

Section 34.00 – Preamble

The purpose of the Brown Road Innovation Zoning District shall be to encourage the development of property in accordance with the Charter Township of Orion Master Plan in a manner that: allows mixed industrial and commercial development in a visually cohesive district; promotes economic development; encourages collaboration between adjacent property owners in the form of shared access and lot combinations; promotes employment, and tax base; promotes redevelopment and new development; eliminates blighted properties; incorporates Low Impact Design (LID) practices as well as full or partial ratings for Leadership in Energy and Environmental Design (LEED); ensures safe and complementary vehicular and pedestrian circulation patterns and best practices for access management; improves environmental quality and remediates degraded properties; and provides an attractive transition between residential and non-residential properties. *(amended 04.06.15)*

The Brown Road Innovation Zoning District shall be specified for the areas as designated on the Charter Township of Orion Zoning Map.

Section 34.01 – Uses Permitted

- A. **Applicable Area and Requirements.** The Brown Road Innovation Zoning District encompasses the area as illustrated on the Zoning Map of the Charter Township of Orion. The requirements of this Section shall be applied in addition to the requirements of the applicable zoning districts and other applicable sections of the Charter Township of Orion Zoning Ordinance. The applicable zoning district shall be based on the district which most closely corresponds to the permitted use(s), as determined by the Planning Commission. Where there are conflicts between the requirements of this Section and the requirements of the applicable zoning districts and other sections, the requirements of this Section shall supersede the requirements of the applicable zoning districts and other sections. *(amended 06.15.20)*
- B. **Schedule of Uses.** Use and development of land and buildings shall only be for the following use groups. Land and/or buildings indicated in Table 34-1 may be used for the purposes denoted. Uses not permitted are listed in Table 34-2. Ancillary uses or support uses shall only be allowed in conjunction with larger-scale projects involving planned developments of over ten (10) acres in size. *(amended 06.01.15)*
- C. **Ancillary commercial uses or stand-alone commercial uses** may be permitted within use group types A, B and C if developed in conjunction with larger-scale planned development projects having multiple tenants with a total land area of at least ten (10) acres. An ancillary use can only be built after the primary use has received building permits. The Township shall require a development agreement to ensure performance, phasing, or other development conditions as part of the ancillary commercial planned development project. The Planning Commission may also consider a waiver of the multi-tenant and minimum ten (10) acre requirement if a project promotes the economic development goals of the Township. *(amended 04.06.15)*
- D. **Special Land Uses.** Ancillary uses requiring special land use approval as listed in Table 34-1 shall be subject to the standards and approval requirements set forth within Section 34.02 and as provided in Section 30.02. *(added 04.06.15)*

Table 34-1
(amended 04.06.15, 07.17.17, 06.15.20, 05.19.25, 10.20.25)

USE GROUPS	EXAMPLES OF USES
Type A	Residential, Child Care, Health Care, and Public Uses (including or similar to the following):
	Single-family residential
	Multi-family residential
	Child care centers
	Senior assisted living
	Public/Semi-public/parks
	Essential public services
	Essential public service buildings

USE GROUPS	EXAMPLES OF USES
Type A	Residential, Child Care, Health Care, and Public Uses (including or similar to the following):
	Hospitals, medical office, clinics
	Radio, TV, Telephone Trans. Towers
	Colleges/Commercial Schools
	Ancillary or Support Uses Allowed:
	Restaurants
	Banks / Credit unions (with or without drive-thru)
	Convenience store (without gas sales)
	Upper floor residential
	Outdoor Patio
	Ancillary Uses requiring Special Land Use Approval:
	Drive-thru uses except banks/credit unions
	Convenience store (with gas sales)
	Auto Wash
	Outdoor Café
	Places of Worship
Type B	Commercial (including or similar to the following):
	Ancillary or Support Uses Allowed without Special Land Use Approval:
	Restaurants (without drive-thrus)
	Banks / Credit Unions
	Convenience Store (with or without gas sales)
	Upper Floor Residential
	Office and Retail Uses
	Multi-tenant Shopping Centers
	Outdoor Patio
	Ancillary Uses requiring Special Land Use Approval:
	Drive-thru Uses
	Convenience Store (with gas sales)
	Auto Wash
	Outdoor Café
Type C	Regional Commercial (including or similar to the following):
	Auto dealerships
	Large-scale retail establishments (over 55,000 sq. ft.)
	Multi-tenant shopping centers (over 55,000 sq. ft.)
	Building & lumber supply / Garden centers
	Office buildings
	Hospitals / Medical complexes
	Hotels / Motels with conference rooms, banquet facilities and/or a restaurant with a combined minimum area of five thousand (5,000) square feet
	Ancillary or Support Uses Allowed without Special Land Use Approval:
	Restaurants (without drive-thrus)
	Office and Retail Uses
	Banks / Credit unions (with drive-thru)
	Convenience store (without gas sales)
	Upper floor residential
	Outdoor Patio
	Ancillary Uses requiring Special Land Use Approval:
	Drive-thru uses

Type C	Regional Commercial (including or similar to the following):
	Auto service / Body repair
	Convenience store (with gas sales)
	Auto wash
	Animal kennel boarding or pet day care/Grooming
	Outdoor Café
Type D	Research and Development/Industrial (including or similar to the following):
	Computer/Information Technology and Design, Data Processing, and other Computer-Related Services
	Corporate Offices
	Experimental Research, Development & Testing Labs
	Life Science Technology and Medical Laboratories
	Incubator Workshops
	Manufacturing, Processing, Stamping, etc.
	Printing
	Tool & Die, Gauge & Machine Shops
	Truck Rental / Truck Terminal / Distribution
	Warehousing / Wholesale
	Indoor mini-storage facilities with centralized access
	Indoor Commercial Recreation
	Ancillary Uses requiring Special Land Use Approval:
	Contractor’s Equipment Storage / Storage Yards
	RV Storage
	Indoor mini-storage facilities without centralized access <i>(added 06.15.20)</i>

Table 34-2

USES NOT PERMITTED	DISTRICTS
	Brown Road BIZ
Adult regulated uses	NP
Salvage/junk yards	NP
Asphalt plants	NP
Cement plants	NP
Extractive uses	NP
Commercial/industrial incinerators	NP
Slaughterhouse/rendering	NP
Waste processing facilities	NP
Composting facilities	NP
Bulk petroleum	NP

Key: NP = NOT PERMITTED

- E. Uses not otherwise listed within a use group. Land uses which are not contained by name or by association in the use group may be permitted upon a positive recommendation of the Planning & Zoning Director that such uses are clearly similar in nature and/or compatible with the listed or existing uses in that district. The Planning & Zoning Director may also refer a request to the Planning Commission in accordance with Section 27.02E.

