

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, February 8, 2017 – 7:30 PM  
Board of Trustees Room**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:**

**ITEM #1:** Approval of minutes from the regular meeting of January 25, 2017.

**CORRESPONDENCE:**

**PUBLIC HEARING:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**ITEM #1: BELLEVILLE LAKE SHORELINE DISTRICTS ORDINANCE**

**TITLE: CONSIDER AMENDING THE TEXT OF THE VAN BUREN CHARTER TOWNSHIP ZONING ORDINANCE NO. 6-2-92 BY ADDING A NEW ARTICLE XVIC, BELLEVILLE LAKE SHORELINE DISTRICTS, SECTIONS 16.01C. – 16.06C**

- A. Presentation by Staff
- B. Planning Commission discussion

**ITEM #2: ZONING ORDINANCE UPDATE**

**TITLE: THE VAN BUREN TOWNSHIP PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT HAS PROPOSED A COMPREHENSIVE UPDATE OF THE ZONING ORDINANCE. THE DEPARTMENT WILL EVENTUALLY ASK THE COMMISSION FOR A RECOMMENDATION FOR THE UPDATED ZONING ORDINANCE TO THE TOWNSHIP BOARD OF TRUSTEES.**

**INFORMATION:** The updated Zoning Ordinance is presented to the Planning Commission for eventual review and recommendation to the Township Board of Trustees. The Ordinance is being presented in multiple parts to the Commission. At this meeting, the discussion will focus on the following sections...

1. Article 2 (Definitions)
2. Mixed Use District (Article 3.119)
3. Belleville Road Overlay District (Chapter 4)

**GENERAL DISCUSSION:**

**ITEM #1: AIRPORT ZONING**

**ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
JANUARY 25, 2017  
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:34 p.m.

**ROLL CALL:**

**Present:** Franzoi, Boynton, Kelley, Atchinson, Budd and Thompson.

**Excused:** Jackson and Kelley.

**Staff:** Director Akers, Deputy Director Best and Secretary Harman.

**Planning Representatives:** None.

**Audience:** Eighty-Four (84).

**APPROVAL OF AGENDA:**

**Motion Boynton, Budd second to approve the agenda of January 25, 2017 as presented.**

**Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Atchinson, Boynton second to approve the regular meeting minutes of January 11, 2017 as presented. Motion Carried.**

**PUBLIC HEARING:**

**ITEM # 1                    BELLEVILLE LAKE SHORELINE DISTRICTS ORDINANCE**

**TITLE:                        CONSIDER AMENDING THE TEXT OF THE VAN BUREN CHARTER TOWNSHIP ZONING ORDINANCE NO. 6-2-92 BY ADDING A NEW ARTICLE XVIC, BELLEVILLE LAKE SHORELINE DISTRICTS, SECTIONS 16.01C. – 16.06C.**

**Motion Boynton, Franzoi second to open the public hearing. Motion Carried.**

Director Akers gave a brief overview presenting the timeline of the work conducted by staff and the Shoreline Workgroup for the amendments to the Lake Shoreline Districts Ordinance.

Will Hawley, chair of the Shoreline Workgroup gave a presentation of the changes made to the Belleville Lake Shoreline Districts Ordinance. Mr. Hawley discussed the protection of existing conforming and non-conforming structures (grandfathering), property owners' exclusive right to use shoreline property, setbacks and lot lines for handling property disputes, 60% frontage coverage, repairs to existing structures and shoreline blight. Mr. Hawley recommended approval of the Lake Shoreline Districts Ordinance.

Fifteen (15) residents addressed questions and concerns at the podium. The following items were discussed: the township's right to remove structures, variances and exceptions for existing and new structures due to lot size, lowering of the lake level for cleanup, concerns with FERC requirements, structures approved prior to ordinance acceptance and their work timeframe, new structure permit and approval process, how the ordinance effects and applies to City of Belleville residents, trees hanging over or into the lake, fencing on lakefront property, how to address property disputes, how

the township will determine what is blight, maintenance of existing structures, instances that require a lake letter, the number of watercraft in the BLA and BLB districts and the process for approval of the ordinance. Director Akers, Deputy Director Best and Shoreline Workgroup Chair Will Hawley confirmed there is a grandfathering clause in the ordinance for existing conforming and non-conforming structures and the Ordinance allows lakefront owners exclusive use of the property. Director Akers presented a correspondence letter from a resident dated 1-24-17 (letter attached). The Belleville Lake Shoreline Districts Ordinance is available on the township website for review. The Commission thanked residents, stakeholders and the Shoreline Workgroup for their hard work.

**Motion Budd, Franzoi second to close the public hearing. Motion Carried.**

**GENERAL DISCUSSION:**

Director Akers gave a brief update on the status of Mr. Kishmish's attempt to purchase the property to the north of his on Belleville Road for the proposed multi-tenant building with drive-thru.

**Motion Boynton, Atchinson second to adjourn at 9:16 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary

MEMORANDUM

**TO:** Charter Township of Van Buren Planning Commission

**CC:** Ron Akers, Director of Planning & Economic Development  
Matt Best, Deputy Director of Planning & Economic Development  
Susan Ireland, DDA Executive Director  
Lisa Lothringer, DDA Assistant Executive Director

**FROM:** Patrick Sloan, AICP, Senior Principal Planner

**SUBJECT:** Zoning Ordinance Update –Article 2 (Definitions), Mixed-Use (M-U) District in Article 3, and Belleville Road Overlay District (BROD) in Article 6.

**DATE:** February 3, 2017

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**Introduction.** At the September 28, 2016 Planning Commission meeting, we discussed the ongoing updates to the existing Zoning Ordinance and proposed a series of 6 meetings to review all of the proposed articles. So far, the following 5 meetings have been held:

- **Meeting 1 (October 12, 2016):** Review of Article 12 (Administrative Procedures), Article 13 (Administrative Organization), and Article 14 (Nonconformities).
- **Meeting 2 (October 26, 2016):** Review of Article 3 (Zoning Districts and Permitted Uses), Article 4 (Schedule of Regulations), and Article 5 (Development Standards for Specific Uses).
- **Meeting 3 (November 9, 2016):** Review of Article 8 (Environmental Performance) and Article 10 (Landscaping and Screening).
- **Meeting 4 (December 14, 2016):** Review of Article 9 (Parking, Loading, and Access Management) and Article 11 (Signs).
- **Meeting 5 (January 11, 2017):** Review of Article 6 (Supplemental Zoning District Standards) and Article 7 (General Provisions)

At the upcoming meeting on February 8, 2017, we will review Article 2 (Definitions) and have a more in-depth review of the proposed Mixed-Use (M-U) District in Article 3 and Belleville Road Overlay District (BROD) in Article 6.

After the meeting on February 8<sup>th</sup>, we recommend scheduling the public hearing. Prior to the public hearing, we will issue an updated version of the Zoning Ordinance that incorporates all of the changes made throughout the Planning Commission review process.

Please note that each section of the Draft Zoning Ordinance includes a reference of the current section of the existing Zoning Ordinance or a reference that it is a new section. This will allow the user to refer to the existing Zoning Ordinance. Proposed deletions are located in the margins and proposed additions are underlined.

**Major Changes Proposed.** The following are the major changes proposed:

**Article 2. Definitions.** The purpose of the Definitions article is to include descriptive text of the common terms of the Zoning Ordinance; however, development standards for specific uses (e.g., setbacks, hours of operation, regulations for activity) are mostly located in Article 5. Therefore, many of the changes to the Definitions article were to either remove lengthy development standards and properly relocate them to Article 5 or add descriptive text by relocating it from elsewhere in the Zoning Ordinance. As a result, the Zoning Ordinance is far more concise and easier to understand. The significant changes proposed to the Definitions article are as follows:

- **Adult Foster Care Facility.** New definition to be consistent with the Adult Foster Care Facility Licensing Act (Public Act 218 of 1979).
- **Airport and Related Facilities.** Definition moved from Section 16.02A.
- **Airport Commercial and Service Establishments.** Definition moved from Section 16.02A.
- **Automobile Wash Establishment.** Added text that was relocated from development standards.
- **Banks and Financial Institutions.** New definition, which includes text that was relocated from development standards.
- **Basement.** Added specific text that determines when a basement is classified as a story.
- **Bed and Breakfast Establishment.** New definition, which includes text that was relocated from development standards.
- **Contractor Establishment Indoor.** New definition, which includes text that was relocated from development standards.
- **Distribution Center.** Development standards were added to distinguish it from a “Warehouse” and “Truck Terminal.”
- **Drive, Shared Access or Drive, Cross-Access.** New definition, which describes these drives as they are commonly known.
- **Dwelling, Single-Family.** The development standards were removed from the definition and were appropriately relocated to Article 5.
- **Event Facility.** New definition to describe existing the use.
- **Family.** Changes were made to this definition to be more consistent with federal fair housing regulations and case law.
- **Farm.** Because the Michigan Court of Appeals has ruled against this form of minimum lot area requirement, the minimum lot area requirement has been removed for farms that meet all of the requirements of the Michigan Right to Farm Act
- **Farm Operation and Farm Product.** Text has been added to defer to the definitions of the Michigan Right to Farm Act.
- **Fence, Decorative.** Additional text and a graphic were included to better describe the term.
- **Health or Exercise Club.** New definition to describe the use.
- **Height of Building.** A graphic was added to complement the definition.
- **High Tech, Data Processing, and Computing Center.** New definition, which includes text that was relocated from development standards.
- **Hotel.** This definition was changed to permit cooking facilities, which are currently prohibited. Because is it more common for hotel rooms to have kitchens, we recommend permitting them.
- **Indoor Recreation.** New definition, which includes text that was relocated from development standards.
- **Instructional Services, Outdoor.** New definition, which includes text that was relocated from development standards.

- **Laboratory, Minor and Laboratory, Major.** New definitions, which include text that was relocated from the development standards.
- **Lots.** A new definition of “Flag Lot” was added, which is a customary definition in most zoning ordinances. A graphic was also added that illustrates each type of lot.
- **Manufacturing and Processing (Heavy) and Manufacturing and Processing (Light).** New definitions, which include text that was relocated from the development standards.
- **Office Professional and Office, Medical and Dental.** New definitions, which include text that was relocated from the development standards.
- **Open Air Businesses.** Added text that was relocated from the development standards.
- **Places of Assembly.** New definition, which includes text that was relocated from the development standards.
- **Printing Shops and Establishments.** New definition, which includes text that was relocated from development standards.
- **Private Indoor Instructional Institutions.** New definition, which includes text that was relocated from development standards.
- **Recreational Vehicle.** New definition, which is needed based on the existing and proposed regulations in Article 7.
- **Religious Institution.** The current definition of “Church” is changed to “Religious Institution” to be more encompassing.
- **Retail Sales, Indoor.** New definition, which includes text that was relocated from development standards.
- **Retail.** New definition, which includes text that was relocated from development standards.
- **School, Vocational or Technical.** New definition, which includes text that was relocated from development standards.
- **Service Establishment, Office, Showroom, or Workshop and Service Establishment, Personal Services.** New definitions, which include text that was relocated from development standards.
- **Street, Arterial and Street, Collector and Street, Local.** New definitions, which are common definitions of the street hierarchy.
- **Studios.** New definition, which includes text that was relocated from development standards.
- **Truck Terminal.** Development standards were added to distinguish it from a “Warehouse” and “Distribution Center.”
- **Warehouse.** Development standards were added to distinguish it from a “Truck Terminal” and “Distribution Center.”
- **Yard.** A graphic was added to illustrate the front yard, side yard, and rear yard.

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**Mixed-Use (M-U) District in Article 3. Zoning Districts and Permitted Uses.** In general, Article 3 is a new article that consolidates current Articles 3 and 7-17 into a single article that includes zoning district standards (i.e., purpose, permitted and special land uses, dimensional regulations, and other district-related regulations). The most significant change to Article 3 is the establishment of the Mixed-Use District.

The establishment of mixed-use areas is a goal of the Master Plan and is illustrated on the Township’s Future Land Use map. At this time only the text of the M-U District is proposed and no properties are proposed to be rezoned to M-U during the current Zoning Ordinance adoption process. However, we anticipate the mapping of the M-U District to take place shortly thereafter.

The purpose of the M-U District is as follows:

- Promote a **mix of compatible land uses**;
- Create **walkable, pedestrian-friendly spaces**;
- Establish standards for **consistent building location and site design**;
- Encourage **flexible use of buildings** by permitting compatible mixed uses to be located in a single building.
- Promote **land assembly** for development by providing development options for non-frontage land on deeper lots.

The M-U District is very graphic and has development standards that are more detailed than any other district. The purpose of having such a high level of detail in the development standards (e.g., building type, maximum setbacks, maximum lot size, street type) is to foster predictable outcomes and superior development. By providing detailed standards for applicants, site design should be simpler and more predictable. At the same time, the mixed-use concept is intended to offer use flexibility to developers, encourage creativity, and make sites more marketable.

To assist the Township and applicants with the implementation of the M-U district, we have included graphics of building types and a sample Regulating Plan (i.e., a layout plan of how the standards would look on a site plan).

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**Belleville Road Overlay District (BROD).** The preparation of the BROD was a project initiated by the DDA in 2011 to codify standards for superior development in the downtown area. When the comprehensive update of the Zoning Ordinance was started in 2014, the intent was to incorporate the BROD standards into the update.

The BROD is intended to overlay the existing zoning districts in 2 areas: The Core Commercial Subarea (south of Tyler Road) and the Gateway Mixed Use Subarea (north of Tyler Road). A draft map of the BROD is enclosed for your review. Therefore, while the underlying zoning district remains the same, the overlay district includes additional standards and requirements to the area that it overlays.

A summary of the BROD includes the following:

- **Permitted and Special Land Uses.** While the permitted and special land uses of the Core Commercial Subarea are the same as the underlying zoning district, the permitted and special land uses of the Gateway Mixed Use Subarea are in accordance with the Mixed-Use Zoning District. Therefore, once an area is included in the Gateway Mixed Use Subarea, its uses are limited to those of the M-U Zoning District.
- **Building Envelope Standards.** The Building Envelope Standards encourage buildings to be aligned close to the street and consistent with buildings on both sides. These standards also encourage actively using space in the front yard and buffering off-street parking from the street. A reference is included that requires the Gateway Mixed Use Subarea to meet the requirements of the Mixed-Use Zoning District. Therefore, even if an area in the Gateway Mixed Use Subarea has not yet been rezoned to the M-U Zoning District, any new development must be consistent development patterns prescribed in the M-U District.
- **Parking, Loading, and Access Management.** In addition to the Parking, Loading, and Access Management Standards of Article 9, this section includes requirements for shared parking whenever possible, bicycle parking, street connectivity and cross-access, street design, and bicycle and pedestrian access including crosswalks. While these items are encouraged in all parts of the Zoning

Ordinance, they are required in the BROD. Additionally, areas in the Gateway Mixed Use Subarea are required to meet the standards of the M-U Zoning District.

- **Architectural and Site Design Standards.** This section encourages unifying design and discourages architecture that is not compatible with the BROD theme. Provisions are added for public and private spaces including usable open space (i.e., not “leftover” open space), plazas and courtyards, locations of parking lots and structures, site amenities (public art, site furniture, outdoor dining, and decorative paving), architectural character (building form, height, facades, roofs, materials, colors, fences, walls, and lighting). These provisions complement existing standards elsewhere in the Zoning Ordinance and emphasize quality design of both the site and the buildings.
- **Landscaping and Screening.** In addition to the standards of Article 10, standards were added for general landscaping, street trees, perennial beds, and parking lot landscaping.

We look forward to reviewing these areas of the proposed Zoning Ordinance with you at the February 8, 2017 Planning Commission meeting.

# Article 2 Definitions

## Section 2.101 General (currently 2.01)

When not inconsistent with the context, words used in the present tense include the future tense, words need in the singular number include the plural number and words need in the plural number include the singular number. The word "shall" is always mandatory and not merely directory. Terms not herein defined shall have the meanings customarily assigned to them.

## Section 2.102 Specific Terms (currently 2.02)

(A) The following terms shall have the following meaning:

(1) **ACCESSORY BUILDING:** A building or portion of a building subordinate to and on the same lot as a principal building and occupied by or devoted exclusively to an accessory use, including, but not limited to, a private garage.

Deleted: main

(2) **ACCESSORY STRUCTURE:** A structure, or portion of a structure subordinate to and on the same lot as the principal building(s) and occupied by or devoted exclusively to an accessory use.

Deleted: main

(3) **ACCESSORY USE:** A use customarily incidental, subordinate and devoted exclusively to the principal use of the premises.

Deleted: main

(4) **ADULT FOSTER CARE, FAMILY HOME:** A private residence with the approved capacity to receive not more than six (6) adults who shall be provided foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee shall be a member of the household and an occupant of the residence.

(5) **ADULT FOSTER CARE, LARGE GROUP HOME:** An adult foster care facility with the approved capacity to receive at least thirteen (13) but not more than twenty (20) adults who shall be provided foster care.

Commented [PS5]: The last portion of the definition was deleted so that the definition in the Zoning Ordinance was the same as the definition in P.A. 218 of 1979.

(6) **ADULT FOSTER CARE, SMALL GROUP HOME:** An adult foster care facility with the approved capacity of not more than twelve (12) adults who shall be provided foster care.

Deleted: Beginning four (4) years after the effective date of Act 218, Public Act 1979 (approved January 16, 1980), an adult foster care large group home which is licensed by the State to provide foster care in each respective category may receive only those adults in a category whose primary need for services is based upon not more than one (1) of the following categories:  
<#>¶  
<#>a. Aged condition.¶  
<#>¶  
b. Mental illness, developmental disability or physical handicap or a combination of mental illness, development disability or physical handicap.

(7) **ADULT FOSTER CARE FACILITY:** A governmental or nongovernmental establishment that provides foster care to adults. Subject to Michigan Public Act 218 of 1979, as amended, adult foster care facilities include facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include a nursing home, home for the aged, hospital, hospital for the mentally ill, facility for the developmentally disabled, county infirmary, child caring institution, an establishment commonly described as an alcohol or substance abuse rehabilitation center, a residential facility for persons released from or assigned to adult correctional institution, and any other use excluded under Act 218 of 1979, as amended.

Commented [PS6]: This is a modified definition in the State Act (218 of 1979, as amended) to help Van Buren Township better administer the Zoning Ordinance by more clearly defining what is (and is not) an "adult foster care facility."

Article 2: Definitions

(8) **ADULT MOTION PICTURE THEATER:** An enclosed building or open air site used for presenting motion pictures distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Anatomical Areas" (as defined below), for observation by patrons therein. "Specified Sexual Activities" for the purpose of this Section are defined as follows:

- (a) Human male genitals in a state of sexual stimulation or arousal;
- (b) Acts of human masturbation, sexual intercourse or sodomy;
- (c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

And "Anatomical areas" are defined as follows:

- (a) a. Less than opaquely covered; (i) human genitals, pubic region, (ii) buttock and (iii) female breast below a point immediately above the top of the areola:
- (b) b. Human male genitals in discernible turgid state, even if completely and opaquely covered.

(9) **AIR FREIGHT FORWARDER:** A premises and building utilized for the loading or unloading of trucks concerned with the delivery to or receipt of freight shipped via aircraft. Such facility may include, as an accessory use, warehouse space necessary for the transitory storage of air freight. An air freight forwarder that includes facilities designed to accommodate the simultaneous loading or unloading of more than one (1) truck per four thousand (4,000) square feet of gross floor area shall be considered a truck terminal and shall be subject to all restrictions of this Ordinance for truck terminals.

~~(10) **AIRPORT AND RELATED FACILITIES:** Airports, heliports, landing areas, runways, taxiways, aircraft hangers and tie down areas, approach surface, transitional surfaces, and terminals incidental to the airport operation.~~

Commented [PS7]: This definition is from existing Section 16.02A.

~~(11) **AIRPORT COMMERCIAL AND SERVICE ESTABLISHMENTS:** Commercial and service establishments catering primarily to persons using the airport including sit-down restaurants, barber shops, automobile rental and leasing agencies, banks, travel agencies, and similar uses."~~

Commented [PS8]: This definition is from existing Section 16.02A.

(12) **ALLEY:** A public way which affords a secondary means of access to abutting property and which is not intended for general traffic circulation.

(13) **ALTERATION:** Any change, addition or modification in construction or type of occupancy of a building or any change in the structural members of a building, such as walls, partitions, columns, beams or girders. A structural alteration shall include any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, or any change in the width or number of exits, or any substantial change in the roof.

Commented [PS9]: This text is copied directly from the definition of "Structural Alteration" so that the terms don't conflict.

