

ARTICLE IX
MU Mixed Use District

§ 220-9-1. Purpose of District.

This zoning district is derived from the Mixed Use Area future land use classification in the Master Plan. The intent of this District is to provide a variety of uses and an appropriate mix of uses on the same lot, including high density residential, office, civic, and limited commercial and light industrial activities. This District is intended to allow land use flexibility to maximize utilization of urban infrastructure, such as water and/or sewer facilities, while creating a unique environment designed to function well with the existing natural features, surrounding neighborhood and overall region.

This District is designed to balance development with natural feature preservation, including wetlands, streams, rivers, woodlands, and topography, and create commercial/industrial land use patterns that focus on local surrounding residential development, to enhance the character of the Township and region.

§ 220-9-2. Permitted Uses.

The following uses are designated as permitted uses in this District:

- A. Attached living units or dwellings including condominiums, townhouses or apartments.
- B. A detached single-family home on an individual lot less than 8,000 square feet.
- C. Banks, savings and loan institutions, and similar financial establishments serving the local community, without a drive-through.
- D. Barber shops and beauty shops.
- E. Coffee shops, without a drive-through.
- F. Community facility.
- G. Essential services.
- H. Florist retail operations not including plant production on premises.
- I. Gift shops and antique shops with associated outdoor display areas limited to an area of 200 square feet.
- J. Laundromats, laundry and dry cleaning establishments (retail outlets only, not including large commercial/industrial laundry operations).
- K. Libraries and museums.
- L. Music/dance schools.

- M. Open space preservation development.
- N. Photography studios.
- O. Professional offices or clinics, including but not limited to medical, law, accounting, architectural, engineering, real estate and insurance offices.
- P. Restaurants, without a drive-through.
- Q. Retail clothing shops.
- R. Retail drug and pharmaceutical stores, without a drive-through.
- S. Retail grocery/party stores, which are integrated with onsite residential development.
- T. Retail sale of books, stationery, newspapers.
- U. Retail sales of bakery and dairy products, without a drive-through.
- V. Roadside stand.
- W. Veterinary clinics with indoor boarding facilities for in-patient care only.
- X. Accessory uses/buildings/structures; provided, however, that the keeping or raising of livestock and other agricultural uses are not allowed in this District as an accessory use or otherwise. Also see §220-16-13.B. for potential implications of Michigan Right To Farm Act siting guidelines for new and expanding commercial livestock production facilities.
- Y. Signs, in accordance with the applicable provisions of Article XVIII.
- Z. Qualified Residential Treatment Program.

§ 220-9-3. Special Land Uses.

The following uses are designated as special land uses in this District, subject to special land use approval and site plan approval in accordance with this Chapter:

- A. Auto refueling station (for the retail sale of fuel, lubricants, and other operating commodities for motor vehicles, boats or aircraft, and other incidental merchandise, but not including repair facilities).
- B. Auto parts/supplies completely contained within a building.
- C. Auto repair shops completely contained within a building.
- D. Banks, savings and loan institutions, and similar financial establishments serving the local community, with a drive-through, when deriving access from private internal access drive only.

- E. Bar or pub (providing that such use shall not be within 500 feet of a church, school, hospital, or adult or child care facility).
- F. Coffee shops, with a drive-through, when deriving access from a private internal access drive only.
- G. Crating and packing service.
- H. Day-care facility.
- I. Funeral homes.
- J. Greenhouse/nursery/landscaping/garden shops.
- K. Hospitals/emergency medical facilities.
- L. Hotels/motels.
- M. Laboratories—mechanical, medical, or environmental research/testing.
- N. Machine shop.
- O. Multi-Unit shopping centers or plazas.
- P. Open-air business.
- Q. Outdoor sales.
- R. Printing shops.
- S. Restaurants, with a drive-through, deriving access from a private internal access drive.
- T. Retail drug and pharmaceutical stores, with a drive-through, when deriving access from a private internal access drive only.
- U. Retail sales of bakery and dairy products, with a drive-through, when deriving access from a private internal access drive only.
- V. Self-storage rental units.
- W. Small wind energy conversion system.
- X. Warehouses and inside storage, not including self-storage facilities.
- Y. Other uses similar in character, nature and intensity to a designated permitted use or special land use in this district, and therefore compatible with such uses, as determined by the Zoning Administrator.
- Z. Marihuana Processor.

