

## ARTICLE 8

### DESIGN STANDARDS

#### Section 8.1 Purpose

The purpose of this Article is to identify specific design standards required of specific types of uses, both uses permitted by right and those that require a special use permit. These design standards are in addition to zoning district regulations, general provisions, and other requirements for uses and structures identified in this Ordinance.

#### Section 8.2 Architectural Standards

These standards guidelines are intended to encourage the conservation of the aesthetic, rural character of the Village. Also, they are intended to minimize incompatible and unsightly surroundings and visual blight which reduce overall community property values.

- A. **General Standards Guidelines:** The following standards shall be applied by the Planning Commission as part of site plan review.
1. Exterior building materials shall be composed of high quality and durable materials, compatible with the structures within the surrounding area.
  2. The front facade of the building should address the main street with entrances, windows, and architectural features facing the street. In all zoning districts, except in residential districts, no overhead doors, docking bays or loading/unloading areas shall face the main street, unless approved by the Planning Commission and their visual impact from the street is minimized by recessing back from the front facade and/or screened from public view.
  3. Variation in architectural details will be encouraged to provide visual variation and interest.
  4. Long, massive, unbroken or monotonous buildings are discouraged. Instead, building facades shall incorporate recesses and projections to add architectural interests.
  5. It will be encouraged that large areas of roofs have variations in roof lines to reduce the massive scale of the structures and to add visual interests.
  6. Size and height of buildings should be compatible with the character of the surrounding areas as determined by the Planning Commission.
  7. The use of high intensity colors or fluorescent colors on building facades is discouraged. Building trim may consist of brighter colors, but neon tubing or other similar type lighting as a building accent may be prohibited.
  8. All signs shall conform to the standards of the Village Sign Ordinance.
  9. All mechanical equipment, including but not limited to heating, ventilating and air conditioning equipment, and antennas, shall be placed in an inconspicuous location or screened from view. If equipment is placed on

rooftops, it shall also be screened from public view in a manner that does not draw attention to the equipment and/or its placement.

10. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as energy conscious design and/or devices such as solar energy collectors, views, unique land contour, or relief from common or standard design.

B. **Single Family Dwelling Regulations:** A one-family dwelling and any additions or alterations, thereof, erected or placed in the Village, shall conform to the following regulations in addition to all other regulations of this ordinance.

1. It shall comply with all current adopted editions of the building, construction, and fire codes for single family residential dwellings, including the current adopted edition of the State Energy Conservation Code.
2. It shall be anchored to a permanent foundation constructed on the site in accordance with the Village building code for single family dwellings. In the event that the dwelling is a manufactured home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission Act and its rules and shall have a perimeter wall as required above.
3. In the event the dwelling is a manufactured home as defined herein, each manufactured home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage, or chassis.
4. ~~The roof shall have a minimum 4/12 pitch.~~
4. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as energy conscious design and/or devices such as solar energy collectors, views, unique land contour, or relief from common or standard designs.

C. **Village Downtown Façade Improvement Standards:** Refer to Section 8.20.

### **Section 8.3 Adult Uses**

Adult uses are regulated to protect the community from the negative secondary effects of these uses, including increased crime from as excessive concentration of these uses, and the blighting affect these uses have on residential property values. Therefore, adult uses are permitted in the C-2 General Commercial zoning district by special use permit provided the parcel on which the use is located is:

- A. Located at least five hundred (500) feet from a residential zoning district.
- B. Located at least one thousand (1,000) feet from another adult uses.

- C. Located at least one thousand (1,000) feet from all churches, convents, temples and similar religious institutions.
- D. Located at least one thousand five hundred (1,500) feet from all public, private, or parochial nursery, primary or secondary schools, public parks, campgrounds, cemetery, and hospitals.
- E. Located at least one thousand five hundred (1,500) feet from all childcare organizations.
- F. Located at least one thousand (1,000) feet from any indoor or outdoor recreation and amusement establishment or any other use catering to minors.
- G. Located within a freestanding building. A shared or common wall structure or a shopping center is not considered to be a freestanding building.
- H. Located so that all access to the site is from a primary roadway.
- I. In addition to the locational criteria above, the building and site shall be designed, constructed, and maintained so material such as display, decoration or sign depicting, describing, or relating to specific sexual activities or specified anatomical areas cannot be viewed by any vehicle or pedestrian on a public right-of-way or from an adjacent land use and shall comply with the architectural design standards contained in Section 8.2 of this Ordinance.

