

Grand Traverse Commons
Joint City of Traverse City/Garfield Township Planning Commission

Wednesday, October 5, 2016

7:00 p.m.

Governmental Center, 2nd Floor

2nd Floor Committee Room

400 Boardman Avenue, Traverse City, MI 49684

Posted: September 29, 2016

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AGENDA

1. Call Meeting To Order
2. Approval of the Agenda
3. Approval of the Minutes of the September 21, 2016 Regular Meeting
4. Draft Grand Traverse Commons Development Regulations. (Public Hearing Continued)
5. Reports and Updates
6. Public Comment
7. Adjournment

Grand Traverse Commons Planning Commission

Regular Meeting
Wednesday, September 21, 2016
Governmental Center, 2nd Floor
Committee Room

MINUTES

Present: Commissioners Hale, Serratelli, Racine,
Absent: None

Staff: Rob Larrea, Township Planning Director, Brian VanDenBrand, Township Deputy
Planner, Russ Soyring, City Planning Director

1. Call Meeting To Order. The meeting commenced at 7:02 PM.
2. Review and Approval of the Agenda - Conflict of Interest.

Motion by Commissioner Racine, supported by Commissioner Serratelli to
approve the agenda. Motion passed.

3. Approval of Minutes of the August 3, 2016 Regular Meeting.

Motion by Commissioner Serratelli, supported by Commissioner Racine to
approve the minutes as presented. Motion passed.

4. Grand Traverse Commons Draft Development Regulations (Public Hearing)

Chairperson Hale made general comments regarding the process of developing
the draft Development Regulations.

Deputy Planner VanDenBrand reviewed the key changes that have been made to
the draft Development Regulations.

Chairperson Hale opened the public hearing.

Raymond Minervini, The Minervini urged support to incorporate administrative
flexibility in the Development Regulations. He also noted that some CR
properties are private and the text ought to recognize that these areas may be
for private open space.

Karen Anderson, Cordia supported the change to move development capacity
from M-3 to M-1.

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Steve Tongue, Munson Medical Center stated of shift in development capacities from M-3 to M-1 provides the hospital with more flexibilities and supported this change.

Justin Reed, 630 Cottageview Drive supported some expansion of development envelope V-8 to allow for a building or parking deck.

Discussion.

A motion was made by Commissioner Racine, supported by Commissioner Serratelli to adjourn the public hearing until the October 5, 2016 meeting. Upon vote the motion passed 3-0.

5. Reports and Updates.

None.

6. Public Comment

Justin Reed, 630 Cottageview Drive spoke of the erosion in the area of the V-4 and that a parking structure in that area could help to curb the hillside erosion.

7. Adjournment.

The meeting was adjourned at 8:44 PM.

Dated

Carol Hale, Chairperson

Grand Traverse Commons

Planning Commission

MEMORANDUM

DATE: October 5, 2016 JPC Meeting

TO: Joint Planning Commission

FROM: Township / City Staff

RE: Zoning Ordinance Discussion

Background:

This memo is intended to outline the final changes which were made to the Grand Traverse Commons Development Regulations following the September 21, 2016 public hearing.

Summary of final draft changes:

- Incorporated Munson M-3 to M-1 capacity shift, updated zoning map and zoning overview maps on each district page.
- M-3. As discussed, this zone now includes a 25,000 square foot building allowance and four stories rather than three. Parking will be allowed in the remainder of the 210,000 square foot development envelope. The maximum total impervious surface has been removed. Added "utilitarian" as an acceptable building type. The roof section was revised to describe that either pitched or flat roofs may be allowed. The development envelope was expanded as shown on the graphics provided on the 21st.
- M-1. As discussed, this zone is reduced from six to four stories.
- Eliminated the "percentage coverage" limitations for all zoning districts because of the final changes which the adjusted development envelopes. We preserved the original square footage coverage limitation which was included and provided new zoning district pages for all districts. For example:
 - **Maximum Total Impervious Surface: 80% / 58,000 square feet of Development Envelope.**
- V-5. Added a note that the satellite parking lot / sewer cleanout access does not count towards subdistrict maximum parking lot area
- Section 1.05. Incorporated administrative and minor amendments to Development Regulations. As drafted, Staff would have the ability to adjust development zone boundaries outward up to 10-feet provided natural features are being protected. The Planning Commission would have the

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Article 1

General Provisions and Definitions

Section 1.01 Title

This Ordinance shall be known and may be cited as the “Grand Traverse Commons Development Regulations,” hereinafter called the “Ordinance.”

Section 1.02 Authority and Scope

This ordinance is authorized by the following statutes:

- Home Rule City Act, Public Act 279 of 1909
- Charter Township Act, Public Act 359 of 1947
- Michigan Planning Enabling Act, Public Act 33 of 2008
- Joint Municipal Planning Act, Public Act 226 of 2003
- Urban Redevelopment Corporation Law, Public Act 250 of 1941
- Michigan Zoning Enabling Act, Public Act 110 of 2006
- Land Division Act, Public Act 288 of 1967
- Condominium Act, Public Act 59 of 1978

The jurisdictional area of this Ordinance shall be properly designated by the City of Traverse City and the Charter Township of Garfield as the Grand Traverse Commons Planned Redevelopment District.

The Planning Commission for the jurisdictional area shall be the Grand Traverse Commons Joint Planning Commission, established pursuant to the Joint Municipal Planning Act and by agreement between the City of Traverse City and the Charter Township of Garfield.

Section 1.03 Purpose and Intent

The State of Michigan has declared through the Michigan Zoning Enabling Act, Act 110 of 2006 and by reference, the City of Traverse City and the Charter Township of Garfield also hereby declares that the purposes of zoning are:

- A. To meet the needs of the State’s residents for food, fiber, energy and other natural resources, places of residence, recreation, industry, trade, service and other uses of land;
- B. To ensure that uses of the land shall be situated in appropriate locations and relationships;
- C. To limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities;
- D. To facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility needs; and
- E. To promote public health, safety and welfare.

This Zoning Ordinance is intended to implement:

- A. The concepts outlined in the *Grand Traverse Commons Master Plan* of 2010 as adopted per P.A. 33 of 2008, as amended being the Michigan Planning Enabling Act (M.C.L. 124.3801 et seq.).

- B. Land use regulations that place careful and coherent controls on building and landscape form, while employing more flexible parameters relative to building use and density.
- C. The *Smart Growth Tenets* adopted by the *Governors Land Use leadership Council*, including:
 - 1. Create a range of housing opportunities and choices;
 - 2. Create walkable neighborhoods;
 - 3. Encourage community and stakeholder collaboration;
 - 4. Foster distinctive, attractive communities with a strong sense of place;
 - 5. Make development decisions predictable, fair and cost-effective;
 - 6. Mix land uses;
 - 7. Preserve open space, farmland, natural beauty and critical environmental areas;
 - 8. Provide a variety of transportation choices;
 - 9. Strengthen and direct development towards existing communities; and
 - 10. Take advantage of compact development design.

Section 1.04 Interpretation; Conflict of Laws

This Zoning Ordinance is the minimum requirement for promoting the purposes of the Michigan Zoning Enabling Act, Act 100 of 2006. If it imposes more restrictions than State law or other City or Township ordinances, the provisions of this Zoning Ordinance shall govern. If the *State Housing Law* (MCL 124.401 et seq.; MSA 5.2771, et seq.) or the *Airport Zoning Act* (MCL 259.431, et seq.; MSA 5.3475) or other statutes or ordinances have stricter regulations, the provisions of the statute or other ordinance shall govern. This Zoning Ordinance is not intended to interfere with or to annul any easement, covenant or other agreement between parties. Section titles or headings and any entire section entitled “Purpose” shall be interpretive aids only and shall not be construed to impose any substantive or procedural requirement.

Section 1.05 Changes and Amendments

- A. Initiation. Any owner of real property, or that owner's authorized representative, may apply to amend development regulations. An amendment shall be classified as an Administrative Amendment, a Minor Amendment, or a Major Amendment.
- B. Procedure - Administrative and Minor Amendments.
 - 1. Administrative Amendment.
 - i. The Directors of Planning may authorize the following Ordinance Amendments:
 - 1. Shifts in on-site location and changes in size, shape, or configuration of a sub-district boundary of less than 10-feet provided natural features are being protected.
 - 2. Minor adjustment of the location of utilities and walkways, provided however that no sidewalks or paths required by the approval authority may be eliminated.
 - 3. Minor revisions to an internal street circulation pattern.
 - 4. Minor realignment of ingress and egress locations if required by the governing road agency or City of Traverse City.
 - ii. Prior to approving an amendment under Section 105.B.1.a, above, the Director shall determine that the amendment meets the following criteria:
 - 1. No previous amendments have been granted that, together with the proposed amendment, would exceed the standards of this section;

2. There will be no detrimental impact on any adjacent property caused by significant change in the appearance or use of the property or any other contributing factor;
 3. The proposal conforms to this ordinance and is in keeping with the spirit and intent of the master plan; and
2. Minor Amendment.
- i. Following a determination that the review criteria of Section 1.05.B.1.b, above, are met, the Joint Planning Commission may authorize the following ordinance amendments without a public hearing:
 1. Shifts in on-site location and changes in size, shape, or configuration of the sub-district boundary of up to 20-feet provided natural features are being protected.
 2. Any other proposed amendment which is determined by the Planning Commission to have no detrimental impact on any adjacent property and is not considered or classified a Major Amendment under Section 105.C Major Amendments.

C. Procedure - Major Amendment.

Any proposed amendment other than those provided for in Section 105.B are considered a major amendment and shall be approved in the manner described below.

1. The Joint Planning Commission shall review any proposal to amend development regulations. Following a public hearing the Joint Planning Commission shall report its recommendation to the City Commission and Township Board, which, upon adoption of concurrent resolutions, may amend development regulations. The City Commission and/or the Township Board may also hold a public hearing with the notice it deems advisable. The procedure for the Joint Planning Commission public hearing shall be as follows:
 1. Notice of the public hearing shall be given in an official newspaper of general circulation in the City and Township at least 15 days prior to the set hearing date.
 2. Notice of the time and place of the public hearing shall be mailed at least 15 days prior to the set hearing date to each airport manger; electric, gas, pipeline, telephone, telecommunications provider; public utility company, and to each railroad company owning or operating any public utility or railroad within the districts affected; provided that the foregoing registers its name and mailing address with the City and Township Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained.
 3. After the Ordinance and maps have first been approved by the City Commission and Township Board, if an individual property or several adjacent properties are proposed for amendments, notice of the proposed amendment and hearings shall be given at least 15 days before the hearing to:
 - a. The owners of the property in question, unless 11 or more adjacent properties are proposed for amendment;
 - b. All persons to whom real property is assessed within 300 feet of the property in question and to the occupants of all structures within 300 feet of the subject property, unless 11 or more adjacent properties are proposed for amendment. Notification need not be given to more than 1 occupant of a structure, except that if a structure contains more than one dwelling unit or spatial area owned or leased by different persons, one occupant of each unit or spatial area shall be given notice. If a structure contains more than four (4) dwelling units, notice may be given to the manager or owner of the structure with a request to post the

notice at the primary entrance to the structure. Where the name of the occupant is not known, the term “occupant” may be used in making notification.

- D. Notice. The notice shall contain the following:
1. A description of the proposed change to development regulations;
 2. For changes to district boundaries or designations, a description of the subject property including a listing of all existing street addresses within the property where they exist, unless 11 or more adjacent properties are proposed for amendment;
 3. The time and place of the public hearing; and
 4. When and where written comments will be received.
- E. Protest. An amendment to the Zoning Ordinance is subject to a protest petition. If a protest is filed, approval of the amendment shall be passed only upon five (5) affirmative votes of the City Commission and five (5) affirmative votes of the Township Board. The protest petition shall be presented before final legislative action on the amendment and shall be signed by one or more of the following:
1. The owners of at least 20 percent (20%) of the area of land included in the proposed change, excluding any publically owned land in making the 20 percent (20%) land area calculation.
 2. The owners of at least 20 percent (20%) of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change, excluding any publically owned land in making the 20 percent (20%) land area calculation.
- F. Hearing Request. The City Commission and/or Township Board shall grant a hearing on a proposed ordinance provision to a property owner who requests a hearing by certified mail, addressed to the City Clerk and/or Township Clerk. A hearing under this subsection is not subject to the notice requirements of this Section, except that notice of the hearing shall be given to the interested property owner in the manner described by this Section.
- G. Publication. Following the adoption of a Zoning Ordinance or amendment by the City Commission and Township Board, a notice of adoption shall be published in a newspaper of general circulation in the City and Township within 15 days after adoption. The notice shall include the following information:
1. In the case of a newly adopted zoning ordinance, the following statement: “A Zoning Ordinance regulating the development and use of land has been adopted by the City Commission of the City of Traverse City and Township Board of the Charter Township of Garfield.”;
 2. In the case of an amendment to an existing ordinance, either a summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment;
 3. The effective date of the Ordinance; and
 4. The place and time where a copy of the Ordinance may be purchased or inspected.
- H. Court Decree. An amendment for the purpose of conforming a provision of the Zoning Ordinance to a decree of a court of competent jurisdiction may be adopted by the City Commission and Township Board and the notice of the adopted amendment published without referring the amendment to the Joint Planning Commission.

Section 1.06 Application of Code; Compliance Required

Except as otherwise allowed by the Zoning Ordinance:

- A. No building or structure shall be built, rebuilt, converted, enlarged, moved or structurally altered, and no building or land shall be used, except for a use allowed in that district.
- B. No building or structure shall be built, rebuilt, converted, enlarged, or structurally altered except in conformity with the exterior standards, height, setback, bulk and other dimensional/architectural limits for that district.
- C. No land shall be cleared, no building or structure shall be built or rebuilt, converted, enlarged or structurally altered, and no parking area built or enlarged except after applying for and receiving a land use permit.
- D. No building shall be built or enlarged except in conformity with parking, loading, and landscaping regulations of the district in which such building is located unless it receives a special land use permit or parking waiver that changes these regulations.
- E. Parking shall be dedicated within the parking zone of the Development Envelope or along streets where permitted.

Section 1.07 Severability

If any provision of this Ordinance is declared invalid by a court, such decision shall not affect the validity of the Ordinance or any part other than the part declared to be invalid.

Section 1.08 Compliance with Other Applicable Statutes, Ordinances, or Administrative Rules

No building, parking area or structure in any area shall be permitted which does not comply with applicable federal, state, county, public health, or City/Township statutes, ordinances or administrative rules. The Zoning Administrators shall enforce this section by cooperating with and reporting suspected violations to the respective enforcement agency(s) responsible for enforcement of the statutes, rules, and/or ordinances cited above. The City Commission and Township Board may take direct enforcement action only after a finding that cooperation between the Zoning Administrators with other agencies has not been successful.

In the case of conflict between a City ordinance, Township ordinance, and/or the Grand Traverse Commons Development Regulations, the City Commission and Township Board shall pass concurrent resolutions to establish which regulation control(s) shall apply.

Section 1.09 Definitions

As used in this Ordinance:

Abutting means a lot or parcel which shares a common border with the subject lot or parcel.

Accessory building means a building or structure customarily incidental and subordinate to the principal building and located on the same lot as, and spatially separated from, the principal building.

Accessory use means a use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

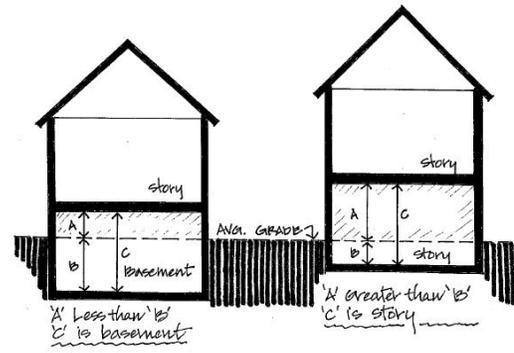
Aggrieved person means a person who has suffered a substantial damage from a zoning decision not in common to other property owners similarly situated, and who has actively opposed the decision in question.

Alley means a way which functions primarily as a service corridor and provides access to properties abutting thereon. "Alley" does not mean "street".

Alteration means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders.

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Basement / Ground Story (see graphic to right) means that portion of a building which is partly or wholly below finished grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement, as defined herein, shall not be counted as a story. A cellar is a basement.



Brewpub means a facility as defined by the State of Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.).

Building means any structure designed or built for the enclosure, shelter or protection of persons, animals, chattels or property of any kind.

Building Coverage means that portion of the Development Envelope which is covered by a building or buildings.

Building, height of. See "Height of building".

Building, principal. "Principal building" means a building within which is conducted the main or principal use of the lot upon which it is located.

Conservation and Recreation District means all areas within the Grand Traverse Commons Planned Redevelopment District excepting the Institutional District, Medical District, Recreation and Cultivation District, Residential District, Village Districts, or public or private street right-of-ways.

Communication Antenna means a device, dish or array used to transmit or receive telecommunication signals mounted on a communication tower, building or structure that is greater than one (1) square meter in a residential district or two (2) square meters in a nonresidential district. Antenna does not include federally-licensed amateur radio station, television or radio receive-only antennas, or antennas used solely for personal use. Communication antennas are not essential services, public utilities, or private utilities.

Communication tower or tower means any structure that is primarily designed and constructed for the purpose of supporting one or more antennas for telecommunications, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. Communication towers are not essential services, public utilities, or private utilities.

Community Garden means a parcel gardened collectively by a group of people.

Critical root zone means a circular area surrounding a tree, the radius of which is measured outward from the trunk of a tree one (1) foot for each one (1) inch of diameter at breast height. The critical root zone shall also extend to a depth of four (4) feet below the natural surface ground level.

Cultivation and Recreation District means Sub District C-1 of this Ordinance, commonly known as the Historic Barns Park.

Development Envelope means the defined area where buildings and surface parking are permitted.

Diameter at breast height means the diameter of a tree trunk in inches measured at four and one-half feet (4.5') above the ground.

District means a section of the Grand Traverse Commons for which the zoning regulations governing the use of buildings and premises, the height of buildings, the setbacks, and the intensity of use are similar, and as identified by the Grand Traverse Commons Development District Map.

Dripline means an imaginary vertical line extending downward from the outermost point of a structure or object to the ground.

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Driveway means a means of access for vehicles from a street or approved alley across a lot or parcel to a parking or loading area, garage, dwelling or other structure or area on the same lot.

Erected means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like shall be considered a part of erection when done in conjunction with a structure.

Essential services means the installation, construction, alteration or maintenance by public utilities or governmental agencies of underground, surface, or overhead telephone, electrical, gas, steam, fuel, or water distribution systems; collections, supply or disposal systems; streets, alleys, sidewalks, or trails, including pavement; traffic control devices, signs, poles, wires; mains, drains, sewers, pipes; conduits, cables, padmount transformers; fire alarm and police call boxes, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or governmental agencies for the general public health, safety, convenience or welfare. "Essential services" do not include communication antennas and communication towers.

Essential service-structures means the erection, construction, alteration or maintenance by public utilities or governmental agencies of structures not in the right-of-way over 800 cubic feet in area including, but not limited to, towers, transmission and subtransmission facilities, or buildings related to essential services in all districts.

Façade means the exterior wall of a building exposed to public view.

Fence means a constructed barrier made of wood, metal, stone, brick or any manufactured materials erected for the enclosure of yard areas.

Flood plain, 100 year. "100 year flood plain" means the lowland areas adjoining inland and coastal waters which are identified on Floodway Maps produced by FEMA (Federal Emergency Management Agency) and which are estimated to have a one per cent (1%) chance of flooding in a given year.

Floor area. See "Building Coverage."

Frontage means the total continuous width of the front lot line.

Grade means:

1. **For buildings having walls adjoining one (1) street only**, the elevation of any sidewalk, top of curb, or centerline of the street, whichever is closest to the building, where a building wall adjoins a street.
2. **For buildings having walls adjoining more than one (1) street**, the average elevation of the sidewalks, curbs or centerlines of streets, whichever is closest to the building walls adjoining the streets.
3. **For buildings having no wall adjoining the street**, the average of the lowest and highest ground surface elevations in an area within six (6) feet of the foundation line of a building or structure.

Gross Floor Area means the total floor area inside the building envelope, including the external walls, and excluding the roof.

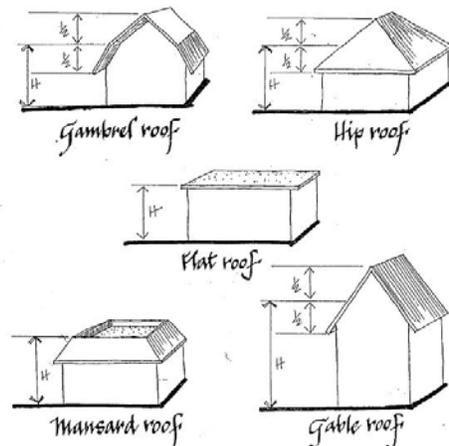
Ground Floor means the first floor above the Basement/Ground Story.

Ground Story. See "Basement/Ground Story".

Height of Building (see graphic at right) means a vertical distance from the grade to the highest point on a mansard or flat roof, or the median height between the eaves and the ridge for gable, hip, and gambrel roofs.

Institutional District means Sub Districts I-1, I-2, and I-3 of this Ordinance.

Impervious surface means any material which prevents, impedes or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation



bearing soils, including building, asphalt, concrete, gravel and other surfaces. Impervious surfaces shall not include those areas used exclusively for pedestrian or recreational purposes.

Land clearing means the clearing of over 8,000 square feet of vegetation from any site, or the removal of more than 20 trees more than 6 inches in diameter at breast height and within 50 feet of a public or private street or river. Mowing, trimming or pruning of vegetation to maintain a healthy, viable condition is not considered land clearing.

Landscaping means some combination of planted trees, vines, ground cover, flowers or turf so long as a minimum of 80 percent (80%) of the landscape area is covered by living plant material. In addition, the combination or design may include rock ground cover, earth mounds, and such structural features as fountains, pools, art works, screens, walls, fences and benches.

Manufacturing means the production of articles for use from raw or prepared materials by giving these materials new forms, qualities, properties or combinations, whether by hand labor or machine.

Medical District means Sub Districts M-1, M-2, M-3, M-4, M-5, and M-6 of this Ordinance.

Micro Brewer means a person as defined and licensed by Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Microbrewery means a facility or facilities owned or controlled by a licensed Micro Brewer.

Nonconforming use means a lawful use of land that does not comply with the current use regulations for its zoning district but which was compliant with applicable regulations at the time the use was established.

Parking area means any public or private area designed and used for parking motor vehicles, including parking lots, driveways and legally designated areas, located under or outside of a building or structure.

Parking structure means a building or structure consisting of more than one level and used to park motor vehicles.

Parking Zone means the defined area within a Development Envelope where surface motor vehicle parking is permitted (except as otherwise allowed by the Street Parking Plan).

Planning director means the head of the City Planning and Zoning Department, or the head of the Township Planning Department, or the designee(s) of those persons.

Principal use means the main use of land or structures as distinguished from a secondary or accessory use.

Public utility means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public; gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

Recreation and Cultivation District means that district as designated such on the Grand Traverse Commons Development District Zoning Map.

Recreational vehicle means a vehicle having its own motor power, or a vehicle mounted on or drawn by another vehicle, which is primarily designed and used as a temporary living quarters for recreational, camping, or travel purposes.

Residential District means Sub District R-1 of this Ordinance.

School means an educational institution under the sponsorship of a private or public agency providing elementary or secondary curriculum, and accredited or licensed by the State of Michigan.

Screen means a structure providing enclosure and a visual barrier between the area enclosed and the adjacent property. A screen may also be non-structured, consisting of shrubs or other growing materials.

Screen, opaque means a masonry wall, fence sections, earthen berm, evergreen hedge or a combination of these elements which completely interrupt visual contact and provide spatial separation.

Site diagram means a drawing, drawn to scale, showing the location of buildings and structures, as well as driveways, curb cuts, alleys, streets, easements and utilities on a lot.

Site plan means a plan showing all proposed improvements to a given lot, which is evaluated in order to determine whether it meets the provisions of this Code.

Stop work order means an administrative order which directs a person not to continue or does not allow for the continuation of an activity which is in violation of this Code.

Street means any public way, such as a public street, avenue, or boulevard which is at least 16 feet wide. Street does not mean "alley". See also "Private Street."

Street Parking Plan means the Street Types and Circulation Map of this Ordinance.

Street, access. "Access street" means a street or alley designed primarily to provide access to properties.

Street, arterial. "Arterial street" means a street designed to carry high traffic volumes through the community.

Street, collector. "Collector street" means a street designed to carry moderately high traffic volumes from arterial and access streets.

Street, private. "Private street" means an officially approved thoroughfare, other than a public street or alley, permanently reserved as the principal means of access to abutting property.

Structural alterations means any change(s) in a building requiring a building permit.

Structure means anything constructed or erected, the use of which requires a more or less permanent location on the ground or an attachment to something having a permanent location on the ground, including, but not limited to, freestanding signs, billboards, back stops for tennis courts and pergolas.

Sub Area means **Sub District**.

Sub District means the individual development envelopes which together comprise an overall District.

Treelawn means the area of public right-of-way lying between the curb line of a curbed street or developed travelway of a noncurbed street and the nearest private property line substantially parallel to said street. For a private street the treelawn means the area extending 10 feet outside of a curb or traveled way.

Trip end means the total of all motor vehicle trips entering plus all motor vehicle trips leaving a designated land use or building over a given period of time.

Village District means Sub Districts V-1, V-2, V-3, V-4, V-5, V-6, V-7, and V-8 of this Ordinance.

Vehicular Control Point means a physical feature within a roadway intended to slow or stop traffic.

Zoning Ordinance means the text of this Development Regulation Ordinance as well as all maps, tables, graphics, schedules as included or attached as enacted or subsequently amended.

Section 1.10 Water Protection

Notwithstanding anything to the contrary in this Ordinance, the following provisions shall apply:

- A. Within ten (10) feet of the water's edge of tributaries and springs which ultimately empty into Lake Michigan, an undisturbed area of vegetation shall be maintained by not removing woody or native herbal species. Trees with a trunk diameter of three (3) inches at breast height (4 ½ feet or greater) shall not be removed unless dead, diseased or dying. Trees and other woody plant material of a smaller diameter at breast height shall not be removed, except to prune or to clear a filtered view. It shall be the landowner's responsibility to maintain this vegetation belt in a healthy state.
- B. No building or structure shall be built, located or constructed within a 100 year flood plain of any water bodies in any land use area as may be determined by the Department of Natural Resources and Environment.

Section 1.11 Hazardous Substance, Groundwater Protection

Except as provided herein, all businesses and facilities which use, store, or generate hazardous substances in quantities greater than two hundred twenty (220) pounds per month or twenty-five (25) gallons per month, whichever is less, shall comply with the groundwater protection requirements of this section.

