

Benzonia Village

Ordinance. No. 2020-05

US-31 CORRIDOR OVERLAY ORDINANCE

Purpose: An ordinance to amend in part the Ordinance entitled “Village of Benzonia Zoning Ordinance, Adopted October 2, 1997 Amended”, to add an article with an additional level of overlay regulations to the existing zoning in place for parcels that front the US-31 corridor through the Village of Benzonia.

Benzonia Village HEREBY ORDAINS

SECTION 1. PURPOSE

Section 1.1 Intent. The US-31 Corridor Overlay District is intended to implement the Village of Benzonia Master Plan 2020 by preserving the unique character of our Village and complimenting our historic resources, through additional regulations based on the vision and goals from the adopted Master Plan. It is recognized that the US-31 corridor is high-visibility, and the protection of community character and enhancements to development quality, including architectural control of development are critical. Providing this overlay will; promote economic development; stabilize and improve property values; protect and enhance the Village's attractiveness to residents, tourists, and other visitors; support and stimulate complementary development and future growth and provide economic stability to the entire community.

An overlay district is created for the purpose of providing special regulations in designated areas; accordingly, these regulations are in addition to and modify the requirements of the zoning districts, especially with respect to architecture and landscaping.

SECTION 2. APPLICABILITY

Section 2.1 Intent. The US-31 Corridor Overlay District is a mapped zoning district that imposes a set of requirements in addition to those of the underlying zoning district shown on the Village of Benzonia Zoning Map. In an area where an overlay zone is established, the property is placed simultaneously in the two zones.

Where there is any conflict between the provisions or requirements of the US-31 Corridor Overlay District and those of any underlying district, the more restrictive provisions apply.

Section 2.2 Defining the Boundaries. The area within the boundaries of the US-31 Corridor Overlay District shall be shown on a map included in this section and will be incorporated and made a part of the Village's official zoning map. All parcels within the Village that have frontage along US-31 are included in the boundaries of this overlay district. The US-31 Corridor Overlay District boundaries may be established and amended according to the Zoning Ordinance amendment procedures.

- A. Sub Districts. Within the US-31 Corridor Overlay District there shall be 2 sub districts. These shall be referred to the Corridor Overlay – General (COD-G) and the Corridor Overlay – Top-of-the-Hill (COD-T).
 - 1. Corridor Overlay – General (COD-G)
 - 2. Corridor Overlay – Top-of-the-Hill (COD-T)
- B. Unless specified regulations for the US-31 Corridor Overlay District shall apply to both sub districts.

Section 2.3 Applicability and Extent. The Overlay shall apply as follows:

- A. Any redevelopment or new development within the overlay district shall be subject to the full provisions of this chapter; with the following exceptions:
 - 1. Single Family Residences on Individual Lots. All single-family structures located on single family detached residential zoned lots are exempt from this ordinance but shall comply with the provisions set forth in other sections of the Village Ordinance. They may opt to comply with any portion of this article as desired. Any single-family residential structure that is altered for commercial use shall comply with the provisions set-forth in this ordinance.
 - 2. Replacement of a portion of a building due to its destruction from accidental fire, explosion or other casualty, act of God, the public enemy, or intentional acts other than those caused directly or indirectly by the owner shall be exempt; provided a building permit for such replacement is obtained within 365 days of the destructive event. This exception applies only to the extent and size of the previously existing building and provided that the replacement affects less than ten (10) percent of a building. If 10 to 75 percent of the building is required to be replaced, refer to item 2.2.A.4 below. If replacement requires more than 75 percent of the structure, refer to item 2.2.B below.
 - 3. Redevelopment of less than ten (10) percent of a building, and new development that increases building size or outdoor use area by less than ten (10) percent, need not comply with the requirements of this chapter. The percentage shall be calculated from the date of adoption of this ordinance.
 - 4. Redevelopment of 10 to 75 percent of a building, and new development that increases building size or outdoor use area by 10 to 75 percent, need only provide landscaping according to the requirements of Section 8 in this overlay ordinance in proportion to the percent of redevelopment/development. The percentage shall be calculated from the date of adoption of this ordinance.
- B. Redevelopment of more than 75 percent of a building's gross floor area over a period of 5-years or less, and new development that increases building size or outdoor use area by more than 75 percent shall fully comply with all the provisions of this ordinance.
- C. New exterior lighting, fencing, accessory structures, new parking lots and signage are subject to all applicable provisions of this overlay ordinance.
- D. The uses permitted in the overlay districts, whether by right or through a special use permit, are as permitted in the underlying district unless noted as an exception in Section 4 of this overlay ordinance.
- E. Overlay district regulations apply to both modifications of existing structures and new construction. However, in order to provide for a transition for existing structures, to alleviate hardship, and to allow flexibility for existing small parcels, authority is provided for reasonable deviations which are consistent with good planning principles.

Section 2.4 Overlay Corridor Permitting Process. Applicants should reference both the Village Zoning Ordinance and this Overlay Ordinance to complete the application process.

- A. Pre-Application Conference. A pre-application conference with the Zoning Administrator (ZA) and Village staff is required to give the applicant an opportunity to discuss plans before a great deal of time or money is expended. The applicant shall schedule and attend a pre-application conference with the Village no more than 60 days prior to the submitting a complete site plan application. Site plan information shall be submitted to the ZA at least 14 business days prior to the pre-application conference in a form identified by the ZA.

- B. Submit for Application. Applications shall be submitted per Article IX of the Village of Benzonia Zoning Ordinance. The applicant shall fill out the Application for either a Land Use (LU) Plan, Special Land Use (SLU) Plan, or Planned Unit Development (PUD) and submit it along with the required submittals and design review fee.
- C. Additional items required for review for projects in the corridor overlay may include:
 - 1. Building Elevations, that indicate proposed building materials and dimensions.
 - 2. Documentation to meet the Environmental Provisions, including Tree Removal and Replacement Documentation as necessary.
 - 3. Landscape Plan.
 - 4. Documentation of coordination with MDOT for driveways, right-of-way confirmation, landscape agreements or other necessary coordination items.
 - 5. The intended nature/use of the development and the names of any proposed business(es) for the project, along with the representative developer, must be clearly stated on both the application and plans.
- D. Zoning Administrator (ZA) Review
 - 1. Applications for LU permits shall be reviewed and approved by the ZA.
 - 2. Applications for SLU/PUD permits will be reviewed by the ZA and a report indicating the level of compliance with this corridor overlay and other applicable sections of the zoning regulations, along with any recommendations will be prepared and provided to the Planning Commission (PC) for purposes of the public hearing. The ZA report shall be based on but not limited to the following considerations:
 - a. Compatibility of land uses.
 - b. Compliance with the Overlay District Ordinance as well as all other applicable provisions of the Village Zoning Ordinance.
 - c. Environmental effects of the development and proposed use.
 - d. Potential nuisance created by the development and the proposed use.
- E. Public Hearing/Planning Commission Review if Applicable, per the existing Zoning Ordinance.
- F. Approval. Upon a successful review, the Village of Benzonia will issue to the applicant an Approved Permit. A copy of this shall be included with the Building Permit documents in order to receive a Building Permit from the County. Any changes or amendments to the building design and/or site plan will require another review of the Village and depending on the changes, may warrant another full review application process and fee.
- G. Appeals Procedure. In the event where the Applicant, ZA, and PC cannot come to an agreement, the applicant may appeal the decision to the Village Council, per the existing Zoning Ordinance.
- H. Permit Revocation. Per the existing Zoning Ordinance.
- I. Performance Guarantee: Whenever improvements to the project include visible site work, such as; parking areas, screen walls, landscaping (including tree replacement per the Environmental Provisions) and irrigation or other improvements are required by this Ordinance they shall be shown on a site plan for the proposed use. In addition, the owner of the subject property shall deposit with the Village Clerk a cash performance guarantee in the amount of 10% of the estimated cost of the required site improvements or as otherwise provided in this ordinance at the time of issuance of the land use permit. The entire sum shall be returned to the owner upon satisfactory completion of the required improvements within the terms specified herein.
- J. Certificate of Approval: May be issued by the ZA after all work is completed and conforms to the

approved site plan, any applicable warranties and all requirements for release of the performance guarantee is met. In the event that the work does not conform, the ZA will notify the party on the permit application of the nonconformity in order that the necessary steps can be taken to achieve approval and release of performance guarantee.

- K. Maintenance Requirement. The property owner is required to maintain the design requirements of the project. Neglect in maintaining the structure's appearance, landscaping, lighting and other design requirements may result in the revocation of the Permit or Certificate of Approval.

Section 2.5 Factors for Evaluation. The following factors and characteristics that affect the appearance of a development will govern the evaluation of a design submission for a permit application:

- A. Conformance of the regulations and the building design and site design criteria provided in this Overlay Ordinance.
- B. Logic of design.
- C. Exterior space utilization.
- D. Architectural character and how it relates to the existing character of the Village.
- E. Attractiveness of the material selections.
- F. Harmony and compatibility.
- G. Circulations, both vehicular and pedestrian.
- H. Maintenance and longevity.
- I. Protection of natural features, resources, historical and cultural aspects and sensitive areas.

Section 2.6 Use & Appearance Factors for Evaluation. The following are factors that affect the use and/or patterns of development and will govern the evaluation of a design submission for a permit application:

- A. The following uses are highly encouraged in the US-31 Corridor Overlay District as a means to implement the Village of Benzonia Master Plan 2020 and will be taken into favorable consideration during SLU review by the PC.
 - 1. Mixed-Use developments, particularly those with a residential component.
 - 2. Residential developments with a percentage of affordable housing units.
 - 3. Projects that incorporate sustainable development practices.
 - 4. Projects that promote and encourage locally owned business(s).
- B. Desired Land Use Patterns
 - 1. Developments that are intended to be mixed-use developments should have a minimum of 30% of the floor area dedicated to residential use.
 - 2. Residential units for mixed use developments should not be on the ground floor in units that face US-31 (to help maintain the commercial character of the corridor). They are encouraged on the ground floor in building developments and do not face US-31 corridor.
 - 3. Commercial and office uses shall be designed and operated so that neighboring residents are not exposed to offensive noise, especially from late-night activity. No amplified music shall be audible to neighboring residents. Common walls between residential and non-residential uses shall be constructed to minimize the transmission of noise and vibration.

SECTION 3. ADDITIONAL DEFINITIONS

Section 3.1 This section contains many commonly used terms found within this Article of the Ordinance. In addition to the definitions listed herein, all definitions from the Village Zoning Ordinance shall also apply. Additional definitions will include the following:

- A. **EIFS Panels:** an Exterior Insulation and Finish System (EIFS) and is a non-load bearing, exterior wall cladding system that consists of an insulation board attached either adhesively or mechanically, or both,

to the substrate; an integrally reinforced base coat; and a textured protective finish coat.

- B. **Encroachment:** any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.
- C. **Frontage:** the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.
- D. **Ground Coverage:** Shall mean all the impermeable surfaces that are in existence on a parcel; impermeable surfaces include: any structures on a foundation (decks and deck like structures are not included), patios, concrete areas, parking lots, driveways, swimming pools, etc.
- E. **Illuminating Engineering Society of North America (IESNA):** Is a nonprofit organization that develops and publishes standards regarding lighting. Headquartered in New York City, United States, IESNA standards are in effect throughout all of North America.
- F. **Impermeable Surface:** solid surfaces that do not allow water to penetrate, forcing it to run off.
- G. **Landscaped Area:** The unpaved area that contains grass, shrubs, flowers, ground cover, trees, or native plant materials of any kind and that may include decorative fixtures or accouterments such as rock, pools, and planters. Does not include artificial plants, trees, or vegetation.
- H. **Live-Work:** A Mixed Use unit consisting of a Commercial and Residential Function. The Commercial Function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry.
- I. **Mixed Use:** multiple functions within the same building, or same general area, through superimposition or adjacency, or in multiple buildings by adjacency, from which many of the benefits are pedestrian activity and reduced traffic. While mixed-use can take on many forms, it's typically categorized as either A) vertical mixed-use buildings; B) horizontal mixed-use blocks; or C) mixed-use walkable neighborhoods.
 - 1. Vertical Mixed-Use Building: Combines different uses in the same building. Lower floors should have more public uses with more private uses on the upper floors.
 - 2. Horizontal Mixed-Use Blocks: Combines single-use buildings on distinct parcels in a range of land uses within one block. With the advantage of sharing utilities and amenities while providing an easier to build and entitle mix of uses within a walkable block circumscribed by thoroughfares.
 - 3. Mixed-Use Walkable Neighborhoods: With the infinite number of various possibilities, these places combine vertical and horizontal use mixing in an area ideally within a 5 to 10 minute walking distance or quarter mile radius of a neighborhood center.
- J. **New Development:** shall include new construction, additions, or expansions of structures or uses.
- K. **Outdoor Display:** The display of goods and products actively being marketed and available for sale to the general public, but does not include materials otherwise classified as outdoor storage.
- L. **Outdoor Storage:** These are areas that contain storage of goods and products in closed boxes, crates, pallets, and other kinds of shipping containers, also including various stored mechanical equipment or vehicle out of doors that are not for sale to the general public.
- M. **Parapet Wall:** A low wall barrier at the edge of a roof or structure, which may serve to prevent falls over the edge, screen roof elements, or serve as a stylistic feature.
- N. **Redevelopment:** Shall mean either of the following: 1.) Construction or remodeling for the purpose of conducting a new classification of land use on a property that contains a pre-existing use; or, 2.)

Removal of an existing structure, or structural portion thereof, and replacement with new construction. Redevelopment is to be measured in units of area (e.g. square feet).