The Planning & Zoning Director/Planning Commission shall consider specific characteristics of the use in question. Such characteristics shall include, but not be limited to, daily traffic generation, types of merchandise or service provided, types of goods produced, expected hours of operation, and building characteristics. *(amended 05.19.25)*

Section 34.02 – Ancillary Uses requiring Special Land Use Approval *(added 04.06.15)*

The following uses shall be permitted as special land uses in accordance with Table 34-1, subject to the standards and requirements set forth herein and subject to the standards and approval requirements as provided in Section 30.02:

- A. Drive-Thru Uses. All drive-thru canopies and speaker boxes shall be set back no less than one hundred (100) feet from the lot line of a single-family or multi-family zoned and/or used parcel. Associated parking lots, maneuvering lanes, and drive-thru lanes shall be set back no less than fifty (50) feet from the lot line of single-family or multi-family zoned and/or used parcels. Any noise associated with a drive-thru use shall not exceed sixty (60) decibels when measured at the property line.
- B. Contractor's Equipment Storage/Storage Yards/RV Storage
1. As a principal use, outdoor contractor's equipment storage yards and outdoor storage yards shall comply with the front, side and rear yard setbacks of Use Group D stated in Table 34-3.
 2. Outdoor storage areas as a principal use shall be completely fenced with a chain link fence at least eight (8) feet high.
 3. Outdoor storage areas shall be screened from view from all roadways. This screening shall be either opaque screening or evergreen landscape screening in accordance with the provisions set forth in Section 27.05.
 4. Outdoor storage or display within the Brown Road Innovation Zone shall be located at least five hundred (500) feet from a residentially used parcel.
 5. The outdoor storage of materials, supplies, vehicles, equipment or similar items is allowed only when such storage is specifically shown on a site plan as approved by the Planning Commission. The site plan shall illustrate or specify the following information, at minimum:
 - a. The exact boundaries of proposed outdoor storage;
 - b. Surfacing and drainage details;
 - c. Screening details;
 - d. Layout of outdoor storage areas, including access and maneuvering areas. Storage areas shall be marked (with striping, staking, or another method), and maneuvering lanes shall have a minimum width of twenty (20) feet, unless the applicant can demonstrate on the site plan how clear access throughout the storage area will be maintained for emergency vehicles.
- C. Due to the possibility of the presence of single-family homes within the area, and in the interest of reducing any potential nuisance to neighboring property owners, places of worship within the district shall be subject to the following *(added 05.19.25)*:
1. Minimum site size of two (2) acres and a maximum of five (5) acres for a place of worship site, a minimum of five (5) acres if proposed use includes a place of worship school.
 2. All ingress to and egress from the site shall be directly onto a major thoroughfare, having an existing or planned right-of-way width of at least eighty-six (86) feet as indicated on the Township Master Plan.
 3. No building shall be closer than forty (40) feet to any property line.
 4. Off-street parking shall be provided on the site in a ratio of one space for every three (3) persons as designated in the maximum occupancy load of the building. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the

applicant that indicated that another standard would be more reasonable, because of the level of current or future expected traffic.

- D. Uses not otherwise listed within this Section. Special land uses which are permitted in Table 34-1 but are not specifically mentioned within this Section shall comply with the Special Land Use procedures and standards set forth in Section 30.02.
- E. Existing Special Land Uses. Existing special land uses or uses previously allowed which are now considered special land uses within the Brown Road Innovation Zone District shall, by enactment of this provision, be granted the special land use status of being uses which conform to the parking, use, setback and density provisions of this chapter and, therefore, shall not be burdened with customary nonconforming use status.

Section 34.03 – Required Conditions / Flex Zoning

All activities and uses in this District shall comply with the following required conditions, except where an existing building is legally in nonconformance, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals.

- 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. Schedule of Regulations. Each use within the Brown Road Innovation Zone shall comply with Table 34-3 for area, height, setback and lot coverage. The Planning Commission is authorized to consider a waiver of up to twenty percent (20%) of the dimensional requirements in the Schedule of Regulations of Table 34-3 for larger-scale planned development projects with a total land area of at least ten (10) acres or for an assemblage of parcels as approved by the Planning Commission. A waiver shall only be granted if the property receiving the waiver does not adversely impact adjoining parcels, abut residentially zoned parcels, or create public safety concerns. The schedule of regulations is provided below *(amended 04.06.15, 06.15.20)*:

**Table 34-3
Schedule of Mixed Use Regulations**

	Use Group A	Use Group B	Use Group C	Use Group D
Minimum Lot Area	12,000 sq. ft.	20,000 sq. ft.	40,000 sq. ft.	40,000 sq. ft.
Minimum Lot Width	75 ft.	90 ft.	100 ft.	150 ft.
Minimum Front Yard	30 ft.	40 ft.	40 ft.	40 ft.
Minimum Side Yard	10 ft.	20 ft.	20 ft.	20 ft.
Minimum Rear Yard	30 ft. (50 ft. ¹)	30 ft. (50 ft. ¹)	30 ft. (50 ft. ¹)	30 ft. (50 ft. ¹)
Maximum Building Height	See C below	See C below	See C below	See C below

¹Where abutting existing zoned or used residential properties which are outside of the BIZ zoning district boundaries.