- A. Groundwater Protection, generally
 1. Projects and related improvements shall be designed to protect the natural environment, including ponds, streams, wetlands, floodplains, groundwater; steep slopes and natural and man-made drainage systems.
 2. General purpose floor drains shall be:

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- a. Connected to an on-site holding tank (not a septic tank/drain field or a dry well) in accordance with state, county and municipal requirements; or
 - b. Authorized through a state groundwater discharge permit; or
 - c. Connected to a public sewer system.
3. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met.
 4. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.
 5. In determining conformance with the standards in this Ordinance, the Zoning Administrators and Joint Planning Commission shall take into consideration the publication titled “Small Business Guide to Secondary Containment; Practical Methods for Above-ground Storage and Containment of Hazardous Substances and Polluting Materials” published by the Clinton River Watershed Council, May 1990, and other references.
 6. Out-of-service water wells shall be sealed and abandoned in accordance with applicable requirements of the Michigan Department of Public Health and the County Health Department.
 7. If the site plan includes territory within a Wellhead Protection Overlay Area, the applicant shall submit a signed statement providing permission for periodic follow-up groundwater protection inspections by the Zoning Administrators, and county and state officials.
- B. Above-Ground Storage
1. Primary containment of hazardous substances shall be in product-tight containers which are protected from weather, leakage, accidental damage and vandalism.
 2. Secondary containment for the storage of hazardous substances and polluting materials is required. Secondary containment shall be one of the following, whichever is greatest:
 - a. Sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance;
 - b. At least as great as volumes required by state or county regulations; or
 - c. If not protected from rainfall, shall contain a minimum of 110 percent (110%) of the volume of the largest storage container within the dike of the secondary containment area plus, or the volume that is occupied by all other objects within and below the height of the dike of the secondary containment area plus; or the volume of a 6-inch rainfall.
 3. Secondary containment structures such as buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or rivers.
 4. Areas and facilities for loading/unloading of hazardous substances and polluting materials, as well as areas where such materials are handled, stored or used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils.
 5. At a minimum, State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport and disposal shall be met.
 6. Bulk storage of pesticides shall be in accordance with requirements of the Michigan Department of Agriculture.
- C. Underground Storage
1. Underground storage tank installation, operation, maintenance, closure and removal shall be in accordance with the requirements of the Michigan State Police Fire Marshall Division and the DEQ, or their successor agencies.
 2. Bulk storage facilities for pesticides and fertilizers shall be in compliance with requirements of the Michigan Department of Agriculture.

Section 1.12 Outside Lights

Purpose and findings: These provisions are intended to control the use of outdoor, artificial illuminating devices emitting rays into the night sky that have a detrimental effect on the rural atmosphere and astronomical observations and that create glare. It is the intention of this section to:

- Encourage good lighting practices such that lighting systems are designed to conserve energy and money;
- Minimize glare;
- Protect the use and enjoyment of surrounding property; and
- Increase nighttime safety, utility, security, and productivity.

A. Applicability

1. All outdoor, artificial illuminating devices shall be installed in conformance with the provisions of this section.
2. This section does not prevent the use of any material or method of installation not specifically addressed. In considering any deviation from the provisions of this section, the Zoning Administrator shall take into consideration any state-of-the-art technology that is consistent with the intent of this section, as new lighting technology develops, that is useful in reducing light above the horizontal plane.

B. Exceptions

The following types of light fixtures shall be exempt from the provisions of this section:

1. **Low-intensity residential decorative lighting:** Residential decorative lighting including porch lights, low level lawn lights, seasonal light such as for Christmas decorating, provided that if any such light is directed toward adjacent residential buildings or nearby land, or creates glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.
2. **Public street luminaires:** Luminaires used for public street illumination may be installed up to the edge of any bordering property.
3. **Emergency lighting:** All temporary emergency lighting needed by the police, the fire departments, or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this section.
4. **Nonconforming fixtures:** All outdoor light fixtures legally installed prior to the adoption of this Ordinance may remain unchanged, except that any replacement of the subject light fixtures shall be done in compliance with this Section.
5. **Flag lighting:** Luminaires used for the illumination of the flag of the United States of America shall be exempt from the requirements of this section.

C. Shielding and Filtration

1. All nonexempt outdoor lighting fixtures shall be hooded and/or louvered to provide a glare free area beyond the property line and beyond any public right-of-way line. Direct or directly reflected light shall be confined to the lot from which it originates. Lighting plans shall be designed so as to avoid the reflection of artificial lighting from rooftops.
2. All lighting fixtures shall have one hundred percent (100%) cut off and shall not emit any direct light above a horizontal plane through the lowest direct light emitting part of the luminaire, as may be certified by a photometric test. The intensity of light at any angle above a cutoff of seventy five (75) degrees shall be less than ten percent (10%) of the peak candela for the luminaire.
3. Light source locations shall be chosen to minimize the hazards of glare.
4. All poles or standards used to support outdoor lighting fixtures shall be anodized or otherwise coated to minimize glare from the light source.

D. Illumination Levels

Illumination levels within a site shall ensure that a site is adequately, but not excessively, lit at night.

1. Average Illumination Levels. Average illumination levels of the illuminated area shall not exceed one (1) foot candle as demonstrated on a photometric grid plan.
2. Waivers. The Joint Planning Commission may permit an illumination level higher than specified where a demonstrable need for higher lighting levels exists, as evidenced through competent filings which shall be kept on file by the Planning Directors.

E. Color Temperature

Color temperature is measured in Kelvin (K) temperature. In order to minimize negative impacts on circadian rhythms, melatonin production in humans and other animals, and astronomical observation, all proposed lamps shall emit light measuring 3,500 K or warmer (between 0 K and 3,500 K) on the Kelvin scale.

F. Prohibitions

1) *Mercury-Vapor Fixtures and Lamps*

The installation of any mercury-vapor fixture or lamp for use as outdoor lighting is prohibited.

2) *Metal Halide Fixtures and Lamps*

The installation of any metal-halide fixture or lamp for use as outdoor lighting is prohibited.

3) *Laser Source Light*

The use of laser source light or any similar high-intensity light is prohibited.

4) *Neon Lighting*

The use of neon lighting for any purpose is prohibited.

5) *Searchlights*

The operation of searchlights is prohibited.

6) *Flashing or Color Changing Lights*

There shall be no lighting of a blinking, flashing or fluttering nature, including changes in light intensity, brightness or color. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

7) *Certain Other Fixtures and Lamps*

The installation of any outdoor lighting fixture or lamp is prohibited unless it complies with the shielding and illumination standard(s) of this chapter.

G. Recreational Facilities

No outdoor recreational facility, public or private, shall be illuminated after 11:00 PM, unless otherwise permitted pursuant to a special use permit, except to conclude specific recreational or sporting events or any other activity conducted at an outdoor amphitheater, arena, or similar facility in progress prior to 11:00 PM.

H. Outdoor Building or Landscaping Illumination

The unshielded outdoor illumination of any building, landscaping, signing, or other purpose is prohibited, except with incandescent fixtures of one hundred and fifty (150) watts or less, or low-pressure sodium fixtures.

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I. Pole Lighting

The maximum height of any pole-mounted lighting fixture or lamp shall not exceed eighteen (18) feet in height. Pole light design shall be compatible with the architectural style and historic character of the Grand Traverse Commons campus.

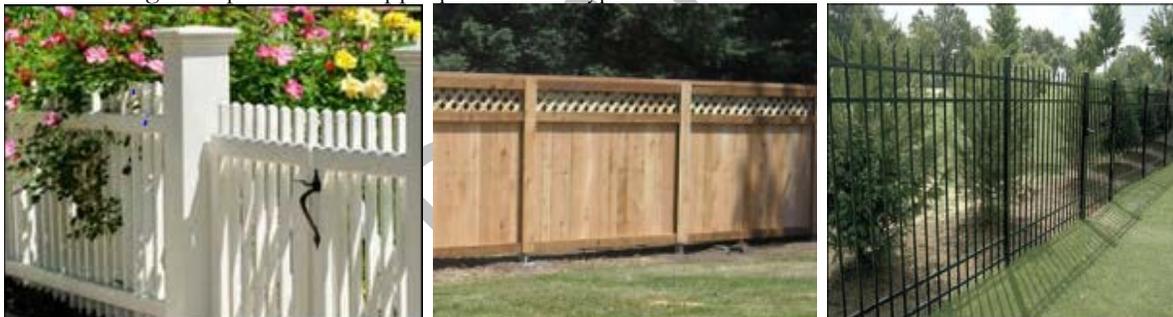
Section 1.13 Fences and Enclosures

Fencing and screen walls shall generally reflect the characteristics shown in the images below in terms of materials, colors, height and design for the various districts. Wood, metal, and stone are acceptable materials. Any fence taller than 6 feet requires Planning Commission approval.

The following examples indicate appropriate fence types within the Village Districts:



The following examples indicate appropriate fence types within the Residential Districts:



The following examples indicate appropriate fence types within the Medical and Institutional Districts:



The following examples indicate appropriate fence types within the Recreation/Cultivation and Conservation/Recreation District:



Section 1.14 Parking Areas

Surface parking areas are subject to the following standards:

1. Access shall be limited to one (1) driveway per street or two (2) driveways, whichever is less.
2. All parking areas adjacent to a street shall be screened with plant materials or a combination of plant materials and decorative screenwalls to a minimum height of three (3) feet.
3. Clearly defined pedestrian travel routes within the parking area shall be provided.
4. Unless herein varied, Article 14 Landscaping and Article 12 Site Plans and Site Development shall apply.
5. On-street parking shall be as designated by the **Grand Traverse Commons Redevelopment District Street Types and Circulation Plan**.

Section 1.15 Parking Structures

Parking structures are subject to the following standards:

1. The design of parking decks shall be consistent with the design of historical buildings in the area.
2. Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. Ramping shall be concealed from public view to the greatest degree possible.
3. Openings shall be vertical or square in orientation and not exceed 60% of the total wall surface.
4. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.
5. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs, and other devices which are consistent with the character of historical buildings in the vicinity shall be incorporated.

Section 1.16 Planning Director Exceptions

The Planning Director may vary the standards of this Zoning Ordinance provided that the following standards are met:

1. The intent of the Zoning Code is achieved;
2. The exception will not detract from the character of the sub-district;
3. Strict adherence to the architectural requirements of this Code would be impractical; and
4. The exception is not in conflict with the Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Buildings, as may be amended or replaced.

Section 1.17 Rules of Construction

This chapter should be liberally construed to give effect to its purpose and the purposes of the Zoning Enabling Act. If a definition is not provided, common dictionary definitions may be referred to as interpretive aids. Words used in the present tense include the future tense and the singular includes the plural unless the context clearly indicated the contrary. The term "shall" is always mandatory and not discretionary; the word "may" is permissive.

Section 1.18 Uses Not Mentioned

When a use is not expressly mentioned in this Zoning Code, the Planning Directors shall make an interpretation as to what district or districts should accommodate the use. The decision shall be based on the intent of each district, similar uses mentioned in a district, and recognized rules of interpretation. The Planning Directors' decision shall be appealable to the Zoning Board of Appeals.

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Article 5 Village District

The following standards shall be applied to each Sub-District (V-1, V-2, V-3, V-4, V-5, V-6, V-7, and V-8) within the Village District.

Section 5.01 Uses Allowed By Right

The following uses of land and buildings, together with accessory uses, are permitted in the Mixed Use District provided the use will not generate excessive noise, lighting, fumes or other nuisances.

- Art Galleries and Studios
- Assisted Living
- Craftperson Studios
- Cottage Manufacturing or Processing Services, provided that no perceptible noise, light, odor, or vibration shall emanate from the site
- Dwellings, Single and Multi-Family
- Eating/Drinking Places without drive-throughs
- Food and Beverage Processing
- Food Stores
- Lodging Facilities; Retail
- Services, including:
 - Business
 - Cultural and Community
 - Education
 - Funeral except Crematorium
 - Health Services except Hospitals
 - Office
 - Personal
 - Recreation
 - Social and Government
 - Veterinary without boarding or outdoor runs.
- Parking Areas, subject to the requirements of Section 1.14.
- Parking Structures, subject to the requirements of Section 1.15.
- Paved Squares
- Other uses and site adjustments as approved by the Planning Directors if such uses are compatible with adjacent uses, will generate similar motor vehicle traffic and will not generate excessive noise, lighting, fumes or other nuisances. Decisions of the Planning Directors shall be appealable to the Joint Planning Commission.

Section 5.02 Special Uses

Reserved.

Section 5.03 General Design Standards

- A. Color. Exterior building walls shall be light, earth tones. Roof color shall be darker than the exterior building walls.
- B. Materials. New buildings, reconstruction, and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials of a combination of existing buildings within the District Development Envelope.
- C. Façade.
 1. Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street or sidewalk-facing wall

- may be achieved with wall offsets in combination with pilasters, corbelling or other permanent architectural elements; however, offsets in any wall shall not be less than eight (8) inches.
2. Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the District.
 3. Window glass panes shall be recessed at least four (4) inches from the outside of all building walls to create a shadow line.
 4. Windows shall have a vertical emphasis, similar to predominant windows on existing buildings within the Envelope.
 5. Clear or lightly tinted transparent glass shall be used in all windows facing a public street or sidewalk. Decorative stained glass may be used for accents.
 6. Window and door transparency of at least 20% is required on all façades facing a public or private street or the Historic Front Lawn.
- D. Character Photos. Character Photos have been inserted throughout this Ordinance as examples of appropriate architectural design within an individual Sub-District. Character Photos are intended as a visual tool to assist in the evaluation of whether an application meets the General Design Standards of the Sub-District, but are not intended to strictly establish architectural design standards.
- E. Rooftop Equipment. Any rooftop equipment shall be enclosed or screened from street or sidewalk level view using the same materials used for the building walls or a material which is approved by the Planning Directors as visually compatible with the building.
- F. Doors/Entries. Pedestrian entrances shall open onto the sidewalk or walkways leading to the public right-of-way or private street and to adjacent buildings. Entries must be prominently identified and must not interfere with safe pedestrian passage.
- G. Accessory Buildings. The accessory building shall be constructed using materials and features similar to the principal building.
- H. SHPO Conflicts. The Planning Directors may waive or vary the above standards if determined to be in conflict with the recommendations of the State Historic Preservation Office (SHPO).
- I. Architectural Exceptions. Exceptions to the architectural requirements specified within this Ordinance may be approved by the Planning Directors upon finding that the requested exception is consistent with the architectural character of surrounding structures and/or will not adversely affect the character of the area.
- J. Impervious Surface Calculations. Sidewalks, plazas and recreational hard surfaces, or other impervious surfaces of the Development Envelope are exempt from impervious surface calculations.
- K. Ground Story. A Ground Story shall not be included toward maximum story limitations.

Section 5.04 Lighting Standards

- See Article 1, Section 1.12.

Section 5.05 Sign Standards

- See Article 15

Section 5.06 Sidewalk Standards

- All buildings shall provide clearly defined pedestrian travelways from the public or common sidewalk to the main entrances of the building or uses of the land.
- A sidewalk shall be a minimum of five (5) feet wide and free from obstructions.

Section 5.07 Landscape Standards

- See Article 14

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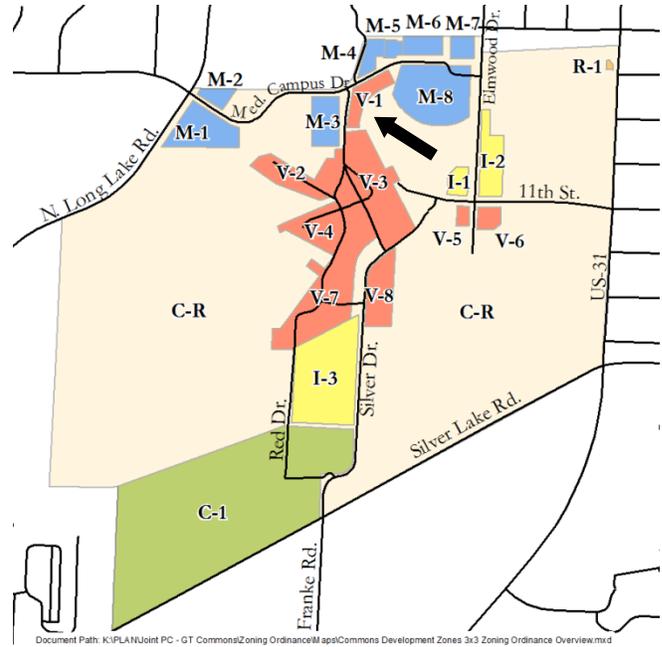
Village District Sub District 1 (V-1)

Section 5.08 Building Types

- Large Cottage

Section 5.09 Design Standards

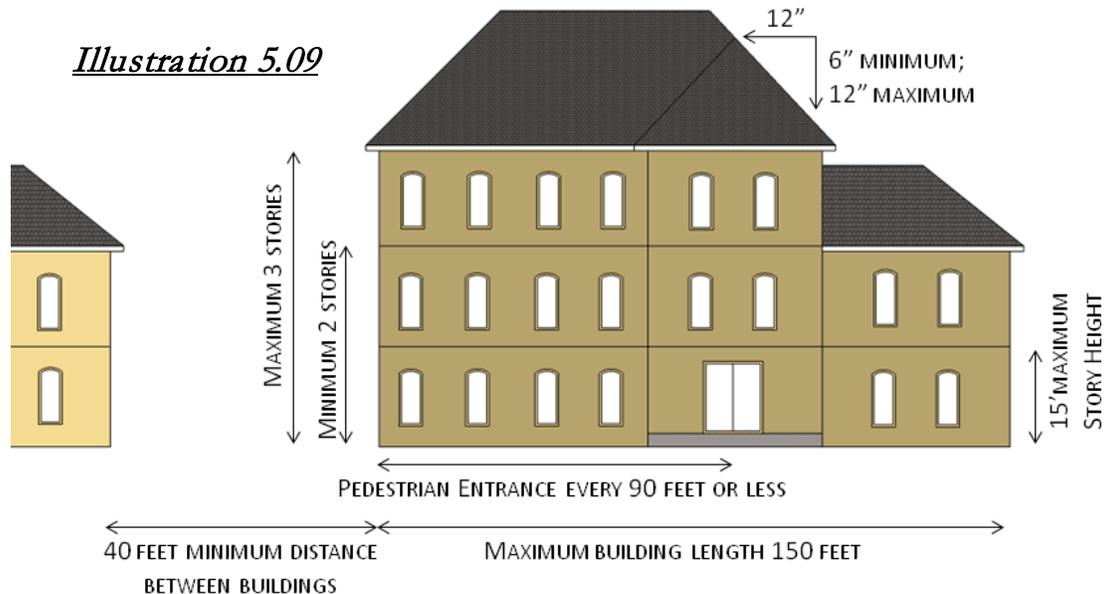
- Roofs.** Roof pitch shall be as indicated in *Illustration 5.09*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.09* along the façade of each building wall that faces the historic front lawn, alley, or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 5.09*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than ½ story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 5.10 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

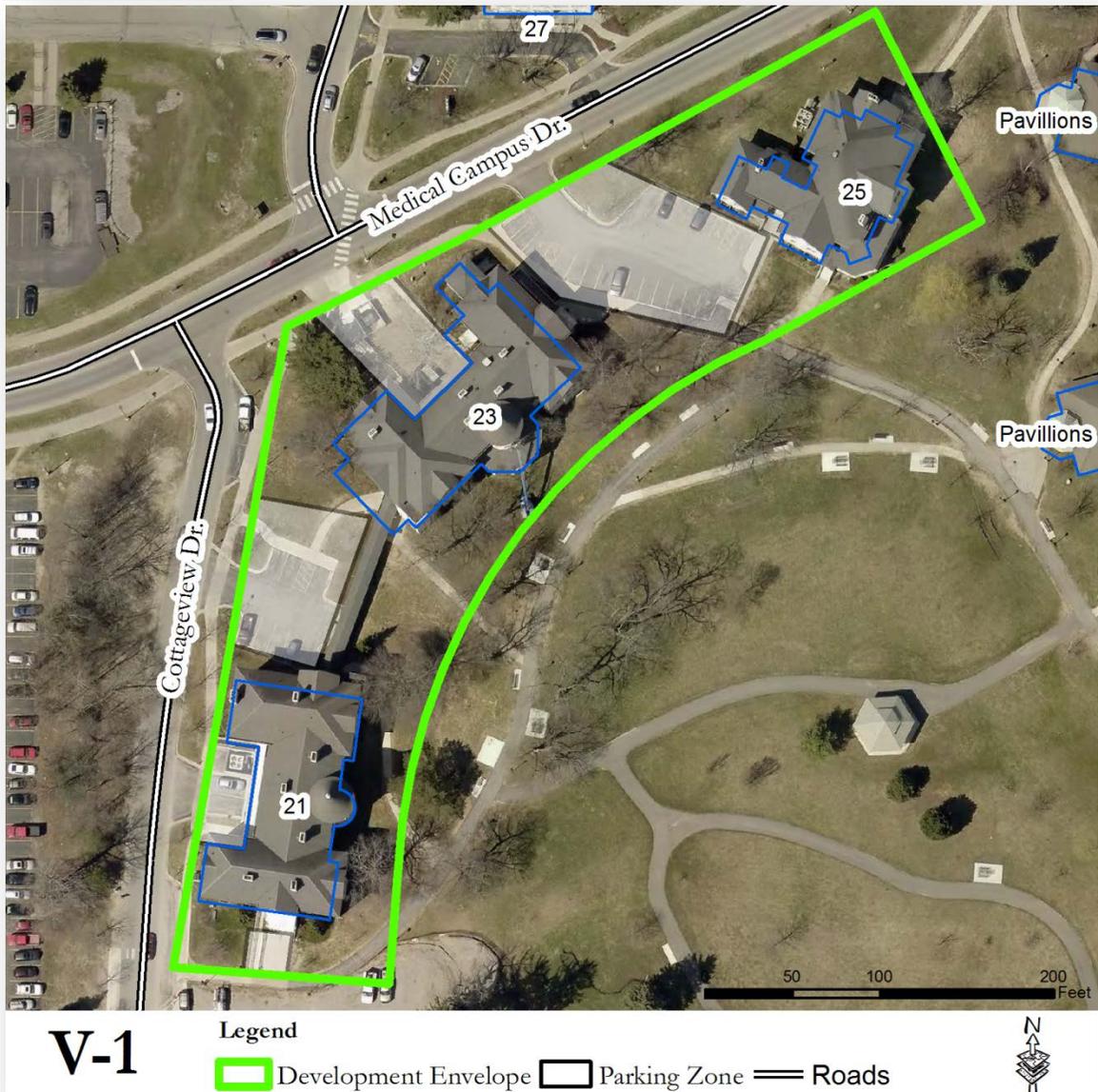
- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.10*.
- Maximum Total Building Coverage: 27,150 square feet of Development Envelope.
- Maximum Total Parking Surface: 18,100 square feet of Development Envelope.
- Maximum Total Impervious Surface: 45,250 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.09*. Accessory buildings are exempt from these requirements.



V-1 Character Photos



Illustration 5.10



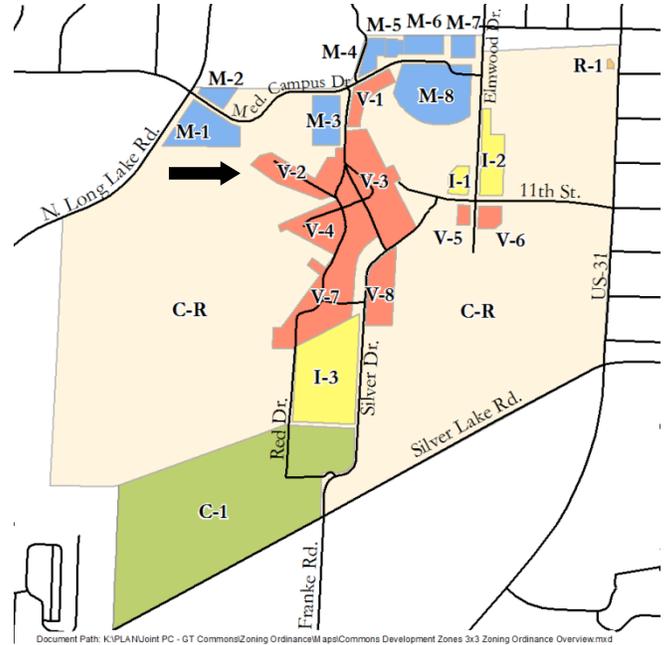
**Village District
Sub District 2 (V-2)**

Section 5.11 Building Types Allowed by Right

- Warehouse

Section 5.12 Design Standards

- Roofs.** Roofs shall be flat or a shed type.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.12* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 5.12*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within of the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

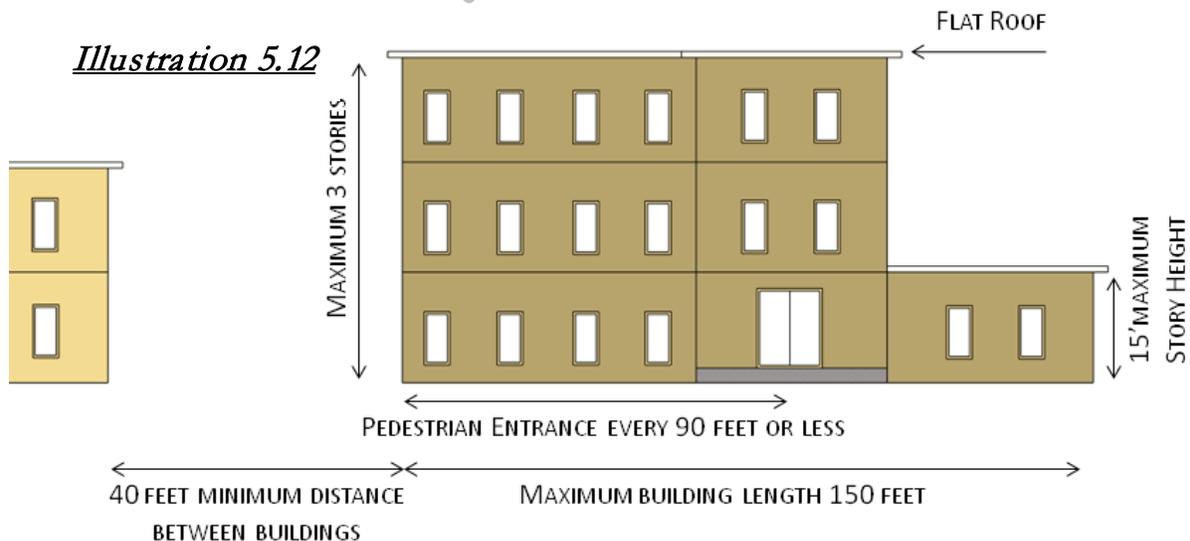


Section 5.13 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.13*.
- Maximum Total Building Coverage: 105,700 feet of Development Envelope.
- Maximum Total Parking Surface: 63,400 square feet of Development Envelope.
- Maximum Total Impervious Surface: 169,100 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.12*. Accessory buildings are exempt from these requirements.

