

**ARTICLE VIII
COMMERCIAL C-1 and VILLAGE V**

8.10 USES PERMITTED. COMMERCIAL

All uses permitted within this zoning district shall conform with the entirety of this ordinance except those land uses, which predate the effective date of this ordinance or any portion thereof, or its subsequent amendments. Such uses shall be considered non-conforming. Non-conforming land uses may be continued provided that they continue with no interruption greater than twelve (12) consecutive months, and further provided that no change or expansion of the non-conforming land use is undertaken. Under all other conditions the non-conforming land use(s) shall be brought into full compliance with this ordinance.

ALL USES MAY BE REQUIRED TO BE CONTAINED IN AN APPROVED ENCLOSURE AND MUST FURTHER COMPLY WITH THE SITE PLAN REVIEW PROCEDURES AS DEFINED BY ARTICLE XXV OF THIS ORDINANCE.

SUBJECT TO THE ABOVE, no building or structure or any part thereof shall be erected, altered or used on land or premises used, in whole or in part for other than one or more of the following specified uses, viz:

- A. All uses permitted in Residential District R-2.
- B. Offices.

8.11 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS:

All structures, lots and structure setbacks from property lines shall comply with the regulations established in Article XII of this Ordinance.

8.12 OFF-STREET PARKING AND LOADING.

Off-street parking and loading shall comply with Article XXXIV, Off-Street Parking and Loading, of this Ordinance.

8.13 USES PERMITTED BY SPECIAL USE PERMIT

- A. Garages for servicing and/or storing vehicles.
- B. Vehicle sales facilities.
- C. Fuel service stations.
- D. Hotels and Motels.
- E. Any other use of a retail commercial nature designed primarily to serve the residents of the area and the traveling public, but subject to the approval of the Planning Commission, and including such special requirements as setback, yard area and screening requirements and such other requirements as the Planning Commission may consider necessary to protect adjacent property and prevent conditions which may be objectionable or offensive to public health, safety or welfare.

F. Sexually Oriented Businesses

All uses permitted by Special Use Permit shall be subject to the procedures and regulations of Article XXV Site Plan Review and the design standards of Article XXXII, (specifically sections 32.14 through 32.21).

8.14 VILLAGE V

The purpose of the Village District is to maintain and enhance the traditional character of the village of Williamsburg, while allowing it to develop in a manner that follows the historic pattern of rural villages in the Grand Traverse Region.

- A.** Permitted uses and uses allowed by special use permit shall be same as in the C-1 District, except that the following shall also be permitted:
1. Apartments and offices located above commercial uses in mixed-use buildings
 2. Uses allowed in the R-3 District
 3. Light manufacturing in structures not exceeding 3,000 square feet, by special use permit
- B.** Minimum lot dimensions shall be as follows:
1. With common sewage disposal **or** water supply: minimum of 20,000 square feet lot area, 80 feet lot width
 2. With common sewage disposal **and** water supply: minimum of 8,000 square feet lot area, 50 feet lot width
 3. Without common water supply **or** sewage disposal: 40,000 square feet lot area, 100 feet lot width
 4. Minimum width: maximum depth ratio shall be **1:4**
- C.** Side and rear yard setback shall be the same as in the residential districts, except that they may be modified by the Planning Commission in the course of site plan review.
- D.** There shall be no minimum front yard setbacks. New buildings shall be constructed so that their front facades are in one of the following locations:
1. The same distance from the road as an adjacent principal building (on the same side of the road), provided that the adjacent building is located no more than 100 feet from the building to be constructed; or
 2. The average distance from the road of both adjacent principal buildings (on the same side of the road), provided that they are both located no more than 100 feet from the building to be constructed; or
 3. If no principal buildings are within 100 feet on the same side of the road, the front setback shall be 15 feet front the front lot line or such other distance as the Planning Commission may approve in the course of site plan review, consistent with the design standards in Section 8.15 below.

- E.** The maximum building footprint for commercial uses shall be 3,000 square feet
- F.** No lot or structure in existence on the effective date of this Section 8.14 (October 5,1998) shall be deemed to be a non-conforming lot or structure because of non-compliance with this Section or with any of the requirements in Section 12.11.
- G.** The Planning Commission shall conduct site plan reviews of all development in the V District other than single-family homes. Where appropriate, the Planning Commission may waive submission requirements contained in Article XXV which it deems to be unnecessary to determine compliance of the application with Sections 8.14 and 8.15. In case of any conflict between the provisions of Article XXV and the design standards in Section 8.15, Section 8.15 shall control.