- AA. Medical Marihuana Processor.
- BB. Marihuana Retailer, with or without a drive-thru or drive-up facility; provided that any drive-thru or drive-up facility shall be accessed only from a private internal access drive and shall not be accessed directly from any adjoining public street.
- CC. Medical Marihuana Provisioning Center, with or without a drive-thru or drive-up facility; provided that any drive-thru or drive-up facility shall be accessed only from a private internal access drive and shall not be accessed directly from any adjoining public street.
- DD. Marihuana Microbusiness.
- EE. Marihuana Secure Transporter.
- FF. Medical Marihuana Secure Transporter.
- GG. Marihuana Safety Compliance Facility.
- HH. Medical Marihuana Safety Compliance Facility.

§ 220-9-4. Density, area, height, bulk and placement regulations.

In accordance with Article XV, except as otherwise specified in this Article or Chapter.

§ 220-9-5. Setbacks.

- A. Commercial, Office, Industrial, and Residential Building Setbacks:
 - 1. Front Yard – 30 feet
 - 2. Side Yard – 20 feet
 - 3. Rear Yard – 20 feet
 - 4. Commercial, office, and industrial buildings and parking lots shall be setback a minimum of 30' from any residentially zoned property or property located outside the Mixed Use District. This setback shall be landscaped as set forth in § 220-19-8.
 - 5. For each story, or for every ten feet of height, a building or structure shall be setback the same distance from the property line and/or adjacent building, regardless of the otherwise generally required setback.
 - 6. All buildings shall be setback a minimum of 30 feet from the M-37 and M-43 right of way.
 - 7. The Planning Commission may relax building setback requirements by up to 50% when the structure is accessed via an internal access road.
 - 8. Internal access roads may be built within the 30-foot building setback along M-37 and M-43.

§ 220-9-6. Lot Coverage.

The intent of the following lot coverage standards is to minimize unnecessary impervious surfaces, protect watershed quality, and to provide open space on each site. Lot coverage shall include the combination of all ground coverage and impervious surfaces including buildings, parking areas, sidewalks and drives.

- A. Lot coverage shall be limited to a maximum of 50%. The fifty percent maximum may be increased with approval from the Planning Commission by 5% for each of the following completed items:
 - 1. Significant natural features, including but not limited to, wetlands and forested areas and open space will be permanently preserved. These areas shall be located adjacent to other preserved areas on adjacent parcels to create interconnected open spaces.
 - 2. Areas with slopes greater than 20% will not be developed or graded. (Note: a 20% slope equals one foot of rise over five feet of run).
 - 3. Shared parking and/or cross access shall be designed within the development site and with adjacent property.
 - 4. Stormwater best management practices are incorporated into the development. The applicant will be required to provide a detailed report and analysis of the proposed facilities.

§ 220-9-7. Lot Size Requirements.

- A. For parcels located within an official sewer district, the minimum lot size is 21,780 square feet or ½ acre.
- B. For parcels not located within an official sewer district, the minimum lot size is 5 acres.

§ 220-9-8. Residential Density.

- A. The maximum residential density shall be 8 units per acre regardless if developed solely as residential or as part of a mixed-use development.
- B. Densities may be increased if permitted as part of an open space preservation development.

§ 220-9-9. Building Design and Architectural Standards.

- A. Building Height:
 - 1. The maximum building height in the Mixed Use District is 35 feet or 3½ stories, whichever is less. However, building height may be increased up to 45 feet or 4 stories, whichever is less, if all of the following criteria are met as determined by the Planning Commission:

- a. The proposed development is designed to provide for shared parking and/or cross access easements with adjacent parcels.
- b. Access to the proposed development will be derived from a local county road (not a state highway) or internal access road serving multiple lots.
- c. The height of the building shall be designed to blend with adjacent development and shall not create a dramatic height increase causing detrimental impacts to existing structures.
- d. The local fire chief has approved the height of any building over 35 feet.

B. Building Footprint:

1. Individual building footprints are permitted up to 10,000 square feet.
2. Building footprints over 10,000 square feet require a special land use permit subject to the following conditions:
 - a. The lot shall contain a minimum of 5 acres.
 - b. Buildings containing commercial and office uses may exceed 10,000 square feet footprint if the following condition is met:
 - (1) If residential development is incorporated into the development, it shall use and share the parking facilities that are used for the commercial development. However, the applicant may propose an alternate parking configuration which meets the requirements set forth in this chapter and is acceptable to the Planning Commission pursuant to applicable special land use and site plan approval standards.
 - c. Light industrial building footprints may exceed 10,000 square feet if the following conditions are met:
 - (1) Property with existing industrial uses borders the subject property.
 - (2) The proposed use will not be located within 100 feet of any residential use.
 - (3) The proposed use is similar in nature to existing surrounding uses.