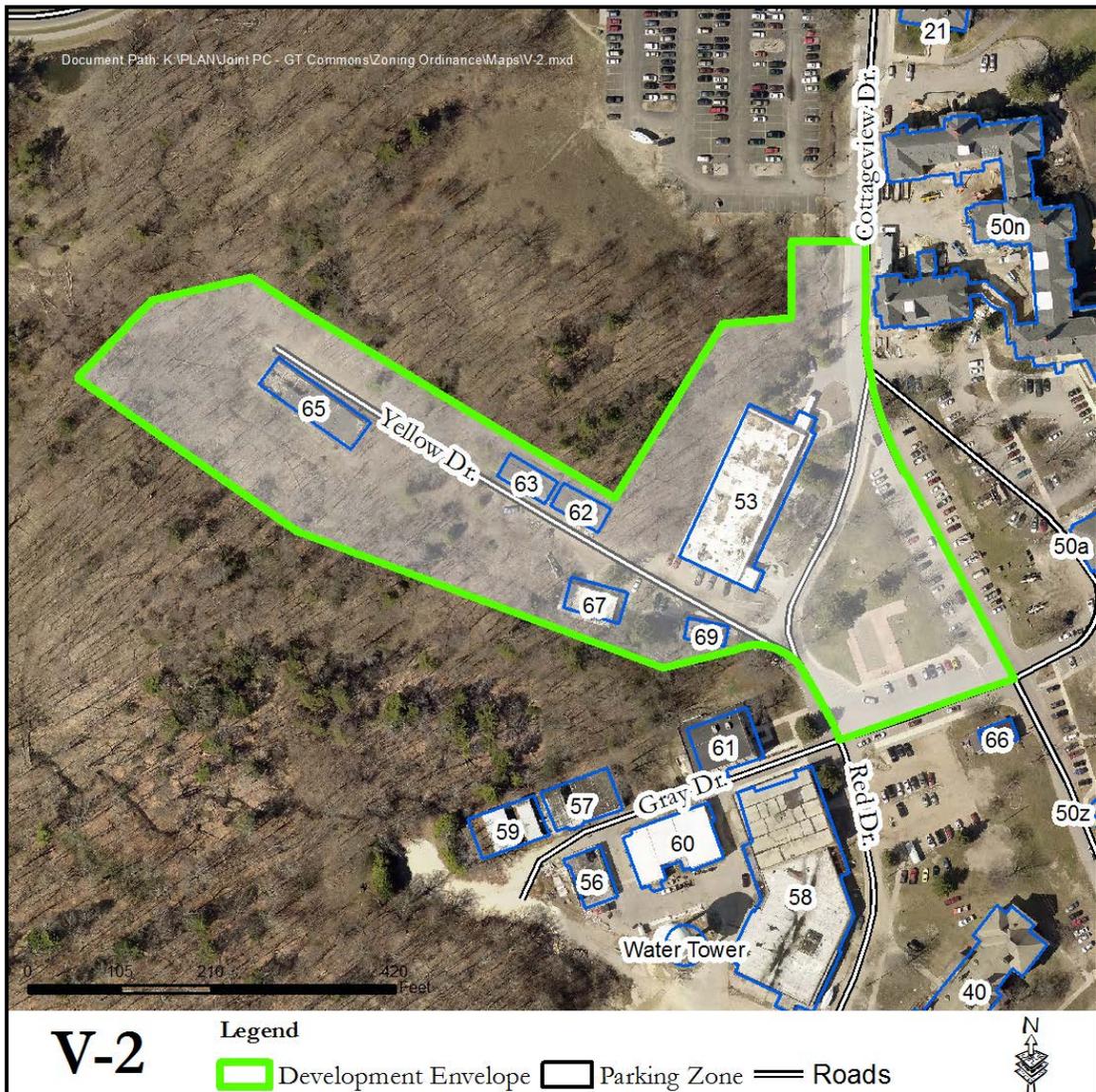
Illustration 5.12



V-2 Character Photos



Illustration 5.13



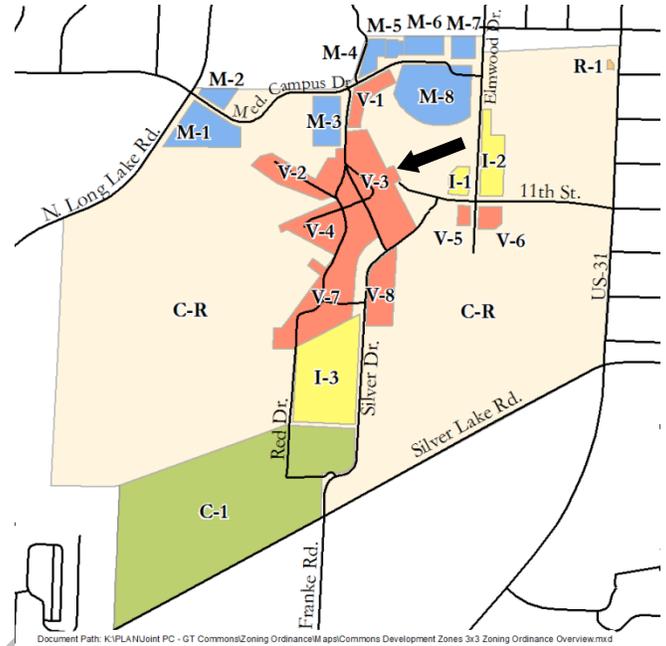
Village District Sub District 3 (V-3)

Section 5.14 Building Types Allowed by Right

- Monumental

Section 5.15 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 5.15*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.15* along the façade of each building wall that faces the historic front lawn, alley, or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 5.15*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty-five (25) feet in height.

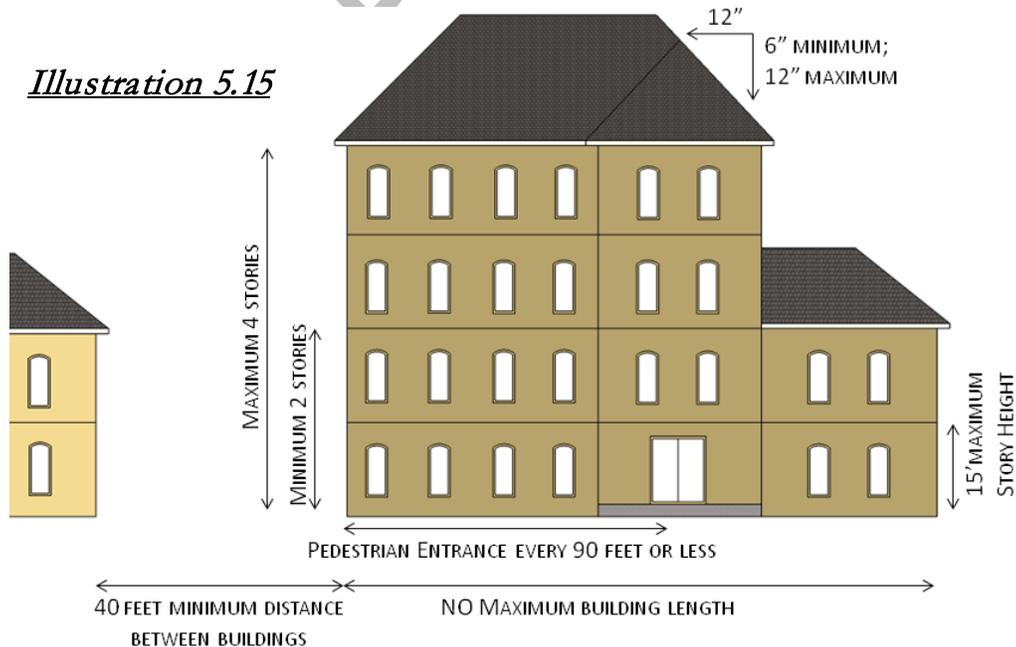


Section 5.16 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.16*.
- Maximum Total Building Coverage: 123,700 feet of Development Envelope.
- Maximum Total Parking Surface: 106,000 square feet of Development Envelope.
- Maximum Total Impervious Surface: 229,700 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.15*. Accessory buildings are exempt from these requirements.

Illustration 5.15



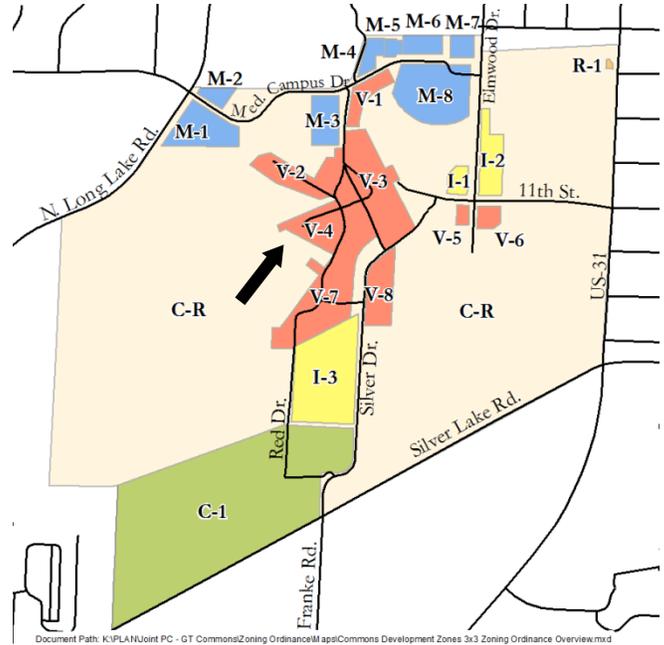
Village District Sub District 4 (V-4)

Section 5.17 Building Types Allowed by Right

- Warehouse

Section 5.18 Design Standards

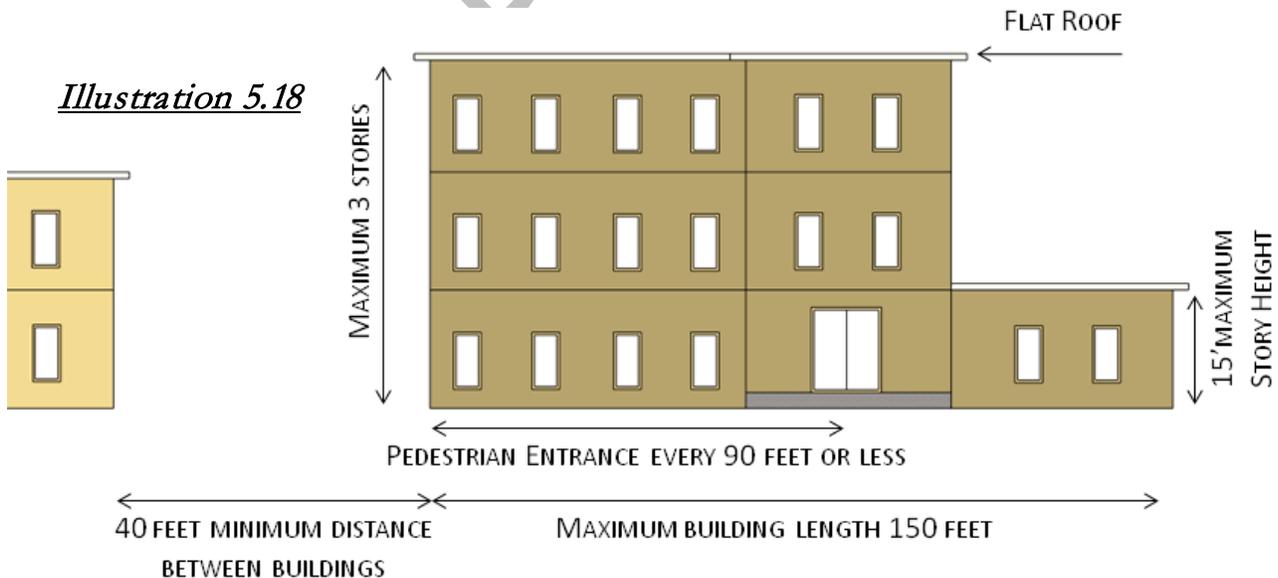
- Roofs.** Roofs shall be flat. Any roof which is not flat may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.18* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 5.18*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty-five (25) feet in height.



Section 5.19 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

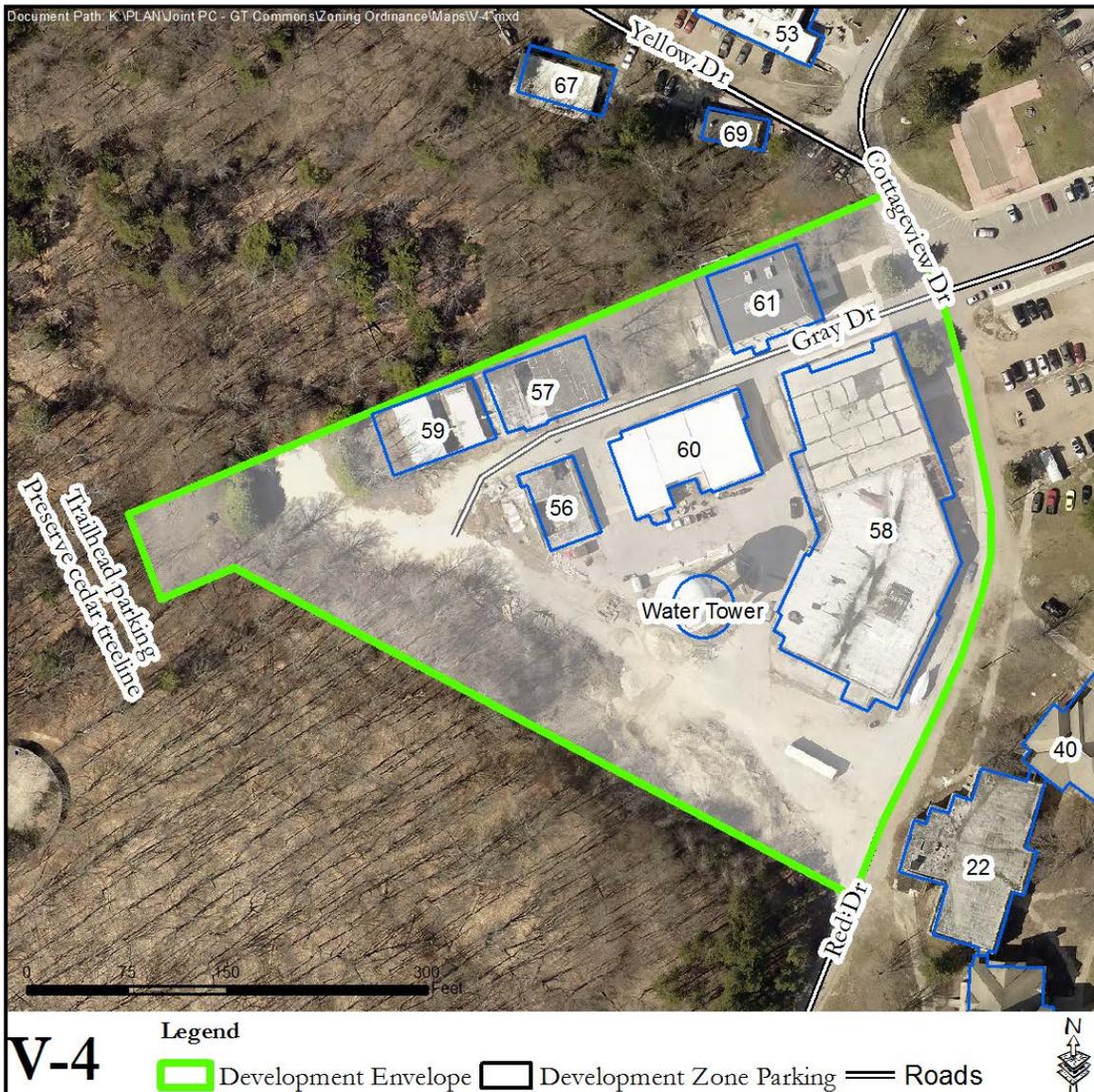
- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.19*.
- Maximum Total Building Coverage: 101,200 square feet of Development Envelope.
- Maximum Total Parking Surface: 81,000 square feet of Development Envelope.
- Maximum Total Impervious Surface: 182,200 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.18*. Accessory buildings are exempt from these requirements.



V-4 Character Photos



Illustration 5.19



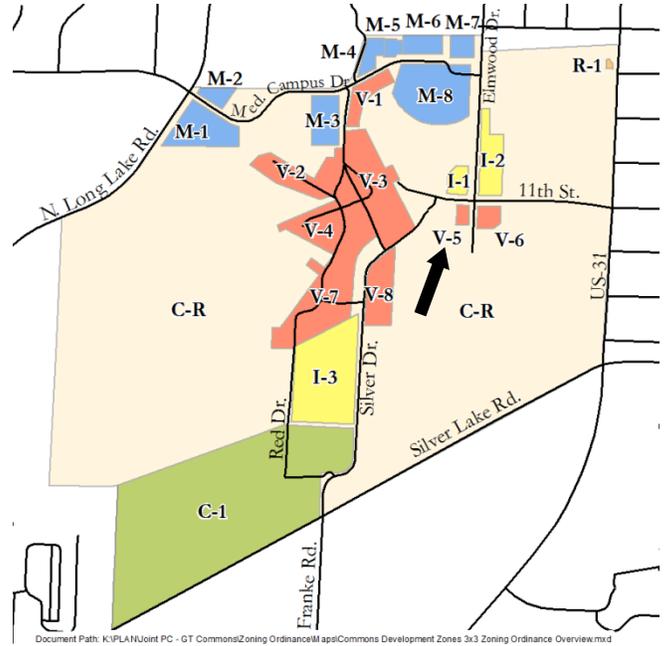
Village District Sub District 5 (V-5)

Section 5.20 Building Types Allowed by Right

- Small Cottage

Section 5.21 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 5.21*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.21* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 5.21*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

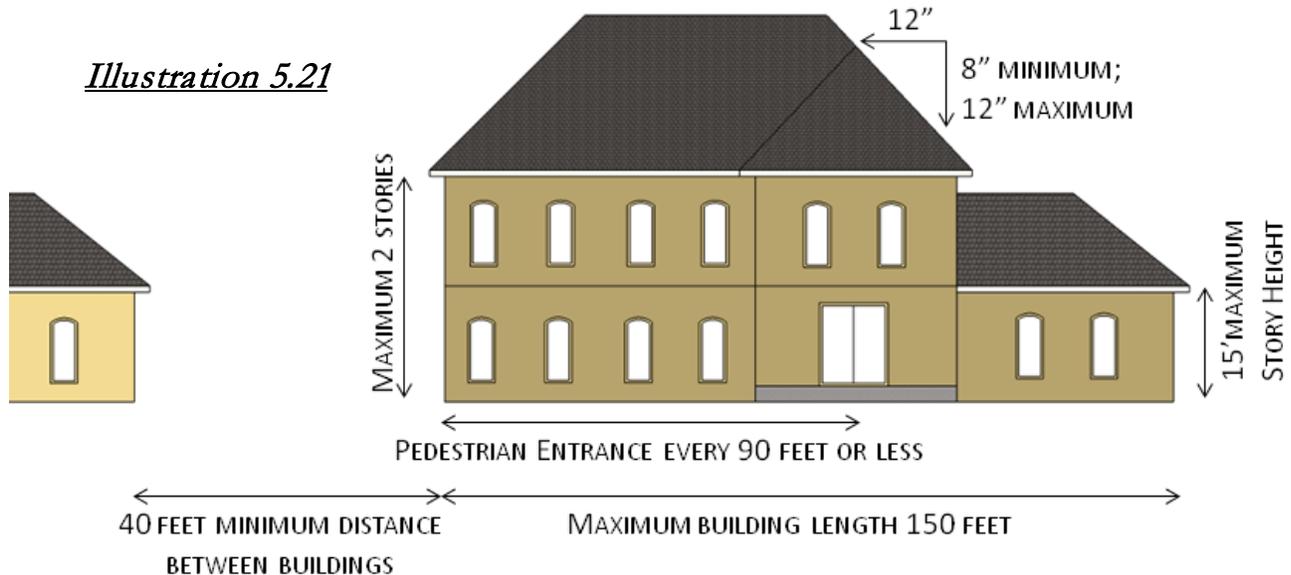


Section 5.22 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.22*.
- Maximum Total Building Coverage: 4,550 feet of Development Envelope.
- Maximum Total Parking Surface: 4,550 square feet of Development Envelope.
- Maximum Total Impervious Surface: 9,100 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.21*. Accessory buildings exempt from these requirements.

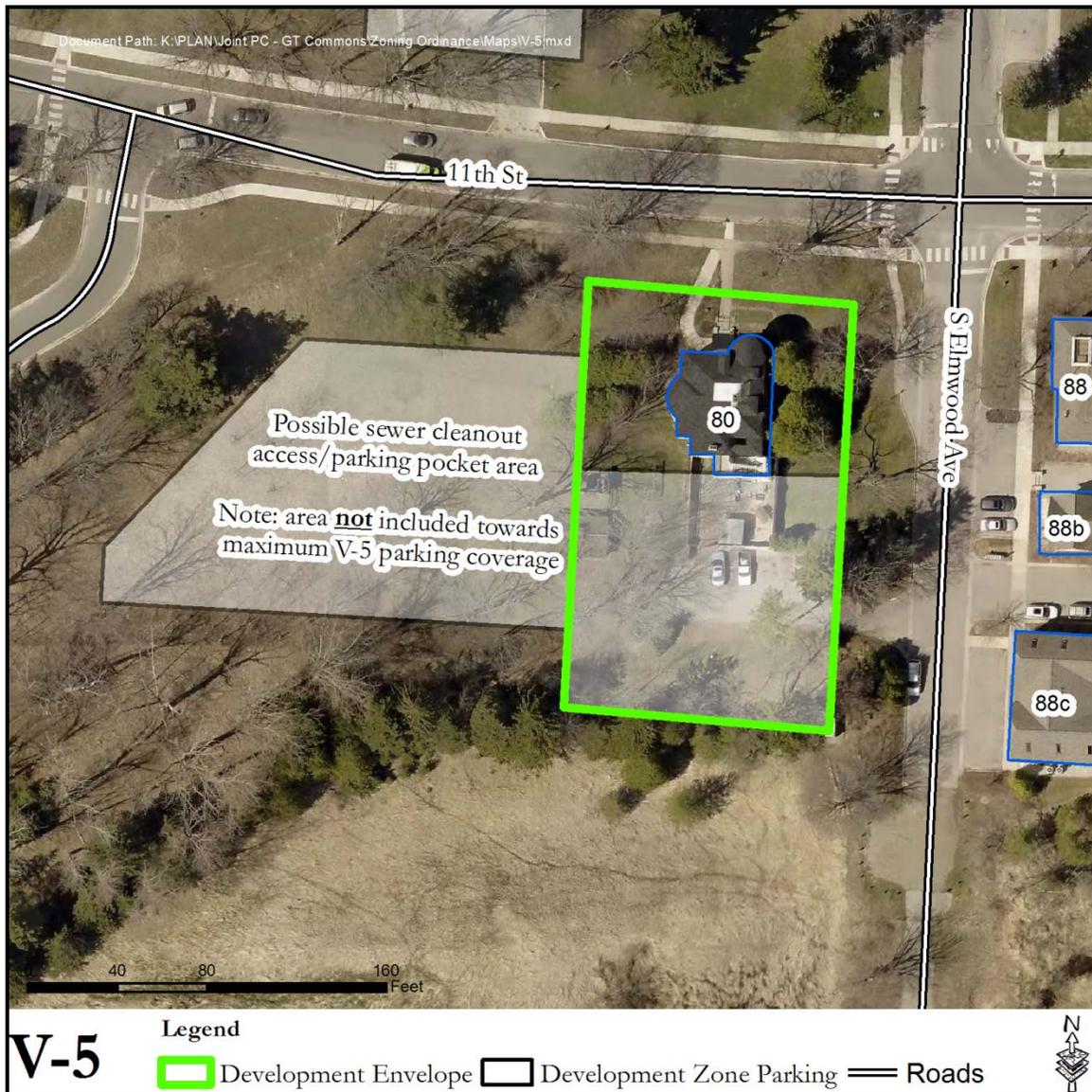
Illustration 5.21



V-5 Character Photos



Illustration 5.22



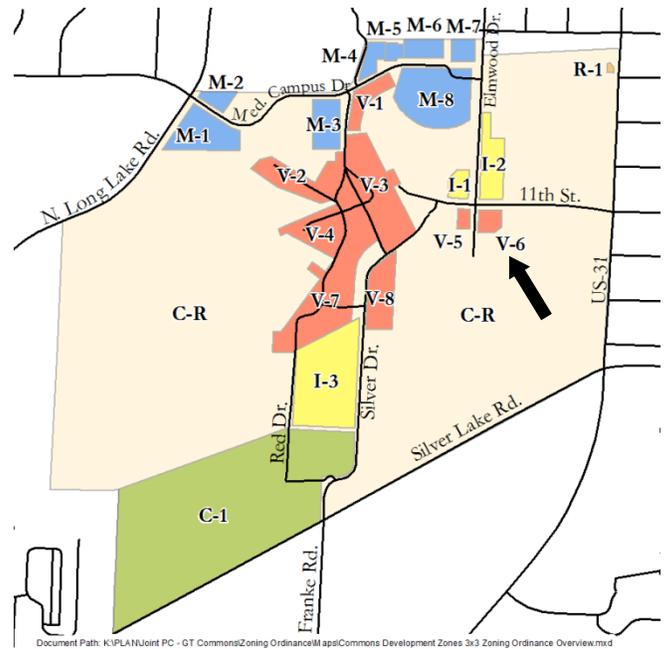
Village District Sub District 6 (V-6)

Section 5.23 Building Types Allowed by Right

- Small Cottage

Section 5.24 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 5.24*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.24* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 5.24*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

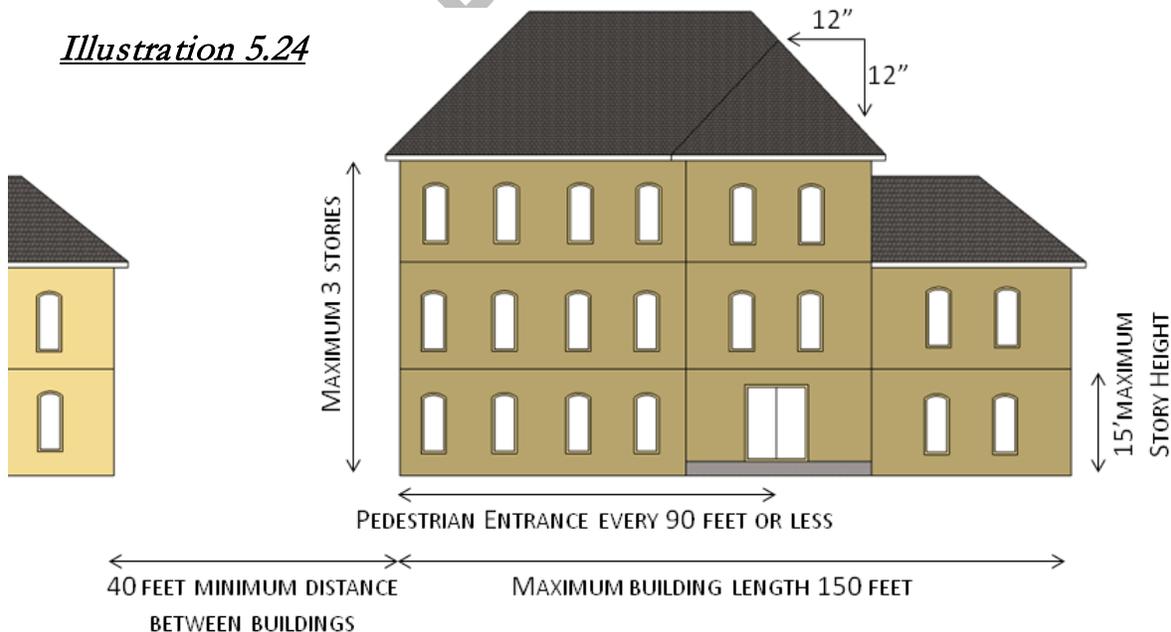


Section 5.25 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.25*.
- Maximum Total Building Coverage: 9,600 feet of Development Envelope.
- Maximum Total Parking Surface: 9,600 square feet of Development Envelope.
- Maximum Total Impervious Surface: 19,200 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.24*. Accessory buildings are exempt from these requirements.