- O. **Retail: Characterizing** premises available for the sale of merchandise and food service.
- P. **Retail Frontage:** Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for retail use.
- Q. **Shopfront:** a Private Frontage conventional for Retail use, with substantial glazing and an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade.
- R. **Sidewalk:** the paved section of the Public Frontage dedicated exclusively to pedestrian activity.
- S. **Sign Types:**
 - 1. **Freestanding:** A sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other freestanding sign types not meeting the definition of a monument sign shall be either a pole sign or a pylon sign.
 - 2. **Mobile Sign:** A sign, which is not permanently attached to the ground, a structure, or any other sign and which is mounted or designed for mounting on wheels, or which is mounted or designed for mounting on a self-propelled or towed vehicle.
 - 3. **Monument:** A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. In this case landscaping comprised of at least 60% evergreen materials may meet the requirement of a permanent material.
 - 4. **Off-Premises Advertising Sign:** A freestanding sign erected, maintained or used in the outdoor environment for the purposes of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sales or lease of, the property on which it is displayed.
 - 5. **Pole (or Pylon):** Per the existing Zoning Ordinance.
 - 6. **Projecting:** A display sign that is attached directly to a building wall that extends more than fifteen (15) inches from the face of the wall.
 - 7. **Temporary Sign:** A sign that is not permanently affixed to the ground or to a building where it is located and can be removed from the premises. These signs are usually constructed of materials that are intended to last for at least thirty (30) days.
 - 8. **Wall Sign:** A sign that is painted on or attached directly to the surface of masonry, concrete, frame or other approved building walls, and which extends not more that fifteen (15) inches from the face of the wall.
- T. **Tree Lawn (or Curb Yard):** The area between the street (curb or no curb) the sidewalk of that street.

SECTION 4. USE REQUIREMENTS

Section 4.1 Allowed, Prohibited and Encouraged Uses.

- A. All permitted, special and conditional uses of the underlying zoning district are allowed subject to the specific requirements and procedures for each use classification, except as follows:
 - 1. Mixed Use shall be permitted as a principle use in all underlying zoning districts.
 - 2. The following uses will be considered Special Land Use in the US-31 Corridor Overlay District:
 - a. Any land use with proposed development that exceeds 5000sf.
 - b. Restaurants that propose a drive through and/or outdoor seating.

- c. Farmer's markets or any development with significant outdoor display area.
 - d. Mixed-Use Development that includes residential.
 - e. Residential developments with over 8 dwelling units.
3. SLU may be permitted by the PC, under the purview of Article XI and the additional requirements as a part of this US-31 Corridor Overlay District ordinance. SLU requests will require a site plan review and a public hearing, and subject to other reasonable conditions which, in the opinion of the PC, are necessary to provide adequate protection to the health, safety, general welfare, morals and comfort of the abutting property, neighborhood and Village.
- B. Uses Prohibited in the US-31 Corridor Overlay District.
- 1. Sexually Oriented Businesses
 - 2. Commercial Storage Units
 - 3. Pawn Shops/Loan Brokers/Title Loan Lenders
 - 4. Casinos/Gambling Operations
 - 5. Mobile Homes
 - 6. Developments with single tenant space that occupy more than 35,000sf

SECTION 5. DIMENSIONAL REQUIREMENTS

Section 5.1 Dimensional Requirements. All dimension requirements not otherwise noted below shall be the same as the underlying zoning district.

- A. Setbacks. Building setbacks measured from the right-of-way shall be as follows:
- 1. COD-G: varies per Right-of-Way:
 - a. 100FT R.O.W.
 - (i.) Front Setback: 20ft. Min – 75ft. Max. for all underlying zoning districts
 - (ii.) Side and rear setbacks per the underlying zoning district.
 - b. 150- 200FT R.O.W.
 - (i.) 0ft. Min – 40ft. Max. front setback for all underlying zoning districts
 - (ii.) Side and rear setbacks per the underlying zoning district.
 - 2. COD-T: Zero-lot line development is encouraged for the existing Compact Commercial (C-1) in the Top-of-the-Hill Sub District.
 - a. Underlying zone R-1:
 - (i.) Front Setback: 10ft min – 20ft Max.
 - (ii.) Side and rear setbacks per the underlying zoning district.
 - b. Underlying zone R-2, C-1:
 - (i.) Front Setback: 0ft min – 10ft Max.
 - (ii.) Side and rear setbacks per the underlying zoning district.
- B. There shall be no development in the required setbacks except as follows:
- 1. Drainage features designed to mimic the natural environment such as bioretention areas or rain gardens;
 - 2. Driveways;
 - 3. Landscaping;
 - 4. Lighting;
 - 5. Parks and park-like facilities (not including sports fields);
 - 6. Public utilities (limited to lines and other equipment);
 - 7. Retaining wall(s);

8. Sidewalks, pedestrian ways, or bikeways;
 9. Signs, subject to Section 7.2 Signs; and
 10. Streetscape elements.
- C. Projections into the required setbacks. The following structures may project into required front, side or rear setbacks as specified in this subsection, and shall not be considered in determining lot coverage:
1. Paved Terraces.
 2. Unroofed landings, decks, bay windows, stairs and balconies.
 3. Incidental architectural features.
 4. Roofs over open porches or other exterior approaches.
 5. Accessible Ramps.
- D. Heights.
1. COD-G: 30ft (2 story) max. for all underlying zoning districts.
 2. COD-T: Two-story development with residential or office use above is required for the existing Compact Commercial (C-1) in the Top-of-the-Hill Sub District, and strongly encouraged or all other underlying zoning districts.
 - a. 30ft (2 story) max. for all underlying zoning districts.
 3. Height Exceptions: Except as specifically provided elsewhere in this Ordinance, the height limitations contained in this Ordinance do not apply to cupolas, flagpoles, chimneys, heating and ventilation equipment, elevator housings, stairwell towers or similar appurtenances; provided, however, the following:
 - a. The appurtenance does not interfere with Federal Aviation Regulations;
 - b. The appurtenance does not extend more than twenty-five feet (25') above the maximum permitted building height, except for flagpoles, and church belfries that must be of greater height in order to function;
 - c. The appurtenance is not constructed for the purpose of providing additional floor area in the building;
 - d. The appurtenance complies with the screening requirements for mechanical equipment and appurtenances in Section 8.2 Screening.
- E. Area Requirements: per underlying zoning district except as noted.
1. COD-G: 30,000sf Minimum lot size.
 - a. All uses – Lot Coverage
 - (i.) Ground Coverage: 50% max.
 - (ii.) Open Space (landscaped area): Commercial – 20% min. Institutional/Residential – 30% min.
 2. COD-T:
 - a. Commercial – Lot Coverage
 - (i.) Building Coverage: None
 - (ii.) Open Space (landscaped area): None
 - b. Single Family Residential per underlying zoning district.
 3. Multi-Family Development Dimension Standards. These standards are intended to apply to multi-family developments such as assisted living, small apartments (more than 2 dwelling units), PUD's or similar type residential development;
 - a. Residential Units – Multi-family Developments.
 - (i.) Permitted Dwelling Units: The maximum number of permitted dwelling units within a multi-

family development shall be computed as follows: permitted dwelling units = gross land area of property / minimum gross land area per dwelling unit

(ii.) Gross Land Area/Dwelling Unit: 15,000sf, minimum 2 dwelling units allowed per acre.

(iii.) Minimum Open Space required shall be 30%

(iv.) The minimum open space standard does not apply to the COD-T sub-district.

b. For the purpose of intensity computations, “gross land area” shall mean the lot area plus one half (1/2) of the right-of-way of any abutting street to which the lot has access.

c. For example a lot with a “gross land area 3 acres (130,680sf) + ½ of the right-of-way along US-31 (3,800sf) = 134,480sf / 15,000sf = 8.96. **The lot would allow up to 9 dwelling units (If all other area requirements and requirements of the ordinance can be met)**

d. The application must include an evaluation report from the Benzie-Leelanau County Health Department indicating the on-site sewage availability supports the number of dwelling units allowed, per the site specific soil conditions.

4. These area requirements may be revised by the Planning Commission if Village sanitary sewer service becomes available.

SCHEDULE OF AREA REQUIREMENTS FOR THE US-31 CORRIDOR OVERLAY										
DISTRICT		MINIMUM LOT SIZE	SETBACKS			MAX. HEIGHT	MAX. LOT COVERAGE	MIN. FLOOR AREA	MIN. OPEN SPACE	
			Front	Side	Rear					
COD-G			Min.	Max						
	100 FT ROW									
	R-1	15,000sf	20ft	40ft	10ft	10ft	30ft	50%	960sf	30%
	R-2	15,000sf	20ft	40ft	10ft	10ft	30ft	50%	960sf	
	C-1	-	0ft	0ft	-	-	30ft	-		-
150 FT OR 200 FT ROW	C-2	30,000sf	20ft	75ft	10ft	10ft	30ft	50%		20-30%
	C-2	30,000sf	0ft	40ft	10ft	10ft	30ft	50%		20-30%
	COD-T									
COD-T	R-1	15,000sf	10ft	20ft			30ft	50%	960sf	-
	R-2	15,000sf	0ft	10ft			30ft	50%	960sf	-
	C-1	-	0ft	10ft			30ft	-		-

SECTION 6. BUILDING DESIGN

Section 6.1 General Building Design. All nonresidential and multifamily residential buildings in the Corridor Overlay District shall comply with the requirements below.

A. Each commercial, civic, industrial, business/retail, and multi-family development shall create an identity and design theme based on a palette of compatible rooftops, materials, and colors. Such identity shall be developed according to these base design guidelines to reflect the character of the Village of Benzonia. Once a theme is developed, all buildings in the development shall share the common architectural and landscaping themes, materials, and styles.

- B. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development. Buildings with multiple heights or section levels shall orient the shorter to the public right-of-way.
- C. Materials shall be of durable quality, and shall be selected for suitability to the type of buildings and the design in which they are used.
- D. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest.
- E. Franchise architecture that meets these minimum standards is allowed. National “standard”, prototype, or trademark designs shall be adapted to be compatible with these standards.
- F. New buildings in the COD-T sub-district should draw upon the common elements of historic buildings found in the Village, without copying them. Examples of common elements include similar fenestration, cornice lines, building widths, masonry construction, roof lines, and historic storefront facades. This will allow new structures to be seen as products of their own time, yet compatible with original Village character. Examples of development that are encouraged and photographs of historic developments at the 'top-of-the-hill' are presented in the Village of Benzonia Master Plan 2020.
- G. Applicants are encouraged to reference the Village of Benzonia Master Plan 2020.

Section 6.2 Architectural Standards. Traditional architecture is favored in the US-31 corridor through Benzonia. Several buildings original to the Village are located at the top-of-the-hill and include the Mills Community House, Benzonia Historical Museum as well as a few commercial buildings located near the post office. These buildings have materials consisting primarily of brick and wood. Roof types are primarily gabled, hip and valley with dormers, some utilize decorative parapets. Overly elaborate, “postmodern” and/or “high-tech” designs are discouraged. However, ornamentation which contributes to the character of the building is encouraged. All building facades that face the US-31 roadway, unless otherwise noted, shall conform to the following:

- A. Character.
 - 1. Materials and patterns must complement the area's character in terms of color, scale, and texture. When possible, relate entries, windows, signage, and other architectural components to adjacent buildings.
 - 2. Architectural features must be used to unify groups of buildings within a development.
 - 3. Colors should be restrained and subdued. Color choice should complement surrounding buildings.
 - 4. The color of the structure cannot be an advertisement for the business. New franchise architecture (a general design that is repeated throughout different locations by a particular corporation without consideration of a specific site or environment) must follow these design guidelines and create color schemes that blend in with the existing environment and are sensitive to their surroundings.
- B. Facade Design.
 - 1. Design large buildings so that they appear small in scale when seen from the sidewalk. Massive, monolithic facades shall not be permitted.
 - 2. The maximum height for all buildings in the Village is limited to 2 stories – design buildings to be human-scaled and pedestrian oriented at the street level.
 - 3. Facade Color. Facade color shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is discouraged. Any bright or trademark colors shall only be an accent.
 - 4. Rear and side facades shall be designed with materials and architectural features 'similar' to those present on the front of the building.

5. The same materials used on the front facade must wrap around the corner to both side facades for a minimum of 20 feet. After 20 feet the materials may transition to 'similar'.
- C. Entryway design elements and variations are encouraged. The following standards identify desirable entryway design features. Each principal building on a site shall have clearly defined, highly visible main entrance featuring not less than three of the following (does not apply to single family residential):
1. canopies or porticos
 2. roof overhangs or awnings
 3. recesses or projections
 4. arcades
 5. raised cornice parapets over the door or pediments
 6. peaked roof forms
 7. arches
 8. outdoor patios
 9. display windows
 10. architectural details such as tile work and moldings which are integrated into the building structure and design, or
 11. integral planters or wing walls that incorporate landscaped areas and or places for sitting.
- D. Windows. All building facades that are clearly visible from the corridor shall have windows with transparent, non-reflective glass with the following requirements:
1. First floor: Minimum 30% of total facade area that faces the US-31 Corridor. Other facades that are either clearly visible from US-31 or that face a side street must have a minimum of 20% of the total facade area.
 2. Second floor (and above): 20% of total facade area.
 3. Windows shall not be made to look vacant or opaque (except with operable sunscreen devices) and shall allow views into the building.
 4. Windows shall be a minimum of 2 ft above the finished floor level, unless approved by the PC.
 5. Windows shall be divided by multiple panes of glass, separated by a mullion, column, pier or wall section. This helps the window “hold” the surface of the facade, rather than appearing like a “hole” in the wall (an effect produced by a large single sheet of glass). All windows and doors should be selected with their energy conservation value in mind so as to achieve the highest possible energy savings.
 6. Windows shall be placed no closer than 30” from the corner of buildings, unless they are incorporated as a part of a block corner entrance.
 7. Windows shall be of anodized aluminum, wood, clad wood, vinyl, or steel.

