSTRIAL DISTRICT

Sec. 53-52. STATEMENT OF PURPOSE.

In the I District, the intent is to permit industries such as manufacturing or processing of previously refined materials and other uses that support the permitted industries or are of an intense nature due to truck traffic, building size, hours of operation and similar characteristics that make them incompatible within traditional business or residential districts. The district also allows certain commercial uses that are complementary to the industrial nature of the district by way of serving the industries and/or the workers employed there. It is intended that the district provide jobs for citizens of the community and surrounding areas, contribute to a sustainable tax base and create value for property owners and the City of Plainwell.

(Ord. 379, passed 4-9-2018)

Sec. 53-53. PRINCIPAL PERMITTED USES.

Any of the following uses when the manufacturing, compounding or processing is conducted entirely within a completely enclosed building. The portion of the land used for open storage facilities for

materials or equipment used in the manufacturing, compounding, final product storage or processing shall be totally obscured by a fence and/or landscaping six feet in height so as to screen the storage area from the public streets and adjoining properties:

- A. Community public safety;
- B. Dry cleaning plants;
- C. Essential services;
- D. Laboratories;
- E. Liquefied petroleum gas (LPG) sales;
- F. Manufacturing, processing and packaging — light;
- G. Mini-warehouse/self-storage;
- H. Parking facility, public or commercial;
- I. Research and development facility;
- J. Warehousing;
- K. Wholesale and distribution;
- L. Wireless communications (under 75 feet in height); and
- M. Wireless communications, collocations and state-authorized increases;
- N. Vehicle wash, trucks and heavy equipment; and
- O. Accessory buildings and uses.

P. Any other uses similar to any of the above permitted uses as determined by the Zoning Administrator in accordance with Sec. 53-132.C. of this chapter.
(Ord. 379, passed 4-9-2018)

Sec. 53-54. PERMITTED USES AFTER SPECIAL APPROVAL.

The following uses may be permitted subject to the conditions hereinafter imposed and subject further to the approval of the City Council after recommendation from the City Planning Commission:

A. Animal services, animal clinic/hospital, kennel, rescue, or shelter;

B. Automobile repair, minor or major;

C. Automobile wash establishment;

D. Crematorium;

E. General offices and services, including: business support services, contractor services, and professional offices; but not including: bank/financial services, business services, and personal services;

F. Manufacturing, processing and packaging — heavy;

G. Mining operations within the Industrial zoning district, subject to the following standards:

1. *Additional site plan requirements.* In addition to the regular application materials and site plan as required for any special approval use, an application submittal for a mining or fill operation shall be accompanied by all of the following additional information:

a. Name and address of the owner(s) of the land on which mining or fill will take place.

b. Name, address and telephone number of the person or entity which will be conducting the actual mining or fill operation.

c. Location, size and legal description of the subject property, and total site area to be mined or filled.

d. A reclamation plan for extraction or fill and reclamation for the total project, which shall include:

(1) Surface overburden and topsoil stripping and stockpiling plans.

(2) Provisions for grading, re-vegetation, and stabilization that will prevent soil erosion, blowing dust, sedimentation problems and public safety concerns.

(3) A feasible and detailed plan for the re-use of the reclaimed site, consistent with the zoning district(s) in which the land is located and consistent with the intent and vision of the City Master Plan.

(4) Surface water drainage provisions and outlets.

(5) The location and size of any existing or proposed structures and any proposed vehicle or equipment staging and parking areas.

(6) Approved soil erosion permits. If such permit has not been issued, a copy of the permit application may be appended to the special approval use application and any approval shall be conditioned upon issuance of such soil erosion permit.

(7) Proposed haul routes.

(8) Proposed noise and dust minimization plans.

