

Article 4: Zoning Districts and Map

Section 4.01 Classification of Zoning Districts

For the purpose of this Ordinance, the following Zoning Districts shall be established in the Village of Empire:

GR	General Residential District
MR	Mixed Residential District
VR	Village Residential District
FS	Front Street District
GC	Gateway Corridor District
LI	Light Industrial District
R/C	Recreation/Conservation District
PUD	Planned Unit Development

Section 4.01.2 - Zoning Map

The areas assigned to each Zoning District and the boundaries thereof shown on the map entitled "Village of Empire Zoning Map, Leelanau County, Michigan" are hereby established, and said map and all proper notations and other information shown thereon are hereby made a part of this Zoning Ordinance.

Section 4.01.3 - Boundaries of Districts

Unless otherwise specified, the boundary lines of the Zoning Districts shall be interpreted as following along section lines, or customary subdivisions of sections, or centerlines of highways or streets, or the shoreline of waterways, or property lines of legal record at the office of the Leelanau County Register of Deeds on the date of the enactment of the Zoning Ordinance. The official Zoning Map shall be the final authority in any dispute concerning district boundaries. The Official Zoning Map shall be kept at the Village Office and shall be maintained up-to-date, with any amendments to the Ordinance involving changes to the Zoning map noted and portrayed on said map.

Where a reasonable doubt as to the exact location of a district boundary exists, the provisions of the more restrictive district shall govern the entire parcel in question, unless determined otherwise by the Zoning Board of Appeals.

Section 4.01.4 - Zoning of Vacated Areas

Whenever any street, alley, highway, or other public right-of-way within the Village has been abandoned by official government action, such right-of-way property shall automatically acquire and be subject to the provisions of the Zoning District of the abutting property. In the case of an abandoned right-of-way which also serves as the district boundary, the centerline of the right-of-way shall be the district boundary.

Section 4.01.5 - Zoning of Filled Areas

Whenever, after appropriate permits are obtained, any fill material is placed in any lake, stream, or wetland so as to create a usable or buildable space, such fill area shall take on the Zoning District and accompanying provisions of the land abutting said fill area. No use on any lake or stream shall be allowed which does not conform to the Ordinance provisions on the property from which said property emanates. No fill material shall be placed in any lake or stream within the Village unless appropriate permits are obtained from the Michigan Department of Environmental Quality.

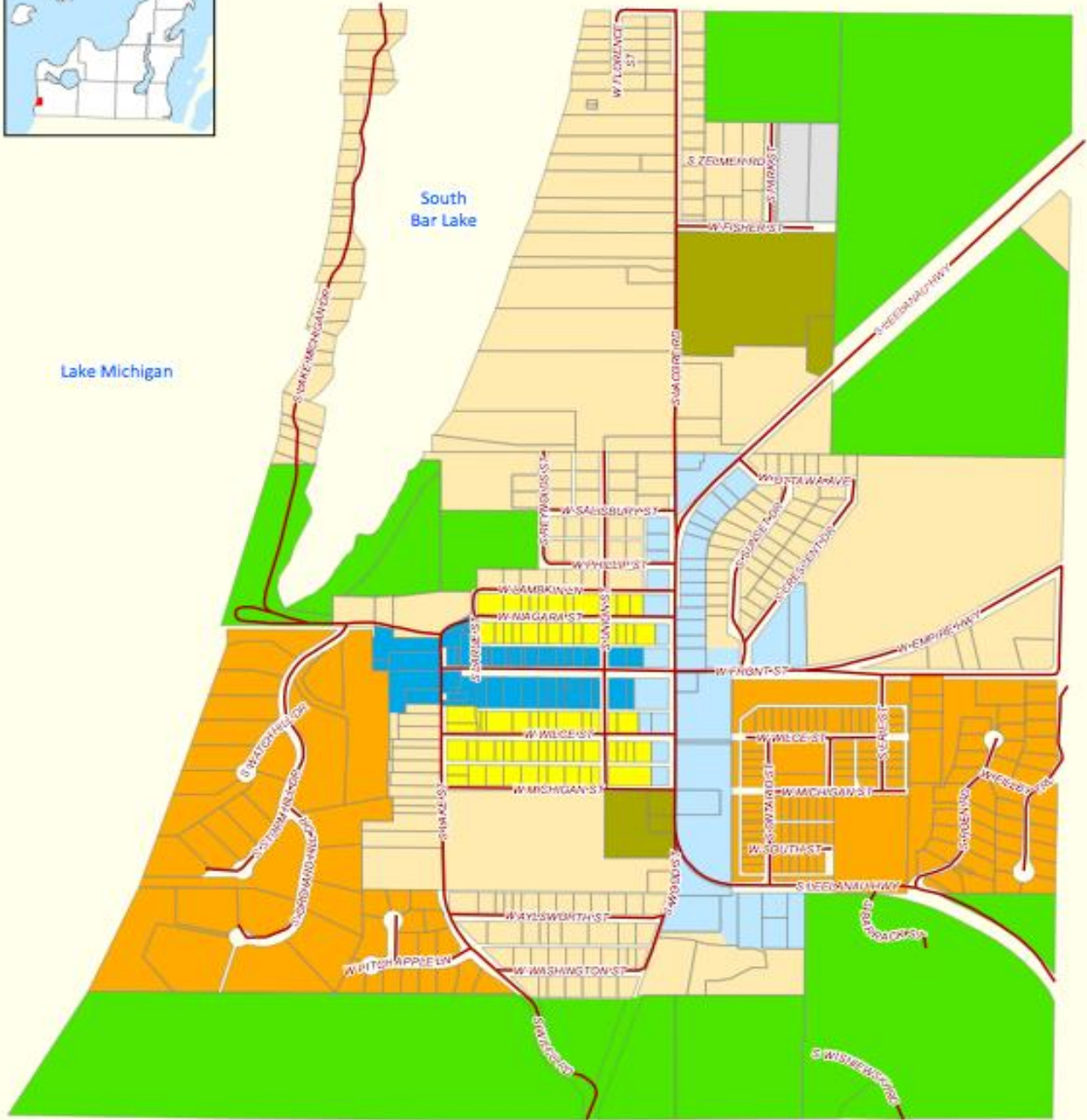
Section 4.01.6 - Zoning District Changes

