



History of the Michigan Certified Business Park Program

Economic developers have long recognized the need for uniformity in use of the term “business park.” The expression designates certain kinds of districts or subdivisions set-aside for sites to be occupied by groups of manufacturing and/or high tech industrial facilities.

To give prospective occupants a better idea of what they can expect to find in a business park and assure them of high quality characteristics and services, the Michigan Department of Commerce and the Michigan Industrial Developers Association, in 1969, adopted a set of standards for qualified developments to be known as “Certified Industrial Parks.”

Beginning with those established criteria, the Michigan Economic Developers Association (MEDA) and the state department now known as the Michigan Economic Development Corporation (MEDC) updated the standards in 2001 and renewed the voluntary program for certifying business parks. This program today is known as the “Michigan Certified Business Park Program.”

Park developers throughout Michigan use the CBP standards in the design of parks and work toward achieving certification. Prospects will find that a Certified Business Park offers specific advantages that are not available in other parks.

Those Certified Business Parks located in a qualified local unit of government, as defined by the Local Development Financing Authority Act (PA248 of 2000), have the potential to capture property taxes to aid in the financing of the public infrastructure improvements in or around the park, and/or acquire additional property for park expansion, as well as other public improvements. In addition, all Certified Business Parks will be marketed by the Michigan Economic Developers Association.

Definitions of Certified Business Park and Protective Covenant Requirements

Zoning

Property cannot be zoned for retail or residential use to qualify for State certification.

Selectively graded and cleared

Although flat and level sites with few trees are the norm, many companies like rolling sites that are somewhat wooded. A developer must determine to what extent grading and clearing detracts from the natural beauty of the site. Obvious impediments to development, such as sand or gravel heaps, knolls, bunkers, or excavations should be removed, leveled, filled, and the property graded. The Certified Business Park program on-site inspection team shall determine at the time of inspection whether the park has met the grading and clearing requirement adequately.

Site plan or plat approved by local governing unit

Under Michigan’s Subdivision Control Act, it is unlawful to sell more than four (4) parcels of less than 10 acres in a size of any unplatted acreage within a 10 year period. The local governing unit must approve a site plan or plat and then gain approval of the plat from Subdivision Control in the Michigan Department of Commerce. Local developers and planning officials should have a copy of the Subdivision Control Act on file. No park will be certified unless the owner/developer is at least in the preliminary stages of getting the entire park platted or has received local government approval of their site development plan. This site plan or plat should include the location and size of utility and road installations, right-of-way, lot lines, and acreage of each lot.

Utilities

For a high quality development, assuring the tenant of adequate and reliable utility services is essential. All utilities, including a storm water control plan, must be readily available for tap-in by a business buying land in the park. No Special consideration will be given to communities deciding to locate the park in an area not serviceable by a municipality, as this should be an important

factor in the planning stages. In areas of the state where it is geologically not feasible for water and sewer line extensions, a letter from a geological engineer stating the reason for this inability may make the park certifiable.

Highway

Access to the park and interior sites should also be an important factor in planning the appropriate location for a park. There must be an all weather road leading to the park and an all weather road inside the park giving access to all interior sites. The 300' minimum is intended for those parks being developed in phases.

Protective Covenants

when mailing in, please identify where to find the following requirements in your corresponding material (i.e.: highlight, label, etc.)

Protective covenants and/or zoning ordinance restrictions set a quality Certified Business Park apart from or above an unplanned business development district. They give the owner/developer a great deal of voice in the type of building and uses that will be permitted in the park. As these restrictions are tied to the deed, it gives the owner/developer the legal right to enforce those restrictions and thereby maintain the high standards of the development. These restrictions also protect the investment of the purchasers by ensuring that only appropriate and attractive facilities will be located in their area.

