

ARTICLE 25.00B

MU, MIXED USE OVERLAY DISTRICT

Section 25.01B – STATEMENT OF PURPOSE

The Mixed Use Overlay District is intended to promote the development of a pedestrian oriented, mixed-use district in which a variety of complementary retail, commercial, office, civic, and residential uses are permitted.

The Mixed Use Overlay District is further intended to:

- A. Encourage innovative, neotraditional mixed-use development.
- B. Reduce sprawl and segregation of land use and encourage more efficient use of land and public services by promoting a compact settlement pattern and mixed use.
- C. Discourage the development of businesses that contribute to traffic congestion and/or disrupt the pedestrian environment, such as drive-in and drive-through businesses, automobile service stations, and new and used vehicles sales or service establishments.
- D. Encourage shared parking facilities, rather than separate off-street parking facilities for each individual use, and.
- E. Promote the creation of urban places which are oriented to pedestrians, thereby promoting citizen security and social interaction.
- F. Reinforce physical, visual, and spatial features through the consistent use of urban design standards. Such design standards shall harmoniously relate the design features of structures and developments to each other, resulting in a coherent overall pattern of development.
- G. Discourage businesses that create objectionable noise, odors, or glare.

Section 25.02B – APPLICABILITY OF OVERLAY ZONING CONCEPT

The Mixed Use Overlay District is a mapped zoning district that imposes a set of requirements in addition to those of the underlying zoning district. In this case, the underlying zoning districts initially are R-1, One Family Residential, B-2, Commercial Center, RM-1, Multiple Family Residential, and I-1, Light Industrial.

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. It is intended that existing uses maintain conformity with underlying zoning standards. Any expansion or renovation of existing uses must comply with underlying zoning standards. Any redevelopment or new development shall conform to the Mixed Use Overlay District standards. In the event there is a conflict between the requirements of the two zones, the requirements of the Mixed Use Overlay District shall govern.

Section 25.03B – CREATION OF MIXED USE OVERLAY DISTRICT BOUNDARIES

The Mixed Use Overlay District boundaries shall be as established on the Official Zoning Map. Mixed Use Overlay Districts may be established or amended according to the Zoning Ordinance procedures set forth in Section 27.06.

Section 25.04B – PERMITTED USES AND STRUCTURES

A. Principal Uses and Structures

In all areas zoned Mixed Use Overlay District, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:

1. Multiple-family housing, which may be in the form of townhouses, apartments, brownstone apartments, or similar configuration. Business and office uses may occupy a building used for residential purposes, provided that:
 - a. No business or office use shall be located on the same floor that is used for residential purposes.
 - b. No floor may be used in whole or in part for business or office use on a floor located above a floor used for residential purposes.
 - c. Where there are non-residential and residential uses in a building, the residential uses shall be provided with separate, private entrances.
 - d. Minimum open space: thirty percent (30%) of net parcel area, at least fifty percent (50%) of which shall be usable recreation area.
2. Bed and breakfast establishments, containing ten (10) or fewer units.
3. Trade schools and colleges.
4. Business establishments that perform services on the premises, such as, but not limited to: banks and other financial institutions (not including drive-through), insurance offices, real estate offices, and travel agencies.
5. Churches and other places of worship.
6. Clubs, fraternal organizations, and lodge halls.

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7. Dry cleaning establishments (not to exceed 4,000 sq.ft.), dealing directly with the consumer, but not including drive-through facilities. Dry cleaning plants serving more than the establishment on site shall be prohibited.
8. Financial institutions
9. Funeral and interment services
10. Generally recognized retail businesses that supply commodities on the premises and occupy 10,000 sq.ft. or less of net floor area, such as, but not limited to: stores selling groceries, meats, fruits and produce, dairy products, baked goods, and other specialty food products, drugs, dry goods, flowers, clothing, notions, furniture, and hardware.
11. Hotels
12. Medical laboratories
13. Medical offices, occupying 10,000 sq.ft. or less of net floor area.
14. Housing for the elderly, including assisted living facilities
15. Indoor commercial recreational facilities, such as health clubs, hardball and racquetball facilities, pool and billiard establishments, tennis, archery and similar facilities.
16. Newspaper offices.
17. Offices of an executive, administrative, or professional nature, occupying 10,000 sq.ft. or less of net floor area.
18. Outdoor theater, plazas, parks, and public gathering places.
19. Personal service shops, occupying 4,000 sq.ft. or less of net floor area, including, but not limited to: repair shops (such as watch, radio, television, shoe repair, and home appliance), tailor and dressmaking shops, beauty and barber shops, and photographic studios.
20. Public and quasi-public uses such as municipal offices, court houses, public off-street parking, libraries, museums, and public safety facilities.
21. Research and development businesses, occupying 20,000 sq.ft. or less of net floor area.
22. Retail sales in which both a workshop and retail outlet or showroom are required, such as, but not limited to establishments for plumbers, electricians, interior decorators, upholsterers, printers, and photographers, subject to the following provisions:
 - a. Not more than eighty percent (80%) of the total useable floor area shall be used for service, repair or processing functions, and
 - b. Retail or showroom functions shall be located in the portion of the building where the customer entrance is located.
23. Residential care facilities
24. Standard restaurants (except drive-ins and drive-throughs), taverns and bars, where the patrons are served while seated within the building occupied by the establishment.
25. Take-out food and beverage sales when accessory to a full-service restaurant, provided that the area occupied by the take-out service shall not exceed twenty five percent (25%) of the net floor area of the principal use.