#### **Section 8.4 Automobile (Motor Vehicle Sales) Dealerships**

Motor vehicle sales establishments are permitted by right in the L-1 Light Industrial zoning district and by special use permit in a C-2 General Commercial zoning districts:

- A. Outdoor sales space for the sale or rental of new or secondhand automobiles, motorcycles, recreational vehicles, and watercrafts **shall comply with the following:**
- B. The facility fronts and its access is primarily gained from a primary road.
- C. All vehicle preparation, repair, washing, maintenance, etc., is performed completely within an enclosed building.
- D. The display lot or area shall be hard surfaced with asphaltic pavement, concrete, paver units, or other paving material approved by the Planning Commission, and shall be graded and drained so as to dispose of all surface water accumulated within the area.
- E. Display of vehicles shall be considered an accessory use. Such use may be permitted within a front yard except that a twenty (20) foot landscaped open space

shall be provided between any street and the display area.

- F. There shall be no unscreened, outdoor storage of vehicle parts or equipment.

### **Section 8.5 Automobile (Motor Vehicle) Repair Facilities**

Vehicle repair facilities are permitted by right in the L-1 Light Industrial zoning district and by special use permit in the C-2 General Commercial zoning permit.

- A. The facility fronts and its access is primarily gained from a primary road.
- B. All work is performed completely within an enclosed building.
- C. Building housing intensive activities such as body work, frame straightening, or other heavy repair activities shall be set back one hundred (100) feet from residentially zoned parcels.
- D. There shall be no outdoor storage or unlicensed automobiles, parts or equipment. Outdoor, overnight storage of licensed automobiles shall be limited to one vehicle per service bay.

### **Section 8.6 Bed and Breakfast Establishments**

Bed and breakfast establishments are permitted by special use permit in the R-1, R-2 and R-3 Single Family Residential zoning districts provided:

- A. Customers are limited to a maximum continuous stay of fourteen (14) days.
- B. The bed and breakfast establishment is limited to the residence only. Accessory buildings such as garages may not be converted into uses for the bed and breakfast establishment.
- C. The owner/operator shall reside in the establishment.
- D. There will be no change in the exterior appearance so that the establishment is out of character with the other single family homes in the area in which it is located.
- E. Off-street parking areas for guests shall be located in a side yard or the rear yard and shall be adequately buffered from adjacent residences so that the parking area is not out of character with the surrounding homes.

### **Section 8.7 Campgrounds**

Campgrounds, permanent or transient, are permitted by special use permit in R-1 and R-2 Single Family Residential zoning districts provided:

- A. Campground design and layout is in accordance with all currently adopted Public Acts and Rules Governing Campgrounds and is licensed under the Michigan Department of Environmental Quality (DEQ) Drinking Water and Radiological Protection Division.
- B. Campground shall abut and have direct vehicular access to a public roadway. The direct access shall not impair pedestrian or vehicular traffic safety and will minimize any adverse impact on the site or surrounding natural resources.
- C. No camp site, parking spaces, internal roadways, structures, permanently mounted equipment, etc., shall be located within any required setback area.
- D. Required setback areas shall be kept in a natural state to provide a buffer zone with neighboring residential areas. The Planning Commission may require enhanced planting and landscaping of these areas to provide a visual/noise barrier for adjacent residential dwelling units.
- E. The term “campground” may include a “children’s camp” as defined in the Child Care Organizations Act or an “adult foster care camp” as defined in the Adult Foster Care Licensing Act provided the facility is properly licensed as such by the State of Michigan.