- C. Height Limit. The Brown Road Innovation Zone does not contain a height limit. However, all applications for development shall be reviewed by the Building Department and/or Planning Commission for height compatibility with adjoining residential areas. Where parcels abut existing zoned residential areas, maximum height of a building shall not exceed two (2) times the setback dimension from the residentially zoned property line to the edge of the building. The Planning Commission may also require line of sight surveys, drawings, or elevations to evaluate the visual impact of buildings over five (5) stories in height. If the Planning Commission determines that line of sight is significantly impaired for adjoining residentially zoned parcels, the Planning Commission may impose a five (5) story or sixty (60) foot height limitation.
- D. Multi-Family Residential. The following area and bulk requirements shall supersede the requirements of this Section and the RM-1 and RM-2 districts for multi-family residential. The minimum floor area per unit, building setbacks and building types and regulations shall be in accordance with 1-7 below. *(added 06.15.20)*
 - 1. Building Bulk and Height. The maximum number of floors used as multiple-family residential in a building

shall be five (5). For a free-standing multiple-family building, the maximum building height shall be sixty (60) feet and five (5) stories subject to the compatibility and setback standards in subsection C. The maximum dimension of a building measured in any straight line should be two hundred (200) feet.

2. Maximum Number of Dwelling Units Per Acre. The maximum number of dwelling units permitted on a site shall be dictated by the combination of building height, landscaping, stormwater management, site coverage, and off-street parking requirements.
3. When more than one freestanding multiple-family building is proposed as part of a unified development, the number of stories should be varied.
4. Garages and carports should be oriented internally, and garage doors and carports should not be located in front yards. Garage doors should not face a public street unless they are located in a rear yard.
5. Sites shall incorporate green spaces such as squares and linear open space areas that include benches, walking paths, shade trees, and other amenities that create places where residents can enjoy the outdoors.
6. The overall site design of residential areas shall have a focus on walkability and be consistent with the intent of the district.
7. Maximum Site Coverage: Forty percent (40%). The Planning Commission may permit a maximum site coverage that exceeds forty percent (40%) subject to covered parking, such as garage, carport, or tuck-under garages being provided for at least one-third of the parking spaces provided. A maximum site coverage of fifty percent (50%) may be approved subject to fifty percent (50%) covered parking spaces provided. In no case shall the maximum site coverage exceed sixty percent (60%).

E. Off-Street Parking.

1. Parking requirements shall be based upon the following schedule:
 - a. One (1) parking space per two hundred (200) square feet of gross floor area for general retail uses, personal services, banks, offices, auto sales, etc.
 - b. One (1) parking space per one hundred (100) square feet of gross floor area for restaurants.
 - c. Parking requirements for industrial-related districts shall be based upon one (1) parking space per one thousand (1,000) square feet of gross floor area.
 - d. Parking requirements for residential districts shall include one and one-half (1.5) parking spaces for each dwelling unit. Additionally, parking for visitors shall also be provided at the rate of one (1) parking space for every three (3) dwelling units. *(added 06.15.20)*
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.
3. No parking area or driveway shall be closer than thirty (30) feet to the adjacent property lines when the parcel abuts residentially or recreationally zoned or used property. However, when the parcel abuts commercial/office or industrially zoned property, no parking area or driveway shall be closer than twenty (20) feet to the adjacent property lines. *(amended 06.19.23)*
4. Driveways and parking areas shall be curbed and consist of hard surfaced concrete, blacktop, or equivalent, 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, subject to landscaping or screening requirements.
- F. General Design Standards. All proposed development and construction within the Brown Road Innovation Zoning District shall comply with the following standards:
1. Development Patterns. Proposed development shall reflect characteristics and design features that are consistent with the Charter Township of Orion Master Plan. The intent of the District is to create a coordinated development pattern which provides a smooth transition between uses and properties. Transition may be created through coordination of building styles and setbacks, landscape buffers, and cross-access between properties.
 2. A mix of industrial, commercial, and other uses is allowed as long as appropriately buffered and sited.
 3. Access Management, Parking, and Loading. Overall street and/or driveway design and layout shall be an integral component of site design providing for both internal access to service the development of properties and cross-access between individual properties (Figure 34.1). Developments shall meet the access management standards set forth in Section 27.14 while, parking, and loading shall meet the standards set forth in Article 27.04. *(amended 04.06.15, 07.17.17)*
 4. *(added 07.17.17)* Off-street parking shall be located predominantly within the side or rear yard areas, unless waived by the Planning Commission. The Planning Commission may allow parking in the front yard, subject to traffic safety, visibility, convenience, landscape buffering, or other site factors. If parking is allowed within the front yard as provided above, and the parking area is proposed within two-hundred (200) feet of a public road right-of-way, only a one-way or two-way maneuvering lane with two rows of parking stalls may be provided in the front yard. The remainder of parking shall be located in the side or rear yard unless waived by the Planning Commission. All parking must meet the setback standards of Section 34.03.D and the greenbelt requirements as shown in Figure 34.4 or 34.6.

In an effort to reduce impervious surfaces and roadway conflict points due to multiple driveway access points, where possible, shared parking and common access drives are required unless waived by the Planning Commission for all properties within the BIZ District. Waivers may be requested due to topographic or use incompatibility between properties. See Figure 34.1 for example access management and shared parking layout.