When district boundaries change, any non-conforming use may continue subject to all other applicable provisions of this Ordinance.



Village of Empire - Zoning Districts

Leelanau County, Michigan



- Village Residential
- Mixed Residential
- Front Street District
- Planned Unit Development
- General Residential
- Gateway Corridor District
- Recreation/Conservation
- Light Industrial

1 inch = 800 feet

This map is prepared by Leelanau County for reference purposes only. Leelanau County is not liable for any errors that may be found herein.

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Section 4.02 General Residential District (GR)

The following provisions shall apply to the General Residential District (GR).

Section 4.02.1 - Intent

This district is intended to provide for predominantly low to medium density residential development which is similar in scale and character to existing neighborhoods within the Village. Residential uses shall only be permitted to develop with the provision of public sewer (when available) or water facilities. District regulations are designed to encourage lot sizes, land coverage and open space which is compatible with and compliments existing dwelling units. This district is intended to provide for residential development near commercial and public services (post offices or libraries) oriented to serving residential uses.

Section 4.02.2 - Permitted Uses

1. Single family dwellings
2. Foster care facility (6 or fewer clients)
3. Places of worship
4. Public parks, playgrounds or recreation facilities
5. Home occupations
6. Accessory buildings and uses customarily incidental to the above permitted uses

Section 4.02.3 - Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

1. Two family dwellings
2. Child Care Center/Child Day Care
3. Bed and breakfast establishments
4. Planned Unit Development
5. Accessory buildings and uses customarily incidental to the above special uses

Section 4.02.4 - Dimensional Regulations

Structures and uses in the General Residential District are subject to the area, height, bulk and placement requirements in **Section 4.10 - Schedule of Regulations**.

Section 4.03 Mixed Residential Districts (MR)

The following provisions shall apply to the Mixed Residential District (MR).

Section 4.03.1 - Intent

This district is intended to provide a living environment which can accommodate a low to medium density residential development, as well as group housing, and apartment units where essential support services (public sewer, when available, and water, transportation, utilities) are available and where social amenities are provided at a neighborhood or community level. District regulations are designed to be flexible enough to encourage development that is varied in density, land coverage and lot sizes, yet compatible with community character and image. Regulations permit clustering in combination with open space preservation to achieve both economic and aesthetic benefit. These districts should be near commercial and public services, but may be established on larger sites on the perimeter of the Village, provided public services can be provided and there are no negative effects on adjacent land uses, natural conditions and physical limitations of the site.

The provisions of this section also recognize with the gradual extension of other property uses into the district, such as those provided for under the "Uses Subject to Special Use Permit"; there is a need for careful consideration based on sound standards as provided for through the Special Use Permit approval process.

Section 4.03.2 - Permitted Uses

1. Single family dwellings
2. Multiple family dwellings
3. Two family dwellings
4. Bed and breakfast establishments
5. Manufactured housing developments
6. Adult Day Care, Group Facilities (greater than 6)
7. Places of Worship
8. Public parks, playgrounds or recreation facilities
9. Home occupations
10. Accessory buildings and uses customarily incidental to the above permitted uses

Section 4.03.3 - Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6: Uses Subject to Special Use Permit** and the applicable portions of **Article 7: Supplemental Site Development Standards**.

1. Group foster care facilities (greater than 6 clients)
2. Childcare center/Child daycare
3. Convalescent homes/Nursing homes
4. Planned Unit Development
5. Accessory buildings and uses customarily incidental to the above special uses

Section 4.03.4 - Dimensional Regulations

Structures and uses in the Mixed Residential District are subject to the area, height, bulk and placement requirements in **Section 4.10 - *Schedule of Regulations***.

Section 4.04 Village Residential District (VR)

The following provisions shall apply to the Village Residential District (VR).