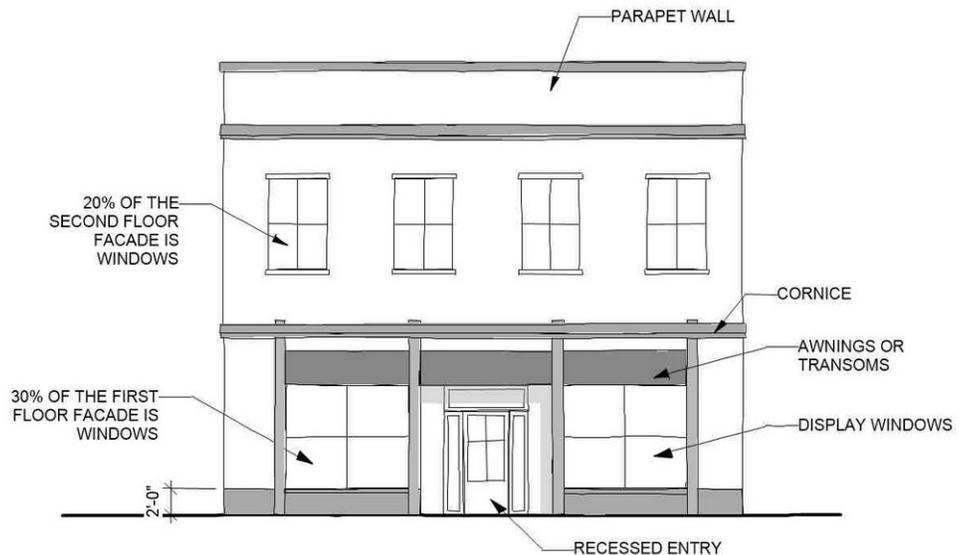


Figure 2: Facade Example for COD-T Sub District

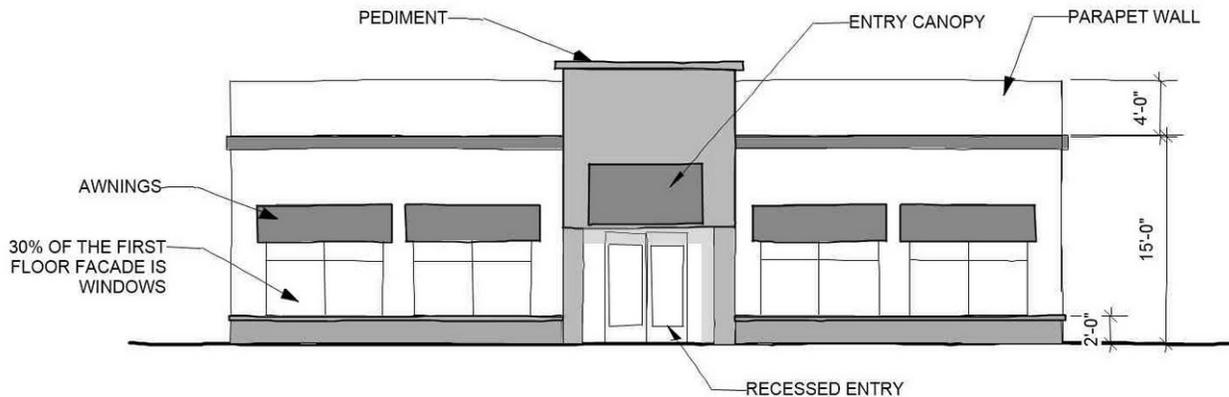


Figure 3: Facade Example for the COD-G Sub District

E. Doors. For all doors that are visible from the Corridor.

1. Doors shall be of wood, clad wood or steel.
2. Doorways that expand double height (more than one story) are not allowed.
3. Doors shall not be recessed more than 3 feet behind the shopfront windows and, in any case, shall have a clear view and path to a 45-degree angle past the perpendicular from each side of the door.
4. Roll down security gates or bars on any ground floor windows and doors are prohibited.

F. Awnings. Awnings shall be permitted on buildings subject to the following:

1. All awnings must be made from canvas fabric, similar waterproof material, or metal. Awnings that are a permanent part of the building architecture may be constructed of metal, wood, or other traditional building materials where they will add diversity and interest to the facade, and only if the design and materials are consistent with the overall design of the building. Aluminum, plastic, or rigid fiberglass awnings are prohibited.
2. All awnings shall be attached directly to the building, rather than supported by columns or poles.
3. Awnings shall be traditional in design; they shall be triangular in section, sloping outward and down from the top of the opening. Round-top, half-round, box, or other unusual awning shapes are prohibited. Internally back-lit awnings are prohibited.
4. There shall be a minimum of clearance of eight (8) feet between the sidewalk and the lowest part of the awning.
5. Awnings shall be maintained on a regular basis. Fabric awnings shall be replaced when torn, or when the Planning Commission determines that they are excessively faded or soiled.

G. Roofs. Roofs and parapets should demonstrate a common sense recognition of the regional climate by utilizing appropriate pitch, drainage, and materials in order to provide durability for weather conditions and to provide visual coherence along the US-31 Corridor.

1. COD-G: Roof type is flexible. Flat roofs are discouraged where practical.
 - a. Where flat roofs are used, parapet are required to the extent required (max. 4ft height) to hide all roof mounted mechanical equipment.
 - b. If a flat roof is facing US-31 and longer than 100ft it shall include varying heights or other architectural features to break up the monotony.
2. COD-T: Roofs shall be of the gable or hip valley style to reflect the character of the existing buildings.

- a. Parapet are required to the extent required (max. 4ft height) to hide all roof mounted mechanical equipment.
- 3. Green roof technologies are encouraged. Vegetative cover should be considered for flat roofs and solar panels should be considered for integration into pitched roof structures. No parapets are required where green roof technologies are used.
- 4. Fuel pump canopies.
 - a. Fuel pump canopies and related elements are functional elements of present-day gas/convenience stores and their character and appearance must reflect a minimalist design consistent with that function. Canopies and related elements should be coordinated with the overall site in terms of color, material, form, and detailing.
 - b. Colors shall be restrained and subdued. Color choice should complement surrounding buildings.
- 5. The color of the canopy cannot be an advertisement for the business. New franchise architecture (a general design that is repeated throughout different locations by a particular corporation without consideration of a specific site or environment) must follow these design guidelines and create canopies that blend in with the existing environment and are sensitive to their surroundings.
- H. Building Lighting. Lighting must be placed and shielded so as to direct the light onto the site and away from adjoining properties. The lighting source shall not be directly visible from adjoining properties. Floodlights, wall pack units, other types of unshielded lights, and lights where the lens is visible outside of the light fixture shall be prohibited.
 - 1. Appropriate Lighting Levels. Sidewalks and parking areas shall be properly lighted to facilitate the safe movement of pedestrians and vehicles and provide a secure environment. In parking areas, the light intensity shall average a minimum of 1.0-foot candle, measured five (5) feet above the surface. In pedestrian areas, the light intensity shall average a minimum of 2.0-foot candles, measured five (5) feet above the surface. The maximum average light intensity shall be ten (10) foot candles.
 - 2. Traditional/Decorative Fixtures. The Planning Commission may waive or modify the cut-off, orientation, and shielding requirements for traditional-style or decorative lighting fixtures, upon making the determination that the fixtures will comply with the illumination levels specified herein, will not cause glare or interfere with the vision of motorists, and will be consistent with the spirit and intent of this Ordinance.

Section 6.3 Building Materials. The following is applicable for all buildings situated on the US-31 Corridor. Materials shall be selected for suitability to the type of building and the design in which they are used. Buildings shall have the same or similar materials that are architecturally harmonious for all building walls and other exterior building components wholly or partly visible from the public ways.

- A. Exterior Building Materials.
 - 1. General.
 - a. A variety of materials, colors and exterior treatments are encouraged. Materials used on structures shall be long-lasting, attractive and high quality.
 - b. Foundation material may be plain concrete when the foundation material does not extend above grade.
 - 2. COD-G.
 - a. Traditional building materials, such as masonry, stone, brick, or wood, shall be used as the predominant exterior building materials for all new construction, renovations, and additions.
 - b. Plain concrete block, plain concrete, stucco (smooth or sand finish, no 'cake icing'), EIFS panels and high quality vinyl siding may only be used as secondary exterior finish materials, provided they cover no more than fifty percent (50%) of the surface area (may exceed 50% with approval

- of Planning Commission where material is scored or otherwise architecturally treated to give the appearance of texture rather than a flat, monotonous facade).
 - c. Metal may be used for decorative elements and trim only.
 - d. Prohibited: Corrugated metal, plywood, sheet press board.
3. COD-T.
- a. Traditional building materials, such as masonry, stone, brick, or wood, shall be used as the predominant exterior building materials for all new construction, renovations, and additions.
 - b. Plain concrete block, plain concrete, and high quality vinyl siding may only be used as secondary exterior finish materials, provided they cover no more than ten percent (10%) of the surface area (may exceed 10% with approval of Planning Commission where material is scored or otherwise architecturally treated to give the appearance of texture rather than a flat, monotonous facade).
 - c. Metal may be used for decorative elements and trim only.
 - d. Prohibited: Corrugated metal, plywood, sheet press board, EIFS panels, stucco
- B. The Planning Commission may approve alternative exterior manufactured exterior materials if there is a compelling structural reason, upon finding that such materials replicate authentic traditional building materials in terms of appearance and durability.

Section 6.4 Outdoor Displays and Storage

- A. Outdoor Displays.
1. **COD-G:** Integral Outdoor display of merchandise is allowed if kept in neat and orderly appearance and complies with the following standards:
 - a. Parking lots that include areas of outdoor merchandise display will require additional landscape standards to lessen visual impact from the corridor, refer to section 8.1.E.4
 - b. An attached and generally open air structure (no roof) enclosed on all four sides and sharing at least one common wall of the primary building and up to three open air walls. Any side facing US-31 or any Village Street shall be constructed of a minimum five (5) foot tall tubular steel or wrought iron fence with decorative masonry columns spaced no less than 20 feet apart and of a height equal to or exceeding the top height of the fence. Chain Link fencing is prohibited.
 - c. The integral outdoor display area shall not exceed 10% of the floor area of the primary building.
 - d. The front facade of the integral outdoor display shall not extend beyond the outer most plane of primary building' s front facade.
 - e. Outdoor display of merchandise in the parking lot in front of the buildings main facade shall require approval by the planning commission on a case-by-case basis. Under no circumstance shall it take up parking spaces required by the approved site plan.
 2. **COD-T:** Outdoor display of merchandise is allowed if kept in neat and orderly appearance and complies with the following standards:
 - a.
 - a. Outdoor display of merchandise is during posted business hours and shall be removed during non-business hours.
 - b. The display area shall not occupy more than 15% of the primary building' s front facade length or 30 (thirty) linear feet, whichever is less.
 - c. The display area shall not extend more than five (5) feet away from the face of the primary building' s front facade.
 - d. The height of the display area shall not exceed six (6) feet from grade to the highest point of the display area.
 - e. The merchant shall maintain a minimum 60-inch unobstructed path of travel from the exterior border of the display area to any public entrance, or to any curb, ramp, or crosswalk, or to any fixed obstruction (i.e. streetlight pole, street tree, planting area, planter pot, parking meter, newspaper rack, mail box, etc.) at all times.

- f. The display area shall not block sidewalks, parking areas, or impede pedestrian or vehicular circulation, or encroach on landscape areas including lawn area.
- g. Display racks/fixtures shall be made of good quality, durable materials and construction.
- h. The merchant shall maintain the display area in a neat and orderly manner at all times and comply with all other applicable Village ordinances.

B. Outdoor Storage. Outdoor Storage of Merchandise shall comply with the following standards:

- 1. No more than 10% of property or a maximum of 10,000sf whichever less) may be used for outdoor storage.
- 2. Outdoor storage areas, including drive aisles and storage pads, shall be compacted gravel, paved with concrete or asphalt and kept in a neat and orderly fashion.
- 3. Outdoor storage areas are only permitted along the interior side(s) or rear of the primary building and shall not encroach beyond the outer most plane of primary building' s front facade.
- 4. The outdoor storage area shall be screened by an eight (8) feet tall wooden fence or masonry wall. Chain link fencing is not allowed, unless it is a portion of the property that would be completely hidden from view from the US-31 corridor.
- 5. In no case shall the stored materials be placed or stacked above the screen fence.
- 6. In the COD-T sub-district: No outdoor storage is allowed unless completely behind the rear of the structure and is not visible from the US-31 roadway.

Section 6.5 Utilities.

- A. Utility meters, conduits, etc., shall be screened, constructed in a building recess, or otherwise hidden so they are not visible from any public road.
- B. Newly installed utility service and other service revisions necessitated by exterior alterations shall be underground.
- C. Fire Escapes. Fire escapes shall not be permitted on a building's front facade. In buildings requiring a second means of egress pursuant to the local building codes other routes of egress shall be used.

Section 6.6 Multifamily Residential Standards. These standards are intended to promote high-quality multi-family residential development (including small apartments, town homes, assisted living facilities or other senior housing) and construction; protect property values; and encourage visual variety and architectural compatibility.