Article 2: Definitions

- (14) **APARTMENT OR APARTMENT UNIT:** A room or suite of rooms in an apartment house arranged and intended as a place of residence for a single family living together as a single housekeeping unit.
- (15) **APARTMENT HOUSE:** A building or portion thereof used or designed as a residence for three (3) or more families living in apartment units with two (2) or more units having common access to and from the building.
- (16) **ARCHITECTURAL FEATURE:** Non-structural features of a building which are customarily permanent, such as cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.
- (17) **ASHES:** The residue from burning of wood, coal, coke, refuse, wastewater or other combustible materials.
- (18) **AUTOMOBILE REPAIR:** All general repair and reconditioning of motor vehicles, including engine rebuilding, repair of collision damage, overall painting and vehicle rust proofing. (see also definitions of "Vehicle Service, Major" and "Vehicle Service, Minor")
- (19) **AUTOMOBILE WASH ESTABLISHMENT:** A building, or portion thereof and surrounding area, the primary purpose of which is washing motor vehicles. Automatic automobile wash establishments shall be in a completely enclosed building. All automobile wash establishments may include steam cleaning but shall not include rustproofing.
- (20) **BALCONY:** An exterior platform attached to the building.
- (21) **BANKS AND FINANCIAL INSTITUTIONS:** Banks, credit unions, savings and loan associations, investment companies, brokerage firms, and similar financial institutions, including automatic teller machines as an accessory use.
- (22) **BARN:** A farm building used for the storing of grain, hay and other farm products and/or for the sheltering of livestock and/or machinery used in the commercial production of farm products.
- (23) **BAY WINDOW:** An architectural feature that is generally a U-shaped enclosure, extending the interior space of the building outward of the exterior building wall.
- (24) **BASEMENT:** An area of a building having part, but not less than one-half (1/2) of its height below the average level of the adjoining finished grade on all sides of the building. A basement shall not be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet.
- (25) **BED AND BREAKFAST ESTABLISHMENT:** A private residence that offers rental sleeping accommodations to registered guests. The owner resides in the establishment while managing the renting of the rooms to registered guests. Food and/or beverages can be served at no extra cost/at an included cost to the registered guests.

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Article 2: Definitions

(26) **BLOCK:** The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets or lying between one (1) intersecting street and a railroad right-of-way, un-subdivided acreage, river or live stream or lying between any of the foregoing and any other barrier to the continuity of development.

Commented [PS10]: There is a definition of "billboard" in Article 11.

Deleted: <#>BILLBOARD: Any structure or portion thereof upon which a sign may be displayed outdoors to the general public.¶

(27) **BOARD:** The Board of Trustees of the Charter Township of Van Buren.

(28) **BUILDABLE AREA:** That portion of space of a lot which does not include the minimum yard, open space, right-of-way, and easement requirements for the lot.

Commented [PS11]: "Boarding House" is not regulated anywhere in the Zoning Ordinance, so it is deleted and substituted with a definition of "Bed and Breakfast Establishment."

(29) **BUILDING:** A temporary or permanent structure of any kind, having a roof supported by columns or walls, not including tents or vehicles situated on private property. When any portion of a building is completely separated from the remainder of a building by division walls from the ground up without openings allowing access to the remainder of the building, each such portion shall be deemed a separate building.

Deleted: <#>BOARDING HOUSE: A building, not including a hotel, motel or convalescent or nursing home, where meals, or combination of lodging and meals are offered on a commercial basis to three (3) or more persons by per-arrangement for defined periods of not less than one (1) week.¶

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(30) **BUILDING, ACCESSORY:** See definition of "Accessory Building."

(31) **BUILDING, MAIN OR PRINCIPAL:** The building in which is conducted the principal use of the lot on which it is situated.

(32) **BUILDING DEPARTMENT:** The Building Department of the Charter Township of Van Buren,

Deleted: Township

(33) **BUILDING INSPECTOR:** The official or inspector of the Township, or his/her authorized representative, responsible for administering and enforcing the applicable building codes.

Deleted: Enforcement Officer

(34) **BUILDING LINE:** A line established parallel to the front lot line which establishes the general limit of the projection of a building situated on a lot toward the front lot line,

Deleted: street

Deleted: of a lot

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Deleted: of the lot

(35) **BUILDING PERMIT:** A written permit issued by the Building Inspector authorizing the construction, removal, relocation or alteration of a building in conformity with the provisions of this Ordinance.

(36) **BULKY WASTES:** Large items of refuse, including but not limited to, appliances, vehicles, flotsage, furniture, large auto parts, tires, trees, branches and stumps.

(37) **CALIPER:** The diameter of a tree trunk measured at eighteen (18) inches above the ground below.

(38) **CAMPGROUND:** An area for recreational camping in tents, travel trailers, pickup campers, motor homes, and folding tent trailers for periods not to exceed twenty (20) days.

Commented [PS12]: Text from the proposed "recreational vehicle" definition was added to be more inclusive.

Deleted: and

Commented [PS13]: Text from the proposed "recreational vehicle" definition was added to be more inclusive.

(39) **CAMPSITE:** An area within a campground for use for camping by not more than two (2) tents or one (1) travel trailer, pickup camper, motor home, or folding tent trailer.

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Article 2: Definitions

(40) **CARPOR:** A building, not larger than the principal building on the lot, which is not completely enclosed and which is used primarily for the storage of motor vehicles for the private use of the occupants of the lot or for the private storage of such vehicles and not more than one (1) commercial vehicle not exceeding a gross vehicle weight rating of ten thousand (10,000) pounds.

**Deleted:** rated capacity of three-fourth (3/4) ton

**Commented [PS14]:** The gross vehicle weight rating is a published rating for all vehicles, which is a better standard than "rated capacity." The GVWR is the maximum operating weight of a vehicle as specified by the manufacturer including the weight of the vehicle, fluids, accessories, driver and passengers, and cargo, but excluding trailers. For comparison, the Ford F-150 has a GVWR of under 10,000 pounds and the Ford Super Duty truck has 1 version that is under 10,000 pounds and 1 version that is over 10,000 pounds.

(41) **CLOSURE OF QUARRY OR SOLID WASTE FACILITY:** The effective or actual completion of the planned operation of a quarry or solid waste facility as prescribed by the Township special use permit and other appropriate County or State permit applications.

**Commented [PS15]:** The closure of a quarry or solid waste facility will be determined by the State and the permit, as stated in Article 8.

(42) **CLUB:** A non-profit organization of persons for special purposes, such as the advancement of agricultural, sports, arts, science, literature or politics, or for social or recreational activities.

**Deleted:** If a quarry or solid waste facility ceases operations for more than one hundred and eighty (180) days, it shall be deemed a closure.

(43) **CLUSTER HOUSING:** A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space and/or preservation of environmentally sensitive areas.

(44) **COLLECTION CENTER:** A tract of land or structure used to collect and store junk motor vehicles and farm implements.

(45) **CO-LOCATION:** The use of a wireless telecommunication tower by more than one (1) wireless telecommunication provider.

(46) **COMMERCIAL VEHICLE:** All vehicles used for the transportation of passengers for hire or constructed or used for transportation of goods, wares or merchandise, including such as may be designed to draw or to be drawn by other vehicle.

(47) **COMMISSION:** The Charter Township of Van Buren Planning Commission.

**Deleted:** Township

(48) **COMMON OPEN SPACE:** An area of land and/or water within a Planned Residential Development (PRD) site intended for the use and enjoyment of all residents.

**Deleted:** Unit

(49) **CONDOMINIUM ACT:** Public Act 59, 1978, as amended.

(50) **CONDOMINIUM COMMON ELEMENTS:** Portions of the condominium project other than the condominium units.

(51) **CONDOMINIUM GENERAL COMMON ELEMENTS:** includes:

- (a) The land in the condominium project;
- (b) The foundations, main walls, roofs, halls, lobbies, stairway entrances, exits or communication ways;
- (c) The basements, flat roofs, yards and gardens, except as otherwise provided or stipulated;

Article 2: Definitions

- (d) The premises for the use of janitors or persons in charge of the condominium project, including lodging, except as otherwise provided or stipulated;
- (e) The compartments or installations of central services such as heating, power, light, gas, cold and hot water, refrigeration, air-conditioning, reservoirs, water tanks and pumps the like;
- (f) The elevators, incinerators and, in general, all devices or installations existing for common use; and;
- (g) All other elements of the condominium project owned in common and intended for the common use or necessary to the existence, upkeep and safety of the project (refer to attached diagram).

(52) **CONDOMINIUM LIMITED COMMON ELEMENTS:** Those common elements which are reserved in the master deed for the exclusive uses of less than all of the co-owners.

(53) **CONDOMINIUM PROJECT:** A plan or project consisting of not less than two (2) condominium units established in conformance with the condominium act.

(54) **CONDOMINIUM SUBDIVISION PLAN:** Site, survey and utility plans; ~~floor plans; and~~ Sections, as appropriate showing the existing and proposed structures and improvements including the location thereof on the land. The condominium subdivision plan shall show the size, location, area, vertical boundaries and volume for each unit comprised of enclosed air space. A number shall be assigned to each condominium unit. The condominium subdivision plan shall include the nature, location and approximate size of common elements. The condominium subdivision plan shall also include the adopted site plan and/or Exhibit B as required by P.A. 59 of 1978, as amended.

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(55) **CONDOMINIUM UNIT:** That portion of the condominium project designed and intended for separate fee simple ownership and use, as described in the master deed.

(56) **CONTRACTOR ESTABLISHMENT, INDOOR:** Electrical, glazing, painting, paper hanging, plumbing, roofing, exterminator, or ventilation contractors' establishments, excluding outside storage yards.

(57) **CONVALESCENT OR NURSING HOME:** A home which qualifies for a license under State law for the care of children or aged or infirm persons or as a place of rest or convalescence for those suffering from bodily disorders.

(58) **COURT:** An open, unoccupied space other than a yard which is located on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

(59) **DAY CARE FACILITIES:** As used in this Ordinance, the following definitions shall apply to day care facilities:

Article 2: Definitions

- (a) **DAY CARE OR CHILD CARE, FAMILY HOME:** A private home in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. All family day care homes shall be registered with or licensed by the Michigan Department of Licensing and Regulatory Affairs or successor agency.
- Deleted:** DAY CARE
- Deleted:** Division of Child Care Licensing in the State of Michigan Bureau of Regulatory Services
- (b) **DAY CARE OR CHILD CARE, GROUP HOME:** A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. All group day care homes shall be registered with or licensed by the Michigan Department of Licensing and Regulatory Affairs or successor agency.
- Deleted:** DAY CARE
- Deleted:** Division of Child Care Licensing in the State of Michigan Bureau of Regulatory Services
- (c) **DAY CARE CENTER, ADULT:** A center other than a private home where one (1) or more functionally impaired persons other than preschool or school age children are received for care and supervision and as further specified in this Ordinance. Convalescent homes, nursing homes and housing for the elderly are not included in this definition. Such businesses, however, may establish adult day care centers within their own facilities as a permitted accessory use, if such use is permitted within the district. All adult day care centers shall be registered with or licensed by the Michigan Department of Licensing and Regulatory Affairs or successor agency.
- Deleted:** ADULT
- Deleted:** Division of Child Care Licensing in the State of Michigan Bureau of Regulatory Services
- (d) **DAY CARE CENTER, CHILD:** A facility, other than a private residence, receiving one (1) or more preschool or school-age children for care for periods of less than twenty-four (24) hours a day and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day and as further specified in the Ordinance. The facility also may be described as a day care center, a day nursery, nursery school, parent cooperative preschool, play room, before- or after-school program, or drop-in center. All child care centers shall be registered with or licensed by the Michigan Department of Licensing and Regulatory Affairs or successor agency. Refer to Public Act 116 of 1973, as amended, for a list of facilities that are excluded from the definition of "Child Care Center" or "Day Care Center."
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- Deleted:** Division of Child Care Licensing in the State of Michigan Bureau of Regulatory Services
- (60) **DISTRIBUTION CENTER:** Any building that meets one (1) or more of the following criteria:
- (a) Any warehouse, or warehouse portion of a building, that measures more than two hundred fifty thousand (250,000) square feet in gross floor area.
- (b) Any building measuring more than twenty-five thousand (25,000) square feet in area and incorporating any combination of uses, which is the origin and/or destination point of goods being transported for storing, transferring, loading and/or unloading
- Deleted:** ¶  
<#>Any building of any size incorporating a warehouse, where the warehouse measures more than two hundred fifty thousand (250,000) square feet in gross floor area.¶

Article 2: Definitions

and which is designed to accommodate the simultaneous loading or unloading of more than one (1) truck per eight thousand (8,000) square feet of gross floor area but not more than one (1) truck per four thousand (4,000) square feet of gross floor area. Such truck loading or unloading facilities shall include, but shall not necessarily be limited to, truck docking bays, bays or any space inside or outside of a building or trans-shipment point designed for loading or unloading, but shall not include at-grade doors. Dock doors used exclusively for trash compactors shall also not be included. Any building, or portion of a building, that is designed to accommodate the simultaneous loading or unloading of more than one (1) truck per eight thousand (4,000) square feet of gross floor area shall be defined as a "Truck Terminal."

- (61) DRIVE, SHARED ACCESS or DRIVE, CROSS-ACCESS: A private drive serving multiple businesses and/or multiple lots. These drives also provide access between abutting land and public roads. Shared access drives and cross-access drives offer a lower level of mobility than a street and are generally designed only for traffic generated by the properties served. A single site driveway is not considered a shared access drive.
- (62) DRIVE-IN OR DRIVE-THRU ESTABLISHMENT: A retail or service establishment providing a driveway approach or parking spaces designed and used to service patrons remaining in motor vehicles, such as drive-in restaurants, cleaners, banks or theaters.
- (63) DWELLING, MULTIPLE-FAMILY: A building or portion thereof containing three (3) or more dwelling units and designed for occupancy by one (1) family per dwelling unit living independently of each other, including apartment houses, row, terrace and townhouse dwellings, but not including mobile homes.
- (64) DWELLING, MULTIPLE HIGH RISE: An apartment house higher than two and one-half (2.5) stories or thirty (30) feet.
- (65) DWELLING, QUADRUPLEX: Four (4) attached dwellings in one (1) structure in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with adjoining unit or units.
- (66) DWELLING, ROW, TERRACE OR TOWNHOUSE: One (1) or more dwelling units each of which is laterally attached to another by a common wall and each of which has a separate access outdoors.
- (67) DWELLING, SINGLE-FAMILY: An attached building containing not more than one (1) dwelling unit designed for residential use of one (1) family only, provided the requirements of Section 5.114 are met.
- (68) DWELLING, TWO-FAMILY: A detached building containing two (2) dwelling units and designed for occupancy exclusively by two (2) families living independently of each other.
- (69) DWELLING UNIT: Any house or building or portion thereof having cooking facilities which is designed for occupancy solely as the home, residence or sleeping place of one (1) family, either permanently or temporarily, not including a recreational vehicle, automobile chassis, or portable building. Where a building is occupied only in part as

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Deleted: or more one (1) families
Deleted: not less than five (5) stories in height
Commented [PS16]: The maximum height of an apartment building is 2.5 stories or 30 feet, so a multi-family high rise would be any apartment building higher than this.
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Commented [PS17]: The definition of "Dwelling, Single-Family" contained development standards, which have been appropriately relocated to Article 5.
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¶
a. It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.¶
¶
b. It has a minimum width across front, side and rear elevations of twenty-four (24) feet and complies in all respects with the Township building code. Where a dwelling is required by law to comply with any Federal or State standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Township building code, then and in that event, such Federal or State standards or regulations shall apply; further provided that the provisions of the Section shall not have the effect of making single-family dwelling which exist as of the effective date of this amendment, non-conforming.¶
¶
c. It is firmly attached to permanent foundation constructed on the site in accordance with the Township building code and shall have a wall of the same perimeter dimensions as the dwelling and construct of such materials and type as required in the applicable building code for single-family dwellings. In the event that the dwelling is a mobile home, as defined herein Housing and Urban Development (HUD) Mobile Home Construction and Safety Standards, 24 CFR, Part 1700 to end, Part 3280 et. seq., and pertinent State statutes and regulations. Such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premise by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a perimeter wall as required above.¶
¶
d. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels and towing mechanism removed. Additionally, no dwelling shall have any exposed undercarriage or chassis.¶
¶
e. The dwelling is connected to public sewer and water supply or to such private facilities approved by the local health department.¶
¶
f. The dwelling contains storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of stand construction equal to or of better quality than the principal dwelling. This storage area shall be eq...
Commented [PS18]: Because "travel trailer" and "tent" are included in the proposed "recreational vehicle" definition, this was changed to be more encompassing.
Deleted: travel trailer
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Article 2: Definitions

defined in the foregoing sentence, the part as occupied shall be deemed to be a dwelling unit or dwelling units.

(70) **EFFICIENCY UNIT:** A dwelling unit consisting of one (1) room and having such facilities as kitchen, closets, bathrooms and hallways in or immediately adjoining such room.

(71) **ELDERLY HOUSING - DEPENDENT:** A ~~multiple-family housing type with central dining~~ facilities provided as a basic service to each dwelling unit. Each dwelling unit may or may not contain cooking facilities, but must contain sanitary facilities. Includes but is not limited to the following:

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(a) **CONGREGATE CARE:** a housing type with individual cooking facilities in each dwelling unit but also has a central dining service option available. Limited medical is available.

(b) **ASSISTED LIVING:** a housing type without individual cooking facilities with only central dining service available. Limited medical care is also available.

(c) **CONVALESCENT OR NURSING HOME:** a housing type with sleeping rooms, where persons are housed or lodged and furnished with meals 24 hour licensed nursing care.

(72) **ELDERLY HOUSING – INDEPENDENT:** A multiple family housing type with full facilities for self-sufficiency in each individual dwelling unit also known as a retirement village or community.

(73) **ERECTED:** Built, constructed, reconstructed, moved upon or otherwise made subject to any physical operations, including excavation, filling, drainage and similar operations.

(74) **ESSENTIAL SERVICES:** The erection, construction, alteration or maintenance by public utilities, municipal departments or commissions of underground, surface or overhead gas, communication, electrical, steam, fuel or water transmission or distribution systems, or collection, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith, but not including building, which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience or welfare.

(75) **EVENT FACILITIES:** Facilities that host large events such as wedding chapels and banquet halls.

(76) **EXCAVATING:** The removal of sand, stone, gravel or fill dirt below the average grade of the surrounding land and/or road grade, whichever is higher.

(77) **EXCAVATION OR SOIL EXCAVATION:** The extraction, mining or quarrying of any kind of nature from the earth for sale or use by the operator of mineral aggregates such as soil, clay, sand, gravel or stone includes any processes such as crushing, screening, scalping, dewatering and blending.

Article 2: Definitions

(78) **EXPANDABLE CONDOMINIUM:** A condominium project to which additional land may be added pursuant to express provisions in the condominium documents and in accordance with the condominium regulations of the Zoning Ordinance and the Condominium Act.

(79) **FAMILY:** "Family" means either of the following:

- (a) An individual or group of two (2) or more persons living together and related by the bonds of blood, marriage or adoption, together with foster children and domestic staff of the principal occupants and not more than one (1) additional unrelated person, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit; or
- (b) The functional equivalent of the domestic family, that is, a collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuous, non-transient, domestic character and is the functional equivalent of a domestic family with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must be cooking and living as a single, non-profit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited determinable period.

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(80) **FARM:** The land, buildings and machinery used in the commercial production of farm products, on site, containing no less than ten (10) contiguous acres. There shall be no minimum lot size for farms that meet all of the requirements of this Ordinance and the Michigan Right to Farm Act, as amended.

Commented [PS19]: The Michigan Court of Appeals has ruled against a municipality for imposing a minimum lot area for a farm because the lot area requirement conflicted with the Right to Farm Act. Therefore, if a farm complies with the Michigan Right to Farm Act and the district permits commercial agriculture, the minimum lot size cannot be enforced.

(81) **FARM OPERATION:** A condition or activity which occurs on a farm in connection with the commercial production of farm products, and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor in accordance with the Michigan Right to Farm Act, as amended.

(82) **FARM PRODUCT:** Those plants and animals useful to human beings and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish apiaries, equine and other similar products or any other product which incorporates the use of food, feed, fiber or fur in accordance with the Michigan Right to Farm Act, as amended. The phrase "farm product" shall not be interpreted to include the commercial slaughtering of farm animals.

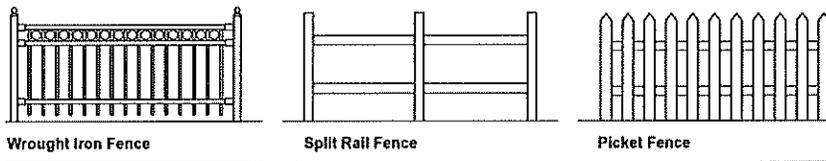
(83) **FENCE:** A structural barrier composed of posts carrying boards, rails, pickets, or wire or to iron structures consisting of a vertical or horizontal bars or open work.

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Article 2: Definitions

(84) **FENCE, DECORATIVE:** An open or semi-open fence, ornamental in nature, not intended to provide a permanent barrier to passage or for screening. Examples of decorative fence include, but are not limited to, split rail fence, wrought iron fence, and picket fence with at least twenty-five percent (25%) of the area of its vertical plane open to light and air. Decorative fencing does not include chain link fence. (See Figure 1 below)

Figure 1. Decorative Fence Examples



(85) **FILLING:** The depositing or dumping of any matter onto or into the ground, except depositing or dumping in connection with common household gardening.