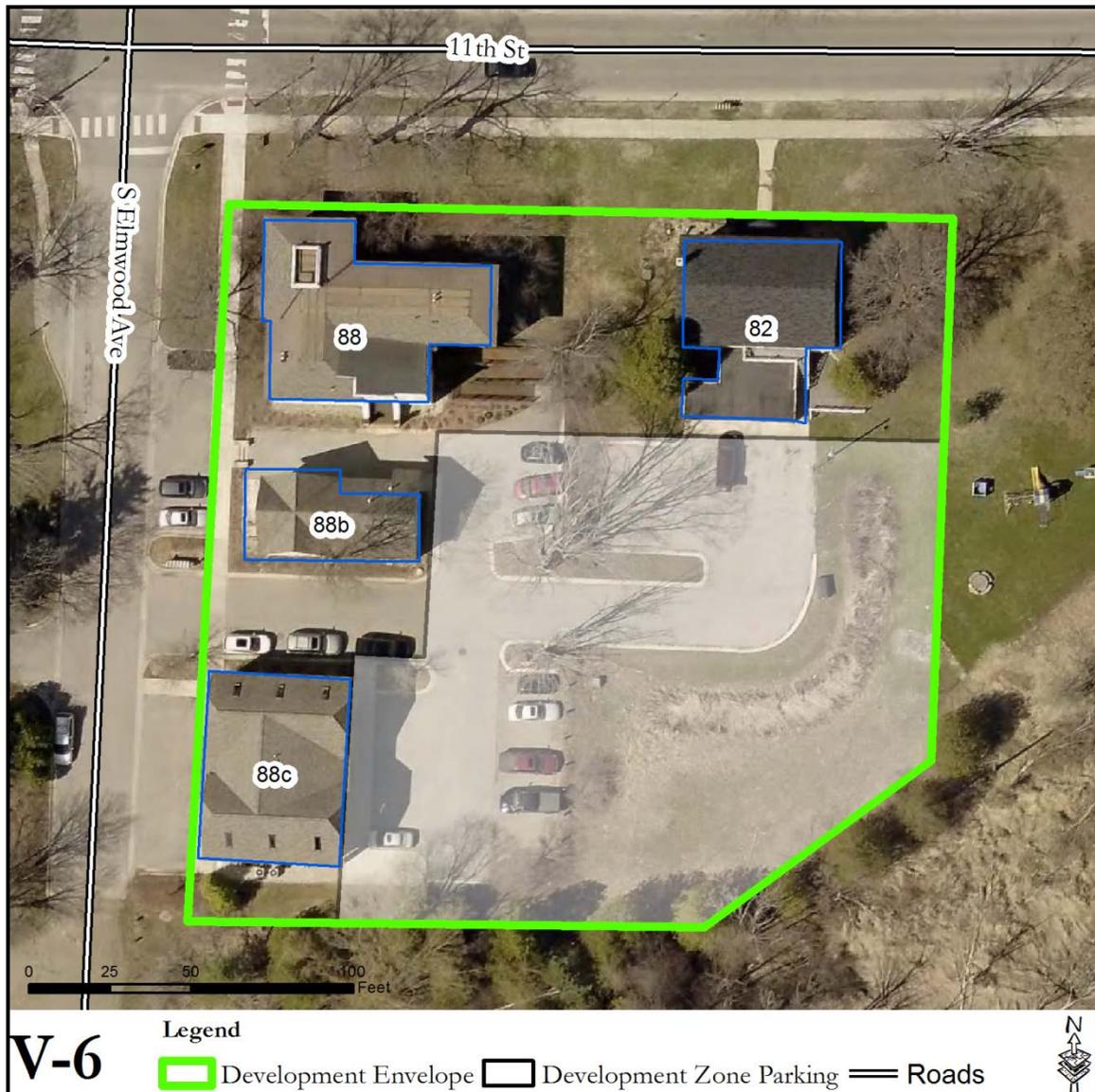
Illustration 5.24



V-6 Character Photos



Illustration 5.25



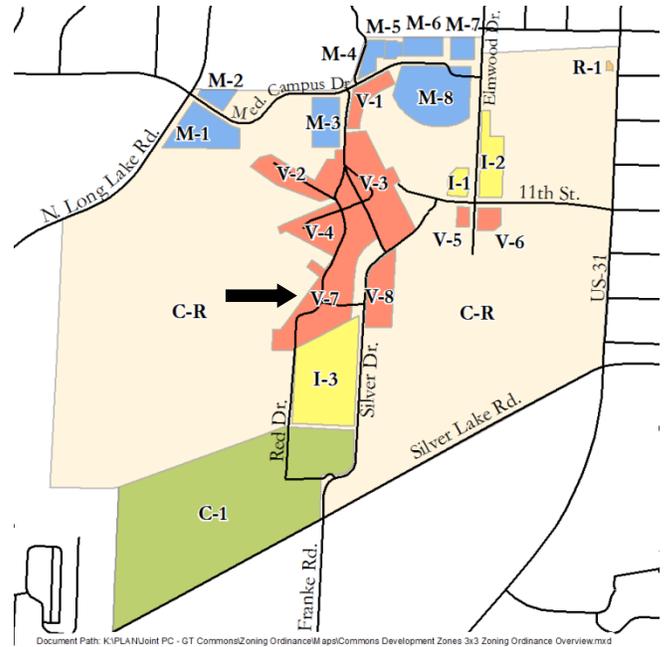
**Village District
Sub District 7 (V-7)**

Section 5.26 Building Types Allowed by Right

- Large Cottage

Section 5.27 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 5.27*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.27* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 5.27*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty-five (25) feet in height.



Section 5.28 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.28*
- Maximum Total Building Coverage: 92,700 feet of Development Envelope.
- Maximum Total Parking Surface: 74,200 square feet of Development Envelope.
- Maximum Total Impervious Surface: 166,800 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.27*. Accessory buildings are exempt from these requirements.

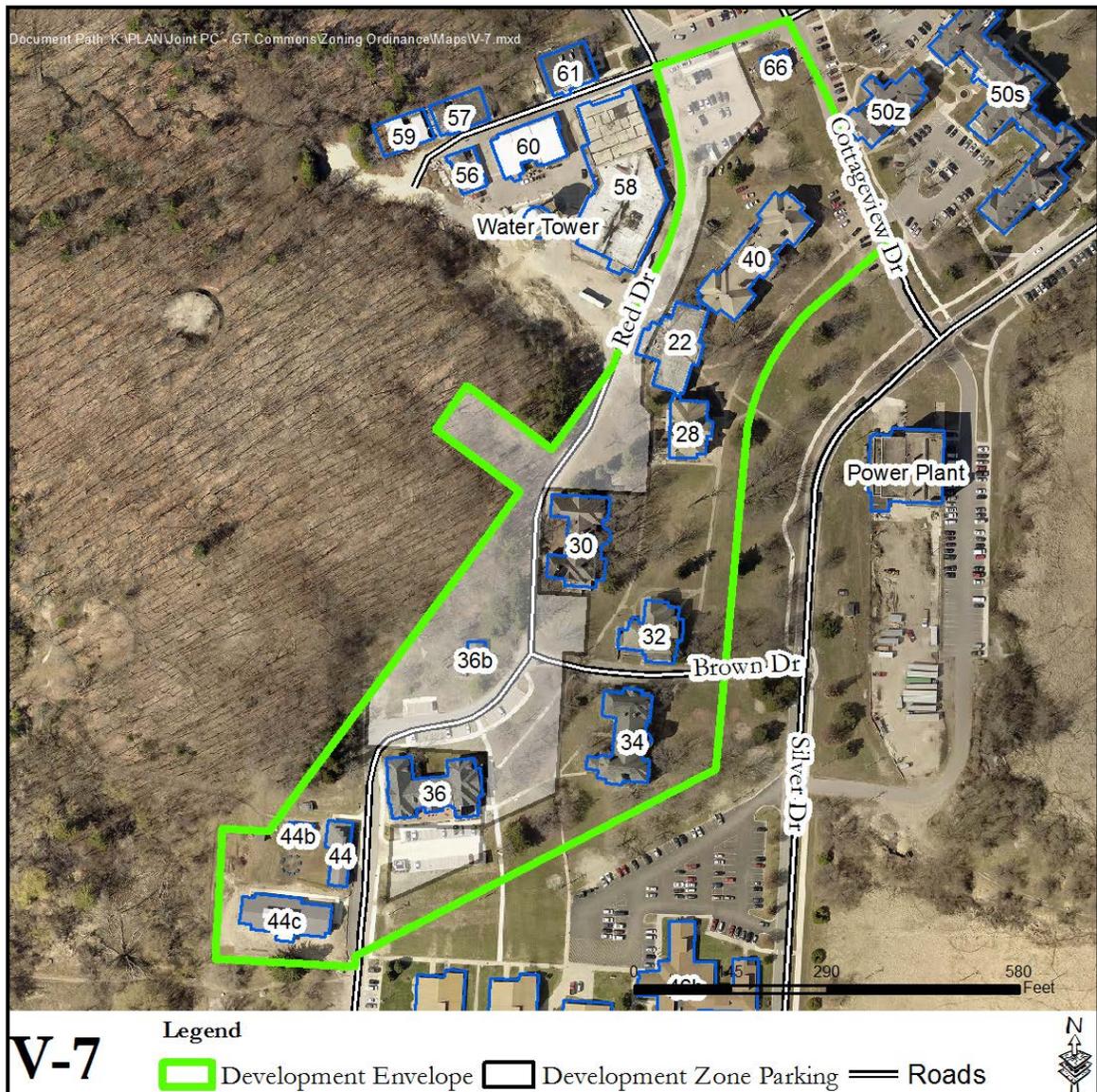
Illustration 5.27



V-7 Character Photos



Illustration 5.28



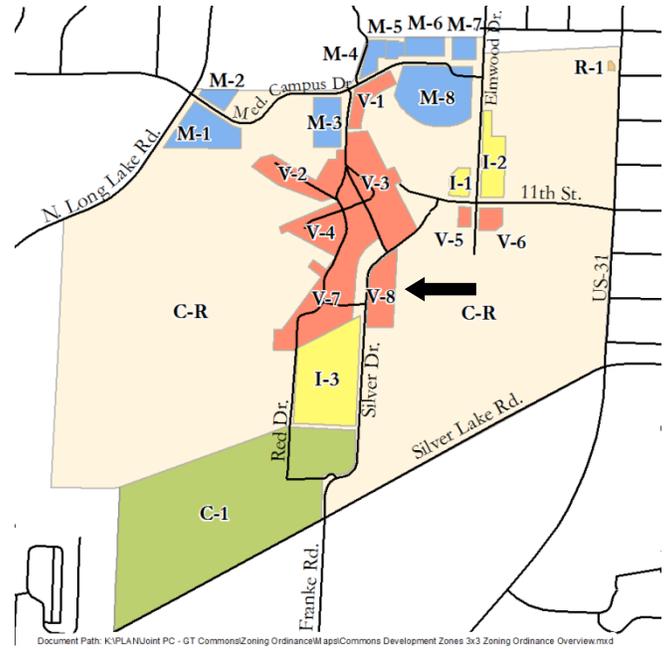
Village District Sub District 8 (V-8)

Section 5.29 Building Types Allowed by Right

- Utilitarian

Section 5.30 Design Standards

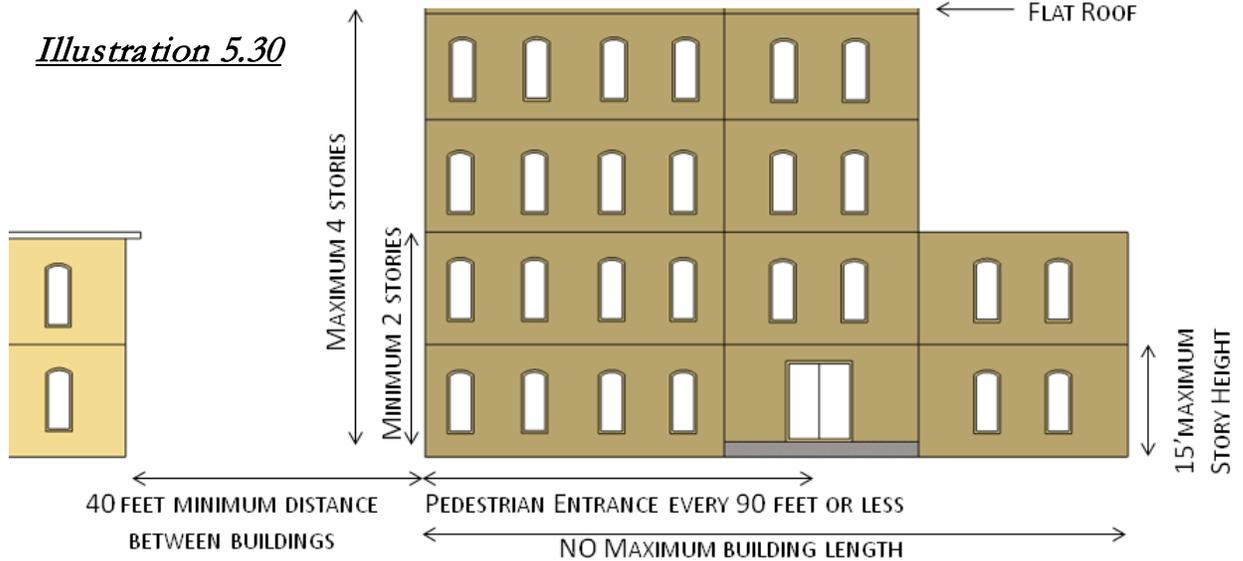
- Roofs.** Roof pitch shall be as indicated in *Illustration 5.30*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 5.30* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 5.30*. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty-five (25) feet in height.



Section 5.31 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

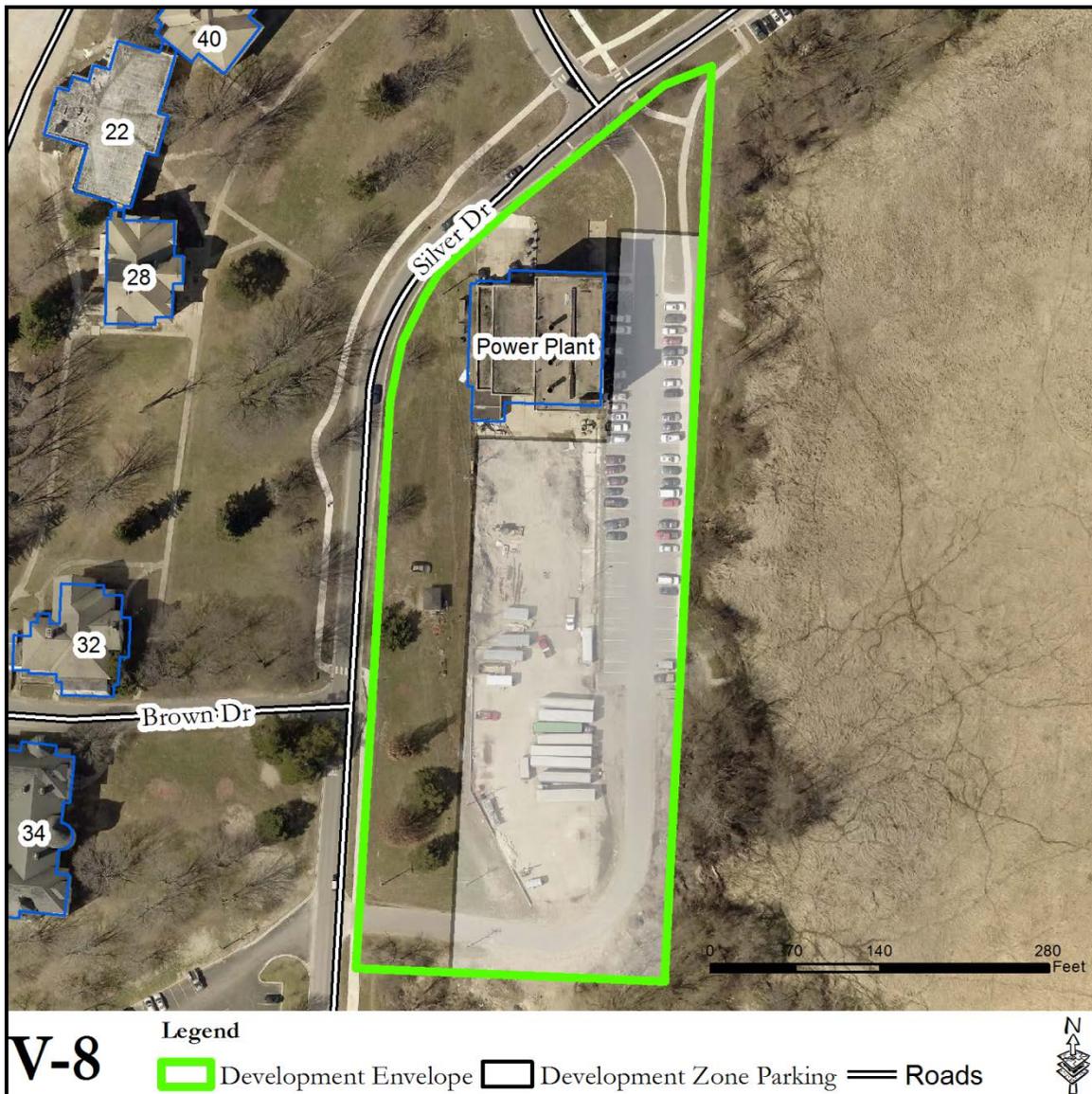
- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 5.31*
- Maximum Total Building Coverage: 112,200 feet of Development Envelope.
- Maximum Total Parking Surface: 42,100 square feet of Development Envelope.
- Maximum Total Impervious Surface: 112,200 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.30*. Accessory buildings are exempt from these requirements.



V-8 Character Photos



Illustration 5.31



Article 6 Medical District

The following standards shall be applied to each Sub-District (M-1, M-2, M-3, M-4, M-5, M-6, M-7, and M-8) within the Mixed Use Medical District.

Section 6.01 Uses Allowed by Right

The following uses of land and buildings, together with accessory uses, are allowed in the Mixed Use Medical District:

- Assisted Living
- Dwellings
- Eating and Drinking Places (without drive-throughs)
- Lodging Facilities
- Retail
 - Pharmacy
 - Medical
 - Gift shop
 - Florist
- Services (without drive-throughs)
 - Business
 - Cultural and Community
 - Education
 - Finance, Insurance, Legal and Real Estate
 - Health Services
 - Office
 - Personal
 - Recreation
 - Social
 - Government
 - Veterinary
- Parking Areas (subject to the requirements of Section 1.14)
- Parking Structures (subject to the requirements of Section 1.15)
- Other uses and site adjustments as approved by the Planning Directors if such uses are compatible with adjacent uses, will generate similar motor vehicle traffic patterns and will not generate excessive noise, excessive lighting, excessive fumes or other nuisances.

Section 6.02 Special Uses

Reserved.

Section 6.03 General Design Standards

- A. Color. Exterior building walls shall be light, earth tones. Roof color shall be darker than the exterior building walls.
- B. Materials. New buildings, reconstruction, and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials or a combination of existing buildings within the District Development Envelope.
- C. Façade.
 1. Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street or sidewalk-facing wall may be achieved with wall offsets in combination with pilasters, corbelling or other permanent architectural elements; however, offsets in any wall shall not be less than eight (8) inches.

2. Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the District.
 3. Window glass panes shall be recessed at least four (4) inches from the outside of all building walls so as to create a shadow line.
 4. Windows shall have a vertical emphasis, similar to predominant windows on existing buildings within the Envelope.
 5. Clear or lightly tinted transparent glass shall be used in all windows facing a public street or sidewalk. Decorative stained glass may be used for accents.
 6. Window and door transparency of at least 20% is required on all façades facing a public or private street or the Historic Front Lawn.
- D. Character Photos. Character Photos have been inserted throughout this Ordinance as examples of appropriate architectural design within an individual Sub-District. Character Photos are intended as a visual tool to assist in the evaluation of whether an application meets the General Design Standards of the Sub-District, but are not intended to strictly establish architectural design standards.
- E. Rooftop Equipment. Any rooftop equipment shall be enclosed or screened from street or sidewalk level view using the same materials used for the building walls or a material which is approved by the Planning Directors so as to be visually compatible with the building.
- F. Doors/Entries. Pedestrian entrances shall open onto the sidewalk or walkways leading to the public right-of-way or private street and to adjacent buildings. Entries must be prominently identified and must not interfere with safe pedestrian passage.
- G. Accessory Buildings. The accessory buildings shall be constructed using materials and features similar to the principal building.
- H. Waivers. The Planning Commission may waive or vary the above standards if determined to be in conflict with the recommendations of the State Historic Preservation Office (SHPO).
- I. Impervious Surface Calculations. Sidewalks, plazas and recreational hard surfaces, or other impervious surfaces of the Development Envelope are exempt from impervious surface calculations.
- J. Ground Story. A Ground Story shall not be included towards maximum story limitations.

Section 6.04 Lighting Standards

- See Section 1.12

Section 6.05 Sign Standards

- See Article 15

Section 6.06 Sidewalk Standards

- All buildings shall provide clearly defined pedestrian travelways from the public or common sidewalk to the main entrances of the building or uses of the land.
- A sidewalk shall be a minimum of five (5) feet wide and free from obstructions.

Section 6.07 Landscape Standards

- See Article 14

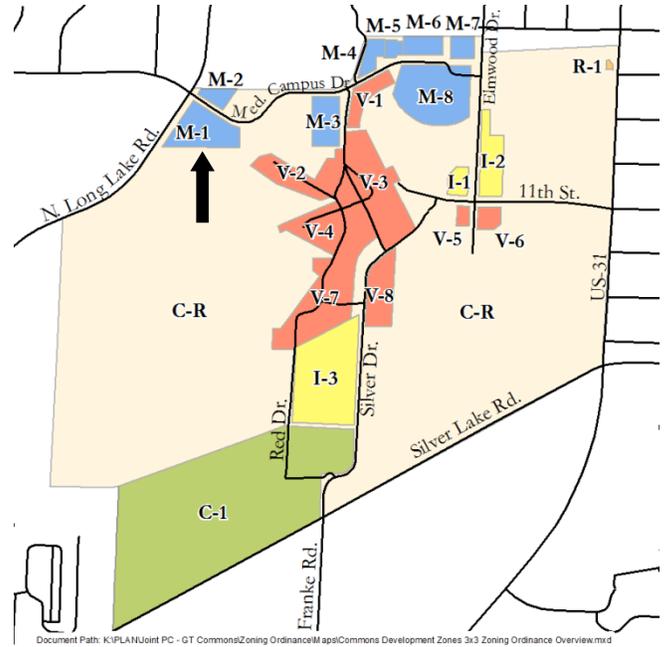
Medical District Sub-District 1 (M-1)

Section 6.08 Building Types

- Large Cottage
- Utilitarian

Section 6.09 Design Standards

- A. **Roofs.** Roofs may be pitched or flat. For pitched roofs, refer to the design standards of the V-3 Sub-District (*Illustration 5.15*). For flat roofs, refer to the design standards of the M-6 District (*Illustration 6.24*). Any roof pitch outside the range indicated may be approved by the Planning Directors.
- B. **Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.09* along the façade of each building wall that faces an alley or street.
- C. **Height.** Principle buildings shall be measured by stories as indicated in *Illustration 6.09*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

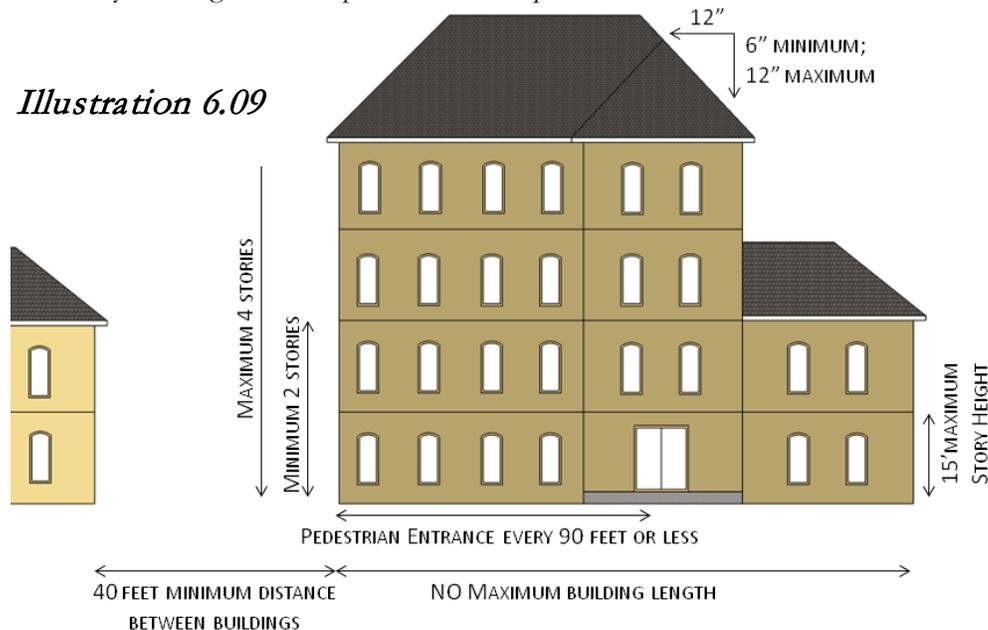


Section 6.10 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.10*.
- Maximum Total Building Coverage: 25,000 square feet of Development Envelope.
- Maximum Total Parking Surface: Remainder of feet of 210,000 square foot Development Envelope.
- Maximum Total Impervious Surface: None
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.09*. Accessory buildings are exempt from these requirements.

