

CHARTER TOWNSHIP OF MUNDY

ORDINANCE NO. Z-235-23

ADVANCED MANUFACTURING OVERLAY DISTRICT TEXT AMENDMENT TO ZONING ORDINANCE 19-123-Z

AN ORDINANCE TO AMEND THE TEXT OF ORDINANCE NO. 19-123-Z, BEING THE CHARTER TOWNSHIP OF MUNDY ZONING ORDINANCE, WHICH WAS ENACTED IN ACCORDANCE WITH AND UNDER AUTHORITY OF ACT NO. 110 OF THE PUBLIC ACTS OF MICHIGAN OF 2006, AS AMENDED BY MCL 125.3101, ET. SEQ.

THE CHARTER TOWNSHIP OF MUNDY ORDAINS:

SECTION 1.

TEXT AMENDMENTS TO ZONING ORDINANCE 19-123-Z

The Charter Township of Mundy Ordinance No. 19-123-Z, approved December 9, 2019, and effective December 20, 2019, is hereby amended by modifying the language of sections of the Zoning Ordinance as follows:

ARTICLE XI

ADVANCED MANUFACTURING OVERLAY DISTRICT

SECTION 11.01

AREA OF APPLICATION

The Advanced Manufacturing Overlay District (AM District) shall include land located in an area defined by Hill Road to the South, Elms Road to the West, Maple Road to the North, and Jennings Road to the East.

Properties located within the AM District must meet the existing zoning district requirements of the proposed use of said property and are governed by the permitted uses prescribed for that underlying district, in addition to the requirements of this Article.

Properties currently zoned residential and used for a permitted purpose according to their residential zoning classification, within the AM District, shall not be subject to the provisions and conditions of this Article. Any development of these properties shall be subject to the provisions and conditions of this Article when an application is made for a use which is permitted within the AM District, and not the underlying residential district.

Uses within the AM District are subject to all other requirements of the Mundy Township Zoning Ordinance unless specifically addressed within this Article.

Should a conflict occur between the various provisions of the articles of this ordinance, then the more stringent requirements as determined by the Planning Commission shall prevail.

SECTION 11.02

INTENT

Technological advances have created a new class of uses with similarities to traditional manufacturing and industrial uses, but which may not be appropriate or function adequately in a typical manufacturing zoning district due to the sensitivity of instruments and potential for impact from surrounding industrial uses. Furthermore, these uses typically have less potential for having an adverse impact on the environment and surrounding properties.

The purpose of the AM Zone is to provide an environment where high tech uses and functions such as engineering, design, research and development, advanced manufacturing, computer assisted design, robotics, numerical control equipment, prototype development, biotechnology, medical research and development, materials testing, telecommunications, and related storage and assembly operations associated with principal permitted uses can be located to encourage job creation and appropriate growth in the portions of the Township with access to necessary public facilities and in close proximity to transportation assets like I-69 and Bishop International Airport.

Uses in the AM District are intended to be developed in a campus setting with generous landscaping, buffers and screening, and high-quality buildings where permitted uses will not negatively impact the surrounding area. For the purposes of this Article, "campus-like" shall be defined as a group of buildings near each other with centralized support, amenities, and other internal functions.

SECTION 11.03

USES

The following uses are permitted within the Advanced Manufacturing Overlay District. All uses require a special land use permit and must be consistent with the purpose and intent of the zoning district described in Section 9.02.

- Light Industrial Uses. See Section 13.06.
- Medium Industrial Uses. See Section 13.07.
- Heavy Industrial Uses, but not including oil processing, fertilizer manufacturing, slaughter houses, explosive manufacturing, tanneries, redarning plants, and similar activities. See Section 13.08.
- Wholesale or warehousing businesses or freight terminals associated with an industrial or manufacturing use in the AM District.
- On-site solar energy systems (both ground-mounted and building-mounted).
- Professional office, education and training, and similar uses associated with the principal advanced manufacturing use may be permitted as a use accessory to the principal use.
- Limited retail, restaurant, medical and dental, and other service uses strictly intended to serve employees of the principal use may be permitted as an accessory use. These uses must not be intended to serve the general population.
- Government buildings and uses.
- Essential services.
- Accessory buildings and uses, customarily incidental to any of the permitted uses in the zoning district. The limit on the number of accessory buildings provided for in Section 4.04.A shall not apply in the AM District.

