

**CHARTER TOWNSHIP OF VAN BUREN  
WAYNE COUNTY, MICHIGAN  
ORDINANCE 11-21-17(7)**

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF VAN BUREN ZONING ORDINANCE 05-02-17(2) AS AMENDED, BY AMENDING THE REGULATIONS REGARDING DETENTION POND LOCATION AND SETBACKS FOR OFF-STREET PARKING AND LOADING AREAS, ACCESS DRIVES, AND PAVED SURFACES ACCESSORY TO A DISTRIBUTION CENTER.

**The Charter Township of Van Buren Ordains:**

**SECTION 1. ORDINANCE AMENDMENT.**

The Charter Township of Van Buren Zoning Ordinance shall be amended as follows:

**Ordinance No. 11-21-17(7)**

The following modifications shall be made to the Charter Township of Van Buren Zoning Ordinance:

**Section 5.112 - Distribution Centers**

- (D)** All other off-street parking and loading areas, access drives and paved surfaces accessory to such a use, shall be located not less than sixty (60) feet from any residential district; which must include a greenbelt buffer required in *Section 10.103(E)*.

**Section 8.107 Stormwater Basins**

- (A) Location.** Stormwater basins and related landscaping may be located in any zoning district and are not required to be in the same zoning district as the site from which it receives water.
- (B) Engineering Standards.** Stormwater basins shall comply with the Township's engineering standards.
- (C) Design.** Stormwater basins, including detention and retention basins, shall be designed as an integral part of the overall site plan. To the extent possible, such basins shall be configured and incorporated into the natural topography. Where this is not practical, the basin shall have an irregular shape to emulate a naturally formed or free form depression.
- (D) Safety.** In the interest of the public health, safety, and welfare, basin designs shall incorporate features to discourage unauthorized access. The following methods of restricting access shall be incorporated into the design of stormwater basins:
- (1) Fencing.** Decorative fencing sufficient to restrict outside access to the stormwater basin shall be provided around the entire perimeter of the stormwater basin. Decorative black wrought iron-appearing fence is preferred, although the Planning Commission may approve decorative fence alternatives that it finds to be more compatible with the site's surroundings. Chain link and other non-decorative fences are specifically prohibited.
  - (2) Alternatives.** In locations that are not readily accessible to populated areas, or that are contained within large sites, remote from developed areas, the Planning Commission may waive or modify the requirement for fencing, upon a finding that sufficient protections, including but not limited to vinyl-coated black chain link fence, graduated side slopes,

vegetative and barrier plantings, safety shelves and other features, have been designed into the basin to reasonably protect the public. Notwithstanding, the fencing requirement shall not be waived in locations where steep side slopes increase the potential for slipping into the pond. Following are standards for several protective techniques which are among the alternatives that the Planning Commission may consider when determining if the fencing requirement may be waived for a site:

**(a) Shelf and Graduated Side Slopes.** A minimum six (6) foot wide shelf at a depth of one (1) foot below the permanent water level shall be provided around the entire perimeter of the basin.

**(3) Landscaping.** In addition to the landscaping requirements of this Ordinance, a minimum ten (10) foot wide landscape buffer shall be provided around the perimeter of the basin, measured from the top of bank elevation. The landscape buffer shall be planted so that it is sufficient to discourage access to the basin.

**(E) Mosquito Control.** Stormwater basins designed to permanently hold water shall incorporate measures to limit mosquito growth, including but not limited to aerators and selective plantings.

**(E) Access for Maintenance.** Reasonable and practical access shall be provided to stormwater basins to allow for periodic sedimentation removal and proper maintenance of related structures, pumps, mechanical filtration systems, and related ancillary equipment. The access shall be a minimum of fifteen (15) feet wide, be unpaved, and provide a grass paver type of subsurface stabilization to support heavy equipment. The access location shall be indicated clearly on the proposed site plan, and the landscape plan shall be designed to prevent obstruction of the access by trees and shrubs. Access shall be located adjacent to a street, drive aisle or paved parking area where practical.

## **SECTION 2. SEVERABILITY**

In the event any article, section, paragraph, sentence, clause, or word of this ordinance is deemed invalid or unconstitutional by any court of competent jurisdiction, such portion deemed severable and shall not affect the validity of the remaining portions of this ordinance.

## **SECTION 3. REPEALER.**

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

## **SECTION 4. EFFECTIVE DATE.**

The provisions of this Ordinance are hereby ordered to take effect seven (7) days after publication of the notice of adoption in a newspaper of general circulation within the Township. This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Supervisor and Clerk and shall be published in a newspaper of general circulation in the Township within fifteen (15) days of passage. A copy of this Ordinance may be purchased or inspected at the Clerk's Office, 46425 Tyler Road, Van Buren Township, MI 48111 during normal business hours.

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 5th day of December, 2017.

YEAS: McNamara, Budd, Wright, Frazier, Martin, Miller and White.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

I hereby approve the foregoing Ordinance,

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Leon Wright, Clerk

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Kevin McNamara, Supervisor

Adopted: December 05, 2017

Published: December 14, 2017

Effective: December 22, 2017