In some instances a municipality may have zoning ordinances covering the items required under the Protective Covenants section. If the business park does not provide for specific covenants, the zoning ordinance will be accepted if, in the opinion of MEDA and the inspectors, the ordinance provides similar protections for the site owners within the park as would be provided by specific protective covenants that meet the criteria listed below. For certification purposes, the Michigan Economic Development Corporation and the Michigan Economic Developers Association have determined that the covenants/zoning ordinances will at a minimum include the following:

1. Compatible Uses

- It is the sole intent of the Certified Business Park program to provide ready-to-use sites for eligible businesses and industry (per the current LDFA act). For this reason, the park's principle use is set aside for industrial business and high tech purposes. The area of the park must be specified at the time of certification. This covenant may allow the developer to exclude certain types of industries from locating in the Certified Business Park.

2. Types of Building Materials

- All buildings shall be constructed in accordance with all applicable laws, statues, ordinances, codes, rules and regulations of all governmental agencies having jurisdiction thereof and in a manner so as to have the ability to withstand the normal causes of deterioration with normal maintenance procedures. Previously used materials shall not be incorporated within any building with-out the prior written consent of the developer. No structure, carport, garage, barn or other out-building of a temporary nature shall be situated, erected or maintained on the property or any lot.
- With the intent to have an aesthetically pleasing building, the buildings will be finished in materials such as decorative, fluted or finished brick, block, wood, vinyl, glass or decorative metal on sides that face an exterior or internal road.
- In most instances the developer will retain the right to review all site materials planned to be used to ensure that all other covenants will be adhered to.

3. Park Signage

- Parks are required to have adequate signage at the park entrance and interior streets. Signs should be of high quality, compatible with appearance of the park and be of a size that will present a professional image. Signs must be free standing and may not be comprised of neon or flashing lights.

4. Landscaping

- There must be a general landscaping and continuous maintenance provision (plan) in the protective covenants to qualify for certification.
- All lots will be seeded or sodded and shrubs and trees must be planted to maintain a park-like atmosphere.
- Areas that are sold or set aside for future expansion must also be maintained as lawn area within 25 feet of streets, roadways, and curbs.
- Areas that are disturbed (such as through excavation, grading, etc.) must be restored to the above standards within 6 months.
- Landscaping will be installed within one-year of the Certificate of Occupancy.
- All developments must meet state and local groundwater and watershed standards.

5. Improved Parking

- This restriction is intended to reduce the noise, dust, and potholes in Certified Business Parks.
- At a minimum, all parking areas, driveways, truck turnaround areas and truck loading/unloading areas will be paved with concrete, asphalt or other hard surface material.
- Parking must be well maintained.

6. Screened Outdoor Storage

- All activities of a business will be carried on within the confines of the building.
- In those instances when outside storage is a necessity, an opaque fence or wall (that is architecturally compatible to the building's finished materials), or landscaping will shield all items outdoors, so as to effectively screen the view of such storage area from public streets and adjoining properties.

7. Location of Loading Docks

- Loading and unloading areas will be designed to permit the pickup and delivery of materials without impeding the public right of way. Design of the truck wells of the loading area will not encroach upon the required front yard setback line.
- Truck or rail docks should be located at the side yard or rear yard of the building.
- Certified Industrial Park properties approved before 2000 may be permitted to maintain front yard truck wells or loading areas where they are required due to design and space limitations.

8. Continuous Management

- Protective Covenants must state who is responsible for the constant maintenance of the park's covenants and restrictions, i.e.: owner/developer, municipality, or major property owners.
- In all cases, the management entity of the park will have the authority to enforce the covenants and restrictions on all tenants and future tenants of the park.
- Management must also maintain non-development and non-developable areas located within the park.

9. Setback Specifications

- Setbacks must be specified and no activities should take place within the setback areas, except sidewalks may be placed in the front setback.

10. Signage Requirements

- Signs identifying the person, firm, company or corporation shall be permitted. Signs must be permanent, may be of a freestanding nature, or attached to the building except that the signs cannot exceed the height of the building.
- Outdoor advertising, billboards, neon or flashing lights are not permitted.
- Sign materials should be compatible with the appearance of the building's finished materials.

A copy of the protective covenants should be attached to each deed and signed by each new owner and the applicant shall certify that each owner from the date of this application forward shall execute a copy of the protective covenants at the time of property purchase.