

Memo for Ordinance Language for Open Air Business/Industrial Uses

Meeting: Planning Commission – 2/18/2026

Ryan Schab, ZA

Planning Commission,

The ZBA meeting held on 1/28/2026 was in regard to our Open Air Business definition (Sec. 2.77) and the uses permitted within the Industrial (I) district (Chapter 17). Please read through the [minutes](#) from ZBA meeting to understand the context of the hearing.

The ZBA decided to table their determination while the Planning Commission evaluates the ordinance. There was a consensus among the ZBA that a U-Haul Dealer (with vehicles stored outside) use would be appropriate in the Industrial (I) district. Our current ordinance only allows for Open Air Businesses to be permitted in the Highway Service Commercial (HS) and Community Service Commercial (CS) districts as a special land use.

This memo includes information on how neighboring municipalities have classified this type of use, and then possible ordinance language the Township can adopt. If the Planning Commission determines that an ordinance change is necessary, they can decide specific language and initiate an ordinance amendment. Following the ordinance amendment being initiated, a notice will be posted to hold a public hearing at a future Planning Commission meeting.

## **CITY OF HUDSONVILLE**

Uses allowed by SUP:

Outdoor storage, outdoor display and sales,

Heavy truck/equipment sales rental and maintenance

- Standards:

SLU Standards: Heavy Truck/Equipment Sales and Rental. Heavy truck and equipment sales and rental uses that require a Special Land Use permit shall meet the following standards:

- 1. Setback Requirements. Vehicles or other equipment on a site shall meet the building setback requirements of the zoning district.
- 2. Location from Residential. Heavy truck and equipment sales and rental special land uses shall be located at least 25 feet from any residentially used or zoned property. A property shall not be considered residentially used if the first floor is occupied by a nonresidential use or uses.
- 3. Sales and Rental Area. The outdoor area dedicated for parking and storage of for sale or for rent vehicles shall be limited to a maximum of 50 vehicles at any given time.
- 4. Accessory Buildings and Uses. Accessory buildings and uses are not permitted unless they get separate approval, this includes car washes, repair and maintenance facilities or other servicing of vehicles or car sales.
- 5. Paving Requirements. All surfaces for maneuvering and storage of motor vehicles shall be paved with asphalt or concrete.\* It shall be graded to conduct stormwater to a collection system approved by the City.
- 6. Screening. An obscuring screen for any accessory storage areas consisting of a wall, fence or landscaping shall be required as determined by the Planning Commission.
- 7. Fencing and Lighting. Fencing and lighting for security and aesthetic purposes may be required as determined by the Planning Commission. All lighting shall be shielded from adjacent property and rights-of-way in accordance with Article 4, Section 4.07 of this Ordinance.

## **TALLMADGE TOWNSHIP**

Use allowed with SUP:

Outdoor storage of equipment, raw materials and supplies, or finished or semi-finished products, subject to the following:

1. All such storage shall be located within a rear yard and screened with fencing in accordance with Section 3.17(c). No material shall be stored above the height of the principal building.

2. All storage areas shall conform to all setback requirements for buildings in the I-1 District, but in no case shall outside storage be located closer than fifty (50) feet to residentially zoned property.
3. Property access to all parts of the storage areas shall be provided for fire and emergency services.

Open-air businesses such as sales of plant materials not grown on the site, nurseries, lumber yards, outdoor display areas, playground equipment, and home garden supplies subject to the following:

1. The minimum lot width for these uses shall be one hundred (100) feet, except for temporary roadside stands. All display and loading areas shall meet the setback requirements of this district.
2. The nearest edge of any entrance or exit drive shall be located no closer than sixty (60) feet from any street or road intersection as measured along the road intersection right-of-way line.
3. All loading and parking areas for these uses shall be confined within the boundaries of the site and shall not be permitted to spill over onto adjacent roads.
4. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained or covered to prevent it from blowing onto adjacent properties. Zoning Ordinance Tallmadge Charter Township 109
5. Unless Christmas tree sales are accessory to the principal use of the site, a permit shall be obtained from the Building Official to allow temporary use of the site for such sales.
6. All fenced in areas are subject to the provisions of Section 3.12.