Figure 34.1
Access Management / Shared Parking



5. Pedestrian Pathways and Sidewalks. Emphasis shall be placed on providing a pedestrian circulation system which promotes safety and connects mixed use areas. Vehicular access and circulation shall be planned to ensure safe pedestrian movement by means of safety paths within the development.
6. General Site Design/Architectural Guidelines. It is the intent of the District to provide an environment of high quality and complementary building architecture and site design. Special emphasis shall be placed upon methods that tend to reduce the visual impact of large buildings, to encourage tasteful, imaginative design for individual buildings, and to create a complex of buildings compatible with the Brown Road corridor. Large-format retail centers shall comply with Section 27.16.
7. Specific Site Design/Architectural Guidelines for properties fronting Brown Road. In an effort to provide a transition and continuity from Brown Road to the Gingellville area to the north, the following architectural guidelines shall be incorporated into the design of principal and ancillary structures along Brown Road. *(added 07.17.17)*
 - a. Architectural interest shall be provided through the use of repetitious patterns of color, texture and material modules, at least one of which shall repeat horizontally. Each module should repeat at intervals of no more than fifty (50) feet. Plain 8” x 16” concrete masonry units shall be avoided. Clay brick, stone and/or textured, split face or patterned masonry units shall be used *(amended 06.15.20)*.
 - b. Building facades greater than one hundred (100) feet in length shall incorporate recesses, projections and or windows along at least twenty percent (20%) of the length of the façade. Varying roof lines, projections/recesses etc. are encouraged. Windows, awnings, and arcades must total at least sixty percent (60%) of a façade length abutting a public street.

- c. Standardized, pre-engineered metal sided industrial buildings shall be prohibited unless approved by the Planning Commission.
 - d. Primary building entrances should be clearly defined and recessed, or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather. Multiple family residential buildings may have covered projecting or recessed porches, covered stoops, or lightwells (for brownstone type construction). *(amended 06.15.20)*
 - e. Greenbelts for Use Group A, B, and C shall be 20' in width. The greenbelt for Use Group D shall be 30' in width.
8. Landscaping/Greenbelts/Buffers/Screening Elements. All landscape features of the site shall conform to the requirements set forth in Section 27.05 as well as the regulations listed in Section 34.03 T.
9. Site plan applications shall comply with the submittal requirements of Section 30.01.
10. Interior Access Roads. New roads providing interior access to two (2) or more lots shall provide a right of way of at least sixty-six (66) feet. Interior access roads having connections with either Joslyn Road, Brown Road or Jordan Road shall be provided with entry area improvements including enhanced landscaping (Figure 34.4) and masonry knee walls as depicted in accompanying figures (Figure 34.2 and 34.3). Each side of the entry area and designated right of way shall contain a minimum of the following features *(added 07.17.17)*:
- a. 4 ornamental or shade/street trees
 - b. 12 shrubs
 - c. 24 lineal feet of 30" high knee wall
 - d. Knee wall and landscaping shall comply with the sight visibility and corner clearance requirements of Section 27.03G.

Figure 34.2
Interior Road Entrance Area Example



Figure 34.3
Representative Interior Access Road
With Knee Wall and Landscaping

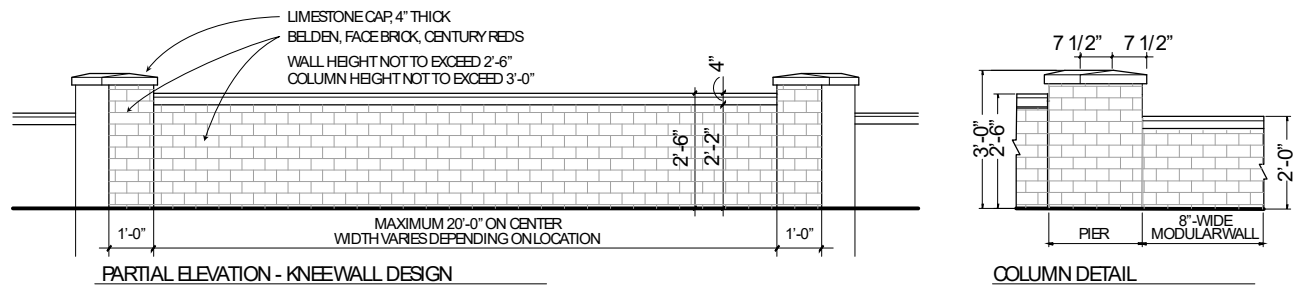
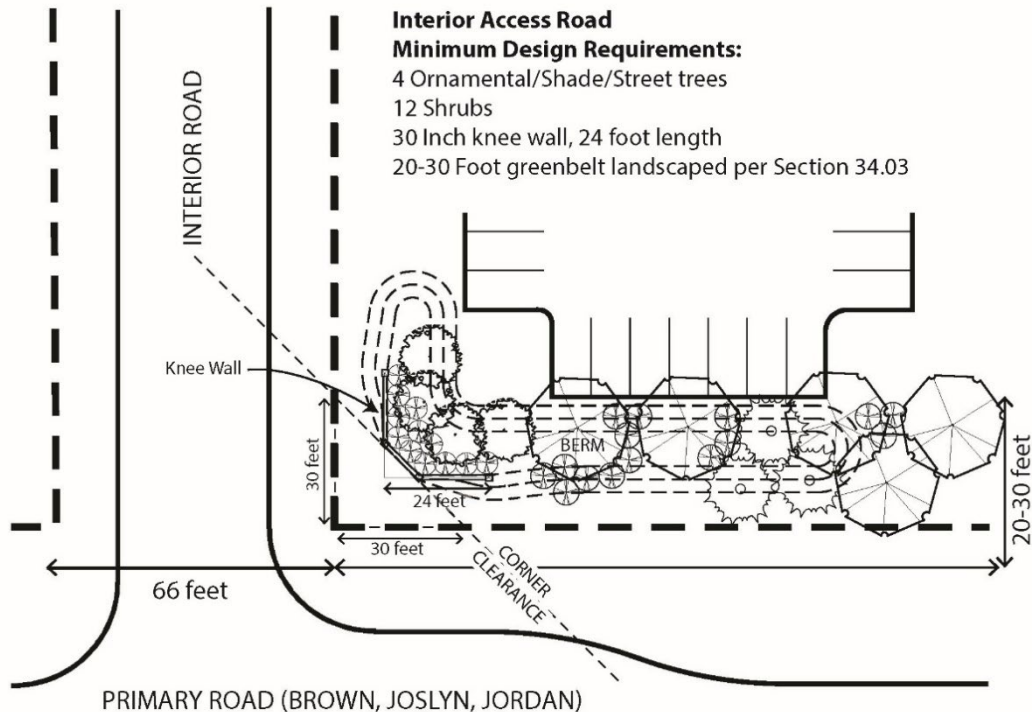