Section 4.04.1 – Intent

This district is intended to provide for predominantly medium density residential “in-fill” development near the downtown area on the smaller pre-existing platted lots, which is similar in scale and character to existing older neighborhoods within the Village. District regulations are designed to accommodate the use of existing small lots, and encourage land coverage and open space which is compatible with and compliments existing dwelling units. This district is intended to provide for residential development near commercial and public services (post offices or libraries) oriented to serving residential uses.

Section 4.04.2 - Permitted Uses

1. Single family dwellings
2. Accessory dwellings
3. Adult day care, family home (6 or less)
4. Bed and breakfast establishments
5. Places of worship
6. Public parks, playgrounds and recreation facilities
7. Home occupations
8. Accessory buildings and uses customarily incidental to the above permitted uses

Section 4.04.3 - Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

1. Two family dwellings
2. Childcare center/Child daycare
3. Planned Unit Development
4. Accessory buildings and uses customarily incidental to the above special uses

Specific Standards

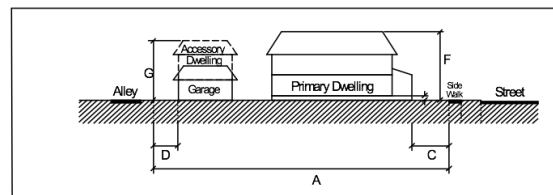
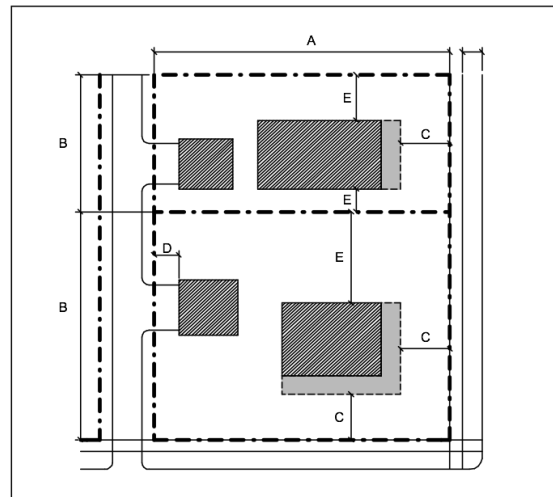
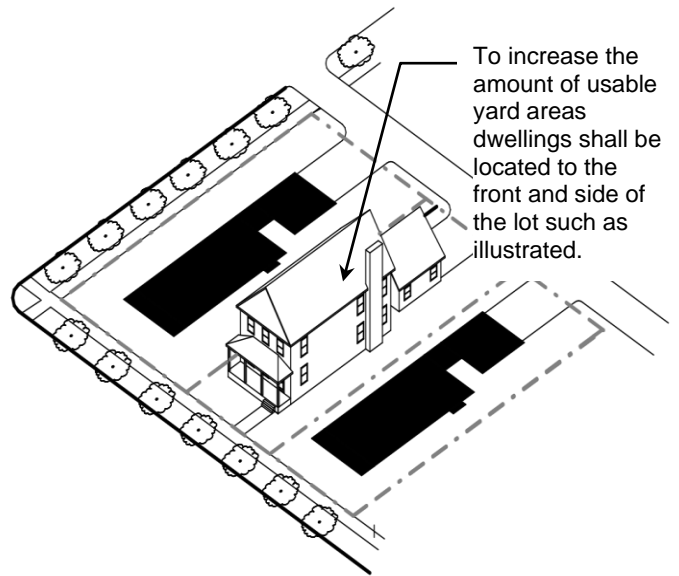
Allowable Building Types: Single-family dwellings along with buildings and other structures that are normally considered accessory. A single attached or detached accessory dwelling not exceeding the size of the principal residence is also allowed on lots (provided the lot owner lives in one of the dwellings on the lot). Civic Buildings, day care centers, churches, meeting/ recreation halls and other uses as listed , based on size limitations below.

Dimensional Standards (See illustration to the right)

- A. Lot Depth.....100' min.
- B. Lot Width.....50' min.
- C. Street Front Setback.....10' min. to 20' max. (Porch can encroach)
- D. Rear Yard Setback.....10' min. from the rear yard property line edge.
- E. Side Yard Setback.....5' min.
- F. Primary Dwelling Height.....32' max.
- G. Accessory Building Height.....25' or the height of the primary dwelling whichever is less.

Other Specific Standards

- H. No new curb cuts shall be allowed on Niagara and Wilce Streets, garages and accessory structures shall be accessed from the alley. All off street parking areas shall be located off of the back alley.
- I. All trash storage areas for use other than single family residential shall be screened from view from Niagara and Wilce Streets, by a fence or vegetation that is a minimum of four feet in height.
- J. Minimum Roof Pitch.....8/12 or greater on the main portion of the dwelling. Dormers and porch roofs are excluded from this standard.
- K. Maximum Building Coverage.....50% of the gross lot area.
- L. Alley Requirement.....All lots shall back onto a service alley.



Section 4.04.4 - Dimensional Regulations

Structures and uses in the Village Residential District are subject to the area, height, bulk and placement requirements in **Section 4.10 - Schedule of Regulations.**

Section 4.05 Front St. District

The following provisions shall apply to the Front St. District.

