

CASCADE CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN

Ordinance #2 of 2022

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE CASCADE
CHARTER TOWNSHIP ZONING ORDINANCE

CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1. Chapter 3 of the Cascade Charter Township Zoning Ordinance is amended to read as follows:

Section 3.03 Definitions

The following definitions are added to the Zoning Ordinance:

Commercial Composting Operation:

Composting that collects composting intakes generated off-site for the purpose of creating composted material or compost on the premises. Commercial composting operations shall not include composting accessory to a principal nursery or greenhouse use, which shall be regulated and approved in the same manner as nurseries and greenhouse as set forth in this ordinance.

Composting Intakes:

Any organic biodegradable and compostable material including, but not limited to: lawn clippings and leaves, woodchips, animal or paunch manure, any other plant or food waste or a mixture of any of the above. For purposes of this ordinance, composting intakes does not include raw sewage or treated sewage sludge, nor does it include inventory items/bulk materials used solely for landscaping purposes on-site.

Personal/On-Site Composting:

Composting that is an accessory use to the primary agricultural or residential use of the property, that uses composting intake materials generated on-site for the purpose of creating composted material or compost that is used for agricultural or residential use. Compost piles located in residential districts must be less than 100 cubic feet in area, located in the rear yard, and set back at least 10 feet from any lot line. Personal/On-Site Composting is permitted only as an accessory use in the R1, R2, ARC and FP zoning districts.

Vermiculture or Vermicomposting:

The controlled and managed process by which live worms convert materials into finished compost product.

Section 2. Chapter 7 and 7a of the Cascade Charter Township Zoning Ordinance are amended to read as follows:

Chapter 7 ARC, Agricultural Rural Conservation

Section 7.04 Uses Permitted by Special Use Permit

Section 7.04 is amended to allow for the following use by special use permit:

16. Commercial composting operations involving one (1) cubic yard or less per month of waste from sorting of Composting Intakes. Section 17.07.2.t

Chapter 7a FP, Farmland Preservation

Section 7.04a Uses Permitted by Special Use Permit

Section 7.04a is amended to allow for the following use by special use permit:

16. Commercial composting operations involving one (1) cubic yard or less per month of waste from sorting of Composting Intakes. Section 17.07.2.t

Section 3. Chapter 13 of the Cascade Charter Township Zoning Ordinance is amended to read as follows:

Chapter 13 I, Industrial

Section 13.04 Uses Permitted by Special Use Permit

Section 13.04 is amended to allow for the following use by special use permit:

15. Commercial composting operations. Section 17.07.2.t

Section 4. Chapter 17 of the Cascade Charter Township Zoning Ordinance is amended to read as follows:

Chapter 17 Special Uses

Section 17.07 Type II Special Use Design Standards

Section 17.07 is amended to add the following design standard:

t. Commercial composting operations with associated limited retail and wholesale trade of material created on the premises.

- 1) Minimum parcel size shall be 10 acres in the ARC and FP zoning districts and 2 acres in the I zoning district. Operational areas (buildings, composting areas, material storage, etc.) in the ARC and FP districts shall be located a minimum of 150 feet from property lines and 250 feet from adjacent residential dwellings. Operational areas in the I zoning district must meet the setback requirements of that district and shall also be located a minimum of 250 feet from adjacent residential dwellings.
- 2) Operational areas shall be visually screened from neighboring parcels with a screen consisting of berming, fencing, and/or vegetation buffer if the operational areas are within 400 feet of a residential parcel.
- 3) The operation must be registered with the Michigan Department of Environment, Great Lakes and Energy - Material Management Division (EGLE MMD) within one year of commencing operations. The operation must comply with all other applicable federal, state, and local laws, rules and regulations. The operation must comply with all standards, rules, and regulations of EGLE MMD registered compost operations.
- 4) When located in the ARC or FP districts, operational areas are limited to 30% of the total area of the parcel and 50% of the total area of the parcel must be kept natural, landscaped, or used for agriculture.
- 5) Equipment operation and receiving or distribution of materials, including retail/wholesale sales, may only occur between the hours of 7:00am to 9:00pm.
- 6) The use shall comply with all applicable Township and local Ordinances, regulations and standards including, but not limited to, the Township Noise Ordinance, stormwater regulations and lighting regulations.
- 7) The applicant must return to the Planning Commission for an annual review for a minimum of two years after receiving the special land use permit, and, thereafter, at the discretion of the Planning Commission. The applicant shall keep an inventory log showing the amount of Composting Intake and the total composted output, which shall be provided to the Township Planning Commission at the annual review and as otherwise requested by the Township.
- 8) An operation located on a parcel 20 acres or less in size in the ARC or FP districts is limited to 3,000 cubic yards of intake material and 3,000 cubic yards of output material per year. Facilities exceeding 3,000 cubic yards of intake and/or output per year may be permitted at the discretion of the Township, but must be located on a parcel that exceeds 20 acres in size, or in the I district.
- 9) An operation may have a maximum of 4,500 cubic yards of compost/composting intake/finished compost on site at any one time, with no more than 1,000 cubic yards being composting intake. Greater volume may be allowed at the discretion of the Township for operations located in the I district or on parcels 20 acres or more in size in the ARC or FP districts.
- 10) The facility must take reasonable action to mitigate the potential of odor leaving the site, such as using negative aeration systems or other common industry methods for odor mitigation. Such odor mitigation methods are subject to review and approval of

the Township through the special land use approval process. The site shall be kept neat and clean and there shall be no noxious odors or garbage affecting neighboring properties.

- 11) In the case of vermiculture, the species of worms that may be used are limited to red wiggler (*Eisenia fetida*), red worms (*Lumbricus rubellus*), and other species that are native to Michigan, at the discretion of the Township.
- 12) All machinery and equipment, except for motor vehicles and trailers used in the conduct of business, shall be stored within a completely enclosed building. Motor vehicles and trailers shall be stored indoors, out-of-view when not in use for longer than a two-week period.
- 13) Retail and wholesale sales on the premises to the general public shall be limited to material created on the site.
- 14) If waste from sorting exceeds one (1) cubic yard per month, that sorting process must be located in the Industrial (I) zoning district.
- 15) All Composting Intake material must be covered or stored so that it is contained and protected from wildlife and leaving the site.

Section 5. Effective Date

This ordinance/ordinance amendment shall become effective upon publication in the Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township.

Section 6. Effect

The Cascade Charter Township Zoning Ordinance, as amended, except as otherwise expressly amended herein, shall remain in full force and effect.

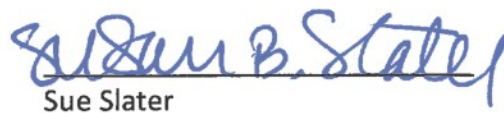
The foregoing Ordinance amendment was offered by Board Member Shipley supported by Board Member McDonald. The roll call vote being as follows:

YEAS: Lesperance, Slater, Peirce, Koessel, McDonald, Noordhoek, and Shipley

NAYS:

ABSENT:

ABSTAIN:



Sue Slater

Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 10th day of August 2022.



Sue Slater

Cascade Charter Township Clerk

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