Figure 34.4
Interior Road Entrance Area



G. Sign Regulation. All signs shall comply with the standards set forth in Orion Township Sign Ordinance No. 153.

H. Lighting Regulations.

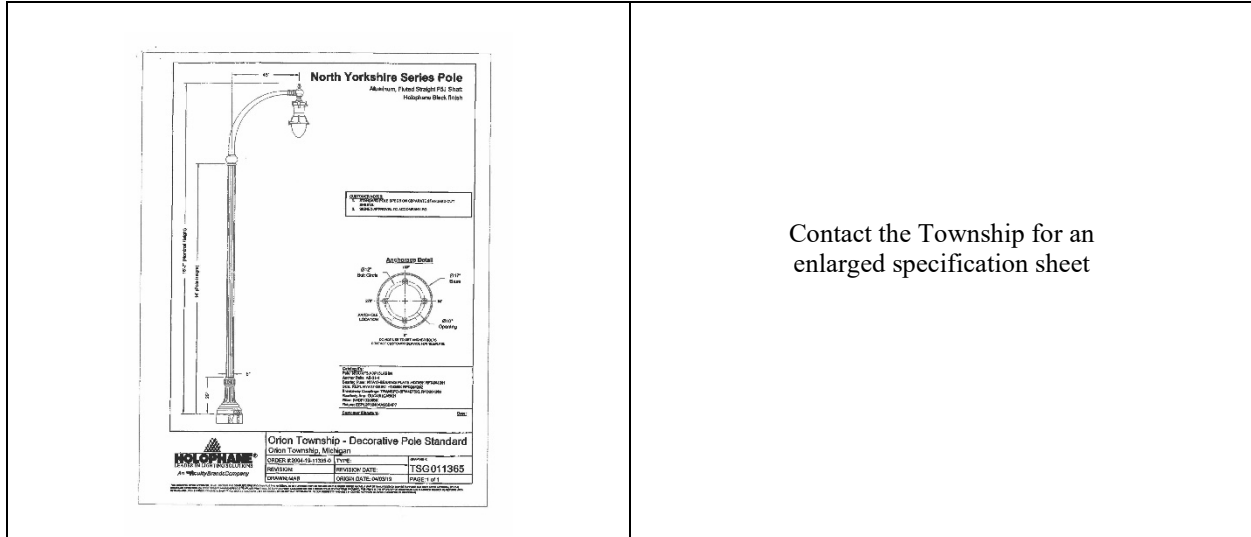
1. A lighting plan shall be submitted with all site plans as set forth in Section 27.11 of this Ordinance. All other Zoning Ordinance regulations shall apply unless otherwise noted in this Ordinance.
2. Exterior site lighting shall be fully shielded and directed downward to prevent off-site glare.
3. 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.
4. Ornamental lighting shall be provided within the greenbelt adjacent to Brown Road. Specifically, lights

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within this area shall be compatible with the DTE “North Yorkshire” poles (Figure 34.5) and fixtures. Compatibility shall be determined during site plan review. All lights shall be spaced 125’ apart and shall be on the north side of the safety path and outward (towards road) facing. *(added 07.17.17, amended 05.04.20)*

- 5. Lighting fixtures within the interior portion of the BIZ district and not within the greenbelt of Brown, Joslyn or Jordan Roads shall be bronze color, shoebox style LED on a square pole. *(added 07.17.17)*

Figure 34.5
BIZ (Brown Rd.) Lighting Standards *(amended 05.04.20)*



- I. Knee Wall. Where required, a 30” high knee wall as illustrated in Figures 34.2 and 34.3 shall be installed. The knee wall shall adhere to the following standards. *(added 07.17.17)*

- Decorative knee wall shall be located within the greenbelt, parallel to the R.O.W. and adjacent to the entry planting.
- Columns shall be located at each end of the fence with a brick base and limestone cap.

Item	Material Description
Brick Column	Belden, Face Brick, Century Reds
Limestone Cap	Limestone Cap, 4” thick

- Columns shall have an overall height of 36 inches with a wall height of 2 feet 6 inches.
- Maintenance and repair of the knee wall shall be the responsibility of the property owner.

- J. Public Road Access. Any use developed or proposed within this district shall have direct access to a dedicated public or private road. Access management requirements for driveways, curb cuts, and traffic shall comply with Section 27.14.

- K. Utilities. All utilities servicing the buildings or structures shall be buried underground.

L. Accessory Outdoor Storage. Accessory outdoor storage areas shall be permitted, subject to the following (*added 04.06.15*):

1. Outdoor storage areas shall be incidental to the primary use, and shall not exceed ten percent (10%) of the principal building area, one thousand (1,000) square feet, or eight thousand (8,000) cubic feet, whichever is less. An incidental outdoor storage area which exceeds these dimensions shall be considered a special land use.
2. Outdoor storage shall be limited to the rear yard area.
3. Outdoor storage areas shall be completely fenced with a chain link fence at least eight (8) feet high.
4. Outdoor storage areas shall be screened from view from all roadways. This screening shall be either opaque screening or evergreen landscape screening in accordance with the provisions set forth in Section 27.05.
5. Outdoor storage or display within the Brown Road Innovation Zone shall be located at least five hundred (500) feet from a residentially used parcel. This includes parcels with multi-family residential use within the Brown Road Innovation Zone. (*amended 06.15.20*)
6. The outdoor storage of materials, supplies, vehicles, equipment or similar items is allowed only when such storage is specifically shown on a sketch/site plan as approved by the Zoning Administrator. The sketch/site plan shall illustrate or specify the following information, at minimum:
 - a. The exact boundaries of proposed outside storage;
 - b. Surfacing and drainage details;
 - c. Screening details;
 - d. Layout of outside storage areas, including access and maneuvering areas. Storage areas shall be marked (with striping, staking, or another method), and maneuvering lanes shall have a minimum width of twenty (20) feet, unless the applicant can demonstrate on the site plan how clear access throughout the storage area will be maintained for emergency vehicles.

