

ARTICLE 29.00

DOWNTOWN OVERLAY DISTRICT

Section 29.01 -- STATEMENT OF PURPOSE

The intent of the Downtown Overlay District is to establish commercial and office development standards consistent with the Walled Lake Downtown Urban Design Plan.

Section 29.02 -- OVERLAY ZONING CONCEPT

The Downtown Overlay Zone is a mapped zone that imposes a set of requirements in addition to those of the underlying zoning district. In this case, the underlying zoning districts are the 0-1 (Office), C-1 (Neighborhood Commercial), C-2 (General Commercial), and C-3 (Central Business).

In an area where an overlay zone is established, the property is placed simultaneously in the two zones, and the property may be developed only under the applicable conditions and requirements of both zones. In the event that there are conflicts between the requirements of the two zones, the requirements of the Downtown Overlay District shall govern.

Section 29.03 -- CREATION OF DOWNTOWN OVERLAY DISTRICT BOUNDARIES

The Downtown Overlay District Boundaries shall be as established on the Official Zoning Map, and shall include generally all properties located within the Downtown Development Authority (DDA) District at the time of adoption of this Article 29.00. Downtown Overlay Districts may be established or amended according to the Zoning Ordinance procedures set forth in Section. 24.02.

Section 29.04 -- PERMITTED USES AND STRUCTURES

Within all adopted Downtown Overlay Districts, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for uses permitted in the underlying zoning district.

Section 29.05 -- DEVELOPMENT STANDARDS

Except as otherwise noted, buildings and uses in the Downtown Overlay District shall comply with the following requirements:

- (a) **Building Entrances.** AU buildings shall have at least one public entrance that faces the street.
- (b) **Facade Design.** AU building facades that face a street shall conform with the following design criteria:
 - 1. At least thirty percent (30%) of the facade shall consist of windows.
 - 2. The use of bare metal, aluminum siding, metal panels, plastic, and mirrored glass shall be prohibited.

3. Exterior colors shall be compatible with the colors on adjacent buildings, subject to review by the Planning Commission. Proposed colors shall be specified on the site plan. Gaudy or fluorescent colors are prohibited.
- (c) **Side or Rear Facade Design.** Wherever a side or rear facade is visible from a public street, or if parking is located at the side or rear of a building, the facade shall be designed to create a pleasing appearance, in accordance with the following design criteria:
1. Materials and architectural features similar to those present on the front of the building shall be used on the side or rear facade.
 2. Dumpster and service areas shall be completely screened with landscaping, a fence, a wall, or a combination thereof
 3. Open areas shall be landscaped with lawn, ground cover, ornamental shrubs and trees. On every site involving new development or redevelopment foundation plantings adjacent to the building shall be provided. The species and design shall be identical to or compatible with the landscaping schematic on file with the City Building Official.
 4. Sidewalks and parking areas shall be properly lighted to facilitate the safe movement of pedestrians and vehicles and provide a secure environment. In parking areas, the light intensity shall average a minimum of 1.0 foot candle, measured five (5) feet above the surface. In pedestrian areas, the light intensity shall average a minimum of 2.0 foot candles, measured five (5) feet above the surface.
- (d) **Awnings.** Awnings shall be permitted on buildings as follows:
1. AU awnings must be made from fabric or similar material, rather than metal, plastic, or rigid fiberglass.
 2. AU awnings shall be attached directly to the building, rather than supported by columns or poles.
- (e) **Lighting.** Exterior lighting must be placed and shielded so as to direct the light onto the site and away from adjoining properties. The lighting source shall not be directly visible from adjoining properties. Floodlights, wall pack units, other types of unshielded lights, and lights where the lens is visible outside of the light fixture shall be prohibited, except where historical-style lighting is used that is compatible with historic-style street lamps installed by the City.
- (f) **Parking.** Parking and parking lot design shall comply with the standards below, in addition to the provisions of Section 19.00.
1. No new parking lot shall be created nor any existing parking lot expanded in front of a building unless the Planning Commission determines that parking in front of the building would be acceptable for either of the following reasons:
 - a. Front yard parking is required to maintain the continuity of front building setbacks in the block while making efficient use of the site, or
 - b. Front yard parking is required for the purposes of traffic safety and to minimize driveway curb cuts where the new parking lot is proposed to connect with one or more parking lots on adjoining parcels.
 2. Parking located in front or on the side of a building shall be screened from the road with a three (3) foot high red or brown brick wall or evergreen landscaping.

3. In order to maximize the amount of land area left for landscaping and open space, paving shall be confined to the minimum area necessary to comply with the parking requirements in Article 19.00.
- (g) **Landscaping.** Landscaping shall comply with the provisions of Section 21.35(d)(8), in addition to the standards below:
1. On every site involving new development or redevelopment, street trees shall be provided at 25-foot intervals. The species of street tree and exact locations shall be as specified on the Master Street Tree Plan that is on file with the City Building Official. In the event that a Master Street Tree Plan has not been prepared, then any of the following street trees shall be planted within the road right-of-way at 25 foot intervals: Norway Maple, Red Maple, Green Ash, Bradford Pear, or Little Leaf Linden,
 2. On every site involving new development or redevelopment, a landscape plan shall be submitted for review and approval. The landscape design shall be identical to or compatible with the landscaping schematic on file with the City Budding Official.
- (h) **Setbacks.** Front setbacks within the Downtown Overlay District shall be as specified in Section 17.02, footnote (1).

Section 29.06 -- AREA, HEIGHT, BULK, AND PLACEMENT REQUIREMENTS

Area, height, bulk, and placement requirements, unless otherwise specified, are as provided in Article 17.00, Schedule of Regulations.

Section 29.07 -- SITE PLAN REVIEW

Site plan review and approval is required for all uses in the Downtown Overlay District in accordance with Retail Sales or Services (continued)Section 21.28.