Section 4.05.1 - Intent

The FS District is designed to maintain the unique characteristics of the Village of Empire along Front Street in the Village core that results from a blend of residential and commercial uses which fosters a strong sense of community and encourages pedestrian access. Characteristics common to the FS District include compact development, a density and arrangement of land uses which encourages pedestrian activity and a mix of residential and limited commercial land uses in successful co-existence.

The FS District permits a variety of stores, personal services, offices and residential uses oriented toward pedestrian traffic, while providing for automobile access. Persons entering this district should be able to park once and carry out several errands.

Section 4.05.2 - Permitted Uses: The following are permitted uses within the FS District provided that such uses occur within an enclosed building with a maximum floor area of 5,000 square feet (i.e., including gross floor area, roofed storage, etc.)

1. Single-family dwellings
2. Two-family dwellings
3. Accessory dwellings
4. Bed and breakfast establishments
5. Childcare center/child day care
6. Retail sales and services
7. Restaurants and taverns
8. Personal service establishments
9. Business and professional offices
10. Banks and other financial institutions
11. Hospitals & medical clinics
12. Places of worship
13. Bus terminals/bus stops
14. Outdoor display and sales of merchandise, incidental to a business
15. Public parks, playgrounds and recreation facilities
16. Planned Unit Development
17. Plant materials nursery
18. Home occupations
19. Accessory buildings and uses customarily incidental to the above permitted uses

4.05.3 Specific Standards

1. Allowable Building Types

- a. Commercial buildings as listed, and other structures that are normally considered accessory and based on size limitations below.
- b. Single-family and two-family dwellings.
- c. Mixed use commercial buildings, i.e., possessing commercial and residential uses.
- d. A single attached or detached accessory dwelling not exceeding the size of the principle residence is also allowed on lots (i.e., provided the lot owner lives in one of the dwellings on the lot).
- e. Civic buildings including schools, libraries, day care centers, churches, meeting and recreation halls.

2. Dimensional Standards

- a. Lot Depth..... 100' min.
- b. Lot Width.....50' min. to 100' max.
- c. Street Front Setback.....5' min. to 20' max.
- d. Rear Yard Setback.....10' min. from the rear yard lot line. (See footnote f. in **Section 4.10 - Schedule of Regulations**).
- e. Side Yard Setback.....0' min. commercial to commercial, 5' min commercial to residential, or residential to residential.
- f. Primary Structure Height.....32' max.
- g. Accessory Building Height.....25' or the height of the primary dwelling, whichever is less.
- h. All trash storage areas for use other than single family residential shall be screened from view, by a fence or and/or an effective native evergreen vegetative screen that is a minimum of six (6) feet in height.

3. Other Specific Standards

- a. Primary dwellings and commercial buildings shall be primarily oriented toward the front and/or side of the lot.
- b. Maximum Lot Coverage with Impervious Surfaces.....90% of the gross lot area.
- c. Alley Requirement. All Front Street lots shall back onto a service alley.

- d. No new curb cuts shall be allowed on Front Street, garages and accessory structures shall be accessed from the alley. All off street parking areas shall be located off of the back alley.
- e. Drive through windows are not allowed.

Section 4.05.4 - Uses Subject to Special Use Permit

Special use approval of lands and premises, and the erection and use of buildings and structures in the FS District shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

- 1. Schools licensed or chartered by the State of Michigan
- 2. Convalescent homes/nursing homes
- 3. Government and institutional offices
- 4. Hotels, motels and inns
- 5. Nursery schools
- 6. Veterinary clinics
- 7. Pet shops
- 8. Kennels
- 9. Funeral homes and mortuaries
- 10. Automobile repair
- 11. Gasoline service station
- 12. Planned Unit Development
- 13. Open air business
- 14. Accessory buildings and uses customarily incidental to the above special uses

Section 4.05.5 - Dimensional Regulations

Structures and uses in the FS District are subject to the area, height, bulk and placement requirements in **Section 4.10 - Schedule of Regulations**.

Section 4.05.6 - Additional Standards

- 1. Nuisance Prevention - The use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other nuisance.
- 2. Noise - Sounds emanating from a use shall not generate noise that because of its volume or frequency results in the unreasonable interference with the comfortable use and enjoyment of properties adjacent to or in the vicinity of the use. Noise, if generated, shall

be effectively managed by methods such as, but not limited to, the use of brick walls, ceramic barriers, and/or other noise abatement technologies in conjunction with fencing and/or landscaping, increased setbacks, days of the week and/or limited hours of operation.

3. Public Safety - The proposed use shall not unreasonably impact public safety, or unduly burden or exceed the ability of public safety services or facilities to handle the anticipated needs of the community.