L. Covered Trash Receptacles. (*amended 06.19.23*)

All developments shall utilize a covered trash receptacle housed within an enclosure. The enclosure shall contain three (3) side walls (1) foot higher than the receptacle, made of similar material as the principal structure in terms of durability, aesthetic quality, and consistency with the overall design. The fourth side of the enclosure shall be equipped with an opaque lockable gate that is the same height as the other three (3) sides. These enclosures shall be housed in the rear yard of the building or principal use structure. However, the Planning Commission may, at their discretion, allow the placement of the enclosure in the side yard based on such factors as whether the side yard is an interior side yard or an exterior side yard which is more viewable from a main road and the distance from a road, natural screening, and sightlines. Trash enclosures should not be placed adjacent to residentially used or zoned property. The Planning Commission may, at their discretion, waive the requirement 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.

M. 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 and egress.

- 3. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04.
- N. Performance Bond Requirement. The Planning Commission shall require a performance bond 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.
- O. Building Type. All principal uses shall be contained within a free-standing building.
- P. 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.
- Q. Tree Preservation Regulations. The tree permit requirements apply to developments in this District, according to the terms of Section 27.12.
- R. Wetland Setbacks. The wetland setback requirements apply to all developments in this District, according to the terms of Section 27.17.
- S. Noise. Regulations regarding the abatement and control of excessive noise are found within the Charter Township of Orion Noise Ordinance No. 135.
- T. Landscaping. Landscaping and screening shall comply with the following:
 - 1. Landscaping Adjacent to Roads. *(amended 07.17.17)*
 - a. Where a use type A, B, or C abuts a public road, a twenty (20) foot greenbelt shall be provided with one (1) shade tree per 30 lineal feet, and one (1) shrub per ten (10) lineal feet (Figure 34.6). A 24"-30" berm or 30" high knee wall shall be required to screen parking areas fronting on public roadways. The berm or knee wall shall be required to block headlight glare and screen parking lot areas. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted.
 - b. Where a use type D abuts a public road, a thirty (30) foot greenbelt shall be provided with one (1) evergreen tree per fifty (50) lineal feet, one (1) ornamental tree per seventy-five (75) lineal feet and one (1) shrub per ten (10) lineal feet. Parking areas fronting a public road shall be screened by a 24"-30" high berm or 30" high knee wall. Outdoor storage shall be screened from views from a public right-of-way. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted.
 - c. Landscaping of street trees and ornamental trees shall be comprised of the following varieties or other species as approved by the Township.

**Table 34-4
Landscape Requirements**

Street Tree Plant List		
Street Tree Location	Common Name	Latin Name
Between Back of Curb to Front of Sidewalk or safety path	Armstrong Red Maple	<i>Acer x freemanii 'Armstrong'</i>
Between Back of Sidewalk/safety path to R.O.W.	Frontier Elm	<i>Ulmus 'Frontier'</i>

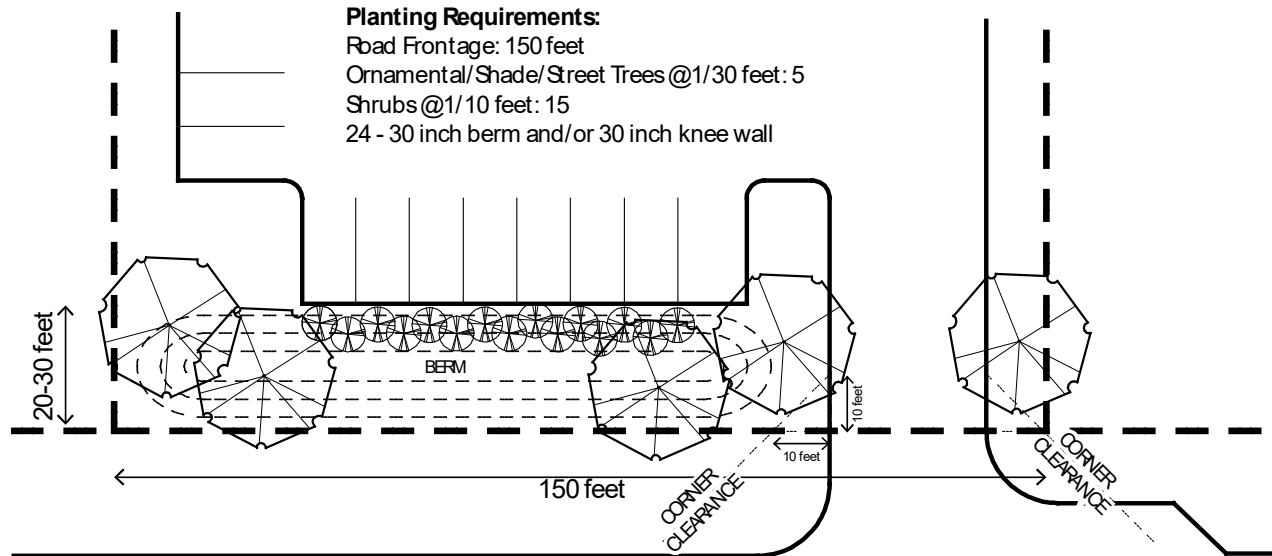
Entryway Landscape:

- Ornamentals trees shall be located on each side of the entrance drive.
- All ornamental trees shall not be located within the sight triangle limits.
- All ornamental trees at entry landscape shall be the same type per entry landscape.
- Ornamental trees can be selected from the following plant list or other species approved by the Township:

Ornamental Tree List	
Common Name	Latin Name
Autumn Brilliance Serviceberry	<i>Amelanchier x grandiflora 'Autumn Brilliance'</i>
Milky Way Dogwood	<i>Cornus kousa chinensis 'Milky Way'</i>
Japanese Tree Lilac	<i>Syringa reticulata 'Ivory Silk'</i>
Tricolor Beech	<i>Fagus sylvatica 'Tricolor'</i>

- All understory landscape shall be located in front of the ornamental trees.
- All understory landscape shall have a maximum height of 30 inches.