- A. This section applies to development of all multi-family residential uses, unless otherwise indicated.
- B. In multi-building developments, the buildings are encouraged to be arranged to enclose and frame common areas. Common areas and courtyards should be convenient to a majority of units.
- C. No more than three (3) structures shall be located continuously on the same building line, or within 10 feet (10') of such building line established. Buildings shall be arranged so that the fronts of the buildings are set to the front or back of each adjacent front building line by at least ten feet (10') or more.
- D. The maximum length of any multi-family building shall be one hundred sixty feet (160').
- E. No uninterrupted length of any facade shall exceed fifty horizontal feet (50').
- F. Blocky, uniform facades are prohibited. The facades of all multi-family buildings shall be articulated through the incorporation of two (2) or more of the following:
 - 1. Balconies;
 - 2. Bay or box windows;
 - 3. Porches;
 - 4. Dormers;

- 5. Variations in materials; or
 - 6. Variations in roof forms.
- G. On multi-family buildings of eight (8) units or less, the massing and use of exterior materials should be arranged to give each building the appearance of a large single-family home.
 - H. The incorporation of a variety of roof forms is strongly encouraged. Upper-level residential floors may be incorporated into the roof form to reduce the apparent height and mass of buildings.
 - I. All elevations on multi-family buildings shall contain windows. Primary facades and street-facing elevations shall contain at least ten percent (10%) windows.
 - J. A multi-family building's architectural features and treatments shall not be restricted to a single elevation. All sides of a building open to view by the public shall display a similar level of quality and architectural interest.
 - K. At least sixty percent (60%) of the exterior of the building, excluding doors and windows, shall be constructed of but not limited to masonry, concrete panels, Exterior Insulated Finished Systems, and/or stucco. In addition, twenty percent (20%) of the street facing facade shall be constructed of natural brick or masonry rock.
 - L. Entrances should be prominent and visible from the street and from parking areas.
 - M. A multi-family project shall provide covered, enclosed, and secure storage areas for bicycles and other belongings that typically cannot be accommodated within individual dwelling units. Storage and other accessory buildings shall be designed with materials and/or architectural elements that are related to the principal building(s).
 - N. Detached garages and carports shall not be located between a principal multi-family building and the US-31 Corridor, but shall instead be internalized in building groups so that they are not visible from adjacent streets.
 - O. Detached garages and carports shall be limited to six (6) spaces per structure to avoid a continuous row of garages.
 - P. Detached garages and carports shall be integrated in design with the principal building architecture, and shall incorporate similar and compatible forms, scale, materials, color, and details.

SECTION 7. SITE DESIGN

Section 7.1 Site Design Standards. The following site design standards are intended to ensure that new development is compatible with the vision as established in the Village Master Plan and promotes a walkable and pedestrian friendly community.

- A. Building Placement. All buildings shall be oriented and face the US-31 roadway.
 - 1. If the site is on a corner, the structure is encouraged to have its first floor main entrance oriented towards the corner of the building and address both roads.
 - 2. All sides of a principal building that directly face an abutting street shall feature at least one customer entrance.
 - 3. Where parking is provided at the rear of the building, a second primary entrance may be located to provide access from such parking. Two primary entrances, one from the street and one from the rear parking area, are permitted.

4. No overhead, bay doors or garage-type doors are permitted facing the US-31 roadway. If overhead doors are a decorative and integral architectural feature of the building design they may be allowed per Zoning Administrator approval.
 5. Loading areas of buildings shall not be visible from the Corridor. Such loading areas shall be oriented away from view from the Corridor or shall be screened by a 6ft solid wooden fence.
- B. Pedestrian Access. Part of creating continuity along a developing corridor is providing appropriate pedestrian access, which includes connections within a development, and connections to adjacent developments, and to amenities such as public transit. Pedestrian access must be provided from the public sidewalks to the primary entrance. Therefore, primary entrances shall be visible and accessible from the public street. (Refer to Figures 17 and 18)
1. Pedestrian access must include at minimum, a 5 ft. wide concrete sidewalk from the public sidewalk to the building(s) main entrance(s). And shall comply with the Americans with Disabilities Act (ADA) Standards for Accessible Design, in all respects. Universal design is highly encouraged.
 2. The pedestrian access sidewalk must be reasonably routed through parking areas and all internal pedestrian ways shall be distinguished from driving surfaces through the use of durable, low maintenance materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort and minimize auto-pedestrian conflicts.
 3. Driveway Crossings. When a sidewalk crosses a driveway or shared driveway, the sidewalk shall maintain visibility and shall comply with ADA Standards for Accessible Design including tactile warning devices as needed. The appearance of the sidewalk shall be maintained across the driveway or shared driveway to indicate that pedestrians have the right-of-way.
- C. Other Pedestrian Facilities.
1. A bicycle rack to accommodate bicycle parking shall be provided on each commercial, retail, institutional, or mixed-use development.
 - a. A minimum of 2 bicycle parking spaces shall be provided.
 - b. For developments 5000-10000sf: Minimum 4 bicycle parking spaces provided.
 - c. For developments 10,000sf+: 2 additional bicycle parking spaces per 5000sf.
 - d. If multiple buildings are included in the development it is encouraged to provide bicycle parking (2 minimum) near the primary entrance of each building.
- D. Driveways and Parking.
1. Each Lot/Parcel shall be permitted one access point. Access points shall be aligned, spaced and designed with minimum spacing from intersections based upon recommendations from the Michigan Department of Transportation (MDOT).
 2. Additional driveways may be permitted by the Planning Commission if the following conditions exist:
 - a. The site has a frontage of over 660 feet and the spacing standards between access points listed below are met, and
 - b. The additional access will not prevent adjacent lands from complying with the access spacing standards when such lands develop or redevelop in the future. Or,
 - c. A traffic impact study, prepared in accordance with accepted practices as described in this chapter, demonstrates the site will generate over 300 trips in a peak hour or 3000 trips daily, or 400 and 4000 respectively if the site has access to a traffic signal, and
 - d. The traffic study demonstrates the additional driveway will provide improved conditions for the motoring public and will not create negative impacts on through traffic flow.

3. Where the subject site adjoins land that may be developed or redeveloped in the future, including adjacent lands or potential out lots, the access shall be located to ensure the adjacent site(s) can also meet the access location standards in the future.
4. Where direct access consistent with the various standards above cannot be achieved, access should be via a shared driveway or service drive. In particular, the Planning Commission may require development of frontage roads, or rear service drives where such facilities can provide access to appropriate locations, where service drives may minimize the number of driveways, and as a means to ensure that traffic is able to more efficiently and safely ingress and egress.
5. No driveway shall interfere with municipal facilities such as street lights or traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Zoning Administrator is authorized to order and effect the removal or reconstruction of any driveway which is constructed in conflict with street structures.
6. Site Access – Additional Submittal Information Required.
 - a. Existing access points. Existing access points within 250 feet on either side of the US-31 frontage, and along both sides of any adjoining roads, shall be shown on the site plan, aerial photographs or on a plan sheet.
 - b. The applicant shall submit evidence indicating that the sight distance requirements of MDOT or any other related requirements from MDOT are met.
 - c. Dimensions between proposed and existing access points.
 - d. Where shared access is proposed or required, a shared access and maintenance agreement shall be submitted for approval. Once approved, this agreement shall be recorded with the Register of Deeds and a copy provided to the Village Clerk.
 - e. Dimensions shall be provided for driveways (width, radii, throat length, length of any deceleration lanes or tapers, pavement markings and signs) and all curb radii within the site.
 - f. The site plan shall illustrate the route and dimensioned turning movements of any expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles and similar vehicles. The plan should confirm that routing the vehicles will not disrupt operations at the access points nor impede maneuvering or parking within the site.
 - g. Traffic impact study. Submittal of a traffic impact study may be required for any special land use that would be expected to generate 100 or more vehicle trips during any peak hour, or 1000 or more vehicle trips daily, or where modifications from the generally applicable access spacing standards are requested. The traffic impact study shall be prepared by a firm or individual that is a member of the Institute of Transportation Engineers with demonstrated experience in production of such studies. The methodology and analysis of the study shall be in accordance with accepted principles as described in the handbook "Evaluating Traffic Impact Studies, a Recommended Practice for Michigan," developed by the MDOT and other Michigan transportation agencies.
 - h. Review coordination. The applicant shall provide correspondence that the proposal has been submitted to MDOT and/or Benzie County Road Commission (BCRC) for their review. Any correspondence from MDOT and BCRC shall be considered during the site plan review process.
7. Modification of Access Standards. Modifications to the spacing and other standards above may be permitted by the Planning Commission as part of the site plan review process upon a finding that all of the following conditions apply:
 - a. The proposed modification is consistent with MDOT guidelines and MDOT staff support the proposed access design.
 - b. If deemed necessary by the Planning Commission, a traffic study by a qualified traffic engineer has been provided that certifies the modification will improve traffic operations and safety along US-31, and is not simply for convenience of the development.
 - c. The applicant shall demonstrate with dimensioned drawings that such modification shall not

create non-compliant access to adjacent lands that may develop or redevelop in the future.

8. Surface parking lots shall be screened from the US-31 corridor and from adjacent residentially-used or zoned land in accordance with Section 8.
9. A maximum of 2 bays of parking and one drive aisle is allowed in front of all uses, parking lots are encouraged to be placed in the rear or side yard. (Refer to Figures 17 and 18)
 - a. Parking stalls in the corridor for 90 degree parking shall be 18ft x 9ft, compact parking spaces may be allowed with ZA approval.
 - b. Parking Aisles in the corridor for 90 degree parking shall be 24ft min.
10. Shared driveways, cross-access, and shared parking is encouraged. Cross access easements and shared maintenance agreements shall be executed by an attorney and both parties and recorded at the Office of the Register of Deeds at the County and a copy provided to the Village Clerk. This shall be done at the same time the parking lot is constructed.
11. The parking lot may not exceed the minimum number of spaces required, unless approved by the Planning Commission.
12. Parking lot design shall include:
 - a. Integrated pedestrian routes shall be provided to provide a clear direction for pedestrians from the edge of the parking lot to the main entrance of the building. These may be sidewalks or painted crossings and should be integrated within the overall pedestrian sidewalk system. Painted crossing must be maintained so the markings are visible.
 - b. 1/tree per 20 spaces or a minimum of 2 along any front yard parking lot facing US-31.
 - c. Trees are not required to be in a planting island if there is a planting strip at least 5 feet in width along the edge of the parking lot and the parking lot does not exceed 5000sf
 - d. Five (5) percent of the interior of any parking lot exceeding 5,000sf in area shall be landscaped in the form of landscaped islands.
 - e. In any size parking lot, IF landscape islands are created as a result of the parking lot design, painted or striped islands shall not be permitted.
 - f. Landscaped islands shall be designed to be depressed, planted with native plant materials and integrated with the site stormwater collection system to aid in the collection of and filtering of stormwater runoff.
 - g. Landscaped islands shall be a minimum of 3 ft wide. If they are to contain a tree they shall be 136sf minimum, and six (6) feet

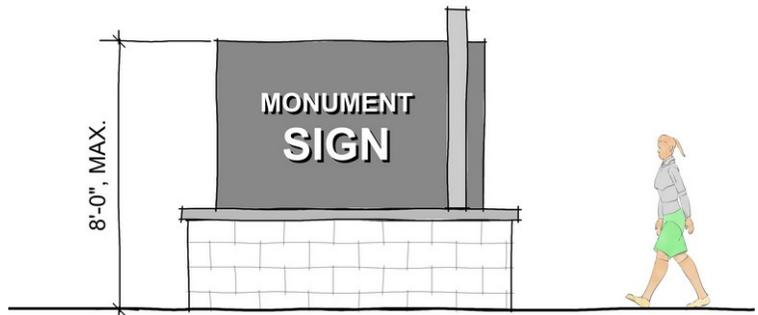


Figure 4: Acceptable Monument Sign with Masonry or Stone Base



Figure 5: Acceptable Monument Sign with Landscaped Material Base

- minimum in width or length.
- h. If required, one (1) shade tree shall be planted in every required landscaped island.
- i. Required landscaped island may be used for parking lot light poles per Section 8.1.G.

Section 7.2 Signs. Developments shall comply with all applicable requirements of this ordinance and the underlying ordinance, Article 13 Signs. The following design standards shall be followed for all new and replacement signage in order to preserve or enhance the community character: (In the event of inconsistencies, the standards contained in this section shall govern.)

- A. When new site development is proposed, sign locations shall be shown on building elevations and site plans submitted for site plan approval and shall be reviewed and approved by the Planning Commission. Signs proposed for an existing site developed under the standards of this Section shall require only a sign permit reviewed by the Zoning Administrator, unless it requires a special land use permit.
- B. A sign plan shall be required for all multi-tenant buildings, which shall include, at minimum, colors, dimensions, lighting, and location for all proposed and future signage.
- C. Sign Types: The following signs are the intended to be allowed in the US-31 Corridor. Signage should preserve and reflect the community character and be compatible with the surroundings.
- D.
 - 1. Freestanding Signs.
 - a. One freestanding sign shall be permitted per lot.
 - b. The style shall be monument signs or double-pylon signs with covered poles.
 - c. Signs are required to have a masonry or stone base, or permanent landscaping that is comprised of at least 60% evergreens, and maintained to an appropriate height as to not obscure the sign message. Required plant materials that die must be removed and replaced within 3 months with new appropriate plant material.