Specific Standards

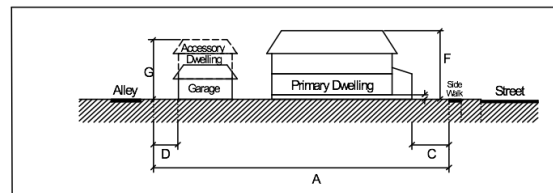
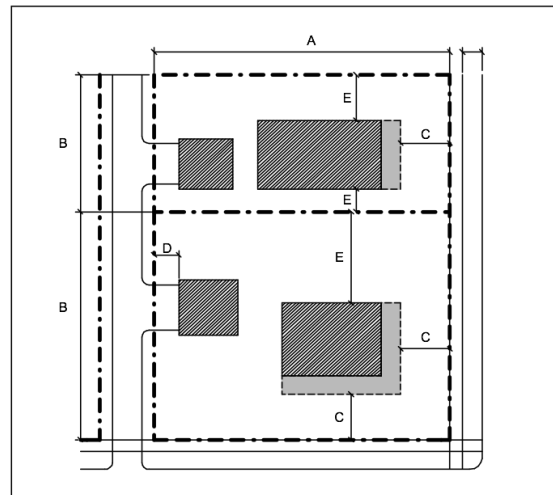
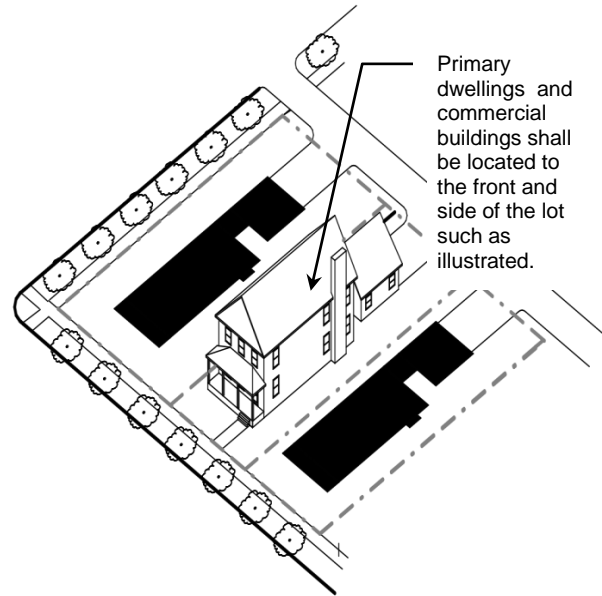
Allowable Building Types: Single-family dwellings along with buildings and other structures that are normally considered accessory. A single attached or detached accessory dwelling not exceeding the size of the principal residence is also allowed on lots (provided the lot owner lives in one of the dwellings on the lot). Civic Buildings including schools, libraries, day care centers, churches, meeting and recreation halls. Commercial uses as listed , based on size limitations below.

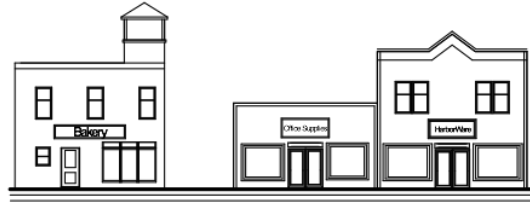
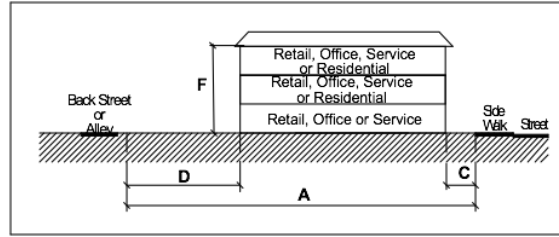
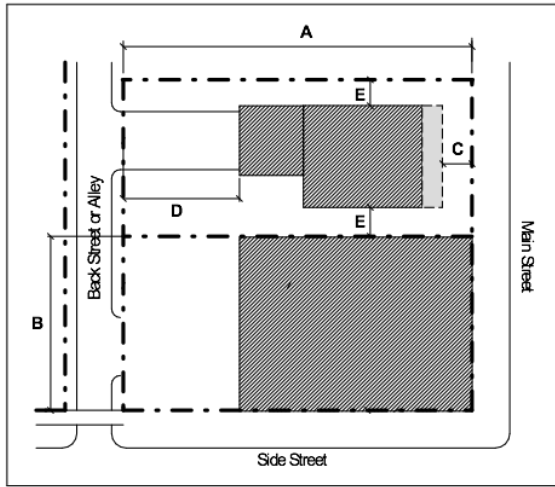
Dimensional Standards (See illustration to the right)

- A. Lot Depth.....100' min.
- B. Lot Width.....50' to 100' max.
- C. Street Front Setback.....5' min. to 20' max.
- D. Rear Yard Setback.....10' min. from the rear yard property line edge.
- E. Side Yard Setback.....0' min. commercial to commercial, 5' min. commercial to residential or residential to residential.
- F. Primary Structure Height.....32' max.
- G. Accessory Building Height.....25' or the height of the primary dwelling whichever is less.
- H. All trash storage areas for use other than single family residential shall be screened from view, by a fence or vegetation that is a minimum of six feet in height.

Other Specific Standards

- I. Primary buildings shall be primarily oriented toward the front and/or side of the lot.
- J. Maximum Building Coverage.....90% of the gross lot area
- K. Alley Requirement.....All (Front Street) lots shall back onto a service alley.
- L. No new curb cuts shall be allowed on Front Street, garages and accessory structures shall be accessed from the alley. All off street parking areas shall be located off of the back alley.
- M. Drive through windows are not allowed.