2. *Reclamation.* All extraction or fill areas shall be reclaimed progressively as they are worked out. The Planning Commission shall determine the amount of the site that may be open at any time; however, at no time shall more than 20 acres be used for active mining or fill. Reclaimed sites shall be reasonably natural and inconspicuous and shall be reasonably lacking in hazard. All slopes and banks remaining above water level and below water level to a depth of six feet shall be graded to angles which do not exceed one foot in elevation for each three feet of horizontal surface and they shall be treated to prevent erosion and any other potential deterioration. Topsoil of a quality equal to that occurring naturally in the area shall be placed or replaced on excavated areas not covered by water, except where streets, beaches, or other planned improvements are to be completed within a one year period. Where reclaimed, topsoil shall be applied to a minimum depth of four inches and sufficient to support vegetation. Vegetation shall be restored by the appropriate seeding of grasses and/or the planting of trees and shrubs to establish a permanent vegetative cover on the land surface and to minimize erosion. Upon cessation of mining operations, the operating company or landowner, within a reasonable time period (not to exceed 12 months), shall remove all plant structures, foundations, buildings, stockpiles and equipment; provided that buildings and structures which have a function under the reclamation plan and which can be lawfully used under the requirements of the zoning district in which they will be located under such plan, may be retained. Substantial completion of reclamation and rehabilitation shall be completed within one year after termination of the fill, mining or excavation activity.

3. *Site development requirements.*

a. Setbacks, in which no part of the mining or fill operation may take place, except for ingress and egress, shall be as follows:

(1) Excavation below the existing grade of adjacent roads or property lines shall not take place within 100 feet from any adjacent property line or road right-of-way.

(2) No structures or machinery will be stored, erected or maintained within 100 feet of any property line or road right-of-way.

b. If fencing, landscaping, and/or berming is deemed a reasonably necessary requirement, the Planning Commission shall specify the type, size, characteristics, and location of the required fencing, landscaping, and/or berming.

c. Interior access roads, parking lots, haul roads, crushing and processing operations, loading and unloading areas, and stockpiled materials shall be maintained and operated so as to limit the nuisance caused by any wind-blown dust.

d. Hours and days of operation for the mining or fill operation shall be established by the Planning Commission as part of the special approval use.

e. The application shall provide for measures acceptable to the Planning Commission to prevent any noise in excess of 60 decibels at any property line.

f. All mining operations shall be located on or near a primary road, as defined by the Allegan County Road Commission, for ingress and egress thereto; and on a road which if used as the access to the proposed operation will not result in significant increase in truck traffic through an area developed primarily for residential purposes. Where necessary as determined by the Planning Commission, the Planning Commission may require the applicant to construct and/or improve a road to accommodate the truck traffic created by the operations as a condition of the permit, and for the purpose of routing traffic around residential areas and preventing the breaking up of existing roads, that may not be constructed to accommodate a large volume of heavy vehicles. The operation shall be managed and controlled so that truck and heavy equipment traffic generated by the use is controlled by the permit holder and haul routes to and from the site shall be approved by the Planning Commission.

g. No crushing or processing shall occur unless expressly approved by the Planning Commission.

4. Failure to maintain all required county, state or federal licenses and/or to develop and maintain a surface mining or fill operation in accord with the terms of the special approval use may result in the immediate revocation of a special approval use permit and any and all other sanctions and/or penalties available to the city, county, and/or state.

5. *Continuing use.* A special approval use permit for a mining or fill operation shall not last for over two years unless extended by the Planning Commission. When the Zoning Administrator determines a mining or fill operation or portion thereof to be abandoned, he/she shall give the landowner written notice of the intention to declare the mining or fill operation or portion thereof abandoned. Within 30 days following receipt of said notice, the landowner shall have the opportunity to rebut the Zoning Administrator's evidence and submit other relevant evidence to the contrary. If the Zoning Administrator finds the operator's evidence of continued use satisfactory, he/she shall not declare abandonment.

6. *Financial guarantees.* A monetary performance guarantee shall be filed with the City Treasurer. The performance guarantee shall be in the form of a letter of credit, cash or surety bond acceptable to the city and with the city named as the beneficiary. The security shall be returned when all conditions stipulated in the special approval use permit have been met and the special approval use permit deemed ended prior to the security's release. There shall be no partial release of the security. The city shall determine the amount of the monetary security guarantee.

7. *Inspection and amendments.* Permits granted for a period exceeding one year shall be inspected a minimum of once a year by the Zoning Administrator to ensure compliance with the permit and ordinance. Special approval use permits for mining or fill operations may be amended by the Planning Commission in accordance with the following procedures:

a. A request for amendment of a special approval use permit must be made at least 30 days prior to the expiration of the existing permit.

b. The written request shall provide information concerning the mining or fill operation/activities conducted during the current year and also show that such operation/activities are in compliance with the special approval use approval and the permit requirements.

c. Any financial guarantee shall also be established or revised in accordance with Section 53-54, G, 6 above, for the duration of the extension of the special approval use permit.

