

CHARTER TOWNSHIP OF COOPER

RESOLUTION NO. 16-83

RESOLUTION ADOPTING ORDINANCE NO. 239, AN ORDINANCE TO AMEND SECTIONS 120.230, 120.240 & 120.250 REGARDING INDUSTRIAL DISTRICTS OF THE TOWNSHIP ZONING ORDINANCE

A resolution made and adopted at a regular meeting of the Township Board of the Charter Township of Cooper, Kalamazoo County, State of Michigan, held at the Township Hall on September 12, 2016, at 7:00 P.M.

PRESENT: **Schiedel, Buiskool, DeHaan, Sorensen, Sytsma, Janssen, Vlietstra**

ABSENT: None.

The following Resolution was offered by **Buiskool** and seconded by **Janssen**.

WHEREAS, pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 *et seq.* ("MZEA"), the Charter Township of Cooper ("Township") has authority to adopt and amend zoning ordinances regulating the use of land in the Township; and

WHEREAS, the Township desires to consider amending its Zoning Ordinance sections 120.230, 120.240 and 120.250 regarding the I-1, I-2 and I-3 Industrial Zoning Districts. The proposed amendments would amend permitted uses in those districts and provisions regarding outdoor storage of products or material; and

WHEREAS, upon giving notice in accordance with the MZEA, the Township Planning Commission ("Planning Commission") held a public hearing regarding the proposed zoning ordinance amendments on July 12, 2016; and

WHEREAS, following the public hearing, the Planning Commission recommended that the proposed zoning ordinance amendments be approved; and

WHEREAS, on August 8, 2016, the Township introduced an ordinance implementing these proposed amendments (the "Ordinance") attached as **Exhibit A**; and

WHEREAS, the Township desires to adopt the Ordinance as introduced for the public health, safety and welfare.

NOW, THEREFORE, the Township Board of the Charter Township of Cooper resolves as follows:

1. The Township hereby adopts Ordinance No. 239, An Ordinance to Amend Sections 120.230, 120.240 & 120.250 Regarding Industrial Districts of the Township Zoning Ordinance (the "Ordinance," attached as Exhibit A).
2. The Ordinance shall be filed with the Township Clerk.
3. The Township Clerk shall publish a summary of the Ordinance in a newspaper of general circulation in the Township within 15 days.
4. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: Schiedel, Buiskool, DeHaan, Sorensen, Sytsma, Janssen, Vlietstra

NAYS: None.

STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Cooper, Kalamazoo County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held pursuant to the Open Meetings Act on the 12th day of September, 2016.

Bonnie Sytsma
Clerk, Cooper Charter Township

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CHARTER TOWNSHIP OF COOPER

ORDINANCE NO. 239

AN ORDINANCE TO AMEND SECTIONS 120.230, 120.240 & 120.250 REGARDING INDUSTRIAL DISTRICTS OF THE TOWNSHIP ZONING ORDINANCE

THE CHARTER TOWNSHIP OF COOPER ORDAINS:

Section 1. Purpose.

The Charter Township of Cooper (the "Township") adopts the following amendments to the Township's Zoning Ordinance for the health, safety and welfare of Township residents.

Section 2. Amendment of Section 120.230(B), (C), & (E).

Section 120.230(B) of the Zoning Ordinance, entitled "Permitted Uses" shall be amended to delete paragraph 6, "Agricultural crop farming on parcels of 2.5 acres or more" as a permitted use in the I-1 Industrial District.

Section 120.230(C)(1) of the Zoning Ordinance regarding Conditions and Limitations in the I-1 District shall be amended to change provisions regarding outdoor storage. The section, as amended, shall read as follows:

1. All operations must be carried on within fully enclosed buildings except for the following:
 - a. Outdoor storage of product 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.

Section 120.230(E) of the Zoning Ordinance entitled "Special Exception Uses" shall be amended to add a paragraph 12 to the list of special exception uses. The paragraph shall read as follows:

12. Outdoor Storage subject to Section 120.350 and 120.420.

Section 3. Amendment of Section 120.240(B) & (C).

Section 120.240(B) of the Zoning Ordinance, entitled "Permitted Uses" shall be amended to delete paragraph 9, "Agricultural crop farming on parcels of 2.5 acres or more" as a permitted use in the I-2 Industrial District.

Section 120.240(C)(1) of the Zoning Ordinance regarding Conditions and Limitations in the I-2 District shall be amended to change provisions regarding outdoor storage. The section, as amended, shall read as follows:

1. All operations must be carried on within fully enclosed buildings except for the following:
 - a. Outdoor storage of product 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.

Section 4. Amendment of Section 120.250(B), (C), & (D).

Section 120.250(B) of the Zoning Ordinance, entitled “Permitted Uses” shall be amended to delete paragraph 9, “Agricultural crop farming on parcels of 2.5 acres or more” as a permitted use in the I-3 Industrial District.

Section 120.250(C)(1) of the Zoning Ordinance regarding Conditions and Limitations in the I-3 District shall be amended to change provisions regarding outdoor storage. The section, as amended, shall read as follows:

1. All operations must be carried on within fully enclosed buildings except for the following:
 - a. Outdoor storage of product 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.

Section 120.250(D) of the Zoning Ordinance entitled “Special Exception Uses” shall be amended to add a paragraph 9 to the list of special exception uses. The paragraph shall read as follows:

9. Outdoor Storage subject to Section 120.350 and 120.420.

Section 5. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 6. Repealer Clause.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 7. Effective Date.

This Ordinance shall be effective seven days after publication as provided by law.

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