Section 4.06 Light Industrial District (LI)

The following provisions shall apply to the Light Industrial District (LI).

Section 4.06.1 - Intent

The Light Industrial District is designed to primarily accommodate wholesale activities, warehouses and other medium scale business and other industrial operations whose external physical effects are restricted to this district and do not affect in a detrimental way any of the surrounding districts. The Light Industrial District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material.

Section 4.06.2 - Permitted Uses

1. Food processing and packaging
2. Contractor facilities
3. Public utility buildings without storage yards
4. Public parks, playgrounds and recreation facilities
5. Accessory buildings and uses customarily incidental to the above permitted uses
6. Combination of Uses, subject to Section 4.06.5

Section 4.06.3 – Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

1. Production, processing, assembly, manufacturing or packaging of goods or materials such as facilities may include testing, repair, storage, distribution and sale of such products.
2. Warehouses and storage buildings, but not including commercial bulk storage of flammable liquids and gases
3. Contractor's equipment storage yard
4. Machine shop
5. Public utility buildings with outside storage yards
6. Vehicle, boat or recreational vehicle repair facilities
7. Planned Unit Development
8. Sexually oriented business
9. Telecommunication towers and facilities
10. Commercial wind turbine generators
11. Accessory buildings and uses customarily incidental to the above special uses

Section 4.06.4 – Dimensional Requirements

Structures and uses in the Light Industrial District are subject to the area, height, bulk and placement requirements in **Section 4.10 - *Schedule of Regulations***

Section 4.06.5 - Combination of Uses

In the review of site plans, and/or special land use permit applications for uses involving combinations of uses otherwise permitted by right or by special land use approval in the Light Industrial District, the planning commission shall find that all such uses be mutually compatible with one another and the all-special uses standards applicable to any such component use in a combined land use shall be met for that component use. However, recognizing the potential unnecessary duplication of parking requirements for each use, the planning commission may reduce the overall parking requirement on the parcel by up to 25% if they are satisfied with the sufficiency of the parking at the reduced amount proposed by the applicant.

Section 4.07 Recreation Conservation District (R/C)

The following provisions shall apply to the Recreation Conservation District (R/C).

Section 4.07.1 - Intent

In the Recreation Conservation District, extreme care shall be taken to preserve and maintain any public facilities for continued and future use. Natural areas cannot be replaced if destroyed, misused or neglected.

Section 4.07.2 – Permitted Uses

1. Conservation area without physical improvements
2. Accessory buildings and uses customarily incidental to the above permitted uses
3. Fund raising events conducted by civic, nonprofit or charitable organizations which are limited in time and which have obtained all required village permits for such event.

Section 4.07.3 - Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

1. Single family dwellings
2. Public parks, playgrounds and recreation facilities
3. Nature preserve with improvements
4. Accessory buildings and uses customarily incidental to the above special uses

Section 4.07.4 - Dimensional Regulations

Structures and uses in the Recreation Conservation District are subject to the area, height, bulk and placement requirements in **Section 4.10 - Schedule of Regulations**.

Section 4.08 Planned Unit Developments (PUD)

The following provisions shall apply to the Planned Unit Development District (PUD).

Section 4.08.1 - Intent

The Planned Unit Development District is designated to accommodate planned unit development projects that were approved prior to the adoption of this Zoning Ordinance. New planned unit development projects will be considered by Special Use Permit in specific zoning districts as specified in this ordinance.

Section 4.08.2 – Permitted Uses

1. Single family
2. Two family
3. Multiple family dwellings
4. Accessory buildings and uses customarily incidental to the above permitted uses

Section 4.08.3 - Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

1. Accessory dwellings
2. Accessory buildings and uses customarily incidental to the above special uses

Section 4.08.4 - Dimensional Regulations

Structures and uses in the Planned Unit Development District are subject to the area, height, bulk and placement requirements in **Section 4.10 - Schedule of Regulations**.

Section 4.09 Gateway Corridor (GC) District

The following provisions shall apply to the GC District.

Section 4.09.1 - Intent

The Gateway Corridor (GC) District is designed to maintain the unique characteristics of the Village of Empire along M-22 Highway and M-72 Highway that result in safe, pedestrian friendly access to commerce and which safely connect pedestrians to the FS District, i.e., the Village core along Front St., adjacent and nearby residences, and encourages pedestrian access. Characteristics common to the GC District include compact development, a density and arrangement of land uses which encourages safe pedestrian activity, low profile signage, dark sky protective lighting, and limited commercial land uses in successful co-existence with the community at large.

This GC district permits a variety of stores, personal services, offices and others commercial uses that protect the Village's small-town character while providing for pedestrian safety, adequate and safe automobile access, and circulation.

Section 4.09.2 - Permitted Uses

Permitted uses of lands and premises, and the erection and use of buildings and structures in the GC District shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 5 - Site Plan Review**. The following are permitted uses within the GC District provided that such uses occur within an enclosed building with a maximum floor area of less than or equal to 2,999 square feet (i.e., including gross floor area, roofed storage, etc.).