8. *Modification of the site plan.* The site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology, or to correct an oversight. The Planning Commission may require the modification of the site plan when:

a. Modification of the plan is necessary so that it will conform to existing laws;

b. It is found that the previously approved plan is clearly impractical to implement and maintain; and/or

c. The approved plan is obviously not accomplishing the intent of the ordinance.

9. No mining or fill operation shall be approved if it would cause very serious consequences.

H. Parks, playgrounds, outdoor recreation;

I. Recreation facility, commercial indoor;

J. Recreation facility, commercial outdoor;

K. Salvage and impound operations;

L. School, specialized/training;

M. Vehicle sales and rental: automobiles, light trucks, boats, heavy equipment/tools, heavy trucks, RVs, manufactured homes;

N. Waste management facility;

O. Wireless communications 75 feet in height or greater, subject to the following provisions:

1. The structure shall be located on a site not less than 20,000 square feet in area and 100 lineal feet of road frontage.

2. The structure shall only be located in industrial zoned areas. However, in the event that agriculturally zoned land may be annexed to the city, wireless communication facilities may be permitted in agriculturally zoned areas; provided that, they comply with the provisions of this section.
3. The structure shall be constructed so as to hold not less than three wireless communication facilities.
4. The maximum height of the tower shall be the minimum height demonstrated to be necessary by the radio frequency engineer of the applicant.
5. The site plan for the structure shall be accompanied by a signed certification by a registered civil engineer regarding the integrity of the structure and the manner in which the structure may fall. This will enable the city to determine appropriate setbacks on the site plan.
6. The structure shall not be artificially lighted, unless required by the FAA. If the lighting is required, it shall be the flip-over type and shall be directed away from residential property while causing the least disturbance to surrounding properties.
7. Whenever possible, proposed wireless communication facilities shall co-locate on existing buildings, structures and existing wireless communication structures. If a provider fails to or refuses to permit co-location, such a structure shall be a nonconforming structure and shall not be altered or expanded in any way.
8. When a wireless communication structure has not been used for a period of 90 consecutive days or 90 days after new technology is available which permits the operation of the facility without the necessity of a wireless communication structure, all parts of the structure shall be removed within 180 days. The removal of antennae or other equipment from the structure or the cessation of reception or transmission of radio signals shall be considered the beginning of non-use. The city may secure the removal of the structure if it is still standing 30 days after the city has notified the operator that the tower must be removed, the city may charge up to 125% of the removal cost to the operator and or the land owner. The city may also require a form of financial guarantee acceptable to the city to ensure that a tower will be removed in a timely manner.
9. Accessory buildings and structures shall not exceed 600 square feet in area or have an area shown to be necessary to house related technical equipment.
10. Where the property line of a site containing a wireless communication structure abuts a residentially or commercially used or zoned area, the operator shall provide a planting screen sufficient in density and height so as to have an immediate buffering impact on the adjacent site. In addition, there shall be no interference with reception of any kind on any adjacent sites.
11. There shall be no advertising of any kind visible from the ground or other structures, other than required for emergency purposes.

12. Minimum spacing between tower locations shall be one mile, as measured by a straight line.
13. The base of the tower shall not exceed 500 square feet in area.
14. The base of the tower and wire cable supports shall be enclosed with a minimum six-foot high security fence.
15. Communication towers in excess of 100 feet in height above grade level shall be prohibited within a one-mile radius of a public airport or one-half mile radius of a helipad.

16. All signals and remote-control conductors of low energy extending horizontally above the ground between structure or towers shall be at least eight feet above the ground, unless buried underground.

17. Support structures shall comply with all applicable state, federal and local regulations and codes. All towers shall be equipped with an anti-climbing device so as to prevent unauthorized access.

P. Accessory buildings and uses; including:

1. General offices related to a principal use;
2. Outdoor display and sales, not including vehicle and equipment sales; and
3. Outdoor storage related to a principal use.

Q. Any other uses similar to any of the above special uses as determined by the Zoning Administrator in accordance with Sec. 53-132.C. of this chapter.
(Ord. 379, passed 4-9-2018; Ord. 389, passed 12-28-2020)

Sec. 53-55. INDUSTRIAL PERFORMANCE STANDARDS.

