

I'm thinking the provisions discussed in this handout would be included in the "general provisions and definitions" (Article 1) section.

Section 9.01 Bulk Regulations

- A. No parcel shall be divided in such a manner so that the resulting new parcels are in conflict with any provisions of this ordinance, including, but not limited to, setbacks, parcel size, open space, buffer areas, greenbelt building area, the space occupied by buildings, parcel measurements (width, depth), accessory buildings and uses, parking space, vegetation belt and yard.
- B. Setbacks, open space, buffer areas, greenbelt building envelope, and vegetation belt apply uniformly within each respective zoning district to all uses, structures, and buildings except that the following can be located anywhere on a parcel:
 - 1. Flag poles;
 - 2. Hydrants;
 - 3. Arbors, trellises, trees, plants, shrubs;
 - 4. Walkways, mobility ramps and steps; and
 - 5. Paved, concrete and improved driveways
- C. A parcel of land shall not contain more than one principal building and no accessory building or structure may be located on any parcel of land which does not have a principal building already established or being established.

Section 9.02 Compliance with Other Applicable Statutes, Ordinances, or Administrative Rules

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

Section 9.03 Water Protection

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

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

Sections 9.04 Hazardous Substance, Groundwater Protection

Except as provided herein, all businesses and facilities which use or generate hazardous substances in quantities greater than two hundred twenty (220) pounds per month or twenty-five (25) gallons per month, whichever is less, or store hazardous substances in quantities greater than two hundred twenty (220) pounds per month or twenty-five (25) gallons per month, whichever is less, shall comply with the groundwater protection requirements of this section. Provided, however, the groundwater protection requirements of this section shall not apply to fuel stored in a fuel tank which is part of the motor vehicle for purposes of use by that section shall apply to fuel stored in a fuel tank which is part of the motor vehicle for purposes of use by that vehicle's motor and shall not apply to materials in a five gallon, or smaller, pre-packaged sealed container.

A. Groundwater Protection, generally:

1. Projects and related improvements shall be designed to protect the natural environment, including ponds, streams, wetlands, floodplains, groundwater; steep slopes and natural and man-made drainage systems.
2. General purpose floor drains shall be:
 - a. Connected to an on-site holding tank (not a septic tank/drain field or a dry well) in accordance with state, county and municipal requirements; or
 - b. Authorized through a state groundwater discharge permit; or
 - c. Connected to a public sewer system.
3. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.
4. In determining conformance with the standards in this ordinance, the **Zoning Administrators** or Joint Planning Commission, whichever one is applicable, shall take into consideration the publication titled "Small Business Guide to Secondary Containment; Practical Methods for Above-ground Storage and Containment of hazardous substances and Polluting Materials" published by the Clinton River Watershed Council, May 1990, and other references.
5. Out-of-service water wells shall be sealed and abandoned in accordance with applicable requirements of the Michigan Department of Public Health and the Health Department.
6. If the site plan includes territory within a Wellhead Protection Overlay Area, the applicant shall submit a signed statement providing permission for periodic follow-up groundwater protection inspections by the **Zoning Administrators**, county and state officials.

B. Above-Ground Storage

1. Primary containment of hazardous substances shall be product-tight containers which are protected from weather, leakage, accidental damage and vandalism
2. Secondary containment for the storage of hazardous substances and polluting materials is required. Secondary containment shall be one of the following, whichever is greatest:
 - a. Sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance;
 - b. Shall be at least as great as volumes required by state or county regulations; or
 - c. Shall, if not protected from rainfall, contain a minimum of:

1. 110 percent (110%) of the volume of the largest storage container within the dike of the secondary containment area plus;
 2. The volume that is occupied by all other objects within and below the height of the dike of the secondary containment area plus;
 3. The volume of a 6-inch rainfall.
3. Secondary containment structures such as buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or rivers
 4. Areas and facilities for loading/unloading of Hazardous Substances and polluting materials, as well as areas where such materials are handled, stored or used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils
 5. At a minimum, State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport and disposal shall be met.
 6. Bulk storage of pesticides shall be in accordance with requirements of the Michigan Department of Agriculture.

C. Underground Storage

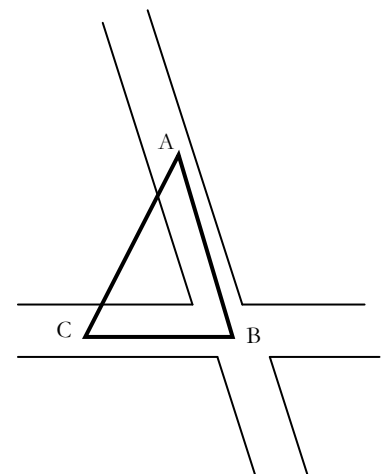
1. Underground storage tank installation, operation, maintenance, closure and removal shall be in accordance with the requirements of the State Police Fire Marshall Division and the DEQ, or their successor agencies.
2. Bulk storage facilities for pesticides and fertilizers shall be in compliance with requirements of the Michigan Department of Agriculture.