1. Single-family dwellings
2. Two-family dwellings
3. Accessory dwellings
4. Bed and breakfast establishments
5. Childcare center/child day care
6. Restaurants and taverns
7. Personal service establishments
8. Business and professional offices
9. Banks and other financial institutions
10. Hospitals & medical clinics
11. Places of worship
12. Bus terminals/bus stops
13. Public parks, playgrounds and recreation facilities
14. Planned Unit Development
15. Plant materials nursery
16. Home occupations

17. Mixed commercial and residential uses
18. Retail sales and services
19. Accessory buildings and uses customarily incidental to the above permitted uses

Section 4.09.3 - Uses Subject to Special Use Permit

Special use approval of lands and premises, and the erection and use of buildings and structures in the GC District shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 5 - Site Plan Review, Article 6 - Uses Subject to Special Use Permit**, and the applicable portions of **Article 7 - Supplemental Site Development Standards**. The following are special uses within the GS District provided that such uses occur within an enclosed building with a maximum floor area of 3,000 to 5,000 square feet (i.e., including gross floor area, roofed storage, etc.).

1. Schools licensed or chartered by the State of Michigan
2. Convalescent homes/nursing homes
3. Government and institutional offices
4. Hotels, motels and inns
5. Nursery schools
6. Veterinary clinics
7. Pet shops
8. Kennels
9. Funeral homes and mortuaries
10. Automobile repair
11. Gasoline service stations
12. Car wash facilities
13. Planned Unit Development
14. Open air business, and outdoor display and sales of merchandise incidental to a business
15. Retail sales and services
16. Accessory buildings and uses customarily incidental to the above special uses

Section 4.09.4 - Specific Standards

1. Allowable Building Types
 - a. Commercial buildings as listed, and other structures that are normally considered accessory and based on size limitations below.
 - b. Single-family and two-family dwellings.
 - c. Mixed use commercial buildings, i.e., possessing commercial and residential uses.

- d. A single attached or detached accessory dwelling not exceeding the size of the principal residence is also allowed on lots (i.e., provided the lot owner lives in one of the dwellings on the lot).
- e. Civic buildings including schools, libraries, day care centers, churches, meeting and recreation halls.

2. Dimensional Standards

- a. Lot Depth 100' min.
- b. Lot Width50' min. to 100' max.
- c. Street Front Setback5' min. to 20' max.
- d. Rear Yard Setback.....10' min. from the rear yard lot line. (See footnote f. in **Section 4.10 - Schedule of Regulations**).
- e. Side Yard Setback0' min. commercial to commercial, 5' min commercial to residential or residential to residential
- f. Primary Structure Height 32' max.
- g. Accessory Building Height25' or the height of the primary dwelling whichever is less.
- h. All dumpsters and trash storage areas for use other than single family residential shall be screened from view, by a barrier, solid fence and/or an effective native evergreen vegetative screen that is a minimum of six (6) feet in height.

Section 4.09.5 - Additional Standards

- 1. All buildings shall primarily be oriented toward the front of the lot.
- 2. Maximum lot coverage with impervious surfaces, i.e., area of roof, parking, walkways, etc. shall not exceed seventy (70%) the gross lot area. A minimum of thirty (30%) percent of the lot shall be maintained as open space.
- 3. Drive through windows are not allowed.
- 4. Awnings, overhangs, porches, walls, accessory buildings and structures, etc. shall not encroach into required setbacks.
- 5. Streetscape requirements

- a. Sidewalk requirements and design - developments within the GC District shall design and install sidewalks in compliance with **Section 3.19 - Sidewalks.**
 - b. Walkways and sidewalks, patios, structures, and areas designated for outdoor storage, parking or loading shall not be included in the open area calculation; provided, however, that pervious surface areas such as brick, stone areas and patios may be included in the required open area.
 - c. Pedestrian use of required sidewalks shall not be obstructed or in any way impeded.
6. Landscaping requirements - A minimum of twenty (20%) percent of the lot shall be landscaped and maintained as open area. A landscape plan shall be provided and approved as a part of Site Plan and Special Use Permit Reviews subject to **Section 3.21 - Landscaping.**
7. Parking, site circulation and loading - Parking spaces shall be provided subject to **Section 3.16 - Off Street Parking Standards.**
- a. Parking is required to be off-street subject to **Section 3.16.1.** Parking shall be shared, and site circulation shall work cooperatively with adjacent land uses where appropriate, and as determined by the Planning Commission.
 - b. Parking shall be on-site and within the front and/or side areas of the lot.
 - c. Loading spaces shall be provided on the side and/or rear areas of the lot.
 - d. Bicycle facilities shall be provided and reviewed in accordance with **Section 3.16.1.,11. D.**
8. Vehicle access and design - Access shall comply with **Section 3.17 - Access Controls** as determined by the Planning Commission. Site access, driveways and curb cuts shall be shared with adjacent land uses to the maximum extent possible. Vehicular and pedestrian traffic within the site shall also be safe and convenient and parking layout will not adversely interfere with the flow, visibility of traffic within the site or to and from the adjacent streets and highways. Safe and adequate access for emergency vehicles to and within the development, and adequate space(s) for turning around at street ends shall be provided. Applicants shall obtain and provide copies of any required permits from the Michigan Department of Transportation and/or Leelanau County Road Commission for any new access, declaration lane, curb cut/driveway, etc.