### **Section 8.8 Communications Tower and Antennae**

Communication towers and antennae are permitted in all zoning districts as an accessory use provided:

- A. Amateur Radio Station Operators/Receiver Only Antennas - Tower or antenna is under seventy (70) feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.
- B. Emergency Responder - Tower or antenna is part of an emergency response system as defined under state law.
- C. General Provisions:
  - 1. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal governments with the authority to regulate towers and antennas.
  - 2. To ensure the structural integrity of towers, the owner of a tower or antenna shall ensure that is maintained in compliance with applicable state building codes and applicable standards for towers that are published by the Electronic Industries Association, including any adopted amendments.

3. No signs shall be allowed on an antenna or tower.

### **Section 8.9 Day Care Center, Commercial**

Day care centers are permitted by right in C-2 General Commercial zoning district and by special use permit in the R-4 Single Family Residential - Attached and R-M Multiple Family Residential zoning districts provided:

- A. The center shall provide and maintain an outdoor play area of adequate size for the number of children being cared for. This play area shall not be in the front yard and must be fenced or otherwise enclosed on all sides and screened from adjacent properties with a privacy fence or landscaping.
- B. An on-site drive shall be provided for drop offs and pickups. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.

### **Section 8.10 Day Care Homes**

Day care homes (1-6 persons) are permitted by right in R-1, R-2, R-3 and R-4 Single Family Residential and R-M Multiple Family Residential zoning districts. Day care homes, group (7-12 persons) are permitted by special use permit in R-1, R-2, R-3 and R-4 Single Family Residential and R-M Multiple Family Residential zoning districts provided:

- A. The facility is licensed by the State of Michigan.
- B. Fencing is provided around any outdoor play areas and play area shall be screened from adjacent properties with a privacy fence or landscaping.
- C. The building retains the appearance of a single family residence.
- D. The use does not exceed sixteen (16) hours of operation in a twenty-four (24) hour period.
- E. The use is no closer than one thousand five hundred (1,500) feet to another licensed day care facility.

### **Section 8.11 Home Occupations**

- A. No person, other than members of the family residing in the dwelling, shall be engaged in the conduct of the home occupation.
- B. The use of the dwelling for the home occupation shall be clearly accessory, incidental, and subordinate to its use for residential purposes, and not more than twenty (20) percent of the floor area of the dwelling shall be used for the conduct of the home occupation.

- C. There shall be no change in the outside appearance of the dwelling or any other visible evidence of the conduct of the home occupation provided, however there may be one (1) sign.
- D. Traffic generated by the home occupation shall not be greater than would normally be expected in a residential neighborhood, or in any case no more than ten (10) vehicular trips per day. There shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment, by other than a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries.
- E. The home occupation shall be conducted entirely within the confines of the dwelling.
- F. There shall be no sale of products or services on the premises where the home occupation is located except those that are produced or used in the normal conduct of the home occupation.
- G. Any necessary parking spaces for vehicles generated by the conduct of the home occupation, as calculated by Article 6, shall be provided on the site, but not within any required yard setback area.
- H. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, or odors detectable to the normal senses off of the premises on which the home occupation is located. In addition, no equipment or process shall be used in the home occupation which causes visual or audible interference in any radio or television receivers off the premise or cause fluctuation in the line voltage off the premise.
- I. Maximum inventory stored indoors shall be 100 cubic feet.

### **Section 8.12 Kennels, Commercial**

Kennels, commercial are permitted by special use in C-2 General Commercial and R-1 Single Family Residential - Rural zoning districts provided:

- A. The facility shall be licensed by the Lapeer County Department of Animal Control or Genesee County Department of Animal Control as appropriate.
- B. Kennels housing dogs shall be a minimum one hundred fifty (150) feet from a residential zoning district.
- C. All dog runs must be enclosed and have a concrete surface.

- D. The applicant must identify an acceptable method of disposing of the animal waste.

**Section 8.13 Kennels, Private (3 dogs maximum)**

Kennels, private (3 dogs maximum) are permitted by right as an accessory use in R-1, R-2, R-3 and R-4 Single Family Residential zoning districts and by special use permit in the R-M Multiple Family Residential zoning district provided:

- A. All dogs within the facility shall be licensed by the Lapeer County Department of Animal Control or Genesee County Department of Animal Control as appropriate.
- B. Kennels, including dog runs, housing dogs shall be a minimum of ten (10) feet from side or rear lot lines.
- C. All dog runs must be enclosed.