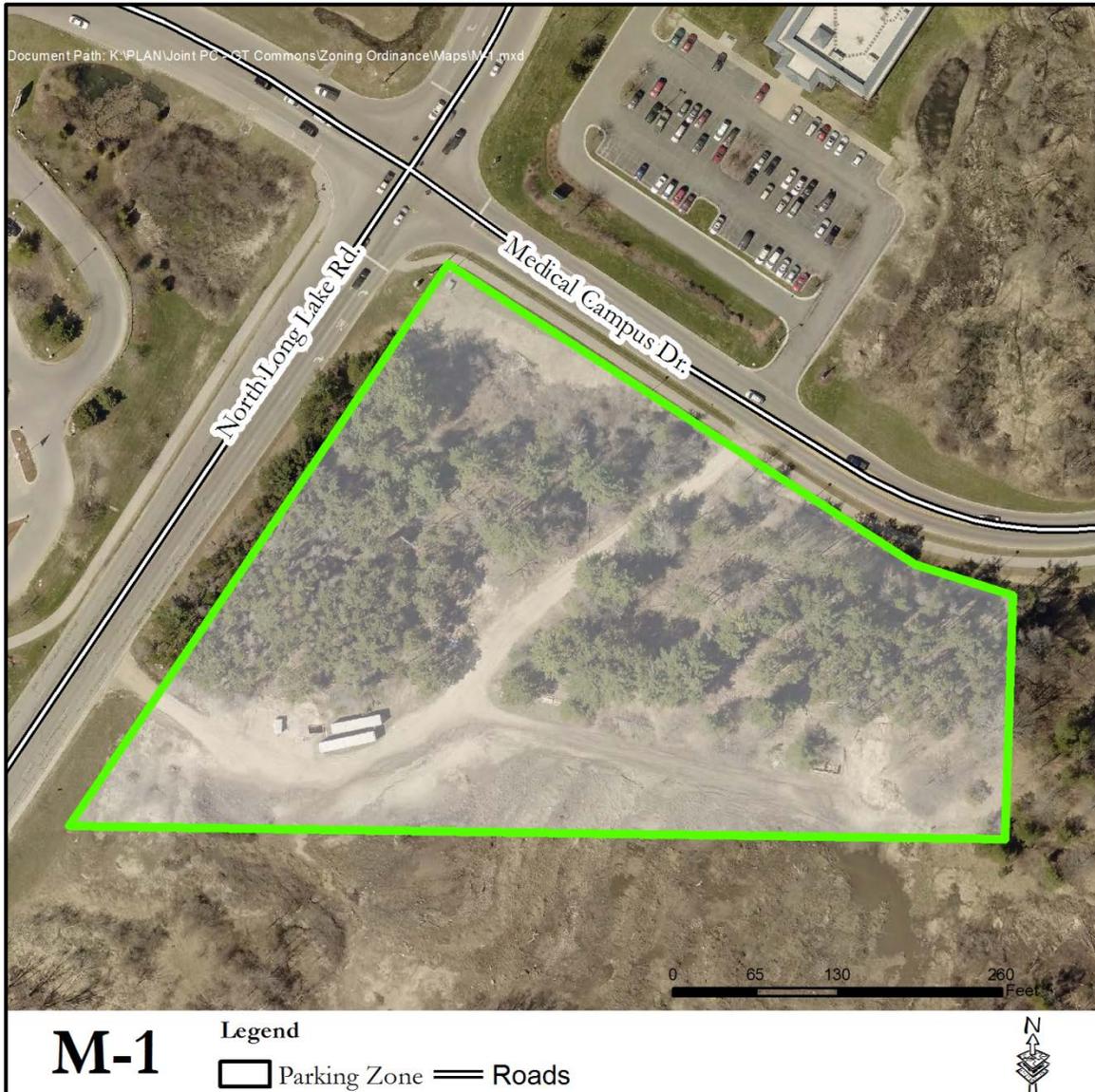
Illustration 6.09



M-1 Character Photos



Illustration 6.10



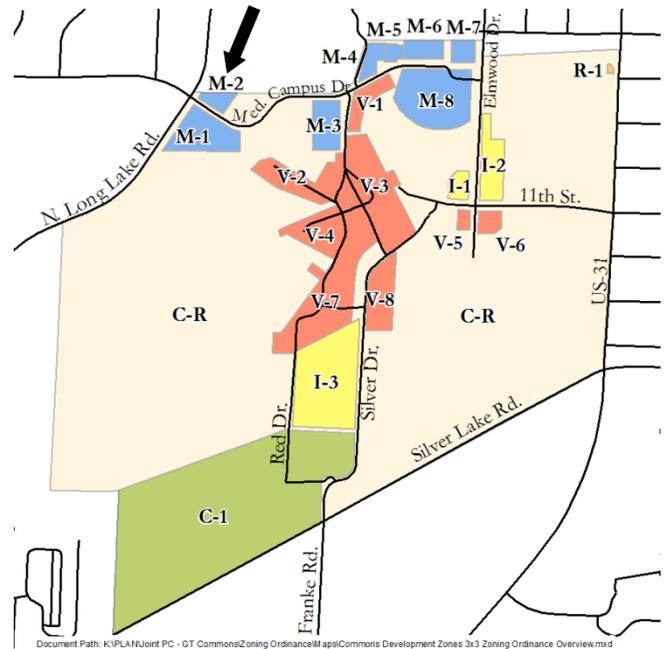
Medical District Sub-District 2 (M-2)

Section 6.11 Building Types

- Large Cottage

Section 6.12 Design Standards

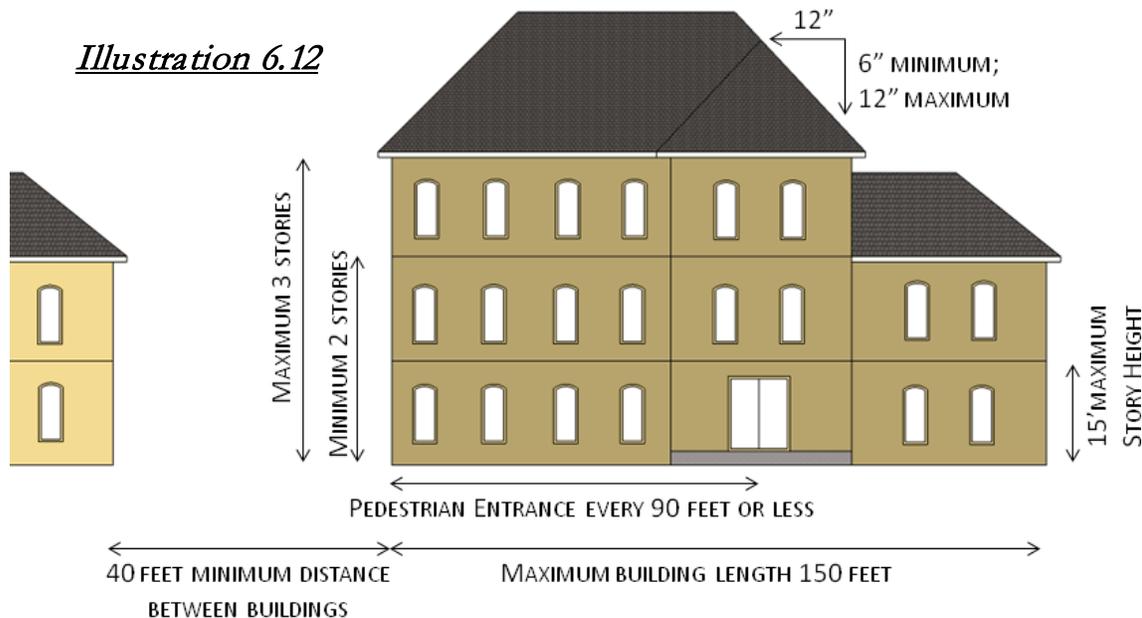
- Roofs.** Roof pitch shall be as indicated in *Illustration 6.12*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.12* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 6.12*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than ½ story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 6.13 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

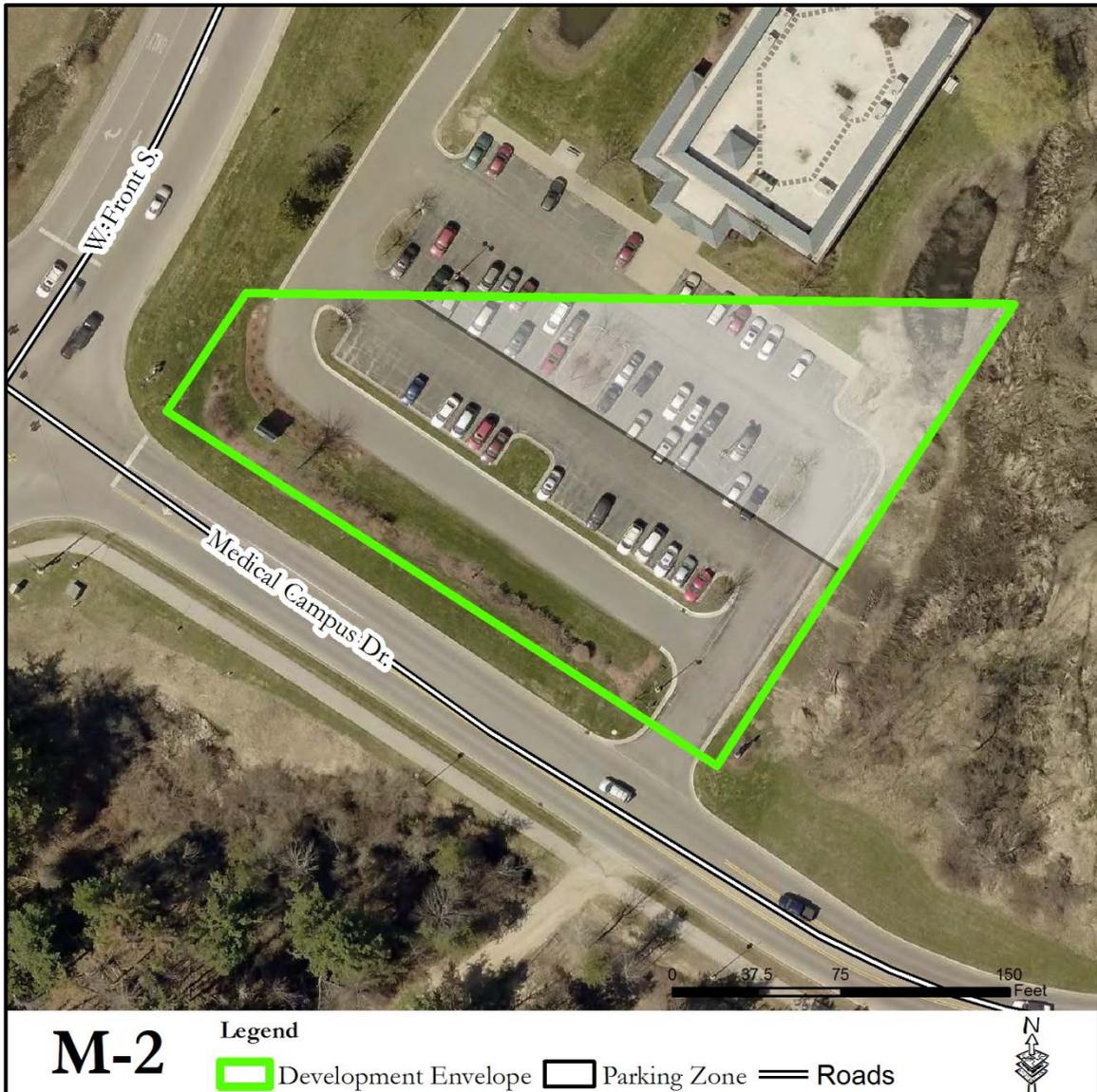
- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.13*.
- Maximum Total Building Coverage: 17,900 square feet of Development Envelope.
- Maximum Total Parking Surface: 17,900 square feet of Development Envelope.
- Maximum Total Impervious Surface: 35,800 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.12*. Accessory buildings are exempt from these requirements.



M-2 Character Photos



Illustration 6.13



Medical District Sub-District 3 (M-3)

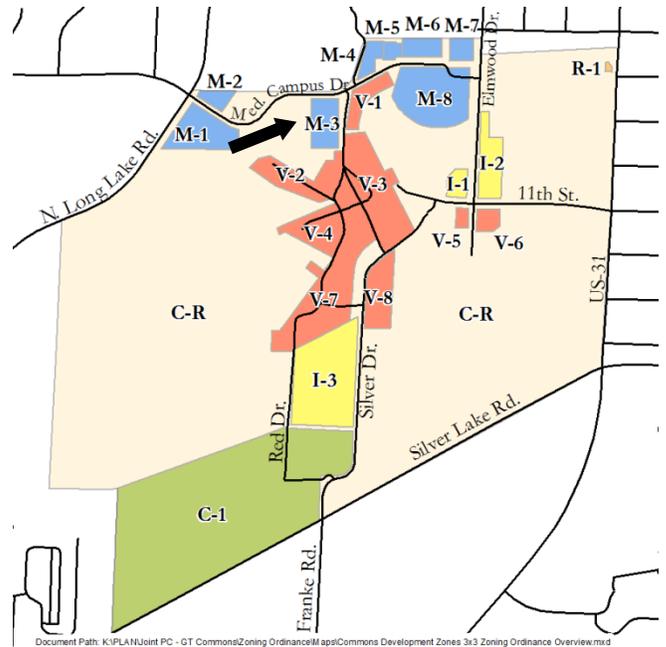
Section 6.14 Building Types

- Large Cottage
- Utilitarian
-

Section 6.15 Design Standards

- B. Roofs. Roofs may be pitched or flat. For pitched roofs, refer to the design standards of the V-3 Sub-District (*Illustration 5.15*). For flat roofs, refer to the design standards of the M-6 District (*Illustration 6.24*). Any roof pitch outside the range indicated may be approved by the Planning Directors.
- C. Doors/Entries. Spacing shall be provided as indicated in the V-3 Sub District (*Illustration 5.15* along the façade of each building wall that faces an alley or street.
- D. Height.

1. General standards. Principle buildings shall be measured by stories as indicated in *Illustration 6.16*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height. .

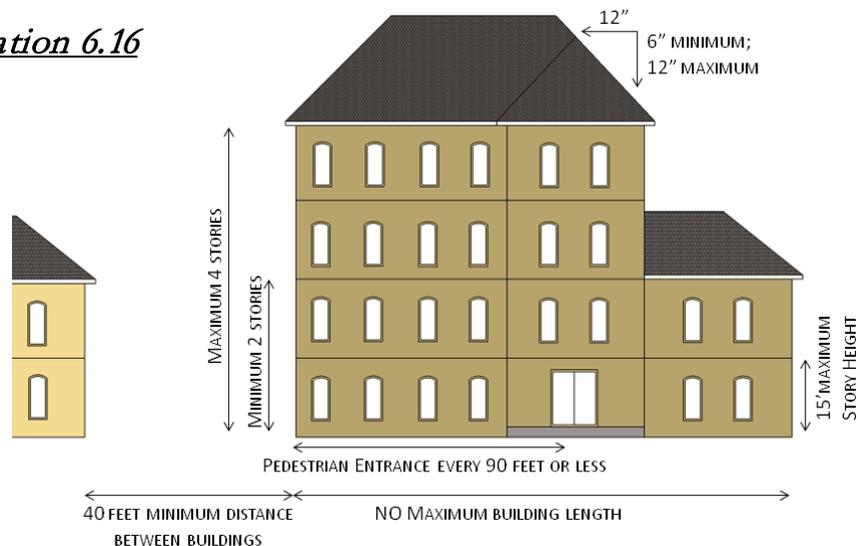


Section 6.16 Size, Impervious Surface, and Siting Standards

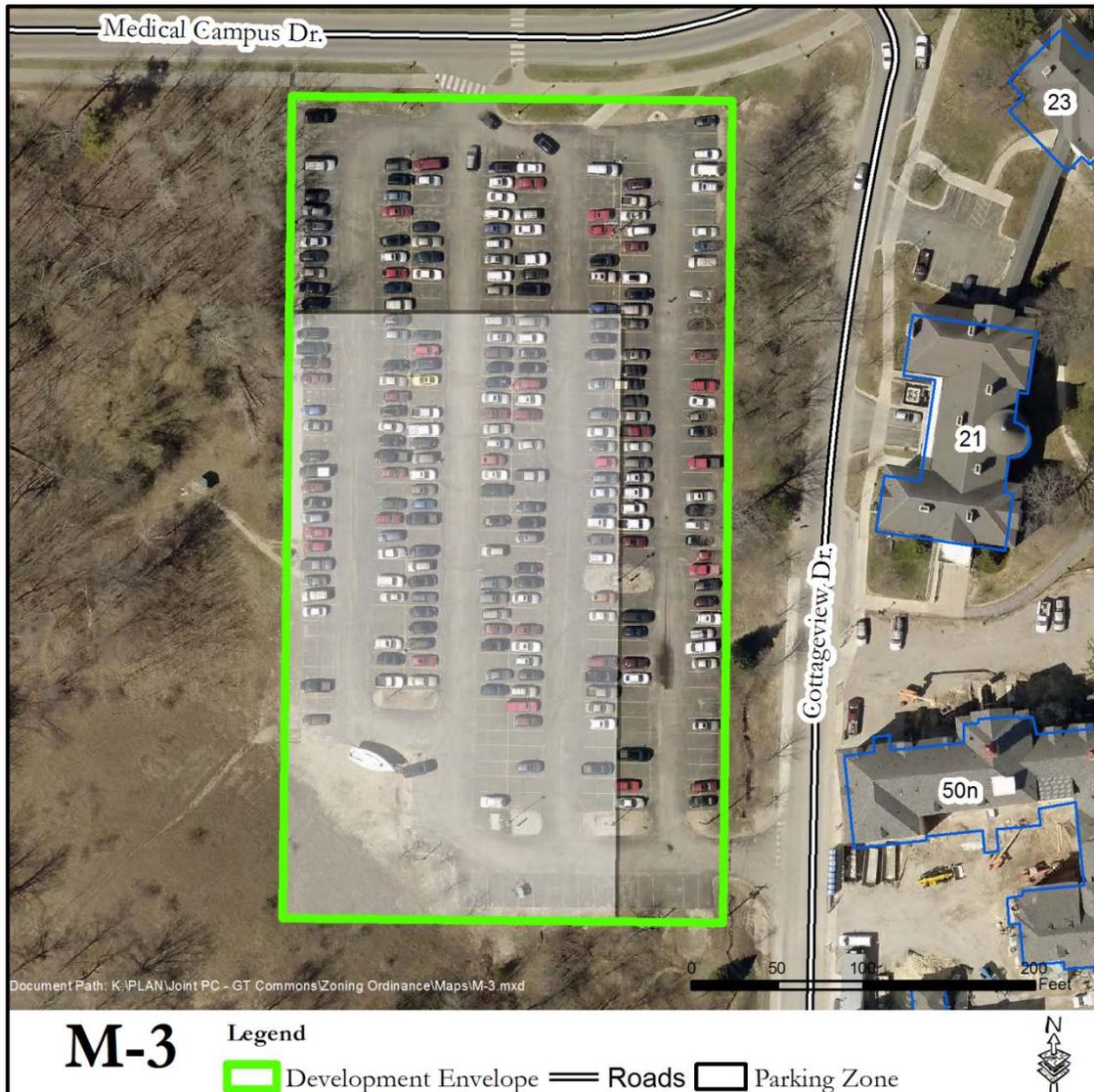
Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.16*.
- Maximum Total Building Coverage: 111,100 square feet of Development Envelope.
- Maximum Total Parking Surface: 67,800 square feet of Development Envelope.
- Maximum Total Impervious Surface: 111,100 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 5.15*. Accessory buildings are exempt from these requirements.

Illustration 6.16



M-3 Character Photos



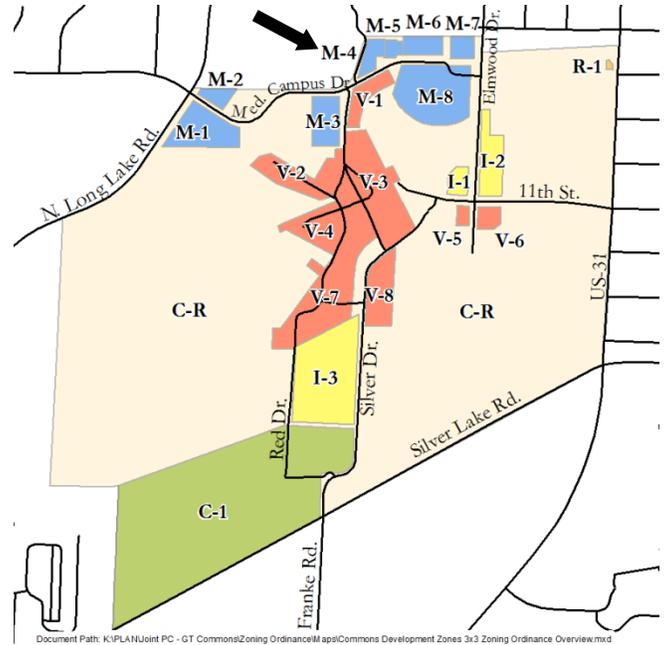
Medical District Sub District 4 (M-4)

Section 6.17 Building Types

- Small Cottage

Section 6.18 Design Standards

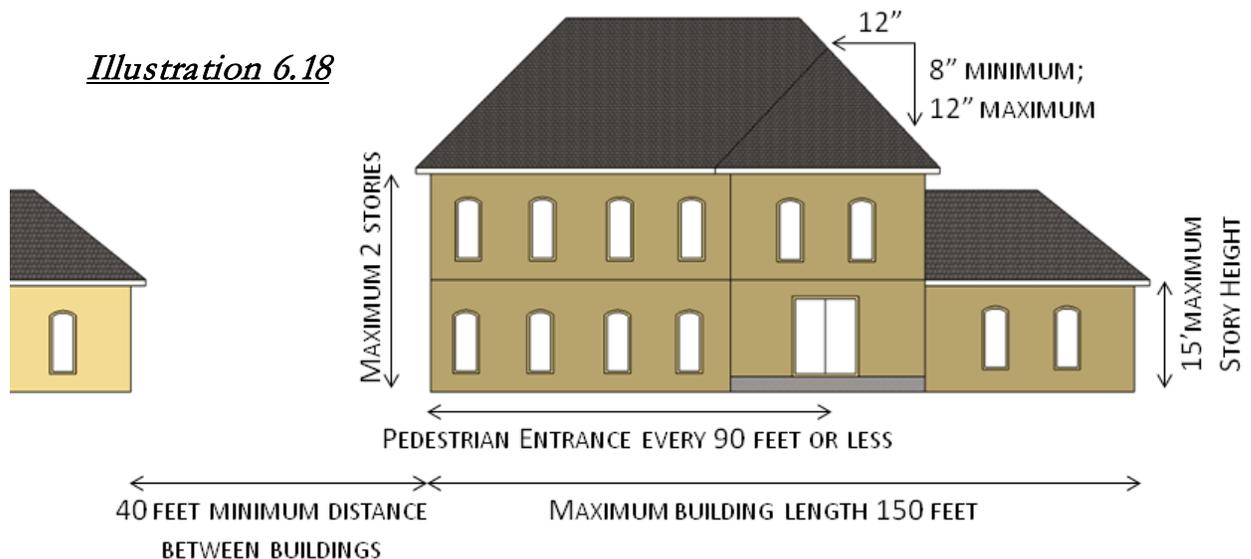
- Roofs.** Roof pitch shall be as indicated in *Illustration 6.18*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.18* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 6.18*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 6.19 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

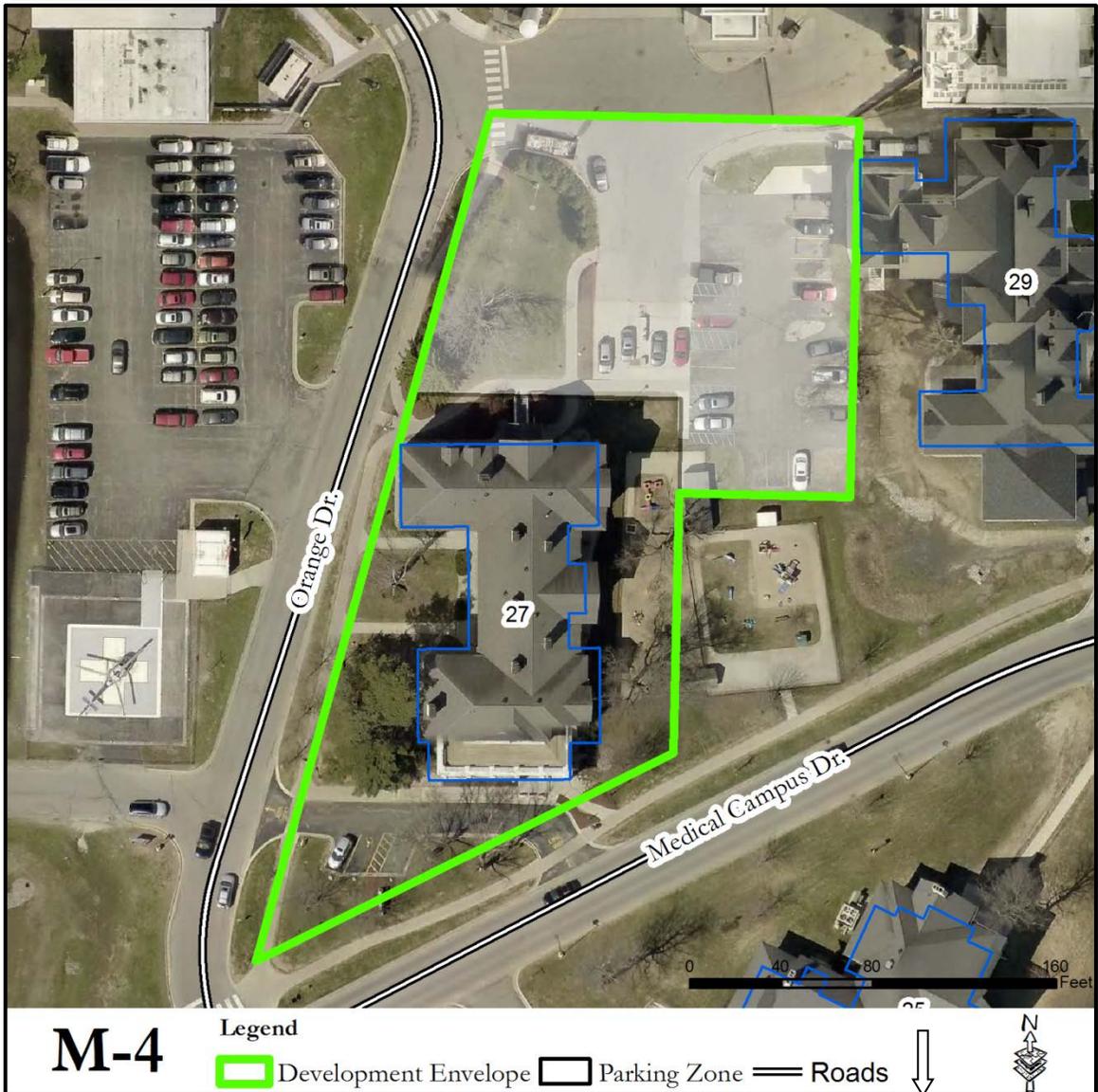
- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.19*.
- Maximum Total Building Coverage: 26,800 square feet of Development Envelope.
- Maximum Total Parking Surface: 21,400 square feet of Development Envelope.
- Maximum Total Impervious Surface: 48,200 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.18*. Accessory buildings are exempt from these requirements.