Section 9.05 Fences

Fences over six (6) feet high shall be set back the required distance for the respective land use area. Fences within the setback area shall not exceed six (6) feet in height. Fences located in the front yard portion(s) of a parcel shall not exceed three and half (3 ½) feet in height.

Section 9.06 Traffic Visibility at Corners

- A. No use, structure or plant material, such as off-street parking spaces, fences, signs, berms, hedges, or planting of shrubs, which is taller than three feet or which obstructs safe vision at a street corner, whichever is shorter, shall be located, erected or maintained within a triangular area defined as ABC in the drawing at the right.
- B. The distance between point “A” to point “B” and between point “B” to point “C” shall be equal to the setback from the street for the respective zoning areas plus 33 feet.
- C. The setbacks required in this section may be modified by the Zoning Board of Appeals based on geometric design and other traffic controls at the particular intersection and only after consultation with, and following the advice of the City Engineer and/or Chief of Police.



Section 9.07 Vehicular Parking Spaces and Access

- A. See each zoning area for specific requirements for number of parking spaces and locations.
- B. A parking space shall be a minimum area of ten (10) feet by eighteen (18) feet, with center and cross aisles being a minimum of twenty (20) feet wide. A parallel parking space shall be 25 feet in length and ten (10) feet wide.
- C. Parking areas required by this Ordinance, and publicly owned parking parcels, shall not be used for the storage or continuous parking of recreation vehicles, trailers, motor vehicles without a current license plate, and junk for more than a twenty-four (24) hour period.
- D. Add language on shared parking

Section 9.08 Sidewalks

- A. Sidewalks are required for all new public and private developments. Existing sidewalks shall be retained, maintained or replaced by the developer or property owner.
- B. All sidewalks shall:
 - 1. Be handicap accessible
 - 2. Be constructed of brick, concrete, concrete pavers, or concrete with brick borders;
 - 3. Be no less than 5 feet wide; and
 - 4. Assist in creating a complete linked network of walkways connecting all uses with open spaces, natural areas and other areas.
- C. Sidewalks shall be separated from streets by “planting strips” a minimum of 5 feet wide, planted with shade trees. In areas with commercial use, these “planting strips” may be replaced by paved areas utilizing trees in cast iron tree grates placed a minimum of 20 and a maximum of 40 feet apart.

Section 9.09 Signs

- A. Purpose: The number and size of signs may be distracting to motorists and pedestrians, and can create a traffic hazard . The number and size of signs can also reduce the effectiveness of signs needed to direct the public and may mar the appearance and character of the overall landscape. The provisions of this section are intended to apply the minimum amount of regulation in order to avoid the problems stated above.
- B. The number, size and design of signs shall be regulated in each respective zoning area. If the zoning area does not have sign regulations, then signs shall not be allowed in that zoning area.
- C. General regulations applying to all signs:
 - 1. Measurement of Sign Area. The area of a sign shall be computed as including the entire area within a rectangular geometric form or combination of such forms comprising all the display area of the sign and including all of the elements of the matter displayed. Frames and borders bearing copy or display materials shall be included in the computation of the sign area. Where a sign has two or more faces, the area of all faces shall be included determining the area of the sign, except where two such faces are placed back to back, parallel to one another, and less than six (6) inches apart, the area of the sign shall be of one face.
 - 2. Freestanding Signs. Freestanding signs shall not exceed six (6) feet in height.
 - 3. Sign Height. The height of all building mounted signs shall not exceed the roof height of the building

4. Setback Requirements for Signs: Except where specified otherwise in this Ordinance, all signs shall be setback a minimum of one-half (1/2) the front yard requirements as measured from the street right-of-way line. All signs shall be required to meet rear and side yard setback requirements for the Area in which it is located.
5. Size of Signs. All signs, except those covered elsewhere in this Ordinance, shall not exceed thirty-two (32) square feet in area, or twenty percent (20%) of the wall area, whichever is less.
6. Directional Signs. Signs, which direct traffic movement onto or within a property which are not owned and under the authority of county, city, village, state, or federal street agency shall not exceed nine (9) square feet in area for each sign. Logo or business names shall not exceed twenty percent (20%) of the sign area. Such signs shall be located behind the street right-of-way line.