**OPEN AIR BUSINESS:** Any business that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

- (a) Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.
- (b) Various outdoor recreation uses, including but not limited to: tennis courts, archery fields, shuffleboards, horseshoe courts, miniature golf, golf driving ranges, and children's amusement parks.
- (c) Outdoor display and sale of garages, swimming pools, playground equipment, and similar uses.

## **GRAND HAVEN TOWNSHIP**

### Section 12.45 Vehicle Sales.

(A) Major and Minor Vehicle Sales. A “Minor Vehicle Sales” operation shall be one where no more than ten (10) vehicles are available on the site for sale at any time. A “Major Vehicle Sales” operation shall be one where eleven (11) or more vehicles are available for sale at any given time.

(B) The following shall apply to all Vehicle Sales operations:

(1) The outside vehicle display areas shall be setback 50 feet from the front lot line and thirty (30) feet from all other property lines. Chapter 13: Reserved EFFECTIVE MARCH 22, 2020

(2) Inoperable vehicles left on the site shall be stored within an enclosed building or in an area surrounded by a six (6) foot sight-obscuring wall or fence.

(3) Storage of vehicle components and parts, trash, supplies, or equipment outside of a building is prohibited, except in designated and approved storage areas screened from view of adjoining properties and streets.

(4) All vehicles must remain on a paved surface at all times.

(C) Major Vehicle Sales. The following shall apply to Major Vehicle Sales operations ONLY.

(1) Outdoor vehicle display areas in the front yard shall be paved with decorative pavers, stamped concrete, brick, or permeable pavement.

(2) The display area must be equipped with curbs where it abuts landscaping, grass, and other impervious surfaces.

(3) All vehicles displayed in the front yard must be displayed on the approved display area.

(4) Only one vehicle of each model sold at the dealership may be displayed in the front yard display area.

### Section 12.34 Outdoor Storage.

(A) Construction Material Storage and/or Landscape Contractor’s Operations.

(1) Screening of Materials:

All materials and equipment must be stored within an enclosed building or within an area completely enclosed by a sight obscuring fence at least eight (8) feet in height, and screened with landscaping that provides effective visual screening throughout all

seasons Landscaping shall include a minimum of one evergreen tree for every ten (10) linear feet of the fence. Additional plantings such as shrubs or ornamental grasses may be used to supplement screening, provided they are a minimum of four (4) feet in height at the time of planting and will reach a minimum height equivalent to or greater than that of the fence. If landscaping other than evergreen trees are utilized, they shall be species capable of maintaining their screening function year-round.

Materials may not be stacked or piled to be visible above the fence. Equipment (including vehicles) may only be visible above the fence if the equipment is greater than eight (8) feet tall and cannot be disassembled for storage.

The Planning Commission has discretion to limit or waive any or all of the screening requirements if the lot has natural or proposed features that provide screening that is equal to or better than the above screening requirements, provided that conditions shall be imposed to ensure the perpetual care, maintenance, and replacement of the natural screening, as necessary, in the same condition approved by the Planning Commission

- (2) The area on which vehicles, materials, or equipment is stored must be kept in a clean, dust free condition. The area must be swept at least daily and as often as necessary to keep it free from dust and loose materials.
- (3) Materials shall be stored in a manner that prevents them from blowing outside the area in which they are stored.
- (4) A permanent main building of at least five hundred (500) square feet must be constructed on the property.
- (5) Storage areas shall be located in the rear yard of the lot. However, the Planning Commission may partially or entirely waive that requirement if the Planning Commission finds exceptional conditions or unique circumstances exist on the site whereby storage in alternative locations would be more compatible with adjoining properties or provide other benefits that would better achieve the intent and purposes of this ordinance.
- (6) The storage area shall meet setback requirements applicable to a main building in the zoning district.
- (7) Storage areas shall be setback at least one hundred (100) feet from any R-1, R-2, R-3, or R-4 zoning district.
- (8) The property shall be serviced by municipal water.