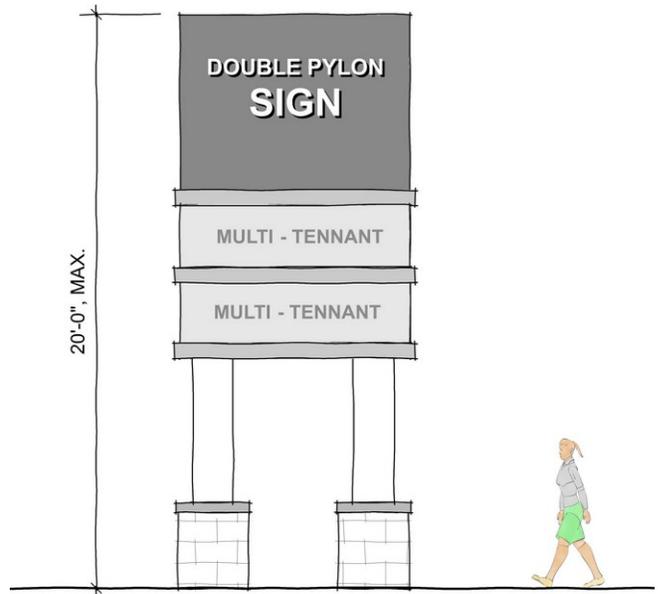


Figure 6: Acceptable Double Pylon Sign with Covered Poles



Figure 7: Prohibited - Internally Lit with Light Colored Background



Figure 8: Allowed - Internally Lit with Opaque Background

- d. Area – The signage size limits shall comply with the Village Zoning Ordinance, Article 13 Signs, Section 13.7.
 - e. Height – 8ft max. for lots with less than 200ft of street frontage. For lots with 200ft or more of the street frontage and with multiple tenants, the height shall be up to a maximum of 20ft.
2. Building Signs.
- a. The maximum total area of all allowable building signs shall be equal to no more than ten percent of the area of the wall of which such sign is a part or to which each such sign is attached.
3. Residential Signs. COD-T sub-district
- a. Home Occupation shall be per the existing zoning ordinance, one (1) allowed per parcel, a masonry base is not required, any illumination is prohibited.
4. Window Signs.
- a. Should not exceed more that 25% of the surface of the window.
5. Projecting Signs
- a. Projecting signs mounted on a wall with faces not parallel to the wall may project not more than four feet and shall be set away from the wall a minimum of six (6) inches but not more than twelve (12) inches. Where projections are over doors or walkways, a minimum vertical clearance of eight (8) feet shall be provided. Where projections are over a travel lane a minimum vertical clearance of fourteen (14) feet shall be provided.
6. Off-Premise Signs.
- a. Low-key signs type signs used as Village wayfinding or directory signs for local business located off the main corridor only. Billboards are not allowed. Refer to Village Zoning Ordinance, Article 13, Signs.
- E. Sign Placement. Sign Setback and Sign height shall be by the existing Zoning Ordinance along with the following:
- 1. In the COD-T district projecting signs may extend into the right-of-way provided there is a vertical clearance of at least eight feet (8') above the sidewalk and the sign does not extend past the sidewalk.
 - 2. Except for directional signs, no permanent freestanding signs, projecting signs, on-premises advertising signs, or wall signs shall be located within fifty feet (50') of any residential zoned district.
 - 3. Any sign located within fifty feet (50') to one hundred feet (100') of a residential zoned district shall be limited to a maximum height of eight feet (8') and shall not exceed sixty-four square feet (64sf) of display area, regardless of setback.
 - 4. Site Triangle Clearances. Except for standard public signs, no signs shall be located within twenty-five feet (25') of the point of intersection of the ultimate right-of-way of two or more public streets, nor within twenty-five feet (25') of the intersection of a public street right-of-way and a private street or driveway.
 - 5. All freestanding signs or projecting signs shall maintain a minimum separation of thirty feet (30') from any other freestanding sign or projecting sign.
 - 6. Any sign that projects over a vehicular access area shall have a minimum of fourteen feet (14') of clearance.
- F. Sign Lighting.
- 1. COD-G. In the general corridor overlay district, illumination of all signage, except wall signage, shall be limited to cut-out letters and indirect lighting.
 - a. Internally lit monument or back lit wall signage shall be permitted however, the background of the sign face shall be opaque (dark) and light shall only come through the lettering of the sign. White, off-white, tan, beige, yellow and other like light colored backgrounds for internally lit signs

are prohibited.

2. COD-T. In the 'top-of-the-hill' corridor overlay district, illumination of all signage, shall be limited to cut-out letters and indirect lighting. All internally lit signs are prohibited in the 'top-of-the-hill' district.

G. Number of Signs, Sign Area and Sign Setbacks. Refer to Village Zoning Ordinance, Article 13, Signs.

H. Prohibited Signs.

1. Signs with supporting members less than one-third of the width of the sign face (known as "pylon, pole or lollipop" signs) are prohibited. With the exception of double-pylon signs with covered poles.
2. Portable Signs, unless temporary.
3. Rotating Signs
4. Inflatable or tethered balloon signs, unless temporary.
5. Signs on Utility Poles.
6. Beacons or signs with flashing or intermittent light source, or which moves or contains any moving, periodic, intermittent, or flashing display other than messaging signs as permitted in Article 13.
7. Roof Signs

I. Temporary Signs. Temporary event signs are permitted provided that the sign is located on the lot or premises where the event is to occur and that the maximum size of such signs shall not exceed sixteen (16) square feet and that not more than two (2) such signs shall be located on any lot or premises. Temporary signs shall not be permanently attached to a structure nor permanently mounted in the ground. The temporary event sign may be displayed for special events or promotions for up to 2 weeks before the event, Signs must be removed immediately after the event.

J. Non-Conforming Signs. Continuance: A non-conforming sign lawfully existing at the time of adoption or subsequent amendment of this ordinance may continue, although such sign does not conform to the provisions of this Ordinance. Any non-conforming sign that must be replaced or repaired at a cost of more than 35% of its replacement costs, must conform to the provisions of this Overlay.

K. Enforcement. The Zoning Administrator is authorized to order the repair or removal of any sign and its supporting structure to order the repair or removal of any sign and its supporting structure which is judged dangerous, or in disrepair, or which is erected or maintained contrary to this Ordinance. Any sign which has been ordered removed by the person, firm, or corporation responsible for the sign shall be removed within thirty (30) days of written notice to remove.

L.

Section 7.3 Lighting. In order to reduce the impact of lighting on neighboring residential uses, potential safety hazards to the traveling public, and negative effect on view-sheds and nightscapes, lighting within the US-31 Corridor Overlay District shall be fully shielded and directed to avoid illuminating the night sky and meet the following requirements:

- A. Exterior lighting. Light sources shall be concealed or shielded with luminaries with cut-offs with an angle not exceeding ninety degrees (90°) to minimize the potential for glare and unnecessary diffusion on adjacent property. For purposes of this standard, "cut-off angle" is defined as the angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source above from which no light is emitted, as defined by the Illuminating Engineering Society of North America (IESNA) (Refer to Figure 9.)

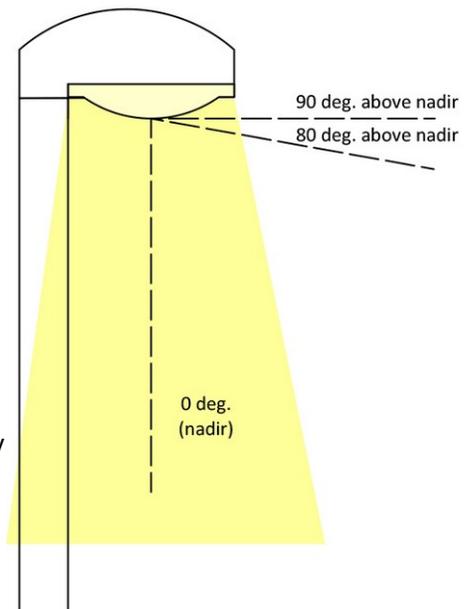


Figure 9: Full Cut-Off Light Fixture

- B. Exterior lighting shall not blink, flash, oscillate, or be of unusually high brightness.
- C. Parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness.
- D. Lighting shall not illuminate neighboring residential properties.
- E. Lighting shall not be directed towards or illuminate the US-31 right-of-way or be directed in a manner as to distract or harm the traveling public on road rights-of-way.
- F. On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings, but shall not be used to illuminate entire portions of building(s).
- G. In order to promote safety and security in developments, lighting should be used at intersections, development entrances, and in parking areas.
- H. Any redevelopment project and/or site lighting replacement for any property in the Corridor Overlay Zone will require a land use permit to show compliance with this Overlay.
- I. The height of light poles and fixtures shall be approved through the site plan process.
- J. In general, pedestrian scaled fixtures shall have a maximum height of 16ft – 20ft. Vehicular scaled fixtures shall be in the 20ft – 35ft max. range.

Section 7.4 Mechanical/Utilities.

- A. Ground Equipment.
 - 1. All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, by using walls, fences, roof elements, screening devices or landscaping at a sufficient height to screen the equipment.
- B. Roof Mounted Equipment.
 - 1. Flat roofs shall incorporate parapet walls or an opaque enclosure around roof-mounted equipment using materials used on the primary facade designed to screen the roof-mounted equipment from view from the corridor fronting the building, to the maximum extent practicable. All parapet walls visible from the corridor shall be finished and be the same or similar in color and material to the building.
 - 2. For sloped roofs, roof-mounted equipment and other roof penetrations should be located and screened to have a minimal visual impact as seen from the corridor or existing residential uses.
 - 3. In cases where complete screening is not practicable, all roof-mounted equipment and other roof penetrations shall be camouflaged through the use of paint or architectural techniques to minimize its appearance.
 - 4. Green roofs, which use vegetation to improve stormwater quality and reduce runoff, are permitted as an alternative to the roof forms described above, and at the discretion of the Planning Commission may reduce and/or eliminate parapet and screening requirements for roofs.

SECTION 8. LANDSCAPE, TREES, SCREENING, AND FENCING

Section 8.1 Landscape Standards. This section is intended to ensure that new landscaping and the retention of existing vegetation is an integral part of all development, and that it contributes added high quality to

development, retains and increases property values, conserves water, and improves the environmental and aesthetic character of the community. It is also the intent of this Section to provide flexible requirements that encourage and allow for creativity in landscape design.

A. Applicability.

1. These landscape requirements shall apply to all new development in the corridor.
2. Enlargement of existing development.
 - a. Increase in impermeable lot coverage of more than 2000sf.
 - b. Or per Section 2.2 Applicability and Extent.
3. Exemptions
 - a. Individual single family and two-family dwellings on lots where the residential is the primarily use on the lot.

B. Landscape Plan.

1. A landscape plan equal in size and scale to the building development site plan shall be submitted with the site plans for permitting.
2. Locations, sizes and species of the proposed landscaping shall be indicated on the plans.
3. Planting details and specifications shall be included.
4. Tree removal, protection and planting shall be per the requirements in Article XVI Environmental Provisions of the Village Zoning Ordinance.
5. Description of the irrigation system and the extent of coverage indicated.
6. One (1) year Guarantee on all plant materials, including street trees, and performance guarantee per Section 2.3 required for the approval of all landscape plans.

C. Street Trees. A minimum of one (1) deciduous canopy tree shall be planted for each fifty (50) feet of corridor frontage or a minimum of one street tree per parcel, unless existing circumstances prevent planting. Existing circumstances that prevent street tree planting must be approved by the ZA and indicated on the plan submittal as such. Street trees are to be planted in the R.O.W. (Refer to figures 10-18).

1. Street tree species and planting requirements per Article XVI, Environmental Provisions.

D. Front Yard Landscape. Landscaping shall be required for all buildings that face the US-31 corridor. Required landscaping materials may be clustered within the applicable areas. The listing of required plant materials below defines the total applicable planting requirements but does not require a uniform spacing of plantings. The following are minimum standards for front yard landscaping for the parcel as measured along the front lot line, round up to the nearest whole number. (Refer to figures 17 and 18 for examples).

1. 1 large canopy or shade tree/75lf.
2. 1 small understory/ornamental tree/50lf.
3. 1/medium shrub (3-6ft mature size)/10 lf.
4. A minimum of 10% of the total front yard should be landscaped. The landscape should typically be

planted to provide an attractive view from the US-31 corridor and be comprised of trees, shrubs, perennials, native grasses, landscape boulders, water features, artwork or other features as approved by the Planning Commission. Plants species should be used to provide 4-season interest.