(86) **FLOOR AREA:** The sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the center line of a wall separating two (2) buildings, including:

- (a) ~~Such area of a basement when more than one-half (½) of the basement height is above the average finished lot grade;~~
- (b) ~~Such area of any elevator shafts and stairwells at each floor;~~
- (c) ~~Such area used for mechanical equipment (except equipment, open or enclosed, located on a roof;~~
- (d) ~~Such area of any attic having headroom of seven (7) feet, ten (10) inches (7'-10") or more; and~~
- (e) ~~Such area of any interior balconies and mezzanines, but not including:~~
  - (i) ~~Any such area devoted to off-street parking loading; or~~
  - (ii) ~~The area of any room or space specifically excluded by this Ordinance.~~

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(87) **FLOOR AREA, USABLE.** See definition of "Usable Floor Area."

(88) **GARAGE, COMMERCIAL:** A building used for the storage of motor vehicles and/or for the repair, rebuilding, reconstruction, greasing, washing or servicing of motor vehicles. (see also definitions of "Vehicle Service, Major" and "Vehicle Service, Minor")

(89) **GARAGE, COMMUNITY:** A building used for the storage of motor vehicles or residents of dwelling units on the same or adjacent block or blocks and includes community garages providing incidental services to stored vehicles.

(90) **GARAGE, PRIVATE:** An enclosed accessory building not larger than the principal building on the lot, used primarily for the storage of motor vehicles for the private use of the occupants of the lot or for the private storage of such vehicles and not more than one (1) commercial vehicle not exceeding a gross vehicle weight rating of ten thousand (10,000) pounds.

- Deleted: , if any,
- Commented [PS20]: The gross vehicle weight rating is a published rating for all vehicles, which is a better standards than "rated capacity." The GVWR is the maximum operating weight of a vehicle as specified by the manufacturer including the weight of the vehicle, fluids, accessories, driver and passengers, and cargo, but excluding trailers. For comparison, the Ford F-150 has a GVWR of under 10,000 pounds and the Ford Super Duty truck has 1 version that is under 10,000 pounds and 1 version that is over 10,000 pounds
- Deleted: rated capacity of three-fourths (3/4)

Article 2: Definitions

- (91) **GARAGE, STORAGE:** Any premises except a private garage, used exclusively for the storage of motor vehicles.
- (92) **GASOLINE FILLING STATION:** A place for the dispensing, sale, or offering for sale of motor fuels directly to users of motor vehicles, together with the retail sale of minor accessories, but not including any automotive service repair.
- (93) **GASOLINE SERVICE STATION:** A place for the dispensing, sale, or offering for sale of motor fuels directly to users of motor vehicles, together with the retail sale of minor accessories and Minor Vehicle Service, but not Major Vehicle Services. (see also definitions of "Vehicle Service, Major" and "Vehicle Service, Minor")
- (94) **GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES:** Those practices as defined by the Commission of Agriculture of the State of Michigan.
- (95) **GRADE:** The natural or finished elevation of an area as determined by the Township Engineer or the Wayne County Road Commission.
- (96) **GREENBELT:** An area of land which is planted and maintained in accordance with Section 10.103(E) of the Ordinance.
- (97) **GROSS LEASABLE AREA:** The total floor area designed for occupancy and exclusive use of tenants, including basements, mezzanines and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.
- (98) **HEALTH OR EXERCISE CLUB OR SPA:** Physical, culture, or health establishments, including gymnasiums, reducing salons, masseurs, or steam baths" but excluding Regulated Uses (massage parlors, etc.).
- (99) **HEIGHT OF BUILDING:** The vertical distance from the established grade of the center of the front of a building to the highest point of the roof surface of a flat roof to the deck line for a mansard roof or to the mean height level between the eaves and ridge for hip, gable and gambrel roofs. (See Figure 2 below)

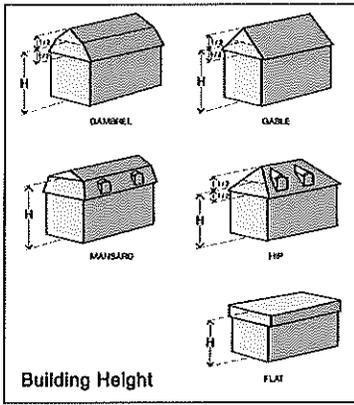
**Deleted:** services for motor vehicles

**Deleted:** including major automotive repair, such as body work, work with requires the removal of the engine and similar efforts

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**Figure 2. Height of Building**

Article 2: Definitions



**(100) HIGH TECH, DATA PROCESSING, AND COMPUTING CENTERS:** Uses include, but are not limited to, alarm and security businesses, phone message centers, telemarketing businesses, data processing and computer centers (including service and maintenance of electronic equipment and other computer related services), and high technology service uses which have as their principal function the providing of services, including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services. "High Tech, Data Processing, and Computing Centers" that are smaller scale and are primarily office uses may be classified by the Planning Director as an "Office, Professional" use.

Commented [PS21]: "High Tech, Data Processing, and Computer Centers" includes the text in current Sections 14.02(5), (6), and (8)

**(101) HOME OCCUPATIONS:** Any use customarily conducted entirely within a dwelling unit by the inhabitant thereof which is incidental and secondary to the use of the dwelling unit for dwelling purposes not requiring internal or external alterations or construction features or the use of equipment, machinery, outdoor storage, or signs not customary in residential areas. Clinics, hospitals, barber shops, beauty parlors, tea rooms, tourist homes, bed and breakfast establishments, animal hospitals, kennels, millinery shops, and uses of similar character shall not be deemed to be home occupations.

**(102) HOSPITAL:** An institution providing medical or surgical or other health services primarily to inpatients, including integral related health facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff officers.

**(103) HOTEL:** A building occupied or used on a commercial basis as temporary residence for individuals or groups of individuals with or without meals, containing more than five (5) sleeping rooms and may also contain cooking facilities in any individual room.

Commented [PS22]: Although the current hotel regulations prohibit cooking in a room, many modern hotels now have kitchen facilities, especially for extended stay guests. Therefore, we recommend permitting kitchen facilities in hotels.

**(104) INDOOR RECREATION:** Indoor commercial amusement services such as bowling alleys, skating rinks, billiard halls, stadium and sports arenas, movie theaters (excluding drive-in theaters), dance halls, and other indoor recreational facilities.

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Commented [PS23]: This is new definition because the uses in C-1 and C-2 provided the entire definition. Now, they will simply state "Indoor Recreation."

Article 2: Definitions

**(105) INSTRUCTIONAL SERVICES, OUTDOOR:** Instructional services which require all or some portion of their process or service to be conducted out of doors, such as truck driving ranges, construction equipment practices, physical fitness training center, and similar uses.

Commented [PS24]: This definition is from a description in Section 15.03(e).

**(106) JUNK:** Any motor vehicles, machinery, appliances, products, merchandise, scrap metals or other scrap materials that are damaged, deteriorated, deficient or are in any condition which cannot be used for the purpose that the product was manufactured.

**(107) JUNK YARD:** Any area of more than two hundred (200) square feet used for the storage, keeping or abandonment of junk, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts, thereof, including wrecking yards but not including an area where performances of such activities are carried on entirely within enclosed buildings.

**(108) KENNEL:** Any lot or premises on which dogs are kept for any commercial purposes, including but not limited to boarding, breeding, and training.

**(109) LABORATORY:** A place devoted to experimental or routine scientific study, such as testing, research, design, pilot or experimental product development, and analytical operations, but not including a place used for any manufacturing purposes. See definitions of "Laboratory, Minor" and "Laboratory, Major."

**(110) LABORATORY, MINOR:** A laboratory that does not involve any danger of fire, explosion, offensive noise, vibration, smoke, odors, heat, humidity, glare, or objectionable effects.

Commented [PS25]: This definition is from a description in Section 12.02(p)

**(111) LABORATORY, MAJOR.** A laboratory that may involve, or have a high probability of involving, any danger of fire, explosion, offensive noise, vibration, smoke, odors, heat, humidity, glare, or objectionable effects.

**(112) LAKE, PRIVATE:** Any body of water, except a public lake, which is entirely owned by one (1) person, group of persons, partnership or corporation.

**(113) LAKE, PUBLIC:** Any body of water which is open to the public and which is accessible to the public via publicly owned lands, waters or highways contiguous thereto or via the bed of a navigable stream, which may be used for navigation, fishing, hunting or other lawful purposes and which is reasonably capable of supporting a beneficial public interest.

**(114) LANDFILL:** Any disposal area or tract of land, building, unit or appurtenance or combination thereof that is used, and properly licensed and permitted, to collect, store, handle, dispose of, bury, cover over or otherwise accept or retain refuse as defined and described herein.

**(115) LOADING SPACE:** An off-street area on the same lot with a building or group of buildings used for temporary parking of a commercial vehicle during the loading and unloading of merchandise or materials.

Article 2: Definitions

(116) **LOT:** An area of land, which may consist of lots of record and/or parcels or parts thereof, occupied or intended for occupancy by not more than one main building or dwelling unit, unless otherwise specifically provided in this Ordinance. The definition of "lot" shall also include subdivision lots and site condominium unit lot.

(117) **LOT AREA:** The total horizontal area within the lot lines of a lot.

(118) **LOT COVERAGE:** The part of a lot occupied by buildings or roofed structures including accessory buildings or structures.

Commented [PS26]: "Lot Coverage" typically includes roofed structures (including awnings and breezeways) but excludes open patios and porches.

(119) **LOT DEPTH:** The mean horizontal distance from the front lot line to the rear lot line.

(120) **LOT LINES:** The property lines bounding the lot. Lot lines shall consist of front lot lines, rear lot lines, side lot lines, interior lot lines and street or alley lot lines as follows:

(a) **FRONT LOT LINE:** In the case of an interior lot abutting upon one public or private street, the line separating such lot from such street right-of-way. In the case of a corner or double frontage lot, the front lot line shall mean that line separating the lot from that street which is designated as the front street in the plat and in the request for a building permit. In the case of a row of double frontage lots, the front lot line for each lot shall mean that line separating the lot from the street which is designated as the front street for all the lots in the plat and in the request for a building permit.

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(b) **REAR LOT LINE:** That lot line which is opposite and most distant from the front lot line, except that in the case of an irregular, triangular, or gore-shaped lot, a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth of rear yard. In cases not herein provided for, the rear lot line shall be designated by the Board.

(c) **SIDE LOT LINE:** Any lot line which is not a front lot line or a rear lot line.

(d) **INTERIOR SIDE LOT LINE:** The side lot line separating a lot from another lot or lots.

(e) **STREET OR ALLEY LOT LINE:** A lot line separating the lot from the right-of-way of a street or an alley.

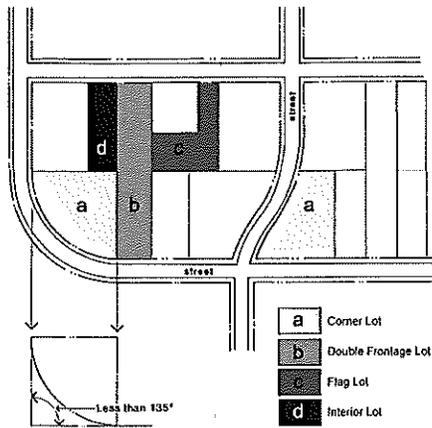
(121) **LOT TYPES.** Lot types are as follows (refer to ):

(a) **LOT, CORNER:** A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) streets is less than one hundred thirty-five (135) degrees and a lot abutting upon a curved street or streets shall be considered a corner lot where the arc is of less radius than one hundred fifty (150) feet and the smallest interior angle formed by any two (2) tangents to the curve at points on the street frontage of the lot where the lot lines meet is less than one hundred thirty-five (135) degrees.

Article 2: Definitions

- (b) **LOT, DOUBLE FRONTAGE:** An interior lot having frontages on two (2) approximately parallel streets.
- (c) **LOT, FLAG.** A pre-existing nonconforming lot which uses a narrow, unbuildable strip of land that does not meet the frontage requirements of the district in which is it located, which provides access to, or legal frontage on, a public or private street.
- (d) **LOT, INTERIOR:** A lot other than a corner lot, with only one (1) lot line fronting on a street.

Figure 3. Lot Types (Corner, Double Frontage, Flag, and Interior)



(122) **LOT WIDTH:** The horizontal distance between the side lot lines, measured at the two points where the front yard setback intersects the side lot lines.

(123) **LOT, REVERSE FRONTAGE:** A through lot which is not accessible from one of the parallel or non-intersecting streets upon which it fronts.

(124) **LOT, SCENIC:** A lot having frontage directly upon a scenic area such as a natural or man-made lake, river, pond, or other artificial impoundment of water, a park, or a golf course.

(125) **LOT OF RECORD:** An area of land which is designated as a lot of record in a subdivision plat or a site condominium unit lot recorded with the Register of Deeds of Wayne County or a lot described by metes and bounds, the deed to which has been recorded in the Register of Deeds of Wayne County.

(126) **MAJOR THOROUGHFARE:** An existing paved highway having a right-of-way of not less than one hundred twenty (120) feet.

**Commented [PS27]:** We recommend measuring the width at the front yard setback line, which will standardize the minimum required width for each zoning district or sub-district.

~~Deleted:~~ building line or

~~Deleted:~~ LOT

## Article 2: Definitions

(127) **MANUFACTURING AND PROCESSING (HEAVY):** Includes the following uses and any other similar uses conducted entirely within a completely enclosed building:

**Commented [PS28]:** This definition is a combination of similar statements from existing Section 16.02, most of which are heavy industrial types of uses.

- (a) The assembly and/or manufacture of automobiles, automobile bodies, parts and accessories, electrical fixtures, batteries and other electrical apparatus and hardware;
- (b) Breweries, bump shops, distilleries, machine shops, metal buffing, plastering and polishing shops, lumber and planing mills, painting and sheet metal shops, undercoating and rust proofing shops and welding shops; and
- (c) Accessory buildings and uses customarily incidental to the above uses, including living quarters of a watchman or caretaker.

(128) **MANUFACTURING AND PROCESSING (LIGHT):** Includes the following uses and any other similar uses conducted entirely within a completely enclosed building:

**Commented [PS29]:** This definition is a combination of similar statements from existing Section 15.02, most of which are light industrial types of uses.

- (a) The assembly, fabrication, manufacture, compounding, processing, packaging, or treatment of such products as cutlery, food products, hardware, pharmaceuticals, toiletries, musical instruments, optical goods, toys, rubber stamps and other small molded rubber products, novelties, electrical instruments (e.g., electric or neon signs, appliances, computers, radios, phonographs, televisions and video recorders) and pottery, figurines, and other ceramic products using only previously pulverized clay;
- (b) The manufacture, compounding, assembling, fabrication, packaging, or treatment of products, articles, or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fiberglass, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills), sheet metal (excluding large stamping such as automobile fenders and bodies), and yarn;
- (c) Tool and die shops, metal working machine shops involving the use of grinding or cutting tools, manufacturing shops for tools, dies, jigs, and fixtures, and the manufacture or assembly of light sheet metal products including heating and ventilating equipment, cornices, eaves and gutters; and
- (d) Publishing, printing, forming of boxes and cartons and manufacturing of cardboard products.

(129) **MARGINAL ACCESS DRIVE:** A paved street within a lot for the purpose of facilitating traffic flow to the principal use of the lot and parking and loading areas thereon.

(130) **MARINA:** An establishment for the storage, maintenance and servicing of water craft, including docks and other structures and uses customarily incidental thereto.

(131) **MASSAGE PARLOR:** Any place of establishment where a massage is made available. A massage is any method of treating the superficial parts of a patron for medical, hygienic,

Article 2: Definitions

exercise or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands or any instrument, or by the application of air, liquid or vapor baths of any kind whatsoever.

(132) **MASTER DEED:** The condominium document recording the condominium project as approved by the Planning Director to which is attached as exhibits and incorporated by reference and approved bylaws for the project and the approved condominium subdivision plan for the project.

**Deleted:** Director of building and planning

(133) **MOBILE HOME:** A detached single-family dwelling unit, not including a travel trailer, exceeding twenty-four (24) feet in length, designed to be transported on its own wheels, suitable for year-round occupancy and containing a flush toilet, sleeping accommodations, a tub or shower bath, kitchen facilities and plumbing and electrical connections suitable for attachment to appropriate external systems.

**Commented [PS30]:** The minimum elevation with of a single-family home is 24 feet, so it would be unreasonable to require a larger width for a mobile home.

**Deleted:** thirty-two (32)

(134) **MOBILE HOME PARK:** A parcel of land designed for the placement of mobile homes for residential use.

(135) **MOBILE HOME SITE:** An area of land within a mobile home park designed for the accommodation of and occupancy by one (1) mobile home.

(136) **MOBILE HOME SUBDIVISION:** A subdivision plat recorded with the Register of Deeds of Wayne County, wherein each lot of record is, or is intended to be occupied by one (1) mobile home.

(137) **MOTEL:** A series of attached, semi-detached, or detached rental units having a separate entrance and containing bedroom, bathroom and closet space. A unit may also contain a kitchenette or kitchen.

**Commented [PS31]:** The square footage requirements are properly located in the development standards in Article 5.

**Deleted:** Such unit without

(138) **MOTOR VEHICLE:** Any vehicle which is self-propelled.

**Deleted:** shall contain not less than three hundred fifty (350) square feet of floor space and each unit with permitted kitchens or kitchenettes shall contain not less than four hundred and fifty (450) square feet of floor space in each rental unit

(139) **NON-CONFORMING BUILDING or NON-CONFORMING STRUCTURE:** Any building or structure which was, prior to the effective date of this Ordinance, in existence and in conformance with the provision of all applicable laws, ordinances, regulations and other restrictions, but which does not conform to the provisions of this Ordinance.

**Deleted:** Every

(140) **NON-CONFORMING USE:** Any use of land, buildings or structures, which, prior to the time of the adoption of this Ordinance, was in existence and in conformance with the provisions of all applicable laws, ordinances, regulations and other restrictions, but which does not conform to the provisions of this Ordinance.

(141) **NURSING HOME.** See definition of "Convalescent or Nursing Home."

(142) **OCCUPIED:** Presently occupied or arranged, designed, built, altered, converted to, rented or leased or otherwise intended and approved for the purpose of occupancy.

Article 2: Definitions

(143) **OFF-STREET PARKING LOT:** A facility providing parking spaces, adequate drives and aisles for maneuvering and entrance and exit access for the parking of not less than three (3) ~~motor vehicles.~~

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(144) **OFFICE, PROFESSIONAL:** Offices for any of the following occupations: executive, administrative, professional, accounting, legal, insurance, real estate, bankers, writing, clerical or stenographic, drafting, architect, engineer, travel agent, similar occupations, corporate offices, regional or district offices, data processing, radio and television studios, and production and media facilities including printing operations when all phases of the operations are completely enclosed within a structure.

Commented [PS32]: This list of office uses is stated in current Section 11.02 and in the OT District.

(145) **OFFICE, MEDICAL AND DENTAL:** Medical and dental offices, clinics and research facilities, including auxiliary or accessory laboratories. Such uses may include sport medicine, medicine, medical wellness, physical therapy, physical medicine, or principally for 24-hour emergency or urgent care. Permitted accessory uses include a pharmacy and medical equipment rental and sales.

Commented [PS33]: This list of office uses is stated in the current OT District.

(146) **OPEN AIR BUSINESS USES:** Uses not conducted from a wholly enclosed building and operated for profit, including the following uses:

(a) Bicycle, trailer, motor vehicle, mobile home, boat or home equipment sale or rental service, ~~including used automobile sales when no more than six (6) automobiles are advertised for sale at one time.~~

Commented [PS34]: This text is from current section 12.03(f).

(b) Outdoor display and sale of garages, swimming pools, and similar structures.

(c) Retail sales of fresh fruit, vegetables, and other perishable foods. ~~Permitted Agricultural Retail Sales and Temporary Produce Sales uses are not classified as Open Air Business Uses.~~

(d) Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.

(e) Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, children's amusement park, outdoor swimming pools and skating rinks or similar recreational use.

(147) **OPEN FRONT STORE:** A business establishment so developed that service and sale to a patron may be accomplished outside the walls of the structure.

(148) **OPEN STORAGE:** Outdoor storage of sand, gravel, stone, lumber, equipment and other building materials and supplies.

(149) **OTHER WASTES:** Garbage, refuse, decayed wood, sawdust, shavings, bark, lime cinders, offal, oil, dye-stuffs, acids, chemicals and all discarded materials other than sewage or industrial waste.

Article 2: Definitions

(150) **PARCEL:** An area of land approved by the Township, which is described by a metes and bounds description and may include a lot of record.

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(151) **PARKING SPACE:** An area meeting the minimum dimensions stated in Article 9, not including any necessary drivers, aisles, entrances or exits, which is accessible for the storage or parking of motor vehicles.

Commented [PS35]: The minimum dimensions are in Article 9, so the regulation should not be duplicated in the Definitions.

Deleted: not less than nine (9) feet six (6) inches wide and twenty (20) feet long

(152) **PAWN SHOP:** The shop of a pawnbroker or one who lends money at interest in exchange for personal property left with him as security.