M-4 Character Photos



Illustration 6.19



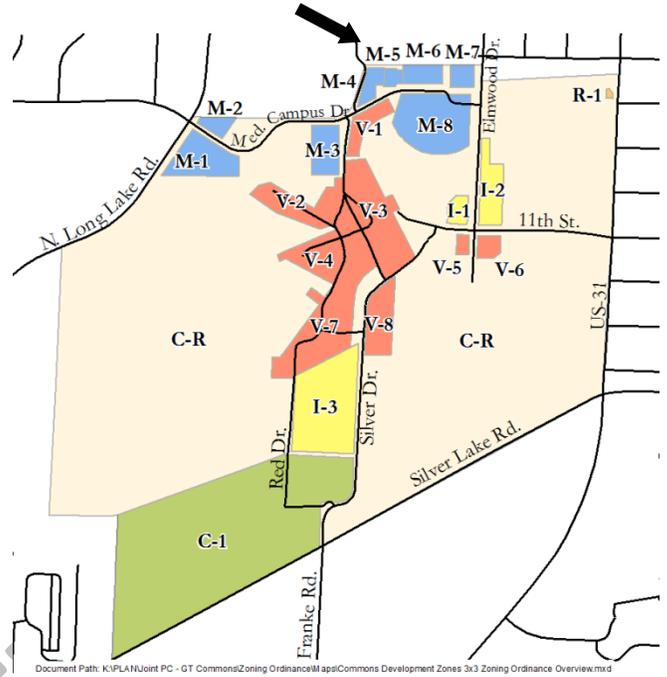
Medical District Sub District 5 (M-5)

Section 6.20 Building Types

- Small Cottage

Section 6.21 Design Standards

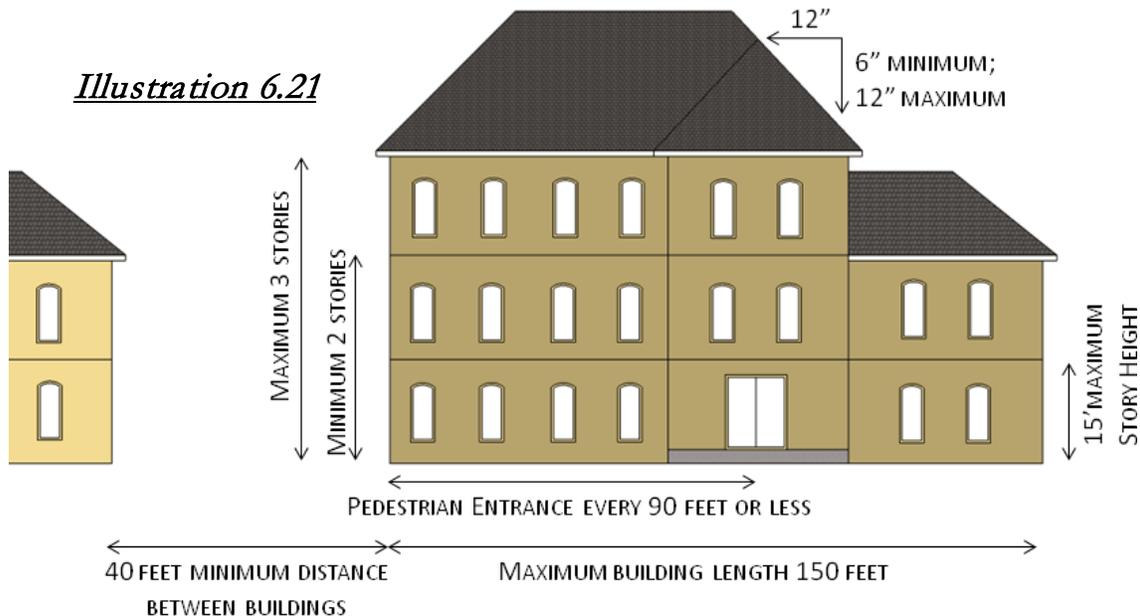
- Roofs.** Roof pitch shall be as indicated in *Illustration 6.21*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.21* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 6.21*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than ½ story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 6.22 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

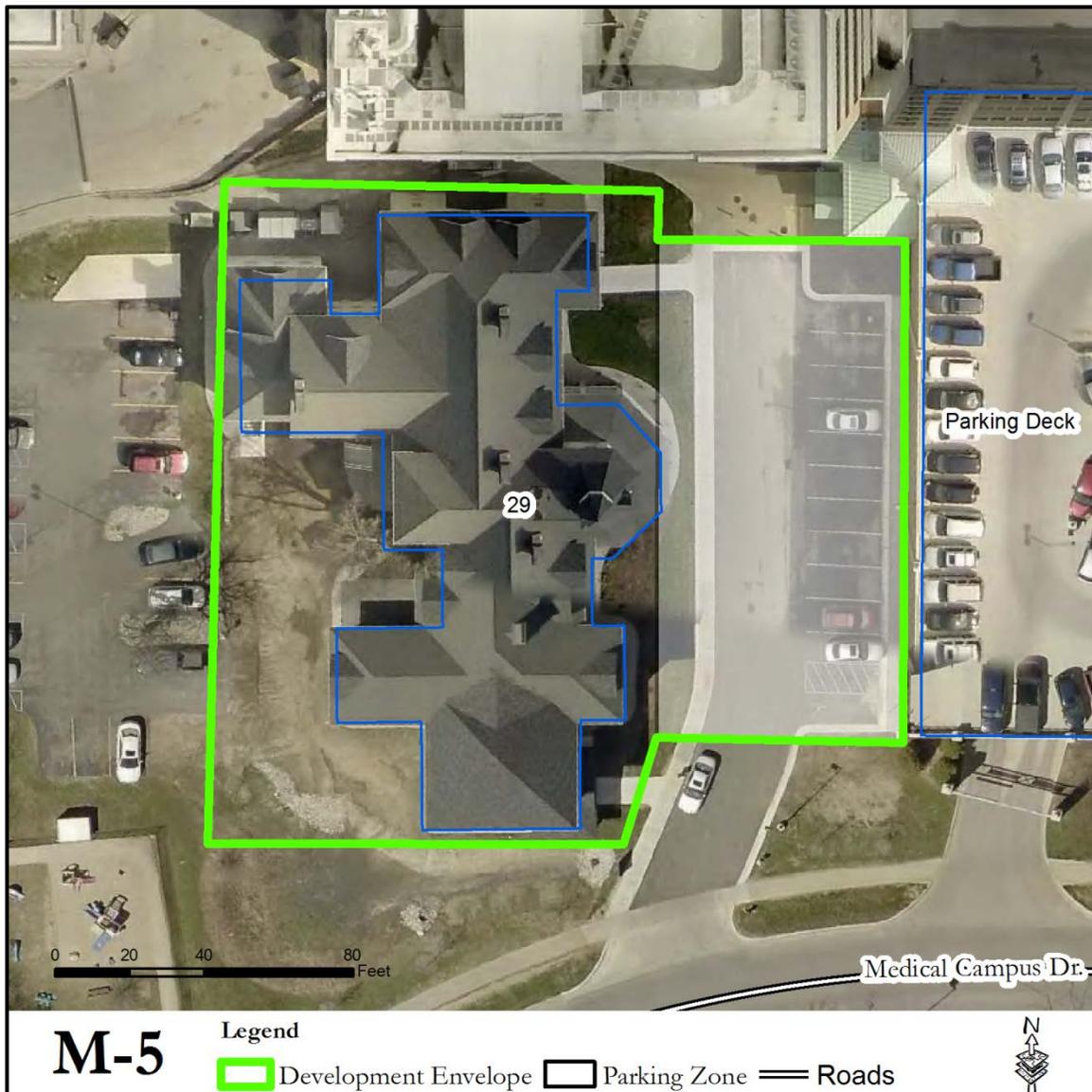
- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.22*.
- Maximum Total Building Coverage: 14,900 square feet of Development Envelope.
- Maximum Total Parking Surface: 6,000 square feet of Development Envelope.
- Maximum Total Impervious Surface: 20,850 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.21*. Accessory buildings are exempt from these requirements.



M-5 Character Photos



Illustration 6.22



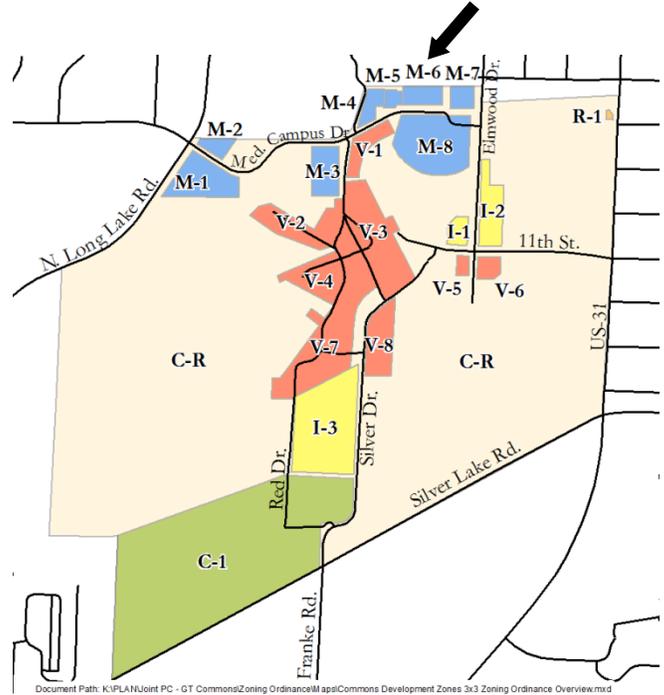
Medical District Sub District 6 (M-6)

Section 6.23 Building Types

- Utilitarian

Section 6.24 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 6.24*. Any roof pitch outside the range indicated may be approved by the Planning Director. Roofs for parking garages shall be flat. However, a parapet treatment will be required at the roof deck to terminate the structure and screen vehicles and mechanical equipment from public or private streets or sidewalks.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.24* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 6.24*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

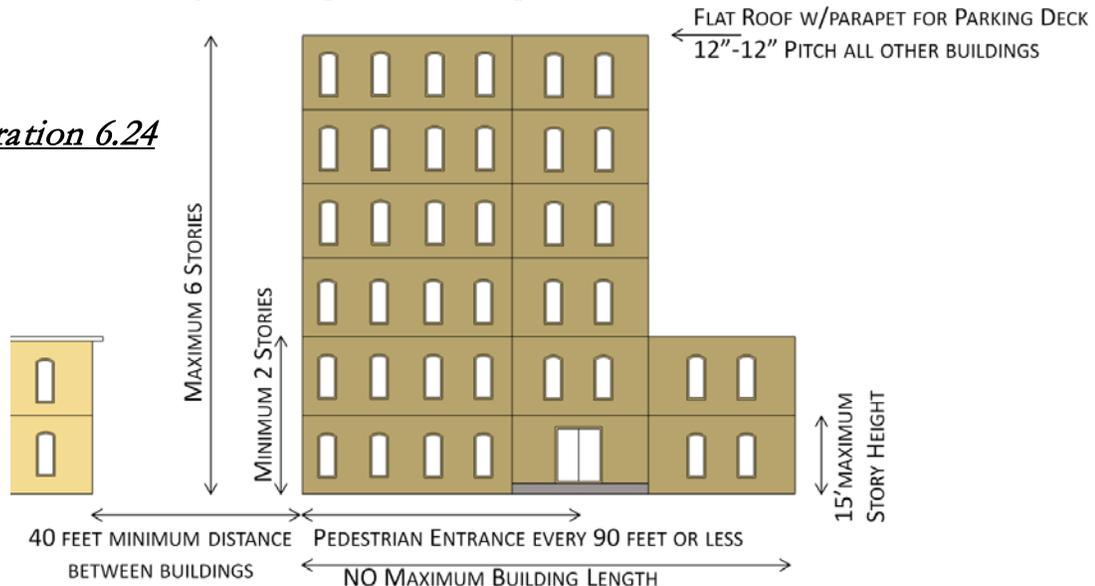


Section 6.25 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.25*.
- Maximum Total Building Coverage: 69,200 square feet of Development Envelope.
- Maximum Total Parking Surface: 0 square feet of Development Envelope.
- Maximum Total Impervious Surface: 69,200 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.24*. Accessory buildings are exempt from these requirements.

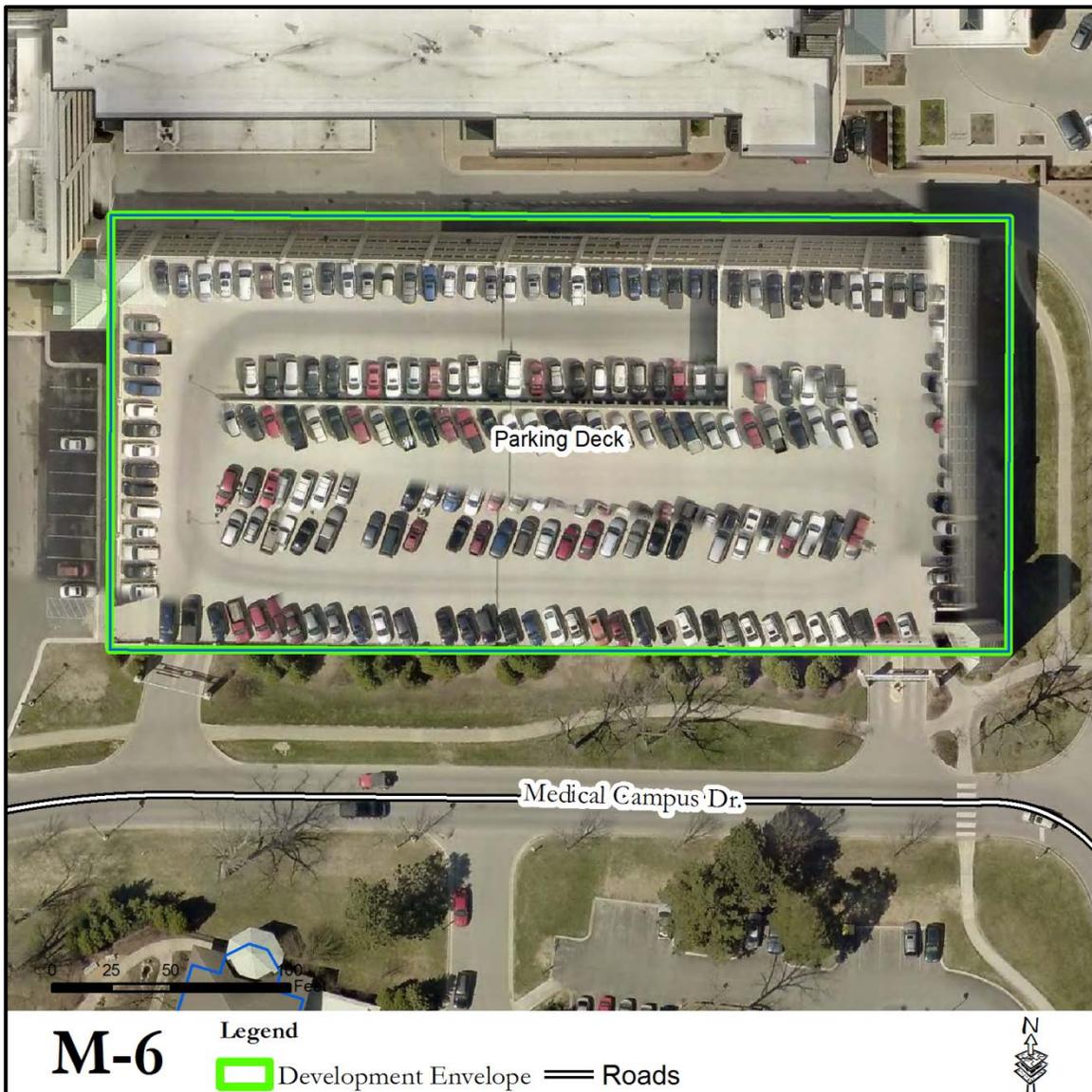
Illustration 6.24



M-6 Character Photos



Illustration 6.25



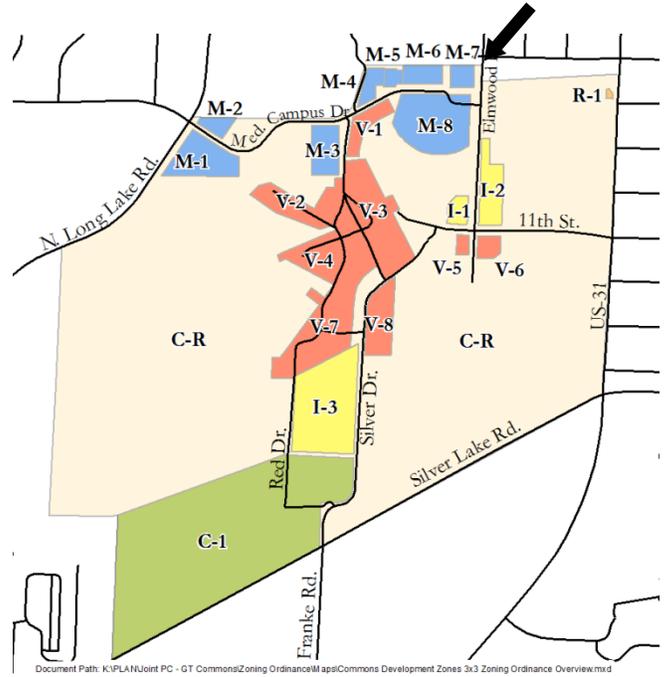
Medical District Sub District 7 (M-7)

Section 6.26 Building Types

- Large Cottage

Section 6.27 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 6.27*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.27* along the façade of each building wall that faces an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 6.27*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

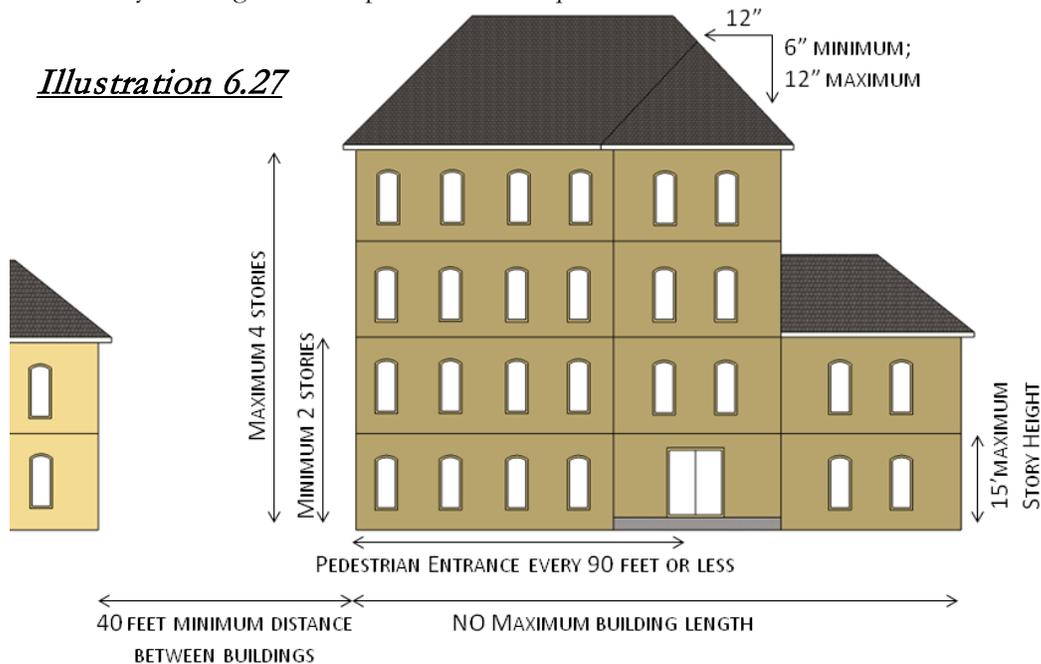


Section 6.28 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.28*.
- Maximum Total Building Coverage: 44,400 square feet of Development Envelope.
- Maximum Total Parking Surface: 17,300 square feet of Development Envelope.
- Maximum Total Impervious Surface: 44,400 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.27*. Accessory buildings are exempt from these requirements.

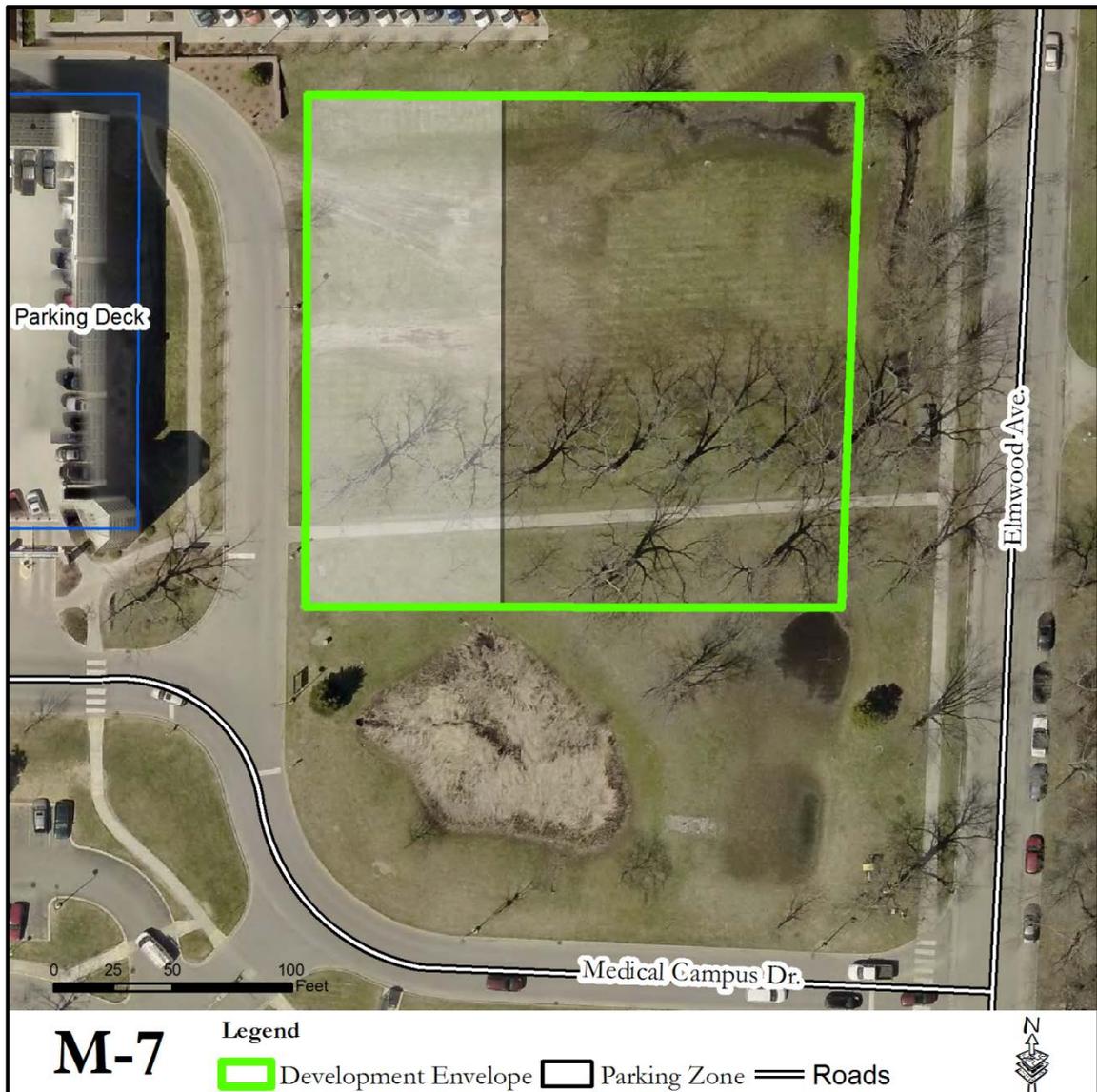
Illustration 6.27



M-7 Character Photos



Illustration 6.28



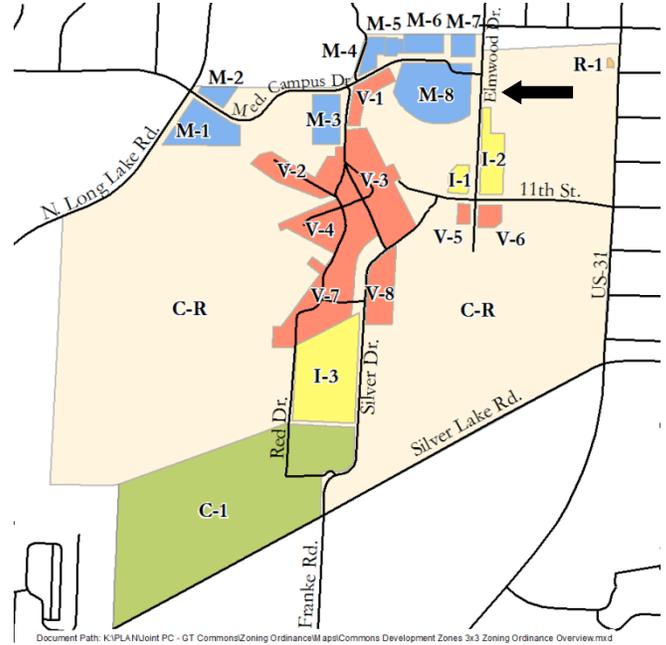
Medical District Sub District 8 (M-8)

Section 6.29 Building Types

- Large Pavilion

Section 6.30 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 6.30*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 6.30* along the façade of each building wall that faces the historic front lawn, alley or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 6.30*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than ½ story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the development envelope of the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 6.31 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 6.31*.
- Maximum Total Building Coverage: 185,700 square feet of Development Envelope.
- Maximum Total Parking Surface: 111,400 square feet of Development Envelope.
- Maximum Total Impervious Surface: 297,100 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 6.30*. Accessory buildings are exempt from these requirements.