(C) Storage Yard for Machinery, Trucks, RVs, Boats, or Mechanical Equipment.

- (1) All vehicles including dismantled and inoperable vehicles and equipment must be stored within enclosed buildings or within an area completely enclosed by a sight obscuring fence at least eight (8) feet in height.
- (2) The area in which vehicles, material, or equipment is stored must be hard surfaced and dust-free.
- (3) If the site will be regularly accessed by trucks, ingress and egress shall be provided from a paved road. RV and boat storage facilities shall not be considered to be “regularly accessed by trucks,” and therefore may be located on an unpaved road.
- (4) The centerline of all access drives shall be at least one hundred (100) feet from the centerline of the nearest intersection.
- (5) The storage or materials display areas shall meet all the yard setback requirements applicable to any Main Building in the district.
- (6) Any property storing boats shall be serviced by municipal water. The Fire Chief or their designee shall determine if other vehicles, machinery, or equipment being stored shall require a municipal water connection in order to provide adequate service to the site.

### **ALLENDALE TOWNSHIP**

Use allowed by right:

Vehicle sales lot, showroom or other establishment, other than Vehicle or Freight Terminals, that sells, stores or rents five (5) or more vehicles in a period of twelve (12) months, subject to the standards of Section 23.03.D. For purposes of this subsection, the term "vehicles" shall include, without limitation, cars, trucks, travel trailers, campers, motor homes, motorcycles, boats trailers and all similar vehicles.

Establishments for the sale, rental or storage of construction equipment with incidental repair and service, subject to the standards of Section 23.03.D. For purposes of this subsection, construction equipment shall include, without limitation, bulldozers, graders, backhoes, front-end loaders, asphalt paving equipment, dump trucks and trailers, and all similar excavation and heavy construction equipment.

Storage requirements: Open storage of materials and equipment shall be permitted in a C-3 zone only when incidental to the use of an office, store, or manufacturing building located on the front portion of the same lot; and provided, that:

1. Storage is located on the rear one-half of the lot and is confined to an area not to Allendale Township Zoning Ordinance C-3 District 15-3 exceed three thousand (3,000) square feet.

2. Storage is completely enclosed by a solid wall or fence (with necessary solid gates) not less than six (6) feet in height.

3. No material shall be stored to a height greater than that of the wall or fence enclosing the storage area.

Use allowed by SUP:

Outdoor storage of vehicles, boats, trailers, recreational vehicles and similar items.

## **GEORGETOWN TOWNSHIP (Current Ordinance)**

### **Industrial Ordinance:**

#### **Chapter 17 I - INDUSTRIAL**

#### **Sec 17.2 PERMITTED USES**

Land and/or buildings in this District may be used for the following purposes by right:

1. Compounding, processing, packaging, treating and assembling from previously prepared materials in the production of:
  1. Food products including meat, dairy, fruit, vegetable, seafood, grain, bakery, confectionery, beverage and kindred foods.
  2. Textile mill products including woven fabric, knit goods, dyeing, and finishing, floor coverings, yarn and thread and other textile goods.
  3. Apparel and other finished products made from fabrics, leather goods, fur, canvas, and similar materials.
  4. Lumber and wood products including millwork, prefabricated structural wood products and containers, not including logging camps or outdoor storage.
  5. Furniture and fixtures.
  6. Paperboard containers, building paper, building board, and bookbinding.
  7. Printing and publishing.
  8. Chemical products such as plastics, perfumes, synthetic fibers.
  9. Engineering, measuring, optic, medical, lenses, photographs, and similar instruments.
  10. Jewelry, silverware, toys, athletic, office and tobacco goods, musical instruments, signs and displays, lampshades, and similar products.
2. Wholesale establishments including automotive equipment, drugs, chemicals, dry goods, apparel, food, farm products, electrical goods, hardware, machinery, equipment, metals, paper products, and furnishings, and lumber and building products, not including outdoor storage.
3. Warehouses, cartage businesses.
4. Laboratories including experimental, film and testing.