(153) **PERSON:** An individual; sole proprietorship, partnership; association; corporation (public or private) that is organized or existing under the laws of Michigan or any other State, including a Federal corporation, any agency or department of the State of Michigan, or any municipality or County of Michigan.

(154) **PLACES OF ASSEMBLY:** Assembly halls, display halls, convention centers, or similar places of assembly, excluding movie theaters.

(155) **PLANNED RESIDENTIAL DEVELOPMENT:** An area of minimum contiguous size, as specified by Ordinance, to be planned and developed as a single entity and containing one (1) or more residential clusters.

(156) **POOL AND BILLIARD HALL:** A room or establishment in which the game of pool or billiards is played as the primary source of business.

(157) **PORCH, ENCLOSED:** An entrance to a building or structure which entrance is covered by a roof, is totally and permanently enclosed and projects from the main wall of the building or structure.

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(158) **PORCH, OPEN:** An entrance to a building or structure, which entrance is covered by a roof, is unenclosed except for columns supporting the roof and projects from the main wall of the building or structure.

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(159) **POST-CLOSURE OR END USE PLAN:** A plan for use of the property after closure of a mine, quarry, or solid waste facility is complete. The plan shall describe all effort that is necessary to restore the site to a safe, attractive, and usable post-closure condition.

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(160) **PRINTING SHOPS AND ESTABLISHMENTS:** Printing, publishing, duplicating, and photographic processing, including blueprinting.

(161) **PRIVATE INDOOR INSTRUCTIONAL INSTITUTIONS:** Private indoor schools and instructional institutions for uses such as arts and crafts, dance, gymnastics, martial arts and tutoring, but not including facilities where skills or trades of a manufacturing or similarly intense nature are taught.

Commented [PS36]: This definition is taken from Section 11.02(f).

(162) **PROCESSING:** The altering of materials including any change in nature of the material such as sifting, washing, grading, or crushing.

Article 2: Definitions

(163) **PUBLIC UTILITY:** A person, firm, corporation, municipal department, or board or commission duly authorized under Federal, State, or Municipal regulations to furnish to the public electricity, gas, steam, communications (excluding wireless communication facilities), transportation, or water service.

Deleted: telegraph

(164) **QUARRY EXCAVATION:** Any breaking of the ground to hollow out by cutting or digging or removing any soil, mineral or rock matter, not including common household gardening and general farm care.

(165) **RECREATIONAL VEHICLE:** Includes travel trailers, pickup campers, motor homes, folding tent trailers, boats, boat trailers, snowmobiles, all terrain or special terrain vehicles, utility trailers, and similar equipment used for transporting recreational equipment.

Commented [PS37]: A definition of "recreational vehicle" is needed. This includes "travel trailers" (currently defined elsewhere) and "utility trailers." Utility trailers are typically treated as recreational vehicles in most zoning ordinances.

(166) **REFUSE:** Any putrescible or nonputrescible solid waste, except human excreta, but including garbage, rubbish, ashes, street cleaning, offal and solid agricultural, commercial, industrial, hazardous and institutional wastes and construction wastes resulting from the operation of a contractor.

(167) **RELIGIOUS INSTITUTION:** A Religious Institution or place of Religious Worship for the purpose of this Ordinance shall mean: an institution that people regularly attend to participate in or hold religious services, meetings and other activities. The term "Religious Institution" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held. Structures owned or operated by Religious Institutions located on parcels other than where the principal structure for religious services are held shall not, for the purpose of this Ordinance, be considered a Religious Institutions, and the principal use of this structure shall be its use and the use shall conform to the requirements of the district in which it is located.

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Commented [PS38]: The deleted text in the definition of "Religious Institution" is covered in Article 5.

Deleted: Structures, facilities or lands which have Church operated, sponsored or sanctioned uses other than religious worship and such use exceeds an average of twenty (20) hours per week, the structure, facility or land may be considered to have more than one principal use

(168) **RESOURCE RECOVERY FACILITY:** Machinery, equipment, structures or any parts or accessories of machinery, equipment or structures installed or acquired for the primary purpose of recovering materials or energy from the waste stream, including a mixed waste processing unit.

(169) **RESTAURANT, CARRY-OUT:** An establishment where food is prepared and served to a customer solely for the consumption off the premises.

(170) **RESTAURANT, DRIVE-IN OR DRIVE-THRU:** An establishment where food is prepared and served on the premises for the consumption within automobiles or an establishment with combined drive-in and sit-down facilities.

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(171) **RESTAURANT, SIT-DOWN:** An establishment where food is prepared and served for consumption within the principal building, with or without carry-out facilities, including delicatessens, bakeries, and coffee shops.

(172) **RETAIL SALES, INDOOR:** The indoor sale of items at retail including, but not limited to, floor covering stores, grocery stores, meat markets, pharmacies, stationary and book stores, newsstands, florist shops, appliance shops, hardware stores, gift shops, art stores, clothing and costume sale and rental, department stores, furniture stores, interior

Article 2: Definitions

decorating establishments, upholstery shops, window shade and awning shops, office or business machine sales or rental stores, monument sales with incidental facilities but excluding the shaping of headstones, and building materials establishments.

**(173) RETAIL:** Any use where a business is primarily characterized by the sale of goods to the public for personal, household, or business consumption, and rendering of services incidental to the sale of such goods. Retail use may also be incidental to entertainment or recreation businesses, or businesses engaged in the sale of food and/or beverages.

**(174) RIGHT-OF-WAY:** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied, or occupied by a road, utility and other similar uses.

**(175) ROAD:** See definition of "Street."

**(176) ROOMING HOUSE:** A building or part thereof other than hotel or motel where sleeping accommodations are provided for hire and where meals may regularly be furnished.

**(177) SALVAGING:** The lawful and controlled removal of reusable materials from solid waste.

**(178) SCHOOL, VOCATIONAL OR TECHNICAL:** Schools, instructional, or vocational institutions and any use charged with the principal function of technical training, provided that all phases of instruction, training, and instructional testing shall be conducted in a completely enclosed building.

**Commented [PS39]:** This list of uses is stated in the current the OT District.

**(179) SEPARATE OWNERSHIP:** Ownership of a parcel of property by a person who does not own adjoining property.

**(180) SERVICE ESTABLISHMENT, OFFICE, SHOWROOM, OR WORKSHOP:** Any service establishment of an office, showroom, or workshop nature, which may include musical instrument repair, photographic development, printing establishments, taxidermist shops, painter, electrician, plumber, upholster, television, audio, or household repair shops, typewriter or other small business machine repair shops, electronic motor repair, small engine repair, umbrella repair shops, sign shops (limited to 2,500 square feet per establishment), and moving or storage offices (storage limited to items for retail sale and limited to 1,500 square feet per establishment).

**Commented [PS40]:** This terms includes all of the office, showroom, and workshop service establishments stated in Section 11.02 as well as similar uses in Article 12 that have are not required to have a retail

**(181) SERVICE ESTABLISHMENT, PERSONAL SERVICES:** An establishment or place of business primarily engaged in the provision of services of a personal nature, which are usually but not always recurrent in nature. Typical uses include, but are not limited to, barber shops, beauty salons, beauty shops, photographic studios, dry cleaning and laundry pick-up stores, laundromats, baker, catering, shoe repair, millinery shops, and tailor and dressmaker shops.

**Commented [PS41]:** This definition is from existing Sections 15.02{(2)}(2) and (6).

**(182) SETBACK:** The minimum horizontal distance between a building or other structure, excluding allowable projections, and the lot line or right-of-way line.

**Deleted:** the front of  
**Deleted:** steps and unenclosed arches  
**Deleted:** front street

Article 2: Definitions

(183) **SEWAGE:** Water-carried human or animal wastes from septic tanks, water closets residences, building, industrial and municipal establishments, or other places together with such ground water infiltration, subsurface water, mixtures of industrial wastes or other wastes as may be present.

(184) **SITE:** A parcel or unit of land.

(185) **SITE CONDOMINIUM:** A condominium development consisting of single-family detached residential dwelling units in which lots are defined as unit lots in the condominium documents and are individually owned.

(186) **SITE CONDOMINIUM BUILDING SITE:** That portion of a site condominium consisting of the condominium unit and limited common element, intended for the exclusive use or less than all the co-owners (refer to attached diagram).

(187) **SOIL REMOVAL:** Removal of a kind of soil or earth matter, including topsoil, sand, gravel, clay rock or similar materials or combination thereof, except common household gardening and general farm care.

(188) **SOLID WASTE:** Garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleaning, municipal and industrial sludge, solid commercial and solid industrial waste and animal waste. Solid waste does not include the following:

- (a) Human body waste.
- (b) Liquid waste from a municipal sanitary sewer plant, leachate from another solid waste facility, or liquid that are toxic, hazardous or radioactive in nature.
- (c) Ferrous or nonferrous scrap directed to a scrap metal processor or to a re-user of ferrous or nonferrous products.
- (d) Slag or slag products directed to a slag processor or to a re-user or slag or slag products.
- (e) Sludge and ash managed as recycled or non-detrimental materials appropriate for agricultural or silvicultural use pursuant to a plan approved by the Planning Director.
- (f) Materials approved for emergency disposal by the Township Board.
- (g) Source separated materials.
- (h) Site separated material.
- (i) Fly ash or any other ash produced from the combustion of coal, when used in the following instances:
  - (i) With a maximum of six (6) percent of unburned carbon as a component of concrete, grout, mortar, or casting molds.

**Commented [PS42]:** The definitions related to Signs are in Article 11.

**Deleted:** ~~<#>SIGN:~~ A device using any words, numerals, figures, devices, designs or trademarks by which anything is made known such as are used to show an individual, firm, profession or business and are visible to the general public.¶

¶

~~<#>SIGN, ACCESSORY:~~ A sign which is related to the principal use of the premises. ¶

¶

~~<#>SIGN, NON-ACCESSORY:~~ A sign which is not related to the principal use of the premises.¶

¶

Article 2: Definitions

- (ii) With maximum of twelve (12) percent unburned carbon passing Michigan Department of Transportation (MDOT) test method of MTM 101 when used as a raw material in asphalt for road construction.
- (iii) As aggregate, road or building material which in ultimate use will be stabilized or bonded by cement, limes or asphalt.
- (iv) As a road base or construction fill which is covered with asphalt, concrete, or other material approved by the Township and which is placed at least four (4) feet above the seasonal groundwater table.
- (v) As the solid material in a depository designed to reclaim, develop, or otherwise enhance land, subject to the approval of the Township. In evaluating the site, the Township shall consider the physical and chemical properties of the ash including leachability and the engineering of the depository, including but not limited to the compaction, control of surface water and ground water that may threaten to infiltrate the site and evidence that the depository is designed to prevent water percolation through the material.
- (vi) Other wastes regulated by statute.

~~(189) SOLID WASTE, GARBAGE:~~ Any rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetable.

~~(190) SOLID WASTE, INDUSTRIAL:~~ Any waste substance or a combination thereof resulting from the operation of or from any process of industry, manufacturing, trade, or business or from the development of any agricultural or natural resources.

Deleted: INDUSTRIAL

~~(191) SOLID WASTE, RUBBISH:~~ Nonputrescible solid waste, excluding ashes, consisting of both combustible and noncombustible waste, including paper, cardboard, metal containers, yard clippings, wood, glass, bedding, crockery, demolished building materials, or litter of any kin that may be a detriment to the public health and safety.

~~(192) SOLID WASTE CELL:~~ An earthen solid waste containment subordinate, and devoted exclusively to the main use of the premises.

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~~(193) SOLID WASTE CELL, AREA OF DISTURBANCE:~~ The part of the solid waste cells which has been prepared to receive solid waste. Area of disturbance would include depressions, trenches or landfill cover. Area of disturbance does not include berms, buffers or landscaped areas located on top of undisturbed earth or non-filled areas.

~~(194) SOLID WASTE FACILITY:~~ Any solid waste transfer facility, incinerator, sanitary landfill, processing plant or other waste handling or disposal facility system or process utilized in the disposal of solid waste including, but not limited to personnel, equipment and structures.

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Article 2: Definitions

(195) **SOLID WASTE HAULER:** A person who owns or operates a solid waste transporting unit.

(196) **SOLID WASTE PROCESSING PLANT:** A tract of land, building, unit or appurtenance of a building or unit or a combination of land, buildings or units that is used or intended for the use for the disposal, or both, but does not include a plant engaged primarily in the acquisition, processing and shipment of ferrous or nonferrous metal scrap or a plant engaged primarily in the acquisition processing and shipment of slag or slag products.

(197) **SOLID WASTE - SUPPORT SERVICE FACILITIES:** Those structures and spaces necessary for the operation of the solid waste facility. Such support services shall be devoted exclusively to the facility to which they are adjacent. Such uses shall include, but not be limited to, the following: offices, employee locker rooms, lunch rooms, shower rooms, repair facilities for equipment used at the facilities, leachate treatment, storm water retention/detention scales, vehicle staging areas and garages for equipment used at the facility.

(198) **SOLID WASTE - WORKING AREA:** The part of the active cell currently receiving solid waste materials.

(199) **STABLE, PRIVATE:** A stable used to house horses owned by the occupant of a lot or parcel and not used for commercial purposes.

(200) **STABLE, PUBLIC:** Any stable other than a private stable.

(201) **STATE EQUALIZED VALUATION:** The value shown on the Township tax roll as equalized through the process of State and County equalization.

(202) **STORMWATER DETENTION BASIN:** Man-made surface waters designed to temporarily hold stormwater runoff to control peak flow rates and provide for pollutant removal through settling and plant uptake.

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(203) **STORMWATER RETENTION BASIN:** Man-made surface waters designed to store stormwater runoff and provide gravity settling of pollutants. Retention basins infiltrate stormwater into the soil rather than discharging it to surface water or a closed conduit.

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(204) **STORY:** That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it or if there be no floor above it, then the space between the floor and the ceiling next above it, provided that a mezzanine shall be deemed a story when it covers more than fifty (50) percent of the area of the story underneath the mezzanine and/or when the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more, and provided further that portion of a building partly below grade shall be deemed a story if:

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(a) over fifty (50) percent of its average height from the surface of the floor to the floor next above it is above the grade from which the height of the building is measured;

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or  
(b) in any case, if the average distance from such grade to the next floor above it is five (5) feet or more;

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(c) it is used for business purposes; or

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Article 2: Definitions

(d) ~~it is used for dwelling purposes by any persons other than janitorial or domestic employees employed in the same building and their families.~~

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(205) **STORY, HALF:** A part of a building between a pitched roof and the uppermost full story, having finished floor area which does not exceed one half (½) the floor area of the uppermost full story.

(206) **STREET:** A public or private thoroughfare which affords traffic circulation and the principal means of access to abutting property, including on avenue, place, way, drive, lane, boulevard, highway, road, right-of-way and any other thoroughfare, but not including an alley.

(207) **STREET, ARTERIAL:** A major thoroughfare which is generally designed to carry a large volume of traffic.

(208) **STREET, COLLECTOR:** A street or road that provides access to local roads and conveys traffic from specific areas of the Township and channel it to the arterials.

(209) **STREET, LOCAL:** A street or road that provides direct access to abutting land and to collector and arterial roads. These roads offer a lower level of mobility and through traffic is generally discouraged.

(210) **STRUCTURE:** Anything erected which requires permanent location on the ground or attachment to something having permanent location on the ground.

(211) **STRUCTURE, ACCESSORY:** See definition of "Accessory Structure."

(212) **STRUCTURE, OUTDOOR, ADVERTISING:** Any structure erected or maintained for outdoor advertising purposes upon which any outdoor sign or billboard may be placed, including advertising statuary.

Commented [PS43]: The definition of "Structural Alteration" has been incorporated into the definition of "Alteration" so that the 2 definitions don't conflict.

Deleted: <#>STRUCTURAL ALTERATION: Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, or any change in the width or number of exits, or any substantial change in the roof.¶

(213) **STUDIOS:** Studios for radio, television, music, dancing, and theatrical instruction.

(214) **SWIMMING POOL:** Any permanent, non-portable structure or container intended for swimming or bathing, located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches.

(215) **TATOO ESTABLISHMENT:** Any facility that provides, as its principle function, the service of providing a tattoo, an indelible mark or figure fixed upon the body by insertion of pigment, or dye under the skin, or by the production of scars.

(216) **TENT:** A shelter of canvas or similar material supported by poles and fastened by cords or pegs driven into the ground, not including tents designed solely for children's recreational purpose.

(217) **TEMPORARY USE, TEMPORARY BUILDING, TEMPORARY STRUCTURE:** A structure building or use permitted by the Township Building Official or Planning Commission (pursuant to Section 7.120) to exist during periods of construction of the principal use for

Deleted: Section 7.120

Article 2: Definitions

special events or purposes, which shall not exceed one (1) year unless otherwise permitted or extended by the Township Planning Commission. Temporary uses shall be only those which are clearly short duration and involve no permanent structures.

- (218) ~~TOWNSHIP BOARD: The Charter Township of Van Buren Board of Trustees.~~
- (219) ~~TRAVEL TRAILER: A vehicular, portable structure built, on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body not exceeding eight (8) feet in width or thirty-two (32) feet in length, and designed to be drawn by a motorized vehicle. See also definition of "Recreational Vehicle."~~
- (220) TRUCK: Generally, any vehicle used to haul goods, material or equipment for commercial purposes, such vehicle having a gross vehicle weight rating of over ten thousand (10,000) pounds as rated by the State of Michigan Secretary of State, Motor Vehicle Division.
- (221) TRUCK, SEMI OR TRACTOR TRAILER: Generally, a vehicle used to haul goods and materials for commercial purposes with a trailer attached to a tractor with a swivel hitch and/or having an overall wheel base of greater than twenty five (25) feet.
- (222) TRUCK, SINGLE UNIT: Generally, any vehicle used to haul goods and materials for commercial purposes, such vehicle consisting of a single unit, not having a tractor with a separate trailer connected by a swivel hitch and not having an overall wheel base of greater than twenty five (25) feet.
- (223) TRUCK REPAIR AND MAINTENANCE FACILITY, MAJOR: Any facility where major repairs are performed on trucks or maintenance or repair of any kind is performed on more than five (5) trucks at any one (1) time. Major repairs include engine rebuilding, rebuilding or reconditioning of trucks, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of trucks, major overhauling of engine requiring removal of cylinder head or crank case pan, recapping or retreading of tires or steam cleaning and similar activities.
- (224) TRUCK REPAIR AND MAINTENANCE FACILITY, MINOR: A facility where minor maintenance and repairs are performed on not more than five (5) trucks at any one (1) time and where not more than five (5) trucks are stored for not more than forty eight (48) hours while awaiting repairs or maintenance. Facilities designed to perform maintenance or minor repairs on more than five (5) trucks at any one (1) time shall be considered a major truck repair facilities and subject to all restrictions on such facilities. Minor repairs and maintenance includes replacement of minor engine or body parts such as replacement of tires, ignition parts, air and oil filter, replacement of fluids and re fueling and cleaning and washing the body and engine. Heavy repairs such as engine or drive train replacement or rebuilding or painting or body work are not considered minor maintenance or repair and are considered major truck repair.
- (225) TRUCK STOP: An establishment which shall be located on a major thoroughfare and which shall be designed for and contain facilities to meet the needs of commercial truck

Commented [PS44]: "Tourist Home" is not regulated anywhere in the Zoning Ordinance, so it is deleted. This type of use is generally covered under "Bed and Breakfast."

Deleted: <#>TOURIST HOME: A dwelling in which overnight accommodations are provided or offered for transient guests on a commercial basis, without provision for meals.

Deleted: Township

Commented [PS45]: A "travel trailer" is often confused with a motor home; however, the difference is that travel trailers are not self-propelled and they are designed to be pulled by a motor vehicle. As the Zoning Ordinance is currently written, any "travel trailer" more than 32 feet in length is defined as a "mobile home."

Article 2: Definitions

traffic while in transit, including: restaurants and vehicle service (minor), but excluding storage buildings, warehouses, and repair shops.

Deleted: stations

(226) **TRUCK STORAGE:** Any facility designed to accommodate the storage of more than five (5) trucks as defined by this Ordinance.

(227) **TRUCK TERMINAL:** Any premises which is the origin and/or destination point of goods being transported for storing, transferring, loading and unloading and which is designed to accommodate the simultaneous loading or unloading of more than one (1) truck per four thousand (4,000) square feet of gross floor area. Such truck loading or unloading facilitates shall include, but not necessarily be limited to, truck docking births, bays or any space inside or outside of a building or trans-shipment point designed for loading or unloading trucks. Any building, or portion of a building, that is designed to accommodate the simultaneous loading or unloading of one (1) truck per eight thousand (4,000) or more square feet of gross floor area shall be defined as a "Distribution Center" or "Warehouse."

(228) **USE:** The employment of land, and/or objects thereon.

(229) **USE, ACCESSORY:** See definition of "Accessory Use."

(230) **USABLE FLOOR AREA:** That area used for or intended to be used for the sale of merchandise or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or for utilities or sanitary facilities, shall be excluded from this computation. Measurement shall be the sum of the horizontal areas of each floor of the building, measured from the interior faces of the exterior walls. Where these areas are yet undefined, usable floor area shall be considered eighty percent (80%) of the gross floor area.

(231) **UTILITY ROOM:** An area customarily used principally for the storage and operation of equipment and appliances, such as a room used principally for the storage and use of laundry equipment.

(232) **VEHICLE:** Every device in, upon, or by which any person or property is or maybe transported or driven upon a highway except devices moved by human power or used exclusively upon stationary rails or tracks.

(233) **VEHICLE SERVICE, MAJOR:** Any facility where major repairs are performed on motor vehicles, including aircraft and watercraft but excluding semi trucks. Major repairs include engine rebuilding, rebuilding or reconditioning of vehicles, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of vehicles, overhauling of engine requiring removal of cylinder head or crank case pan, steam cleaning and similar activities.

(234) **VEHICLE SERVICE, MINOR:** Buildings or structures which are designed or used for the retail sale and furnishing fuel, lubricants, air, water and other operating commodities for motor vehicles, including aircraft and water craft, but excluding semi trucks, and which

Commented [PS46]: This definition was relocated from "Service Station."

Deleted: STATION

Article 2: Definitions

has space and facilities for: 1.) the storage of such fuel in underground tanks; 2.) the installation of such commodities on or in such vehicles, and the storage, minor repair or servicing of such vehicles, but which does not have a space and facilities for the major repair, bumping, painting, refinishing, overhauling, steam cleaning, rust proofing or high speed washing of such vehicles.

(235) **VEHICLE SHOWROOM:** The indoor salesroom for automobiles, motorcycles, and recreational vehicles, including boats, snowmobiles, travel trailers, campers, and similar vehicles.

**Commented [PS47]:** Overlapping descriptions of "Vehicle Showroom" are currently in C-1 and C-2, so this definition standardizes the term.

(236) **WALL:** An artificially constructed upright barrier of any material or combination of materials erected to enclose, divide, screen or protect areas of land. The definition of "Wall" shall not include a fence or berm.

(237) **WAREHOUSE:** A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises or sold wholesale from the same premises, for the storage of goods or chattels to be shipped on mail order, for the storage of equipment or materials to be used or installed at other premises by the owner or operator of the warehouse, or for similar storage purposes. Any warehouse, or warehouse portion of a building, that measures more than two hundred fifty thousand (250,000) square feet in gross floor area, shall be defined as a "Distribution Center."

(238) **WHOLESALE SALES:** The sale at wholesale of automotive equipment, building materials, dry goods and apparel, groceries and related products, raw farm products except livestock, electrical goods, hardware, plumbing and heating equipment, machinery, tobacco products, beer, wine, distilled alcoholic beverages, paper, paper products, furniture, home furnishings, and any commodity the manufacture of which is permitted in the district.

**Commented [PS48]:** This definition is from existing Sections 15.02 and 15.02A. However, "petroleum" was removed from Section 15.02 text because the sale of petroleum would be covered under a separate gas station use or in the definition itself under "any commodity the manufacture of which is permitted in the district" if such a product is permitted to be manufactured in the district.

(239) **WIRELESS COMMUNICATION ANTENNA (WCA):** Any antenna used for the transmission or reception of wireless communication signals excluding those used exclusively for dispatch communication by public emergency agencies, ham radio antennas, satellite antennas, those which receive video programming services via multipoint distribution services which are one meter (39 inches) or less in diameter and those which receive television broadcast signals.

(240) **WIRELESS COMMUNICATION FACILITIES (WCF):** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals and may include, but is not limited to, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included in this definition are citizen band radio facilities, AM/FM radio towers, television towers, satellite dishes, federally licensed amateur radio facilities, or other similar facilities which are exempt from local regulation.

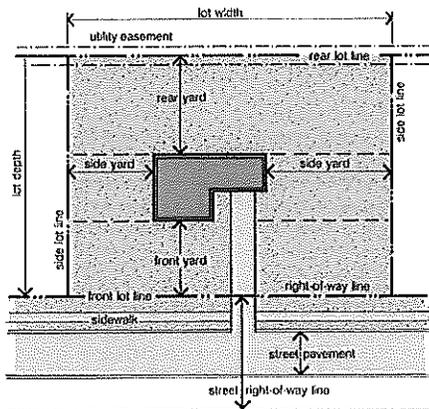
(241) **WIRELESS COMMUNICATION SUPPORT FACILITIES (WCSF):** A monopole, guyed or lattice type tower designed for the attachment of or as support for wireless communication antennas or other antennas.

Article 2: Definitions

(242) **YARD:** An open space on the same lot with a principal building or group of buildings which lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, unless otherwise provided in this Ordinance, subject to the following:

- (a) **FRONT YARD:** A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building (see Figure 4 below).
- (b) **REAR YARD:** A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building (see Figure 4 below).
- (c) **SIDE YARD:** A yard between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is measured horizontally from the nearest point of the side lot line to the nearest point of the main building (see Figure 4 below).

Figure 4. Yard Terms



**Yard Terms**

(243) **ZONING DISTRICT or DISTRICT or ZONE:** A portion of the Township within which certain uses of land and buildings are permitted on a uniform basis and with which certain requirements are established by this Ordinance.

**Section 3.119 M-U, Mixed-Use District (new Section)**

**(A) STATEMENT OF PURPOSE**

The Mixed-Use District intended to encourage and facilitate redevelopment by implementing the following mixed-use policies of the South Side Master Plan, Belleville Road District Plan and Market Analysis, and Haggerty Road and Ecorse Road Corridor Plan:

1. **Mix of Land Compatible Land Uses.** Permit a range of compatible land uses, such as residential (from single-family to multi-family), public, institutional, office, retail, personal services uses, and appropriate general business uses.
2. **Walkability.** Create a walkable, pedestrian-oriented development that does not conflict with motorized traffic.
3. **Building Location and Site Design.** Ensure that buildings have a strong relationship to the street by requiring development to be human-scale through appropriate building location and site design, including developing areas that include civic spaces and pedestrian amenities and requiring on-street parking along interior streets.
4. **Use of Buildings.** Allow compatible mixed uses to be located in a single building.
5. **Land Assembly for Development.** Because frontage land on major roads tends to have higher property values, the mixed-use standards in this Section create a strong economic incentive to combine shallower frontage land with land behind the frontage. By allowing lots to extend deeper into frontage property, typical strip development will be discouraged and a more sustainable mix of land uses will be permitted.

**(B) PERMITTED USES**

- Single-Family, Attached Dwelling
- Single-Family, Detached Dwelling
- Two-Family Dwelling
- Hotels and Motels
- Financial Institution, No Drive-Through
- Office, Medical or Dental
- Office, Professional
- Veterinary/Animal Clinics and Hospitals (no breeding, boarding, or training)
- Contractor Establishment, Indoor
- Grocery Store
- Health or Exercise Club or Spa
- Mortuary Establishment
- Printing Shops and Establishments
- Private Clubs
- Private Indoor Instructional Institutions
- Public Auction Rooms
- Restaurant, Carry-Out
- Restaurant, Outdoor Dining
- Restaurant, Sit-Down (with or without entertainment)
- Retail Sales, Indoor
- Retail Sales, Limited Indoor
- Service Establishment, Office, Showroom, or Workshop (No Retail Required)

**(C) SPECIAL LAND USES**

- Service Establishment, Office, Showroom, or Workshop (Retail Required)
- Service Establishment, Personal Services
- Studios
- Laboratories, Minor
- Adult Foster Care, Family Home
- Bus Passenger Station
- Day Care Home, Family Home
- Places of Assembly
- Public Buildings and Uses
- Religious Institutions
- School (College or University, Public or Non-Profit)
- School (College or University, Private)
- School (Primary or Secondary)
- Private Swimming Pools
- Publicly-Owned Recreational Facilities
- Home Occupations
- Parking Garages
- Accessory structures and uses customarily incidental to the above permitted uses
- Apartment Houses
- Planned Residential Developments
- Bed and Breakfast
- Greenhouses and Nurseries
- Planned Shopping Centers
- Adult Day Care Center
- Adult Foster Care, Large Group Home
- Adult Foster Care, Small Group Home
- Child Care Centers
- Day Care Home, Group
- Hospitals and Nursing Homes
- Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations (excluding storage yards) when necessary to serve the immediate vicinity
- Indoor Recreation
- Private Clubhouse

*The above list is a summary of uses permitted by right or special land use approval in the district. Refer to Section 3.104 (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in Section 3.104 (including footnotes), then Section 3.104 shall prevail. Refer to Article 2 for definitions of uses and refer to Article 5 for development standards for specific uses.*

Article 3: Zoning Districts and Permitted Uses

**(D) STREET TYPE STANDARDS**

All streets adjacent to and within the Mixed-Use District shall meet the following requirements when a site is developed under the standards of this District. If the street is existing and does not meet the following requirements, it must be upgraded to the extent possible.

Street Type Name	Street Right-of-Way Width	Street Pavement Width	Location	Allowable Building Types	On-Street Parking
BV-120-46	120 ft.	46 ft.	Major Roads, such as Belleville Road, Ecorse Road, and Tyler Road	Mixed Use Retail Building Liner Apartment	No
ST-70-40	70 ft.	40 ft.	Perpendicular to BV-120-46	Mixed Use Retail Building Liner Cottage Retail (Corner Only) Apartment Rowhouse Duplex Single-Family Home Detached Garages (Residential)	Yes
ST-66-36	66 ft.	36 ft.	Perpendicular to BV-120-46 or interior to the site	Single-Family Home Detached Garages (Residential)	Yes

**(E) ALLOWABLE MIXED-USE SUBAREAS**

All areas within the Mixed-Use District or any area developed in the Belleville Road Overlay District in accordance with the Mixed-Use District shall include any or all of the following three (3) subareas and proportions:

- (1) **Neighborhood Center.** Between 10%-30% of the site area.
- (2) **Neighborhood General.** Between 30%-60% of the site area.
- (3) **Neighborhood Edge.** Between 10%-30% of the site area.

See the Building Types standards in Section 3.119(G) for the indication of particular Subarea within which each Building Type is allowable. Allowable Building Types, and their associated parameters, shall define these Subareas.

The Subareas shall be determined at the time of site plan review. The Planning Commission may modify the minimum and maximum Subarea proportion requirements based on superior site design or limited development potential of a Subarea.

**Article 3: Zoning Districts and Permitted Uses**

<b>(F) BUILDING TYPE SCHEDULE OF REGULATIONS</b>							
<b>Building Type Name</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Rear Setback</b>	<b>Height</b>	<b>Allowable Street Types</b>	<b>Allowable Subareas</b>	<b>Maximum Lot Size</b>
<b>Mixed Use</b>	Max.: 0 ft. along ST-70-40 55 feet along VB-120-46	Min.: 0 ft.	Min.: 0 ft.	Max.: 40 ft./ 4 Stories	BV-120-46 ST-70-40	Center General	None
<b>Retail Building</b>	Max.: 0 ft. along ST-70-40 55 feet along VB-120-46	Min.: 0 ft.	Min.: 0 ft.	Max.: 18 ft./ 1 Story	BV-120-46 ST-70-40	Center General	Width: 50 ft. Depth: 150 ft.
<b>Liner</b>	Max.: 0 ft. along ST-70-40 55 feet along VB-120-46	Min.: 0 ft.	Min.: 0 ft.	Max.: 30 ft./ 2 Stories	BV-120-46 ST-70-40	Center General	None
<b>Cottage Retail</b>	Max.: 10 ft. Min.: 0 ft.	Min.: 0 ft.	Min.: 10 ft.	Max.: 30 ft./ 2.5 Stories	ST-70-40 (Corner Lots Only)	General (Corner Lots Only)	Width: 50 ft. Depth: 150 ft.
<b>Apartment</b>	Min.: 10 ft.	Min.: 10 ft.	Min.: 10 ft.; 0 ft. at alley easements	Max.: 40 ft./ 4 Stories	BV-120-46 ST-70-40	Center General	Width: 100 ft. Depth: 150 ft.
<b>Rowhouse</b>	Min.: 25 ft. Porches may encroach up to 12 ft. into setback	Min.: 10 ft.	Min.: 10 ft.; 4 ft. at alley easements	Max.: 30 ft./ 2.5 Stories	ST-70-40	General	Width: 140 ft. Depth: 150 ft.
<b>Duplex</b>	Min.: 25 ft. Porches may encroach up to 12 ft. into setback	Min.: 10 ft.	Min.: 10 ft.	Max.: 30 ft./ 2.5 Stories	ST-70-40	General	Width: 50 ft. Depth: 150 ft.
<b>Single-Family Home</b>	Min.: 25 ft. Porches may encroach up to 12 ft. into setback	Min.: 10 ft.	Min.: 10 ft.	Max.: 30 ft./ 2.5 Stories	ST-70-40 ST-66-36	General Edge	Width: 50 ft. in General; 100 ft. In Edge Depth: 150 ft.
<b>Detached Garage (Residential)</b>	At least 10 ft. behind the front wall of the home.	Min.: 3 ft.	Min.: 3 ft.	See Section 7.202-Section 7.204	ST-70-40 ST-66-36	General Edge	N/A, but must be on same lot as residence

**(G) BUILDING TYPE STANDARDS.** A range of Building Types permitted in the Mixed-Use District are described and illustrated in this section. Each Building Type incorporates a private frontage type that accommodates pedestrian access while supporting a lively and interesting street environment. Each Building Type contains a mix of allowable uses by floor, with retail always at the ground floor level of non-residential buildings. Building frontage orientation is coordinated with street frontages in the Building Type illustrations. Such orientation of building fronts and frontages must be followed with the use of each Building Type, though architectural variation that achieves these objectives is permitted.

Article 3: Zoning Districts and Permitted Uses

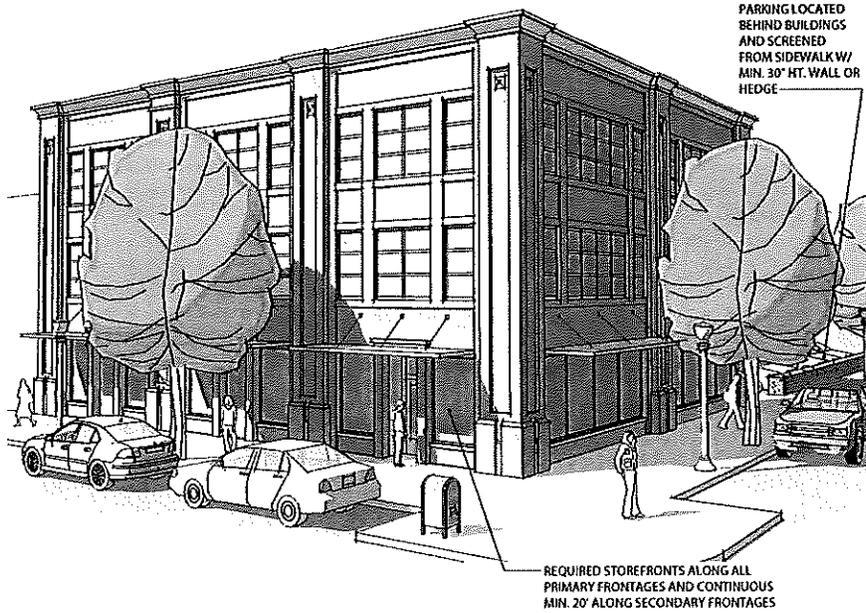
**(1) BUILDING TYPE STANDARDS: MIXED USE BUILDING**

**Description.** The Mixed Use Building Type is a multi-story Building Type with storefronts along all primary frontage lines. This Building Type is ideal for downtowns and the retail segments of downtown shopping streets.

**Permitted Uses and Special Land Use.** Ground floor permitted uses are restricted to non-residential uses, while the upper floors may have any use permitted in the district.

**Design.** The design of Mixed Use Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. Additionally, storefronts shall be located along all primary frontage lines and extend from a primary frontage a minimum of twenty (20) feet into any secondary frontage that has been assigned setbacks at frontage lines of a maximum of zero (0) feet.

**Parking.** Parking must be located behind Mixed Use Buildings and screened from the sidewalk with a minimum thirty (30)-inch high shrub hedge or masonry wall constructed of red or brown brick or stone.



MIXED-USE BUILDING TYPE

Article 3: Zoning Districts and Permitted Uses

**(2) BUILDING TYPE STANDARDS: RETAIL BUILDING**

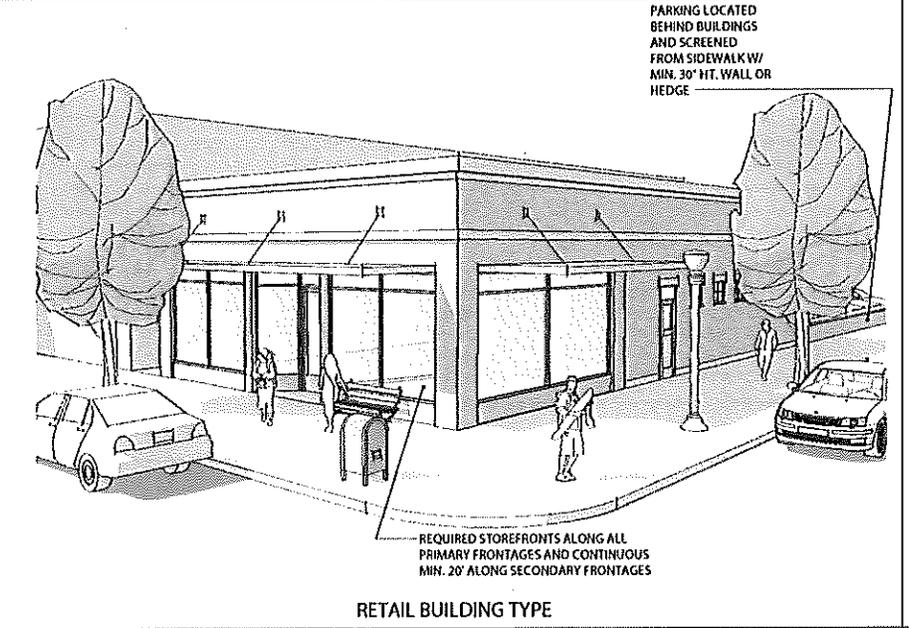
**Description.** The Retail Building Type is a single-story, limited-use building with storefronts along all primary frontage lines. This Building Type is ideally configured for downtowns and in retail segments of downtown shopping streets, though they may also be used for single-use, suburban areas.

**Permitted Uses and Special Land Uses.** Non-residential uses only.

**Design.** The design of Retail Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. Additionally, storefronts shall be located along all primary frontage lines and extend from a primary frontage a minimum of twenty (20) feet into any secondary frontage that has been assigned setbacks at frontage lines of a maximum of zero (0) feet.

**Parking.** Parking must be located behind Retail Buildings and screened from the sidewalk with a minimum thirty (30)-inch high shrub hedge or masonry wall constructed of red or brown brick or stone. Along VB-120-46 street frontages, front yard parking shall only be permitted as follows:

- a. A single row of perpendicular parking; or
- b. A single row of angled parking and a single row of parallel parking.



Article 3: Zoning Districts and Permitted Uses

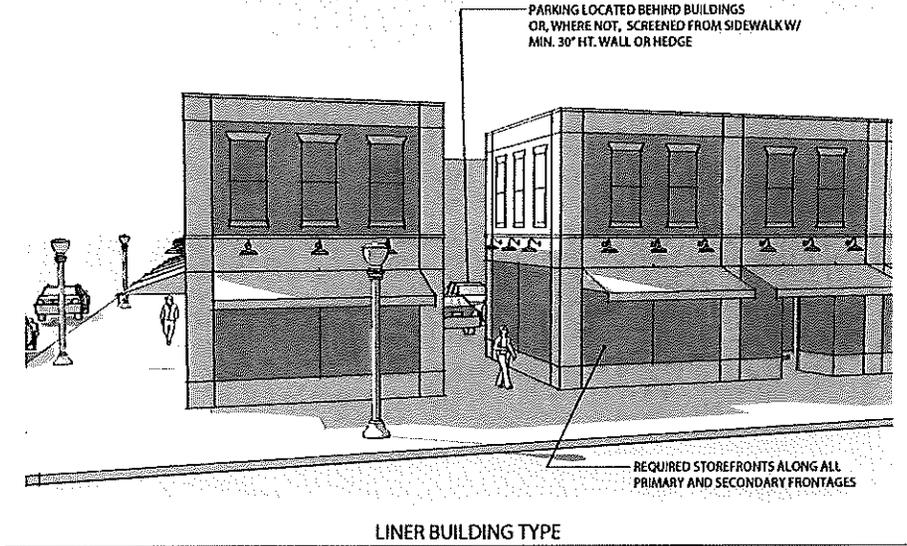
**(3) BUILDING TYPE STANDARDS: LINER BUILDING**

**Description.** The Liner Building Type is merely a Mixed Use or Retail Building Type that has been limited in depth and used to conceal parking behind. This Building Type is ideally configured for mid-block conditions, secondary streets in downtown areas, and adjacent to – or located toward the edge or – the retail segments of shopping streets.

**Permitted Uses and Special Land Use.** Ground floor permitted uses are restricted to non-residential uses, while the upper floors may have any use permitted in the district.

**Design.** The design of Liner Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. Additionally, storefronts shall be located along all primary and secondary frontage lines, and secondary frontages shall be between twenty (20) and thirty-six (36) feet in depth.