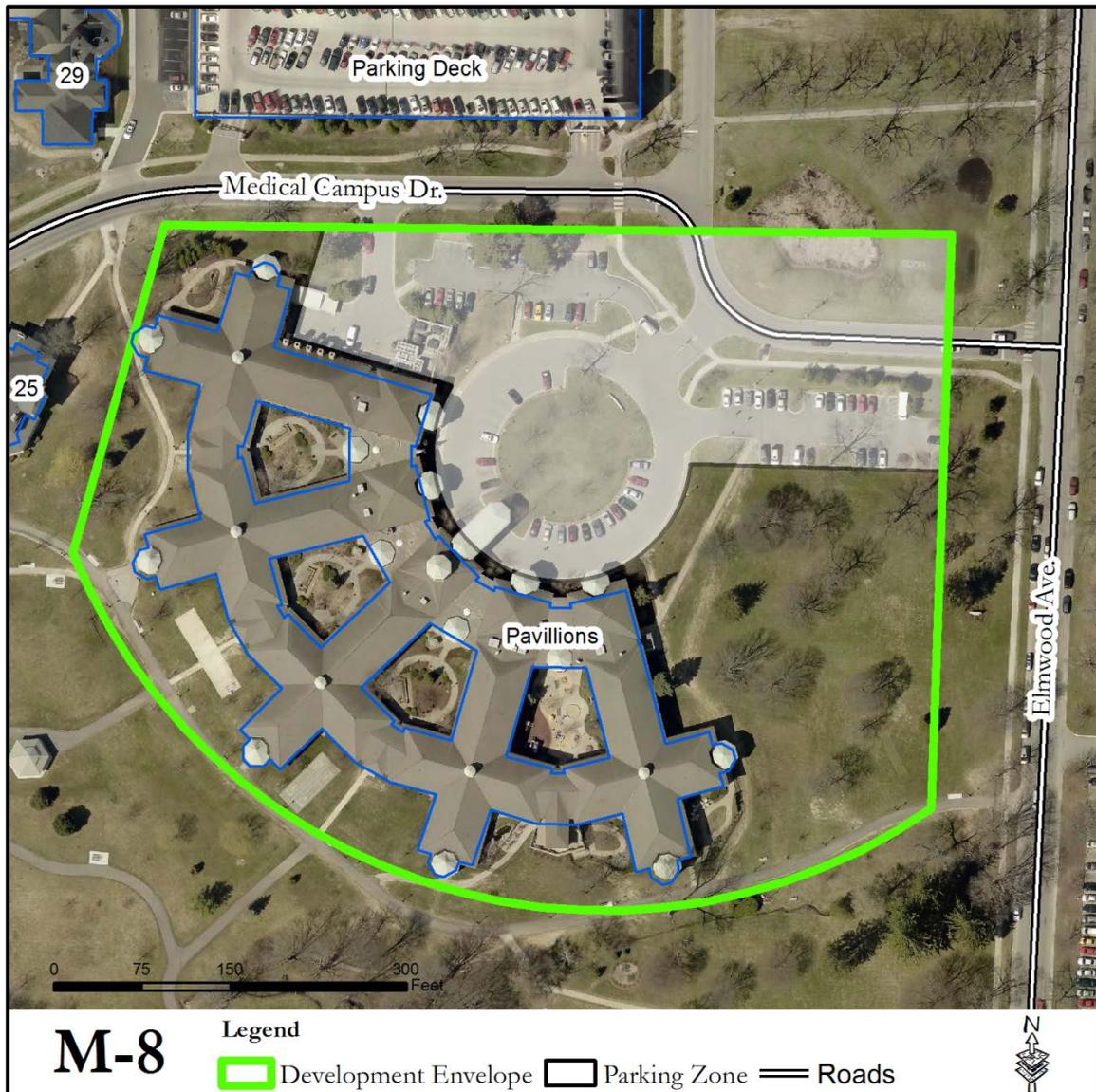
Illustration 6.30



M-8 Character Photos



Illustration 6.31



Article 7 Institutional District

The following standards shall be applied to each Sub-District (I-1, I-2, and I-3) within the Institutional District.

Section 7.01 Uses Allowed by Right

The following uses of land and buildings, together with accessory uses, are allowed in the Institutional District:

- Business
- Cultural and Community
- Education
- Finance, Insurance, Legal and Real Estate
- Health Services except Hospitals
- Office
- Personal Services
- Recreation
- Social and Government
- Veterinary
- Parking Areas (subject to the requirements of Section 1.13)
- Places of Worship
- Other uses as approved by the Joint Planning Commission if such uses are compatible with adjacent uses, will generate similar traffic patterns and parking configurations and will not generate excessive noise, excessive lighting, excessive fumes or other nuisances.

Section 7.02 Special Uses

Reserved.

Section 7.03 General Design Standards

- A. Color. Exterior building walls shall be light, earth tones. Roof color shall be darker than the exterior building walls.
- B. Materials. New buildings, reconstruction, and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials of a combination of existing buildings within the District Development Envelope.
- C. Façade.
 1. Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street or sidewalk-facing wall may be achieved with wall offsets in combination with pilasters, corbelling or other permanent architectural elements; however, offsets in any wall shall not be less than eight (8) inches.
 2. Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the District.
 3. Window glass panes shall be recessed at least four (4) inches from the outside of all building walls to create a shadow line.
 4. Windows shall have a vertical emphasis, similar to predominant windows on existing buildings within the Envelope.
 5. Clear or lightly tinted transparent glass shall be used in all windows facing a public street or sidewalk. Decorative stained glass may be used for accents.
 6. Window and door transparency of at least 20% is required on all façades facing a public or private street or the historic front lawn.

- D. Character Photos. Character Photos have been inserted throughout this Ordinance as examples of appropriate architectural design within an individual Sub-District. Character Photos are intended as a visual tool to assist in the evaluation of whether an application meets the General Design Standards of the Sub-District, but are not intended to strictly establish architectural design standards.
- E. Rooftop Equipment. Any rooftop equipment shall be enclosed or screened from street or sidewalk level view using the same materials used for the building walls or a material which is approved by the Planning Directors as visually compatible with the building.
- F. Doors/Entries. Pedestrian entrances shall open onto the sidewalk or walkways leading to the public right-of-way or private street and to adjacent buildings. Entries must be prominently identified and must not interfere with safe pedestrian passage.
- G. Accessory buildings. The accessory buildings shall be constructed using materials and features similar to the principal building.
- H. Waivers. The Planning Commission may waive or vary the above standards if determined to be in conflict with the recommendations of the State Historic Preservation Office (SHPO).
- I. Impervious Surface Calculations. Sidewalks, plazas and recreational hard surfaces, or other impervious surfaces of the Development Envelope are exempt from impervious surface calculations.
- J. Ground Story. A Ground Story shall not be included towards maximum story limitations.

Section 7.04 Lighting Standards

- See Section 1.12

Section 7.05 Sign Standards

- See Article 15

Section 7.06 Sidewalk Standards

- All buildings shall provide clearly defined pedestrian travelways from the public or common sidewalk to the main entrances of the building or uses of the land
- A sidewalk shall be a minimum of five (5) feet wide and free from obstructions.

Section 7.07 Landscape Standards

- See Article 14

Section 7.08

- Reserved

Section 7.09

- Reserved

Section 7.10

- Reserved

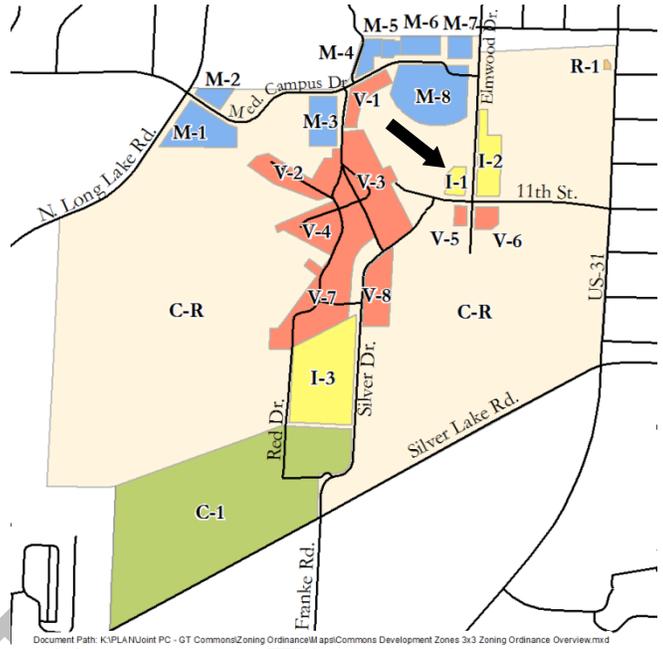
Institutional District Sub-District 1 (I-1)

Section 7.11 Building Types

- Institutional

Section 7.12 Design Standards

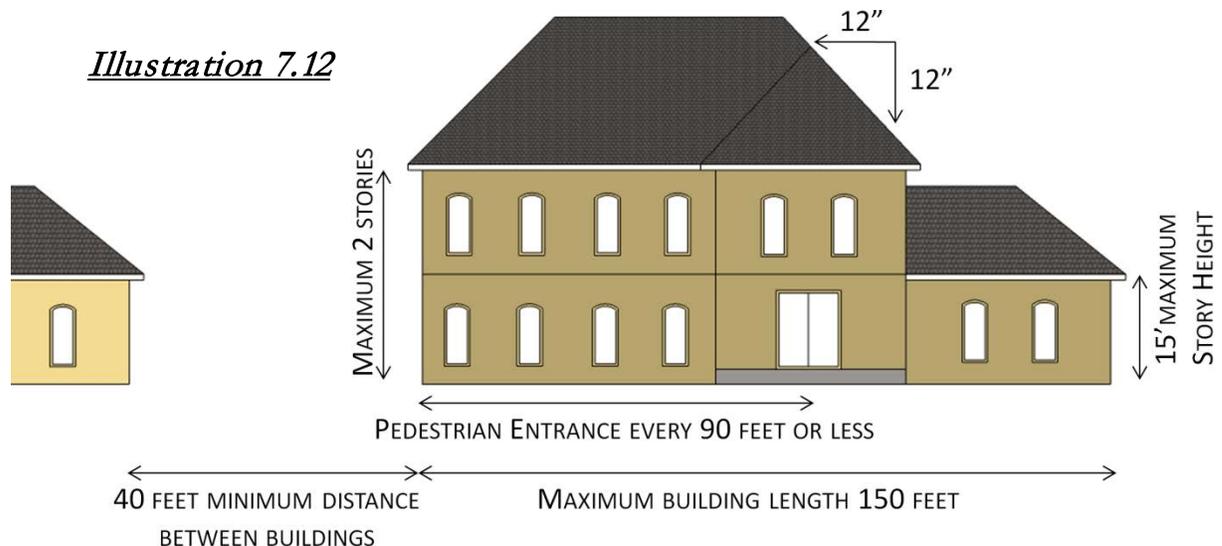
- Roofs.** Roof pitch shall be as indicated in *Illustration 7.12*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 7.12* along the façade of each building that faces onto the historic front lawn, alley or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 7.12*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 7.13 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 7.13*.
- Maximum Total Building Coverage: 24,800 square feet of Development Envelope.
- Maximum Total Parking Surface: 12,400 square feet of Development Envelope.
- Maximum Total Impervious Surface: 37,210 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 7.12*. Accessory buildings are exempt from these requirements.



I-1 Character Photos



Illustration 7.13



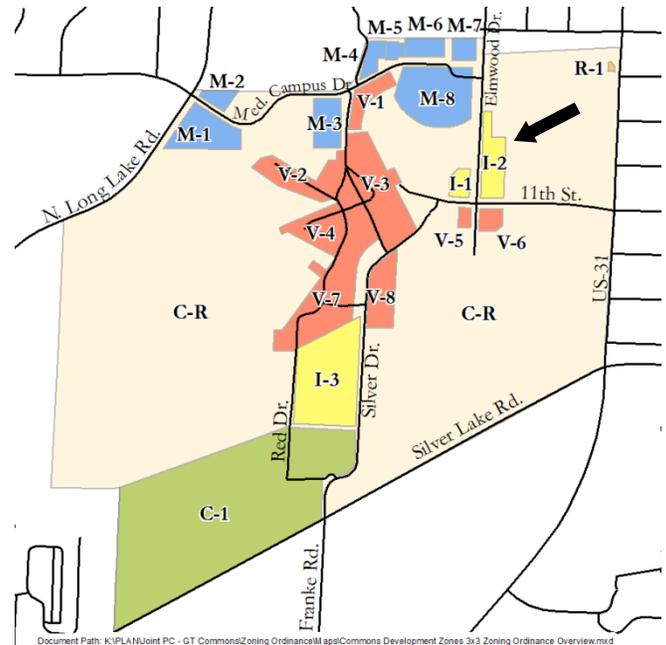
Institutional District Sub-District 2 (I-2)

Section 7.14 Building Types

- Institutional

Section 7.15 Design Standards

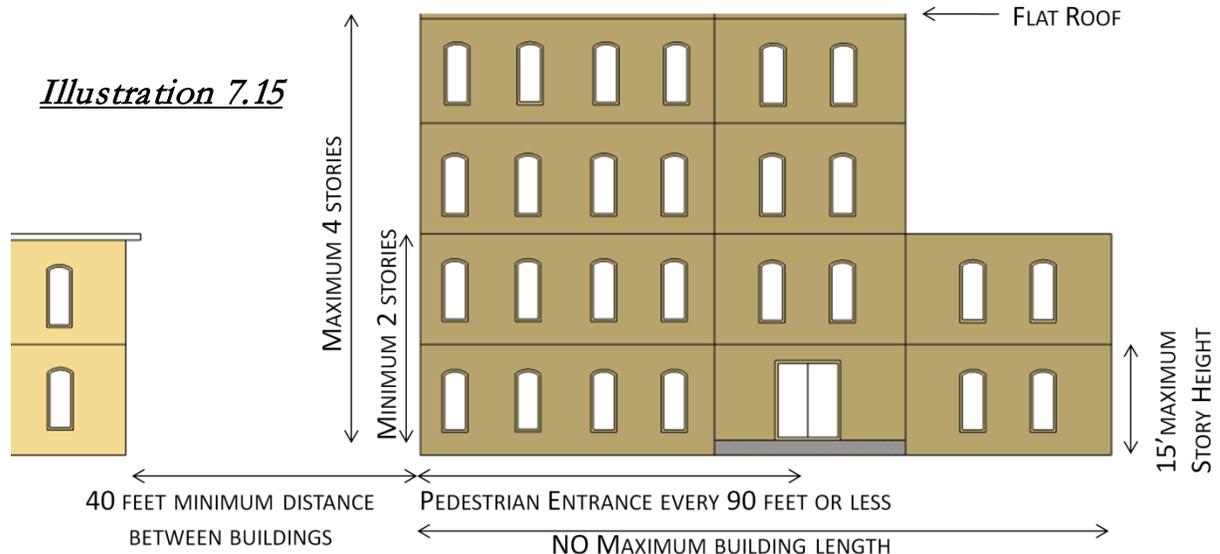
- Roofs.** Roof pitch shall be as indicated in *Illustration 7.15*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 7.15* along the façade of each building that faces onto an alley or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 7.15*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than ½ story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 7.16 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 7.16*.
- Maximum Total Building Coverage: 74,700 square feet of Development Envelope.
- Maximum Total Parking Surface: 44,800 square feet of Development Envelope.
- Maximum Total Impervious Surface: 119,500 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 7.15*. Accessory buildings are exempt from these requirements.



I-2 Character Photos



Illustration 7.16



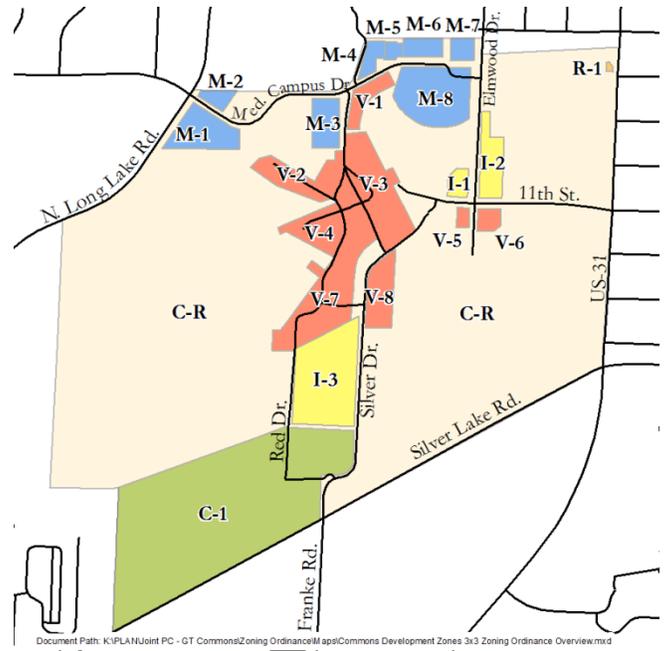
Institutional District Sub-District 3 (I-3)

Section 7.17 Building Types

- One-to-Two Story Institutional

Section 7.18 Design Standards

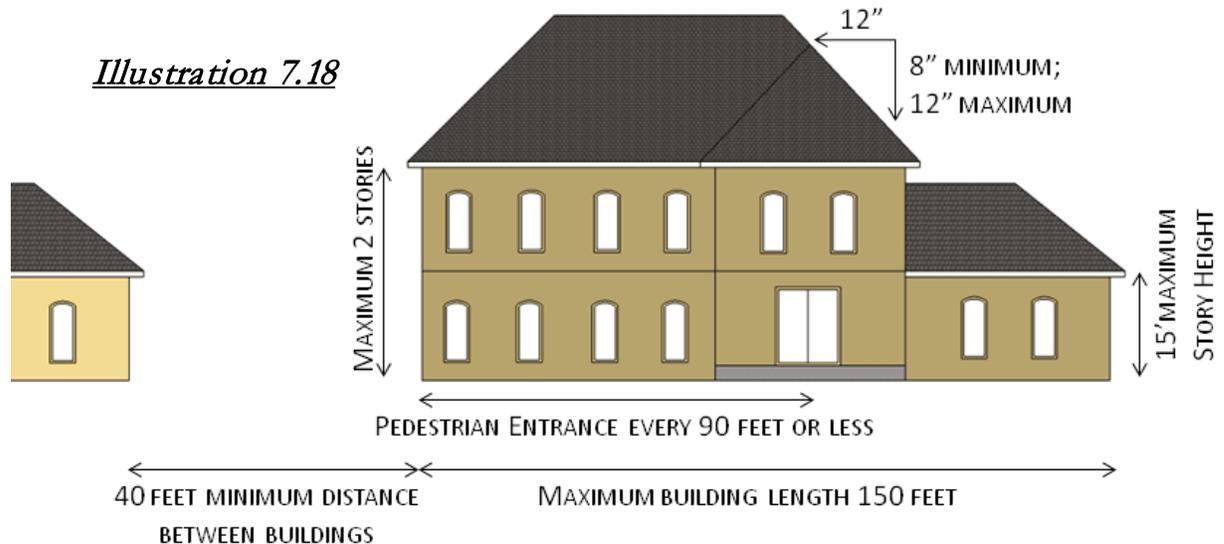
- Roofs.** Roof pitch shall be as indicated in *Illustration 7.18*. Any roof pitch outside the range indicated may be approved by the Planning Directors.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 7.18* along the façade of each building that faces onto an alley or street.
- Height.** Principle buildings shall be measured by stories, as indicated in *Illustration 7.18*. Attic space may be utilized in addition to the principle building height requirements provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.



Section 7.19 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 7.19*.
- Maximum Total Building Coverage: 261,850 square feet of Development Envelope.
- Maximum Total Parking Surface: 183,300 square feet of Development Envelope.
- Maximum Total Impervious Surface: 445,150 square feet of Development Envelope.
- Minimum distance between buildings and maximum building length shall be established by *Illustration 7.18*. Accessory buildings are exempt from these requirements.



I-3 Character Photos



Illustration 7.19



Article 8 Residential District (R)

The following standards shall be applied to the Residential District.

Section 8.01 Uses Allowed by Right

The following uses of land and buildings, together with accessory uses, are allowed in the Residential District provided that the use generates no more than 100 vehicle trip-ends per day:

- Bed and Breakfast
- Skilled Nursing Care Facility & Support Facilities
- General Medical Related Uses
- Dwellings, Single-Family
- Office Services
- Design Services
- Personal Services
- Cottage Manufacturing Services
- Cultural Services
- Community Services
- Parking Areas, subject to the requirements of Section 1.13.
- Other uses as approved by the Joint Planning Commission, if such uses are compatible with adjacent uses, will generate similar traffic patterns and parking configurations and will not generate excessive noise, lighting, fumes or other nuisances.

Section 8.02 Special Uses

Reserved.

Section 8.03 General Design Standards

- A. Color. Exterior building walls shall be light, earth tones. Roof color shall be darker than the exterior building walls.
- B. Materials. New buildings, reconstruction, and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials of a combination of existing buildings within the District Development Envelope.
- C. Façade.
 1. Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street or sidewalk-facing wall may be achieved with wall offsets in combination with pilasters, corbelling or other permanent architectural elements; however, offsets in any wall shall not be less than eight (8) inches.
 2. Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the District.
 3. Window glass panes shall be recessed at least four (4) inches from the outside of all building walls to create a shadow line.
 4. Windows shall have a vertical emphasis, similar to predominant windows on existing buildings within the Envelope.
 5. Clear or lightly tinted transparent glass shall be used in all windows facing a public street or sidewalk. Decorative stained glass may be used for accents.
 6. Window and door transparency of at least 20% is required on all façades facing a public or private street or the historic front lawn.
- D. Character Photos. Character Photos have been inserted throughout this Ordinance as examples of appropriate architectural design within an individual Sub-District. Character Photos are intended as a visual tool to assist in the evaluation as to whether an application meets the General Design Standards of the Sub-District, but are not intended to strictly establish architectural design standards.

- E. Rooftop Equipment. Any rooftop equipment shall be enclosed or screened from street or sidewalk level view using the same materials used for the building walls or a material which is approved by the Planning Directors as visually compatible with the building.
- F. Doors/Entries. Pedestrian entrances shall open onto the sidewalk or walkways leading to the public right-of-way or private street and to adjacent buildings. Entries must be prominently identified and must not interfere with safe pedestrian passage.
- G. Accessory Buildings. The accessory buildings shall be constructed using materials and features similar to the principal building.
- H. Waivers. The Planning Directors may waive or vary the above standards if the standards in Section 1.13 are met.
- I. Impervious Surface Calculations. Sidewalks, plazas and recreational hard surfaces, or other impervious surfaces of the Development Envelope are exempt from impervious surface calculations.
- J. Ground Stories. Ground Stories are not included towards maximum height or story limitations.

Section 8.04 Lighting Standards

- See Section 1.12

Section 8.05 Sign Standards

- See Article 15

Section 8.06 Sidewalk Standards

- All buildings shall provide clearly defined pedestrian travelways from the public or common sidewalk to the main entrances of the building or uses of the land.
- A sidewalk shall be a minimum of five (5) feet wide and free from obstructions.

Section 8.07 Landscape Standards

- See Article 14

Section 8.08

- Reserved

Section 8.09

- Reserved

Section 8.10

- Reserved

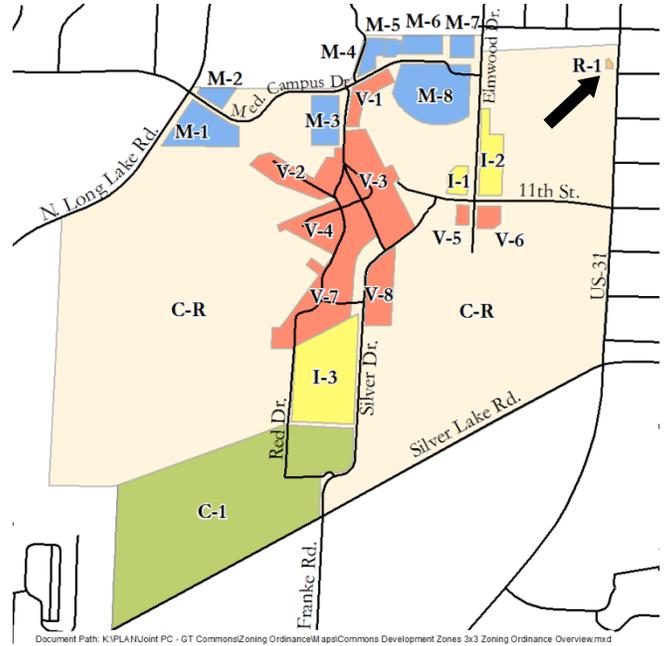
Residential District Sub-District 1 (R-1)

Section 8.11 Building Types

- Small Cottage

Section 8.12 Design Standards

- Roofs.** Roof pitch shall be as indicated in *Illustration 8.12*. Any roof pitch outside the range indicated may be approved by the Planning Director.
- Doors/Entries.** Spacing shall be provided as indicated in *Illustration 8.12* along the façade of each building that faces onto an alley or street.
- Height.** Principle buildings shall be measured by stories as indicated in *Illustration 8.12*. Attic space may be utilized in addition to the principle building height requirements, provided that the height of the attic space shall be no more than 1/2 story tall. The height of the first floor above the sidewalk elevation of the primary entrance of the building should be consistent with that of the surrounding buildings within the Sub-District. Accessory buildings shall be no more than twenty (20) feet in height.

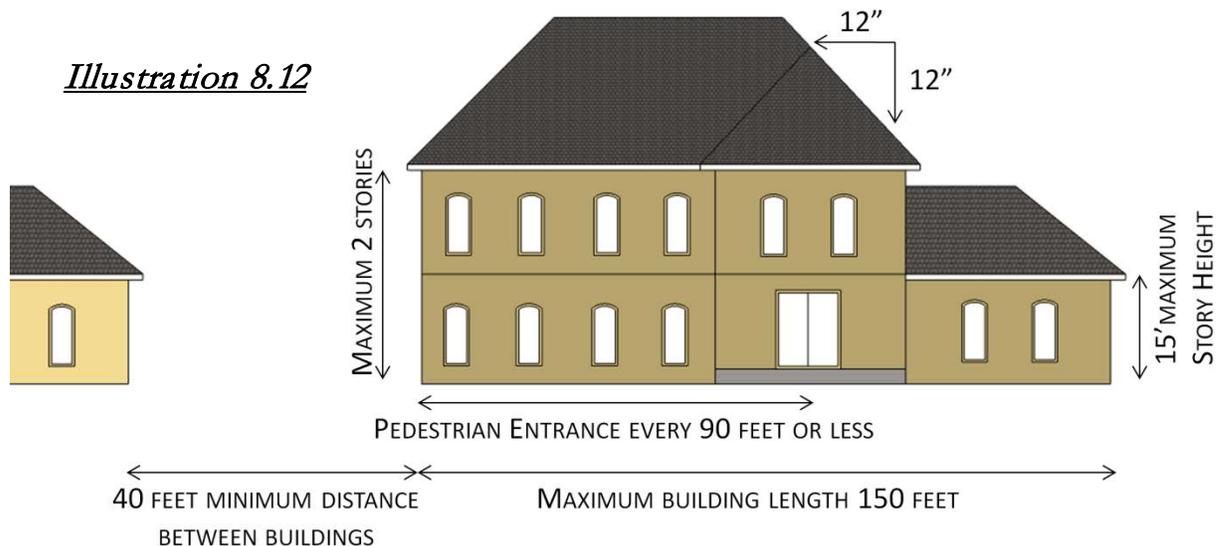


Section 8.13 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings shall be within the Development Envelope. All motor vehicle parking shall be within the Parking Zone areas indicated in *Illustration 8.13*.
- Maximum Total Building Coverage: 6,050 square feet of Development Envelope.
- Maximum Total Parking Surface: 10,500 square feet of Parking Zone.
- Maximum Total Impervious Surface: n/a
- Minimum distance between buildings and maximum building length shall be established by *Illustration 8.12*. Accessory buildings are exempt from these requirements.