Multi-family residential buildings not containing any commercial or office uses shall not exceed 10,000 square feet.

C. Architectural Standards:

1. Façade materials. At least 80% of the “façade” of a building with a footprint under 25,000 square feet, which for purposes of this provision is defined as that

portion or portions of such a building which either fronts on a public street or which faces an on-site parking lot, shall be constructed of one or more of the following materials:

- a. traditional hard coat stucco.
- b. brick.
- c. natural or cast stone.
- d. tinted and/or textured masonry block.
- e. glass.
- f. architectural pre-cast panels.
- g. wood, except materials such as T-71, plywood or particle board, or similar processed wood materials.
- h. other materials, as approved by the Planning Commission based on the visual compatibility of such other materials with existing buildings on adjacent properties and within 500 feet in the MU District.

All of the above façade materials requirements (C.1.a.-h.) shall also apply to a building with a footprint of 25,000 square feet or more, and steel is also a permissible façade material for such buildings in this District.

2. Facade design devices. All facades shall have a recognizable “top” or upper portion consisting of one or more of the following devices:
 - a. cornice treatments, other than just colored “stripes” or “bands”, with integrally textured materials such as stone or other masonry or differently colored materials.
 - b. sloping roof with overhangs and brackets.
 - c. stepped parapets.

In addition, if the building has more than one story, the façade shall have a horizontal expression line which separates each floor.

3. Facade wall design and features. That portion of a building which fronts on a public street shall be designed to eliminate large expanses of blank walls by the application of two or more of the following methods approximately every 50 feet in wall length:
 - a. doors with corniced parapets over the main entry door.
 - b. display windows that orient street-level customers to products.

- c. arched entryways, canopies or awnings.
 - d. changes in the plane of a wall, such as offsets, or projecting ribs which are at least 12 inches in width.
 - e. change in texture, color or masonry pattern.
 - f. pilasters, piers or columns.
 - g. other applications as approved by the Planning Commission to meet the intent of this provision.
4. Facade walls exceeding 100 feet in length. Façade walls more than 100 feet in total length shall also incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade and extending at least 20% of the length of the façade.
5. Customer entrances. Building facades shall exhibit clearly defined, highly visible, and articulated front entrances that feature at least two of the following devices:
- a. canopies or porticos.
 - b. overhangs.
 - c. recesses or projections of at least three percent of wall length.
 - d. arcades.
 - e. raised cornice parapets over the door.
 - f. distinctive roof forms.
 - g. arches.
 - h. outdoor patios.
 - i. display windows.

Rear customer entrances, if provided, shall also be subject to the foregoing standards.

6. Side/rear walls. Side or rear walls that face rear walkways or rear or side service drives may include false windows and door openings defined by frames, sills, and lintels, or similarly proportioned modulations of the wall, but only when actual doors and windows are not feasible.
7. Roofs.

- a. Buildings shall be topped with pitched roofs with overhanging eaves, or with flat roofs with articulated parapets and cornices. Materials for pitched roofs shall include shingles (either wood or asphalt composition), slate, tiles, or other material if such other material is similar to the roof material on buildings within 500 feet in the MU District.
 - b. Parapets shall be used to conceal flat sections of roofs and rooftop equipment, such as HVAC units, from public view. The average height of such parapets shall not exceed 25% of the height of the supporting wall, and such parapets shall not at any point exceed 1/3 of the height of the supporting wall.
8. Refuse containers. All refuse containers shall be located within a four-sided solid fence enclosure not exceeding six feet in height, constructed of materials and designed so as to coordinate with and complement the principal building or development with which it is associated, and screen the refuse containers from view on any adjoining premises or public street. Refuse container enclosures shall not be located in a front yard.

Modification of standards. The foregoing building design and architectural standards shall be subject to modification by the Planning Commission during the site plan review process upon finding the following factors are met:

- If the modification is approved the resulting development will still be consistent with the purposes of this District.
- If the modification is approved the resulting new building or alteration of an existing building will still be visually compatible with existing buildings on adjacent properties and within 500 feet in the MU District.
- In instances of the reconstruction or conversion of an existing building, approval of the modification is necessary to alleviate practical physical difficulties resulting from strict compliance with the specified standards and requirements.

§ 220-9-10. Site plan review.

Site plan review is required for all special land uses, and other uses as specified in § 220-21-1.B.