Figure 34.6
Street Frontage Landscape Requirements



2. Screening Between Uses.

- Where a residential use abuts a non-residential use, a thirty (30) foot buffer shall be provided with one (1) shade tree per thirty (30) lineal feet, one (1) flowering tree per seventy-five (75) lineal feet, and a combination of shrubs at one (1) shrub per five (5) lineal feet, wall, fence, or berm at a height of six (6) feet as approved by the Planning Commission (Figure 34.7).

- b. Where a use type D abuts any other use type including residential, a thirty (30) foot buffer shall be provided with one (1) shade tree per thirty (30) lineal feet, one (1) evergreen tree per fifty (50) lineal feet, one (1) flowering tree per seventy-five (75) lineal feet, and a combination of shrubs at one (1) shrub per five (5) lineal feet, wall, fence, or berm at a height of six (6) feet as approved by the Planning Commission (Figure 34.8).
- c. For screening between any other uses, a twenty (20) foot buffer shall be provided with one (1) shade tree per thirty (30) lineal feet, and a combination of shrubs at one (1) shrub per ten (10) lineal feet, wall, fence, or berm at a height of six (6) feet as approved by the Planning Commission (Figure 34.9).

Figure 34.7
Buffering between Residential and Non-residential Uses

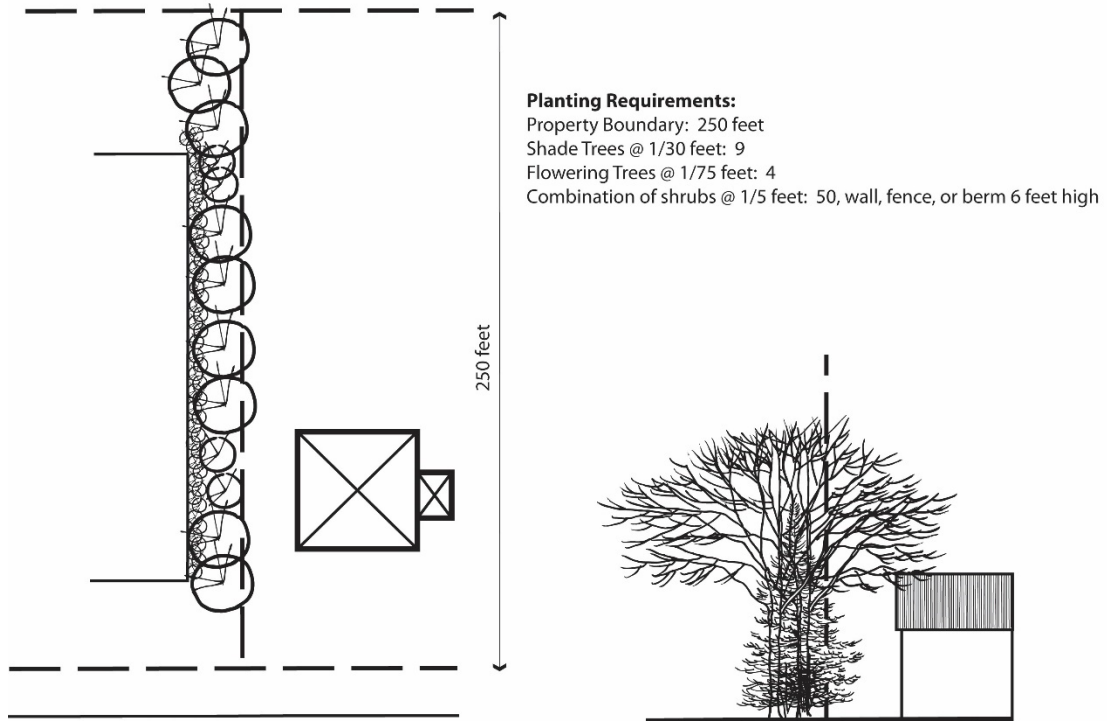


Figure 34.8
Buffering Between Use Type D and All Other Use Types

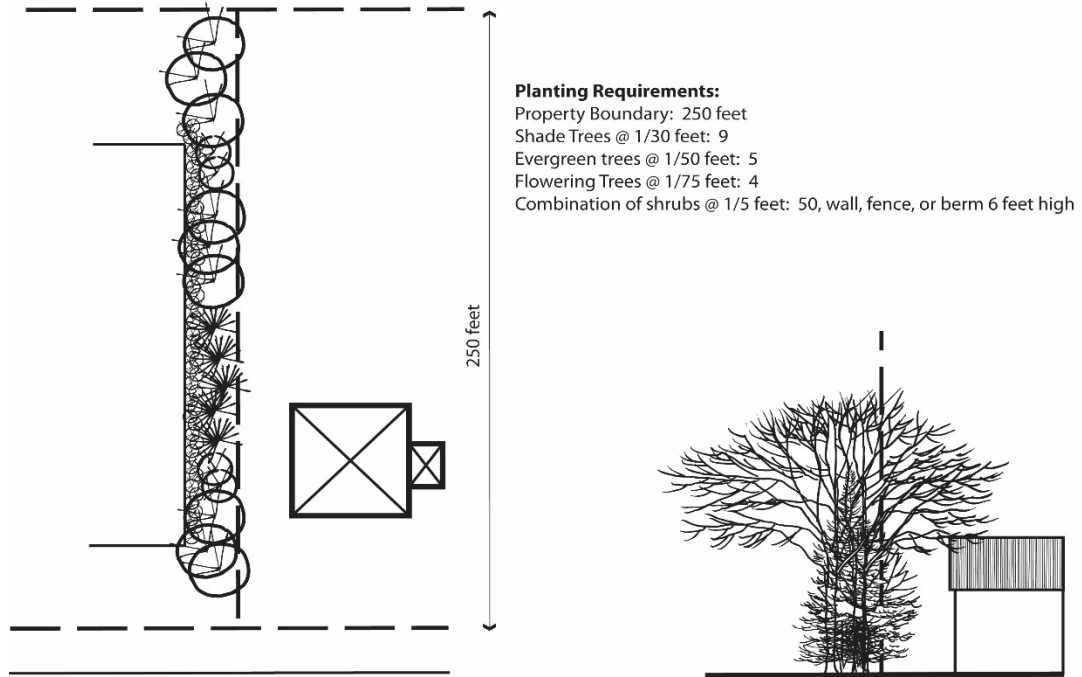
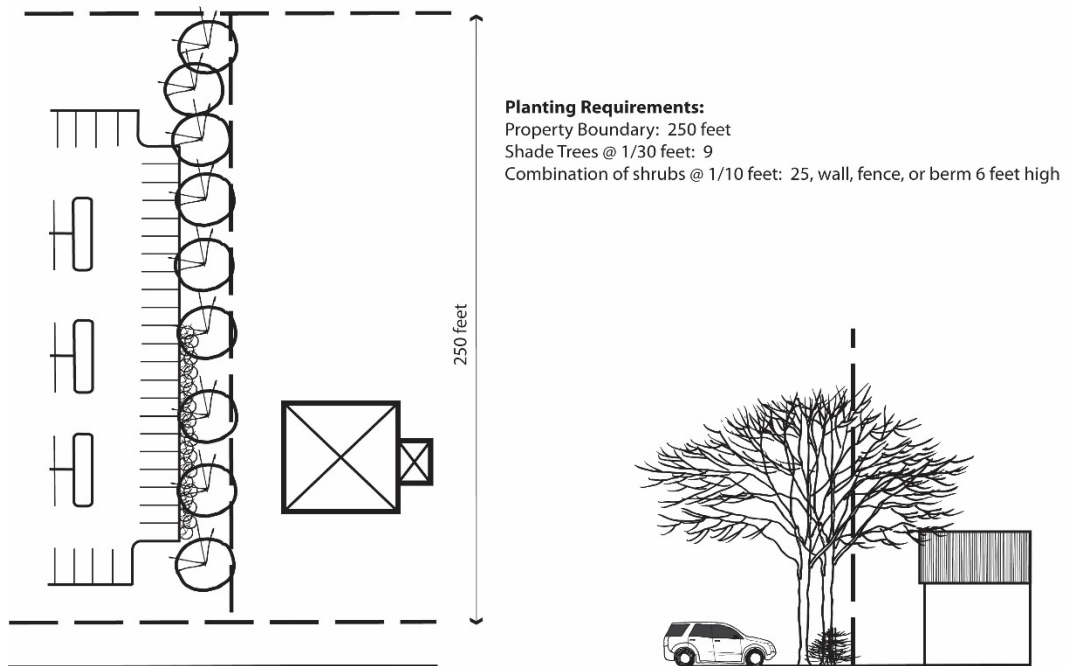


Figure 34.9
Buffering Between All Other Use Types



U. General Landscaping Requirements.

1. General Site Requirements. All undeveloped portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as greenbelts, berms, parking lot landscaping, landscaping along roadways, or screening, are required:
 - a. All undeveloped portions of the site shall be planted with grass, ground cover, landscape mulch, shrubbery, landscape stone, or other suitable live plant material, which shall extend to any abutting street pavement edge. Grass areas in the front yard of all nonresidential uses shall be planted with sod or hydroseeded.
 - b. Unless otherwise specified, wherever an evergreen or landscaped screen is required, screening shall consist of closely spaced evergreen plantings (i.e., no farther than fifteen (15) feet apart), which can be reasonably expected to form an eighty percent (80%) visual barrier in summer and a sixty percent (60%) visual barrier in winter, and that will be at least six (6) feet above the ground level within three (3) years of planting. Deciduous plant materials may be used, provided that an eighty percent (80%) visual barrier in summer and a sixty percent (60%) visual barrier in winter is maintained. Wherever screening is required adjacent to residentially zoned property, the screening shall be installed as soon as practicable in relation to site grading and general construction activities.