5. Landscaping required for Front or Side Yard parking lot landscaping or screening may be used to meet these requirements, if located in the front yard.
 6. Up to ¼ of the required landscape may be planted in the R.O.W., with coordination with MDOT.
- E. Parking Lot Landscaping for Front or Side Yard Parking Facing Corridor. A parking lot landscape buffer is required when a parking lot is located between the front of the building and the US-31 corridor or for parking in the side yard facing the US-31 corridor.
1. A minimum 5-foot wide buffer between the parking lot and the R.O.W., which shall include evergreen shrubs planted to form a continuous hedge with a height of 3 feet at maturity in between the parking lot and the road R.O.W (Refer to Figure 17 or 18).
 2. If the buffer between the parking lot and R.O.W. is less than 5ft wide, a decorative masonry wall or decorative wrought-iron appearing fence with a height between 2.5 and 3.0 feet must be included as well as planting space (3ft. Min width) for shrubs/vines or other evergreen plant materials. If a fence is proposed, decorative masonry pillars (or substitute material) are required to connect fence panels with a minimum of one pillar being provided every 24-25 feet, or as approved by the Planning-Commission.
 3. If adequate existing vegetation remains in place between the proposed parking lot and corridor, and is properly protected during construction, the landscape requirement for parking buffer may be waived or reduced by the Zoning Administrator. This should be noted on the plan submittals.
 4. If outdoor display of merchandise is located in the front yard, additional landscape screening in the form of additional evergreen shrubs, understory/flowering trees or fencing will be required on a case-by-case basis with approval of the Planning Commission.
- F. Parking Lot Landscaping – Adjacent to a Residential Parcel.
1. A minimum 10-foot wide buffer between the parking lot and the property line.
 2. A minimum 4-foot wide planting strip, planted within the 10-foot wide buffer, which shall include evergreens planted to form a continuous hedge with a height between 10-12 feet at maturity in between the parking and the residential parcel (Refer to Figure 17).
- G. Interior Parking Lot Landscaping.
1. COD-G:
 - a. At least one canopy tree shall be planted for every twenty (20) parking spaces. In multi-family developments, at least one tree shall be planted for every fifteen (15) parking spaces. The number of required trees shall be rounded to the nearest whole number. These trees shall be planted inside or within fifteen feet (15') of the parking lot, but shall not be placed in the landscaped edge required in Subsection 8.1.D. above. Trees shall be two-inch (2in) caliper minimum and shall be on the Village's approved tree list.
 - b. Understory/Ornamental trees are permitted only if conflict with overhead utility wires.
 - c. A landscaped island at least 4ft wide by the length of a parking stall shall be provided on both sides of all drives that provide access from the US-31 corridor where the drive is perpendicular to parking bay(s).
 2. COD-T: No interior parking lot requirements unless new parking lots are in excess of 30 parking stalls.

3. All parking lot landscaped areas shall be protected by a raised six-inch (6in) concrete curb or wheel stops. The curb shall be flush if used for depressed landscaped islands or other planting areas that are integral to site stormwater system. Pavement shall not be placed closer than four (4ft) from the trunk of any tree.
 4. Landscape islands shall contain at least one hundred thirty six square feet (136sf) of planting area, with a minimum width of six feet (6ft) with a tree or three feet (3ft) without a tree.
 5. Lighting for parking lots may be contained within an interior parking lot landscaped area provided the landscaped area is a minimum of 136sf in area and provided the landscaping and trees, at maturity and as maintained, shall not obstruct the illumination path. Canopy trees are not allowed to be planted in the same landscaped area as light pole.
- H. Building Foundation Plantings. Structures shall be provided with landscaping along the portion of their foundations that is visible from from the US-31 corridor, that does not otherwise consist of a pedestrian entrance sidewalk. The landscaped area must be at least five (5) feet wide and must be planted with at least one shrub per three (3) lineal feet of foundation. At least 30% of the species shall be evergreen.
- I. Detention Pond Landscaping. All detention ponds or similar stormwater management facilities (including bioswales, rain gardens, and similar facilities) shall be designed to have a natural appearance incorporating natural looking grading contours and native plant materials whenever possible. Detention pond landscaping shall comply with the following requirements:
1. Detention ponds shall be planted with native grasses having a minimum height of 24 inches or detention pond seed mix to discourage use by waterfowl and to promote bioremediation (decontamination of the stormwater by filtering through the plants).
 2. Clusters of large shrubs spaced not more than six (6) feet on center shall be provided above the high water or freeboard elevation of the pond. A minimum of one shrub shall be planted for every twenty (20) linear feet measured along the freeboard elevation of the pond.
 3. One canopy deciduous tree (e.g., oak, maple, etc.) shall be planted for every fifty (50) linear feet measured along the freeboard elevation of the pond. OR One understory tree shall be planted for every 40 (40) linear feet measured along the freeboard elevation of the pond.
 4. All planting must be native to Northern Michigan.
- J. Landscaped Area Requirements in Mixed-Use Developments and PUDs.
1. A minimum landscaped area in Planned Unit Developments shall be required as follows:
 - a. Mixed-Use: Fifteen percent (15%) of net developable area
 - b. Office Use: Fifteen percent (15%) of net developable area
 - c. Commercial Use: Ten percent (10%) of net developable area
- K. Plant Material Sizes at Installation. Plant Materials shall meet the standards of The American Standard for Nursery Stock (ANSI Z60.1) published by: American Horticulture Industry Association.
1. Tree sizes to be coordinated with the requirements as needed to meet the Environmental Provisions Article OR shall be no less than two-inch (2in) caliper minimum and shall be on the Village's approved tree list.
 2. Shrubs shall be at least 3-gallon or #3 container size.
 3. Native grasses and perennials shall be at least 1-gallon or #1 container size.
 4. Groundcovers shall be at least 4" container size, plugs are not permitted for areas without irrigation or without approval from the ZA.
- L. Irrigation. An irrigation system for all landscaped areas consisting of grass and formal landscaping must be designed, installed, and used to provide for proper watering of such areas. Only the areas visible

from the US-31 corridor are required to have irrigation. Any other required landscaping in the side or rear yards (detention ponds, buffers or tree replacements) shall have a reliable water source (hose bib) located within 100ft of any required plantings.

- M. Visibility. Landscaping, including berms, shall not obstruct pedestrian and/or vehicular traffic visibility at street intersections or at access points to streets.
- N. Maintenance. Every property owner and any tenants shall keep their landscaped areas in a well-maintained, safe, clean, and attractive condition at all times. Such maintenance shall include, but is not limited to, the following:
 - 1. Landscaped areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscape.
 - 2. All plant material shall be maintained in a healthy and growing condition. If any required tree fails, it shall be replaced, regardless of the one (1) year guarantee. Other required landscaping that is diseased, damaged, destroyed, or removed must be replaced with plant material of similar variety and size. Required plant materials that fails shall be removed and replaced within 6 months.
 - 3. Lawn mowing on a regular basis.
 - 4. Proper pruning.
 - 5. Watering on a regular basis.
 - 6. Maintenance of landscape lighting in working order.
 - 7. Maintenance of underground irrigation systems in working order.
- O. Tree Protection and Replacement per Article XVI, Environmental Provisions.

Section 8.2 Screening. These standards shall be incorporated to lessen the visual impact of service and loading areas in the US-31 Corridor.

- A. Applicability. All multi-family residential and all nonresidential uses shall be required to provide screening as specified in this Section to block the views of the specified features (e.g., refuse collection, service areas) from any adjacent street or public open space or any adjacent property or public areas of a site. For purposes of this Section, public areas of a site include public parking areas, outdoor display or sales areas, outside eating areas, or other areas to which customers, clients, and guests are given regular access.
- B. Trash Collection. In order to reduce the visual impacts of multi-family and nonresidential development, and to avoid problems with blown trash and pests, all refuse collection receptacles shall adhere to the standards that follow.
 - 1. Outdoor refuse collection receptacles shall not be located in a required front setback, and should, depending on the size of the site and need for access by refuse collection vehicles, be set back from the front plane of the principal structure. Refuse collection receptacles for nonresidential uses shall not be located in any setback area or required landscaping area that abuts an adjacent residential use. Refuse collection receptacles shall not be located within any area used to meet the minimum landscaping or parking and loading area requirements of this Chapter, or be located in a manner that obstructs or interferes with any designated vehicular or pedestrian circulation routes on site.
 - 2. Screening Enclosure. Each refuse collection receptacle shall be screened from view on all sides by a durable sight-obscuring enclosure consisting of an opaque fence or wall of between six feet (6') and eight feet (8') in height. Where the access to the enclosure is visible from adjacent streets or residential properties, the access shall be screened with an opaque gate. The enclosure shall be maintained in working order, and remain closed except during trash deposits and pick-ups.
 - 3. Maintenance of Refuse Collection Receptacle. The lids of receptacles in screening enclosures without roof structures shall remain closed between pick-ups, and shall be maintained in working order.
- C. Service, Storage, and Off-Street Loading Areas. Service, storage, and off-street loading areas shall be

designed and located to reduce the visual and acoustic impacts of these functions on adjacent properties and public streets. Non-enclosed service, storage, and off-street loading areas shall be screened with durable, sight-obscuring walls and/or fences of between six feet (6') and eight feet (8') in height. Screening materials shall be the same as, or of equal quality to, the materials used for the primary building and landscaping.

- D. Rooftop Mechanical Equipment. Refer to Section 6. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be accomplished through the use of parapet walls.
- E. Wall-Mounted Mechanical Equipment and Meters. Wall-mounted mechanical equipment, including air conditioning or HVAC equipment and groups of multiple utility meters, that extends six inches (6") or more from the outer building wall shall be screened through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that form an opaque visual screen. Wall-mounted mechanical equipment that extends six inches (6") or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building.
- F. Ground-Mounted Mechanical Equipment and Utility Fixtures. Ground-mounted above-grade mechanical equipment shall be screened through the use of ornamental fences or screening enclosures, or through the use of trees or shrubs that form an opaque visual screen. Above-grade ground-mounted utilities are prohibited on sidewalks in the downtown.
- G. Pitched Roofs. All roof jacks and penetrations shall be painted to match the adjacent roof color.

Section 8.3 Fencing and Walls. These standards are intended to permit the construction and maintenance of high-quality fences and walls, while preventing the monotonous appearance of uninterrupted fences and walls from dominating the Village's corridor.

- A. All Fencing in the US-31 Corridor shall comply with the following:
 - 1. Unless otherwise approved by the Planning Commission, all fencing shall be uniform in height. Replacement fencing/screening, excluding support posts, shall retain its original height and material and the top elevation shall match the adjoining elevation.
 - 2. Where fencing is required by this ordinance, such fencing and walls shall be opaque and shall be constructed of durable, easily maintained materials such as, but not limited to, masonry, vinyl, or treated, stained or painted wood sections. Chain link, wire mesh, or other similar products shall be prohibited. Alternate materials may be approved by the Planning Commission if the owner provides proof they are high-quality durable materials that will not detract from the character of the Village.
 - 3. The "finished" side of the fence or wall shall face outward, away from the development installing the fence or wall, with all braces and supports on the interior side of the fence.
 - 4. The length of continuous, unbroken, and uninterrupted fence plane shall be no more than eighty feet (80'). Breaks shall be provided through the use of columns, landscaping pockets, transparent sections, and/or a change to different materials.
- B. All development in the nonresidential and mixed-uses shall install and maintain fences per the following:
 - 1. Outside storage shall be fully screened with a solid material wall or a combination of earthen berms, fences, walls, and/or evergreen plant materials.
 - 2. These fences shall screen all yards and shall be at least eight feet (8') and no more than ten feet (10') in height.
 - 3. Fences shall not be constructed in the street right-of-way, or within 3ft of the neighboring parcel.
- C. All development in the residential uses shall install and maintain fences per the following:

1. Fences in residential uses may be constructed on property lines, in side yards, and rear yards. However, no fences higher than thirty inches (36") may be constructed in any front yard.

SECTION 9. STREETScape

Section 9.1 Streetscape Components.

- A. A minimum of one (1) deciduous canopy tree shall be planted for each fifty (50) feet of road frontage, minimum 2 per parcel. The number of required trees shall be calculated solely on the linear footage and shall be rounded to the nearest whole number. The trees should be evenly spaced and coordinated with adjacent properties and/or streetscape plan when applicable.
 1. Trees to be of species from the Village's approved Tree list.
 2. Street tree species used for the US-31 Corridor shall be determined by the Planning Commission.
- B. Trees to be installed per tree planting requirements in Article XVI Environmental Provisions, one (1) year guarantee shall apply. After the one year guarantee, the Village will be responsible for the maintenance and replacement of street trees.
- C. Streetscape Zones. The following describes the intent of the various elements and their general arrangement in the streetscape along the US-31 Corridor. Refer to typical cross sections in Section 14. Diagrams.
 1. Frontage Zones: The area between the US-31 corridor and the front of the development is called the frontage zone. The public frontage zone contributes greatly to the overall character of the Village and the promotion of walkability.
 - a. Public: The area in the frontage zone from the back of the roadway curb to the R.O.W. is in the public realm. This area should be utilized for streetscaping, refer to street amenities zone, section 9.C.2. These amenities shall typically be maintained by the Village unless another agreement is reached between the Village and the property owner.
 - (i.) A minimum pedestrian clear zone (5 ft wide min.) must be provided for at all times in the public frontage zone.
 - b. Private: The area of the frontage zone from the R.O.W to the front of the development is the private realm. This area may include sidewalks, required planting space, storefront amenities such as signage, outdoor seating, benches, artworks, or similar.
 2. Street Amenities Zone: Street amenities may include but is not limited to; street lighting, street trees, benches, bike racks, newspaper racks, planters, lawn areas, and/or sidewalks. Fixed street amenities (trees, street lights, street furniture) shall be placed no closer than 2.5ft. from the back of curb at the street edge. Paved, planter, and lawn areas should extend to the edge of curb.
 - a. All street amenities must be approved by the Planning Commission and placed per MDOT's minimum distances from back of curb per the appropriate road speed.
 3. Storefront Zone: This is the area between the face of the building and the street amenities zone. This is intended to be used for business owners to contribute to the appeal, marketability and overall character of the Village.
 - a. Encroachment Zone: This is the area in the storefront zone in which non-permanent objects may be placed to enhance the building or retail use. They may include items such as; daily special signs (must be taken in at night), planters, bistro table and chairs, awnings, covered entrances, or accessible ramps.