SECTION 11.04

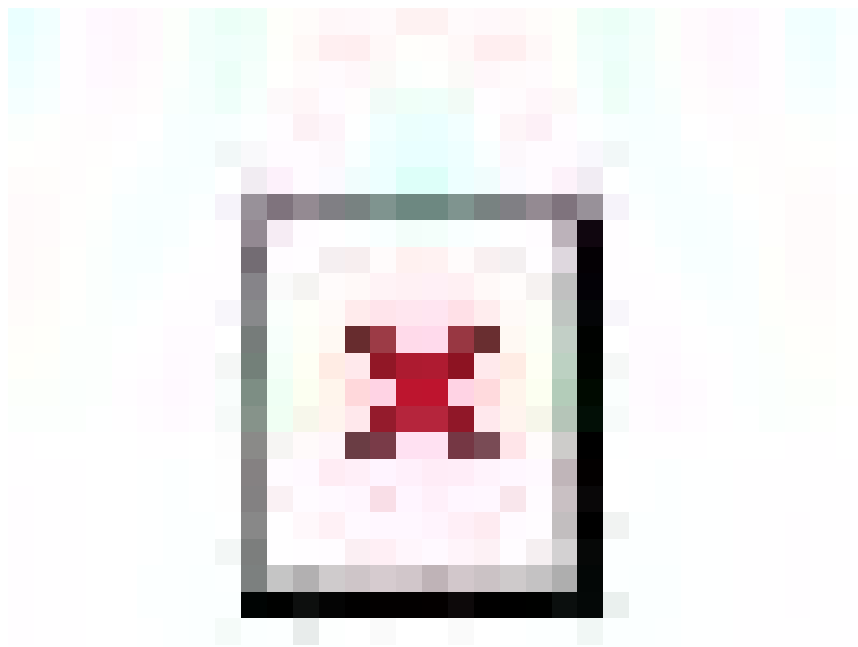
SITE DESIGN

New developments within the AM District must comply with the following standards. Standards not directly addressed in this Section are governed by the standards in Sections 13.06, 13.07, and 13.08 for the respective industrial use. The purpose of the district site design standards is to encourage a campus-like development of the area, with eventual development of associated uses on potentially smaller sites.

- A. **Area:** The minimum lot size for a development in the AM District is 10 acres. This requirement may be waived by the Planning Commission if all other requirements of this Section are met and the Planning Commission determines that the use under 10 acres is consistent with the purpose and intent of the district and is a use that is ancillary to other uses within the AM District.
- B. **Width:** No minimum lot width.
- C. **Height:** There is no maximum building height. However, buildings over thirty (30) feet in height must be setback a distance equal to their height at the highest point of the building from the required one hundred fifty (150) foot landscape buffer zone (see Subsection G below). This includes buildings fronting Maple Road.
- D. **Minimum Yard Setbacks from Adjacent Residential Uses and the Center Line of the Road:** All buildings shall meet the following minimum setback requirements.
1. One hundred fifty (150) feet from adjacent residential property lines
 2. Two hundred (200) feet from the center line of the road on Hill Road, Elms Road, Linden Road, and Jennings Road.
 3. Eighty-Three (83) feet from the center line of the road on Maple Road so long as the building is thirty (30) feet in height or less. Buildings over thirty (30) feet in height must comply with Subsection C. above.
 4. Three hundred (300) feet from any principal structure on a residentially zoned property. This includes residential buildings as well as schools, churches, and other uses permitted by right or by special land use.
- E. **Minimum Yard Setbacks from Industrial and Related Uses:** Internal setbacks from property lines and public or private right-of-way within the AM District shall conform to the following standards. Building spacing on sites with multiple buildings shall be reviewed according to building code standards.
1. Front: Eighty-three (83) feet from the center of the road
 2. Side: Ten (10) feet
 3. Rear: Twenty (20) feet
- F. **Maximum Percent of Lot Area Covered by All Buildings:** No maximum lot coverage.
- G. **Landscape Buffer Zone:** A landscape buffer zone of at least one hundred fifty (150) feet in width shall be maintained along all property lines adjacent to a parcel with a residential use or the right of way for Elms, Hill, Linden, Maple, or Jennings Roads. This landscaped area shall be designed and constructed to protect the peaceful enjoyment of all adjacent residential district areas. A landscaped buffer zone is not required between adjacent industrial or related uses within the AM District.