5. Trade or industrial schools and veterinary/animal hospitals or clinics or kennels (kennels subject to the standards in Chapter 20). (revised 10-25-2021)
6. Motor freight terminals and distribution centers including garaging and maintenance of equipment. Freight forwarding, packing, and crating services.
7. Central dry-cleaning plant.
8. Municipal buildings, public service buildings.
9. Electricity regulating substation, and pressure control station for gas, water and sewage.
10. Office buildings for any of the following: executive, administrative, professional, accounting, clerical or stenographic, and drafting.
11. Accessory buildings and uses customarily incidental of the above permitted uses as defined in Chapter II.
12. Private non-commercial recreation.
13. Vehicle repair establishments.
14. Restaurants or other eating or drinking establishments which provide food and drink on the premises, including drive-through establishments. (revised 6/25/18)
15. Contractor's yards, building materials storage
16. Tool and die, metal working and stone, clay, glass, concrete, brick, pottery, abrasives, tile and related products.
17. Retail sales fronting on a major street with no outdoor sales or display.
18. Contractor/showroom (where, in general, the contractor installs the product)
19. Health and physical fitness salons, indoor sports, gymnastics and dance studios.
20. Mini-storage garages.
21. Commercial enterprises producing merchandise on the premises to be sold at retail and/or wholesale

(section revised 3/28/16)

### **Sec 17.3 USES REQUIRING SPECIAL LAND USE APPROVAL**

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

1. Waste treatment facilities.
2. Water supply and treatment facilities.

3. Waste disposal facilities, including incinerators and sanitary landfills.
4. Airports and Landing fields.
5. Commercial soil removal.
6. Heating and electric power generating plants.
7. Junk yards and salvage yards.
8. Commercial radio and television and wireless communication towers. (Revised November 1997).
9. Community Fair. (revised 4/24/17)
10. Restaurants having a distillery, brewery or winery on the same site. (revised 6/25/18)

(section revised 3/28/16)

**Open Air Business Definition:**

**Sec 2.77 OPEN AIR BUSINESS**

Includes uses operated for profit substantially in the open air, including, but not limited to:

1. Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services.
2. Outdoor display and sale of garages, motor homes, mobile homes, snowmobiles, farm implements, swimming pools, and similar activities.
3. Retail sale of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
4. Tennis courts, archery courts, shuffleboard, horseshoe courts, rifle ranges, miniature golf, golf driving ranges, children's amusement park or similar recreation uses (transient or permanent).

**Special Land Use Standards Specific to Open Air Businesses (Only allowed in CS and HS currently):**

**Sec 20.4 SITE DESIGN STANDARDS**

Those uses specified in Section 20.1 as permitted by "right" or as special land uses shall be subject to the requirements of the District in which the use is located in addition to all applicable conditions, standards and regulations regarding site design and development and other standards and conditions as are cited in the following:

- Z. **Open air businesses.** The use of an open air business is expressly prohibited in all zoning districts except (CS) Community Service Commercial district and (HS) Highway Service Commercial district. In the CS and HS districts, the use is allowed with special land use approval with is contingent upon compliance with the following standards (revised 03-26-07):
1. Minimum lot area shall be one (1) acre.
  2. Minimum lot width shall be two hundred (200) feet.
  3. The Planning Commission may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises. (revised 10/0/2023)
  4. All open air businesses shall comply with all applicable Health Department regulations regarding sanitation and general health conditions.
  5. The Planning Commission may, to ensure strict compliance with any regulation contained herein and required as a condition of special land use approval, require the permittee to furnish a Surety Bond in accordance with Section 29.4(B) of this Ordinance.
  6. The lot area used for parking shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
  7. Ingress and egress shall be provided as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection.
  8. All lighting shall be shielded from adjacent residential areas.
  9. In the case of a plant materials nursery:
    - a. The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the District.

- b. All loading activities and parking areas shall be provided on the same premises (off-street).
  - c. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.
10. No display area shall be located within ten (10) feet of a road right-of-way line.

## **POSSIBLE LANGUAGE TO AMEND THE ORDINANCE**

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### **Industrial Ordinance:**

#### **Chapter 17 I - INDUSTRIAL**

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  1. Food products including meat, dairy, fruit, vegetable, seafood, grain, bakery, confectionery, beverage and kindred foods.

2. Textile mill products including woven fabric, knit goods, dyeing, and finishing, floor coverings, yarn and thread and other textile goods.
  3. Apparel and other finished products made from fabrics, leather goods, fur, canvas, and similar materials.
  4. Lumber and wood products including millwork, prefabricated structural wood products and containers, not including logging camps or outdoor storage.
  5. Furniture and fixtures.
  6. Paperboard containers, building paper, building board, and bookbinding.
  7. Printing and publishing.
  8. Chemical products such as plastics, perfumes, synthetic fibers.
  9. Engineering, measuring, optic, medical, lenses, photographics, and similar instruments.
  10. Jewelry, silverware, toys, athletic, office and tobacco goods, musical instruments, signs and displays, lampshades, and similar products.
- B. Wholesale establishments including automotive equipment, drugs, chemicals, dry goods, apparel, food, farm products, electrical goods, hardware, machinery, equipment, metals, paper products, and furnishings, and lumber and building products, not including outdoor storage.
- C. Warehouses, cartage businesses.
- D. Laboratories including experimental, film and testing.
- E. Trade or industrial schools and veterinary/animal hospitals or clinics or kennels (kennels subject to the standards in Chapter 20). (revised 10-25-2021)
- F. Motor freight terminals and distribution centers including garaging and maintenance of equipment. Freight forwarding, packing, and crating services.
- G. Central dry-cleaning plant.
- H. Municipal buildings, public service buildings.
- I. Electricity regulating substation, and pressure control station for gas, water and sewage.
- J. Office buildings for any of the following: executive, administrative, professional, accounting, clerical or stenographic, and drafting.
- K. Accessory buildings and uses customarily incidental of the above permitted uses as defined in Chapter II.

- L. Private non-commercial recreation.
- M. Vehicle repair establishments.
- N. Restaurants or other eating or drinking establishments which provide food and drink on the premises, including drive-through establishments. (revised 6/25/18)
- O. Contractor's yards, building materials storage
- P. Tool and die, metal working and stone, clay, glass, concrete, brick, pottery, abrasives, tile and related products.
- Q. Retail sales fronting on a major street with no outdoor sales or display.
- R. Contractor/showroom (where, in general, the contractor installs the product)
- S. Health and physical fitness salons, indoor sports, gymnastics and dance studios.
- T. Mini-storage garages.
- U. Commercial enterprises producing merchandise on the premises to be sold at retail and/or wholesale
- V. Utility truck or trailer, motor vehicle, boats, or equipment rental or storage services.

\*Outdoor storage may be permitted in Industrial (I) district already if the use is listed as a permitted use AND if located in the rear yard or non-required side yard and screened from adjoining properties and streets by a sight-obscuring fence, wall or landscaping, approved by the approving authority as designed in Chapter 19.

Note: If the Planning Commission determines that this type of use should be allowed in industrial but ONLY as a special land use, site specific standards can be outlined. Every special land use must meet the general standards listed below:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

3. Not create excessive additional requirements at public cost for public facilities and services.
4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.