D. Street Lighting [Reserved].

SECTION 10. SUSTAINABLE DESIGN

Section 10.1 Sustainable Design. Sustainable design principles and LID (Low Impact Development) Practices are highly encouraged in all aspects of development in the US-31 Corridor. This section shall be reserved for future development of sustainable design standards that best represent the Village. All development is encouraged to reference the Village Master Plan 2020

A. [Reserved]

SECTION 11. ENFORCEMENT AND SANCTIONS.

- A. The rules and regulations of this article shall apply to all public and privately owned land in the Village, and shall be in addition to requirements imposed by other Village ordinances.
- B. Violations of the ordinance shall be enforced by the Zoning Administrator who is authorized to issue municipal civil infractions notices and citations pursuant to the authority of and as provided in applicable state law, per the procedures in the existing Zoning Ordinance, Article 9 and the Municipal Civil Infraction Ordinance.

SECTION 12. SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 13. EFFECTIVE DATE

This Ordinance shall become effective upon the publication in accordance with law.

At a regular meeting of the Village Council for Benzonia Village held on the 6th day of July, 2020, Trustee French, moved for the adoption of the foregoing ordinance and Trustee Heyn supported the motion.

Voting For, Roll Call: Cook, Bair, Heyn, French, Flynn.

Voting Against: None. Misner – Abstains. Rankin - Excused.

The Village President declared the ordinance adopted.

Timothy Flynn,
Village President.

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2020-05, which was enacted by the Village Council for the Benzonia Village at a regular meeting held on July 6, 2020.

Rhonda Nye,
Village Clerk

SECTION 14. DIAGRAMS

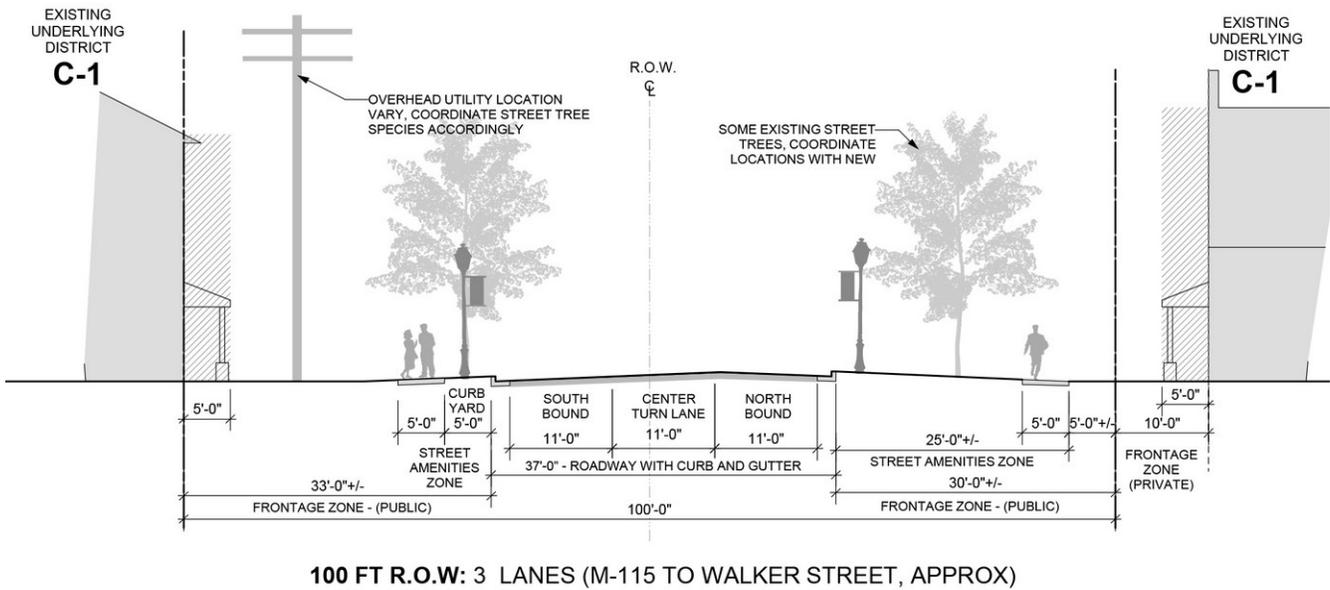


Figure 10: COD-T: Typical Cross Section – To Show Relationship Between Future Streetscape And Building Relationships.

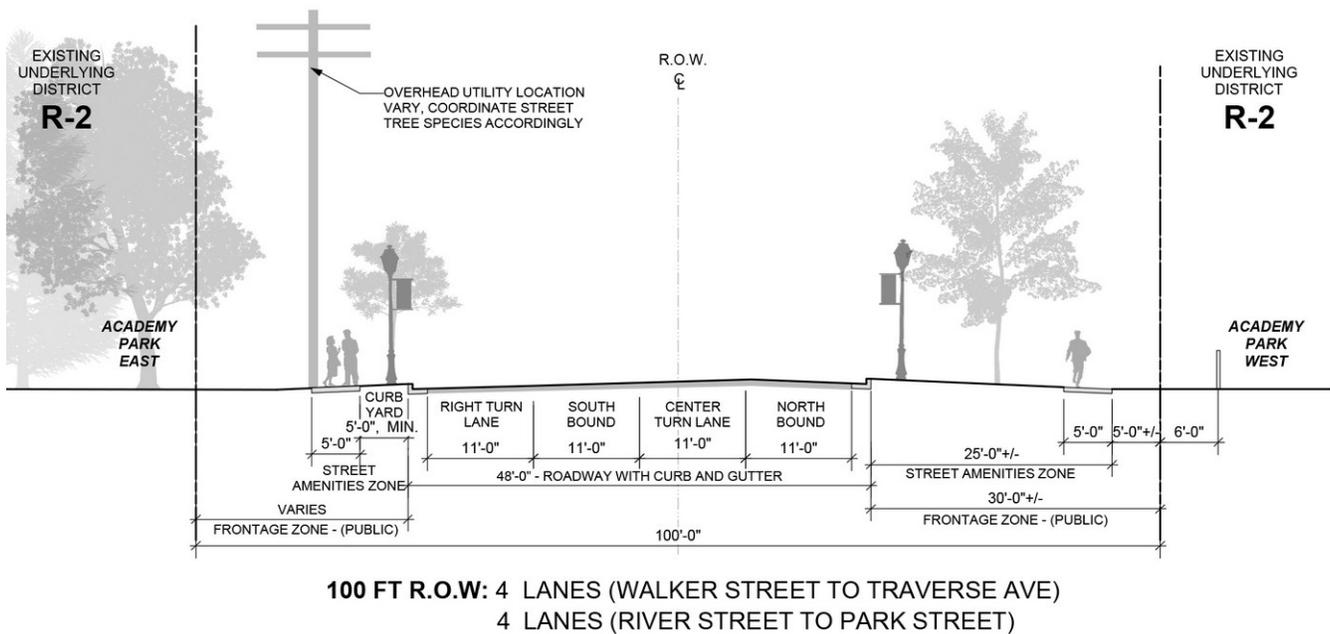
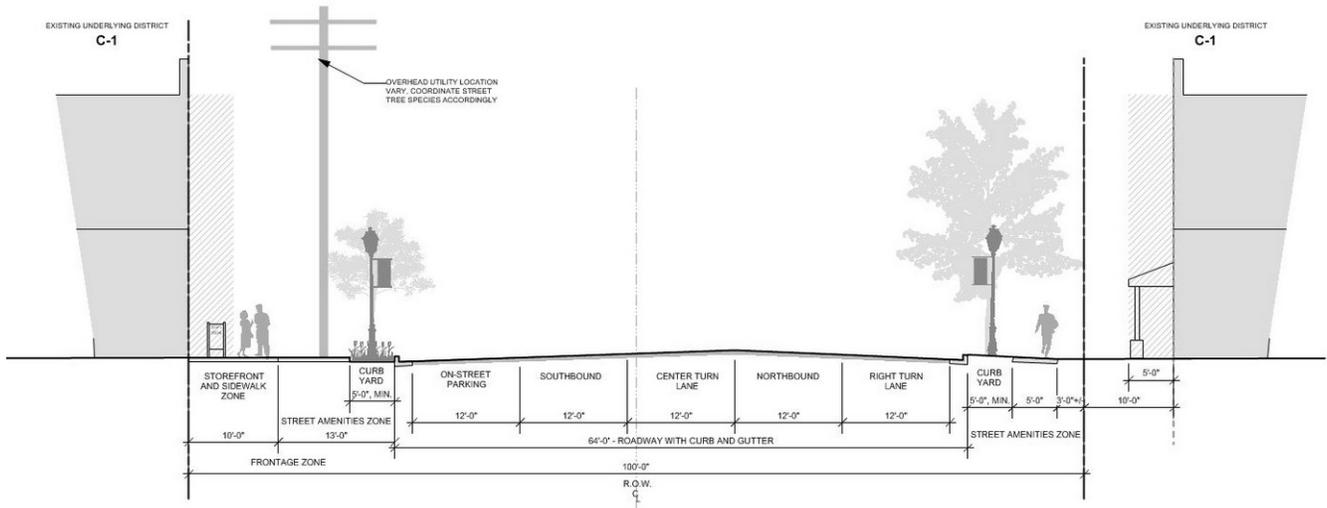
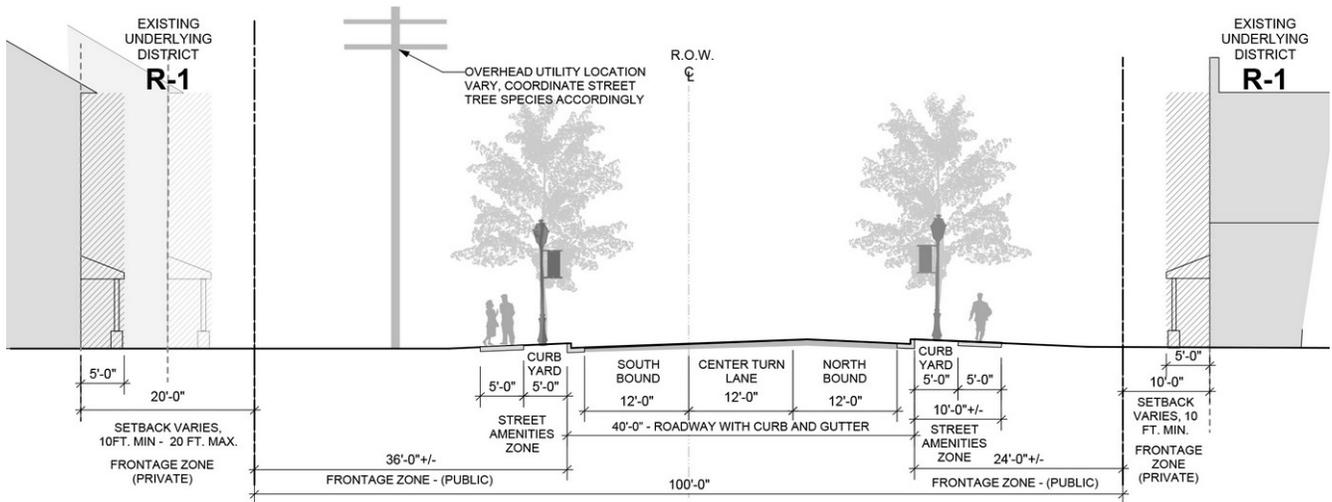


Figure 11: COD-T: Typical Cross Section – To Show Relationship Between Future Streetscape And Academy Park



100 FT R.O.W: 5 LANES (TRAVERSE AVENUE - POST OFFICE, APPROX)

Figure 12: COD-T: Typical Cross Section - To Show Relationship of Future Streetscape Elements at The Top-Of-The-Hill



100 FT R.O.W: 3 LANES (BURR STREET TO RIVER STREET, APPROX)

Figure 13: Figure 10: COD-T: Typical Cross Section - Future Streetscape Elements at the Top-Of-The-Hill

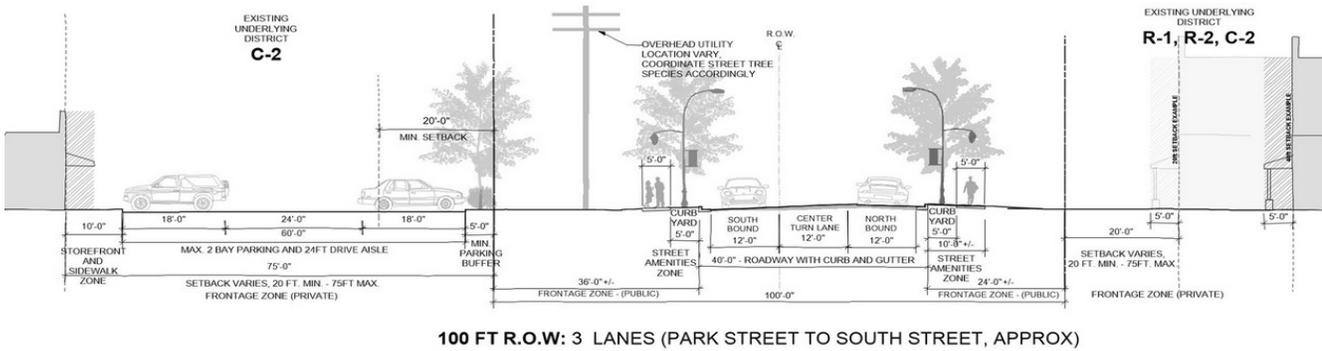


Figure 14: COD-G: Typical Cross Section - Parking In Front of Development and Future Streetscape Elements

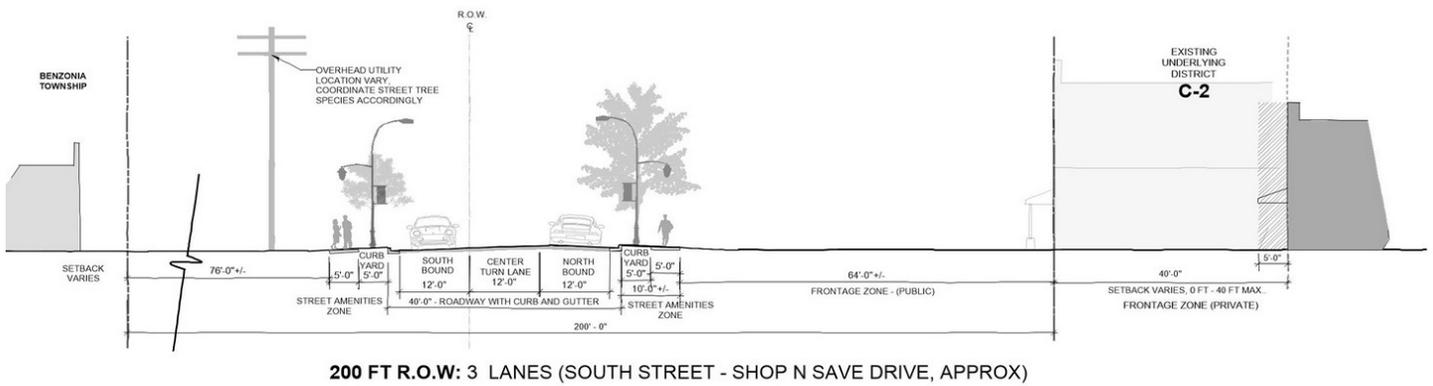


Figure 15: COD-G: Typical Cross Section - Future Streetscape Elements Showing Wide Right-of-Ways

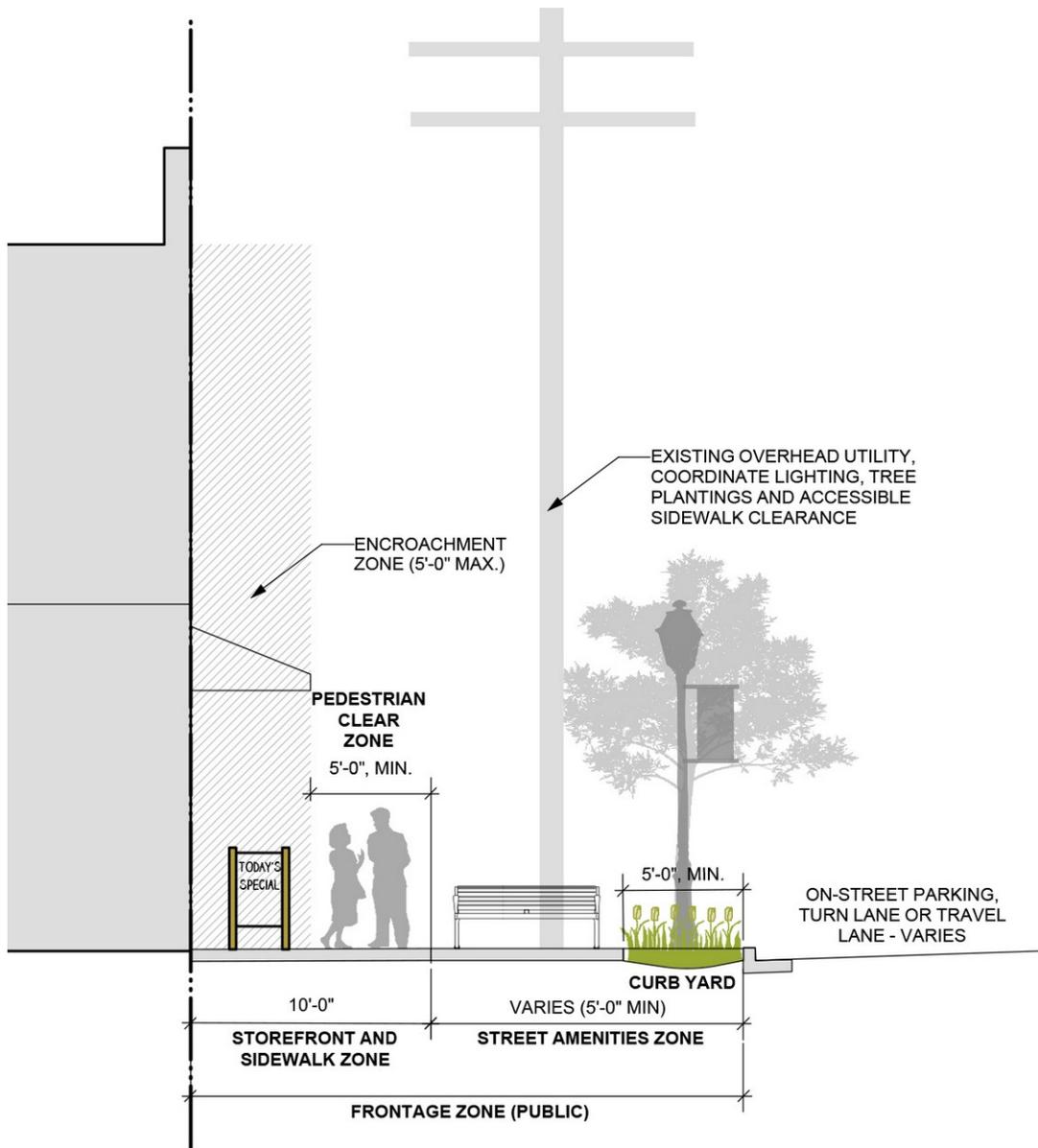
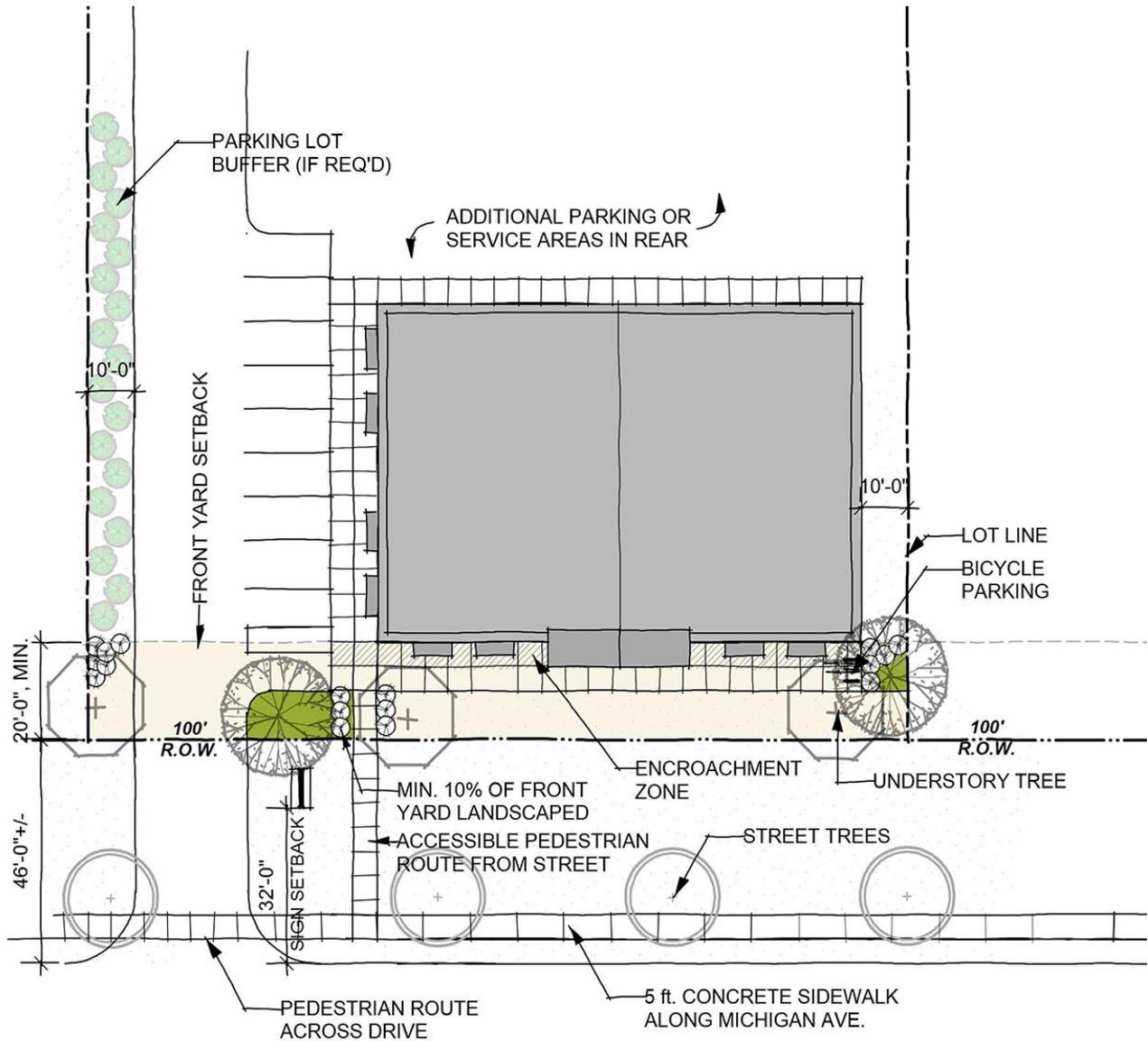


Figure 16: Public Frontage Zone Example at the Top-Of-The-Hill



MICHIGAN AVENUE (US-31)

Figure 17: COD-G: Example Site Diagram: Preferred Min. Setback With Side and/or Rear Parking (100ft. R.O.W.)

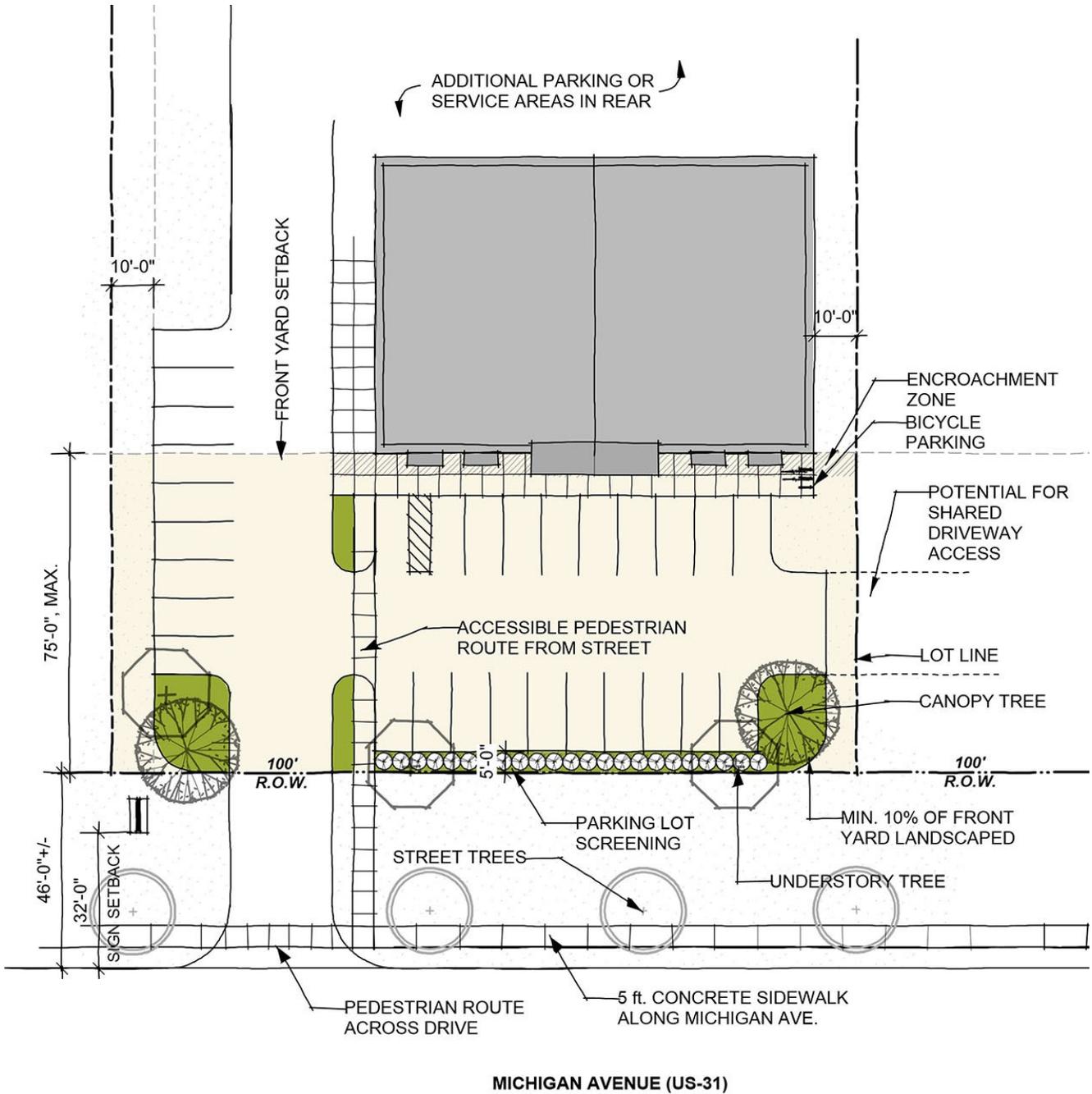


Figure 18: COD-G: Example Site Diagram With Parking in Front (100ft. R.O.W.)