**Section 8.14 Recreation: Indoor Commercial Recreation**

Indoor commercial recreation uses are permitted by right in the C-1 and C-2 zoning districts provided:

- A. The principal and accessory buildings and structures shall not be located within one hundred (100) feet of any residential district or permitted use.
- B. All uses shall be conducted completely within a fully enclosed building.
- C. The buildings shall be sound-proof.

**Section 8.15 Restaurants with Outdoor Seating**

Open front restaurants are permitted by right in the C-1 zoning district and by special use permit in the C-2 zoning district provided:

- A. Waste containers shall be provided.
- B. Fences or landscaping shall be required to control blowing debris.
- C. All signs placed on the building shall be flat and interior signs visible to patrons through glass or an opening shall not exceed twenty-five (25) percent of that area.
- D. Additional parking may be required based on the capacity of any outdoor seating or lounge areas.
- E. Outdoor eating areas shall be illustrated on a site plan and approved by the Planning Commission.



- F. Where the use abuts a residential district there shall be no outdoor amplication, such as speakers, unless the applicant demonstrates compliance with the zoning ordinance noise, paragraph B., Section 4.14 Performance Standards.

### **Section 8.16 Solar Energy Systems**

Solar energy collection systems, both active and passive, are permitted by right in all zoning districts. Use of these systems is strongly encouraged in all developments, however, to assure that the design of solar energy systems conforms in appearance to the surrounding neighborhood the following standards shall apply.

- A. The installation of free-standing, ground mounted collector systems are strongly discouraged in the R-3 and R-4 Single Family Residential, R-M Multiple Family Residential, and C-1 Local Business zoning districts.
- B. When feasible, solar collectors shall be integrated into the design of the building with structural support for the collectors screened in a manner that is compatible with the building's design.
- C. Roof mounted solar collectors shall be placed in a location that is the least visible from the front public right-of-way without reducing the operating efficiency of the collectors. Wall mounted and ground mounted solar collectors shall be screened from the public (front street) view.
- D. Roof mounted solar collectors may exceed the allowable maximum building height provided they do not extend more than five (5) feet above the permitted height.
- E. Equipment related to the system, including plumbing lines, shall be installed in an interior space of the building, where feasible.
- F. Any large accessory fixture which must be exposed shall be screened where possible by the use of architectural features that are compatible with the design of the building. When feasible, it is encouraged that these fixtures be located so as to be the least visible from the front public right-of-way.
- G. Where possible, exterior surfaces shall have a matte finish and shall be color coordinated with the surrounding building materials.

### **Section 8.17 Storage Facilities**

Storage facilities, excluding outdoor storage, are permitted by special use permit in the I-1 Light Industrial zoning district provided:

- A. Access to the facility is from a public roadway.

- B. All outdoor storage areas shall be appropriately screened from the surrounding property, as determined by the Planning Commission.
- C. Maximum building side wall height shall be ten (10) feet.
- D. A minimum ten (10) foot wide parking strip shall be provided in front of each row of storage units in addition to a minimum twelve (12) foot wide travel lane.
- E. Parking strips and travel lanes shall be constructed of industry recognized materials to provide a permanent, durable, and dustless surface, properly drained to eliminate areas of ponding water.

### **Section 8.18 Wind Energy Systems (On-site Use)**

On-site use wind energy systems are permitted by right in all zoning districts as an accessory use which shall meet the following standards:

- A. Designed to primarily serve the needs of a home, farm, or small business.
- B. Shall have a tower height of 20 meters (65.6 feet) or less.
- C. Property Setback: The minimum distance between an on-site use wind energy system and the owner's property lines shall be equal to the height of the wind energy system tower, including the top of the blade in its vertical position. No part of the wind energy system structure, including guy wire anchors, may extend closer than ten (10) feet to the owner's property lines, or the distance of the required setback in the respective zoning district, whichever results in the greater setback.
- D. Sound Pressure Level: On-site use wind energy systems shall not exceed 55 dB(A) at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe windstorms. If the ambient sound pressure level exceeds 55 dB(A), the standard shall be ambient dB(A) plus 5 dB(A).
- E. Construction Codes, Tower, and Interconnection Standards: On-site use wind energy systems, including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. On-site use wind energy systems, including towers, shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (Public Act 23 of 1950), the Michigan Tall Structures Act (Public Act 259 of 1959), and local jurisdiction airport overlay zone regulations. An interconnected on-site use wind energy system shall comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards. Off grid systems are exempt from these requirements.