 - c. The site plan shall indicate the proposed method of watering landscaped areas. Landscape areas along the frontage of Brown Road, Joslyn Road or Jordan Road shall be irrigated. *(amended 07.17.17)*
 - d. The landscape requirements as illustrated in Figures 34.4 and 34.6 through 34.9 are representative. The required number of trees and shrubs may be grouped or clustered within a flexible design arrangement, as long as the minimum quantity of plant materials is provided.
2. Landscape Material Standards. Unless otherwise specified, all landscape materials shall comply with the following standards: Plant materials used in compliance with the provisions of this Section shall be nursery grown, free of pests and diseases, hardy in southeastern portion of the state, in conformance with the American Standards for Nursery Stock of the American Landscape and Nursery Association (formerly the American Association of Nurserymen) and shall have passed inspections required under state regulations.
3. Modifications to Requirements. In consideration of the overall design and impact of a specific landscape plan and in consideration of the amount of existing plant material to be retained on the site, the Planning Commission may modify the specific requirements outlined in this Section, provided that any such adjustment is in keeping with the intent of this Section and this chapter in general. In determining whether a modification is appropriate, the Planning Commission shall consider whether the following conditions exist:
 - a. Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
 - b. Parking, vehicular circulation, or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
 - c. The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of this Section.

V. Zoning Boundaries for the Brown Road Innovation Zone.

Figure 34.10
Zoning Map for the Brown Road Innovation Zone Area



Legend

- BIZ Zoning Boundary
- A & B (Residential/Commercial)
- A, B & C (Residential/Commercial/Regional Commercial)
- A, B & D (Residential/Commercial/Industrial)
- A, C & D (Residential/Regional Commercial/Industrial)
- B & D (Commercial/Industrial)
- C & D (Regional Commercial/Industrial)

**BROWN ROAD INNOVATION
 ZONING MAP**
*Charter Township of Orion
 Oakland County, Michigan*

Carlisle/Wortman Associates, Inc.

Section 34.04 – Modification of Standards *(added 06.15.20)*

The Planning Commission shall have the authority to waive or modify the standards of Section 34.03 based upon the economic impact, quality of architectural design, and overall compatibility with the District.

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