**Parking.** Parking must be located behind Liner Buildings and screened from any sidewalk with a minimum thirty (30)-inch high shrub hedge or masonry wall constructed of red or brown brick or stone.



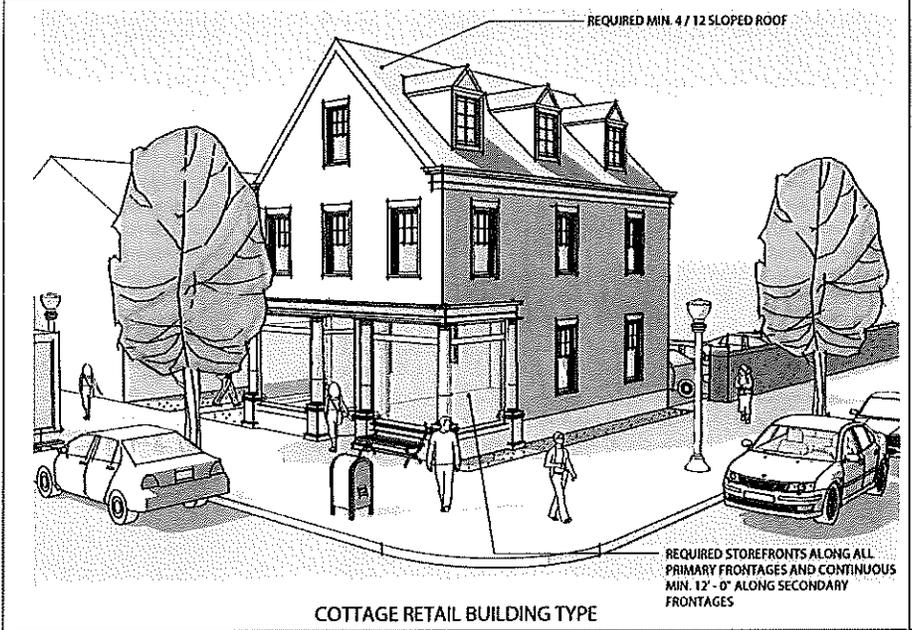
Article 3: Zoning Districts and Permitted Uses

**(4) BUILDING TYPE STANDARDS: COTTAGE RETAIL BUILDING**

**Description.** The Cottage Retail Building Type is a mixed-use building type with a residential building form that permits storefronts along all primary frontage lines and extending down the sides of the secondary frontage line. This building type emulates or repairs a building form that has often evolved to become an existing condition in older neighborhoods adjacent to formal retail centers. The resulting form is a modestly-scaled building, including a gable and a pitched roof, usually with a storefront at the ground floor.

**Permitted Uses and Special Land Use.** Non-residential uses may only be permitted in the front of the building on the ground floor. Other areas of the building, including upper stories, must be single-family residential.

**Design.** The design of Cottage Retail Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. Roofs must have a minimum slope of 4:12. Storefronts shall be located along all primary frontage lines and extend from a primary frontage a minimum of twelve (12) feet into any secondary frontage.



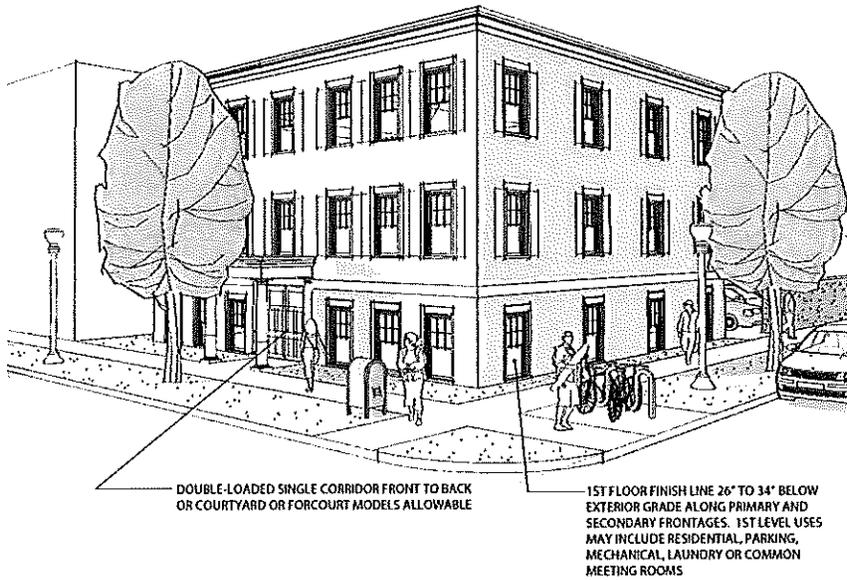
Article 3: Zoning Districts and Permitted Uses

**(5) BUILDING TYPE STANDARDS: APARTMENT BUILDING**

**Description.** Apartment buildings may take on a small variety of multi-family building configurations, three units or more, that do not correspond to the rowhouse configuration. For instance, apartment buildings do not have units continuous from the ground floor to the roof. This small variety of configurations includes shotgun (one or two units wide, front to back), courtyard, and forecourt configurations.

**Permitted Uses and Special Land Use.** Residential uses only.

**Design.** The design of Apartment Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. Where the lowest level is partially below grade, the floor shall be between twenty-six (26) inches and thirty-six (36) inches below the exterior grade.



APARTMENT BUILDING TYPE

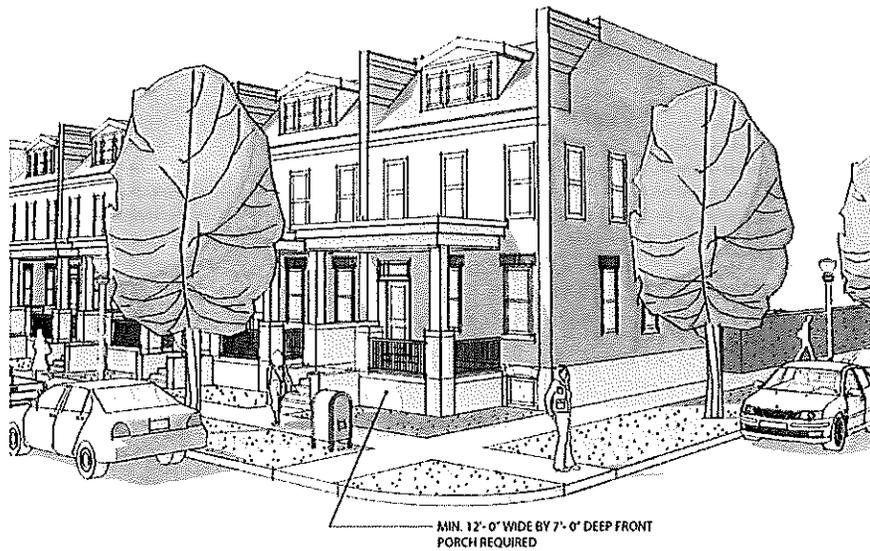
Article 3: Zoning Districts and Permitted Uses

**(6) BUILDING TYPE STANDARDS: ROWHOUSE BUILDING**

**Description.** The Rowhouse Building Type consists of a contiguous row of individual residential units (three or more) side-by-side, sharing common walls with one another, and with each unit extending front to back and continuously from below grade through to the roof. Another term for rowhouses is townhouses. Additionally, each unit features a main exterior entrance along a frontage line, and typically in The Midwest, such buildings are set back from that frontage line with individual or shared front porches accessed from each unit.

**Permitted Uses and Special Land Use.** Residential uses only.

**Design.** The design of Rowhouse Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. A front porch of at least twelve (12) feet wide and seven (7) feet deep is required.



MIN. 12'-0" WIDE BY 7'-0" DEEP FRONT PORCH REQUIRED  
ROWHOUSE BUILDING TYPE

Article 3: Zoning Districts and Permitted Uses

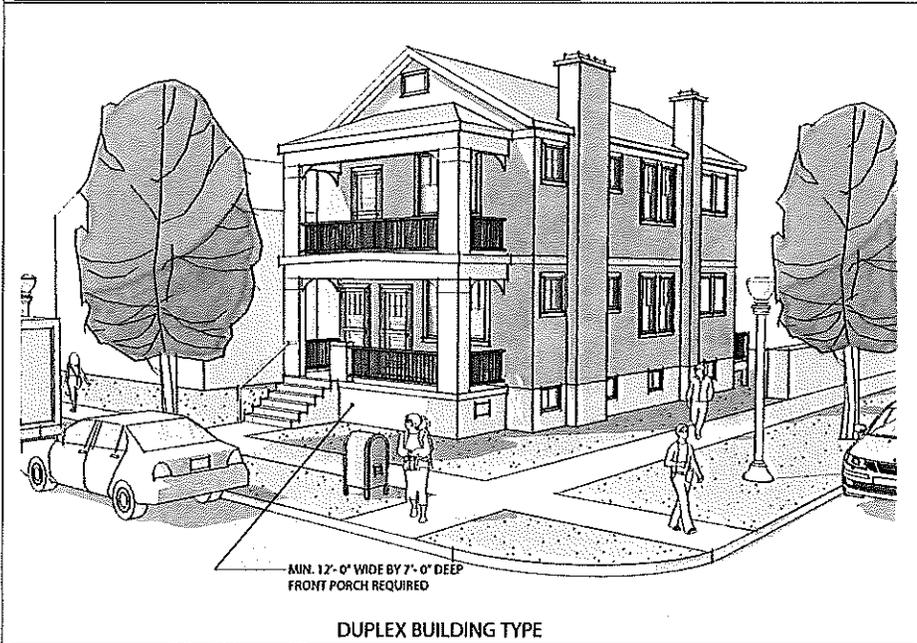
**(7) BUILDING TYPE STANDARDS: DUPLEX BUILDING**

**Description.** The Duplex Building Type is any independent building configuration consisting of exactly two residential units, usually surrounded by a private or common yard, meeting minimum room quantity and size requirements as dictated by the local building code, zoning, or both.

The units can be side-by-side (similar to rowhouses) or stacked one above the other. Similar to single-family residential buildings, duplex buildings include front porches that encroach into the established building setback and optional detached garages.

**Permitted Uses and Special Land Use.** Residential uses only.

**Design.** The design of Duplex Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. A front porch of at least twelve (12) feet wide and seven (7) feet deep is required.



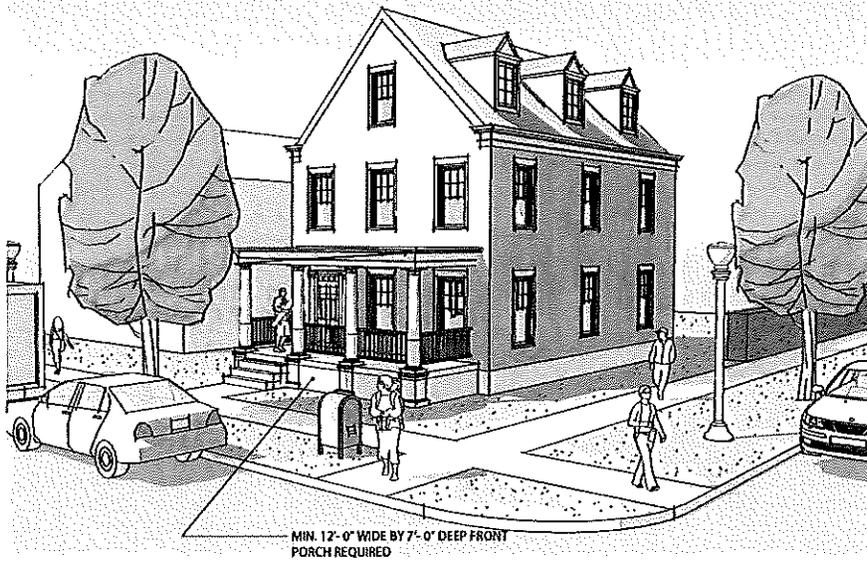
Article 3: Zoning Districts and Permitted Uses

**(8) BUILDING TYPE STANDARDS: SINGLE-FAMILY BUILDING**

**Description.** A Single-Family Building Type consists of a detached building containing one residential unit, usually surrounded by a private or common yard, and meeting minimum room quantity and size requirements as dictated by the local building code, zoning, or both. Similar to duplex residential building types, these buildings include front porches that encroach into the established building setback and optional detached garages.

**Permitted Uses and Special Land Use.** Residential uses only.

**Design.** The design of Single-Family Residential Buildings and sites shall meet the applicable requirements of the Belleville Road Overlay District (Article 6, Chapter 4), even if the site is not located in the Belleville Road Overlay District. A front porch of at least twelve (12) feet wide and seven (7) feet deep is required.



SINGLE-FAMILY HOME BUILDING TYPE

Article 3: Zoning Districts and Permitted Uses

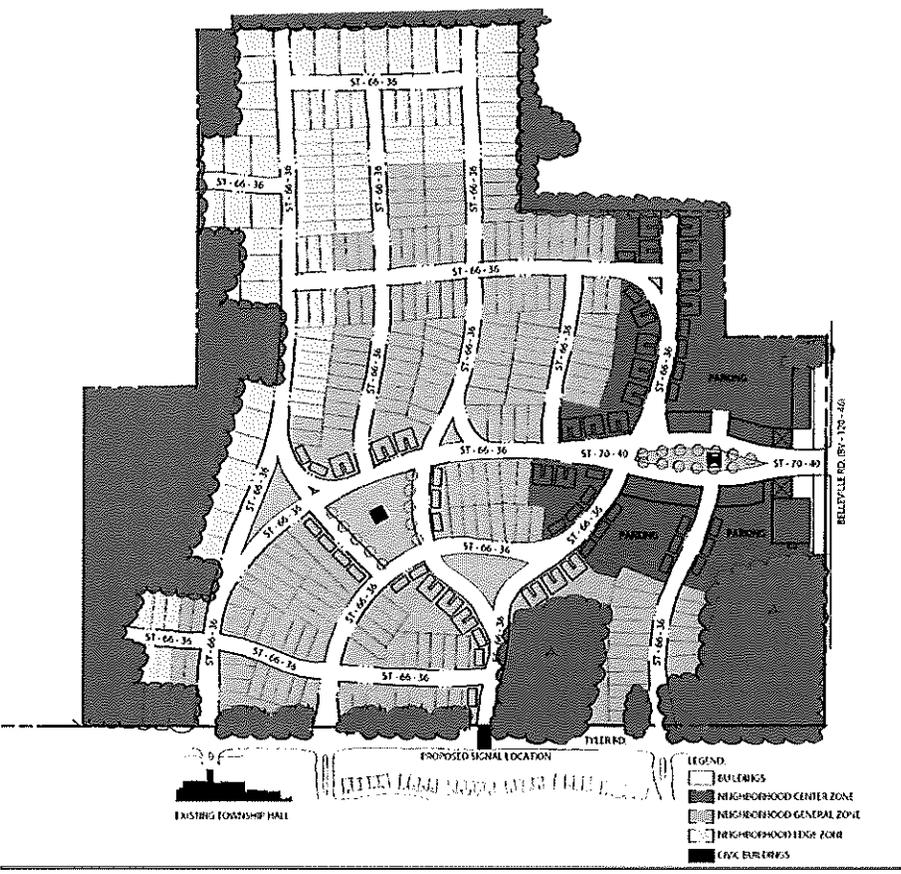
**(H) BLOCK STANDARDS**

For larger sites that will develop ST-70-40 and ST-66-36 streets, the use of an interconnected network (or grid) of thoroughfares is required within the Mixed-Use District. Therefore, from this network, a block structure will inevitably emerge. Blocks shall meet the following requirements:

- (1) **Maximum Block Width.** The width of blocks on the narrow sides shall not exceed 400 feet.
- (2) **Maximum Block Perimeter.** The perimeter of blocks shall not exceed 2,400 feet.
- (3) **Exceptions.** Blocks containing shared parking lots may be larger to the extent required to conceal the required quantity of parking spaces.

**(I) REGULATING PLAN**

A Regulating Plan designates the locations where different Building Type and Street Type standards apply, based on the physical character of the area site. A Regulating Plan must be submitted with each site plan application and shall show Subareas, Street Types, and connectivity to adjacent roads and sites. The following is an example of a Regulating Plan of how a larger site could be developed in accordance with the Mixed-Use District standards.



## **Chapter 4 Belleville Road Overlay District** **(BROD)**

### **Section 6.401 Intent and Purpose**

The Belleville Road Overlay Zoning District (BROD) establishes regulations applicable to site development including building setbacks, design, parking, access management, landscaping, and signage. This overlay district is based upon careful evaluation, study, and plans completed as part of a master planning effort by the Van Buren Township Planning Commission and Downtown Development Authority (DDA). Objectives of the overlay district are as follows:

- (A) Promote development consistent with the Belleville Road District Plan.
- (B) Establish consistent high quality standards for site development and building appearance.
- (C) Achieve well-managed, safe, and efficient flow of motorized and non-motorized traffic, including accessibility and connectivity.
- (D) Foster a more pedestrian-friendly environment that contributes to the Township's sustainability as a vital, attractive, economic, and healthy place to live.
- (E) Permit the combination of uses which are complementary to one another within the same structure or zone.
- (F) Enhance the built environmental of the area and provide a sense of place, including the creation of high quality public spaces.

The application of these standards contributes to the Township's economic development objectives and are intended to help sustain and increase the value of private property.

### **Section 6.402 Definitions**

The following definitions shall apply specifically to the BROD, but may be applied broadly throughout the Township where, in the opinion of the Planning Director, the definition has broad applicability:

- (A) BUILDING ENVELOPE STANDARDS (BES): Basic parameters regulating building location and form, including the envelope, placement (in three dimensions) and certain permitted/required building elements, such as storefronts, balconies, and street walls. The BES establish both the boundaries within which things may be done, and specific things that must be done. The applicable BES for a site are determined by its subarea in the Overlay District.
- (B) DISTRICT PLAN: Refers to the Belleville Road District Plan and Market Analysis as adopted by the Van Buren Township Planning Commission.
- (C) FACADE FRONTAGE: Refers to the facade of a building where the primary public pedestrian entrance must be located. The area in front of the building frontage is considered the "front yard" for the purposes of this Chapter.

- (D) GROUND FLOOR:** The first level of a building where at least 80 percent of the finished floor elevation is within the finished floor elevation parameters established in the designated BES. The next story above the ground floor is the second floor.
- (E) STOOP FRONTAGE:** A stoop frontage is characterized by a building façade which is aligned close to the frontage line with the ground story elevated above the sidewalk to provide privacy for the ground floor uses. The entrance is usually an exterior stair or landing which may be combined with a small porch or roof.
- (F) STREETSPACE:** Includes all space between building frontages (travel lanes, sidewalks, squares, pedestrian pathways, civic greens, sidewalks, parks, etc.), but not garage entries or alleys.
- (G) UNDERLYING DISTRICT:** The underlying district is the zoning district upon which an overlay subarea district is laid. The BROD is superimposed upon the underlying zoning districts.

### **Section 6.403 Overlay District Concept**

The Belleville Road Overlay District (BROD) is a mapped zone that imposes a set of special requirements in addition to those of the underlying zoning district(s).

The BROD is a mandatory overlay district. Property in the BROD may continue to be used as permitted by the standard zoning district and all other legal nonconformities are permitted to continue; however, any new activity that requires site plan approval in accordance with the requirements of the Zoning Ordinance shall also comply with the requirements of the BROD contained in this Chapter. In the event there are conflicts between the requirements of the underlying zoning district and the BROD, the requirements of the BROD shall govern.

### **Section 6.404 Overlay District Boundaries**

The boundaries of BROD shall be on the Zoning Map of the Charter Township of Van Buren per Section 3.102. The BROD is divided into the following subareas:

- (A) Core Commercial Subarea (South of Tyler Road).** This district is intended to be a walkable regional shopping and entertainment destination consisting of a diverse mix of retail, services, entertainment, senior housing, and office space.
- (B) Gateway Mixed Use Subarea (North of Tyler Road).** This district is intended to be a walkable hub of activity that is characterized by horizontal and vertical mixed-use commercial, office, live/work, multi-family residential, senior housing, and public and quasi-public uses that complement each other.

### **Section 6.405 Administration**

- (A) Applicability of the BROD.** All proposed uses and development in the BROD shall be reviewed the same as the same uses and development outside of the BROD, in accordance with Article 12, Chapter 2.

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- (1) Administrative Review and Site Plan Review. Administrative Review or Site Plan Review shall be required in accordance with Article 12, Chapter 2. Plans must contain all of the information required in Section 12.203, and the process shall follow the procedures of Section 12.205.
- (2) Special Land Use Review. For any development or use in the BROD that requires Special Land Use review, the procedures of Article 12, Chapter 3 shall be followed.
- (3) Site Condominium and Subdivision Development. Any proposed site condominium (Article 6, Chapter 1) or subdivision (Subdivision Control Ordinance) in the BROD shall follow the required procedures and regulations with the exception that any design requirement contained in the BROD shall take precedence over any similar design requirement contained in Article 6, Chapter 1 or the Subdivision Control Ordinance.
- (B) Appeals and Variances. Any appeal or variance from the standards or requirements of the BROD shall be reviewed in accordance with Article 12, Chapter 4.
- (C) Nonconformities. The requirements of Article 14 apply to all nonconformities in the BROD.