- F. Safety: An on-site use wind energy system shall have automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lighting protection. If a tower is supported by guy wires, the wires shall be clearly visible to a height of at least six (6) feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be twenty (20) feet for wind energy system employing a horizontal axis rotor.

### **Section 8.19 Veterinary Clinics**

Veterinary clinics are permitted by right in C-2 General Commercial zoning district and by special use permit in the R-1 Rural Residential zoning district, provided:

- A. The use shall be operated by a licensed or registered veterinarian.
- B. The principal and all accessory buildings or structures used for the treatment or holding of animals shall be set back at least one hundred (100) feet from abutting residential districts, churches, or restaurants on the same side of the street; fifty (50) feet from the front property line and fifty (50) feet from all other property lines.
- C. All principal use activities shall be conducted within a totally enclosed principal building. No outdoor pet enclosures or runs are permitted unless facility is located on a minimum five (5) acre site.
- D. Any indoor boarding shall be limited to that incidental to treatment or surgery.
- E. Any veterinary clinic building or structure which is used for the treatment or holding of animals which is adjacent to or within a residential district shall have the following construction features:
  - 1. Wall are soundproofed to a maximum transmission of 65 dB measured ten (10) feet from any point on the outside of the exterior wall,
  - 2. Doors must be solid core or insulated,
  - 3. Ventilation must be forced air.
- F. Outdoor exercising is allowed when the pet is accompanied by an employee provided no animals shall be permitted outside of the building between 9:00 p.m. and 7:00 a.m.
- G. A caretaker's quarters may be permitted in the C-2 General Commercial zoning district.
- H. A veterinarian/owner dwelling unit is permitted in the R-1 Rural Residential zoning district.

## **Section 8.20 Village Downtown Facade Improvement Standards**

These standards are intended to encourage the preservation of the historic aesthetics and rural characteristics of the Village's downtown area. Also, they are intended to minimize incompatibility and harmonize new construction with the existing structures.

- A. General Standards: The following standards shall be applied by the Planning Commission and/or Zoning Administrator as part of the zoning permit application review.
1. It is strongly encouraged that existing building facades facing public streets be restored back to the detail of the original construction. New materials may be used; however, the dimensions, overall character, and appearance of finish and color should be similar to what the original would have been.
  2. Exterior wall cladding materials shall be retained, preserved, and restored whenever possible. The installation of new materials over the exterior wall surface of existing structures or new construction shall not differ significantly in scale or texture from the original surface finish.
  3. Where existing, special architectural details such as verge boards, cornices, brackets, sawed ornaments, ornamented gables, railings, turned columns, balustrades, architraves, and pediments shall not be removed or concealed except when deemed best for public safety.
  4. The removal of architectural features such as dormers, windows, cupolas, chimneys, porches, awnings, and similar features is discouraged.
  5. The introduction of new windows and door openings is discouraged. Present windows and doors may not be altered in size except for restoration purposed or to comply with current building codes.
  6. The addition of features inappropriate to the original character and scale such as dormers, oversized chimneys, skylights visible from the public way, solar units, etc. are discouraged.
  7. Accessory buildings shall be compatible with the architectural style of the related buildings and shall have minimum visual impact and be unobtrusive as possible.
  8. For new construction the continuity of building height, mass and scale is an important feature to retain. This standard requires that any new construction be of comparable height, massing, and scale with the adjacent buildings.
  9. The front yard setback of any new construction shall be equal or within the setback of adjacent buildings.
  10. Colors of all facade and other exterior materials proposed for review shall be harmonious with the color of all other facade materials used on the same building, as well as the color of facade materials used on adjacent buildings. Colors shall be complementary in hue, tone, and intensity.

**End of Article 8**