The use shall be designed so that its pedestrian, non-motorized and automobile circulation systems are safely and conveniently integrated with those of abutting properties, public thoroughfares, and any trails or parks intersecting or abutting such development. Drive through windows are not allowed.

9. Signs - Signage in the GC District shall comply with and are subject to **Village Ordinance No. 142 - Signs.**

10. Lighting - All lighting shall be fully-shielded, downward directed and comply with **Section 3.11 - Outdoor Lighting**, and shall be compliant with the U.S. Department of Energy's Exterior Lighting Guide for protection of the dark night sky.¹
11. Stormwater - The use shall not result in any increased stormwater runoff to adjacent properties after development than before, and shall utilize innovative stormwater management techniques and systems such as bio-swales, rain gardens, underground storage, and other technologies that result in on-site groundwater infiltration for stormwater disposal.
12. Phasing - The use shall be designed such that phases of development, if phased, shall be in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, stormwater drainage or erosion control.
13. The use shall be designed to preserve public views and existing important natural, historical, and architectural features of significance within and adjacent to the development.
14. The proposed use shall not adversely impact the environment.
15. All utilities shall be installed underground.
16. The use shall meet the standards of and obtain permits from all other relevant local, state and/or federal governmental agencies as applicable. Copies of all such permits shall be provided to the Village.
17. Nuisance Prevention - The use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other nuisance.
18. Noise - Sounds emanating from a use shall not generate noise that because of its volume or frequency results in the unreasonable interference with the comfortable use and enjoyment of properties adjacent to or in the vicinity of the use. Noise, if generated, shall be effectively managed by methods such as, but not limited to, the use of earthen berms, brick walls, ceramic barriers, and/or other noise abatement technologies in conjunction with fencing and/or landscaping, increased setbacks, days of the week and/or limited hours of operation.
19. Public Safety - The proposed use shall not unreasonably impact public safety, or unduly burden or exceed the ability of public safety services or facilities to handle the anticipated needs of the community.

Section 4.09.6 - Additional Requirement

The following may be required at the discretion of the Planning Commission.

1. Traffic study - Valid and reliable traffic study(-ies) shall be provided by a licensed traffic engineer to determine the impact of on the existing traffic level of service (LOS) and public safety from the proposed land use.

¹ http://cltc.ucdavis.edu/sites/default/files/files/publication/2010_DOE_FEMP_Exterior_Lighting_Guide.pdf

Section 4.10 Schedule of Regulations -

Key: D.U. --Dwelling Unit sq. ft. --square feet ft. --feet

Zoning District	District Name	Min. Lot Area		Max.Ht of Structure	Yard Setbacks					Min. space btwn Bldgs	Min. & Max. S.F. per D.U or Main Bldg.		Maximum Lot Coverage %
		Area (sq. ft)	Width (ft)	Feet (a)	Front (ft)	Min. Side (ft)	Min. Rear (ft)	Min. Alley	Min. Water				
GR	General Residential	12,500	100	32	20 min	10	10	10	20	20	900	---	25% (b)
MR	Mixed Residential	2 ac (c)	150	32	40 min	20	20	20 (d)	20	40	1 BR- 540/ DU 2 BR 700/DU		40% (b)
VR	Village Residential	6,250	50	32	10 min 20 max	5	10	10	----	10	750	---	50%
GC	Gateway Corridor	5,000	50	32	5 min 20 max	0 (e) (f)	10 (f)	10	----	10 (g)	750	2,999 (h)	70%
FS	Front Street	5,000	50	32	5 min 20 max	0 (e) (f)	10 (f)	10	----	10 (g)	750	5,000	90%
LI	Light Industrial	1 acre	100	32	20 min	15 (f)	20	10	----	10	NA	NA	60%
R/C	Recreation/Conservation	3 acres	300	32	10 min	10	20	20	20	20	900	---	10%
PUD	Planned Unit Development	See Article 7			See Article 7								

- a) Maximum height for an accessory building shall be 25 feet or the height of the primary structure, whichever is less.
- b) Existing 50' wide (or less) platted lots shall be permitted a maximum of 50 percent building coverage.
- c) A minimum of 8,700 square feet of lot area is required per dwelling unit.
- d) Minimum setback from an internal drive serving multiple family dwellings, shall be 10 feet.
- e) Minimum 0' side yard setback applies when a commercial use is adjacent to a commercial use, the setback is increased to 5' for a commercial use adjacent to a residential use, or for a residential use adjacent to another residential use.
- f) Except when adjacent to a different zoning district, the greater of the two district side setback standards applies.
- g) The minimum building spacing does not apply for the portion of a building utilizing the zero-setback provision, provided a firewall is provided between buildings located on the property line.
- h) Maximum floor area in the GC District shall be 2,999 sq. ft. for any permitted use and 3,000 – 5,000 sq. ft. for any special use.