26. Theaters, assembly halls, community centers, or similar places of assembly.
27. Essential services, subject to the provisions in Section 2.16.
28. Uses and structures accessory to the above, subject to the provisions in Section 2.03.

B. Special Uses

The following uses may be permitted by the Township Board, subject to the conditions specified for each use; review and approval of the site plan by the Planning Commission and Township Board; any special conditions imposed by the Planning Commission or Township Board that are necessary to fulfill the purposes of this Ordinance; and, the procedures and requirements in Section 27.03.

1. New single family detached dwelling units. (Special use approval shall not be required for expansion or renovation of a single family dwelling in existence at the time of adoption of this Article, provided that such expansion or renovation is in compliance with the adopted Building Code.)
2. Outdoor cafes, outdoor eating areas
3. Veterinary office or clinics providing medical, surgical, and grooming services for small animals, but not including boarding of animals.
4. Wireless communication facilities on monopoles, subject to the requirements in Section 8.02, sub-section X.

C. Uses Not Permitted

1. All types of drive-through or drive-in facilities shall be not be permitted in the MU, Mixed Use Overlay District.
2. Uses having outside storage shall be prohibited.

Section 25.05B – DEVELOPMENT STANDARDS

Buildings and uses in the Mixed Use Overlay District, except for single family detached dwellings, shall comply with the following requirements.

A. Building Entrances

The main entrance of the structure shall be oriented toward the street on which the structure fronts. If the site is on a corner, it may have its main entrance oriented to either street. In no case shall the main public entrance open directly onto a parking lot. No overhead doors are permitted facing a street.

B. Façade Design

All building facades that face a street shall conform with the following design criteria:

1. Windows. All building facades visible from the street shall have windows with transparent, non-reflective glass, with the following requirements:
 - a. First floor: minimum 30% of facade, 70% maximum.
 - b. Second floor and above: minimum 20% of facade, 60% maximum.
 - c. Butt-joint glazing is prohibited.
 - d. Windows on the first floor shall be a minimum of two (2) feet above the finished floor level.

2. Exterior Building Materials. Traditional building materials, such as masonry, stone, brick, or wood, shall be used as the predominant exterior building materials for all new construction, renovations, and additions. Plain concrete block, plain concrete, corrugated metal, plywood, and vinyl siding and sheet pressboard may only be used as secondary exterior finish materials, provided they cover no more than ten percent (10%) of the surface area. Foundation material may be plain concrete or plain concrete block when the foundation material does not extend more than three (3) feet above grade. Cement-based finishes, cement plaster, and Exterior Insulation Finish System (E.I.F.S.) are permitted only if used a minimum of ten (10) feet above grade, where they will be less susceptible to damage. The selection of exterior building materials shall contribute to the traditional design and character of the building.

3. Architectural Guidelines. Traditional architecture is favored in the Mixed Use Overlay District, rather than radical design themes, structures and roof forms, which would draw unnecessary attention to the buildings. Building facades that incorporate canopies or walls with mock gables must provide a roof component to provide depth and give a more authentic appearance.

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 a landscape hedge, a fence, a wall, or a combination thereof.

3. Open areas shall be landscaped with lawn, ground cover, ornamental shrubs, and trees, provided that sufficient light penetrates into the space.

D. Awnings

Awnings shall be permitted on buildings as follows:

1. All awnings must be made from canvass fabric or similar water-proof material, rather than metal, aluminum, plastic, or rigid fiberglass. However, awnings that are a permanent part of the building architecture may be constructed of metal, wood, or other traditional building materials where they will add diversity and interest to the facade, and only if the design and materials are consistent with the overall design of the building.
2. All awnings shall be attached directly to the building, rather than supported by columns or poles.

E. Lighting

Exterior lighting shall comply with the requirements in Section 2.12. 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. Traditional-style lighting fixtures may be used if such fixtures are similar in appearance to existing traditional-style fixtures in downtown Williamston.

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. The maximum average light intensity shall be ten (10) footcandles.

F. Parking

Parking and parking lot design shall comply with the following standards, in addition to the provisions of Article 4.00.

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 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.

Unless the Planning Commission determines that parking in front is permissible, new or expanded parking lots on the interior of the lots shall be located to the rear or side of the buildings, accessed by means of common driveways, preferably from side streets or lanes. Parking lots shall be small in scale where possible, and connected with parking lots on adjacent properties. Cross-access easements for adjacent lots with connected parking lots shall be required. Common, shared parking facilities are encouraged. Required parking may be accommodated off-site in common, shared parking facilities.