A. *Application.* After the effective date of this chapter:

1. Any use established or changed to and any building, structure or tract of land developed, constructed or used for, any permitted or permissible principal or accessory use shall comply with all of the performance standards herein set forth for the district involved;

2. If any existing use or building or other structure is extended, enlarged, moved, structurally altered or reconstructed or any existing use of land is enlarged or moved, the performance standards for the district involved shall apply with respect to the extended, enlarged, moved, structurally altered or reconstructed building or other structure or portion thereof and with respect to land use which is enlarged or moved;

3. No main or accessory building shall be situated less than 50 feet from any residential property line;

4. No parking, access and/or service area may be located less than 25 feet from any residential property line;

5. All lot areas not used for buildings or parking, loading and storage areas shall be landscaped. It shall be done attractively with lawn, trees, shrubs, and the like and be properly maintained thereafter in a well-kept condition;

6. A wall or barrier of suitable material not less than eight feet high shall be constructed along those property lines which abut a residential district;

7. Lighting facilities shall be required where deemed necessary for the safety and convenience of employees and visitors. These facilities will be arranged in a manner as to protect abutting streets and adjacent properties from unreasonable glare or hazardous interference of any kind;

8. No operation or activity shall be carried out in the I District which causes or creates measurable noise levels exceeding the maximum sound levels prescribed below in Table 12A., as measured on or beyond the boundary lines of the lot on which the operation or activity is located. A. sound level meter and an octave band analyzer shall be used to measure the intensity and frequency of the sound or noise levels encountered. Sounds of very short duration, which cannot be measured accurately with the sound level meter, shall be measured by an impact noise analyzer; and the measurements so obtained may be permitted to exceed the maximum levels as set forth in Table 12A. by no more than six decibels in each octave band. For purposes of this chapter, impact noises shall be considered to be those noises whose peak values are more than six decibels higher than the values indicated on the sound level meter. In addition, sounds of an intermittent nature or characterized by high frequencies, which the Building Inspector deems to be objectionable in adjacent districts, shall be controlled so as not to generate a nuisance in adjacent districts, even if the decibel measurement does not exceed that specified in the table.

Table 12A Maximum Permitted Sound Intensity Levels in Decibels (Post-1960 Preferred Frequencies)	
<i>Center Frequency</i> <i>(Cycles per Second)</i>	<i>I District</i>
34.5	76
63.0	74
125.0	68
250.0	63
500.0	57
1,000.0	52
2,000.0	45
4,000.0	38
8,000.0	32

9. The following uses and activities shall be exempt from the noise level regulations:

- a. Noises not directly under the control of the property user;
- b. Noises emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m.;
- c. The noises of safety signals, warning devices and emergency pressure relief valves; and
- d. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

B. *Smoke and particulate matter.* The emission of smoke, dust, dirt, fly ash or other particulate matter shall, in no manner, be unclean, destructive, unhealthful, hazardous or deleterious to the general welfare. The emission shall be in strict conformance with all applicable state and county health laws pertaining to air pollution and smoke abatement. In addition, the following requirements shall apply.

1. In the I District, the emission of smoke from any chimney, stack, vent, opening or combustion process shall not exceed a density or equivalent opacity of No.1 on the Ringelmann Chart as published by the United States Bureau of Mines.

2. In the I District, the rate of emission of particulate matter, such as dust, soot and fly ash, from all sources within the boundaries of any lot shall not exceed a net figure of one pound per acre of lot area during any one-hour period, after deducting from the gross hourly emission per acre.

Table 12B. ALLOWANCE FOR HEIGHT OF EMISSION	
<i>Height of Emission Above Grade (Feet)</i>	<i>Correction Pounds Per Hour Per Acre</i>
50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50
NOTES TO TABLE: *Interpolate for intermediate values not shown in table.	

3. Determination of the total net rate of emission of particulate matter within the boundaries of any lot shall be made as follows:

a. Determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of lot area, thereby obtaining the gross hourly rate of emission in pounds per acre.

b. From each gross hourly rate of emission derived in division 13.3 .a. above, deduct the correction factor (interpolating as required) for height of emission set forth in the table, thereby obtaining the net rate of emission in pounds per acre per hour from each source of emission.

c. Add together the individual net rates of emission derived in division 13.3.b. above, to obtain the total net rate of emission from all sources of emission within the boundaries of the lot. The total shall not exceed one pound per acre of lot area during any one-hour period.