1. The landscape buffer zone shall include necessary breaks for driveways and buildings that are not required to be setback greater than one hundred fifty (150) feet. The landscaped area may not include parking areas, outdoor storage, or any other accessory uses or structures.
 2. Within the landscape buffer zone, a berm shall be located in areas of the buffer zone where it is necessary to visually screen the development from adjacent residential uses, as determined by the Planning Commission. Berms shall be at least eight (8) feet above the grade elevation and planted with a mix of evergreen trees and shrubs that provide a year-round visual buffer at least fourteen (14) feet in height at the time of planting, and sixteen (16) feet within five years of planting. Slopes on the berm shall be no steeper than one (1) foot vertical for each three (3) feet horizontal with at least a two (2) foot flat area at the top of the berm.
 3. In areas that do not require a berm, the landscape buffer zone shall include a combination of evergreen trees and shrubs that create a six (6) foot high visual barrier at the time of planting, and an eight (8) foot barrier within five (5) years of planting.
 4. The Planning Commission may modify the landscape buffer zone requirements upon a finding that a development presents unique circumstances that require more or less visual screening than required by this Subsection. See Berm Detail Illustrations on the next page.
 5. Any individual species of evergreen tree or shrub installed to comply with this subsection shall not exceed thirty (30) percent of all vegetation in the landscape buffer zone.
- H. **Heavy Industrial Uses:** The required one thousand (1,000) foot setback for heavy industrial uses in Section 13.08.A.3 shall be waived in the AM District provided all other standards of this Section are met.

THIS SPACE INTENTIONALLY LEFT BLANK
TO INCLUDE FOLLOWING BERM DETAIL ILLUSTRATIONS PAGE



SECTION 11.05

ACCESS

Access drives for employees and visitors and truck traffic for uses in the AM District shall be to Maple Road. Any access drives to Linden, Elms, or Jennings Roads shall be for limited use or emergency access only. Hill Road access shall be for emergency vehicle access only.

Truck traffic for the AM District shall be directed to Maple and Linden Roads and to the I-69/Bristol Road or US-23/Bristol Road interchanges and directed away from the Hill Road/US-23 interchange.

SECTION 11.06

AESTHETIC REVIEW

The Planning Commission shall review and approve the design and overall aesthetics of all structures, including alterations and/or additions, which are visible from the Hill, Elms, Linden, Jennings, or Maple Roads' right-of-way. Structures, alterations, and/or additions shall at the minimum have their fronts facing on a public street constructed of stone, face brick, or other ornamental materials as approved by the Planning Commission. Building fronts shall not include overhead doors and overhead doors shall not be visible from adjacent residentially zoned property.

The Planning Commission is empowered to restrict the use of unacceptable construction methods and materials on the remainder of any such structure, alteration, and/or addition and shall strive to fulfill the aesthetic intentions of assuring compatibility of structures located within this District.

SECTION 11.07

OUTDOOR STORAGE AREAS

The open storage of open stock, and raw materials within the AM District is specifically forbidden unless permitted as part of a heavy industrial use (see Section 13.08). Any such storage shall be screened behind an obscuring privacy fence, wall, or landscaping

berm consistent with the requirements of this ordinance. The Planning Commission may modify screening requirements upon demonstration by the applicant that open storage will not be visible from any adjacent residentially zoned property.

SECTION 11.08

PUBLIC WATER AND SEWER SERVICE

All uses in the AM District shall be provided with public water and sewer service.

SECTION 11.09

SIDE YARD REQUIREMENTS

Every use located within the AM District shall have at least one side yard area designated and maintained as a fire lane with a minimum width of twenty (20) feet, along with alternative fire lane access to all structures demonstrated during site plan review.

SECTION 11.10

OFF STREET PARKING

Off-street parking shall be organized to have the minimum potential impact on surrounding residential uses. If the off-street parking area is not screened by a berm per Subsection 11.04.G, the Planning Commission may require construction of a screening wall to shield parking areas that are visible from residential uses or residential zoning districts. Parking lot lighting shall be shielded and downward facing to minimize light pollution and ensure that no light projects onto adjacent residential parcels.

ARTICLE XII

DISTRICT REGULATIONS

SECTION 12.01

SCHEDULE OF REGULATIONS

The existing Schedule of Regulations table shall be modified to include the following addition:

Zoning District		Minimum Zoning Lot Size Per Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet) (a,b,c)			Maximum % of Lot Area Covered by All Buildings	Minimum Floor Area Per Unit (Sq. Ft.)
		Area in Square Feet(a)	Width in Feet(a)	In Stories	In Feet	Front (a)	Each Side(a)	Rear (a)		
AM	Advanced Manufacturing Overlay	See Article XI.								