2. 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 of Article 4.00.
3. The parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, where necessary and appropriate, shall be distinguished by textured paving and shall be integrated into the pedestrian network system. Pavement textures shall be required on pedestrian access ways, and are strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents.
4. Surface parking lots shall be screened from the street with a three (3) foot high red or brown brick wall, with a continuous row of deciduous trees along the street, or a wrought iron fence with a hedge between the fence and the street.

G. Front Building Setback and Landscaping

The minimum front setback shall be five (5) feet and the maximum front setback shall be fifteen (15) feet. Structures shall be provided with landscaping along their foundations. The landscaped area must be at least three (3) feet in depth and must be planted with at least one shrub per three (3) lineal feet of foundation. For each one hundred (100) square feet of hard-surfaced area between the building and the street lot line as least one of the following amenities must be provided: a bench or other seating, a tree, or a landscape planter.

H. Service Access

A service alley or designated loading space shall be reserved at the rear of the building.

I. Signs

One (1) wall sign shall be permitted per face of a building or storefront, plus each business shall be permitted one (1) pedestrian-oriented blade sign (maximum of three (3) square feet in area) that projects over the sidewalk. One (1) wall or

projecting sign is permitted, provided it does not exceed one and one-half (1½) square feet per lineal foot of building frontage, with a maximum of forty-eight (48) square feet. Roof signs, plastic panel signs, box signs, pole signs, portable signs, fluorescent-colored signs, and billboards are not permitted. Outline tubing signs (neon signs) shall be permitted as window signs only.

J. Sidewalks and Sidewalk Displays

1. An eight (8) foot wide concrete sidewalk shall be required along the front of every parcel for all development that requires site plan review. The sidewalk shall be located in the road right-of-way, abutting the right-of-way line.
2. Sidewalk displays shall be permitted directly in front of an establishment, provided at least five (5) feet of clearance is maintained along pedestrian circulation routes.
 - a. Display cases shall be located against the building wall and shall not be more than two (2) feet deep. The display area shall not exceed fifty (50%) percent of the length of the store front.
 - b. Display cases shall be permitted only during normal business hours, and shall be removed at the end of the business day. Cardboard boxes shall not be used for sidewalk displays.
 - c. Sidewalk displays shall maintain a clean, litter-free and well-kept appearance at all times and shall be compatible with the colors and character of the storefront from which the business operates.

K. Courtyards and Plazas

Exterior public and semi-public spaces, such as courtyards or plazas, shall be designed for function, to enhance surrounding buildings and provide amenities for users, in the form of textured paving, landscaping, lighting, street trees, benches, trash receptacles and other items of street furniture, as appropriate. Courtyards shall have recognizable edges defined on at least three sides by buildings, walls, elements of landscaping, and elements of street furniture, in order to create a strong sense of enclosure.

L. Mechanical Equipment

All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, by using walls, fences, roof elements, penthouse-type screening devices or landscaping.

Fire escapes shall not be permitted on a building's front facade. In buildings requiring a second means of egress pursuant to the local building codes, internal stairs or other routes of egress shall be used.

M. Security Gates

Solid metal security gates or solid roll-down metal windows shall be prohibited. Link or grill type security devices shall be permitted only if installed from inside, within the window or door frames; or, if installed on the outside, if the coil box is recessed and concealed behind the building wall. Security grills shall be recessed and concealed during normal business hours. Models that provide a sense of transparency, in light colors, are encouraged. Other types of security devices fastened to the exterior walls are prohibited.

Section 25.06B - AREA, HEIGHT, BULK, AND PLACEMENT REQUIREMENTS

Buildings and uses in the Mixed Use Overlay District are subject to the area, height, bulk, and placement requirements in Article 26.00, Schedule of Regulations.

The following chart summarizes the regulations in Article 26.00, but the user is cautioned to refer to Article 26.00 for more detailed information and explanatory notes.

Minimum Lot Area	None specified
Minimum Lot Width	None specified
Maximum Height	3 stories, 40 feet
Setbacks	
Front	Minimum: five (5) feet/ Maximum: fifteen (15) feet
Side	See footnote (a)
Rear	20 ft. - See footnote (b)

- (a) The side yard setback shall be zero (0) except under the following circumstances:
 - (i) Where a larger setback is required by the Building Code.
 - (ii) On interior side yards, the minimum side setback shall be fifteen (15) feet if structures facing the interior side lot line contain windows or other openings. (An interior side yard abuts the side or rear lot line of another parcel. An exterior side yard abuts a street or alley.)

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- (iii) A landscape buffer having a minimum width of ten (10) feet shall be provided adjacent to a residential district, and no structures, off-street parking, or loading shall be located within the buffer. The landscaping within the buffer shall comply with the standards for screening in Section 5.02, sub-section E.

- (b) A landscape buffer having a minimum width of ten (10) feet shall be provided adjacent to a residential district, and no structures, off-street parking, or loading shall be located within the buffer. The landscaping within the buffer shall comply with the standards for screening in Section 5.02, sub-section E.

Section 25.07B - SITE PLAN REVIEW

Site plan review and approval is required for all uses in accordance with Section 27.02.