8.15 VILLAGE DISTRICT DESIGN STANDARDS

The purpose of these design standards is to maintain the historic scale of development of Williamsburg, to encourage compatible infill development, to allow it to develop in a manner that follows the historic architecture of rural villages in the Grand Traverse Region, to enhance the architectural fabric of the village, to create a well-defined streetscape with attractive public spaces, to enable a variety of different uses to coexist harmoniously, and to facilitate safe and comfortable pedestrian activity. All new development requiring site plan approval shall comply with the following design standards. Minor alterations to existing structures (i.e. those alterations whose cost does not exceed 15% of the value of the structure being altered) shall comply with these standards only to the extent practical, i.e. full compliance shall not be required if it would impose unnecessary economic hardship or discourage property owners from improving their properties.

A. Building Placement

1. Buildings shall have a well-defined front façade with entrances facing the street. They shall be aligned so that the dominant lines of their facades parallel the line of the street and create a sense of enclosure. Departures from this regular pattern may be permitted to terminate important vistas along streets or sidewalks or to act as focal points for public spaces.
2. The relationships between buildings and the street shall be parallel or perpendicular rather than oblique or diagonal. Front facades shall be parallel to the street with major roof ridges either parallel or perpendicular to the street. On narrower lots (60 feet or less), the roof ridge should generally be perpendicular to the street.
3. New buildings and additions to existing buildings shall maintain and continue the “street wall” created by adjacent buildings.

B. Architecture

1. Existing structures with historic or architectural significance shall be retained to the extent practical. Alterations to such structures shall be compatible with the architecture of the existing structure.
2. Buildings or parts of buildings facing onto public spaces and streets, including canopies for accessory facilities, shall have peaked roofs with a slope of a least 8:12, except that hip roofs with a slop of at least 4:12 and flat roofs that are hidden by a raised cornice shall also be permitted.

3. Windows shall be vertically proportioned and balanced on facades, with width to height ratios ranging from 1:2 to 3:5. Horizontal windows may be used just below roof eaves (“eyebrow” windows) and as first-floor display windows.
4. Trademarked architecture, which identifies a specific company by building design features, shall be prohibited, unless the applicant can demonstrate that the design is compatible with the historic architecture of Williamsburg.
5. Large buildings (footprint larger than 2,000 square feet) shall be broken up into smaller volumes through additive massing and use of building proportions found in the region’s traditional architecture.
6. Buildings that front directly on old M-72 shall be similar in size, massing and proportion to those in Rural Villages in the Grand Traverse Region.
7. Buildings shall have windows and doors at street level to encourage pedestrian traffic and commercial activity. For buildings with street frontage exceeding 80 feet, front entries shall occur at least every 25 to 40 feet.
8. No buildings shall have more than 15 horizontal feet of wall facing the street without a window or door opening.
9. Building materials for exterior walls of new structures shall be wood, brick, stone or other materials traditionally used in Whitewater Township.

C. Lighting

Lighting within parking lots shall be on low poles of 12 feet to 15 feet maximum height, with color-corrected lamps and cut-off luminaires designed to minimize glare and light pollution. Design of poles and luminaires shall be compatible with the style of the architecture and adjoining streetscape treatment. Sidewalks leading from parking lots shall be lit with bollard lighting and indirect illumination of buildings and vegetation.

D. Landscaping

Minimum three-inch caliper shade trees shall be provided along all streets and pedestrian ways at intervals averaging twenty feet on each side. Existing trees, lawns and shrubs shall be preserved to the extent practical. Landscaping shall not be required as buffer between uses unless the uses are determined by the Planning Commission to be incompatible.

E. Access and Connections

1. Curb cuts shall be minimized through the use of shared driveways and side streets. Interior streets, driveways or alleys shall connect parcels with one another.
2. For any new development-involving commercial, light manufacturing and/or residential shall provide sidewalks along any new or existing street frontages.
3. Curb cuts and other interruptions of the pedestrian sidewalk or shoulder shall be no more than 16 feet wide for commercial uses and 12 feet wide for residential uses.

4. Where applicable, the continuity, of the sidewalk surface material shall be maintained across driveway entrances.

F. Parking and Loading

1. The Planning Commission shall reduce the off-street parking and loading requirements of Article XXXIV if the applicant can demonstrate that full compliance is unnecessary because of characteristics of the proposed use, the availability of shared or public parking, or other circumstances.
2. On-street parking and shared parking shall be encouraged where feasible.
3. Parking lots shall be located to the rear of buildings, and shall be laid out to minimize visibility from existing streets. Parking in front of buildings shall be limited to on-street parking.
4. Rear parking lots shall be connected to adjoining parking lots and side streets or alleys, if any, and shall have clearly delineated pedestrian paths leading to the sidewalks along the street.

G. Fences and Hedges

Fences and hedges within 25 feet of the street edge and in front façade shall not exceed 3 ½ feet in height. Design of fences shall be in keeping with the historic character of the village. Chain link and stockade fences visible from the street shall be prohibited.