C. *Vibration.*

1. In the I District, no activity or operation shall cause or create earth borne vibrations in excess of the displacement values set forth in Table 12C. Vibration displacements shall be measured with a seismograph or accelerometer, preferably the former. For purposes of this chapter, steady state vibrations are vibrations which are continuous or vibrations in discrete impulses more frequent than 60 per minute. Discrete impulses which do not exceed 60 per minute shall be considered impact vibrations.

Table 12C. MAXIMUM PERMITTED VIBRATION, I DISTRICT		
<i>Frequency (Cycles per Second)</i>	<i>Maximum Displacement^a (inches)</i>	<i>Maximum Displacement^b (inches)</i>
0 to 9	.0008	.0004
10 to 19	.0005	.0002
20 to 29	.0002	.0001
30 to 39	.0002	.0001
40 to 49	.0001	.0001
50 and over	.0001	.0001
NOTES TO TABLE:		
^a As measured along the nearest adjacent lot line.		
^b As measured on or beyond a Residential District boundary line.		

2. Between the hours of 7:00 p.m. and 7:00 p.m., all of the above maximum vibration levels, as measured on or beyond a residential district boundary line, shall be reduced to one-half of the indicated values.

D. *Noxious and odorous matter.* In the I District, no activity or operation shall cause, at any time, the discharge of matter across the lot lines in concentrations as to be noxious. The emission of odorous matter in quantities as to be readily detectable without the use of instruments at any point along lot lines is prohibited.

E. *Glare and heat.* In the I District, any operation or activity producing intense glare or heat shall be performed within a completely enclosed building in a manner as to not create a public nuisance or hazard along the lot lines of the lot upon which the source of the glare or heat is located. Exposed sources of light shall be shielded so as not to create a nuisance beyond the lot lines of the lot upon which the source of the light is located. Direct or indirect illumination from the source of light shall not cause illumination in excess of 0.5 foot-candles in any residential district, as measured with a foot-candle meter or sensitive photometer on or beyond a residential district boundary line.

F. *Fire and explosive hazards.*

1. In an I District, the storage, utilization or manufacture of solid materials ranging from incombustible to moderate burning is permitted.

2. Storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted; provided that, the materials or products shall be stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected through-out by an automatic fire extinguishing system.

3. The storage or utilization of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted provided the storage and handling of the flammable liquids or materials shall comply with all state rules and regulations as established by the Fire Prevention Act, Public Act 207 of 1941, as amended and with all other applicable city codes and regulations.

G. *Gases.* The escape or emission of any gas which is injurious, destructive or explosive shall be unlawful and shall be summarily caused to be abated. Sulphur dioxide gas, as measured at the property line at ground elevation, shall not exceed an average of 0.3 p.p.m.; hydrogen sulfide likewise shall not exceed 1 p.p.m.; fluorine shall not exceed 0.1 p.p.m.; nitrous fumes shall not exceed 5 p.p.m.; and carbon monoxide shall not exceed 15 p.p.m.; all measured as the average during any 24-hour sampling period.

H. *Electromagnetic radiation.* Applicable rules and regulations of the Federal Communications Commission in regard to propagation of electromagnetic radiation are made a part of this chapter.

1. Drifting and airborne matter, general. The drifting or airborne transmission beyond the lot line of dust, particles or debris from any open stockpile shall be unlawful and shall be summarily caused to be abated.

(Ord. 379, passed 4-9-2018)

Sec. 53-56. COMPLIANCE WITH COUNTY AND STATE REGULATIONS.

Any use permitted in the I District must also comply with all applicable county and state health and pollution laws and regulations.

(Ord. 379, passed 4-9-2018)

Sec. 53-57. SITE PLAN REVIEW.

For all uses permitted in an I District, a site plan shall be submitted and no building permit shall be issued until the City Council has approved the site plan after recommendation from the City Planning Commission in accordance with this code.

(Ord. 379, passed 4-9-2018)

Sec. 53-58. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

Area, height, bulk and placement requirements unless otherwise specified are as provided in Article XV.

(Ord. 379, passed 4-9-2018)

ARTICLE XIII. RESERVED

ARTICLE XIII-A. P-1, OFF-STREET PARKING DISTRICT

Sec. 53-66. INTENT.

The P-1 Vehicular Parking District is intended to permit the establishment of areas to be used solely for off-street parking of private passenger vehicles as a use incidental to a principal use. This district will generally be provided by petition or request to serve a use district which has developed without adequate off-street parking facilities.

(Ord. 188, eff. 2-25-1981)

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