**Section 6.406 Permitted and Special Land Uses**

- (A) Core Commercial Subarea (South of Tyler Road). The permitted and special land uses in the Core Commercial Subarea shall be those permitted and special land uses of the underlying zoning district.
- (B) Gateway Mixed Use Subarea (North of Tyler Road). The permitted and special land uses in the Gateway Mixed Use Subarea shall be in accordance with the Mixed Use District in Section 3.119.

**Section 6.407 Building Envelope Standards (BES)**

- (A) Standards Applicable to All Areas. The goal of the Building Envelope Standards (BES) is the creation of a healthy and vital public realm through good streetspace. The BES set the basic parameters governing building form and location, including the building envelope (in three dimensions) and certain required and/or permitted building elements, such as balconies, bay windows, stoops, and shop fronts. BES shall conform to requirements of this Chapter as well as the following general guiding principles:

  - (1) Buildings shall be generally aligned and close to the street. Buildings should be used to form the space of the street.
  - (2) The street shall be a coherent space, with consistent building forms on both sides. The arrangement of buildings facing across the street contributes to a clear public space and street space identity.
  - (3) Buildings shall oversee the street space with active front spaces. This oversight of the street space contributes to vital and safe public space.

- (4) Vehicle storage and parking, other than on-street parking, shall be buffered from the street.
- (5) Retail, where permitted, shall be located on the ground floor at the Façade Frontage because retail use has the effect of making the street active and interesting.
- (B) Standards Applicable to the Gateway Mixed Use Subarea (North of Tyler Road). In addition to the standards of the BROD, sites in the Gateway Mixed Use Subarea must meet all of the applicable requirements of Section 3.119.

### **Section 6.408 Parking, Loading, and Access Management**

- (A) Parking. The purpose of these standards is to provide adequate off-street parking for sites in the BROD while maintaining attractive site designs and providing safe access to sites using all modes of transportation.
  - (1) General Parking. Parking spaces shall be provided as required by Article 9 of this Ordinance.
  - (2) Shared Parking. Shared parking shall be provided wherever possible in accordance with Section 9.101(G).
  - (3) Bicycle Parking. Adding bicycle parking in the Belleville Road area is identified as a priority project for Belleville Road in the Walkability Audit and is required in the BROD. One (1) bicycle parking space shall be provided for each twenty-five (25) vehicle parking spaces or fraction thereof, placing an emphasis on providing short-term bicycle parking to complement the land uses commonly found in the BROD. Bicycle parking shall be conveniently located near the public entrance.
- (B) Vehicular Access Standards. The purpose of this subsection is to facilitate through traffic operations, ensure public safety along roadways, and protect public investment in the street system while providing property owners with reasonable, though not always direct, access. The standards are specifically designed to apply to Belleville Road, Tyler Road, Ecorse Road, and the I-94 Service Drive. Their primary function is the movement of through traffic, as opposed to local streets whose primary function is access to adjacent properties.
  - (1) Application of Standards. The standards contained herein shall be required in addition to, and where permissible shall supersede, the requirements of the Wayne County Roads Division (WCRD).
  - (2) Street Network. All development must be linked to an interconnected network of streets, shared access drives, or other public passageways. In addition to existing streets and private shared access drives, there are several future street extensions envisioned in the Master Plan including McBride Avenue, Robson Road, unnamed collector streets north of Tyler and west of Belleville Road, along with shared private access drives as needed for new development. The following requirements are intended to create a more walkable, pedestrian-friendly district as development occurs over time.

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- (a) Street Connectivity. Street connections for the continuation of the street network onto adjacent properties shall be provided when the potential exists for the continuation of those streets on adjacent parcels.
  - (b) Public Streets. Internal streets should be dedicated to the public, consistent with the Master Plan to ensure connectivity between adjacent parcels in addition to the shared access drives.
  - (c) Cross-Access. Blanket cross-access easements shall be provided for all shared access drives and curb cuts to ensure that the internal circulation system connects to the internal circulation system on adjacent parcels. The blanket cross-access agreement shall provide for reciprocal cross-access for connection to adjacent parcels and curb cuts without limitation. This will have the long-term effect of reducing traffic on roads, reducing curb cuts, and encouraging more cohesive development.
- (3) Street Design.
- (a) Design Speed. Shared access drives and internal streets shall be designed with a maximum design speed of twenty-five (25) miles per hour.
  - (b) Alleys and Rear Access Lanes. Alleys and lanes that provide access to the rear of buildings are encouraged.
  - (c) Gateway Mixed Use Subarea (North of Tyler Road). Street design in the Gateway Mixed Use Subarea shall be in accordance with the Mixed Use District in *Section 3.119*.
- (4) Modification of Standards for Special Situations. During site plan review the Planning Commission shall have the authority to modify the vehicular access standards of this *Section 6.408(B)* upon consideration of the standards in *Section 9.106(G)*.
- (C) Bicycle and Pedestrian Access. The goal of these standards is to provide adequate access to bicyclists and pedestrians in the BROD, recognizing Belleville Road as an important gateway between the northern and southern portions of the Township, and to the City of Belleville. In compliance with the Michigan Planning Enabling Act, any newly constructed public streets or shared access drives in the BROD shall provide access for bicyclists and pedestrians to the greatest extent possible. These standards include recommendations for the Belleville Road corridor from the Van Buren Township DDA Walkability Audit completed in 2015.
- (1) Bicycle Access. New developments shall connect to the bicycle transportation network along Belleville Road and throughout the Township.
  - (2) Bicycle Parking. Bicycle parking shall be conveniently located near the public entrance and well-lit to discourage theft or vandalism.

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- (3) Pedestrian Access. New developments shall be designed to allow for safe and efficient pedestrian access between the entrances of buildings and the sidewalks and pedestrian network of the BROD.
- (4) Crosswalks. Pedestrian areas that cross vehicular traffic at roads or parking lots shall be clearly marked, and vehicular traffic shall be encouraged to slow down near pedestrian crossings. Accent paving shall be incorporated at key crossings that may accommodate heavy pedestrian traffic. Where accent paving is not used, "piano key" (alternating white and black bands) shall be installed to increase visibility. Pedestrian crosswalks shall be adequately lighted, have clear sight distances, and be free from view-hindering obstructions such as foliage and poles at crosswalk entries and median refuge islands.

**Section 6.409 Architectural and Site Design Standards**

The architectural and site design standards of the BROD are intended to customize, simplify, and streamline improvements, renovations, and future development to fit the desired character of the BROD, and to also be consistent with the vision and goals for this area as detailed in the Belleville Road Master Plan. These standards describe and illustrate building and site features that are appropriate for the Belleville Road corridor and other areas of the BROD. These standards establish the criteria used by the Township in reviewing the design of proposed development, and are intended to require consistent high quality design and development.

(A) Design Principles and Area Character.

- (1) Connectivity. The street, driveway, and sidewalk pattern in the BROD shall be designed to maximize auto, pedestrian, and bicycle connectivity.
- (2) Visibility. Visibility of building fronts shall be considered based upon pedestrian scale – not automotive drive-by scale.
- (3) Unifying Design. Developments shall have a unifying design. Corporate "franchise" architecture that is not compatible with the established BROD design theme, in the determination of the Planning Commission, shall be modified to be compatible with the BROD design theme herein.

(B) Site Design

- (1) Introduction. Siting involves a project's relationship to the site, the street, and adjacent buildings. For example, buildings shall be sited to provide a comfortable and safe environment for pedestrians while accommodating vehicles.
- (2) Open Space.
  - (a) General Design Standards.
    - (i) Usable Public Open Space. Increase the usability of public open space by providing shade, street furniture, special paving for sidewalks, pedestrian pathways, turf, accent and flowering plants, and other site amenities. Usable

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open space shall be provided within residential, commercial, office, and mixed use developments.

- (ii) Private Open Space. Private open space such as patios and balconies shall be included in multi-family and mixed-use residential, and senior housing developments. Balconies shall be a minimum of 50 square feet in area and have a minimum narrow dimension of 5 feet; patios shall be a minimum of 100 square feet. Balconies must be roofed and enclosed by balustrades (railings) and posts that extend up to the roof. Balconies aligned vertically on adjacent floors may post up to one another and share a single roof element.
  - (iii) Quality of Open Space. Open space shall be meaningful, and shall not be fragmented or consist of "leftover" land.
  - (iv) Open Spaces Between Buildings. Recognize the importance of spaces between buildings as "outdoor rooms" on the site. Encourage the use of these spaces as open space in the form of covered pedestrian arcades (walkways), outdoor seating areas, or pedestrian plazas with benches.
  - (v) Shading. Pedestrian areas shall include a variety of sun and shading options (e.g., canopies, trees, umbrellas, etc.) that allow users to choose how they want to use the site and connect with it.
  - (vi) Visibility. Outdoor spaces and plazas shall be visible from the adjoining buildings to help promote safety.
  - (vii) Passive Activity. Open spaces shall be designed with a variety of passive recreational opportunities, including sitting and relaxing, meeting and social interaction, and nodes along urban trails, bikeways, and corridors.
- (b) Plazas and Courtyards.
- (i) Required Access. Access shall be provided from shops, restaurants, offices, and other pedestrian uses to plazas, with well-lit entries to both the plaza and the storefronts.
  - (ii) Relationship to Building. Buildings should face the street and also have a pedestrian relationship to plazas, parks, pedestrian alleyways, or other public spaces whenever possible.
  - (iii) Access to Sunlight. A majority of the area of a plaza or courtyard shall have access to direct sunlight for the duration of daylight hours.
  - (iv) Focal Feature. Plazas and courtyards shall include a focal point such as a sculpture and/or water feature, and architecture, landscaping, and public art shall be incorporated into the design.

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- (v) Seating. Ample seating in both shaded and sunny locations shall be provided in plazas. Where applicable, plaza users shall be provided with a choice between shaded and sunny seating.
- (vi) Proximity to Motorized Access Areas. Courtyards shall be designed to provide both visibility and separation from the street, parking areas, or drive aisles.
- (vii) User-Friendly Design. Plaza amenities shall be designed with consideration of the population who will use the plaza in mind (e.g., families with children, office workers, senior citizens, all of the above, etc.).

(3) Parking Lots and Structures.

- (a) Shared and Joint Parking Areas. Shared and joint parking areas that serve multiple businesses and land uses are strongly encouraged, and should primarily be located at the rear and/or side of the developments.
- (b) Pedestrian Access. Parking areas shall be designed so that, whenever possible, pedestrians walk parallel to moving cars unless perpendicular crossing is required and marked.
- (c) Ground Floor Use of Parking Structures. Any parking structure shall incorporate retail and/or office space on the street level of the structure. This prevents the structure from becoming a pedestrian "dead zone".

(4) Site Amenities. All sites shall be required to provide amenities compatible with the site's Subarea and use in compliance with the underlying zoning district per Section 10.103(F). For example, if a site's underlying zoning is C, Local Business, it shall comply with the specific provisions of Section 10.103(F)(3). In addition to any amenities required by the underlying zoning districts, the following shall also apply:

- (a) Public Art. Public art shall be used to create attractive, unique, and aesthetically pleasing public spaces. Artwork shall be integrated into public and private development projects where appropriate, and shall be low-maintenance. Artwork guidelines include but are not limited to the following options:
  - (i) Building features and enhancements such as bike racks, gates, benches, water features, or shade screens, which are unique and/or produced in limited editions by a professional artist.
  - (ii) Landscape art enhancements such as walkways, bridges, or art features within a garden.
  - (iii) Murals or mosaics covering walls, floors, and walkways. Murals may be painted or constructed with a variety of materials, including the use of imbedded and nontraditional materials. Murals shall not be signs.

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(iv) Sculptures which can be freestanding, wall-supported or suspended, kinetic, electronic, and made of durable materials suitable for the site and climate.

(v) Fiberwork, glass, photographs, prints, or any combination of these.

(vi) Community arts projects resulting in tangible artwork, such as community murals, sculptures, or kiosks.

**(b) Site Furniture.**

(i) Site furniture elements shall include benches, trash receptacles, wayfinding kiosks, planters, public art, and bicycle racks to serve the site and the adjacent public right-of-way. The street furniture shall meet the uniform design standards for the BROD.

(ii) Where visible from the public right-of-way, site furniture shall complement the public streetscape elements and shall match the streetscape specified benches and litter cans.

(iii) Site furnishings shall not be located so as to create pedestrian or vehicular conflicts.

(iv) All street furniture shall be made of high quality, long-lasting materials suitable for use in Michigan's climate, and shall be low-maintenance and graffiti-resistant.

(v) Items shall be securely anchored to an approved paved surface.

**(c) Outdoor Dining.** All outdoor dining areas shall be encouraged with commercial uses that include the sale of food, and are a preferred amenity for such uses. Where incorporated, outdoor dining areas shall be used to bring activity to plazas/courtyards, public spaces, and shall be placed at the edges of open space, or located along building and street frontages. Outdoor dining areas shall meet the requirements of Section 5.138 and shall be oriented away from off-site uses that are sensitive to noise or nighttime activity, such as existing residential uses.

**(d) Decorative Paving.** Decorative special paving shall be used to enhance site design but should be used as an accent and should serve a specific purpose. Preferred locations for decorative paving include:

(i) Traffic calming at driveways and crossings;

(ii) Pedestrian crossings/sidewalks;

(iii) Pedestrian plazas and courtyards;

(iv) Pedestrian walkways to distinguish between paths of travel and designated sales and/or seating areas;

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(v) Primary building entrances;

(vi) Roundabouts; and

(vii) Promenades.

**(C) Architectural Character**

(1) Introduction. New or rehabilitated buildings in the Gateway Mixed Use Subarea shall be designed to encourage pedestrian access and street life. Design elements used to achieve this include a continuous street "wall" with ground floor retail and other active uses combined with one to four upper stories that contain service commercial, offices, or residential uses.

New or rehabilitated buildings in the Core Commercial Subarea are intended to foster an environment that, while still handling large volumes of automobile traffic, is also safe for pedestrians. Design elements used to achieve this include pedestrian-scaled façade articulation, pedestrian-scaled lighting, ground-story windows, and regularly spaced building entrances.

**(2) Building Height, Form, and Mass**

(a) Shade. Awnings and overhangs shall be used in conjunction with street trees to provide shade for pedestrians.

(b) Gateway Mixed Use Subarea Requirements. New developments or major site rehabilitation in the Gateway Mixed-Use Subarea shall be constructed in accordance with Section 3.119 and are encouraged to be designed as multiple-use structures, with retail on lower floors and residential or non-retail commercial on upper floors.

(c) Solar Access. Orient buildings to take advantage of solar access. For optimum solar conditions, the longest side of a building should face south (within 20 degrees of due south) and have relatively clear access to the sun.

(d) Human Scale Design. Incorporate elements into the design of large structures that provide a transition to the human scale, particularly at the ground level. Such elements shall be provided through, but not limited to, covered walkways, building arcades, and trellises.

(e) Step Backs for Four (4)-Story Buildings. Buildings of four (4) stories shall incorporate horizontal building step-backs to provide building articulation, terrace space, and other elements to soften building facades.

(f) Corner Buildings. All street-facing façades of a corner building shall be treated equally in regards to building façade relief, material changes, architectural details, and window transparency, placement, and articulation. Corner buildings may be angled to meet the corner at the ground floor only.

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(g) Design of Site with Multiple Structures. Sites with multiple structures shall be linked visually and physically. These links can be accomplished through the use of the same or compatible building architecture, materials, colors, signage, landscaping, lighting, and site layout.

(h) Separation between Four (4)-Story Buildings and Single-Family Homes. If a four (4)-story building is proposed, it must not be located immediately adjacent to an existing single-family home. Instead, an intermediary two (2)- or three (3)-story building must be installed as a transition between the single family lot and the four (4)-story building.

(3) Facades, Windows, and Doors

(a) Building Entrances Oriented Toward the Street. Primary building entrances shall be oriented toward the street. Building entrances shall be designed as prominent and easily identifiable and shall form a transition between the exterior and interior. Adequate lighting shall be provided at building entries for security.

(b) Nonresidential Building Entrances. Nonresidential building entrances shall be designed with awnings, canopies, or similar features to protect patrons and employees from the elements. Where nonresidential building has a front yard setback of zero (0) feet, storefront doors must be recessed at least thirty-six (36) inches from the building frontage line.

(c) Windows. Elements of architecture including window and door placement shall be designed to add variety and interest to the project. Nonresidential buildings shall have a minimum of fifty (50%) glass at the ground floor level facing a street, with other exterior wall surfaces at upper stories not exceeding fifty (50%) glass.

(d) Additional Sunlight. Additional sunlight shall be brought into large buildings through the use of atriums or skylights.

(e) Primary Architectural Features. Primary architectural features must be related to the building's structure, function and/or engineering, and shall not be merely decorative. While some elements may be decorative, the intent of this standard is to avoid developments with architectural elements that look applied, rather than incorporated (e.g. false front treatments, partial roof forms). For example, building facades that incorporate canopies or walls with mock gables must provide a pitched roof component to provide depth and give an authentic appearance.

(f) Physical Facade Design. The physical design of building facades is required to vary at least every 40 linear feet for the Gateway Mixed Use Subarea, and every 75 feet for the Core Commercial Subarea. This can be achieved through such techniques as:

(i) Division into multiple buildings;

(ii) Break or articulation of the facade;

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(iii) Significant change in facade design;

(iv) Placement of window and door openings, or

(v) Position of awnings and canopies.

(g) Mullions. Mullions – “true divided light” windows or sectional windows shall be used where a divided window design is desired; “snap-in” grills or mullions shall not be used.

(h) Window Visibility. Windows shall not be blocked from inside a building due to retail display racks, plywood sheets, posters, signs, and similar means, unless window signs are permitted by the Township.

(i) Windows on Masonry Buildings. Windows on masonry buildings must be recessed at least four (4) inches from the exterior surface of their corresponding facades.

(4) Roofs and Upper Story Details

(a) Roof Design. Roofs shall be given design consideration and treatment equal to that of the rest of the building.

(b) Roofline Elements. Roofline elements shall be developed along all elevations.

(c) Parapet Walls. Interest shall be created in the parapet walls along the sides and rear through the use of height variations, relief elements, and the design of scuppers, downspouts, and expansion joints, organized into the pattern of the total building design.

(d) Roof-Mounted Equipment. Roof-mounted utility and wireless communication facilities shall be integrated directly into the architecture of building(s) as opposed to freestanding locations.

(5) Building Materials and Colors

(a) Building Materials. Projects shall be designed using durable, low-maintenance, and timeless building materials such as natural brick or stone. Building materials shall reflect the Township’s desired character of Belleville Road. Exterior building materials used for buildings in the Township shall generally fall into two categories: Primary and Accent building materials. Primary building materials should cover a majority of the exterior wall surface, and accent building materials shall enhance and support the primary building materials and building as a whole.

(i) Primary Building Materials. Buildings in the BROD shall use unpainted red brick, brown brick, natural stone, or similar high quality materials as the primary material for new construction or major rehabilitation unless the historical character of the building or area would be enhanced with a building material

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compatible with that of the period from which the building is from or representative of. Other durable natural building materials that convincingly matches the appearance of the above natural building materials may be approved by the Planning Commission.

- (ii) Accent Building Materials: Accent building materials include split-face decorative concrete block units, exposed logs, timbers, or wood trim, metal panels and trim, glass, and hardie board. Vinyl siding and non-durable building materials such as EIFS are acceptable as accent materials, but shall not be used on more than 10% of any exterior building façade's wall area.
- (iii) Prohibited Building Materials: Unless approved by the Planning Commission as accent building materials, plain concrete block (both painted and unpainted), plywood or T-111 panels, aluminum siding, and similar materials shall be prohibited.
- (b) Prohibited Buildings and Structures. Factory-built, prefabricated, pre-manufactured buildings, portable, and similar structures shall be prohibited within the BOD.
- (c) Franchise/Corporate Architecture. The scale, design, and materials of franchise/corporate architecture shall be consistent with the standards of this article.
- (d) Building Materials in Mixed-Use Buildings. Mixed-use commercial developments that contain residential units on the upper stories shall utilize building materials with known vibration and sound-reduction qualities in order to minimize noise impacts.
- (e) Reflective Materials. Reflective materials shall not be used to clad a building; however, if reflective architectural accents must be used to protect the integrity of the building design, then the materials shall not be a nuisance to the occupants of the existing surrounding structures, or create a safety hazard to any type of traffic.
- (f) Roof Materials. Metal seam, asphalt shingles, green roof, concrete tile, clay tile, or a similar grade of roofing material shall be used on all visible pitched roofs.
- (g) Removal or Concealment of Pipes, Conduits, Wires, and Obsolete or Abandoned Signs. All building materials including pipes, conduits, wires, and obsolete or abandoned signs that no longer serve a purpose due to renovations or similar actions shall be removed and sign anchors shall be patched to match adjacent surfaces. Operational pipes, conduits, etc. must be hidden.
- (h) Window Transparency. On the front facades of buildings, the windows shall be clear glass. No reflective, tinted, or spandrel glass is permitted on the front façade.
- (i) Awning Materials. Awning materials shall consist of canvas, fabric, or thin metal. No vinyl or plastic shall be used. Awnings with a high gloss finish shall be prohibited.
- (j) Colors.