ARTICLE XV

REVIEW AND APPROVAL OF SPECIAL LAND USES

SECTION 15.05

STANDARDS FOR APPROVAL

- A. The Planning Commission shall review the particular circumstances and facts applicable to each proposed special land use in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject site meets the following standards and requirements:
1. Will be harmonious with and in accordance with the general objectives of the Master Plan.
 2. Will be designed, constructed, operated, maintained, in harmony with existing and intended character of the general vicinity and so that such use will not change the essential character of that area.
 3. Will not be hazardous or disturbing to existing or future neighboring uses.
 4. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.

5. Will be served adequately by necessary public services and utilities, such as highways, streets, drainage structures, sanitary sewers, water, police and fire protection, and refuse disposal, or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.
 6. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.
 7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, or odors.
 8. Will be consistent with the intent and purposes of this Ordinance in general, and Section 16.05, Standards for Granting Site Plan Approval in particular.
- B. If the facts regarding the special land use being reviewed do not establish by a preponderance of the evidence that the standards and requirements set forth in this Zoning Ordinance will be met by the proposed use, the Planning Commission shall not grant approval of the special land use.
- C. The Planning Commission may deny, approve or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement containing the conclusions relative to the special land use under consideration, which specifies the basis for the decision and any conditions recommended. Such statement may be included in the minutes of the Planning Commission.
- D. In granting approval of a special land use permit, the Planning Commission may attach such reasonable conditions of use as it deems necessary to protect the best interests of the Township and the general vicinity, to achieve the objectives of this Ordinance, and to assure that the general public health, safety, and welfare will not be infringed upon.
- E. Upon holding a public hearing and review of the special land use request, the Planning Commission shall make its finding. The finding shall include those conditions which are required to be imposed. The Planning Commission, upon receipt of the finding and recommendation, may deny, approve, or approve with conditions any request for a special land use permit. Any decision on such a request shall state the finding or fact and specify the conclusions drawn therefrom and any conditions imposed thereon.

- F. Any conditions imposed shall remain unchanged, except upon the mutual consent of a majority of the Planning Commission and the landowner. The Township shall maintain a record of all conditions that are changed. All records of proceedings hereunder shall be kept and made available to the public.
- G. Any special land use permit granted under this Zoning Ordinance shall become null and void and all fees forfeited unless construction and/ or use is commenced within six (6) months of the date of issuance of said special land use permit and completed within twelve (12) months, except that the Planning Commission may at its discretion, upon application by the owner and for cause shown, provide for an extension of up to twelve (12) months provided there is no change of any conditions.
- H. A violation of any requirement, condition, or safeguard imposed hereunder shall be considered a violation of this Zoning Ordinance and constitute grounds for termination of a previously granted special land use permit.
- I. Special land uses for which the total area of land disturbed during development exceeds 160 acres shall be approved by the Township Board of Trustees. The total area of land disturbed shall be determined by the building department. In such a case, the following process shall be followed:
 - 6. The Planning Commission shall hold a public hearing on the request after providing notice as required in this ordinance. The special land use application shall address all required information for consideration of the special land use and the associated site plan.
 - 7. The Planning Commission shall make a recommendation to the Township Board of Trustees regarding the proposed special land use.
 - 8. The Township Board of Trustees shall take final action on the requested special land use according to the standards defined in Subsection 15.05.A.
 - 9. If the Township Board of Trustees approves the special land use request, the Planning Commission shall complete a review of the site plan consistent with the standards set forth in Article 16 and incorporating any conditions placed on the special land use approval by the Township Board of Trustees.
- J. The special land use review and site plan review shall occur concurrently, unless the special land use request disturbs an area greater than 160 acres, in which case the process set forth in Subsection I above shall be followed.

SECTION 2.

SEVERABILITY

Should any portion of this Ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions.

SECTION 3.

EFFECTIVE DATE

This ordinance is to take effect seven (7) days after passage and publication thereof and as allowed by law.

We, the undersigned Supervisor and Clerk of the Charter Township of Mundy, Genesee County, Michigan, do hereby certify that the above Ordinance was passed by the Charter Township of Mundy Board on the 27th day of February, 2023.

TONYA KETZLER, Supervisor

CORY BOSTWICK, Clerk