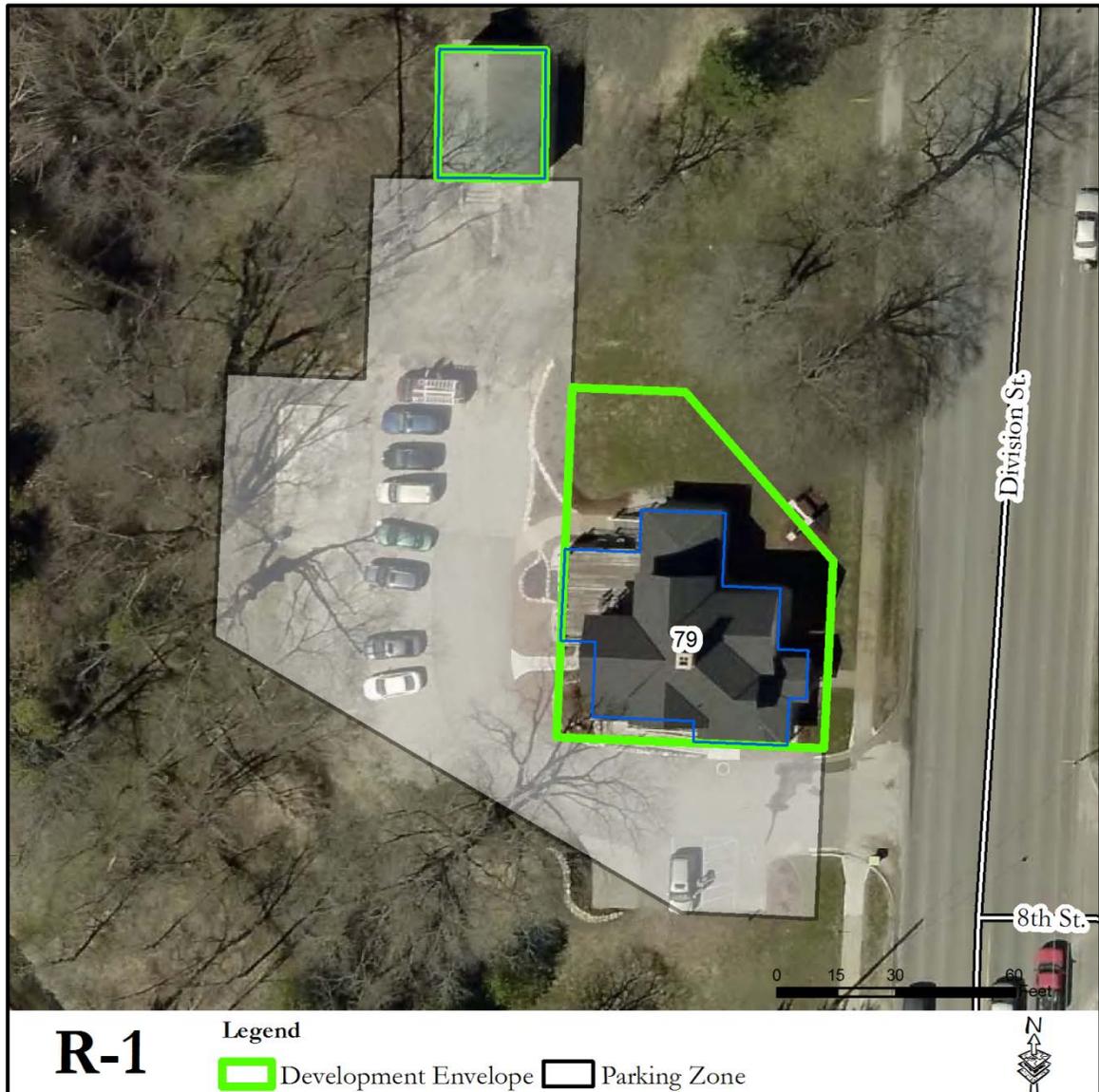
Illustration 8.12



R-1 Character Photos



Illustration 8.13



Article 9 Recreation and Cultivation District (C-1)

The following standards shall be applied to the Recreation and Cultivation District.

Section 9.01 Uses Allowed By Right

The following uses of land and buildings, together with accessory uses, are permitted in the Recreation and Cultivation District:

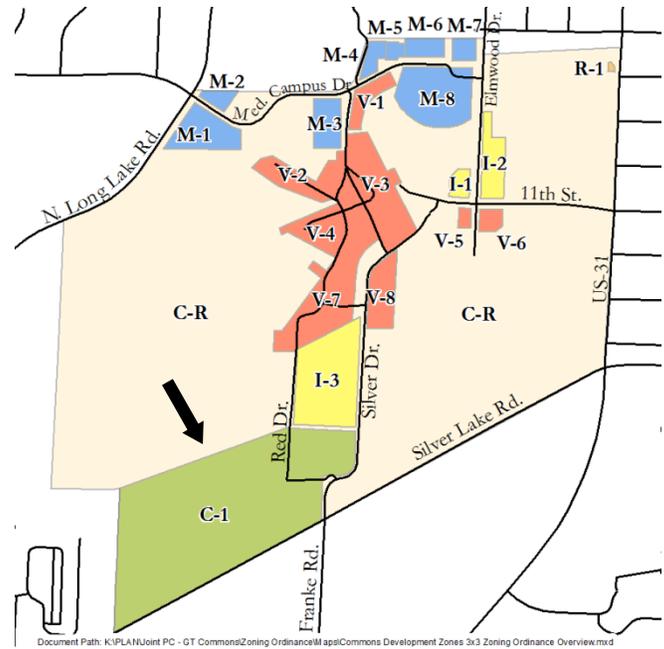
- Public Parks & Recreation
- Community Building/Center
- Places of Assembly
- Botanical Garden
- Community Garden
- Outdoor Gathering
- Small scale energy demonstration
- Small-scale farming/cultivation
- Services
 - Cultural and Community
 - Education
- Other uses as approved by the Joint Planning Commission, if such uses are compatible with adjacent uses, will generate similar traffic patterns and parking configurations and will not generate excessive noise, excessive lighting, excessive fumes or other nuisances.

Section 9.02 Special Uses

- Reserved

Section 9.03 General Design Standards

- A. Color. Exterior building walls shall be light, earth tones compatible with the historical character of the Barns. Roof color shall be darker than the exterior building walls.
- B. Materials. New buildings, reconstruction, and additions to existing buildings, shall be constructed of durable materials utilizing the predominant building materials of a combination of existing buildings within the District Development Envelope.
- C. Façade.
 1. Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the District.
 2. With the exception of structures such as greenhouses, conservatories, or atriums, window glass panes shall be recessed at least four (4) inches from the outside of all building walls to create a shadow line.
 3. Windows shall have a square or vertical emphasis, similar to predominant windows on existing buildings within the Envelope.
 4. Clear or lightly tinted transparent glass shall be used in all windows facing a public street or sidewalk. Decorative stained glass may be used for accents.
- D. Rooftop Equipment. Any rooftop equipment shall be enclosed or screened from street or sidewalk level view using the same materials used for the building walls or a material which is approved by the Planning Directors as visually compatible with the building.
- E. Doors/Entries. Pedestrian entrances shall open onto the sidewalk or walkways leading to the public right-of-way or private street and to adjacent buildings. Entries must be prominently identified and must not interfere with safe pedestrian passage.



- F. Accessory Buildings. Accessory buildings shall be constructed using materials and features similar to the principal building and shall be constructed within the designated building Development Envelope. Seasonal hoop houses, open-air recreation-based structures such as pavilions, and temporary structures under 200 square feet are exempt from this requirement.
- G. Waivers. The Planning Commission may waive or vary the above standards if determined to be in conflict with the recommendations of the State Historic Preservation Office (SHPO).
- H. Impervious Surface Calculations. Sidewalks, plazas and recreational hard surfaces, or other impervious surfaces of the Development Envelope are exempt from impervious surface calculations.
- I. Ground Story. A Ground Story shall not be included towards maximum story limitations.

Section 9.04 Lighting Standards

- See Section 1.12

Section 9.05 Sign Standards

- See Article 15

Section 9.06 Building Types

- Cathedral Barn
- Greenhouse
- Granary
- Silo
- Shed
- Cottage - Small

Section 9.07 Design Standards

- A. Roofs. Roof pitch shall be reflective of the surrounding buildings. Any roof pitch outside the range indicated may be approved by the Planning Director.
- B. Height. Building height shall not exceed the height of the Historic Barns.

Section 9.08 Size, Impervious Surface, and Siting Standards

Structures shall meet all of the following dimensional and bulk standards:

- All buildings and motor parking areas shall be within the Development Envelope unless otherwise approved by the Planning Directors or exempted by Section 9.03.
- Maximum Total Building Coverage: 39,000 square feet of Development Envelope.
- Maximum Total Parking Surface: 39,000 square feet of Development Envelope.
- Maximum Total Impervious Surface: 78,000 square feet of Development Envelope.

Section 9.09 Site Development Plan

This article incorporates the Site Development Plan as the guide for the future use and development of the Historic Barns Park. The site development plan is indicated by Figure 9.09 (*see page 4 of this Article*) and includes the recognized building and parking Development Envelope. As noted under Section 9.03, certain structures may be constructed outside of the designated Development Envelope.

Section 9.10 Character Illustrations



Entrance Walk



Bird's-eye view



Article 10 Conservation and Recreation District (CR)

Section 10.01 Building Types Allowed by Right

Recreational-based structures such as pavilions, restrooms, warming huts, and other similar structures as approved by the Planning Commission are allowed by right.

Section 10.02 Uses Allowed By Right

The following uses of land, together with accessory uses, are allowed in District CR:

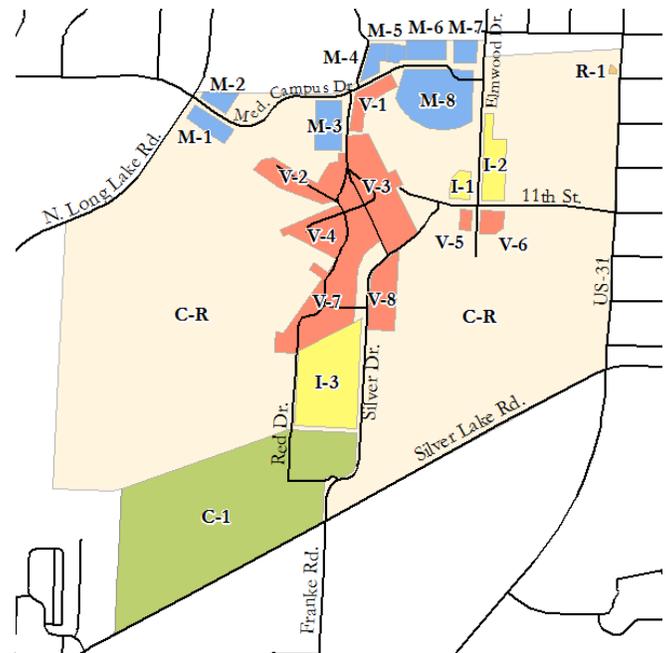
- Passive recreation;
- Trailhead;
- Non-motorized pathways; and
- Other uses as approved by the Joint Planning Commission, if such uses are compatible with adjacent uses, will generate similar traffic and parking and will not generate excessive noise, lighting, fumes or other nuisances.

Section 10.03 Sign Standards

Only signs, such as kiosk signs, maps, and trail marking signs used in support of recreational function, shall be permitted within the CR district.

Section 10.04 Limited Public Access

Portions of the Conservation and Recreation District remain in private ownership. There is no implied public access to private property, and public access across these properties may be limited.



Article 14 Landscaping

Section 14.01 Purpose

The process of development may require the alteration of existing topography and soil structure, the disruption of native vegetation and the expansion of impervious surface area over the development site. The cumulative effects of the land-altering process extend far beyond the district lines of an individual development site and if development is not undertaken within the context of the broader community, it will degrade not only the individual development, but also the community of which it is a part; therefore, the intent of the Article is to protect and manage vegetation. While establishing standards for landscaping, this Article will:

- A. Enhance the natural areas and historic landscape of the Commons in accordance with the Secretary of Interior Standards for Rehabilitation of Cultural Landscapes.
- B. Preserve the park-like setting of the Commons that encompasses wooded hillsides, wetlands, agrarian fields and the arboretum-like historic lawns of the Commons.
- C. Achieve a pastoral harmony of the historic buildings and landscape which recall the historic development of the Commons
- D. Ensure building foundation landscaping that will not obscure viewing significant architectural features or the overall silhouette of the historic buildings or structures.
- E. Use appropriate furnishings, gates, fences and walls that will complement the historic landscapes.
- F. Formally landscape the main streets on the Commons with large trees, lights, walks and other standard elements.
- G. Buffer edges of parking areas that are intended to be solely used for parking with large plantings serving as buffers.
- ~~H. Aid in the stabilization of the environment through air purification, oxygen regeneration, groundwater protection and recharge, and the control of storm water runoff;~~
- ~~I. Safeguard and enhance private and public property values and encourage continued investment in the community;~~
- ~~J. Enhance community appearance, identify unique natural beauty, and promote quality development at a suitable scale;~~
- ~~K. Provide visual screens between land uses of differing character and use intensities;~~
- L. Prevent reductions in 'The Commons' forest;
- M. Provide for the preservation of larger native trees which are valuable amenities to the urban environment that, once destroyed, can only be replaced after generations; and
- N. Ensure that the local stock of native trees and vegetation is replaced.

It is recognized that alternative design concepts exist which, if adopted, could exceed the results envisioned using these development standards. It is intended that the requirements of this Article be flexible and permit latitude in site design and the use of plant materials when it can be shown that variation from the requirements will provide development substantially better than that achievable using the minimum standards of the Article. The provisions of this Article shall be considered the minimum standards and not a design goal.

~~Section 14.02 — Compliance Required~~

~~In all districts, compliance with this Article shall be required for:~~

~~A. Any new building, rebuilding, conversion, enlargement or structural alteration, or surface parking area requiring a building and/or land use permit and having a value of \$50,000 or more;~~

~~B. Land clearing as described in this Zoning Ordinance.~~

Section 14.03 Alternative Compliance

The Planning Directors may approve variations from strict compliance with this Article when an applicant can demonstrate that the following apply to a specific development site:

- A. The topography, shape, size or other natural features make full compliance impractical or impossible.
- B. The space limitations or prevailing development patterns in [Click here to return to Table of Contents](#) alternative compliance for in-fill projects and redevelopment in older established areas of the Grand Traverse Commons.
- C. The safety considerations warrant alternative compliance.
- D. There is not an alternative for the practical siting of a building, for the location of site access, or for the location of underground utilities to service the site.
- E. The alternative compliance plan is equal to or superior in its ability to fulfill the intent of this Article.

Section 14.04 Standards and Materials

- A. General Performance Standards. The following general performance standards shall apply whenever compliance is required.
 1. All areas not covered by buildings, parking areas, driveways, walkways, pedestrian plazas or other pedestrian-oriented impervious surfaces or water surfaces shall be planted with living vegetation, including canopy trees, shrubbery and ground covers. The combination of plant material selected shall be placed in harmonious and natural associations and represent the native landscape materials and their cultivars listed in Appendix 1.
 2. Not less than 80 percent of any landscape shall be covered by plant materials. Stone, mulch, grass and other ground covers, pedestrian walks, and other impervious surfaces or water surfaces may cover the remaining 20 percent of the landscape area.
 3. Whenever possible, the general site topography and any natural landforms unique to the property shall be maintained and made part of the development to reinforce the local and regional character.
 4. All trees shall be located to allow sufficient room for growth.
 5. Landscape materials, vegetation or otherwise, shall not obstruct access to or view of fire hydrants or other fire connections.
- B. Landscape Materials. The following landscape material requirements shall apply whenever compliance is required.
 1. Prohibited, permitted, and recommended species shall be based on the most current publication of the Grand Traverse Regional Invasive Species Network's *Recommended Planting Guidelines for Garfield Township* (The "ISN Planting Guidelines.").
 2. All plant material shall be hardy to the Grand Traverse area, be free of disease and insects, and conform to the American Standard for Nursery Stock of the American Nurserymen.
 3. A landscape plan shall contain not more than twenty-five (25%) percent of any single plant species, per feature. At least seventy (70%) percent of new plantings shall be native.

4. All landscape plant materials preserved or used pursuant to the provisions of this Ordinance shall be healthy and compatible with local climate, site soils characteristics, drainage and available water supply.
 5. Deciduous canopy trees required by the Ordinance shall not be less than 2 ½ inches diameter at breast height.
 6. Coniferous trees required by this Ordinance shall be at least six (6) feet in height when planted.
 7. All newly planted shrubs shall be of a size generally known in the nursery industry as requiring a five (5) gallon container.
- C. Irrigation and Maintenance Standards. The following irrigation and maintenance standards shall apply whenever compliance is required.
1. All landscape plant materials required by this Ordinance [Click here to return to Table of Contents](#) sufficient to maintain the plants in a healthy condition.
 2. All plant materials shall be maintained in a healthy growing condition. Dead and unsalvageable plant materials shall be replaced with the same size and variety of plant materials originally required on the site development plan within 30 days of the “Notice to Replace” issued by the City or Township. Replacement may be delayed if the Planning Directors determine that circumstances beyond the control of the property owner prevent timely replacement.
- D. Utilities. All utility lines, such as electric, telephone, cable television and other similar lines, shall be installed underground. All utility junction boxes, access boxes and pad-mounted fixtures shall be appropriately screened with landscape materials.
- E. Existing Vegetation. The following standards shall apply to existing site vegetation whenever compliance is required.
1. Existing healthy trees, of an approved species listed in Appendix 1, shall be preserved and incorporated into the final development plan.
 2. Trees to be preserved shall be pruned to remove dead, diseased or irregular branching, but the crown form characteristic of the respective species shall be maintained.
 3. Preserved trees shall be protected with sturdy, highly visible barriers around the tree or group of trees, at approximately the critical root zone or drip-line and a tree preservation plan shall be submitted and approved by the Planning Directors.
 4. The critical root zone of the tree shall remain undisturbed by cutting, filling or storage of materials and equipment during the development process.
 5. Healthy, younger trees on development sites shall be preserved wherever possible to allow normal succession as older trees are lost.

Section 14.05 Screening Requirements for Parking Areas

Parking areas shall be screened from the alley and from neighboring properties whenever parking is developed according to the following:

- A. Unless waived by the Planning Directors, screening shall be provided within the zoning district and the screening shall establish an opaque screen at least five (5) feet in height as measured from the finished parking area grade.
- B. Required screening of parking areas shall be achieved through the use of a decorative masonry screen-wall, earth-berms and landscape materials either in combination or independently.

- C. Specific screening elements may be relocated, redesigned or partially eliminated at the direction of the City Engineer or Township Engineer to correct clear vision or other safety considerations.
- D. Required screening may be interrupted to provide reasonable pedestrian or bicycle access to a property from a public right-of-way, using contrasting paving material which provides a durable surface.

Section 14.06 Landscape Requirements for Streets

The following landscape requirements for street rights-of-way shall apply when compliance is required.

[Click here to return to Table of Contents](#)

- A. With the approval of a forester or arborist, canopy trees shall be planted in a planting area provided in the treelawn and at a maximum distance of 50 feet between trees. The trees shall be planted so as not to interfere with utilities, streets, sidewalks, street lights, sight distances, clear vision areas, and shall not be planted closer than eight (8) feet to fire hydrants.
- B. All trees shall have a maximum size of 2 ½ inches in caliper diameter at breast height.
- C. Trees shall be sufficient in size to be pruned to a (7) seven-foot branching height with one (1) main stem upon planting.
- D. If existing trees can be preserved within the treelawn, the requirement for additional street tree planting may be reduced or eliminated by the Planning Directors.

Section 14.07 Landscape Plan

Where compliance is required, a landscape plan shall be required for any development requiring a site plan and no building or land use permit shall be issued until a landscape plan has been submitted to and approved by the Planning Directors. All landscape plans shall utilize the required site plan as a base sheet and shall include the following additional information:

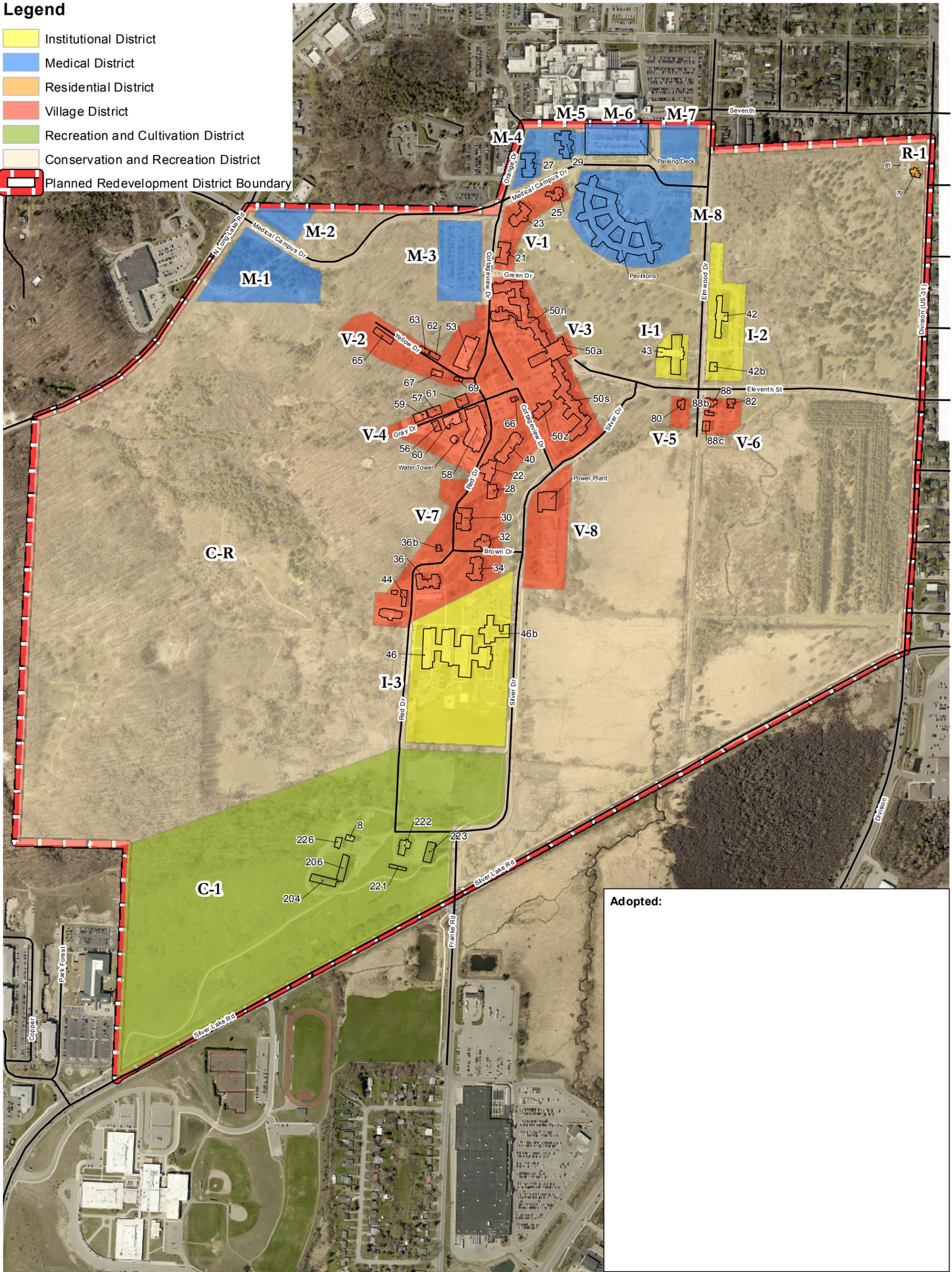
- A. A tree survey, sealed by a landscape architect, surveyor, engineer or architect licensed to practice in the State of Michigan. The survey shall establish the location, species and assessment of the general health and condition of all trees with a six (6) inch or greater diameter at breast height, their approximate height, and spread or crown diameter in the disturbed area of the site.
- B. A calculation verifying that the minimum percentage of landscape area has been met and the appropriate percentage of landscape is dedicated to pedestrian ways and inorganic mulches.
- C. A detailed description in either written or graphic form, indicating the applicant's plans to protect the existing trees from damage during site development and construction.
- D. The contour lines at minimum two (2) foot intervals shall be shown for sites with grades in excess of six (6%) percent slope, otherwise, proposed and existing elevations at sufficient locations on the site shall clearly show drainage patterns.
- E. A description of the type of equipment and methods to be used to irrigate the required landscape areas.

- F. The location, height, elevation/section and material of proposed screening walls, fencing, retaining walls and berming shall be clearly shown on the plan. Berms are to be delineated by (1) one-foot contours and designed with slopes not to exceed 1:3 gradient, with a minimum of two (2) feet between contour at the top of the berm. Slopes are to be protected with sod, shrubs or other types of natural ground covers.
- G. A complete description of plant materials, including common and botanical names, quantities, container or caliper sizes, heights, spread, and spacing at installation is to be shown on the plan.

DRAFT

Legend

- Institutional District
- Medical District
- Residential District
- Village District
- Recreation and Cultivation District
- Conservation and Recreation District
- Planned Redevelopment District Boundary



Adopted:

Grand Traverse Commons Joint Planning Commission
 400 Boardman Avenue
 Traverse City, MI 49684
 231-922-4700

Print Date: 9/27/2016

NOT A LEGAL SURVEY

Path: K:\PLAN\Joint PC - GT Commons\Zoning Ordinance\Maps\FINAL DRAFT Zoning Map.mxd

Zoning Map
Grand Traverse Commons Dedevlopment District