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- (i) Primary Building Colors. Primary building cladding colors shall be chosen from the Belleville Road color palette of red and brown for brick, and other warm earth tones for other primary building materials.
- (ii) Prohibited Primary Colors. Intense, bright, black, or fluorescent colors shall be used sparingly and only as accents; such colors shall not be used as the predominant color on any wall or roof of any building. Permitted signs shall be excluded from this standard.
- (iii) Color Changes. Material or color changes shall not occur at external corners, but may occur at interior corners, or at other logical terminations. All material or color changes shall be reviewed by the Township and Township authorization is required prior to any material or color changes.
- (iv) Color Maintenance. Exterior building colors shall "age" well, and shall be relatively low-maintenance in terms of frequency of touch-ups and re-painting.

(6) Walls and Fences

- (a) Integration with Building and Site Design. Where walls and fences are used, they shall be integrated with the overall building and site design.
- (b) Maximum Height. Unless otherwise permitted in the BROD, walls and fences shall not exceed three (3) feet in height in the front or side yards in order to avoid the appearance of being a "fortress".
- (c) Wall and Fence Material. Walls must be constructed of red or brown brick, or natural stone. Fences must be decorative and must be constructed of wrought iron, or durable wrought iron-look fencing. Black vinyl-coated chain link fencing may be permitted in the rear yard for service areas, subject to Planning Commission approval.
- (d) Prohibited Materials. The use of razor or barbed wire, electrified, uncoated chain link, fabric, or unfinished concrete block is prohibited.
- (e) Security Fencing. If security fencing is necessary, a design which incorporates open grillwork is encouraged, or a combination of short solid walls with pillars and/or recesses to provide architectural articulation.

(7) Security

- (a) Natural Surveillance, Access Controls, and Activities. A secure development shall be created for both sites and their occupants by minimizing opportunities for crime and undesirable activities through natural surveillance, access control, and activities.
- (b) Site Design. Buildings and windows shall be located to maximize visibility of entryways, pathways, and parking lots. Where possible, building corners shall be

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designed to allow perpendicular visibility by either installing clear glass, angling off the corner, or locating the sidewalk in a way that allows perpendicular visibility.

(c) Lighting. Adequate security and safety lighting for pedestrians from parking spaces to all buildings entries and exits shall be provided (see Section 8.105).

(d) Visual Barriers. Pedestrian access or entries shall be free from visual barriers such as landscaping to maximize visibility.

(e) Addresses. Street addresses for commercial, public, or multi-use residential buildings shall be required and easily visible on the front of the building both during the daytime and at night. Address signs shall comply with Article 11.

**(8) Store Vacancy**

(a) Locked and Secured. Vacant stores shall be locked and secured to prevent unauthorized trespassing during the period of vacancy, but shall not be boarded up unless required by the Township, or otherwise appear derelict or abandoned.

(b) Maintenance. Owners of vacant stores shall find creative temporary alternative uses of storefront window areas such as using them as a display area for public art. Similarly, the exterior facade of vacant stores shall be maintained by the owner at the same level of quality as surrounding occupied and buildings.

(c) Lighting. An adequate level of exterior security lighting shall be regularly maintained regardless of storefront occupancy status.

(D) Lighting. In the Belleville Road Overlay District, site light fixtures shall be attractively designed to complement the architecture of the project and surrounding development, and shall improve the visual identification and safety of businesses and residential units. Light pollution shall be minimized and energy conservation technologies shall be used. In addition to the standards of Section 8.105, the following requirements apply in the Belleville Road Overlay District.

(1) Safety and Visual Interest. Lighting shall be used to provide safety and visual interest.

(2) Effect of Landscaping. When placing light fixtures and luminaries, consideration shall be given to effects of landscape growth on lighting function. Landscaping such as trees and shrubs shall be placed and maintained so that they does not obscure or deteriorate onsite illumination.

(3) Maximum Illumination. Decorative accent lights and fixtures greater than the minimum required illumination level in Section 8.105 for adjoining parking lots may be approved by the Planning Commission at vehicle driveways, entry throats, pedestrian paths, plaza areas, and other activity areas.

Article 6: Supplemental Zoning District Standards  
Chapter 5: Belleville Road Overlay District

- (4) Attractive Design. Lights fixtures shall be attractively designed to complement the architecture of the project, improve visual identification of businesses, and create an inviting atmosphere for passersby.
- (5) Maximum Height Near Single-Family Residences. If located within fifty (50) feet of a single-family residential lot, parking lot fixtures shall not exceed twenty (20) feet in height.
- (6) Parking Lot Light Fixtures. Light fixtures within parking lots that are not located in a landscape island or median shall be designed with raised bases to protect them from damage by vehicles.
- (7) Decorative Up-lighting. Decorative up-lighting that enhances landscape features and building architecture is encouraged as long as it does not compete with street lighting and signs.
- (8) Scale. Street lighting shall be scaled for the pedestrian while still meeting vehicular needs. On local streets and within sites, fixtures shall be primarily oriented towards pedestrian's needs. On the major thoroughfares, light fixtures illuminate both pedestrian areas and roadways.
- (9) Parking Lot Lighting. Lighting for a parking lot or structure shall be evenly distributed and provide pedestrians and drivers with adequate visibility and safety level at night.
- (10) Light Color. The light source used in outdoor lighting shall provide a white light for better color representation and to create a more pedestrian friendly environment. Low pressure sodium lamps are prohibited.
- (11) Shielding. All lighting shall be placed and shielded so as to not interfere with the vision of persons on adjacent roads or property.
- (12) Energy Efficiency. Energy efficient lighting, such as LED lighting, shall be used for exteriors whenever possible.

#### **Section 6.410 Landscaping and Screening**

- (A) Intent. Landscaping within the Belleville Road Overlay District (BROD) is intended to provide a more visually appealing experience than a typical suburban commercial setting in keeping with the pedestrian-oriented vision for the area. The standards of this District emphasize shade trees to add enclosure for the streets and drives, landscaping within parking lots, screening of loading and service areas, and decorative landscaping to enhance the buildings and sites. Further, the Belleville Road District Plan supports the installation of landscaping and design elements along the sides of Belleville Road to act as a unifying streetscape. Consistency in these streetscape features, materials and colors is essential to achieving the Township's desired aesthetic character, economic enhancement and revitalization, and to support the public health, safety and welfare.

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Chapter 5: Belleville Road Overlay District

Therefore, compliance with the following specific standards shall be required in conjunction with any site development, redevelopment, alteration or expansion or re-occupancy of a vacant building on a BROD site.

**(B) Applicability.** The standards of this Section apply in addition to the requirements of the underlying zoning district and those of Article 10 of the Zoning Ordinance. In the event of a conflict, the more specific requirements of this Section shall apply. Further, in consideration of the overall design and impact of a landscape plan, the Planning Commission may modify or adjust the landscape requirements applicable to a proposed plan provided that the adjustment is consistent with the intent of this BROD and the Zoning Ordinance.

**(C) Landscape Design Standards.**

**(1) General Landscaping.**

- (a) General site landscaping shall be provided as required under Article 10 of the Zoning Ordinance.
- (b) Accent plantings with special qualities (e.g. spring flowers or good autumn color) shall be used to highlight entry drives and focal areas along the corridor.
- (c) Landscaping shall accommodate necessary sight distance lines for pedestrian and vehicular safety, and shall be in accordance with Section 7.108 of the Zoning Ordinance.
- (d) Landscaping shall be used to complement building architecture, minimize the impact of incompatible land uses, and to establish a transition between adjacent developments.
- (e) Landscaping shall be used to visually break up blank walls, shade pedestrians, accent entries, and soften parking lots.
- (f) Landscaping shall be oriented in accord with the demands of the species for sunlight and its susceptibility to the prevailing wind.

**(2) Belleville Road Frontage/Streetscape.** In addition to the requirements of Section 10.103(A), all streets and shared access drives shall be landscaped as follows:

- (a) Belleville Road streetscape as required herein shall be provided:
  - (i) Along all Belleville frontage, and
  - (ii) Along other streets and shared access drives within the boundaries of the BROD.
- (b) Frontage Landscaping Requirements.**
  - (i) Street Trees. In addition to the trees required in the frontage area in Section 10.103(A), deciduous street trees shall be planted within the right-of-way of any streets (i.e., between the sidewalk and the street), access drives, or internal

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roads, private or public, in an amount equal to at least one (1) deciduous street tree per each forty (40) linear feet or fraction thereof of frontage.

- (ii) Perennial Beds. Perennial beds, planted in groups, shall be planted in twenty percent (20%) of the required landscape frontage area defined in Section 10.103(A).
  - (c) Design Flexibility. Within the intent of this Chapter, the Planning Commission may approve alternatives it determines to be necessary to accommodate peculiar circumstances or unforeseen problems, or to carry out the spirit, intent and purposes of this Chapter. Further, where streetscape elements have been accomplished along Belleville Road by means of earlier development which substantially accomplishes the overall design objectives, the Planning Commission may modify the requirements to reflect those earlier improvements.
  - (d) Zero Lot Line Buildings. With the exception of required right-of-way landscaping, front yard landscaping is not required on private property along zero lot line frontages and where building facades are located at the right-of-way line.
- (3) Parking Perimeter Screening.
- (a) General Parking Lot Frontage Screening. All off-street parking areas, vehicular use areas, and paved ground surface areas adjacent to sidewalks, streets, and other public rights-of-way shall be screened in accordance with Section 10.103(B)(1) in a manner that separates the paved area from views as seen from the public right-of-way and creates a scale more appropriate to the individual and pedestrian. All screening areas shall be contained within the site. The required hedge shall attain opacity and a height of three (3) feet within twelve (12) months of planting under normal growing conditions.
  - (b) Shared Access Drive Landscaping. A minimum eight (8) foot street lawn, five (5) foot wide sidewalk, and five (5) foot buffer area between the off-street parking and/or vehicular use area and the sidewalk shall be provided. The street lawn shall include trees in accordance with Section 6.410(C)(2). The five (5) foot buffer area shall extend the length of the parking lot, and include an opaque screen of landscaping at least three (3) feet in height. The opaque landscape screen shall be composed of upright shrubs planted as a hedge. The hedge shall attain opacity and a height of three (3) feet within twelve (12) months of planting under normal growing conditions.

## **Chapter 4 Belleville Road Overlay District (BROD)**

### **Section 6.401 Intent and Purpose**

The Belleville Road Overlay Zoning District (BROD) establishes regulations applicable to site development including building setbacks, design, parking, access management, landscaping, and signage. This overlay district is based upon careful evaluation, study, and plans completed as part of a master planning effort by the Van Buren Township Planning Commission and Downtown Development Authority (DDA). Objectives of the overlay district are as follows:

- (A) Promote development consistent with the Belleville Road District Plan.
- (B) Establish consistent high quality standards for site development and building appearance.
- (C) Achieve well-managed, safe, and efficient flow of motorized and non-motorized traffic, including accessibility and connectivity.
- (D) Foster a more pedestrian-friendly environment that contributes to the Township's sustainability as a vital, attractive, economic, and healthy place to live.
- (E) Permit the combination of uses which are complementary to one another within the same structure or zone.
- (F) Enhance the built environmental of the area and provide a sense of place, including the creation of high quality public spaces.

The application of these standards contributes to the Township's economic development objectives and are intended to help sustain and increase the value of private property.

### **Section 6.402 Definitions**

The following definitions shall apply specifically to the BROD, but may be applied broadly throughout the Township where, in the opinion of the Planning Director, the definition has broad applicability:

- (A) **BUILDING ENVELOPE STANDARDS (BES):** Basic parameters regulating building location and form, including the envelope, placement (in three dimensions) and certain permitted/required building elements, such as storefronts, balconies, and street walls. The BES establish both the boundaries within which things may be done, and specific things that must be done. The applicable BES for a site are determined by its subarea in the Overlay District.
- (B) **DISTRICT PLAN:** Refers to the Belleville Road District Plan and Market Analysis as adopted by the Van Buren Township Planning Commission.
- (C) **FACADE FRONTAGE:** Refers to the facade of a building where the primary public pedestrian entrance must be located. The area in front of the building frontage is considered the "front yard" for the purposes of this Chapter.

- (D) **GROUND FLOOR:** The first level of a building where at least 80 percent of the finished floor elevation is within the finished floor elevation parameters established in the designated BES. The next story above the ground floor is the second floor.
- (E) **STOOP FRONTAGE:** A stoop frontage is characterized by a building facade which is aligned close to the frontage line with the ground story elevated above the sidewalk to provide privacy for the ground floor uses. The entrance is usually an exterior stair or landing which may be combined with a small porch or roof.
- (F) **STREETSPACE:** Includes all space between building frontages (travel lanes, sidewalks, squares, pedestrian pathways, civic greens, sidewalks, parks, etc.), but not garage entries or alleys.
- (G) **UNDERLYING DISTRICT:** The underlying district is the zoning district upon which an overlay subarea district is laid. The BROD is superimposed upon the underlying zoning districts.

### **Section 6.403 Overlay District Concept**

The Belleville Road Overlay District (BROD) is a mapped zone that imposes a set of special requirements in addition to those of the underlying zoning district(s).

The BROD is a mandatory overlay district. Property in the BROD may continue to be used as permitted by the standard zoning district and all other legal nonconformities are permitted to continue; however, any new activity that requires site plan approval in accordance with the requirements of the Zoning Ordinance shall also comply with the requirements of the BROD contained in this Chapter. In the event there are conflicts between the requirements of the underlying zoning district and the BROD, the requirements of the BROD shall govern.

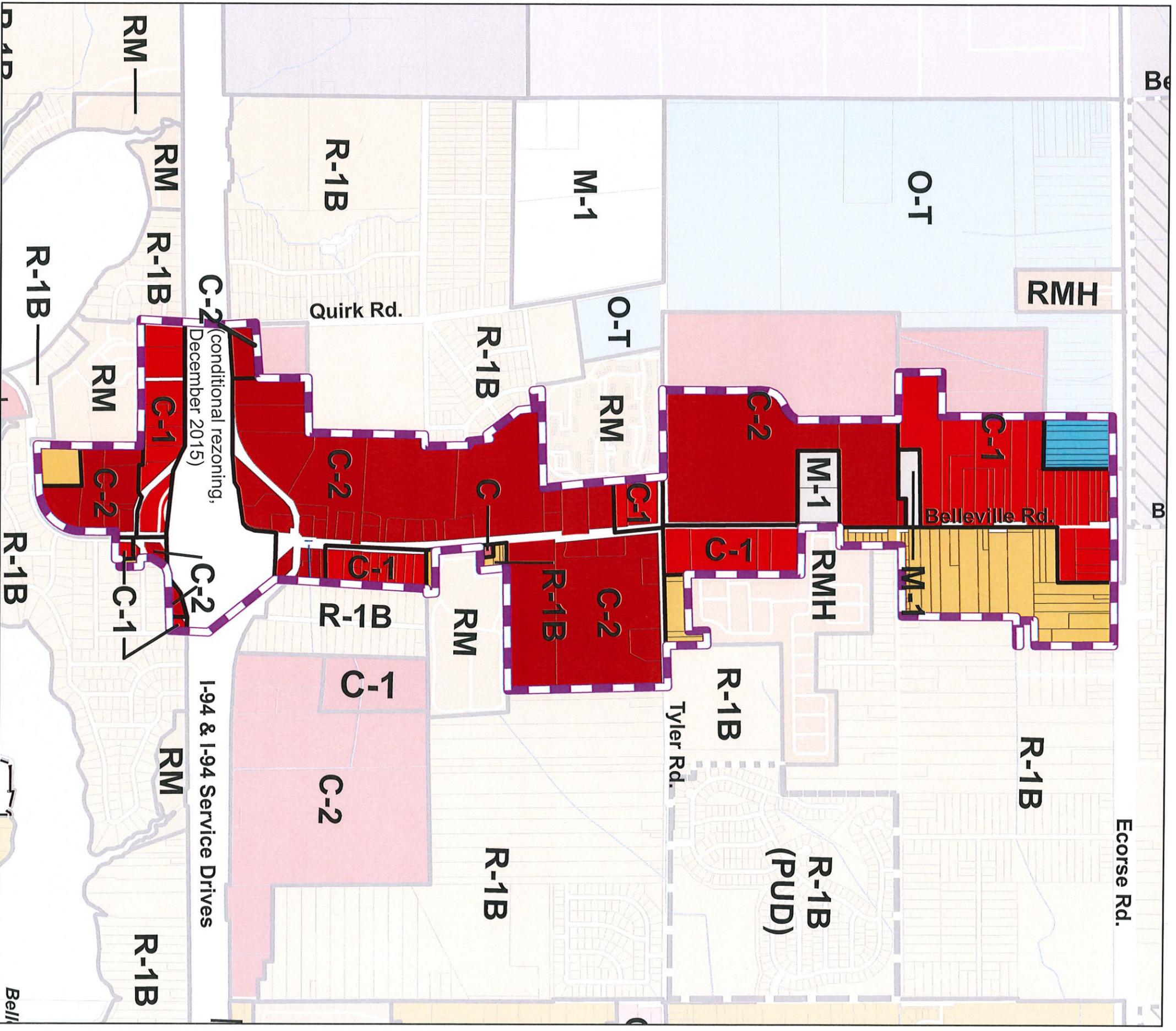
### **Section 6.404 Overlay District Boundaries**

The boundaries of BROD shall be on the Zoning Map of the Charter Township of Van Buren per Section 3.102. The BROD is divided into the following subareas:

- (A) **Core Commercial Subarea (South of Tyler Road).** This district is intended to be a walkable regional shopping and entertainment destination consisting of a diverse mix of retail, services, entertainment, senior housing, and office space.
- (B) **Gateway Mixed Use Subarea (North of Tyler Road).** This district is intended to be a walkable hub of activity that is characterized by horizontal and vertical mixed-use commercial, office, live/work, multi-family residential, senior housing, and public and quasi-public uses that complement each other.

### **Section 6.405 Administration**

- (A) **Applicability of the BROD.** All proposed uses and development in the BROD shall be reviewed the same as the same uses and development outside of the BROD, in accordance with Article 12, Chapter 2.



# DRAFT Belleville Road Overlay District Zoning Map

Charter Township of Van Buren  
Wayne County, Michigan

July 20, 2016

- AG-A Agricultural and Estates - A
- AG Agricultural and Estates
- R-1A Single Family Residential
- R-2A Single Family Residential
- R-1B Single Family Residential
- R-1C Single Family Residential
- RM Multiple Family Residential
- RMH Mobile Home Park
- C Local Business
- C-1 General Business
- C-2 Extensive Highway Business
- FS Freeway Service

- O-T Office/Technology
- M-1 Light Industrial
- M-T Industrial Transportation
- M-2 General Industrial
- AP Airport
- (Land subject to a Planned Residential Development (PRD) agreement)
- (Land subject to a Planned Unit Development (PUD) agreement)
- (Zoning subject to a Consent Judgement (CJ))
- DRAFT Belleville Road Overlay District boundary

**CERTIFICATION**  
I, LEON WRIGHT, CLERK OF THE CHARTER TOWNSHIP OF VAN BUREN, DO HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE MAP ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, WAYNE COUNTY, MICHIGAN IN JUNE OF 1950, AS WELL AS THOSE AMENDMENTS MADE AS OF THE REVISED DATE.

The parcel lines of this map are representational of the actual parcel lines and are not intended to be substituted for an official survey or used to resolve boundary or area discrepancies. Consult official Charter Township of Van Buren records for parcels distances and areas of parcels, and boundaries.

**REVISION DATES**

Jul. 1966	Aug. 1964	Jul. 1992	Jun. 1998	Apr. 2004	Jul. 2007
Aug. 1968	Jun. 1966	Nov. 1993	Jul. 1998	Jul. 2004	Sept. 2010
Jan. 1971	Oct. 1968	Apr. 1994	Jul. 1999	Sept. 2004	Aug. 2013
Aug. 1972	Oct. 1987	Oct. 1994	Sept. 1999	Dec. 2004	Nov. 2013
Dec. 1973	Oct. 1987	Mar. 1996	Apr. 2000	Feb. 2005	May 2014
Mar. 1974	Mar. 1989	Jun. 1997	Jun. 2000	May 2005	Jul. 2014
Aug. 1974	Apr. 1989	Aug. 1997	Aug. 2000	Aug. 2005	Jul. 2015
Mar. 1978	Oct. 1990	Oct. 1997	Jun. 2001	Apr. 2006	Jun. 2015
Apr. 1979	Jan. 1991	Nov. 1997	Jan. 2002	Oct. 2006	Jul. 2015
Aug. 1980	Feb. 1991	Feb. 1998	Jun. 2003	Mar. 2007	Oct. 2015
Aug. 1982	Apr. 1992	May 1998	Aug. 2003	Apr. 2007	Dec. 2015

Base Map Source: Wayne County GIS, 2004 and Van Buren Township, 2006. Data Source: Charter Township of Van Buren, Wayne County

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