D. Prohibited Signs. The following signs are prohibited.

1. Signs within the right-of-way or dedicated public easements, (except for temporary signs indicating sale of property, political signs)
2. Signs affixed to trees, utility poles and rocks, unless the rock is a monument type base for a sign professionally designed for that purpose
3. Signs that interfere with the ability of vehicle operators or pedestrians to see traffic signals or other traffic.
4. Signs that obstruct any window, door, fire escape, or opening intended to provide entry or exit to any structure, building, or right-of-way
5. Bulletins, bills, flyers, posters and any other display which is tacked, pasted or otherwise affixed to walls of buildings, barns, sheds, trees, poles, fences, signs, and sign posts
6. Signs attached or painted on a bench
7. Signs which are on public property and a public right-of-way unless the sign is installed or owned by a government which owns, or holds trust, the public property or easement.
8. Signs that imitate an official traffic sign or signal.
9. Signs by, or which include, floodlights, spot or beacon lights
10. Signs which are lighted from the interior and signs lighted by means of an upward facing light source, or any light source which is not shielded so the direct rays of light are confined to the surface of the sign.
11. Signs with flashing lights, flashing messages, chasing and blinking lights.
12. Electronic changeable message signs where messages changes more than once a day.

E. Off-Premises Signs:

1. Signs or commercial messages advertising any product, service, activity, event, person, institution, or business located within the Grand Traverse Commons located, or advertising the sale or rental of a parcel other than the one where the sign is located, shall be limited to:
 - a. One sign per parcel
 - b. One additional sign is allowed provided that it is for multiple businesses developed by a single organization (such as a business association, chamber of commerce, or other similar organization) or a governmental agency. Signs which meet the above conditions shall be permitted in any zoning area established by this ordinance;
 - c. Any structure formerly used as a sign, and not in use for any other purpose for more than one hundred and eighty (180) days after its use for a sign has ceased, shall be removed.

2. Off-premise signs which bear names, information and emblem of service clubs, places of worship, civic organizations and all quasi-public uses shall be permitted on private property. Each sign shall be no more than nine (9) square feet in area, shall not exceed a height of eight (8) feet and shall be set back a minimum of ten (10) feet from the street right-of-way line.

F. On-Premises Signs:

1. Church signage shall not exceed 32 square feet
2. One identification sign shall be permitted for each public street frontage for a vehicle entrance for a school, church, public building, or other authorized commercial use or lawful non-conforming commercial use. Each sign shall not exceed sixteen (16) square feet in area.
3. One single freestanding sign located near each street entrance to a multi-businesses building. It may be a maximum of seventy five (75) square feet in area. This sign shall accommodate each business and occupant within an equal sized area on the sign.
 - a. In a building where multiple businesses and occupants are located, a single wall or projecting sign may be permitted for each enterprise and shall be based on one (1) square foot of sign area for each one linear foot of building length which faces on a public street up to a maximum of sixteen (16) square feet.
 - b. Where groups of businesses and occupants are located separate from others, each group location is permitted a freestanding sign to advertise businesses and occupants within that group, but shall not exceed twenty-four (24) square feet.
4. All multiple business building signs shall:
 - a. Only advertise the businesses and occupants associated with the respective group or multiple business; and
 - b. Comply with other provisions of this section and the respective zoning area.

G. Temporary Signs

1. Except for street banners approved by the ~~---~~ all other temporary signs may be placed to advertise any temporary special event, activity, political campaign, sale or rent of real property, sale of personal property in a residential zoning area, or similar purpose for a limited period of time. All temporary signs shall:
 - a. Be located on the same property as the event or on private property with permission;
 - b. Comply with all other provisions of this section
 - c. Not exceed the size regulations for the area, or six (6) square feet, whichever is greater. One banner may be larger if located on the face of the structure where the event will occur;
 - d. Not impede the flow of traffic or pedestrian movement; and
 - e. Be on display only for a period which includes.
 1. The duration of the event;
 2. Up to, but not exceeding, (5) days after the event;
 3. The minimum amount of time necessary to adequately advertise or campaign ahead of the event.

H. Illumination and Light:

1. A sign shall not be internally illuminated.

2. Lighting of signs, if at all, shall be by means of a downward facing light source, which shall be shielded so the direct rays of light are confined to the surface of the sign.
- I. Signs Not Regulated: This section does not apply to any signs which are:
1. Not visible to motorists or pedestrians on any street, alley, water body, public lands or adjacent parcels; specific information panel for the direction of motorists which may be located, under the authority of any statute, on any county, city, village street; state and federal highway;
 2. Under four (4) square feet in area for sale, rent of the parcel, indicating private property, no trespassing, no hunting or fishing or political signs;
 3. Legal postings as required by law;

Section 9.10 Outside Lights

- A. All outdoor lighting fixtures including, but not limited to, pole mounted or building mounted yard lights other than decorative residential lighting such as porch or low level lawn lights shall be subject to the following regulations:
1. Lighting shall be designed and constructed in such a manner to:
 - a. Insure that direct or directly reflected light is confined to the area needing it and that it is not directed off the property;
 - b. That all light sources and light lenses are shielded and down facing;
 - c. That any lighting elements are not directly visible from beyond the boundary of the site. (Fixtures with a single light rated at less than 200 lumens are excluded from this requirement.)
 - d. That light from any illuminated source shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas.
 2. There shall be no lighting of a blinking, flashing or fluttering nature, including changes in light intensity, brightness or color..
 3. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices