

**Request For Proposals To Purchase
Real Property**

0.127 +/- Acres

11,836 +/- Square Foot Building (Part of a Main Street Building)

10 North Washington

Village of Oxford, Michigan

Oxford Community Schools

GREAT NORTHERN CONSULTING GROUP
REAL ESTATE SERVICES AND CONSULTING

8005 Main Street , Suite 20
Dexter, MI 48130

Mobile (586) 703-9882
greatcgroup@aol.com

Table of Contents

- I. Introduction/Proposal Process Description**
- II. Fact Sheet**
- III. Location/Site Maps**
- IV. Zoning**
- V. Plat/Floor Plans/Building Pictures**
- VI. Legal Documents**

The information contained in this Request For Proposals To Purchase Real Property is provided as an accommodation to the prospective purchasers. It is believed to be correct, but no representations or warranties as to its accuracy should be inferred or are made. Each party responding to this Request For Proposals should independently confirm the accuracy of the information contained herein.

I. Introduction – Proposal Process Description

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GREAT NORTHERN CONSULTING GROUP
REAL ESTATE SERVICES AND CONSULTING

8005 Main Street, Suite 20
Dexter, MI 48130

July 15, 2025

To: Prospective Purchasers
From: Great Northern Consulting Group

Re: **Request For Proposals To Purchase 11,836 +/- Square Foot Building on 0.127 +/- Acre Site located on the East side of North Washington Street, North of Burdick Street, Village of Oxford Michigan.**

Thank you for your interest in submitting a Proposal to purchase the above-referenced real property owned by Oxford Community Schools (the “School District”). The building and 0.127 +/- acre site are located at 10 North Washington Street, Oxford, Michigan 48170 (collectively the “Property” or “Site”).

The Site has 40 feet of frontage on North Washington Street and is approximately 135 feet deep (see **Section V** for further details). **The Building is physically part of a larger Main Street Building and has common shared public parking behind the building and in front of the building on North Washington Street.** The three story subject Building is 11,836 +/- Square Feet with 4,023 +/- square feet on the first two floors and 3,790 +/- square feet in the basement level. All three levels are serviced by an elevator and two stairways.

The Building was constructed in 1912 and has been renovated and continually updated by the School District after purchasing the building in 2010.

The building does not have emergency ingress/egress to the basement area, so the Village Manager suggests that potential buyers discuss proposed uses of the basement area with the Village’s Building Department. Further the building is not fire suppressed and any major renovations or change in use from the current office use will most likely require fire suppression.

The common area behind the building is used for many community events so purchasers should be aware of this activity as well as DDA decorating of buildings for events.

The Property was used by the School District as its Administrative Offices and where it held its School Board meetings. The Property is currently Zoned Central Business District and allows for a wide range of uses including retail, office, daycare, schools, churches and residential. For further details on uses allowed please see the zoning section of the RFP (See **Section IV** for details).

Great Northern Consulting Group is marketing this Property for Oxford Community Schools on a fee basis as consultants. The School District's goal is to select one (1) developer to purchase the entire Property. The School District is seeking Proposals to purchase the Property that must be submitted to John Fitzgerald, Assistant Superintendent of Business and Operations, Oxford Community Schools, 775 Drahn Road, Oxford, Michigan 48371. No phone, fax or electronic transmission Proposals will be accepted. **PLEASE NOTE THERE IS NO SPECIFIC DEADLINE FOR RESPONDING TO THIS RFP. THE SCHOOL DISTRICT INTENDS REVIEW AND RESPOND TO PROPOSALS AS THEY ARE RECEIVED. IF MAILED, NO RESPONSIBILITY IS ASSUMED FOR POSTAL DELAYS. NOTWITHSTANDING THE FOREGOING, THE SCHOOL DISTRICT RESERVES THE RIGHT TO ACCEPT OR REJECT ANY AND ALL PROPOSALS IN WHOLE OR IN PART, AT ANY TIME. THE SCHOOL DISTRICT ALSO RESERVES THE RIGHT TO WAIVE ANY IRREGULARITIES CONTAINED IN ANY PROPOSAL OR REQUIREMENTS OF THIS REQUEST FOR PROPOSALS.**

The attached package includes the following information: (I) Introduction – Proposal Process Description, (II) Fact Sheet, (III) Location/Site Maps, (IV) Zoning (V) Plat/Floor Plans/Building Pictures and (VI) Legal Documents.

The School District requires that all Proposals include a signed Proposal Form as set forth in **Section VI** of this RFP, along with a detailed description of the proposed use of the Property, Please note that the Legal Documents represent the form of agreement acceptable to the School District. The Proposal Form must be completed prior to submittal to Oxford Community Schools. Proposals that include modified terms more favorable to the purchaser (and, hence, less favorable to the School District) may be rejected on that basis. Of course, modifications that are favorable to the School District would be preferred and may enhance a potential purchaser's position in the selection process. **An earnest money deposit of \$25,000 will be required within three (3) business days of acceptance of the Offer by the School District.**

While the School District reserves the right to accept or reject any and all Proposals, in whole or in part, at any time, a number of finalists may be selected and asked to provide additional information, including financial qualifications and more detailed plans for the use of the Property. The additional information will facilitate the final selection of the successful purchaser(s). Further, the additional information will allow the School District to select a purchaser financially able to perform on the contract and proceed with a development perceived to be positive for the School District as well as the community at large. It is important to note

that the highest price may not necessarily represent the Proposal that the School District determines in its sole discretion to be, in its totality, in the best interest of the School District.

The School District may request the finalists to make revisions to their Proposals that the School District deems necessary to select a successful purchaser(s). This is a Request For Proposals only. Proposals will be treated as offers to enter into the Offer To Purchase Real Estate included in **Section VI** of this RFP. Once a Proposal is accepted by the School District it shall be known hereinafter as the "Offer."

Upon final acceptance of an Offer, there will be a 90-day period allocated for physical due diligence ("Inspection Period"). Many standard contingencies are included so that the purchaser may satisfy itself as to the Site's suitability for development during the 90- day Inspection Period. Closing is anticipated to occur within 10 days after the expiration of the Inspection Period.

Please note that we are making no representations regarding the suitability of this Property for any particular purpose. It is the purchaser's sole responsibility to determine suitability during the Inspection Period. Within the constraints of this limitation, please address all questions regarding this Property to Great Northern Consulting Group.

Great Northern Consulting Group is representing the School District as a fee based consultant in this matter. As a result, there is no real estate commission to be paid. Brokers must look to their purchaser for compensation. Please note again that all Proposals, including a signed Proposal Form on the form provided and an Affidavit of Compliance - Iran Economic Sanctions Act, must be submitted to John Fitzgerald, Assistant Superintendent Business and Operations, Oxford Community Schools, 775 Drahner Road, Oxford, Michigan 48371. No phone, fax or electronic transmission Proposals will be accepted. If mailed, no responsibility is assumed for postal delays. If mailed, no responsibility is assumed for postal delays.

Proposed changes/modifications to the form of Offer To Purchase provided in this package under Section VI MUST be specifically enumerated and be submitted as part of its Proposal, together with an explanation as to the reason such terms and conditions of the RFP or form of Offer To Purchase cannot be met. No phone, fax or electronic transmission Proposals will be accepted. If mailed, no responsibility is assumed for postal delays.

Thank you again for your interest in this Property. We look forward to receiving your Proposal.

Respectfully,
Great Northern Consulting Group

II. Fact Sheet

The information contained in this Request For Proposals To Purchase Real Property is provided as an accommodation to the prospective purchasers. It is believed to be correct, but no representations or warranties as to its accuracy should be inferred or are made. Each party responding to this Request For Proposals should independently confirm the accuracy of the information contained her

Oxford Community Schools

RFP Fact Sheet

PROPERTY: 04-22-460-043

LOCATION: EAST SIDE OF NORTH WASHINGTON STREET JUST NORTH OF BURDICK STREET.

MUNICIPALITY: VILLAGE OF OXFORD, OAKLAND COUNTY, MICHIGAN

SIZE: 0.127 +/- ACRES AND 11,836 +/- SQUARE FOOT BUILDING

UTILITIES: ALL UTILITIES ARE AVAILABLE.

ZONING: C-1 CENTRAL BUSINESS DISTRICT

PRICE: NO PRICE HAS BEEN SET

TERMS: CASH NO SELLER FINANCING AVAILABLE

RIGHTS OF OWNER: **OXFORD COMMUNITY SCHOOLS RESERVES THE RIGHT TO ACCEPT OR REJECT ANY AND ALL PROPOSALS, IN WHOLE OR IN PART, AT ANY TIME. THE SCHOOL DISTRICT ALSO RESERVES THE RIGHT TO WAIVE ANY IRREGULARITIES CONTAINED IN ANY PROPOSAL OR REQUIREMENTS OF THIS REQUEST FOR PROPOSALS.**

ALL PROPOSALS, INCLUDING A SIGNED PROPOSAL FORM ON THE FORM PROVIDED, AND AN AFFIDAVIT OF COMPLIANCE-IRAN ECONOMIC SANCTIONS ACT, MUST BE SUBMITTED TO JOHN FITZGERALD, ASSISTANT SUPERINTENDENT BUSINESS AND OPERATIONS, OXFORD COMMUNITY SCHOOLS, 775 DRAHNER ROAD, OXFORD, MI 48371. NO PHONE, FAX OR ELECTRONIC TRANSMISSION OFFERS WILL BE ACCEPTED. IF MAILED, NO RESPONSIBILITY IS ASSUMED FOR POSTAL DELAYS.

COMMISSION: NO REAL ESTATE COMMISSION TO BE PAID BY OXFORD COMMUNITY SCHOOLS. GREAT NORTHERN IS A FEE-BASED ADVISOR TO THE SCHOOL BOARD. BROKERS MUST LOOK TO PURCHASER FOR COMPENSATION

III.Location/Site maps

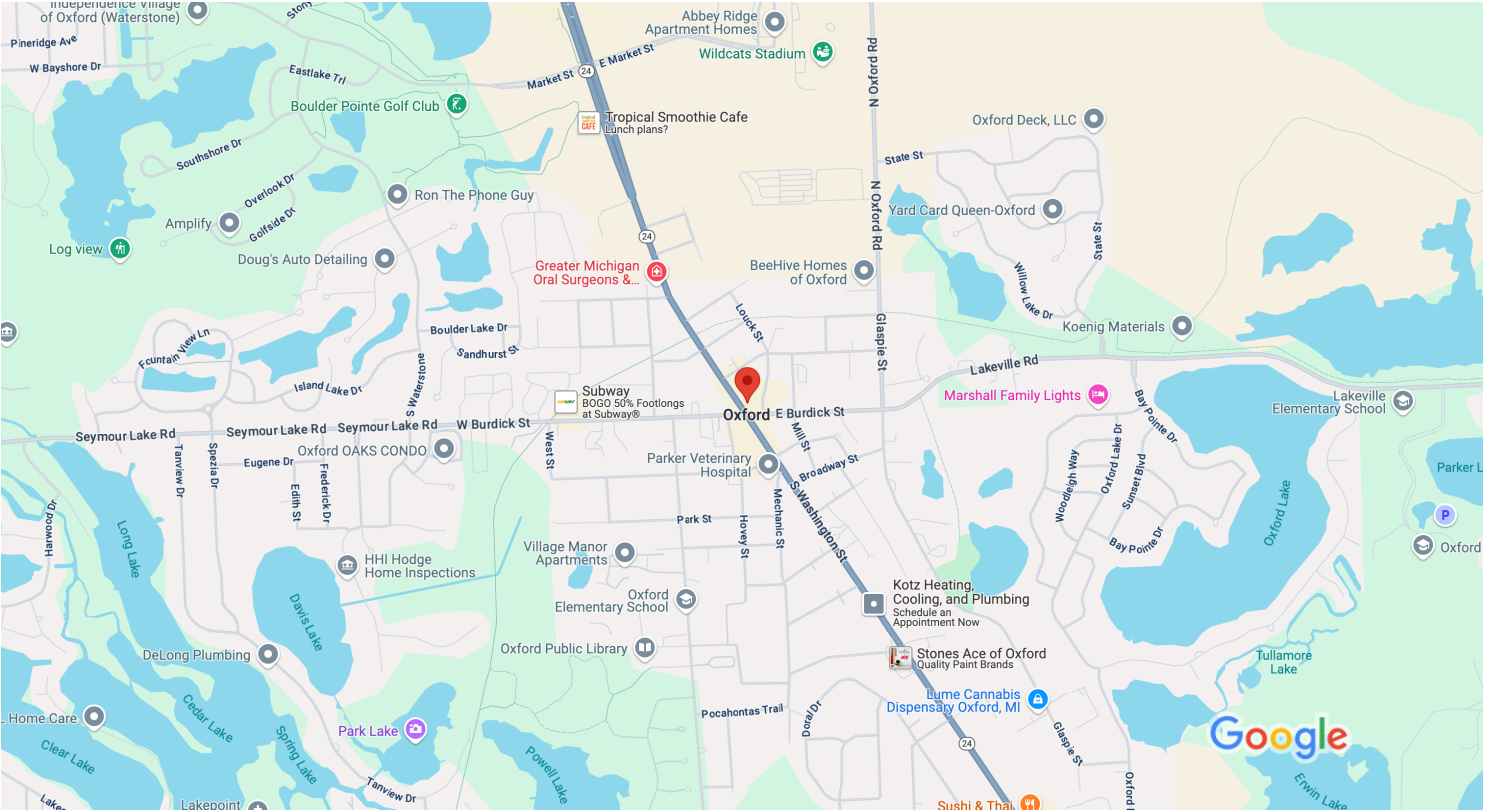
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III.Location/Site maps

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Google Maps

10 N Washington St



Map data ©2025 Google 1000 ft



10 N Washington St

Building



Directions



Save



Nearby



Send to
phone



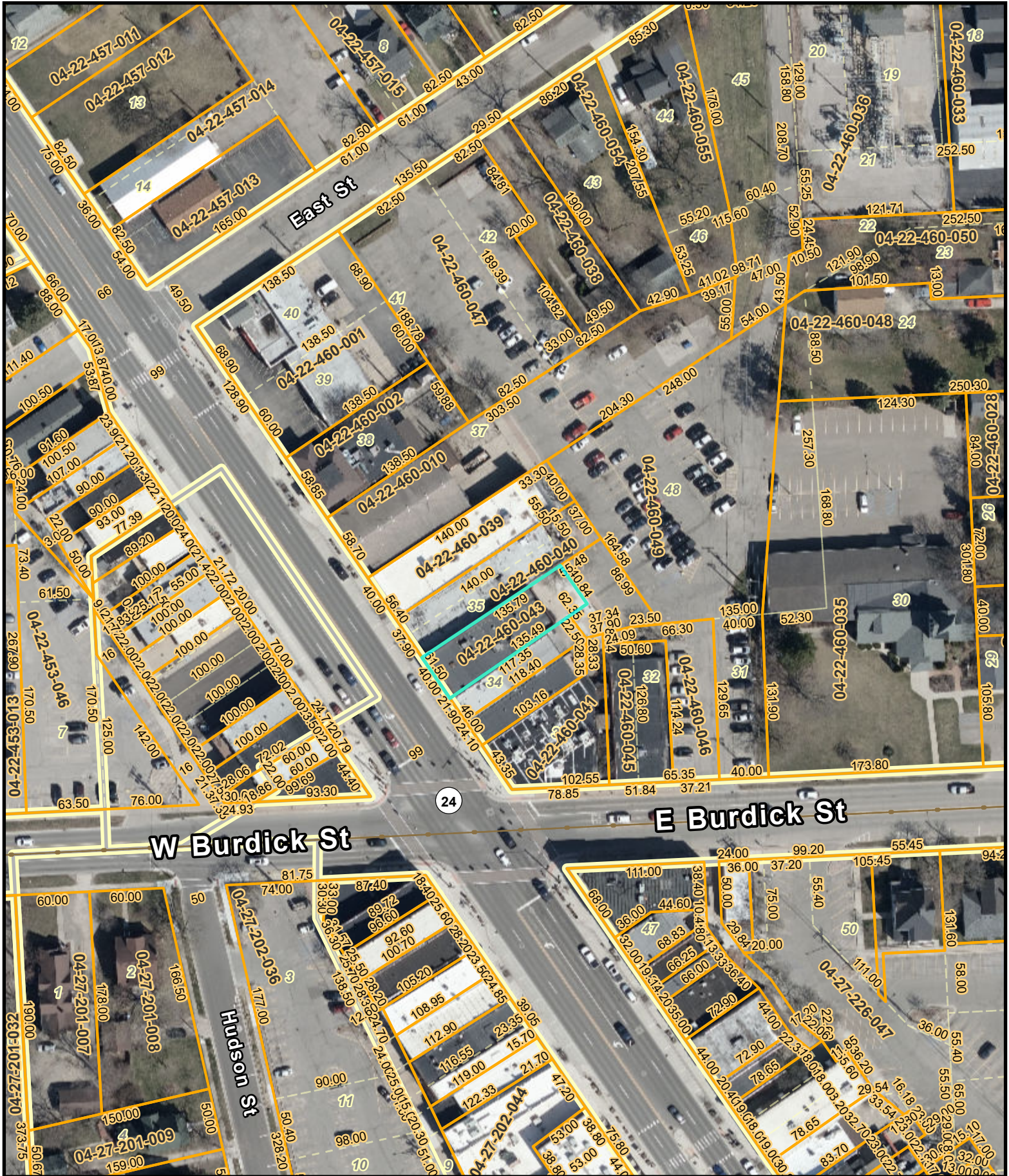
Share

 10 N Washington St, Oxford, MI 48371

Photos



10 n washington air



IV.Zoning

The information contained in this Request For Proposals To Purchase Real Property is provided as an accommodation to the prospective purchasers. It is believed to be correct, but no representations or warranties as to its accuracy should be inferred or are made. Each party responding to this Request For Proposals should independently confirm the accuracy of the information contained herein.

Zoning Map

Village of Oxford, Michigan

Zoning Districts

- R-1

Single Family District
- RM

Multiple Family District
- C-1

Central Business District-Core
- C-1

Central Business District-Transition
- C-2

General Business District
- I-1

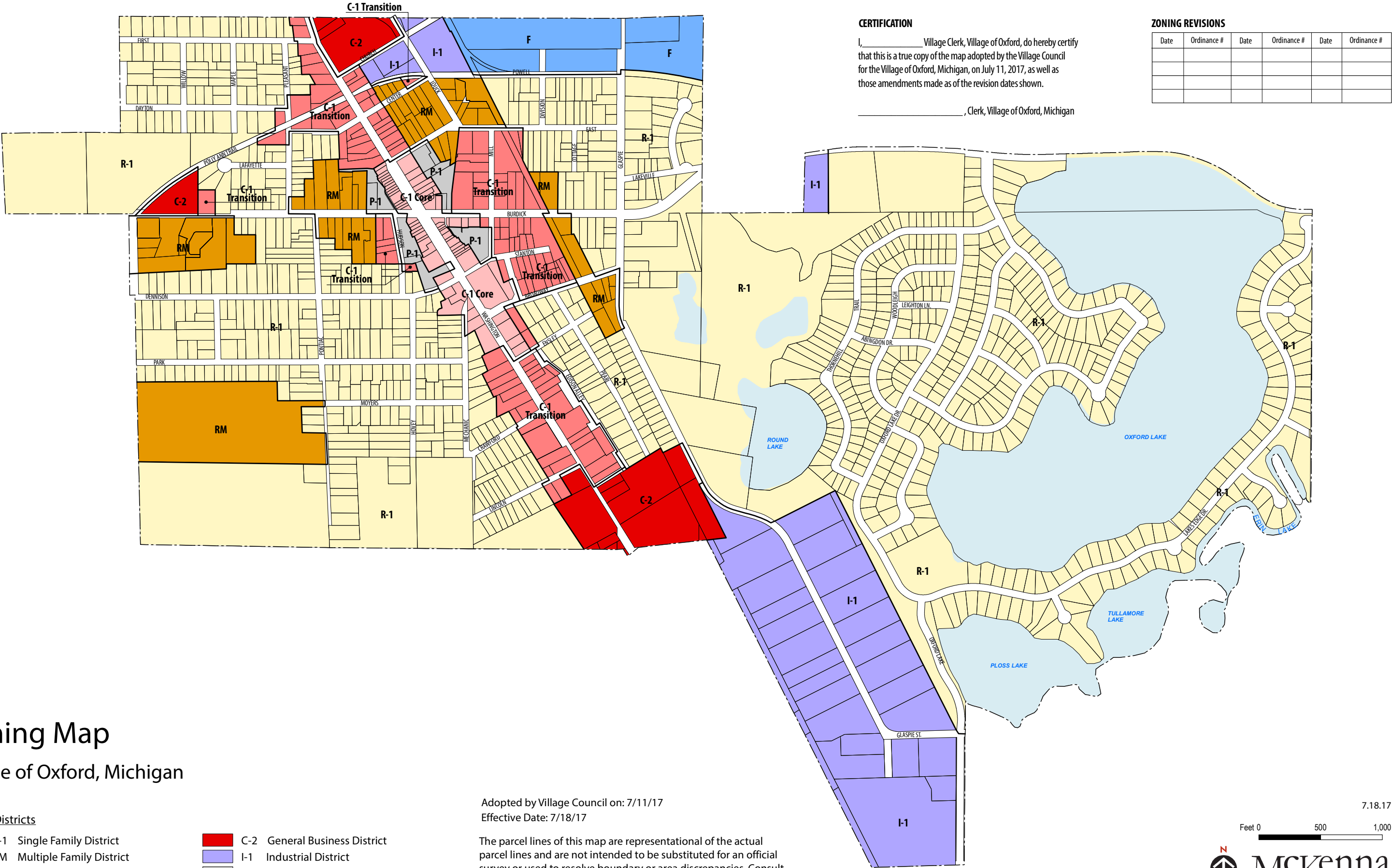
Industrial District
- P-1

Vehicular Parking District
- F

Flex

Adopted by Village Council on: 7/11/17
Effective Date: 7/18/17

The parcel lines of this map are representational of the actual parcel lines and are not intended to be substituted for an official survey or used to resolve boundary or area discrepancies. Consult official Village of Oxford records for precise distances, boundaries and areas of parcels.



Village of Oxford Zoning Ordinance

Village of Oxford, Michigan



Village of Oxford Zoning Ordinance

Village of Oxford, Michigan

ORDINANCE NUMBER: 324

ADOPTED: August 25, 2009

AMENDED: October 16, 2013

AMENDED: May 20, 2016

AMENDED: July 11, 2017

AMENDED: November 14, 2017

Prepared by:



MCKENNA

Table of Contents

ARTICLE 1: PURPOSE, VALIDITY, AND SCOPE	1
SECTION 1.1 • Preamble.....	1
SECTION 1.2 • Enacting Clause.....	1
SECTION 1.3 • Short Title	1
SECTION 1.4 • Validity and Severability	1
SECTION 1.5 • Adoption and Effective Date	1
SECTION 1.6 • Conflicting Provisions	1
SECTION 1.7 • Vested Right.....	2
SECTION 1.8 • Interpretation and Conflict	2
ARTICLE 2: DEFINITIONS	3
SECTION 2.1 • Interpretation of Language	3
SECTION 2.2 • Definitions.....	3
ARTICLE 3: ZONING DISTRICTS AND USES	19
Chapter 1: Zoning Districts and Map	19
SECTION 3.1.1 • Creation Of Zoning Districts	19
SECTION 3.1.2 • Zoning Map.....	19
SECTION 3.1.3 • Application of This Ordinance	19
SECTION 3.1.4 • Interpretation of District Boundaries	19
SECTION 3.1.5 • Permissive Zoning.....	19
SECTION 3.1.6 • Uses Permitted as a Right	19
SECTION 3.1.7 • Uses Permitted Under Special Approval	20
SECTION 3.1.8 • Zoning of Vacated Areas	20
SECTION 3.1.9 • Zoning of Annexed Areas	20
Chapter 2: Purpose of Districts	21
SECTION 3.2.1 • R-1, Single Family Districts	21
SECTION 3.2.2 • RM Multiple Family Residential District	21
SECTION 3.2.3 • RESERVED	21
SECTION 3.2.4 • RESERVED	21
SECTION 3.2.5 • C-1 Central Business District - Core and transition	21
SECTION 3.2.6 • C-2 General Business District	21
SECTION 3.2.7 • I-1 Industrial District	21
SECTION 3.2.8 • P-1 Vehicular Parking District	22
SECTION 3.2.9 • Flex District.....	22
Chapter 3: Land Use Table	23
SECTION 3.3.1 • Table of Permitted Uses by District.....	23
Chapter 4: District Regulations	29
SECTION 3.4.1 • R-1, Single Family Residential District.....	29
SECTION 3.4.2 • RM, Multiple Family Residential District	30
SECTION 3.4.3 • C-2, General Commercial District	31

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

9

SECTION 3.4.4 • I-1, Industrial District	32
SECTION 3.4.5 • C-1, Core District.....	33
SECTION 3.4.6 • C-1, Transition District	34
SECTION 3.4.7 • Flex District Application	35

Chapter 5: Form Based Code 36

SECTION 3.5.1 • Introduction and Purpose	36
SECTION 3.5.2 • Building Types	38
SECTION 3.5.3 • Gateway Greenbelt.....	45
SECTION 3.5.4 • Restricted Demolition	45
SECTION 3.5.5 • Waivers	45

ARTICLE 4: USE STANDARDS 47

SECTION 4.1.1 • Statement of Intent	47
SECTION 4.1.2 • Accessory Buildings, Structures, Decks and Uses in the r-1 Single Family Residential District.....	47
SECTION 4.1.3 • Accessory Buildings in Other than THE R-1 Districts	47
SECTION 4.1.4 • Adult Regulated Uses.....	47
SECTION 4.1.5 • Automobile or Vehicle Dealers	49
SECTION 4.1.6 • Automobile Filling Stations, Automobile or Vehicle Service Stations, Automobile Repair Garages	49
SECTION 4.1.7 • Automobile Or Car Wash Establishments	49
SECTION 4.1.8 • Bed and Breakfast Establishments	50
SECTION 4.1.9 • Cemeteries	50
SECTION 4.1.10 • Child Care Centers and Nursery Schools	50
SECTION 4.1.11 • Drive-In Theaters.....	50
SECTION 4.1.12 • RESERVED	50
SECTION 4.1.13 • Drive-In Or Drive-Through Facility.....	50
SECTION 4.1.14 • Golf Courses, Country Clubs, and Par-3 Golf Courses.....	51
SECTION 4.1.15 • Junkyards	51
SECTION 4.1.16 • Kennels, Commercial	51
SECTION 4.1.17 • Home Occupations	51
SECTION 4.1.18 • Hospitals.....	52
SECTION 4.1.19 • Mini-Warehouses	52
SECTION 4.1.20 • Mobile Home Parks	52
SECTION 4.1.21 • Hotels.....	53
SECTION 4.1.22 • Nursing Homes, Convalescent Homes, Rest Homes, Orphanages, and Half-Way Houses	53
SECTION 4.1.23 • Open-Air Businesses.....	54
SECTION 4.1.24 • Race Tracks, Including Midget Auto and Karting Tracks	54
SECTION 4.1.25 • Outdoor Facilities.....	55
SECTION 4.1.26 • Places of Worship	55
SECTION 4.1.27 • Sand and Gravel Extraction	55
SECTION 4.1.28 • RESERVED	57
SECTION 4.1.29 • RESERVED	57
SECTION 4.1.30 • Sewage Disposal Plants And Landfills	57
SECTION 4.1.31 • Veterinary Clinics.....	57
SECTION 4.1.32 • Radio And Television Towers	57

SECTION 4.1.33 • RESERVED.....	57
SECTION 4.1.34 • RESERVED.....	57
SECTION 4.1.35 • RESERVED.....	57
SECTION 4.1.36 • Publicly Owned Buildings	57
SECTION 4.1.37 • RESERVED.....	57
SECTION 4.1.38 • State Licensed Residential Facilities.....	58
SECTION 4.1.39 • Funeral Homes.....	58
SECTION 4.1.40 • Office Showrooms.....	58
SECTION 4.1.41 • Wireless Telecommunication Facilities.....	58
SECTION 4.1.42 • RESERVED.....	59
SECTION 4.1.43 • RESERVED.....	59
SECTION 4.1.44 • RESERVED.....	59
SECTION 4.1.45 • Outdoor Cafes and Seating	59
SECTION 4.1.46 • Outdoor Storage	61
SECTION 4.1.47 • Mobile medical Trailers	61

ARTICLE 5: PLANNED UNIT DEVELOPMENT..... 63

SECTION 5.1 • Statement of Intent	63
SECTION 5.2 • Eligibility Criteria.....	63
SECTION 5.3 • Permitted Principal Uses	63
SECTION 5.4 • Development Regulations.....	63
SECTION 5.5 • Project Timetable	64
SECTION 5.6 • Optional Pre-Application Conference.....	64
SECTION 5.7 • Application Procedures	64
SECTION 5.8 • Review and Standards for Approval	65
SECTION 5.9 • Performance Guarantees	67
SECTION 5.10 • Effect of Approval	67
SECTION 5.11 • Enforcement	67
SECTION 5.12 • Expiration of PUD Approval.....	67
SECTION 5.13 • Revision of Approved Plans	67
SECTION 5.14 • Termination and Revocation.....	67

ARTICLE 6: DEVELOPMENT STANDARDS 69

Chapter 1: General Provisions 69

SECTION 6.1.1 • Conflicting Regulations	69
SECTION 6.1.2 • Scope	69
SECTION 6.1.3 • Use Regulations	69
SECTION 6.1.4 • Uses Not Otherwise Specified Within a Use District	69
SECTION 6.1.5 • General Area, Height, Bulk Regulations	69
SECTION 6.1.6 • Land Required to Satisfy Regulations.....	69
SECTION 6.1.7 • Public Utility Facilities	69
SECTION 6.1.8 • General Exceptions.....	69
SECTION 6.1.9 • Easements.....	69
SECTION 6.1.10 • Grades, Elevation Differentials, and Retaining Walls	69

Purpose
1

Definition
2

Zoning District
and Uses
3

Use Standards
4

Planned Unit
Development
5

Development
Standards
6

General
Provisions
7

Nonconformities
8

Administration &
Enforcement
9

SECTION 6.1.11 • Clear Vision Area	70
SECTION 6.1.12 • Minimum Distance Between Residential Buildings.....	70
SECTION 6.1.13 • Fence, Wall, and Privacy Screens	70
SECTION 6.1.14 • Temporary and Portable Buildings, Uses, Structures and Special Events.....	70
SECTION 6.1.15 • Storage of Obnoxious Matter in Open Containers Prohibited	70
SECTION 6.1.16 • Soil Excavation or Filling	70
SECTION 6.1.17 • Open Storage or Dumping on Land Prohibited	71
SECTION 6.1.18 • Commercial Vehicles in Residential Areas	71
SECTION 6.1.19 • Outdoor Storage of Recreation and Other Vehicles and Equipment in Single Family Residential Districts.....	71
SECTION 6.1.20 • Unlicensed Vehicles.....	71
SECTION 6.1.21 • Enclosure of Roof Appliances or Accessories	71
SECTION 6.1.22 • Sidewalks	71
SECTION 6.1.23 • Keeping of Farm Animals and Other Animals	72
SECTION 6.1.24 • Dumpsters Or Outdoor Trash Receptacles.....	72
SECTION 6.1.25 • Swimming Pool Regulations	72
SECTION 6.1.26 • Performance Standards	72

ARTICLE 7: GENERAL PROVISIONS 75

Chapter 1: Off Street Parking and Loading 75

SECTION 7.1.1 • Purpose	75
SECTION 7.1.2 • Scope	75
SECTION 7.1.3 • General Standards	75
SECTION 7.1.4 • Shared Parking	77
SECTION 7.1.5 • Modification of Parking Requirements.....	77
SECTION 7.1.6 • Deferred Parking.....	77
SECTION 7.1.7 • Payment in Lieu of Parking.....	78
SECTION 7.1.8 • Parking Reduction in the Central Business District	78
SECTION 7.1.9 • Parking Requirements.....	80
SECTION 7.1.10 • Barrier-Free Parking Requirements.....	81
SECTION 7.1.11 • Landscaping and Lighting.....	82
SECTION 7.1.12 • Parking Layout	82
SECTION 7.1.13 • Off-Street Loading.....	82
SECTION 7.1.14 • Pavement Striping	83
SECTION 7.1.15 • Stacking Spaces.....	83
SECTION 7.1.16 • Grading and Drainage	83
SECTION 7.1.17 • Construction.....	83
SECTION 7.1.18 • Maintenance.....	83
SECTION 7.1.19 • Additional Requirements	83

Chapter 2: Landscaping 84

SECTION 7.2.1 • Purpose	84
SECTION 7.2.2 • Scope	84
SECTION 7.2.3 • General Standards	84
SECTION 7.2.4 • Methods of Screening.....	85

SECTION 7.2.5 • Standards for Specific Areas	87
SECTION 7.2.6 • Prohibited Plant Materials	89
SECTION 7.2.7 • Installation	89
SECTION 7.2.8 • Maintenance.....	90
SECTION 7.2.9 • Exceptions.....	90
Chapter 3: Lighting	91
SECTION 7.3.1 • Purpose	91
SECTION 7.3.2 • General Provisions	91
SECTION 7.3.3 • Standards by Type of Fixture	91
SECTION 7.3.4 • Exempt Lighting.....	92
SECTION 7.3.5 • Exceptions.....	92
Chapter 4: Signs	93
SECTION 7.4.1 • Purpose and Intent.....	93
SECTION 7.4.2 • Definitions.....	93
SECTION 7.4.3 • General Standards	94
SECTION 7.4.4 • Permit Required for Signs.....	95
SECTION 7.4.5 • Determination of Compliance	95
SECTION 7.4.6 • Signs Exempt From Permit Requirements	95
SECTION 7.4.7 • Signs Prohibited Throughout the Village	96
SECTION 7.4.8 • District Regulations.....	98
SECTION 7.4.9 • Nonconforming Signs.....	102
SECTION 7.4.10 • Special Use Signs.....	102
ARTICLE 8: NONCONFORMITIES	103
SECTION 8.1 • Intent.....	103
SECTION 8.2 • Nonconforming Uses of Land	103
SECTION 8.3 • Nonconforming Structure	103
SECTION 8.4 • Nonconforming Uses of Structures and Land	103
SECTION 8.5 • Nonconforming Lots.....	104
SECTION 8.6 • Alterations, Repairs and Maintenance	104
SECTION 8.7 • Damage by Fire or Other Catastrophe	105
SECTION 8.8 • Village Removal of Nonconforming Uses and Structures.....	105
SECTION 8.9 • Change in Tenancy or Ownership.....	105
SECTION 8.10 • Encumbering Land Required to Satisfy Regulations	105
SECTION 8.11 • Unlawful Nonconformities	105
SECTION 8.12 • Recording of Nonconforming Uses and Structures	105
ARTICLE 9: ADMINISTRATION AND ENFORCEMENT	107
Chapter 1: Site Plan Review	107
SECTION 9.1.1 • Purpose and Intent.....	107
SECTION 9.1.2 • Site Plan Requirement.....	107
SECTION 9.1.3 • Authority to Approve Site Plans	107
SECTION 9.1.4 • Application Procedure; Required Information	108
SECTION 9.1.5 • Required Site Plan Information	109

SECTION 9.1.8 • Procedure after Site Plan Approval	113
SECTION 9.1.9 • Standards for Site/Sketch Plan Approval	114
Chapter 2: Special Land Use Review.....	116
SECTION 9.2.1 • Statement of Intent.....	116
SECTION 9.2.2 • Application.....	116
SECTION 9.2.3 • Notice of Public Hearing.....	116
SECTION 9.2.4 • Planning Commission Determination	116
SECTION 9.2.5 • Standards for Granting Special Use Approval.....	116
SECTION 9.2.6 • Recording of Planning Commission Action.....	117
SECTION 9.2.7 • Effective Duration of Special Use Approval.....	117
SECTION 9.2.8 • Amendments to Special Land Uses.....	117
SECTION 9.2.9 • Revocation of Special Land Use Approval.....	117
Chapter 3: Public Hearing Process.....	118
SECTION 9.3.1 • Public Notice.....	118
Chapter 4: Performance Guarantees.....	119
SECTION 9.4.1 • Purpose.....	119
SECTION 9.4.2 • Scope of Requirement.....	119
SECTION 9.4.3 • General Requirements	119
SECTION 9.4.4 • General Conditions	119
SECTION 9.4.5 • Unsatisfactory Completion of Improvements	120
SECTION 9.4.6 • Subdivision Improvements.....	120
Chapter 5: Zoning Administration	121
SECTION 9.5.1 • Responsibilities	121
SECTION 9.5.2 • Village Council.....	121
SECTION 9.5.3 • Village Planning Commission	121
SECTION 9.5.4 • Zoning Board Of Appeals	122
SECTION 9.5.5 • Zoning Enforcement Officials	122
Chapter 6: Enforcement	124
SECTION 9.6.1 • Building Permit.....	124
SECTION 9.6.2 • Certificate Of Occupancy	125
SECTION 9.6.3 • Plats.....	125
SECTION 9.6.4 • Administration Fees.....	125
SECTION 9.6.5 • Violations And Penalties.....	126
SECTION 9.6.6 • Public Nuisance	126
Chapter 7: Variances and Appeals	127
SECTION 9.7.1 • Jurisdiction, Powers and Duties.....	127
SECTION 9.7.2 • Exercising Powers.....	127
SECTION 9.7.3 • Notice	127
SECTION 9.7.4 • Effect of Actions.....	127
SECTION 9.7.5 • Appeals of Administrative Decisions.....	128
SECTION 9.7.6 • Interpretation of Zoning District Boundaries.....	128

SECTION 9.7.7 • Interpretation of Zoning Ordinance Provisions.....	128
SECTION 9.7.8 • Dimensional Variance	128
SECTION 9.7.9 • Use Variance.....	129
Chapter 8: Amendments to the Zoning Ordinance	130
SECTION 9.8.1 • Statement of Intent.....	130
SECTION 9.8.2 • Initiation of Amendment	130
SECTION 9.8.3 • Amendment Review Procedure.....	130
SECTION 9.8.4 • Re-Application	130
SECTION 9.8.5 • Criteria for Amendment of the Official Zoning Map	130
SECTION 9.8.6 • Protests.....	131
SECTION 9.8.7 • Comprehensive Review of Ordinance	131

Purpose
1

Definition
2

Zoning District
and Uses
3

Use Standards
4

Planned Unit
Development
5

Development
Standards
6

General
Provisions
7

Nonconformities
8

Administration &
Enforcement
9

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Article 1: Purpose, Validity, and Scope

SECTION 1.1 • PREAMBLE

An ordinance enacted under Act 110, of the State of Michigan Public Acts of 2006, as amended, to provide for the establishment in the Village of Oxford of districts or zones within which the use of land and structures, the height, the area, the size, and location of buildings may be regulated by ordinance, and within which districts regulations shall be established for the light and ventilation of those buildings, and within which districts or zones the density of population may be regulated by ordinance; to designate the use of certain state licensed residential facilities; to provide by ordinance for the acquisition by purchase, condemnation, or otherwise of private property which does not conform to the regulations and restrictions of the various zones or districts provided; to provide for the administering of this act; to provide for the establishment of a Zoning Board of Appeals; to provide for amendments, supplements, or changes hereto; to provide for conflict with the state housing code or other acts, ordinances, or regulations; and to provide penalties for the violation of the terms of this Ordinance.

SECTION 1.2 • ENACTING CLAUSE

The legislative body of the Village of Oxford may regulate and restrict the use of land and structures; to meet the needs of the Village's residents for food, fiber, energy and other natural resources, places of residence, recreation, industry, trade, service, and other use of land; to ensure that uses of the land shall be situated in appropriate locations and relationships; to ensure that new development contributes to traditional urban design regarding building form and aesthetics; to limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities; to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility needs; and to promote public health, safety, and welfare, and for those purposes may divide the Village into districts of the number, shape, and area considered best suited to carry out this section. For each of those districts regulations may be imposed designating the uses for which buildings or structures shall or shall not be erected or altered, and designating the trades, industries, and other land uses or activities that shall be permitted or excluded or subjected to special regulations.

SECTION 1.3 • SHORT TITLE

This Ordinance shall be known and may be cited as "The Village of Oxford Zoning Ordinance". Within the following text it may be referred to as the "Ordinance".

SECTION 1.4 • VALIDITY AND SEVERABILITY

Sections of this Ordinance shall be deemed to be severable and should any section, paragraph, or provision hereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Ordinance as a whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

SECTION 1.5 • ADOPTION AND EFFECTIVE DATE

A. Repeal of Prior Ordinance. The Zoning Ordinance adopted by the Village of Oxford Village Council on May 28, 1991, and all amendments thereto, is hereby repealed insofar as it conflicts with this Ordinance. The repeal of the ordinance and all amendments does not affect or impair any act done, offense committed or right accruing, accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

B. Adoption and Effective Date. This Ordinance, which specifically includes the Zoning District Map, is hereby ordered to be given immediate effect and be in force from and after the earliest date allowed by law, and this Ordinance is hereby ordered to be published, in the manner provided by law, in the Oxford Leader, on Thursday, the 3rd day of September, 2009.

This Ordinance was adopted by the Village Council of the Village of Oxford by authority of Act 110 of the Public Acts of Michigan, 2006, as amended, at a meeting thereof duly called and held on Tuesday, the 25th day of August, 2009 and ordered to be published in the manner provided by law.

SECTION 1.6 • CONFLICTING PROVISIONS

Whenever any section of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the sections of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, the provisions of such law or ordinance shall govern.

In interpreting and applying the sections of this ordinance, they shall be held to be the minimum or maximum requirements for the promotion of the public safety, health, morals and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued, and not in conflict with any of the sections of this Ordinance, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance; nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings or requires larger open spaces or larger lot areas than are imposed or required by such ordinance or agreements, the provisions of this Ordinance shall control.

Uses for enterprises or purposes that are contrary to federal, state, local laws or ordinances are hereby expressly prohibited.

This Ordinance amendment is to be given immediate effect to promote the health, safety and welfare of the community.

(Amended by ordinance No. 375)

1	Purpose
2	Definition
3	Zoning District and Uses
4	Use Standards
5	Planned Unit Development
6	Development Standards
7	General Provisions
8	Nonconformities
9	Administration & Enforcement

ARTICLE 1: PURPOSE

SECTION 1.7 • VESTED RIGHT

Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

SECTION 1.8 • INTERPRETATION AND CONFLICT

In interpreting and applying the provisions of this Ordinance, such provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comforts, morals, prosperity and general welfare.

It is not the intent of this Ordinance to interfere with or abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises, which are not in conflict with the provisions of this Ordinance.

It is not the intent of this Ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or requires by such other ordinance or agreements, the provisions of this Ordinance shall control.

Article 2: Definitions

SECTION 2.1 • INTERPRETATION OF LANGUAGE

For the purpose of this Ordinance, the following rules of interpretation shall apply to the text of this Ordinance:

- A. The particular shall control the general.
- B. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- C. The word “shall” is always mandatory and not discretionary. The word “may” is permissive and discretionary.
- D. Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- E. A “building” or “structure” includes any part thereof.
- F. The phrase “used for” includes “arranged for”, “designed for” “intended for”, “maintained for”, or “occupied for”.
- G. The word “person” includes an individual, a corporation, a partnership, a public utility, firm, an incorporated association, or any other similar entity.
- H. Unless the context clearly indicates the contrary, or a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, “either . . . or”, the conjunction shall be interpreted as follows:
 1. “And” indicates that all the connected items, conditions, provisions, or events shall apply.
 2. “Or” indicates that the connected items, conditions, or provisions, or events may apply singly or in any combination.
 3. “Either . . . or” indicates that the connected items, conditions, or provisions, or events may apply singly or in any combination.
- I. Terms not herein defined shall have the meaning customarily assigned to them.

SECTION 2.2 • DEFINITIONS

For the purpose of this Ordinance the terms and words herein are defined as follows:

ACCESSORY USE, BUILDING OR STRUCTURE: A use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use to which it is exclusively related.

ADJACENT: See LOT, ADJACENT.

ADULT USE: Any commercial or recreational establishment which at all times excludes minors by virtue of age, including adult bookstores,

adult motion picture theatres, adult mini-motion picture theatres, adult drive-in theatres, adult massage parlors, adult modeling studios, and eating and drinking places with sexually-oriented entertainment. Also see Section 4.1.4.

ALLEY: A public way which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATIONS: Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as wall, partitions, stairways, columns, beams, girders; any change in the width or number of exits; any substantial changes in the roof or exterior walls; any change in the location of a building; any change in the number of off-street parking or loading area or means of egress and ingress to the site; or any change which may be referred to herein as “altered” or “reconstructed” or “change of use”.

ANIMAL HOSPITAL: See CLINIC, VETERINARY.

APARTMENT: See DWELLING, MULTIPLE FAMILY.

ARCADE: Any establishment which provided on its premises four or more machines which upon the insertion of a coin or slug may be operated for use as a game, contest, or amusement of any description, not including musical devices.

ARCHITECTURAL FEATURES: Architectural features of a building including cornices, eaves, gutters, sills, lintels, bay windows, chimneys and decorative ornaments.

AUTOMOBILE: Unless specifically indicated otherwise, “automobile” shall mean any vehicle including cars, trucks, vans, motorcycles, and the like.

AUTOMOBILE FILLING STATION: A place used for the retail sale and dispensing of fuel or lubricants, either full or self service, together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. Automobile filling stations may also incorporate a convenience store operation as an accessory use, provided it is clearly incidental to the filling station use. Parking requirements for filling station/convenience store operations shall be computed by adding together the parking space requirements for each separate use.

AUTOMOBILE REPAIR: Major or minor repair of automobiles defined as follows:

- A. **Minor Repair:** Engine tune-ups and servicing of brakes, air conditioning, exhaust systems; oil change or lubrication; wheel alignment or balancing; or similar servicing or repairs that do not normally require any significant disassembly or storing the automobiles on the premises overnight.
- B. **Major Repair:** Engine and transmission rebuilding and general repairs, rebuilding or reconditioning; collision service such as body, frame or fender straightening or repair; steam cleaning, undercoating and rustproofing; and similar servicing, rebuilding

ARTICLE 2: DEFINITIONS

or repairs that normally do require significant disassembly or storing the automobiles on the premises overnight.

AUTOMOBILE REPAIR GARAGE: A premise primarily used for general automobile repair wholly within enclosed buildings, including engine or transmission building; rebuilding or reconditioning of motor vehicles; collision service such as body, frame, or fender straightening and repair, overall vehicle painting or rustproofing; and other related activities.

AUTOMOBILE SERVICE STATION: A building or structure designed or used for the retail sale of fuel (stored only in underground tanks), lubricants, air, water coolants and other operating commodities for motor vehicles or which may include retail sale of tires, batteries, and similar accessories and the making of minor repairs to vehicles or parts thereof totally enclosed within a building and that do not normally require storing such vehicles on the premises overnight. Automotive Service Station shall not including bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rustproofing, high-volume of motor vehicle washing or sales of new or used cars, trucks, motorcycles or other land vehicles.

AUTOMOBILE WASH ESTABLISHMENT: An activity or building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

BASEMENT: That portion of a building wholly or partly below grade, but so constructed that the vertical distance from the average grade to the basement floor is greater than the vertical distance from the average grade to the basement ceiling. A basement shall not be included as a story for height measurement.

BED-N-BREAKFAST INN: A dwelling in which overnight accommodations are provided or offered for transient guests for compensation, including provision for a morning meal only and for overnight guests only.

BEDROOM: Any private room in a dwelling unit suitable for regular use for sleeping purposes. Bedrooms include rooms designated on development floor plans as dens, studies, or libraries but exclude living rooms, family rooms, dining rooms, kitchens, bathrooms, laundry rooms, and mud rooms. Any room designated as other than a bedroom but which in the judgement of the Village Planning Commission would normally be usable for sleeping purposes shall be considered a bedroom.

BERM: See LANDSCAPING.

BIKEWAY: Pedestrian or non-motorized vehicular circulation routes built according to the standards of the Village or other agency with right-of-way

jurisdiction, as applicable.

BILLBOARD: Any non-accessory advertising sign, device, design, words, letters, number or trademark which makes anything known to the general public and may be the principal use of the lot or parcel on which it is located. Billboards are prohibited throughout the Village of Oxford.

BLOCK: The property bounded by a street or by a combination of streets and public lands, rights-of-way, rivers or streams, boundary lines of the Village, or any other barrier to the continuity of development.

BOARD OF APPEALS: The Village of Oxford Zoning Board of Appeals, created pursuant to the provisions of Michigan Public Act 110 of 2006, as amended.

BOARDING HOUSE: A building, other than a hotel, where for compensation or by prearrangement for definite periods of time, lodging or lodging and meals are provided for three or more persons. A rooming house shall be deemed a boarding house for the purposes of this Ordinance.

BUILDABLE AREA: The area of a lot which is defined by the minimum setback requirements within which building construction is permitted by the terms of this Ordinance.

BUILDING: Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animals, or property or materials of any kind. A building shall include tents, awnings, and carports; and also semi-trailers, vehicles, mobile homes, or pre-manufactured or pre-cut structures, erected on-site, above or below ground, designed primarily for shelter rather than as a means of conveyance. A building shall not include such structures as signs, fences or smokestacks, but shall include structures such as storage tanks, grain elevators, coal bunkers, oil cracking towers, or similar structures.

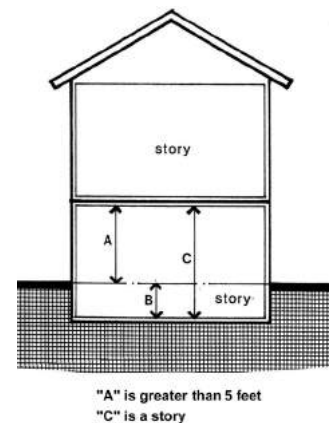
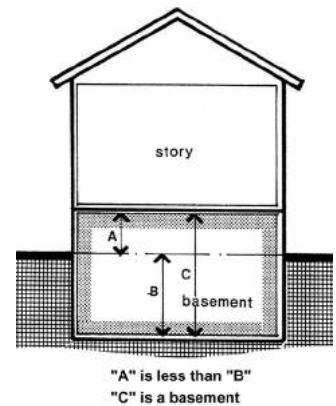
BUILDING, ACCESSORY: See ACCESSORY USE, BUILDING, OR STRUCTURE.

BUILDING, COMPLETELY ENCLOSED:

A building separated on all sides from the adjacent open space or from other buildings or structures by a permanent roof and exterior walls having only window and normal entrance or exit doors.

BUILDING, DETACHED: A principal building surrounded by open space.

BUILDING HEIGHT: The vertical distance measured from the mean



Basement Measurement

average ground level at the front building line to the highest point of the roof surface in the case of a flat roof; to the deck line of mansard roofs; to the mean height level between the eaves and ridge of gable, hip and gambrel roofs.

Chimneys, spires, antenna, turrets, and similar projections other than signs shall not be included in calculating building height.

BUILDING LINE: A line parallel to the front lot line that separates all parts of a building from the open spaces adjacent thereto on the same lot. For the purposes of this Ordinance, a minimum building line is the same as a required setback line.

BUILDING OFFICIAL: The person or persons designated by the Village to administer and enforce the applicable construction codes.

BUILDING, PRINCIPAL: A building or group of buildings in which is conducted the main or principal use of the lot on which the building is situated. (See "BUILDING, ACCESSORY" and "USE, PRINCIPAL".)

BUILDING, TEMPORARY: A building which is not permanently affixed to the property, and is permitted to exist for a specific reason for a specific period of time. An example of a temporary building is a trailer used on construction site.

BUMPER BLOCKS: Concrete or cement cast units located at one end of each parking space, designed to protect buildings, walls, fences, sidewalks or landscaping from damage by vehicles. Asphalt bumper blocks may not be used in the Village of Oxford.

CARETAKER LIVING QUARTERS: An independent residential dwelling unit designed for and occupied by one or two persons, of which at least one is employed to look after goods, buildings, or property on the parcel on which the living quarters are located.

CEMETERY: Land used for the burial of the dead including columbariums, crematories, and mausoleums.

CHILD CARE CENTER: An establishment where three (3) or more children, not related by bonds of consanguinity or fostership to the family residing on the same premises, are cared for in return for remuneration. Such child care centers need not have a resident family on the premises. A child care center may also sometimes be referred to as a NURSERY, DAY NURSERY, DAY CARE CENTER, or NURSERY SCHOOL.

CLINIC, VETERINARY: A place for the care, diagnosis, and treatment of sick or injured animals, and those in need of medical or minor surgical attention. A veterinary clinic may include customary pens or cages

enclosed within the walls of the clinic building.

CLINIC, MEDICAL: An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

CLUB, HEALTH: Any establishment providing physical culture or health services, including health clubs, racquetball or tennis clubs, reducing salons, or tanning salons.

CLUB OR LODGE, PRIVATE: A non-profit association of persons who are bona fide members paying dues which owns or leases premises, the use of which is restricted to members and their guests. The facilities owned or used by such organization may be referred to as a "club" or "lodge" in this Ordinance.

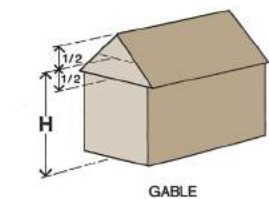
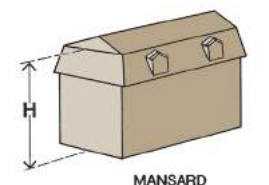
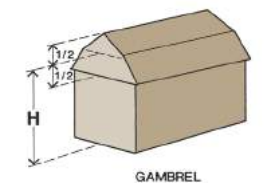
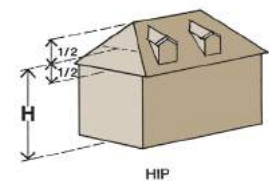
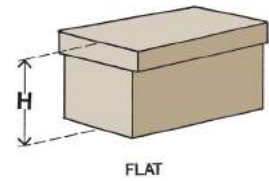
COLLECTOR STREET: See STREET, COLLECTOR.

COMMERCIAL, VEHICLE: A truck or motor vehicle with cab and chassis and with a stake, rack, body, dump body, wrecker body, tanker body or any other body, the mounted height of which exceeds the height of the cab roof more than eight (8) inches. Any truck or motor vehicle which has a commercial license plate and is designed to accommodate a body length in excess of 9 feet. Commercial vehicles shall not include motor homes or recreational vehicles, but shall include construction equipment such as backhoes, power shovels, bulldozers, earth moving equipment, semi trucks, tractors and trailers.

COMPREHENSIVE PLAN: See MASTER PLAN.

CONDITIONAL USE: A use which is subject to conditional special approval by the Village Planning Commission. A conditional use may be granted only when there is a specific provision in this Ordinance. A conditional use is not considered to be a nonconforming use and is distinct from a Special Land Use. See SPECIAL LAND USE.

CONDOMINIUM: Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all of the occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and all other related common elements, together with individual ownership in fee of a particular dwelling unit in such building. Condominiums shall be



Building Height

ARTICLE 2: DEFINITIONS

subject to the regulations set forth in Michigan Public Act 59 of 1978, as amended.

CONVALESCENT HOME: See NURSING HOME.

CO-OP (COOPERATIVE) HOUSING: A multiple dwelling owned by a corporation which leases its units to stockholders on a proprietary lease arrangement.

CORNER LOT: See LOT, CORNER.

CUL-DE-SAC: See STREET, CUL-DE-SAC.

CURB CUT: The entrance to or exit from a property provided for vehicular traffic to or from a public or private thoroughfare.

DAY CARE CENTER: See CHILD CARE CENTER.

DECK: An open, horizontal platform attached to the rear or side of the principal residential structure and that is used for outdoor leisure or recreational activities. The platform shall not be enclosed by a roof or walls or other screened or framed enclosure.

DISTRIBUTION CENTER: A use which typically involves both warehouse and office/administration functions, where short and/or long term storage takes place in connection with the distribution operations of a wholesale or retail supply business. See also WAREHOUSE.

DISTRICT: A portion of the Village of Oxford within which, on a uniform basis, certain uses of land and/or building are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

DRIVE-THRU SERVICE: The term "Drive-Thru Service" shall mean a business activity so developed that its retail or service character provides a driveway approach and waiting spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

DRIVEWAY: That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

DUMPSTER: A container used for the temporary storage of rubbish, pending collection, having a capacity of at least two (2) cubic yards.

DWELLING: A building or portion thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by one family, excluding hotels, motels, and tourists homes. In no case shall a travel trailer, motor home, automobile, tent or other portable building defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of this Ordinance.

DWELLING, MANUFACTURED: A building or portion of a building designed for long-term residential use and characterized by all of the following:

- A. The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended; and

- B. The structure is designed to be transported to the site in a nearly complete form, where it is placed on a foundation and connected to utilities; and
- C. The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building on a site.

Also refer to DWELLING, ONE FAMILY OR SINGLE FAMILY.

DWELLING, MOBILE HOME: A structure, transportable in one (1) or more sections, which is built upon a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. Recreational vehicles as described and regulated herein shall not be considered "mobile homes" for the purposes of this Ordinance. A mobile home is a type of manufactured housing. Also see DWELLING, ONE FAMILY OR SINGLE FAMILY.

DWELLING, MULTIPLE-FAMILY: A building designed for and occupied by three (3) or more families living independently with separate housekeeping, cooking, and bathroom facilities for each. Multiple-family dwellings units include the following:

- A. **Apartment:** An apartment is an attached dwelling unit with party walls, contained in a building with other apartment units which are commonly reached off of a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often have a central heating system and other central utility connections and common yard space.
- B. **Efficiency Unit:** An efficiency unit is a type of multiple-family or apartment unit consisting of one (1) principal room, plus bathroom and kitchen facilities, hallways, closets, and/or a dining alcove located directly off the principal room.

DWELLING, ONE-FAMILY OR SINGLE-FAMILY: A detached building containing not more than one dwelling unit designed for residential use, provided:

- A. It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.
- B. It has a minimum width across front, side and rear elevations of 24 feet and complies in all respects with the Village building code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by Village building code, then and in that event, such federal or state standard or regulation shall apply; further provided that the provisions of this section shall not have the effect of making one family dwellings, which exist as of the effective date of this Ordinance, non-conforming.
- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Village building code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for one- family dwellings. In the event

ARTICLE 2: DEFINITIONS

that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a perimeter wall as required.

- D. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels and towing mechanism removed. Additionally, no dwelling shall have any exposed undercarriage or chassis.
- E. The dwelling contains a storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction equal to or of better quality than the principal dwelling, which storage area shall be equal to 10 percent of the square footage of the dwelling or 100 square feet, whichever shall be less.
- F. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof over-hang of not less than six inches on all sides, or alternatively with window sills or roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; has not less than two exterior doors with the second one being in either the rear or side of the dwelling; and contains steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.
- G. The compatibility of design and appearance shall be determined in the first instance by the Building Official upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of thirty (30) days from the receipt of notice of said Building Official's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of single family "dwelling" as well as the character, design and appearance of one or more residential dwellings to the extent of less than twenty (20) percent of the lots situated within said area; or, where said area is not so developed, by the character, design and appearance of one or more residential dwellings located outside of mobile home parks throughout the Village.
- H. The dwelling contains no additions or rooms or other areas which are not constructed with a quality of workmanship equal to the original structure, including permanent attachments to the principal structure and construction of foundations as required herein.
- I. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR-3280, amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.

- J. The foregoing standard shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in the Ordinance of the Village pertaining to such parks.
- K. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable building code provisions and requirements.

DWELLING, TWO-FAMILY OR DUPLEX: A detached building, designed exclusively to be occupied by two (2) families living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each.

DWELLING UNIT: One or more rooms, along with bathroom and kitchen facilities, designed as a self-contained unit for occupancy by one family for living, cooking, and sleeping purposes.

DWELLING UNIT, SINGLE-FAMILY ATTACHED OR TOWNHOUSE: A Townhouse is an attached single-family dwelling unit with party walls, designed as part of a series of three (3) or more dwellings, with its own front door which opens to the outdoors at ground level, and typically with its own basement, utility connections, and front and rear yards. Townhouses are also commonly known as row houses.

DRIVE-IN THEATER: An open-air theater constructed and operated at an established location, without cover or roof, displaying motion pictures for the general public who view the screen or stage while seated in a vehicle. The term "drive-in theater" as used herein shall include the entire premises upon which such theater is constructed and operated, including parking areas and all other facilities accessory to such business.

DUPLEX: See DWELLING, TWO FAMILY OR DUPLEX.

EARTH-SHELTERED HOME: A complete building partially below grade that is designed to conserve energy and is intended to be used as a single-family dwelling.

EASEMENT: Any private or dedicated public way that provides a means of access to property. The term "easement" may also refer to utility easements which give public or private utility companies the right to use land for the construction and maintenance of utilities.

EFFICIENCY UNIT: See DWELLING, MULTIPLE FAMILY.

ERECTED: The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erection.

ESSENTIAL SERVICES: The term "essential services" shall mean the erection, construction, alteration or maintenance by public or quasi-public utilities or municipal departments or Village-certified cable television companies of underground, surface or overhead gas, steam, electrical, fuel or water systems for the purposes of transmission, distribution, collection, communication, supply, or disposal; including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar equipment, which are necessary for the furnishing of adequate service by such utilities or municipal

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

9

ARTICLE 2: DEFINITIONS

departments for the general health, safety, and welfare of the public. Essential services shall not include storage yards, sales or business offices, or commercial buildings or activities.

EXCAVATION: The removal or movement of soil, sand, stone, gravel, or fill dirt, except for common household gardening, farming, and general ground care.

FAMILY:

- A. An individual or group of two or more persons related by blood, marriage or adoption, together with foster children or servants of the principal occupants, with not more than one additional unrelated persons, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit; or
- B. A collective number of individuals living together in one dwelling unit, whose relationship is of a continuing, non-transient, domestic character, and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

FAMILY DAY CARE HOME: See STATE LICENSED RESIDENTIAL FACILITY.

FARM: All of the contiguous neighboring or associated land operated as a single unit for agricultural production by the owner-operator, manager, or tenant farmer, by his own labor or with the assistance of members of his household or hired employees; also including establishments operated as bona fide greenhouses, nurseries, orchards, chicken hatcheries, poultry farms, and apiaries. For the purposes of this Ordinance, farms shall not include establishments for keeping or raising fur-bearing animals, riding or boarding stables, commercial dog kennels, game fish hatcheries, piggeries, stockyards, or gravel or sand pits, unless such establishments are combined with other bona fide farm operations listed above which are located on the same continuous tract of land.

No farms shall be operated for the disposal of garbage, sewage, rubbish, offal or rendering plants, or for the slaughtering of animals except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one year immediately prior thereto and for the use and consumption by persons residing on the premises.

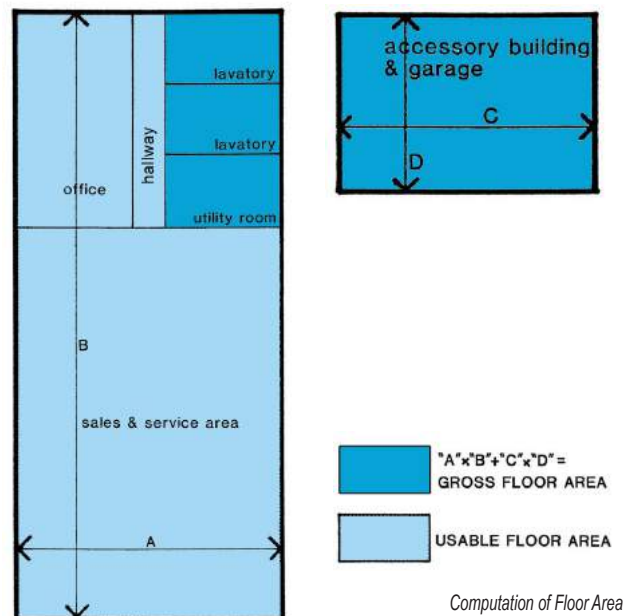
A farm permitted by this Ordinance is not intended nor implied to permit trucking, equipment and/or sales, contractor yards or any other activities other than those incidental to the bona fide farm.

FENCE: A fence is a permanent or temporary unroofed barrier enclosing or bordering a plot of land or portion thereof composed of suitable man-made materials for the purpose of preventing or controlling entrance, confining within, or marking a boundary.

FILL, FILLING: The deposit or dumping of any matter onto or into the ground, except for common household gardening, farming, and general ground care.

FLOOR AREA: The sum total of the area of all buildings on a site excluding utility rooms and mechanical rooms, measured between the outer perimeter walls of the buildings, provided that space in a structure used for parking of motor vehicles shall not be computed in the floor area.

- A. **Gross Floor Area (GFA).** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, not including any basements, utility rooms, breezeways, unfinished attics, porches or attached garages.
- B. **Residential Floor Area.** The sum of the horizontal areas of each story of the dwelling, as measured from the exterior faces of the exterior walls or from the centerline of walls separating dwellings units. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, or porches.
- C. **Usable Floor Area (UFA).** That portion of the floor area, measured from the interior face of the exterior walls, used for or intended to be used for services to the public or to customers, patrons, clients or patients, including areas occupied by fixtures or equipment used for the display or sale of goods or merchandise, but not including areas used or intended to be used for the storage of merchandise, utility or mechanical equipment rooms or sanitary facilities.



FOSTER CARE HOME: See STATE LICENSED RESIDENTIAL FACILITY.

FOSTER CHILD: A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and/or education.

FRATERNAL ORGANIZATION: See CLUB.

ARTICLE 2: DEFINITIONS

FRONT LOT LINE: See LOT LINE, FRONT.

FRONT YARD: See YARD, FRONT.

GARAGE, PRIVATE: An accessory building used or designed to be used primarily for the storage of motor vehicles, boats, or trailers owned and used by the occupants of the building to which it is accessory. A private garage may be either attached to or detached from the principal structure. Private garages shall not have public repair facilities.

GARAGE, PUBLIC: Any building or premise, other than junkyard, where more than one motor vehicle is stored for compensation.

GARAGE, REPAIR: See AUTOMOBILE REPAIR GARAGE.

GAS STATION: See AUTOMOBILE FILLING STATION and AUTOMOBILE SERVICE STATION.

GOLF COURSE OR COUNTRY CLUB: The premises upon which the game of golf is played, including clubhouses, parking lots, swimming pools, tennis courts, or other facilities or uses customarily incidental to a golf course or country club.

GOLF DRIVING RANGE: An area or parcel of land which includes golf tee areas and associated facilities, the purpose of which is to practice golf shots.

GRADE: A grade is the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

GREENBELT: See LANDSCAPING.

GROUP HOMES: See STATE LICENSED RESIDENTIAL FACILITY.

GYM OR GYMNASIUM: A room or building equipped for gymnastics, exercise, or sport.

HAZARDOUS SUBSTANCES: Any chemical or other material which, by virtue of its inherent properties and not solely by the manner in which it is used, has the potential to be injurious to the public health, safety, and welfare even in small quantities. Uses and facilities which use, store or generate hazardous substances in quantities greater than one hundred (100) kilograms per month, or twenty-five (25) gallons per month, whichever is less, shall be subject to site plan requirements.

HEIGHT, BUILDING: See BUILDING HEIGHT.

HIGHWAY: See STREET.

HOME OCCUPATION: Any occupation conducted within a dwelling unit and carried on by the inhabitants thereof, not involving employees other than members of the immediate family residing on the premises, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, and which does not endanger the health, safety, and welfare of any other persons residing in that area by reason of noise, noxious odors, unsanitary or unsightly conditions, fire hazards and the like, involved in or resulting from such occupation, professions or hobby. Provided further, that day-care centers, tea-rooms, veterinarian's office, tourist homes, animal hospitals,

kennels, millinery shops, barbershops and beauty shops, among others, shall not be deemed to be home occupations.

HOSPITAL: An institution which is licensed by the Michigan Department of Health to provide in-patient and out-patient medical and major surgical services for the sick and injured, and which may include such related facilities as laboratories, medical testing services, central service facilities, and staff offices.

HOSPITAL, VETERINARY: See CLINIC, VETERINARY.

HOTEL: A building occupied as a more or less temporary abiding place for individuals who are lodged with or without meals in rooms consisting of a minimum of one (1) bedroom and a bath, occupied for hire, in which access to at least fifty percent (50%) of the lodging units is through a common entrance, and in which provision is not made for cooking in the individual units. Hotels customarily provide services such as desk service, maid service, laundering of linens, etc.

INGRESS AND EGRESS: As used in this Ordinance, "ingress and egress" generally is used in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk or entrance-way which allows pedestrians to enter or leave a parcel of property, a building, or another location.

JUNK: Any motor vehicles, machinery, appliances, products or merchandise with parts missing, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured.

JUNKYARD: An area where waste and used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to: junk, scrap iron, metals, paper, rags, tires, bottles and automobiles.

KENNEL: Any lot or premises on which three (3) or more dogs, cats, or other domestic animals six (6) months or older are kept, either permanently or temporarily, either for sale, breeding, boarding, training, hobby, protection, grooming or as pets; and may offer provisions for minor medical treatment including animal shelters.

LABORATORY: A place devoted to experimental, routine or basic study such as testing and analytical operations and in which manufacturing of product or products, except prototypes, is not performed.

LAKE: Any body of water, natural or artificial, defined as "inland lake or stream" in the Inland Lake and Stream Act of 1972, P.A. 1972, No. 346, as amended.

LAKE LOT: See LOT, LAKE.

LANDFILL: Any disposal area, tract of land, building, unit or appurtenance or combination thereof that is used to collect, store, handle, dispose of, bury, cover over, or otherwise accept or retain refuse as herein defined.

LANDSCAPING: The treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, a landscape

Purpose	1
Definition	2
Zoning District and Uses	3
Use Standards	4
Planned Unit Development	5
Development Standards	6
General Provisions	7
Nonconformities	8
Administration & Enforcement	9

ARTICLE 2: DEFINITIONS

design may include other decorative man-made materials, such as wood chips, crushed stone, boulders, or mulch. Structural features such as fountains, pools, statues, and benches shall also be considered a part of landscaping, but only if provided in combination with live plant material. Artificial plant materials shall not be counted toward meeting the requirements for landscaping. Various landscaping- related terms are defined as follows:

- A. Berm:** A continuous, raised earthen mound with a flattened top and sloped sides, capable of supporting live landscaping materials, and with a height and width that complies with the requirements of this Ordinance.
- B. Greenbelt:** A strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement, in accordance with the requirements of this Ordinance.
- C. Ground Cover:** Low-growing plants that form a dense, extensive growth after one complete growing season, and tend to prevent weeds and soil erosion.
- D. Hedge:** A row of closely planted shrubs or low-growing trees which form a continuous visual screen, boundary, or fence.
- E. Screen or Screening:** A wall, wood fence, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of nonliving material, such material shall be compatible with materials used in construction of the main building, but in no case shall include wire fencing.
- F. Shrub:** A self-supporting, deciduous or evergreen woody plant, normally branched near the base, bushy, and less than fifteen (15) feet in height.
- G. Sod:** A piece from the surface of grassland containing the grass support soil, and the healthy roots, extracted with the intention of replanting in another area for the purpose of establishing lawn areas. Sod is grown on mineral soil (commonly referred to as "topsoil") or peat, and must be a minimum of two (2) years old. The grasses permitted for use in sod for landscaped lawns should be a blend that reflects the current standards in the industry and has been demonstrated to prosper under local conditions.
- H. Tree:** A self-supporting woody, deciduous or evergreen plant with a well- defined central stem which normally grows to a mature height of fifteen (15) feet or more in Oakland County, Michigan.
 - 1. Deciduous Tree: A variety of tree that has foliage that is shed at the end of the growing season.
 - 2. Evergreen Tree: A variety of tree that has foliage that persists and remains green throughout the year.
- I. Ornamental Tree:** A deciduous tree which is typically grown because of its shape, flowering characteristics, or other attractive features, and which grows to a mature height of about twenty-five (25) feet or less.

- J. Shade Tree:** For the purposes of this Ordinance, a shade tree is a deciduous tree which has a mature crown spread of fifteen (15) feet or greater in Oakland County, Michigan, and has a trunk with at least five (5) feet of clear stem at maturity.

LIVESTOCK: Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm.

LOADING SPACE, OFF-STREET: An off-street space of definite size and dimensions in accordance with the requirements of this Ordinance, which is safely and conveniently located on the same lot as the building or buildings being served, for the temporary parking of delivery vehicles while loading and unloading merchandise and materials.

LOCAL STREET: See STREET, LOCAL OR MINOR.

LOT (OR ZONING LOT OR PARCEL): For the purposes of enforcing this ordinance, a lot is defined as a piece of land under one ownership and control that is at least sufficient in size to meet the minimum requirements for use, coverage, area, setbacks, and open space as required herein. A lot shall have frontage on a roadway dedicated to the public and certified for maintenance by a public agency, or, if permitted by the regulations set forth herein, on a private road. A lot may consist of:

- A.** A single Lot of Record.
- B.** A portion of a Lot of Record.
- C.** A combination of complete Lots of Record, or portion thereof.
- D.** A piece of land described by metes and bounds.

LOT, ADJACENT: Lots which adjoin each other or which are separated only by a public or private right-of-way or easement.

LOT AREA, NET: The total horizontal area within the lot lines of a lot, exclusive of any abutting public street right-of-way or private road easements, or the area of any lake or wetlands area.

LOT AREA, GROSS: The net lot area plus one-half (1/2) of the area of any public right-of-way area or private road easement immediately adjacent to or abutting the lot.

LOT, CONTIGUOUS: Lots adjoining each other.

LOT, CORNER: A lot of which at least two adjacent sides abut their full length upon a street, provided that such two sides intersect at an angle of not more than one hundred thirty-five (135) degrees. Where a lot is on a curve, if the tangents through the extreme point of the street lines of such lot make an interior angle of not more than one hundred thirty-five (135) degrees, it shall be considered a corner lot. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above. (A tangent is a straight line extended from the outer edges of a curve which intersect to form a corner.)

LOT COVERAGE: The part or percent of the lot that is occupied by buildings or structures.

LOT DEPTH: The horizontal distance between the front street line and

ARTICLE 2: DEFINITIONS

rear lot line, measured along the median between the side lot lines.

LOT, DOUBLE FRONTAGE: A lot other than a corner lot having frontage on two (2) more or less parallel streets. In the case of a row of double frontage lots, one (1) street shall be designated as the front street for all lots in the plat and in the request for a zoning compliance permit. If there are existing buildings in the same block fronting on one or both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front.

LOT, INTERIOR: Any lot other than a corner lot with only one (1) lot line fronting on a street.

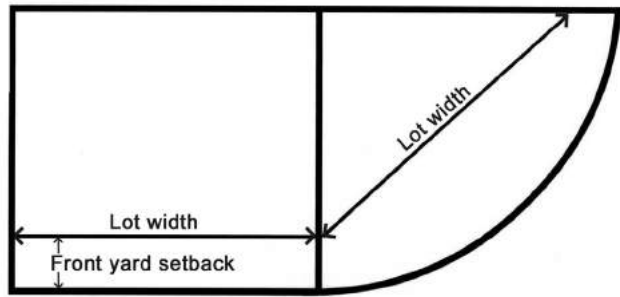
LOT, LAKE: A lot having any frontage directly upon a lake, natural or man-made. The yard adjacent to the water shall be designated the front yard of the lot, and the opposite side shall be designated the rear yard of the lot.

LOT LINES: The lines bounding a lot as follows:

- A. Front Lot Line:** In the case of an interior lot abutting on one (1) public or private street, the front lot line shall mean the line separating the lot from such street right-of-way. In the case of a corner or double frontage lot, the front lot line shall be that line separating said lot from the street which is designated as the front street in the plat and/or in the request for a building permit. On a flag lot, the front lot line shall be the interior lot line most parallel to and nearest the street from which access is obtained.
- B. Rear Lot Line:** Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of irregular, triangular, wedge shaped, or lots that are pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet in length, lying farthest from the front lot line and wholly within the lot.
- C. Side Lot Line:** Any lot line other than the front or rear lot lines. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

LOT OF RECORD: A parcel of land, the dimensions and configuration of which are shown on a subdivision plat recorded in the offices of the Oakland County Register of Deeds, or a lot or parcel described by metes and bounds, and accuracy of which is attested to by a land surveyor (registered and licensed in the State of Michigan) and likewise so recorded with the Oakland County Register of Deeds.

LOT WIDTH: The straight line distance between the side lot lines, measured at the two points where the minimum front yard setback line intersects the side lot lines.



LOT SPLIT AND CONSOLIDATION: The dividing or uniting of lots by virtue of changes in the deeds in the office of the Oakland County Register of Deeds and/or the Village Treasurer. The division of lots shall take place in accordance with the Subdivision Control Act, Michigan Public Act 288 of 1967, as amended and the Village of Oxford Subdivision Regulations Ordinance No. 212.

MAIN ACCESS DRIVE: Any private street designed to provide access from a public street or road to a mobile home park, apartment or condominium complex, or other private property development.

MAJOR STREET OR THOROUGHFARE: See STREET, MAJOR.

MANUFACTURED HOUSING: See DWELLING, MANUFACTURED.

MASTER PLAN: A comprehensive plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and all physical development of the Village and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

MEZZANINE: An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third (1/3) of the floor area of the story in which the level or levels are located. A mezzanine shall be deemed a full story if the vertical distance from the next floor below the mezzanine to the next floor above is twenty-four (24) feet or more.

MINOR STREET: See STREET, LOCAL OR MINOR.

MOBILE HOME: See DWELLING, MOBILE HOME.

MOBILE HOME PARK: A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made, together with any building, structure, enclosure, street, equipment, or facility used or intended for use as temporary park, subject to conditions set forth in the Mobile Home Commission Rules and Michigan Public Act 96 of 1987, as amended.

MOBILE HOME LOT: An area within a mobile home park which is designated for the exclusive use of the occupants of a specific mobile home.

MOTEL: A series of attached, semi-detached, or detached rental units which may or may not be independently accessible from the outside parking area consisting of a minimum of a bedroom and

Purpose	1
Definition	2
Zoning District and Uses	3
Use Standards	4
Planned Unit Development	5
Development Standards	6
General Provisions	7
Nonconformities	8
Administration & Enforcement	9

ARTICLE 2: DEFINITIONS

bath, occupied for hire, in which a minimum of fifty percent (50%) plus one (1) of the units feature exterior entrances, and which provides customary motel services such as maid service, linen service, telephone and/or desk service, and the use of furniture. No kitchen or cooking facilities are to be provided with the exception of units for use of the manager and/or caretaker.

MOTOR HOME: A motorized vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for overnight lodging. This term does not apply to mobile home.

MUNICIPALITY: The word "municipality" shall mean the Village of Oxford, Oakland County, Michigan.

NATURAL FEATURES: Natural features shall include soils, wetlands, floodplains, water bodies and channels, topography, trees and other types of vegetative cover, and geologic formations.

NONCONFORMING BUILDING: A building or portion thereof that was lawfully in existence at the effective date of this Ordinance, or amendments thereto, and which does not now conform to the minimum building height, area, setback, lot coverage or other provision of this Ordinance pertaining to buildings in the zoning district in which it is located.

NONCONFORMING LOT: A lot which was lawfully in existence at the effective date of this Ordinance, or amendments thereto, and which does not now conform to the lot size, lot width, or other provisions of this Ordinance pertaining to lots in the zoning district in which it is located.

NONCONFORMING USE: A use which was lawfully in existence at the effective date of this Ordinance, or amendment thereto, and which does not now conform to the use regulations of this Ordinance for the zoning district in which it is now located.

NON-CONFORMITY: Any structure, lot, or use of any lot, land or structure, which does not conform at the time of adoption of this Ordinance or any amendment thereto, to the regulations for the district in which it is located.

NUISANCE: Any offensive, annoying, or disturbing practice or object, which prevents the free use of one's property, or which renders its ordinary use or physical occupation uncomfortable. Nuisance commonly involves continuous or recurrent acts which give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endanger life and health.

NURSERY, DAY NURSERY, or NURSERY SCHOOL: See CHILD CARE CENTER.

NURSERY, PLANT MATERIAL: A space, building, and/or structure, or combination thereof, where live trees, shrubs, and other plants used for gardening and landscaping are propagated, stored, and/or offered for sale on the premises. Also see OPEN AIR BUSINESS and ROADSIDE STAND.

NURSING HOME, CONVALESCENT HOME, or REST HOME: A home for the care of the aged, infirm, or those suffering from bodily disorders, wherein two or more persons are housed or lodged and furnished with nursing care. Such facilities are licensed in

accordance with Michigan Public Acts 139 of 1956, as amended.

OCCUPANCY, CHANGE OF: The term "change of occupancy" shall mean a discontinuance of an existing use and the substitution of a use of a different kind or class, or, the expansion of a use.

OCCUPIED: Used in any way at the time in question.

OFFICE, MEDICAL: Offices for medical professionals and related occupations, such as doctors, dentists, chiropractors, osteopaths, and similar or allied professions.

OFFICE, PROFESSIONAL: Offices for executive, administrative, and professional occupations such as lawyers, accountants, architects, planners, engineers, financial advisors, media production, advertising, sales, and similar or allied professions.

OFF-STREET PARKING SPACE: See PARKING SPACE and PARKING LOT, OFF-STREET.

OPEN AIR BUSINESS: Any business that is conducted primarily out-of-doors. Unless otherwise specified herein, open air business shall include:

- A. Retail sales of garden supplies and equipment, including but not limited to: trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture.
- B. Roadside stands for the sale of agricultural products, including fruits, vegetables, and Christmas trees.
- C. Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.
- D. Outdoor display and sale of model garages, swimming pools, playground equipment, and similar uses.

OPEN SPACE: That part of a zoning lot, including courts and/or yards, which is open and unobstructed from its lowest level to the sky, and is accessible to all residents upon the zoning lot.

PARCEL: See LOT.

PARKING LOT, OFF-STREET: An area on private property which provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than three (3) vehicles.

PARKING SPACE: An area of definite length and width as designated in this Ordinance for parking an automobile or other vehicle, which is fully accessible for such purposes, and is exclusive of access drives and aisles thereto.

PARTY WALL: A wall starting from the foundation and extending continuously through all stories to or above the roof that separates one building from another and that is in joint use by each building.

PERSON: An individual, trustee, executor, fiduciary, corporation, firm, partnership, association, organization, or other legal entity acting as a unit.

ARTICLE 2: DEFINITIONS

PERFORMANCE STANDARD: A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, glare, heat, or other effects.

PERSONAL SERVICE ESTABLISHMENT: A business that performs services on the premises for persons residing in nearby residential areas including but not limited to shoe repair, tailoring, beauty parlors, nail salons, or barbershops.

PET: A domesticated dog, cat, bird, gerbil, hamster, guinea pig, turtle, fish, rabbit, or other similar animal that is kept for pleasure or companionship.

PLACE OF WORSHIP: A religious institution, or a site used for the regular assembly of persons, for the conducting of religious services, and for related accessory uses, including offices and living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care and limited recreation facilities. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.

PLANNED UNIT DEVELOPMENT: A planned unit development may include such concepts as cluster development, planned development, community unit development, planned residential development, and other terminology denoting special zoning requirements and review procedures. These requirements and procedures are intended to provide design and regulatory flexibility, so as to accomplish the objectives of this Ordinance using innovative and effective planning approaches.

PLANNING COMMISSION: The Planning Commission of the Village of Oxford, created pursuant to the provisions of Michigan Public Act 110 of 2006, as amended.

PORCH, ENCLOSED. A covered entrance to a building or structure which is totally enclosed, which projects out from the main wall of such building or structure and which has a separate roof or an integral roof with the principal building or structure to which it is attached.

PORCH, OPEN. A covered entrance to a building or structure which is unenclosed, except for columns supporting the porch roof, which projects out from the main wall of such building or structure and which has a separate roof or an integral roof with the principal building or structure to which it is attached.

POULTRY: Any of various breeds of birds long ago domesticated by man so as to live and breed in a tame, docile, tractable condition useful to man for meat and eggs, including chickens, ducks, geese, guinea fowl and turkeys not including game fowl.

PRINCIPAL USE: See USE, PRINCIPAL.

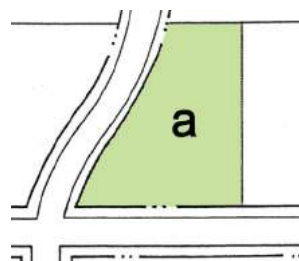
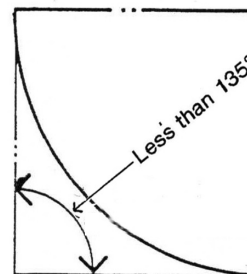
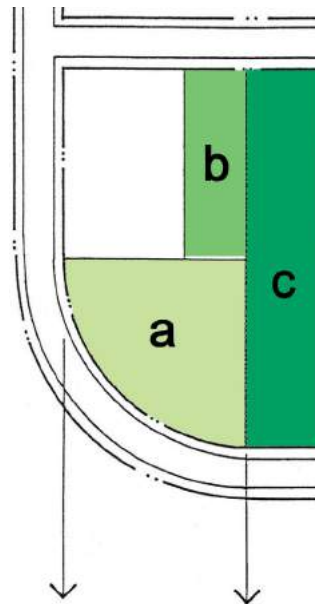
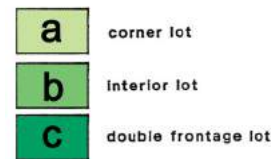
PRIVATE STREET OR ROAD: See STREET.

PROPERTY LINE: The line separating a piece of property from the street right-of-way and the lines separating a parcel of property from the parcels next to it. See also LOT LINE.

PUBLIC UTILITY: Any persons, firm, corporation, municipal

department, or board, duly authorized to furnish to the public under government regulations any of the following: electricity, gas, steam, communications services, cable television services, transportation services, water, sewer service, or sewage treatment.

REAR LOT LINE: See LOT LINE, REAR.



1	Purpose
2	Definition
3	Zoning District and Uses
4	Use Standards
5	Planned Unit Development
6	Development Standards
7	General Provisions
8	Nonconformities
9	Administration & Enforcement

ARTICLE 2: DEFINITIONS

RECREATION FACILITIES, INDOOR: An establishment which provides indoor exercise facilities and indoor court sports facilities, and which may include spectator seating in conjunction with the sports facilities. For the purposes of this Ordinance, a bowling establishment shall be considered a type of indoor recreation center.

RECREATIONAL LAND: Any public or privately owned lot or land that is utilized for recreation activities such as, but not limited to, camping, swimming, picnicking, hiking, nature trails, boating, and fishing.

RECREATIONAL VEHICLE: A boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use.

REFUSE: The miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trades, manufacturing and offices, including other waste matter such as slag, stone, broken concrete, fly ash, sashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals or any similar or related combinations thereof.

RETAIL SALES ESTABLISHMENT: Any generally recognized retail business that supplies commodities on the premises to the general public. Commodities supplied may include groceries and similar food products for consumption off the premises. Restaurants or any similar establishment that serves prepared food as its primary business is not considered a retail sales establishment

RESTAURANT: A restaurant is any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or bar/lounge, or combination thereof, as defined below:

- A. Restaurant, Carry-Out:** A carry-out restaurant is a restaurant whose method of operation involves sale of food, beverages, and/or frozen desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption primarily off the premises.
- B. Restaurant, Drive-In:** A drive-in restaurant is a restaurant whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building.
- C. Restaurant, Drive-Through:** A drive-through restaurant is a restaurant whose method of operation involves the delivery of the prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off the premises.
- D. Restaurant, Fast-Food:** A fast-food restaurant is a restaurant whose method of operation involves minimum waiting for delivery of ready-to-consume food to the customer at a counter or cafeteria line for consumption at the counter where it is served, or at tables, booths, or stands inside the structure or out, or for consumption off the premises, but not in a motor vehicle at the site.

E. Restaurant, Standard: A standard restaurant is a restaurant whose method of operation involves either:

- 1. The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building, or
- 2. The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers at tables within a completely enclosed building.

F. Bar/Lounge: A bar or lounge is a type of restaurant which is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be permitted. If an establishment includes a bar or lounge and a separate dining facility, the establishment shall be considered a bar/lounge if more than 50 percent of the usable floor area of the entire establishment is used for the bar/lounge.

RIGHT-OF-WAY: A right-of-way as defined herein dedicated to or owned by a public body and available for use by the general public. In the case of public streets, the right-of-way normally includes curbs, lawn strips, and lighting and drainage facilities.

ROADSIDE STAND: A temporary or permanent building primarily operated for the purpose of seasonally selling agricultural products.

ROOM: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least eighty (80) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing 1, 2 or 3 bedroom units and including a "den", "library", or other extra room shall count such extra room as a bedroom for the purpose of computing density.

ROOMING HOUSE: See BOARDING HOUSE.

SATELLITE ANTENNA: An accessory structure which at its widest dimension is in excess of 36 inches, capable of receiving signals from orbiting satellites and other extraterrestrial sources, together with other equipment related to such purposes.

SENIOR HOUSING: An institution other than a hospital or hotel, which provides room and board to non-transient persons primarily 55 years of age or older. Housing for the elderly may include:

- A. Assisted Living Facility.** A facility providing responsible adult supervision of or assistance with routine living functions of an individual in instances where the individual's condition necessitates that supervision or assistance.
- B. Congregate or Interim Care Housing.** A semi-independent housing facility containing congregate kitchen, dining, and living areas, but with separate sleeping rooms. Such facilities typically provide special support services, such as transportation and limited medical care.
- C. Convalescent or Nursing Home.** A home for the care of two (2) or more children, the aged or infirm persons suffering serious or chronic bodily disorders, which may be licensed under

ARTICLE 2: DEFINITIONS

applicable state laws.

- D. Dependent Housing Facilities.** Facilities such as convalescent homes and nursing homes that are designed for older persons who need a wide range of health and support services, including personal nursing care.
- E. Elderly Housing.** A building or group of buildings containing dwellings where the occupancy is restricted to persons 60 years of age or older or couples where either the husband or wife is 60 years of age or older.
- F. Senior Apartments.** Multiple-family dwelling units intended to be occupied by persons 55 years of age or older.

SETBACK: The distance between a front, side or rear lot line and the nearest supporting member of a structure on the lot. The **MINIMUM REQUIRED SETBACK** is the minimum distance between a front, side or rear lot line and the nearest supporting member of a structure in order to conform to the required yard setback provisions of this Ordinance (see definition of **YARD**).

SIDE LOT LINE: See **LOT LINE**, **SIDE**.

SIDEWALK: Pedestrian or non-motorized vehicular circulation routes built according to the standards of the Village or other agency with right-of-way jurisdiction, as applicable.

SIGN: Any visual or graphic device designed through use of words, numbers, characters, or symbols to inform or attract attention and which is designed to be visible from outside any building or structure in which, upon which, or attached to which it may be located. Various types of signs and sign-related terms are defined in Article 7 of this Ordinance.

SITE PLAN: A scaled drawing illustrating existing conditions, detailing the proposed use and development of a parcel, and including all required elements applicable to the proposed development to ensure compliance with this Ordinance.

SPECIAL EVENT: An occurrence or noteworthy happening of seasonal, civic, or church importance, which is organized and sponsored by a non-profit Village of Oxford community group, organization, club or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural or community enrichment. Special events typically run for a short period of time (less than two weeks) and are unlike the customary or usual activities generally associated with the property where the special event is to be located. All such special events shall be open to the public.

SPECIAL LAND USE: An activity that may be detrimental to other land uses permitted within the same district, but that may be permitted subject to certain conditions or limitations designed to insure that the use is compatible with other permitted uses in the district.

STABLE, PRIVATE: A private stable is an enclosed building intended for the keeping of horses or other large domestic animals, for the noncommercial use of the residents of the principal residential use on the site.

STABLE, PUBLIC: A public stable is an enclosed building intended for the keeping of horses or other domestic animals, in which any such animals are kept for remuneration, hire, or sale.

STATE LICENSED RESIDENTIAL FACILITY: Any structure constructed for residential purposes that is licensed by the State of Michigan pursuant to Public Act 287 of 1972, Public Act 11 of 1973, or Public Act 218 of 1979. These acts provide for the following types of residential structures:

A. Adult Foster Care Facility: A governmental or nongovernmental establishment having as its principle function the receiving of adults, 18 years of age or older, for foster care in accordance with Public Act 218 of 1974, as amended, and the Adult Foster Care Administrative Rules as administered by the Michigan Department of Social Services. It includes facilities and foster care family homes for adults who are aged, emotionally disturbed, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. The following four (4) types of Adult Foster Care Homes are provided for by these rules:

1. **Adult Foster Care Family Home:** A private residence with the approved capacity to receive not more than 6 adults who shall be provided foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home licensee shall be a member of the household and an occupant of the residence.
 2. **Adult Foster Care Small Group Home:** An adult foster care facility with the approved capacity of not more than 12 adults who shall be provided foster care. Local zoning approval is required prior to issuance of a license only if seven (7) or more residents will live in the home.
 3. **Adult Foster Care Large Group Home:** An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults who shall be provided foster care. Local zoning approval is required prior to issuance of a license.
 4. **Adult Foster Care Congregate Facility:** An adult foster care facility with the approved capacity to receive more than 20 adults who shall be provided foster care. Local zoning approval is required prior to issuance of a license.
- B. Foster Family Home:** A private residence that houses four (4) or fewer foster children, up to age 19, under constant child care and supervision. Under Public Act 116 of 1973, a Foster Family Home does not require local zoning approval before being licensed by the Department of Social Services.
- C. Foster Family Group Home:** A private residence that houses five (5) or six (6) foster children, up to age 19, under constant care and supervision. Under Public Act 116 of 1973, a Foster Family Group Home requires local zoning approval before being licensed by the Department of Social Services.

ARTICLE 2: DEFINITIONS

D. Family Day Care Home: A private residence in which 1 but fewer than 7 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

E. Group Day Care Home: A private residence in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

STATE EQUALIZED VALUATION: The value shown on the Village assessment roll as equalized through the process of State and County equalization.

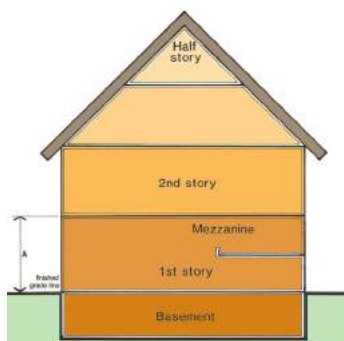
STORAGE: The depositing of material, products for sale or use, vehicles, or other items for a period greater than 24 hours. This definition shall include items for household use, but shall not include vehicles, boats, mobile homes and other items.

STORY: That portion of a building included between the upper surface of any floor, and the upper surface of any floor above; or any portion of a building between the topmost floor and the roof having a usable floor area to at least 50 percent of the usable floor area of the floor immediately below it.

A mezzanine shall be deemed a full story when it covers more than one-third (1/3) of the area of the story underneath said mezzanine, or, if the vertical distance from the floor next below the mezzanine to the floor next above it is twenty-four (24) feet or more.

A basement shall be deemed a full story when the vertical distance from the average grade to the floor below is less than the vertical distance from the average grade to the ceiling.

STORY, HALF: The uppermost story lying under a pitched roof, the usable floor area of which does not exceed two-thirds of the floor area of the uppermost full story. The usable floor area of a half story shall be at least 160 square feet with a minimum clear height of seven (7) feet, six (6) inches.



STREET: A public or private street, road or thoroughfare intended primarily to provide vehicular circulation and access to abutting property. Various types of streets are defined as follows:

A. Collector Street: A street whose principal function is to carry traffic between local or minor streets and major streets but may also provide direct access to abutting properties.

B. Cul-De-Sac: A street that terminates in a vehicular turnaround.

C. Local or Minor Street: A street whose sole function is to provide access to abutting properties.

D. Major Street: A street that carries high volumes of traffic and serves as a main avenue through or around the Village. Major streets may also be referred to as arterial streets or major thoroughfares. For the purpose of this Ordinance, major streets shall include those streets designated as "county primary", "county local" or "major street" on the most recently approved Village of Oxford Act 51 Map (P.A. 1951).

E. Private Street or Road: A street or road under private ownership which has been constructed for the purposes of providing access to adjoining property, and which is normally open to the public so that persons other than the occupants of adjoining property may travel thereon, but which has not been accepted for maintenance by the Village, County, State or Federal Government.

F. Public Street or Road: A street or road, the right-of-way and improvements of which have been accepted for maintenance by the Village, County, State or Federal Government.

STREET LINE: A dividing line between the street and a lot, also known as the right-of-way line.

STRUCTURE: Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having location such location. Structures include, but are not limited to, principal and accessory buildings, towers, decks, fences, privacy screens, walls, antennae, swimming pools, and signs.

STRUCTURE, ACCESSORY: See ACCESSORY USE, BUILDING, OR STRUCTURE.

SUBDIVISION PLAT: The division of a tract of land into two or more lots, building sites, or other divisions for the purpose of sale or building development, in accordance with the Subdivision Control Act, Michigan Public Act 288 of 1967, as amended, and the Village of Oxford Subdivision Regulations, Ordinance No. 212.

SWIMMING POOL: Shall mean any permanent, non-portable structure or container located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing. A swimming pool shall be considered an accessory structure for purposes of computing lot coverage.

TEMPORARY USE OR BUILDING: See BUILDING, TEMPORARY or USE, TEMPORARY.

ARTICLE 2: DEFINITIONS

THEATER: An enclosed building used for presenting performances or motion pictures which are observed by paying patrons from seats situated within the building. Also see DRIVE-IN THEATER.

TOWNHOUSE: See DWELLING UNIT, SINGLE FAMILY ATTACHED or TOWNHOUSE.

TOXIC OR HAZARDOUS WASTE: Waste or a combination of waste and other discarded material including solid, liquid, semi-solid, or contained gaseous material which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to the following if improperly treated, stored, transported, disposed of, or otherwise managed:

- A. An increase in mortality, or
- B. An increase in serious irreversible illness, or
- C. Serious incapacitating, but reversible illness, or
- D. Substantial present or potential hazard to human health or the environment.

TRAILER: See RECREATIONAL VEHICLE; DWELLING, MOBILE HOME; and UTILITY TRAILER.

TRANSITION: The word or term “transition” or “transitional” shall mean a zoning district, a landscaped area, lot arrangement, wall or other means which may serve as a buffer between various land use types, particularly those uses which are incompatible.

USE: The purpose for which land, lots, or buildings thereon is designed, arranged or intended, or for which it is occupied, maintained, let or leased.

USE, PERMITTED: A permitted use is a use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and standards of such district.

USE, PRINCIPAL: The principal use is the main use of land and buildings and the main purpose for which land and buildings exist.

USE, TEMPORARY: Shall mean a use permitted to exist during a specified period of time under conditions and procedures as provided in this Ordinance.

UTILITY ROOM: A utility room is a room in a dwelling, the use of which is primarily for storage, for housing a heating unit, or for laundry purposes.

UTILITY TRAILER: A small trailer that is designed to be pulled by an automobile, van, or pick-up truck.

VARIANCE: A modification of the literal provisions of this Ordinance granted by the Zoning Board of Appeals.

VETERINARY HOSPITAL: See CLINIC, VETERINARY.

VILLAGE: The Village of Oxford, Oakland County, Michigan.

VILLAGE COUNCIL: The Village Council of the Village of Oxford, Oakland County, Michigan.

WALL, OBSCURING: Shall mean a decorative masonry structure of

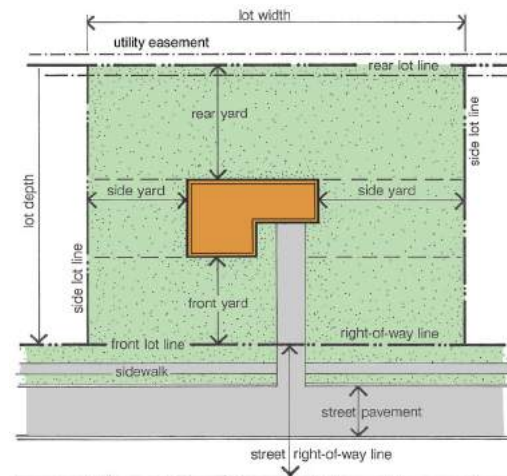
definite height and location to serve as an opaque screen in carrying out the requirements of this Ordinance.

WALL, RETAINING: A structural mass which is designed and used to resist lateral pressures of soil behind it and is designed to be safely supported by soil beneath it.

WAREHOUSE: A building used for short and/or long term storage in connection with production and marketing or in connection with manufacturing, freight handling, and retailing. See also DISTRIBUTION CENTER.

WHOLESALE SALES: On premise sales of goods primarily to customers engaged in the business of reselling the goods.

YARD: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise permitted in this Ordinance. The Minimum Required Setback is the minimum depth of a front, rear or side yard necessary to conform to the required yard setback provisions of this ordinance.



- A. **Yard, Front:** A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the principal building. Unless otherwise specified, on corner lots there shall be maintained a front yard along each street frontage.
- B. **Yard, Rear:** A yard extending the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and the nearest point on the principal building. On corner lots, the rear yard may be opposite either street frontage, but there shall only be one rear yard.
- C. **Yard, Side:** A yard between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest point on the principal building.

ZONING OFFICIAL: Official assisting Village Council, Village Manager, Planning Commission and Zoning Board of Appeals in administering the regulations of this Ordinance.

1	Purpose
2	Definition
3	Zoning District and Uses
4	Use Standards
5	Planned Unit Development
6	Development Standards
7	General Provisions
8	Nonconformities
9	Administration & Enforcement

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Article 3: Zoning Districts and Uses

Chapter 1: Zoning Districts and Map

SECTION 3.1.1 • CREATION OF ZONING DISTRICTS

For the purpose of this Ordinance, the Village of Oxford shall be divided into the following zoning districts, which shall be known by the names and symbols here shown.

R-1	Single Family Residential District
RM	Multiple Family Residential District
C-1 Core	Central Business District
C-1 Transition	Commercial Gateway
C-2	General Commercial District
I-1	Industrial District
P-1	Vehicular Parking District

SECTION 3.1.2 • ZONING MAP

The boundaries of the Village of Oxford zoning districts are shown on a map adopted by the Village Council. The map shall be entitled "Zoning Map, Village of Oxford, Oakland County, Michigan" and shall bear the date adopted or amended. It shall be the duty of the Village Manager and Clerk to authenticate such records by placing their official signatures thereon. Such map with all accompanying explanatory matter is hereby made a part of this Ordinance and shall be, as such, a part of this Ordinance as if the matters and information set forth thereon were all fully described herein.

SECTION 3.1.3 • APPLICATION OF THIS ORDINANCE

Except as otherwise provided in this Ordinance, erection of buildings and uses of land shall conform to the specific provisions for the zoning districts involved. No land shall be redeveloped or use commenced, expanded or continued within the Village except as specifically, or by necessary implication, authorized by this Ordinance.

Lawful nonconforming structures and uses existing at the time of passage of this Ordinance are specifically governed by Article 8, Nonconformities, and generally governed by this Ordinance.

SECTION 3.1.4 • INTERPRETATION OF DISTRICT BOUNDARIES

- A.** Unless otherwise shown, the boundaries of the districts are lot lines, the center lines of streets or alleys, or such lines extended, and the limits of the Village of Oxford.

Where a district boundary line, as established in this Section or as shown on the Zoning Map, divides a lot which was in single ownership and of record at the time of enactment of this Ordinance, the use authorized thereon and the other district requirements applying to the least restricted portion of such lot, under this Ordinance, shall be considered as extending to the entire lot, provided that the more restricted portion of such lots is entirely within twenty five (25) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

- B.** Where due to the scale, lack of detail or illegibility of the Zoning Map of this Ordinance, there is any uncertainty, contradiction, or conflict as to the intended location of any district boundary lines, said lines shall be interpreted upon written request, or upon its own motion, by the Zoning Board of Appeals, after recommendation by the Planning Commission.

- C.** Where a district boundary line follows a shoreline, such boundary shall construed to be the shoreline. In the event of a change in the shoreline, the boundary line shall be construed to move with the actual shoreline. Boundaries indicated as approximately following the center line of streams, rivers, canals, lakes or other bodies of water shall be structured to follow such center lines.

SECTION 3.1.5 • PERMISSIVE ZONING

Land uses are permitted specifically in the various zoning districts of this Ordinance. Where not specifically permitted, uses are thereby specifically prohibited unless construed to be similar to a use expressly permitted. No land contained within any zoning district within the Village of Oxford shall be used for any purpose other than those uses specifically set forth in the following sections, except as permitted by Article 8, Nonconformities.

SECTION 3.1.6 • USES PERMITTED AS A RIGHT

Permitted uses, as identified in Section 3.3.1 covering each district, are recognized as uses of land and buildings in certain districts which are harmonious with other such uses which may lawfully exist within the same district. A permitted use is subject to the general provisions, parking regulations, district intent, permit, certificate and site plan requirements found elsewhere in this Ordinance, but otherwise is considered to be a lawful use not requiring special or extraordinary controls or conditions, unless otherwise indicated herein.

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

9

ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.1.7 • USES PERMITTED UNDER SPECIAL APPROVAL

The uses identified as special approval uses in Section 3.3.1 covering each district are recognized as possessing characteristics of such unique and special nature (relative to location, off site impacts, design, size, public service, utilities needs, and other similar characteristics) as necessitating individual standards and conditions in order to safeguard the general health, safety and welfare of the community. Article 9, Chapter 2 regarding procedure and requirements for special approval uses, shall apply to these uses.

SECTION 3.1.8 • ZONING OF VACATED AREAS

Whenever any street, alley or other public way within the Village shall be vacated, such street, alley or other public way or portion thereof, shall automatically be classified in the same zoning district as the property to which it is attached.

SECTION 3.1.9 • ZONING OF ANNEXED AREAS

Any area annexed to the Village shall, immediately upon such annexation, be automatically classified as an R-3 District until a Zoning Map for said area has been adopted by the Council. The Planning Commission shall recommend appropriate zoning for such area within six (6) months after the annexation has taken place.

Chapter 2: Purpose of Districts

SECTION 3.2.1 • R-1, SINGLE FAMILY DISTRICTS

The intent of the Single Family Residential Districts is to provide areas in the Village for the construction and continued use of single family dwellings within stable neighborhoods. It is intended that the principal use of land is for single family dwellings, but each district has different minimum area, density, and placement requirements to provide different housing types to accommodate the varied needs of the population. For these residential districts, in promoting the general purpose of this section, the specific intent of this section is:

- A. To permit the construction of, and the continued use of the land for single family dwellings; and
- B. To prohibit multiple family, business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or continuation of single family dwellings in the district.

Subdivision Open Space or Planned Unit Development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in Articles 5 and 6.

SECTION 3.2.2 • RM MULTIPLE FAMILY RESIDENTIAL DISTRICT

The intent of this district is to provide areas in the Village for multiple family dwellings at a moderate density; access to amenities; adequate open space for vehicular parking, outdoor recreation, and plant growth; and adequate distance of buildings and parking from adjoining residential districts.

SECTION 3.2.3 • RESERVED

SECTION 3.2.4 • RESERVED

SECTION 3.2.5 • C-1 CENTRAL BUSINESS DISTRICT - CORE AND TRANSITION

The intent of the C-1 District and associated form-based regulations is to create proper urban form through simple and clear regulations on the design of new development or redevelopment. For the purposes of this Article, proper urban form means development that permits a mixture of land uses in close proximity; streets that serve the need of pedestrians, bicycles and automobiles equitably; provides places for informal social activity and recreation; and creates building frontages that define the public space of streets. With proper urban form, a wide range of uses within the building may be comfortably and naturally accommodated. The C-1 District is broken into two subdistricts – the C-1 Core and the C-1 Transition District. These two subdistricts intend to:

- A. Create a core downtown zone that maintains the traditional physical form of historic central business district.
- B. Create a unique, historic, walkable mixed use district with a diversity of office, retail and residential spaces along

Washington Street.

- C. Promote the orderly development, redevelopment, and continued maintenance of the Oxford central business district.
- D. Encourage shared parking areas dispersed throughout the district typically located behind the buildings that front on Washington Street
- E. Create physical building guidelines that ensure new buildings are compatible with the historic downtown architecture
- F. Ensure buildings create a solid streetwall that help to minimize visual impact of parking located off of Washington Street.
- G. Permitted uses should be complementary to each other, and should not have an adverse impact on street capacity, public utilities and services, or the overall image and function of the district.
- H. To prohibit automotive related services and non retail uses which tend to interfere with the continuity of retail frontage.

SECTION 3.2.6 • C-2 GENERAL BUSINESS DISTRICT

The intent of the General Business District is to provide for a variety of commercial uses, including more intensive commercial uses not permitted in the C-1 District and which can be incompatible with pedestrian movement. The district is intended to permit commercial establishments that cater to the convenience and comparison shopping needs of the entire Village and a substantial area of surrounding region beyond the municipal limits and, therefore, are often located so as to serve passing traffic.

Because of the variety of business types permitted in the C-2 District, special attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. General commercial facilities should be compatible in design with adjacent commercial development.

Planned Unit Development may be permitted as a means to achieve the basic intent of this district in accordance with the guidelines in Article 5.

SECTION 3.2.7 • I-1 INDUSTRIAL DISTRICT

The intent of the I-1 Industrial District is to provide locations for industrial development, including development within planned industrial park subdivisions and on independent parcels. It is intended that permitted activities or operations produce no external impacts that are detrimental in any way to other uses in the district or properties in adjoining districts. Permitted uses should be compatible with surrounding residential or commercial uses.

Accordingly, permitted manufacturing, distribution, warehousing, and other light industrial uses permitted in this district should be fully contained within well designed buildings on amply landscaped sites, with adequate off street parking and loading areas, and with proper screening around outside storage areas.

Planned Unit Development may be permitted as a means to achieve the basic intent of this district in accordance with the guidelines in Article 5.

Purpose

1

Definition

2

Zoning District and Uses

3

Use Standards

4

Planned Unit Development

5

Development Standards

6

General Provisions

7

Nonconformities

8

Administration & Enforcement

9

ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.2.8 • P-1 VEHICULAR PARKING DISTRICT

The intent of the Vehicular Parking District is to accommodate the off street parking for those non residential uses which are not able to provide adequate space within their own district boundaries. This district will generally be provided by petition or request to serve a use district which has developed without adequate off street parking facilities. See Section 4.1.42 for use criteria and development standards for the P-1 District.

SECTION 3.2.9 • FLEX DISTRICT

The intent of the Flex District is to allow a market-based approach to developing vacant land in the Village. The Flex District is not a zoning district in and of itself, but is instead a placeholder designed to allow applicants to propose a use or development based on the needs of the market. The Planning Commission shall have the right and responsibility to weight all proposals against the standards in this Ordinance, and to determine whether a proposal is in the best interest of the Village and its residents.

Chapter 3: Land Use Table

KEY	P	= Principal permitted use
	S	= Special use
		= Not permitted

SECTION 3.3.1 • TABLE OF PERMITTED USES BY DISTRICT

USES	DISTRICTS								ADDITIONAL STANDARDS
	R-1	RM	C-1 Core	C-1 Trans	C-2	I-1	P-1	F	
COMMUNITY, PUBLIC, and RECREATION USES									
Places of worship and other customarily associated religious buildings	S	S	P	P	P	P		S	Section 4.1.26
Public, parochial, and other private elementary, intermediate, or high schools	S	S	P	P	P	P		S	Section 4.1.29
Colleges, universities, and other such institutions of higher learning offering courses in general, technical, or religious education	S	S	P	P	P	P		S	Section 4.1.29
Business schools and colleges, and vocational training centers such as trade schools, dance schools, music and voice schools, and art studios			P	P	P	P		S	
Cemeteries	P							S	Section 4.1.9
Publicly owned buildings	S	S	P	P	P	P		S	Section 4.1.36
Publicly owned or operated parks, parkways, and outdoor recreational facilities.	P	P	P	P				S	Section 4.1.25
Essential services	S	S	S	S	P	P		S	
Community buildings such as libraries, museums, and recreational, educational, and human service centers	S	S	P	P	P	P		S	
Child care centers	S	S	P	P	P	S		S	Section 4.1.10
Public or private golf courses, including country clubs	S	S	S	S	S	S		S	Section 4.1.14
Hospitals		S	S	S	S	S		S	Section 4.1.18
Private indoor recreation facilities			P	P	P	P		S	
Private outdoor recreation facilities			S	S	S	S		S	Section 4.1.25
COMMERCIAL and RETAIL USES									
Retail sales establishments			P	P	P	S		S	
Restaurants			P	P	P	S		S	
Bar or lounge			P	P	P	S		S	
Bed and breakfast establishments	S	S	P	P	P			S	Section 4.1.18
Hotel			P	P	P			S	Section 4.1.21
Restaurant, carry-out			P	P	P			S	
Theatres			P	P	P			S	When within a completely enclosed building
New and used automobile, truck and tractor, boat, mobile home, recreation vehicle, and trailer sales				S	P	P		S	Section 4.1.5

ARTICLE 3: ZONING DISTRICTS AND USES

KEY	P	= Principal permitted use
	S	= Special use
		= Not permitted

USES	DISTRICTS								ADDITIONAL STANDARDS
	R-1	RM	C-1 Core	C-1 Trans	C-2	I-1	P-1	F	
COMMERCIAL and RETAIL USES [continued]									
Automobile filling and service stations, including oil change or lubrication stations					P			S	Section 4.1.6
Automobile or car wash establishments					P			S	Section 4.1.7
Outdoor sales					S				Section 4.1.23
Motel					S			S	Section 4.1.21
Commercial kennels					S			S	Section 4.1.16
Drive-throughs				S	P	S		S	Section 4.1.13
Parking garages		S	S	S	S			S	Section 4.1.48
Arcades			P	P	P			S	
Drive-in theatres					S			S	Section 4.1.11
Outdoor cafes and seating			S	S	S				Section 4.1.45
Stores selling primarily tobacco or nicotine products or accessories			S	S	P	S		S	
Outdoor dining on private property (April 15 to November 1)			P	P	P	S		S	Section 4.1.45
Outdoor dining on private property (November 2 to April 14)			S	S	S	S		S	Section 4.1.45
Outdoor dining on public property			S	S	S	S	S	S	Section 4.1.45
INDUSTRIAL, RESEARCH, and TECHNOLOGY USES									
Research, design, and pilot or experimental project development			S	S	P	P		S	When in a completely enclosed building. Growing of vegetation requisite to the conduct of basic research shall not be required to be enclosed.
Warehousing, wholesale distribution establishments, and truck terminal facilities					S	P		S	
The manufacture, compounding, processing, packaging, or treatment of such products as, but not limited to: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery; tool, die, gauge, and machining shops provided that no metal stamping machines are employed					S	P		S	
The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, rubber, precious or semi-precious metals or stone, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns			S	S	S	P		S	
The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas			S	S	S	P		S	
Manufacturer of edible products industry but not limited to baked goods, beer, wine, liquor, candy, and other foods fit for wholesale distribution			S	S	S	P		S	

ARTICLE 3: ZONING DISTRICTS AND USES

KEY	P	= Principal permitted use
	S	= Special use
		= Not permitted

USES	DISTRICTS								ADDITIONAL STANDARDS
	R-1	RM	C-1 Core	C-2 Trans	C-2	I-1	P-1	F	
INDUSTRIAL, RESEARCH, and TECHNOLOGY USES [continued]									
Manufacture of musical instruments, toys, novelties, and metal or rubber stamps, or other molded rubber products			S	S	S	P		S	
Manufacture or assembly of electrical appliances, electronic instruments and devices, radios, phonographs and television			S	S	S	P		S	
Laboratories: experimental, film, or testing			S	S	P	P		S	
Manufacturing and repair of electric signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like						P		S	
Storage facilities for building materials, sand, gravel, stone, lumber and outdoor storage of contractor's equipment and supplies						P		S	
Grain elevators						P		S	
Central dry cleaning plants or laundries						P		S	
Automotive repair garages, auto engine and body repair, and undercoating shops					P	P		S	When all operations take place within a completely enclosed building
Mini warehouses and self storage facilities					P	P		S	
Storage and transfer, and electric and gas service buildings and yards. Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, water supply and sewage disposal plants, water and propane tank holders, railroad buildings transfer and storage tracks, loading and storage facilities and off street vehicular parking						S		S	
Retail uses which have an industrial character in terms of either their activities or outdoor storage requirements such as, but not limited to: lumber yards, building materials outlets, upholsterers, and cabinet makers, and agricultural or construction equipment sales, rental, or repair					P	P		S	
Lumber and planing mills when completely enclosed						P		S	When located in the interior of the district so that no property line shall form the exterior boundary of the I-1 District

1	Purpose
2	Definition
3	Zoning District and Uses
4	Use Standards
5	Planned Unit Development
6	Development Standards
7	General Provisions
8	Nonconformities
9	Administration & Enforcement

ARTICLE 3: ZONING DISTRICTS AND USES

KEY	P	= Principal permitted use
	S	= Special use
		= Not permitted

USES	DISTRICTS								ADDITIONAL STANDARDS
	R-1	RM	C-1 Core	C-1 Trans	C-2	I-1	P-1	F	
INDUSTRIAL, RESEARCH, and TECHNOLOGY USES [continued]									
Metal plating, buffing and polishing						P		S	
Radio, telephone and television towers and their attendant facilities						S		S	<div>An open weave, six (6)foot high chain link fence shall be constructed around the entire perimeter of the site</div> <div>When located centrally on a parcel having a dimension of not less than a distance equal to the height of the tower as measured from the base of said tower to all points on each property line</div>
Junkyards						S		S	Section 4.1.44
Incineration of garbage or refuse						S		S	<div>When conducted within a State approved and enclosed incinerator plant</div> <div>When located in the interior of the district so that no property line shall form the exterior boundary of the I-1 District</div>
OFFICE AND SERVICE USES									
Professional offices			P	P	P			S	
Medical offices			P	P	P			S	
Funeral homes	S	S	S	P	P			S	Section 4.1.39
Banks, credit unions, and savings and loan associations			P	P	P			S	

ARTICLE 3: ZONING DISTRICTS AND USES

KEY	P	= Principal permitted use
	S	= Special use
		= Not permitted

USES	DISTRICTS								ADDITIONAL STANDARDS
	R-1	RM	C-1 Core	C-1 Trans	C-2	I-1	P-1	F	
OFFICE AND SERVICE USES (CONTINUED)									
Personal service establishments			P	P	P			S	
Newspaper offices and printing shops			P	P	P			S	
Offices and showrooms of a plumber, electrician, building contractor, upholsterer, caterer, decorator or similar trade			P	P	P			S	
Bus passenger stations			S	S	S			S	
Laundry and dry cleaning customer outlets, coin operated laundromats, and similar operations			S	S	P			S	
Private service clubs, fraternal organizations, banquet halls, and meeting halls			P	P	P			S	
Dance halls, assembly halls, and similar places of assembly			P	P	P			S	
Veterinary offices and hospitals			P	P	P			S	
RESIDENTIAL USES									
One-family detached dwellings	P	P						S	
Two-family dwellings		P						S	
Multiple family dwellings		P						S	Section 4.1.37
Residential units as described in Form Based Code	P	P	P	P					Section 3.4.13
State licensed residential facilities (6 or fewer residents)	P	P						S	Section 4.1.38
State licensed residential facilities (7 or more residents)		S						S	Section 4.1.38
Convalescent homes		S						S	Section 4.1.22
Home occupations	S	S		S				S	Section 4.1.17

1	Purpose
2	Definition
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ARTICLE 3: ZONING DISTRICTS AND USES

KEY	P	= Principal permitted use
	S	= Special use
		= Not permitted

USES	DISTRICTS								ADDITIONAL STANDARDS
	R-1	RM	C-1 Core	C-1 Trans	C-2	I-1	P-1	F	
RESIDENTIAL USES [continued]									
Boarding houses								S	
Single-family detached dwelling serving as the living quarters of a watchman or caretaker of a multiple-family development		S						S	
Mobile Home Parks, subject to the approval of the Michigan Mobile Home Commission						S		S	Section 4.1.20
TEMPORARY, SPECIAL EVENT, and OTHER USES									
Accessory buildings and accessory uses customarily incidental to the permitted uses in this section	P	P	P	P	P	P	P	P	Sections 4.1.2 and 4.1.3 (as applicable)
Outdoor storage					P	P		S	Section 4.1.46
Satellite dish antennas		P	S	S	S	S		S	Section 4.1.28
Wireless Telecommunication Facilities	S	S			P	P		S	Section 4.1.41
Mobile MRI Trailers					S	S		S	Section 4.1.47

Chapter 4: District Regulations

SECTION 3.4.1 • R-1, SINGLE FAMILY RESIDENTIAL DISTRICT

REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING

In Stories:	2 Stories
In Feet:	30 Feet

BUILDING HEIGHT - ACCESSORY BUILDING⁷

In Feet:	15 Feet
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LOT STANDARDS¹

Minimum Lot Width:	60 Feet
Minimum Lot Area:	7,200 Sq. Ft.
Minimum Usable Floor Area Per Unit (Principal Building):	1,000 Sq. Ft.
Maximum Lot Coverage for All Buildings:	40 Percent

SETBACKS - PRINCIPAL BUILDING⁶

Front Yard ² :	15 Feet ⁶
Side Yard (One) ² :	5 Feet ⁸
Side Yard (Total of Two):	12 Feet ⁶
Rear Yard:	30 Feet ⁶

SETBACKS - DETACHED ACCESSORY BUILDING^{3,4}

Front Setback:	25 Feet
Side Yard:	5 Feet ^{1,5}
Rear Setback:	3 Feet ⁵

See Section 4.1.2 for additional requirements

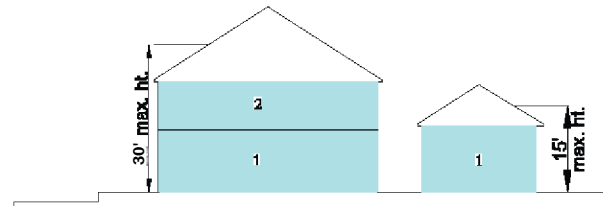
FOOTNOTES

- Where public sewers are not provided, the minimum lot area be at least 12,750 square feet and the minimum lot width shall be 80 feet.
- The side yard abutting upon a street shall not be less than ten (10) feet.
- Detached accessory buildings shall be a minimum of 10 feet from any principal building.
- No detached accessory buildings shall be erected in the front or required side yard or within permanent easements.
- An accessory building shall not be located nearer than 10 feet to a street right-of-way line, except in those instances where the rear lot line abuts an alley right-of-way, in which case, the accessory building shall be no closer than one (1) foot to such rear lot line.
- Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations of this Ordinance applicable to main buildings. An attached accessory building shall be setback a minimum of 3 feet behind the front building line.
- Accessory buildings may be up to 25 feet in height if they contain living space that meet the standards of the building code. The living space must be accessory to the principal single family dwelling and may not be a separate dwelling unit.
- Within the Form Based Code boundary, the setbacks shall be the same as the C-1 Transition District.

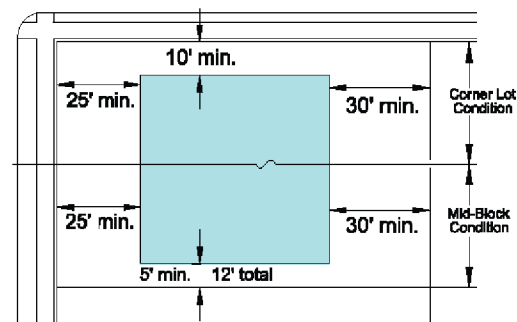
Graphics are illustrative only. Refer to REGULATIONS SCHEDULE for setback and height information. (amended by ordinance #376)

Some regulations on this page are superceded within the Form Based Code boundary.

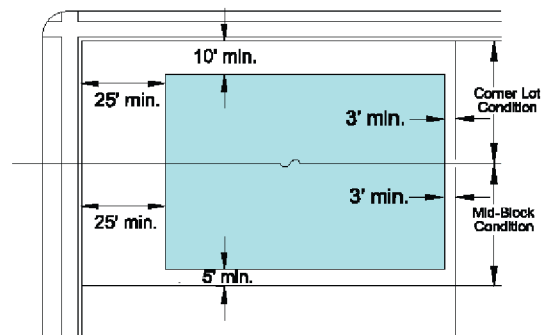
BUILDING HEIGHT



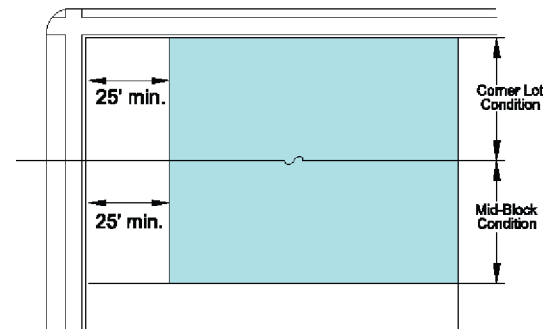
SETBACKS - PRINCIPAL BUILDING



SETBACKS - DETACHED ACCESSORY BUILDING



PARKING PLACEMENT



ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.4.2 • RM, MULTIPLE FAMILY RESIDENTIAL DISTRICT

REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING

In Stories:	2 Stories
In Feet:	25 Feet

BUILDING HEIGHT - ACCESSORY BUILDING

In Feet:	15 Feet
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LOT STANDARDS

Minimum Lot Width:	80 Feet
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MINIMUM FLOOR AREA PER UNIT (PRINCIPAL BUILDING):

Efficiency:	350 Sq. Ft.
One Bedroom:	500 Sq. Ft.
Two Bedroom:	700 Sq. Ft.
Each Additional Bedroom:	200 Sq. Ft. per bedroom

SETBACKS - PRINCIPAL BUILDING²

Front Yard:	25 Feet ⁵
Side Yard:	10 Feet ⁵
Rear Yard:	30 Feet ⁵

SETBACKS - DETACHED ACCESSORY BUILDING^{1,2}

Front Setback:	25 Feet
Side Yard:	5 Feet
Rear Setback:	3 Feet ⁵

See Section 4.1.3 for additional requirements

MINIMUM SPACING BETWEEN BUILDINGS³

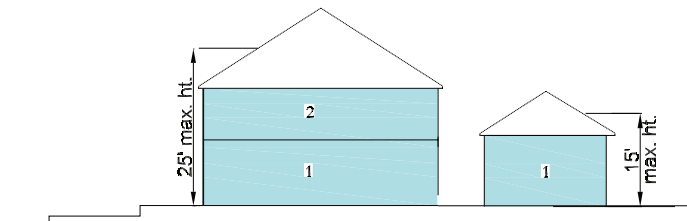
Front to Front:	50 Feet
Front to Rear:	50 Feet
Rear to Rear:	50 Feet
Front to Side:	30 Feet
Side to Side:	10 Feet
Corner to Corner:	10 Feet
Maximum Units per Acre	15 Units ⁴

FOOTNOTES

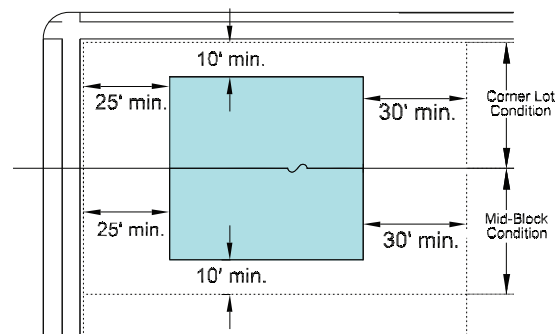
1. No detached accessory structure shall be erected in the front yard. In the case of lots with two front yards, no accessory structure shall be located in the required minimum setback of either front yard.
2. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations of this Ordinance applicable to main buildings. An attached accessory building shall be setback a minimum of 3 feet behind the front building line.
3. There is no maximum density within the Form Based Boundary provided all other standards are met.
4. Within the Form Based Code Boundary, the setbacks shall be the same as C-1 Transition District

Graphics are illustrative only. Refer to REGULATIONS SCHEDULE for setback and height information. Some regulations on this page are superseded within the Form Based Code boundary.

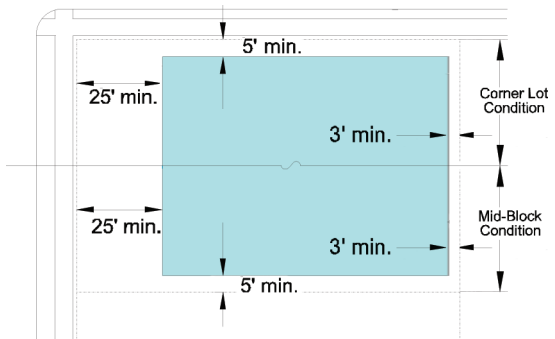
BUILDING HEIGHT



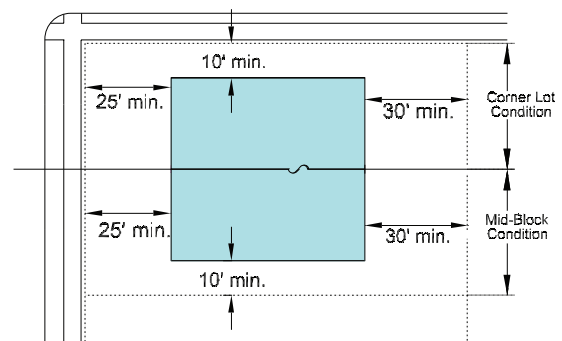
SETBACKS - PRINCIPAL BUILDING



SETBACKS - DETACHED ACCESSORY BUILDING



PARKING PLACEMENT



SECTION 3.4.3 • C-2, GENERAL COMMERCIAL DISTRICT

REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING

In Stories:	2 Stories
In Feet:	30 Feet

BUILDING HEIGHT - ACCESSORY BUILDING

In Feet:	30 Feet ¹
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LOT STANDARDS

Minimum Lot Width:	See Footnote 5
Minimum Lot Area:	See Footnote 5

Minimum Usable Floor Area Per Unit (Principal Building):	N/A
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Maximum Lot Coverage for All Buildings:	N/A
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SETBACKS - PRINCIPAL BUILDING²

Front Yard:	30 Feet
Side Yard (One):	0 Feet ⁶
Side Yard (Total of Two):	0 Feet
Rear Yard:	0 Feet ³

SETBACKS - DETACHED ACCESSORY BUILDING²

Front Setback:	Behind Front Yard
Side Yard:	0 Feet ⁶
Rear Setback:	0 Feet ⁴

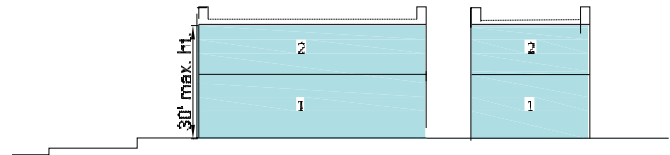
See Section 4.1.3 for additional requirements

FOOTNOTES

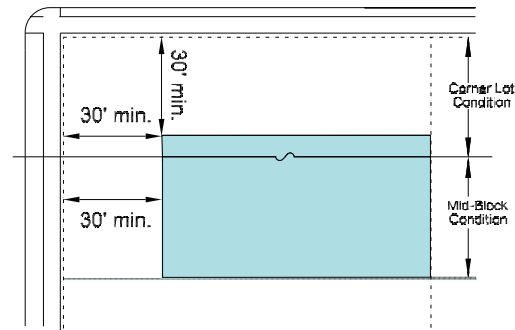
1. Subject to Planning Commission approval.
2. Where the accessory building is structurally attached to a principal building, it shall be subject to, and must conform to, all yard regulations of this Ordinance, applicable to principal buildings.
3. When a C-2 District lot is adjacent to a single family residential district, a minimum rear yard setback of 20 feet is required.
4. In the case where a rear lot line abuts an alley right-of-way, the accessory building shall maintain a 1 foot setback from the right-of-way.
5. Minimum lot area and width shall be determined by the use, setbacks, and other requirements of the Ordinance.
6. If the wall of the structure facing the side lot line contains windows or other openings as determined in the Building Code, a minimum 10 foot front setback shall be required.
7. A 10 foot greenbelt may be required along the side lot line, per Section 7.1.3B(3.e).

Graphics are illustrative only. Refer to REGULATIONS SCHEDULE for setback and height information.

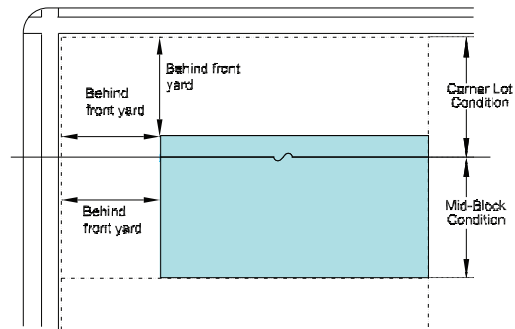
BUILDING HEIGHT



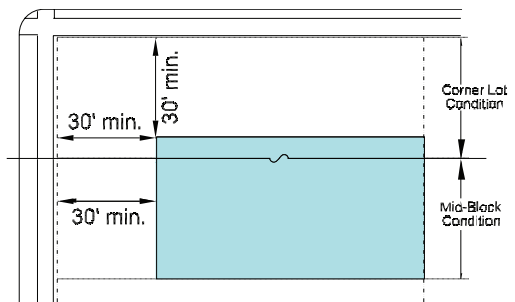
SETBACKS - PRINCIPAL BUILDING



SETBACKS - DETACHED ACCESSORY BUILDING



PARKING PLACEMENT⁷



ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.4.4 • I-1, INDUSTRIAL DISTRICT

REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING

In Stories:	2 Stories
In Feet:	35 Feet

BUILDING HEIGHT - ACCESSORY BUILDING

In Feet:	35 Feet¹
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LOT STANDARDS

Minimum Lot Width:	See Footnote 5
Minimum Lot Area:	See Footnote 5
Minimum Usable Floor Area Per Unit(Principal Building):	N/A
Maximum Lot Coverage for All Buildings:	N/A

SETBACKS - PRINCIPAL BUILDING²

Front Yard:	50 Feet
Side Yard (One)	0 Feet⁶
Side Yard (Total of Two):	0 Feet
Rear Yard:	0 Feet³

SETBACKS - DETACHED ACCESSORY BUILDING²

Front Setback:	Behind Front Yard
Side Yard:	0 Feet⁶
Rear Setback:	0 Feet⁴

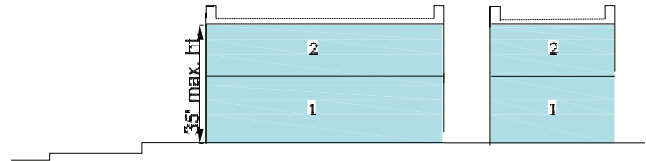
See Section 4.1.3 for additional requirements

FOOTNOTES

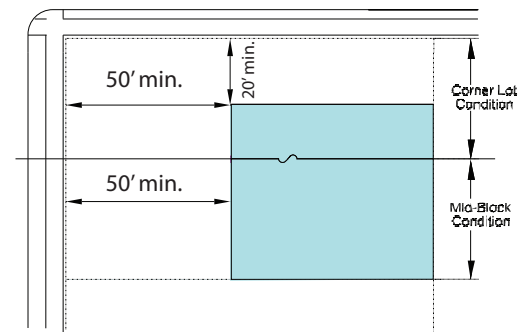
1. Subject to Planning Commission approval.
2. Where the accessory building is structurally attached to a principal building, it shall be subject to, and must conform to, all yard regulations of this Ordinance, applicable to principal buildings.
3. When an I-1 District lot is adjacent to any residential district, a minimum rear yard setback of 50 feet is required. When an I-1 District lot is adjacent to any other non-industrial district, a minimum rear yard setback of 30 feet is required.
4. In the case where a rear lot line abuts an alley right-of-way, the accessory building shall maintain a 1 foot setback from the right-of-way.
5. Minimum lot area and width shall be determined by the use, setbacks, and other requirements of the Ordinance.
6. When an I-1 District lot is adjacent to any residential district, a minimum side yard setback of 50 feet is required. When an I-1 District lot is adjacent to any other non-industrial district, a minimum side yard setback of 20 feet is required.

Graphics are illustrative only. Refer to REGULATIONS SCHEDULE for setback and height information.

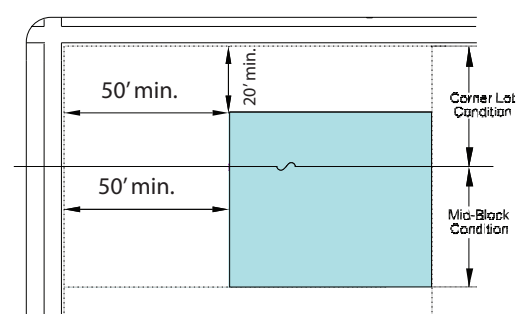
BUILDING HEIGHT



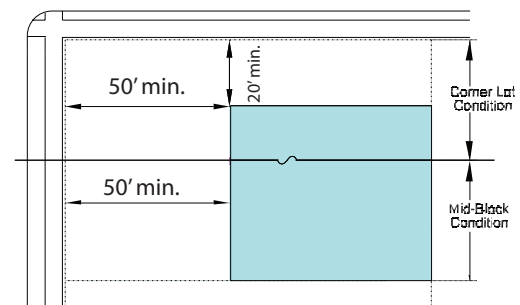
SETBACKS - PRINCIPAL BUILDING



SETBACKS - DETACHED ACCESSORY BUILDING



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ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.4.5 • C-1, CORE DISTRICT

REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING

In Stories:	5 Stories (2 Stories Min.)
In Feet:	64 Feet (30 Feet Min.)
Fourth Story and Above Setback:	15 Feet

LOT STANDARDS

Minimum Lot Width:	See Footnote 1
Minimum Lot Area:	See Footnote 1
Minimum Usable Floor Area Per Unit (Principal Building):	N/A
Building Lot/Width Ratio ³ :	75% Min.; 100% Max.

SETBACKS - PRINCIPAL BUILDING

Front Yard:	0 Feet Min.; 5 Feet Max.
Side Yard (One)	0 Feet ²
Side Yard (Total of Two):	0 Feet
Rear Yard:	0 Feet ⁴

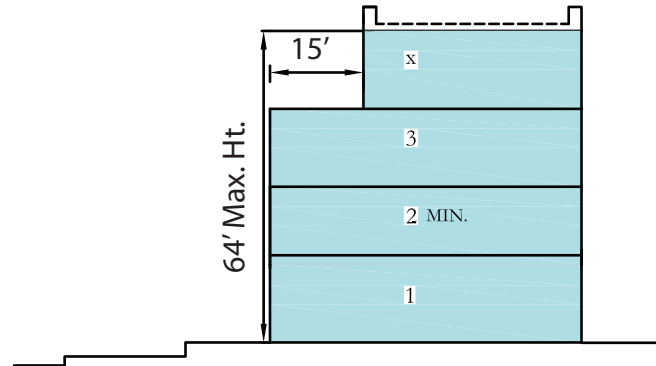
FOOTNOTES

1. Minimum lot area and width shall be determined by the use, setbacks, and other requirements of the ordinance.
2. If the wall of the structure facing an interior side lot line contains windows or other openings as determined in the Building Code, a minimum 10 front setback shall be required.
3. Any portion of the lot frontage not occupied by building must either include a screen wall to screen parking areas or must be a pedestrian pass-through connecting the parking areas at the rear of the building to Washington Street.
4. A minimum 5 foot wide sidewalk for pedestrian ingress and egress shall be maintained between the rear of the building and the back of curb adjacent to a public or private street, roadway, or alley, or off-street parking lot. Where no curb exists, a minimum 5 foot wide sidewalk shall be provided between the rear of the building and the nearest edge of pavement used for a public or private street, roadway, or alley, or off-street parking lot. The sidewalk may be located on private property, public property, or a combination thereof. The sidewalk shall maintain a 5 foot wide clearpath free from any encumbrances, including but not limited to light poles, landscaping, street furniture, HVAC equipment, and structural elements. A building projection above the clear path shall maintain a minimum vertical clearance of 14 feet above the grade of the pedestrian area.

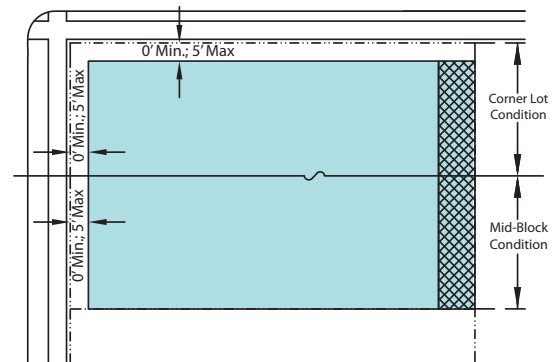
See Form Based Code for additional regulations.

Graphics are illustrative only. Refer to REGULATIONS SCHEDULE for setback and height information.

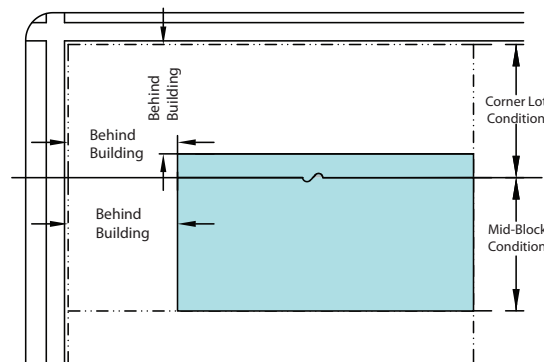
BUILDING HEIGHT



SETBACKS - PRINCIPAL BUILDING



PARKING PLACEMENT



ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.4.6 • C-1, TRANSITION DISTRICT

REGULATIONS SCHEDULE

BUILDING HEIGHT - PRINCIPAL BUILDING

In Stories:	3 Stories (2 Stories Min.)
In Feet:	40 Feet (30 Feet Min.)

LOT STANDARDS

Minimum Lot Width:	See Footnote 1
Minimum Lot Area:	See Footnote 1
Minimum Usable Floor Area Per Unit (Principal Building):	N/A
Building Lot/Width Ratio:	65% Min.; 100% Max.

SETBACKS - PRINCIPAL BUILDING

Front Yard:	5 Feet Min.; 15 Feet Max.
Side Yard (One)	0 Feet²
Side Yard (Total of Two):	0 Feet
Rear Yard:	0 Feet³

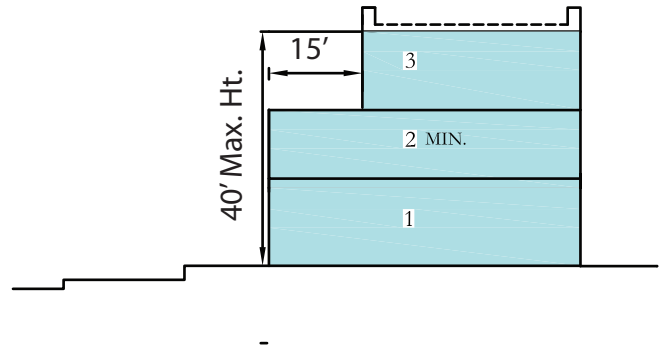
FOOTNOTES

1. Minimum lot area and width shall be determined by the use, setbacks, and other requirements of the Ordinance.
2. If the wall of the structure facing an interior side lot line contains windows or other openings as determined in the Building Code, a minimum 10 foot setback shall be required. This footnote shall not apply to lot lines that abut a publically-owned parking lot.
3. A minimum 5 foot wide sidewalk for pedestrian ingress and egress shall be maintained between the rear of the building and the back of curb adjacent to a public or private street, roadway, or alley, or off-street parking lot. Where no curb exists, a minimum 5 foot wide sidewalk shall be provided between the rear of the building and the nearest edge of pavement used for a public or private street, roadway, or alley, or off-street parking lot. The sidewalk may be located on private property, public property, or a combination thereof. The sidewalk shall maintain a 5 foot wide clearpath free from any incumbrances, including but not limited to light poles, landscaping, street furniture, HVAC equipment, and structural elements. A building projection above the clear path shall maintain a minimum vertical clearance of 14 feet above the grade of the pedestrian area.

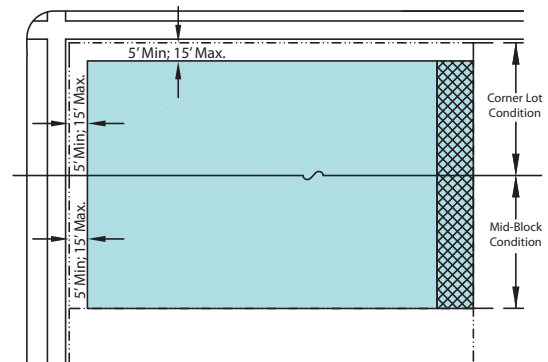
See Form Based Code for additional regulations.

Graphics are illustrative only. Refer to REGULATIONS SCHEDULE for setback and height information.

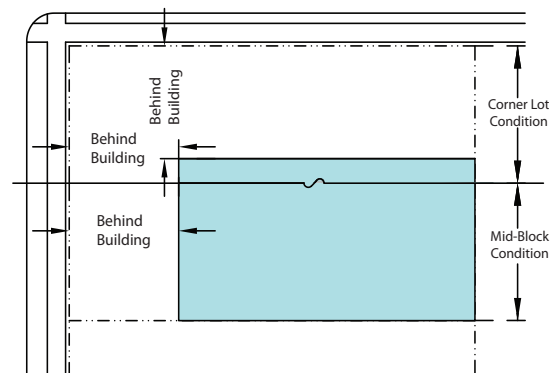
BUILDING HEIGHT



SETBACKS - PRINCIPAL BUILDING



PARKING PLACEMENT



ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.4.7 • FLEX DISTRICT APPLICATION

A. Flex District Description. The Flex District is designed to allow developers to propose a use and site design for consideration by the Planning Commission under the Special Use process in Section 9.2. All uses listed in Section 3.3.1 shall be considered Special Uses in the Flex District. The use and site design must meet the standards of this section in order to be approved. The use and site design must also meet all other standards of this Ordinance, unless specifically waived by the Planning Commission under the process outlined in Section 3.4.12.6.

1. **Application.** An application for Special Use approval within the Flex District must include the following information:
 - a.) A request for an underlying zoning district to govern aspects of the use not specifically listed in the application.
 - b.) A detailed description of the proposed use.
 - c.) A site plan meeting the standards of Section 9.1.
 - d.) A detailed listing of any requested waivers from the standards of this Ordinance. Any requirements of this Ordinance not approved for waivers shall apply to the site.
2. **Process.** An application for Special Use approval within the Flex District must complete the following process in order to be approved:
 - a.) **Pre-Application Meeting (Optional).** All Flex District applicants are encouraged to meet with the Village Planner, Engineer, DPW, Fire, Police, and representatives from the Planning Commission prior to submitting an application.
 - b.) **Public Hearing.** A public hearing, meeting the requirements for Special Use approval from the Michigan Zoning Enabling Act and Section 9.2, shall be held prior to any action on a Flex District application.
 - c.) **Planning Commission Decision.** The Planning Commission may determine whether to approve, approve with conditions, or deny the Special Use request. The Planning Commission may include conditions that impose restrictions on the ongoing operation of the use, above and beyond the requirements of this Ordinance.
 - d.) **Result of Approval.** A parcel approved for a Special Use in the Flex District shall be designated on the Official Zoning Map as being zoned Flex with the approved underlying Zoning District also noted on the map.
3. **Limitations on Rezoning and Standards for Determining Land to be zoned Flex.** No application for a rezoning to

the Flex District initiated by a property owner shall be approved. Only the Village itself may initiate a rezoning to the Flex District. A rezoning to the Flex District shall only be approved by the Village Council if the following criteria are met:

- a.) The land in question either has no principal structure, or the principal structure on the site has been unused for more than five years.
 - b.) In the opinion of the Village Council, there is no clearly appropriate Zoning District for the site, based on the surrounding development pattern and the Village's Master Plan.
 - c.) In the opinion of the Village Council, the Flex District is the most appropriate zoning district to spur development or redevelopment of the property in question.
 - d.) No land within the Form Based Code Boundary shall be rezoned to Flex.
 - e.) No land completely surrounded by single family residential uses shall be rezoned to Flex.
4. **Standards for Approval of Flex District Special Uses.** In determining whether to approve a Special Use application, the Planning Commission shall use the following criteria, in addition to the criteria in Section 9.2.5.
 - a.) The proposed site design includes adequate road and pedestrian access for the proposed use.
 - b.) The proposed site design includes adequate screening and buffering from adjacent or nearby single family uses.
 - c.) The proposed use and site design will not hinder the development of any adjacent land, either with or outside the Flex District.
 5. **Standards for Approval of Waivers.** As part of a Special Use approval in the Flex District, the Planning Commission may approve waivers from the requirements of this Ordinance, if the following criteria are met. The Planning Commission shall not be under any obligation to approve any requested waiver.
 - a.) The proposed site design is adequate for the proposed use, despite not meeting a specific requirement of this Ordinance.
 - b.) The requested waiver is necessary for the efficient operation of the proposed use.
 - c.) Granting the waiver will not result in negative impacts on surrounding uses, including harming the aesthetics of the surrounding area.
 - d.) The proposed design achieves a goal of the applicant that is consistent with the purpose and intent of the Flex District and could not be achieved while in compliance with the Ordinance standard.

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

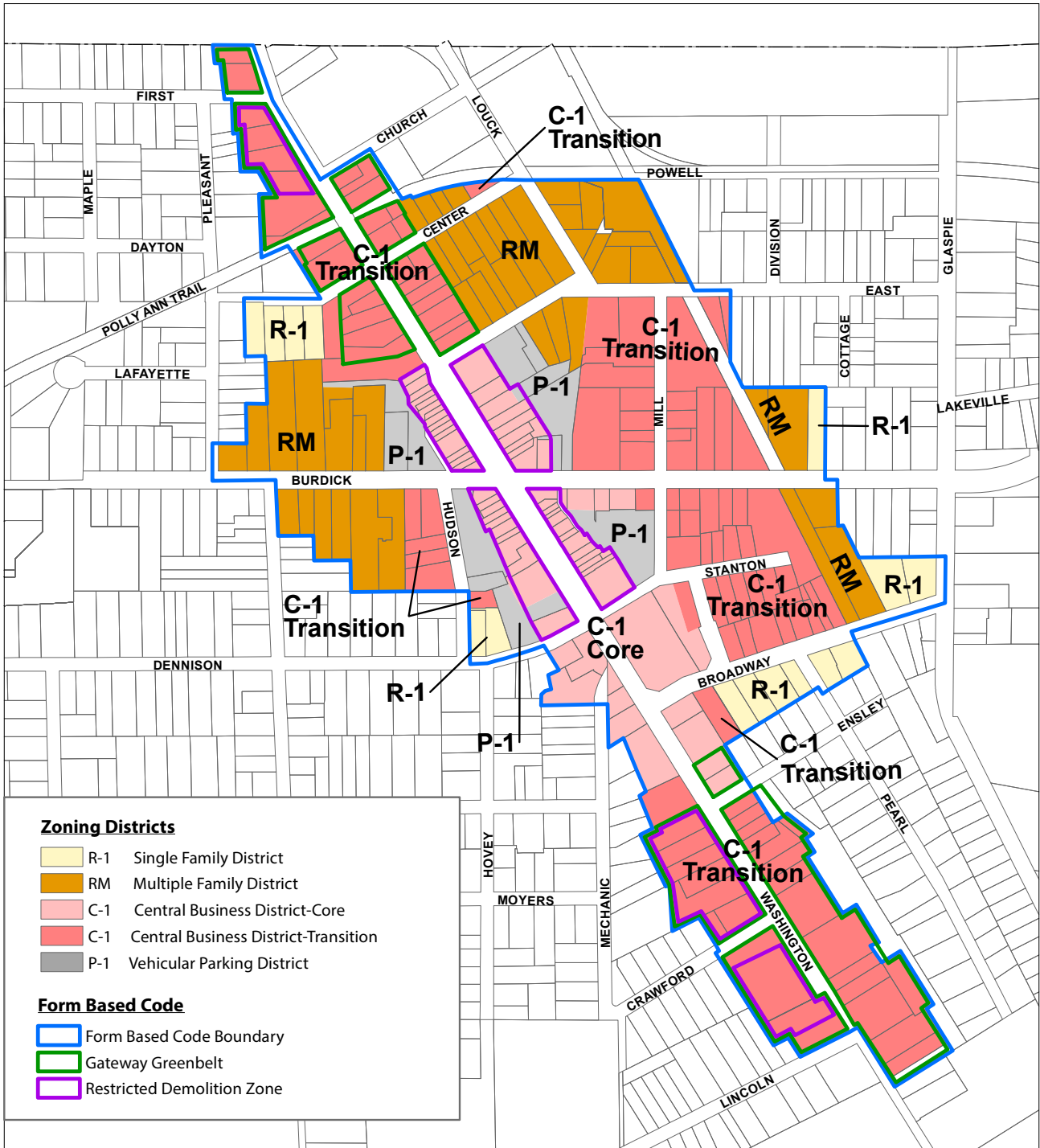
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ARTICLE 3: ZONING DISTRICTS AND USES

Chapter 5: Form Based Code

SECTION 3.5.1 • INTRODUCTION AND PURPOSE

In order to preserve the historic character and charm of the Village's core, a Form Based Code has been instituted as an overlay over the area within the Form Based Code Boundary on the Zoning Map and the Form Based Code Map. The regulations in this section are designed to provide for a walkable, vibrant core for the Village, with a mix of uses contained within attractive and functional structures. The provisions of this section shall override any conflicting provisions elsewhere in the Ordinance.



1	Purpose
2	Definition
3	Zoning District and Uses
4	Use Standards
5	Planned Unit Development
6	Development Standards
7	General Provisions
8	Nonconformities
9	Administration & Enforcement

ARTICLE 3: ZONING DISTRICTS AND USES

SECTION 3.5.2 • BUILDING TYPES

A. Where Permitted: The following chart shows the Zoning Districts in which each building type is permitted, by right or by Special Use. Only Zoning Districts included within the Form Based Code Boundary are included. The building types are defined, described, and regulated in the following sections.

Building types marked as Special Uses shall only be permitted through the Special Use process described in Section 9.2. In making the determination of whether to approve the Special Use, the Planning Commission must determine whether or not the proposed building contributes to the Village's economic development and adds to the historic, walkable character and charm of the surroundings.

	C-1 Core	C-1 Transition	RM	R-1	P-1
Mixed-Use Building	P	P			
Commercial Building	P	P			
Maker Space		P			
Live-Work Space	S	P			
Multi-Family Building	S	P	P		
Townhouse	S	P	P	P	
Site Rear Residential		P			
Single Family Home (New)		S	S	P	
Accessory Structure	P	P	P	P	
Parking Garage	S	S	S		P
Parking Lot	S	S	S		P
Park	P	P	P	P	P
Existing Structures	P	P	P	P	P

B. Mixed Use Building: For the purposes of this Ordinance, a Mixed Use Building is a building with a commercial first floor and one or more of residential, commercial, or maker space on upper floors.



- In order to be considered a Mixed Use Building, a building must:
 - Be more than one story.
 - Have a commercial first floor with an entrance that faces a public street.
 - Have upper floors designed for residential, commercial, or maker space.
- Mixed Use Buildings must meet the following design standards:
 - The commercial first floor shall extend for the entire width of the building along all frontages on a public street. Each commercial unit on the first floor shall have its own entrance.
 - Residential units must be located on floors above non-residential space.
 - Maker space is only permitted in conjunction with a specific permitted use or authorized Special Use and must be designed for small-scale, low impact artisan production that meets the definition in Section 3.4.13.2.D.
 - If required, off-street parking must be located behind or underneath the building.
 - The first floor frontage on any public road must maintain a minimum of 70% transparency (defined as windows or glass doors) between two and eight feet from grade.
 - All first floor windows and windows facing towards a public street must be transparent, non-reflective glass.
 - Overhead doors and associated driveways may not be located on the front of the building and must be located in such a way to minimize safety hazards to passing pedestrians.

ARTICLE 3: ZONING DISTRICTS AND USES

3. Permitted Encroachments:

- i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
- ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
- iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

C. Commercial Building



For the purposes of this Ordinance, a Commercial Building is a building with a commercial first floor. The building may also have additional stories designed for commercial uses. Hotels, hospitals, and other multi-story single-use, non-residential buildings are included in this category, provided they are permitted in the district, or are an authorized Special Use. A Commercial Building may include Maker Space, as defined in Section 3.4.13.2.D.

1. In order to be considered a Commercial Building, a building must:
 - a.) Have a commercial first floor that faces a public street.
 - b.) Not include any dwelling units.
2. Commercial Buildings must meet the following design standards:
 - a.) The commercial first floor shall extend for the entire width of the building, as viewed from any public street. Each commercial unit on the first floor shall have its own entrance.
 - b.) If required, off-street parking must be located behind or underneath the building.
 - c.) The first floor frontage on any public road must maintain a minimum of 70% transparency (defined as windows or glass doors) between two and eight feet from grade.
 - d.) Maker space must be located above or behind commercial or retail space and is only permitted in conjunction with a specific permitted use or authorized Special Use. It must be designed for small-scale, low impact artisan production that meets the definition in Section 3.4.13.2.D.

- e.) Overhead doors and associated driveways may not be located on the front of the building and must be located in such a way to minimize safety hazards to passing pedestrians.

- f.) All first-floor windows and windows facing towards a public street must be transparent, non-reflective glass.

g.) Permitted Encroachments:

- i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
- ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
- iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

D. Maker Space



For the purposes of this Ordinance, a Maker Space is a building designed to be used for small-scale, low-impact artisan production of wholesale goods, such as artwork, foodstuffs, beverages, jewelry, furniture, and other handcrafted small-batch products. Research laboratories may be considered Maker Spaces. Maker Spaces may not include any processes that cause negative impacts on surrounding properties due to noise, odor, dust, or vibration. While Maker Spaces may be included in other permitted building types, this section describes buildings that are solely dedicated to Maker Space.

1. In order to be considered Maker Space, a building must:
 - a.) Be associated with a specific permitted use or authorized Special Use.
 - b.) Have space designed to be occupied by one or more small-scale artisan production facilities.
2. Maker Space Buildings must meet the following design standards:

ARTICLE 3: ZONING DISTRICTS AND USES

- a.) Maker Space Buildings may not have frontage along M-24/Washington Street.
- b.) The building must have a pedestrian entrance in addition to any overhead doors.
- c.) Overhead doors and associated driveways must be located in such a way to minimize safety hazards to passing pedestrians.
- d.) The building must meet all relevant Building Codes for a principal structure.
- e.) Permitted Encroachments:
 - i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
 - ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
 - iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

E. Live-Work Space



For the purposes of this Ordinance, a Live-Work Building is a building containing units that include both residential and non-residential space. The non-residential space may be commercial space, Maker Space, or both. Live-Work Buildings are purpose-built, which differentiates them from Home Occupations, which take place in a building designed to be a residence. Live-Work Buildings differ from Mixed Use Buildings in that the non-residential space is directly connected to the residential space, with both spaces rented to a single tenant as a single unit.

1. In order to be considered a Live-Work Building, a building must:
 - a.) Have units that are designed to be used for both residential and non-residential purposes.
 - b.) All relevant Building Codes must be met for the proposed uses in the units.
2. Live-work Buildings must meet the following design standards:
 - a.) There must be a main entrance, either for each unit, or for the building as a whole, from a public street.
 - b.) If required, off-street parking must be located behind or underneath the building.
 - c.) The first floor frontage on any public road must maintain a minimum of 70% transparency (defined as windows or glass doors) between two and eight feet from grade.
 - d.) Overhead doors and associated driveways may not be located on the front of the building and must be located in such a way to minimize safety hazards to passing pedestrians.
 - e.) If the units have a retail component, the retail must be on the first floor, at the front of the building, facing a public street.
 - f.) Residential space must be located above or behind commercial or Maker Space.
 - g.) All Maker Space must be designed for small-scale, low impact artisan production that meets the definition in Section 3.4.13.2.D.
 - h.) All first-floor windows and windows facing towards a public street must be transparent, non-reflective glass.
 - i.) Permitted Encroachments:
 - i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
 - ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
 - iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

ARTICLE 3: ZONING DISTRICTS AND USES

F. Multi-Family Building



For the purposes of this Ordinance, a Multi-Family Building is a building containing two or more residential units that share an entrance and interior hallways. A Multi-Family Building may not contain any non-residential space, except for amenities dedicated specifically for the residents of the building.

1. In order to be considered a Multi-Family Building, a building must:
 - a.) Have two or more residential units that share an entrance and interior hallways.
 - b.) Have no commercial, Maker, or other non-residential space, except for amenities for the residents.
2. Multi-Family Buildings must meet the following design standards:
 - a.) There must be a main entrance for the building as a whole from a public street or approved internal private roadway.
 - b.) If required, off-street parking shall not be located between the building and the front lot line.
 - c.) Parking may be located within or underneath the building. However, the building must have a continuous first floor façade facing all public streets.
 - d.) The first floor frontage on any public road must maintain a minimum of 50% transparency (defined as windows or glass doors) between two and eight feet from grade.
 - e.) All first-floor windows and windows facing towards a public street must be transparent, non-reflective glass.
 - f.) Overhead doors and associated driveways may not be located on the front of the building and must be located in such a way to minimize safety hazards to passing pedestrians.
 - g.) Permitted Encroachments:

- i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
- ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
- iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

G. Townhouse



For the purposes of this Ordinance, a Townhouse is a building containing a single residential unit with its own exterior entrance that is attached by one or more walls to other, similar residential units.

1. In order to be considered a Townhouse, a building must:
 - a.) Be a single residential unit.
 - b.) Have its own exterior entrance.
 - c.) Be connected to other, similar residential units by one or more walls.
 - d.) Have no commercial, Maker, or other non-residential space, except for amenities for the residents.
2. Townhouses must meet the following design standards:
 - a.) Each unit must have its own entrance off of a public street, an approved internal roadway, or a courtyard/green space.
 - b.) If required, off-street parking shall not be located between the building and a public road.
 - c.) Parking may be located within or underneath the building. However, the building must have a continuous first floor façade.
 - d.) All first-floor windows and windows facing towards a public street must be transparent, non-reflective glass.

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

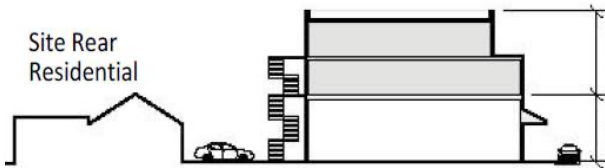
Administration &
Enforcement

9

ARTICLE 3: ZONING DISTRICTS AND USES

- e.) Overhead doors and associated driveways may not be located on the front of the building and must be located in such a way to minimize safety hazards to passing pedestrians.
- f.) Permitted Encroachments:
 - i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
 - ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
 - iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

H. Site Rear Residential

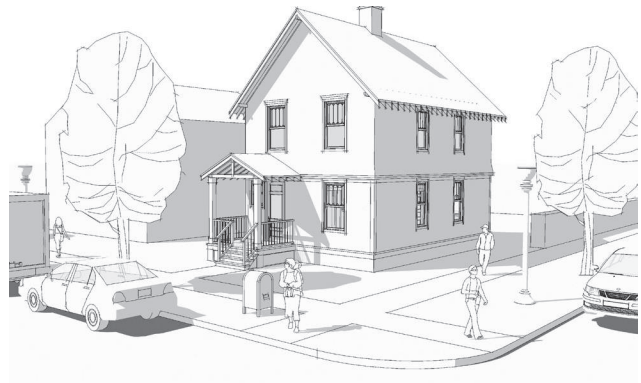


For the purposes of this Ordinance, Site Rear Residential is either a Multi-Family Building, Townhouse, or Live-Work Building located at the rear of a site. The site must also contain a permitted building along the frontage of the public road.

1. In order to be considered Site Rear Residential, a building must:
 - a.) Meet the definition of either a Multi-Family Building, under a Townhouse, or a Live Work Building until this Section.
 - b.) Be located on the same lot as another permitted building.
 - c.) Be located at the rear of the lot.
2. Site Rear Residential must meet the following design standards:
 - a.) All requirements of this Ordinance, both within and outside of the Form Based Code must be met, including but not limited to landscaping, parking, lighting, setbacks, and all Form Based Code standards for the specific building type in question, except that the Site Rear Residential building may exceed the required maximum front yard setback, may be the second principal use on a lot, and may have parking between the building and the front lot line.

- b.) Parking may be located within or underneath the building. However, the building must have a continuous first floor façade.
- c.) Overhead doors and associated driveways must be located in such a way to minimize safety hazards to passing pedestrians.
- d.) The building must be able to be adequately served by the Fire Department in the event of an emergency.
- e.) Permitted Encroachments:
 - i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
 - ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
 - iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

I. Single Family Home



For the purposes of this Ordinance, a Single Family Home is a building containing a single residential unit with its own exterior entrance that is the only residential unit on a given lot. This section shall apply to new construction of Single Family Homes, and shall not apply to homes built before January 1, 2017.

1. In order to be considered a Single Family Home, a building must:
 - a.) Be a single residential unit.
 - b.) Have its own exterior entrance.
 - c.) Have no commercial, Maker, or other non-residential space, unless approved as a Home Occupation.
2. Single Family Homes must meet the following design standards:
 - a.) Garages must be located in the rear or side yard.

ARTICLE 3: ZONING DISTRICTS AND USES

- b.) Associated driveways must be located in such a way to minimize safety hazards to passing pedestrians.
- c.) Permitted Encroachments:
 - i. Balconies on upper stories may encroach no more than 6 feet into a required setback area, and may encroach no more than 4 feet over a right-of-way.
 - ii. Porches and stoops may encroach up to 8 feet into any required setback, but not into the right-of-way.
 - iii. Bay windows may encroach up to 3 feet into any required setback, but not into the right-of-way.

J. Accessory Structure

For the purposes of this Ordinance, an Accessory Structure shall have the definition included in Section 2.2.

1. In order to be considered an Accessory Structure, a building must:
 - a.) Be on the same lot as a permitted principal structure under this section.
 - b.) Be clearly incidental and subordinate to the principal structure.
 - c.) Contain no residential units, commercial space, or any other use that is not accessory to the principal use.
2. Accessory Structures must meet the following design standards:
 - a.) Must be constructed of materials that complement the principal structure and other surroundings.
 - b.) Must be located in the rear yard of the principal structure.

K.

L. Parking Garage



For the purposes of this Ordinance, a Parking Garage is a structure of more than one story with the principal purpose of storing parked cars. A single story accessory structure designed for parking and storage shall not be considered a Parking Garage for the purposes of this Section. Neither shall an underground parking area or a parking area that is fully or partially contained within a building where the primary purpose is not parking.

1. In order to be considered a Parking Garage, a building must:
 - a.) Be more than one story tall.
 - b.) Be primarily used for parking cars.
2. Parking Structures must meet the following design standards:
 - a.) Must be designed aesthetically to complement the surrounding area, in the opinion of the Planning Commission.
 - b.) Shall not exceed the maximum height for the zoning district they are located within.
 - c.) Overhead doors and associated driveways must be located in such a way to minimize safety hazards to passing pedestrians and to ensure safe turning movements for entering and exiting cars.
 - d.) No parking garage may have an entrance directly onto M-24/Washington Street.
 - e.) Any parking garage fronting Washington or Burdick Streets must have a first floor designed for active, non-parking uses such as retail. The active use must extend along the entire frontage along Washington, and must extend along any frontage not used for entrances to the parking along Burdick.
 - f.) Parking garages must be set back at least 20 feet from all R-1 zoned land. Landscaping must be installed in the 20 foot setback that meets the

Purpose	1
Definition	2
Zoning District and Uses	3
Use Standards	4
Planned Unit Development	5
Development Standards	6
General Provisions	7
Nonconformities	8
Administration & Enforcement	9

ARTICLE 3: ZONING DISTRICTS AND USES

standards for a greenbelt buffer in Section 7.2.4.B.

- i. Parking garages located across a public road from residential uses must be set back at least 10 feet from the road. Landscaping must be installed in the 10 foot setback that meets the standards for a greenbelt buffer in Section 7.2.4.B.
- ii. Parking garages must be used for short term parking, not long term storage.

M. Parking Lot

For the purposes of this Ordinance, a Parking Lot is an undeveloped parcel of land with no principal use except the parking of vehicles. Parking lots on the same lot as a principal building shall be considered in conjunction with that use, and shall not be subject to this section.

1. In order to be considered a Parking Lot, a lot must:
 - a.) Contain no principal structure, except as described below.
 - b.) Be primarily used for parking cars.
2. Parking Lots must meet the following design standards:
 - a.) All relevant standards in Article 7 regarding parking lot design and landscaping.
 - b.) Parking lots must be used for short term parking, not long term storage.
 - c.) No commercial repair work may take place in any parking lot. No sales or display may take place in a parking lot that is not associated with an approved auto sales use.
 - d.) No building other than those for shelter of attendants shall be erected on the parking lot premises.
 - e.) Parking lots that share a frontage with structures must be set back by a distance at least equal to the average setback of the structures on the block.

N. Park

For the purposes of this Ordinance, a Park is an undeveloped parcel of land with no principal use except as a recreational and gathering space. Green space on the same lot as a principal building shall be considered in conjunction with that use, and shall not be subject to this section.

1. In order to be considered a Park, a lot must:
 - a.) Contain no principal structure, except as described below.
 - b.) Be primarily used as a gathering and recreational space.

2. Parks must meet the following design standards:

- a.) All parks must contain recreational amenities. Seating and other gathering areas shall be considered recreational amenities.
- b.) Parks may contain accessory structures, including but not limited to gazebos, pavilions, playground equipment, and storage buildings.
- c.) Public parks may be located on residential side streets. Private parks must be located on either Washington or Burdick Streets.
- d.) Unless otherwise specified in this Section, the standards in Section 4.1.25 shall apply.

O. Existing Structures

1. Structures existing prior to January 1, 2017 shall not be considered non-conformities under this section, regardless of their level of compliance with the regulations described above. Existing structures may be used for any permitted use or authorized Special Use in the Zoning District they are located within, provided that, if the use is a change from the previous use, they meet the standards below. Existing structures may also be expanded, provided that all dimensional requirements of this Ordinance are met.

Additionally, Single Family Homes existing prior to January 1, 2017 may be used as single family dwelling units regardless of the Zoning District they are located within, and may be subdivided into multiple dwelling units if multiple family residential uses are permitted in the Zoning District they are located within.

2. Change of Use. All changes from one use category to another (for example, from single family residential to multi-family residential or commercial) for existing structures within the Form Based Code District shall require site plan approval as described in Section 9.1. Sketch plan approval as described in Section 9.1 may be substituted if appropriate. A change from one commercial business to another shall not be considered a change of use under this section. If a building is vacant for more than six months, any new use shall be considered a change of use under this section. In order for the change of use to be approved, the following standards must be met:

- a.) All driveways must be paved and must be designed to provide adequate ingress and egress to the site.
- b.) Sufficient parking, meeting the standards of Section 7.1, must be provided on the site.
- c.) The exterior of the building must be in good repair and must not be altered in such a way as to detract from the character of the surroundings in the opinion of the Planning Commission.

ARTICLE 3: ZONING DISTRICTS AND USES

- d.) All applicable landscaping and lighting standards must be met.
- e.) All applicable use standards from Article 4 must be met.

SECTION 3.5.3 • GATEWAY GREENBELT

In order to create a more welcoming and calm environment on the M-24/Washington Street corridor north and south of Downtown Oxford, a 20-foot setback shall be required along the Washington frontage for the parcels designated as the "Gateway Greenbelt" on the Form Based Code Map. The setback shall have the following characteristics:

- A.** A five-foot-wide sidewalk must be constructed parallel to the front of the building, running along the entire face of the building, and connecting to the required sidewalk on either side. Cross-access and maintenance agreements will be required where abutting property owners are not the same in order to ensure consistent pedestrian access between parcels.
- B.** A sidewalk at least five feet wide must be constructed leading directly from the main entrance to the building to the public sidewalk.
- C.** A 15-foot-wide landscaped area and grass lawn, containing one tree and 8 shrubs per 50 feet of frontage. Flowers and public art are encouraged.
- D.** The Gateway Greenbelt shall apply to existing structures within the area designated on the map, but shall be enforced only due to renovation or expansion to the building that requires Site Plan Approval from the Planning Commission.

SECTION 3.5.4 • RESTRICTED DEMOLITION

The Restricted Demolition Zone, as designated on the Form Based Code Map, includes the Village's most treasured buildings. Within the Restricted Demolition Zone, the following shall apply:

- A.** Demolition of any principal building within the Restricted Demolition Zone shall require Special Use Approval as described in Section 9.2. In determining whether to grant the Special Use, the Planning Commission must determine whether or not the proposed replacement for the building would contribute as much or more to the character, charm, and walkability of the Village as the building proposed to be demolished.
- B.** Any new building constructed in the Restricted Demolition Zone must aesthetically complement the existing surroundings, in the opinion of the Planning Commission, which may solicit the opinion of the DDA design committee and/or a historic preservation consultant.

SECTION 3.5.5 • WAIVERS

A. Landmark Buildings. The Planning Commission may approve a proposed new building as a Landmark Building using the Special Use Approval process described in Section 9.2. A Landmark Building shall be exempt from the standards of this section. The Planning Commission may also grant a waiver from the maximum building height for an architectural feature such as a cupola or steeple. In order to be approved as a Landmark Building, the building must:

1. Clearly enhance the historic character and charm of the Village.
2. Address the street frontage in such a way as to promote a safe and attractive pedestrian environment.
3. Be of such outstanding architectural quality that it serves to enhance the appeal of surrounding buildings and the surrounding district.
4. Meet the criteria in Section 9.2.5.

B. Waivers. The Planning Commission may grant a waiver from any individual requirement in this section. In granting a waiver, the Planning Commission must determine that the request meets the following criteria:

1. Despite not meeting a specific standard, the design clearly meets the purpose and intent of the Form Based Code to create a historic, charming, walkable, and vibrant Village center.
2. The design will not create an area where the pedestrian environment is unsafe and/or unwelcoming.
3. The design will not be aesthetically incompatible with the surroundings.
4. The proposed design achieves a goal of the designer that is compatible with the purpose and intent of the Form Based Code and could not be achieved while in compliance with the Form Based Code standards.

Purpose	1
Definition	2
Zoning District and Uses	3
Use Standards	4
Planned Unit Development	5
Development Standards	6
General Provisions	7
Nonconformities	8
Administration & Enforcement	9

ARTICLE 3: ZONING DISTRICTS AND USES

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Article 4: Use Standards

SECTION 4.1.1 • STATEMENT OF INTENT

Each use listed in this Article, whether permitted by right or subject to approval as a special below land use, shall be subject to the site development standards specified below, in addition to applicable standards and requirements for the district in which the use is located. These standards are intended to alleviate the impact from a use which is of a size or type, or which possesses characteristics which are unique or atypical in the district in which the use is located. These standards are further intended to assure that such uses will be compatible with surrounding uses and the orderly development of the district. Conformance with these standards shall be subject to site plan review.

Unless otherwise specified, each use listed in this Article shall be subject to all applicable yard, bulk and other standards for the district in which the use is located.

SECTION 4.1.2 • ACCESSORY BUILDINGS, STRUCTURES, DECKS AND USES IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

- A. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations of this Ordinance applicable to main buildings. However, an attached accessory building shall be setback a minimum of 3 feet behind the front building line.
- B. No detached accessory buildings, structures, or uses in the R-1, District shall be erected in the front or required side yard or within permanent easements.
- C. Accessory buildings or structures may be located in a rear yard, but shall be at least three (3) feet from the rear lot line and ten (10) feet from any principal building. An accessory structure shall not be located nearer than ten (10) feet to a street right-of-way line, except in those instances where the rear lot line abuts an alley right-of-way, in which case, the accessory building shall be no closer than one (1) foot to such rear lot line. In no instance shall an accessory structure be located within a dedicated easement. No accessory structure shall exceed fifteen (15) feet in height, except as otherwise expressly permitted herein.
- D. No more than two detached accessory structures shall be permitted on any lot.
- E. On corner lots where a rear yard abuts a side yard, accessory buildings on the corner lot shall have a 5 foot minimum setback from the rear lot line required for the lot abutting the corner lot.
- F. Living space meeting the standards of the Michigan Building Code may be included in permitted accessory structures, but must be accessory to the principal dwelling unit, not a separate unit.

- G. A deck as defined in this Ordinance shall not be governed by the foregoing provisions regulating accessory structures. A deck may intrude into the required rear yard and may be constructed in any other non-required side or rear yard area. However, in no event shall a deck be constructed with less than five (5) feet of separation from a side or rear yard lot line. A deck shall be considered as part of the principal building for computation of maximum lot coverage as described in Article 3 Chapter 4, District Regulations. Maximum lot coverage may be increased by an additional ten (10%) percent in order to permit construction of a deck. For example, if the maximum lot coverage permitted is forty (40%) percent, an additional ten (10%) of the lot may be covered by a deck providing a maximum lot coverage of fifty (50%) percent where a deck is constructed.

SECTION 4.1.3 • ACCESSORY BUILDINGS IN OTHER THAN THE R-1 DISTRICTS

- A. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations of this Ordinance, applicable to principal buildings. For multiple-family residential districts, an attached accessory building shall be setback a minimum of 3 feet behind the front building line.
- B. No accessory structure shall be erected in the front yard. In the case of lots with two front yards, no accessory structure shall be located in the required minimum setback of either front yard. Accessory buildings shall be limited to two (2) buildings per lot.
- C. No detached accessory buildings, structures, or uses shall be erected in the front or required side yard or within permanent easements. Accessory buildings or structures shall be at least ten (10) feet from any principal building.
- D. In the case where a rear lot line abuts an alley right-of-way, the accessory building shall maintain a one (1) foot setback from the right-of-way.
- E. An accessory building in a nonresidential district may not occupy more than 30 percent of the area of a lot exclusive of required yard setbacks.
- F. The use of any accessory building for the overnight housing of persons is prohibited unless expressly permitted by this Ordinance.
- G. Detached accessory buildings are not permitted in the C-1 Core District.

SECTION 4.1.4 • ADULT REGULATED USES

- A. In the preparation and enactment of this Section, it is recognized that there are some uses which, because of their very nature, have serious objectionable characteristics which have a deleterious effect upon residential, office and

ARTICLE 4: USE STANDARDS

commercial areas. Regulation of the locations of these uses is necessary to ensure that the adverse effects of such businesses will not cause or contribute to the blighting or downgrading of the Village's residential neighborhoods and commercial centers. It is the intent of this Section to provide reasonable regulations for the establishment of these uses in a viable, accessible location where the adverse impact of their operations may be minimized.

B. As used in this Ordinance, the following definitions shall apply to adult-regulated business uses:

1. "Adult Business" means adult book stores, adult movie theatres, adult personal service businesses, adult cabarets, adult novelty businesses, massage parlors, nude modeling studios, and tattoo parlors as defined in this Article.
2. "Adult Book Store" means an establishment having 20 percent of its stock in trade books, magazines, and other periodicals and/or photographs, drawings, slides, films, video tapes, recording tapes, and/or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein), or an establishment with a segment or section devoted to the sale or display of such material which exceeds twenty (20) percent of the floor area of the establishment.
3. "Adult Cabaret" means an establishment having as an activity the presentation or display of male and/or female impersonator(s), dancer(s), entertainer(s), waiter(s) or waitress(es), or employee(s), who display specified anatomical areas as defined herein, and which may or may not feature the service of food or beverage.
4. "Adult Movie Theater" means an enclosed building or room used for presenting motion picture films, video cassettes, cable television or any other visual media, having a dominant theme materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined herein) for observation by patrons therein.
5. "Adult Novelty Business" means a business which offers for sale of devices which simulate human genitals or devices designed for sexual stimulation.
6. "Adult Personal Service Business" means a business having as its principal activity a person, while nude or while displaying "Specified Anatomical Areas" (as defined herein), providing personal services for another person. Such business include, but are not limited to, modeling studios, body painting studios, wrestling studios, conversation parlors, and theatrical performances or entertainment.
7. "Specified Anatomical Areas" is defined as:
 - a.) Less than completely and opaquely covered:

- i. Human genitals, pubic region;
- ii. Buttocks, anus; and
- iii. Female breast below a point immediately above the top of the areola.

- b.) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

8. "Specified Sexual Activities" are defined as:

- a.) Human genitals in a state of sexual stimulation or arousal;
- b.) Acts of human masturbation, sexual intercourse, or sodomy; and
- c.) Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

9. "Sexual Intercourse" includes fellatio, cunnilingus, anal intercourse, or any other intrusion, however light, of any part of a person's body, or of any object into the genital or anal openings of another's body.

10. "Sodomy" means sexual bestiality.

11. "Buttock" includes the anus and perineum of any person.

12. "Massage Parlor" means an establishment wherein private massage is practiced used or made available as a principal use of the premises.

13. "Massage" means manipulation of body muscle or tissue by rubbing, stroking, kneading, tapping or vibrating, through the use of physical, mechanical, or other device, of the body of another for a fee.

14. "Nude Modeling Studio" means any building, structure, premises or part thereof, used primarily as a place which offers as its principal activity the providing of models to displace specified anatomical areas as defined herein for artists and photographers for a fee.

15. "Tattoo Parlor" means a business having as its principal activity the application or placing, by any method, designs, letters, scrolls, figures, symbols, or any other marks upon or under the human skin within or any other substance resulting in the coloration of the skin by the aid of needles or any other instrument designed to touch or puncture the skin.

C. No adult business as defined herein shall be permitted within 1,000 foot radius of an existing adult business. Measurement of the 1,000 foot radius shall be made from the outer most boundaries of the lot or parcel upon which the proposed adult use will be situated.

D. No adult business as defined herein shall be permitted within a 1,000 foot radius of any school, library, park, playground,

movie theater, skating rink, pool hall, coin operated amusement center, licensed group day-care center as defined in Act 448 of Public Acts of 1980, or church, convent, monastery, synagogue, or similar place of worship. Measurement of the 1,000 foot radius shall be made from the outer most boundaries of the lot or parcel upon which the proposed adult use will be situated.

- E. The building and premises shall be designed and constructed so that material depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" (as defined in this Ordinance) cannot be observed by pedestrians or from vehicles on any public right of way. This provision shall apply to any display, decoration, sign, show window, or other opening.
- F. No person shall reside in or permit any person to reside in the premises of an adult business.
- G. The provisions of this Article regarding massage parlors, shall not apply to hospitals, sanitariums, nursing homes, medical clinics or the offices of a physician, surgeon, chiropractor, osteopath, psychologist, clinical social workers and family counselors, who are licensed to practice their respective professions in the State of Michigan, or who are permitted to practice temporarily under the auspices of an associate or an establishment duly licensed in the State of Michigan, certified members of the American Massage and Therapy Association, and certified members of the International Myomassethics Federation.

SECTION 4.1.5 • AUTOMOBILE OR VEHICLE DEALERS

Automobile or vehicle dealers with outdoor sales space and/or repair facilities may be permitted, subject to the conditions listed below. These requirements shall apply to operations involved in the sale, lease or rental of new or used vehicles, house trailers, recreational vehicles, trucks and tractors, boats and other vehicles.

- A. All loading and parking areas for open-air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent public right-of-ways.
- B. Devices for the transmission or broadcasting of voice or music shall be prohibited outside of any building.
- C. All outside storage of used tires, auto parts, and other material shall be enclosed with a decorative wall, not less than six (6) feet in height or at least one (1) foot above the height of the screened material, whichever is taller. The enclosure shall be equipped with an opaque lockable gate that is the same height as the enclosure itself. Inoperable, wrecked or partially dismantled vehicles shall not be stored or parked outside for a period exceeding two (2) days. Such storage shall not be visible from a public or private street.
- D. The lot or show area shall be hard-surfaced with concrete or plant mix bituminous material, and shall be graded and drained so as to dispose of all surface water accumulated within the area.

SECTION 4.1.6 • AUTOMOBILE FILLING STATIONS, AUTOMOBILE OR VEHICLE SERVICE STATIONS, AUTOMOBILE REPAIR GARAGES

The following regulations shall apply to Automobile Filling Stations and Automobile or Vehicle Service Stations, including tire, battery, muffler and undercoating shops:

- A. The curb cuts shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto.
- B. Quick oil change facilities shall provide off-street waiting spaces equal to two (2) per oil change stall for automobiles awaiting entrance. Each off-street waiting space shall be ten (10) feet wide by twenty (20) feet long.
- C. The entire lot, excluding areas occupied by landscaping and building, shall be hard-surfaced with concrete or plant-mixed bituminous material. Curbs of at least six (6) inches in height shall be installed around the perimeter of all surfaced areas.
- D. All lubrication equipment, automobile wash equipment, hoists, and pits shall be enclosed entirely within a building. canopy structures shall be located not less than five (5) feet from any lot line.
- A. The storage, sale, or rental of new or used cars, trucks, trailers, and any other vehicles on the premises is prohibited. Inoperable, wrecked or partially dismantled vehicles shall not be stored or parked outside for a period exceeding two (2) days.

SECTION 4.1.7 • AUTOMOBILE OR CAR WASH ESTABLISHMENTS

The following regulations shall apply to Automobile or Car Wash Establishments:

- A. All washing activities shall be carried out within a building. Vacuuming activities shall be permitted in the rear yard only, provided such activities are located at least fifty (50) feet from adjacent residentially zoned or used property.
- B. Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. Off-street waiting spaces shall be provided as per Section 7.1.9. All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel itself. Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the automobile wash.
- C. Sufficient space shall be provided for drying of the vehicle undercarriage during sub-freezing weather prior to existing onto the public thoroughfare.
- D. Buildings should be oriented so that open bays, particularly for self-serve automobile washes, do not face onto adjacent thoroughfares unless screened by an adjoining lot or building.

Purpose
1

Definition
2

Zoning District
and Uses
3

Use Standards
4

Planned Unit
Development
5

Development
Standards
6

General
Provisions
7

Nonconformities
8

Administration &
Enforcement
9

ARTICLE 4: USE STANDARDS

SECTION 4.1.8 • BED AND BREAKFAST ESTABLISHMENTS

Bed and Breakfast establishments shall be subject to the following regulations:

- A. Food may be served only to those persons who rent a room in the bed and breakfast facility, unless the facility is located in a zoning district that permits restaurants.
- B. A building used for bed and breakfast operations shall have at least two (2) exits to the outdoors. Rooms used for sleeping shall have a minimum size of one hundred (100) square feet for two (2) occupants, plus and additional thirty (30) square feet for each additional occupant. Rooms shall be designed to accommodate no more than four (4) occupants. Each sleeping room shall be equipped with a smoke detector.

SECTION 4.1.9 • CEMETERIES

Because of the effects of the large land area devoted to this use on the continuity of local streets, and because this use does not require water and sewer service, the Planning Commission shall permit the establishment of this use in a Single Family Residential District only when the following conditions are met:

- A. Any crematorium, mausoleum, columbarium, or other building shall be designed and located in accordance with a cemetery master plan, which shall be subject to site plan approval by the Planning Commission.
- B. No building or structures containing bodies or remains, other than subterranean graves, shall be located closer than twenty-five (25) feet to the boundary line of any residential or commercial district.
- C. Entrances to cemeteries shall be off of a major or collector street, and shall be designed to minimize traffic congestion.
- D. All sides of the cemetery shall be screened from any residential view by providing a continuous and completely obscuring wall or fence, six (6) feet in height, measured from the surface of the ground. The Planning Commission may permit a "chain link" type fence adequately screened with deciduous and evergreen material.
- E. Approval by the Planning Commission shall be given contingent on submission of a satisfactory drainage plan.

SECTION 4.1.10 • CHILD CARE CENTERS AND NURSERY SCHOOLS

- A. All child care facilities shall be registered with or licensed by the Michigan State Department of Social Services and shall comply with the minimum State Standards outlined for such facilities.
- B. For each child cared for, there shall be provided and maintained a minimum of one hundred and fifty (150) square feet of outdoor play area. Such play space shall have a total minimum area of not less than three thousand (3,000) square feet. Said play area shall be fenced and screened from any adjoining lot in any residential district.

- C. Such facilities shall have minimum side yard setbacks of at least ten (10) feet.

SECTION 4.1.11 • DRIVE-IN THEATERS

The following provisions shall apply to all drive-in theaters:

- A. Drive-in theaters shall be designed and constructed in accordance with an internal site plan, which shall be subject to the site plan approval by the Planning Commission. Particular consideration shall be given to drainage, lighting, and internal vehicular circulation.
- B. All buildings or other structures shall be set back a minimum of sixty (60) feet from any street right-of-way line. The face of the theater screen shall not be closer than five hundred (500) feet to any public road or highway right of way, and shall be constructed so it is not visible from any road, highway, or residentially zoned district.
- C. Driveways serving drive-in establishments shall be off of a major street. In no case shall access to a drive in theater be off of a residential street. The nearest edge of any entrance or exit drive shall be located no closer than two hundred and fifty (250) feet from any street or road intersection (as measured from the nearest intersection right of way line).
- D. A minimum of thirty (30) stacking spaces shall be provided on the premises for vehicles waiting to enter the theater. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
- E. An eight (8) foot high decorative masonry obscuring wall shall be provided along all property lines abutting property that is zoned for residential, commercial, or office use.

SECTION 4.1.12 • RESERVED

SECTION 4.1.13 • DRIVE-IN OR DRIVE-THROUGH FACILITY

The following shall apply to all accessory drive-in or drive-through lanes, facilities or establishments, in addition to any requirements for the principal use:

- A. **Access.** Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance for other ingress and egress drives, traffic generated by other buildings or uses, or adjacent pedestrian crossings.
 - 1. The edge of any access drives shall be set back a minimum of 50 feet from the intersections of two (2) street right-of-way lines. No more than one access drive curb opening shall be permitted per street.
- B. **Bypass lane.** A bypass lane or similar means of exiting or avoiding the drive-through facility shall be provided, subject to Planning Commission approval.
- C. **Noise.** Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.

- D. Prohibited uses.** Sales of alcoholic beverages shall be prohibited through any drive-in or drive-through service window or facility.
- E. Screening.** Such uses shall be screened from all street rights-of-way and abutting residential districts or uses in accordance with 7.2.5.
- F. Menu boards.** Menu boards may be erected as an accessory use to a drive-through lane, subject to the following:
1. Such signs shall be located on the interior of the lot and shall be shielded so that they are not visible from street rights-of-way and abutting residential districts or uses.
 2. The location, size, content, coloring or manner of illumination of a menu board shall not constitute a traffic or pedestrian hazard, or impair vehicular or pedestrian traffic flow in any manner.
 3. Each menu board shall not exceed six (6) feet in height and 48 square-feet in sign area.

SECTION 4.1.14 • GOLF COURSES, COUNTRY CLUBS, AND PAR-3 GOLF COURSES

The following regulations shall apply to golf courses, country clubs, and par-3 golf courses:

- A.** Golf courses and country clubs shall be designed and constructed in accordance with a site master plan, which shall be subject to site plan approval by the Planning Commission.
- B.** Regulation length 18-hole golf courses shall have a minimum lot size of 110 acres. Nine-hole courses with regulation length fairways shall have a minimum lot size of 50 acres. Eighteen-hole par-3 courses shall have a minimum lot size of 50 acres.
- C.** The principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines. Fairways and driving ranges shall be oriented in such a manner and set back a sufficient distance to prevent golf balls from being hit outside the perimeter of the golf course.
- D.** Golf courses and country clubs shall have direct access a major street.
- E.** At least one (1) shelter building with toilet facilities shall be provided. The shelter shall meet all requirements of the Oakland County Health Department and the Village Building Code.
- F.** Engineering data shall be submitted to document the impact of the golf course on area drainage patterns and local water supply.

SECTION 4.1.15 • JUNKYARDS

The following provisions shall apply to Junkyards:

- A.** The minimum lot size for junkyards shall be four (4) acres.
- B.** A minimum setback of two hundred fifty (250) feet shall be maintained between the front property line and the portion

of the lot on which junk materials are placed or stored. No junkyard shall be located within three hundred (300) feet of any residentially zoned district.

- C.** All roads, driveways, parking lots, and loading and unloading areas shall be paved with a concrete or plant mixed bituminous material. Junk storage areas shall be paved or treated in a manner approved by the Village Building Official so as to confine any wind-borne dust to within the boundaries of the site.
- D.** The entire junkyard site shall be screened with an obscuring wall, constructed in accordance with Section 7.2.4.A. The wall shall be maintained in neat appearance, and shall not have any signs or symbols painted on it.
- E.** Open burning shall be prohibited.
- F.** All required County and State permits shall be obtained prior to establishing a junkyard.

SECTION 4.1.16 • KENNELS, COMMERCIAL

Commercial kennels shall be permitted subject to the following:

- A.** Any such kennel shall be subject to all permit and operational requirements established by County and State regulatory agencies.

SECTION 4.1.17 • HOME OCCUPATIONS

The following regulations shall apply to Home Occupations:

- A.** In residential districts, no more than one-third (1/3) of the floor area, and, in commercial districts, no more than half (1/2) of the floor area, of a dwelling unit may be used in connection with the home occupation or for storage purposes in connection with the home occupation.
- B.** No home occupation shall be conducted in an accessory building.
- C.** A maximum of two employees that do not reside in the dwelling unit may be engaged in a home occupation in a commercial district. In a residential district, all employees engaged in the home occupation must reside in the homes.
- D.** The appearance of the principal structure shall not be altered, nor shall the home occupation be conducted in a manner which would cause the premises to differ from its residential character by the use of sounds, noises, and vibrations. All signage shall meet the standards of the Zoning District that the Home Occupation is located within.
- E.** No outdoor display or storage of materials, goods, supplies, or equipment used in the home occupation shall be permitted on the premises.
- F.** No home occupation shall require internal or external alternations, or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure.
- G.** No home occupation shall cause an increase in the use of any

Purpose

1

Definition

2

Zoning District and Uses

3

Use Standards

4

Planned Unit Development

5

Development Standards

6

General Provisions

7

Nonconformities

8

Administration & Enforcement

9

ARTICLE 4: USE STANDARDS

utility (water, sewer, electricity, trash removal, etc) that would exceed the average usage by residences in the neighborhood.

- H. The home occupation may increase vehicle flow and parking by no more than two (2) additional vehicles at a time. No more than five (5) customers or clients shall come to the dwelling unit for services or products during any one day. Any need for parking generated by the conduct of such home occupation shall be off the street and other than in the required front yard.
- I. There will be no deliveries to or from a home occupation with a vehicle larger than a 15,000 pound truck with not more than two (2) axles.
- J. In no case shall a home occupation be open to the public earlier than 8:00 AM, nor later than 7:00 PM.
- K. KA home occupation shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any grater or more frequent extent than would normally be generated in a similarly zoned district.

SECTION 4.1.18 • HOSPITALS

The following regulations shall apply to Hospitals:

- A. Buildings of greater than the maximum height allowed in the subject zoning district may be allowed subject to approval by the Planning Commission.
- B. All ingress and egress from said site shall be directly onto a major street.
- C. Off-street parking shall be prohibited in the front setback area and within ten (10) feet of the rear or side property lines. In the case any off-street parking area abuts a lot in any residential district, a wall or greenbelt shall be provided as per Section 7.2.4.
- D. Ambulance and emergency entrance areas shall be screened from view from adjacent residences by the building design or by a masonry wall constructed in accordance with Section 7.2.4.
- E. Hospitals shall be constructed, maintained, and operated in conformance with applicable state and federal laws.

SECTION 4.1.19 • MINI-WAREHOUSES

The following regulations shall apply to Mini-Warehouses:

- A. Mini-warehouse establishments shall provide for storage only, which must be contained within an enclosed building.
- B. The entire site, exclusive of access drives, shall be enclosed with a six (6) foot high wall, constructed in accordance with Section 7.2.4.
- C. A landscaped greenbelt with a minimum width of twenty (20) feet shall be required adjacent to any street, in conformance with Section 7.2.4.
- D. The exterior of any mini-warehouse shall be of finished quality and design, compatible with the design of structures on surrounding property, subject to Planning Commission

approval. Such buildings shall have pitched roofs and gables and overhead doors shall not face toward any street right-of-way unless completely screened from view.

- E. All one-way driveways shall be designed with one ten (10) foot wide loading/unloading lane and one ten (10) foot travel land, and all two-way driveways shall be designed with one ten (10) foot wide loading/unloading lane and two (2) ten (10) foot travel lanes.
- F. The parking lanes may be eliminated if the driveway does not serve storage units. Signs and painted lines shall be used to indicate parking and traffic direction throughout the site.

SECTION 4.1.20 • MOBILE HOME PARKS

All Mobile Home Parks shall comply with the requirements of Michigan Public Act 49 of 1976, as amended. Further, all mobile home parks shall comply with the provisions of this Ordinance, the Michigan Mobile Home Commission Rules, and any other lawfully adopted ordinance of the Village of Oxford. Should any conflict in legally approved regulatory provisions occur, whichever provisions impose the more restrictive or higher standard shall prevail.

- A. Mobile homes shall be located only in those zoning districts in which mobile home land use is permitted by right or subject to special approval.
- B. It shall be unlawful for any person to operate a mobile home park unless that individual obtains a license for such operation in compliance with the requirements of Michigan Public Act 419 of 1976, as amended. The Building Official shall communicate his recommendations regarding the issuance of such licenses to the Director of the Mobile Home Division, Corporation and Securities Bureau, Michigan Department of commerce.
- C. The Village Building Official or other authorized Village agent is granted the authority, as specified in Michigan Public Act 419 of 1976, as amended, to enter upon the premises of any mobile home park for the purpose of determining compliance with the provisions of this Ordinance or other Village ordinances.

Whenever the park Building Official finds conditions or practices which violate provisions of this Ordinance or other regulations referenced herein, the Building Official shall give notice in writing by certified mail to the Director of the Michigan Mobile home Commission. A copy of such notification shall be sent by certified mail to the last known address of the park owner or agent.

- D. Each mobile home shall be of contemporary design and shall contain sanitary waste disposal facilities, sleeping accommodations, a tub or shower bath, kitchen facilities, and plumbing and electrical connections designed for attachment to appropriate external systems as commonly found in modern mobile homes, and as specified in Section 2.02. Each mobile home shall comply with the regulations for the district in which it is located, the regulations of the U.S. Department of Housing and urban Development as adopted on June 15, 1976, and all subsequent amendments to such standards and regulations. Mobile homes constructed prior to June 15, 1976 shall be in full

ARTICLE 4: USE STANDARDS

compliance with NFPA 501B/ANSI 119.1-1975 standards.

Mobile homes shall comply with the minimum distances specified in R-125.1941, Rule 941 of the Michigan Administrative code.

No mobile home unit shall be located within fifty (50) feet of the right-of-way of a public thoroughfare, or within twenty (20) feet of a mobile home park property line.

No mobile home unit exterior wall surface shall be located within twenty (20) feet of any other mobile home unit's exterior wall surface.

- E.** There shall be provided on each mobile home lot, an open space area to insure privacy, adequate natural light and ventilation to each home and to provide sufficient area for outdoor uses essential to the mobile home. Eighty (80) percent of the mobile home sites shall contain a minimum area of three thousand (3,000) square feet, and twenty (20) percent shall contain a minimum area of two thousand four hundred (2,400) square feet. All such trailer site areas shall be computed exclusive of service drives, facilities, and recreation space.

- F.** The following park site development standards shall apply:

1. **Park Size.** Mobile home parks shall be at least five (5) acres in size.
2. **Access.** All mobile home parks shall have paved access to a major street as defined in Section 2.02.
3. **Interior Roadways.** Main access drives within a mobile home park shall be no less than twenty-four (24) feet wide. Parking shall not be permitted on main access drives.

Secondary access drives shall be no less than twenty-two (22) feet in width. Parking shall not be permitted on twenty-two (22) foot wide drives.

4. **Sidewalks.** Minimum three (3) foot wide, concrete sidewalks shall be constructed on the street side of each mobile home lot in accordance with established engineering standards for the Village.
5. **Water and Sewer Service.** All mobile home parks shall be served by public water and sewer systems.
6. **Storm Drainage.** All developed portions of the mobile home park shall be served by adequate storm drainage facilities, designed and constructed in accordance with local, county, and state regulations.
7. **Telephone and Electric Service.** All electric, telephone, and other lines within the park shall be underground.
8. **Television Antennas.** Individual exterior television antennas shall not be placed on any mobile home unit or lot. The mobile home park may provide a master exterior television antenna for connection to individual mobile home units, or an underground cable television system may be installed.

9. **Skirting.** Each mobile home must be skirted within ninety (90) days after establishment in a mobile home park, in accordance with the Michigan Administrative Code, R-125.1604 Rule 604. In the event that skirting cannot be installed in a timely manner due to inclement weather, the Building Official may permit extension of the time period.

10. **Landscaping.** Mobile home parks shall be landscaped in accordance with Section 16.13. A minimum twenty (20) foot wide greenbelt shall be maintained along all exterior property lines of the mobile home park.

11. **Open Space.** Every mobile home park shall be provided with at least one (1) conveniently located open space area. A minimum of two (2) percent of the mobile home park's gross acreage shall be dedicated for open space use, provided that the park shall have not less than twenty-five thousand (25,000) square feet of open space area.

12. **Garbage and Refuse Collection.** Garbage and refuse collection areas shall be screened in accordance with Section 16.24.

13. **Lighting.** Street and yard lights shall be provided in sufficient number and intensity for the safe movement of vehicles and pedestrians. Lighting shall comply with the standards in Section 20.01.

- G.** A building permit shall be required for construction or erection of any accessory structures, canopies or awnings, or any addition to a mobile home which is not pre-fabricated in a factory before it is brought to the site.

- H.** The parking of a mobile home for periods exceeding twenty-four (24) hours on lands not approved for mobile homes shall be expressly prohibited, except that the Building official may extend temporary permits allowing the parking of a mobile home in a rear yard on private property, not to exceed a period of two (2) weeks.

SECTION 4.1.21 • HOTELS

The following regulations shall apply to Motels and Motel Courts.

- A.** Each unit shall contain at least a bedroom and bath and a minimum gross floor area of two hundred fifty (250) square feet.
- B.** Hotels shall provide customary motel services, such as maid service, linen service, telephone and/or desk service, and the use of furniture.
- C.** A masonry screen wall or obscuring greenbelt shall be provided along any property line where the adjacent property is zoned for residential use, in accordance with Article 7, Chapter 2.

SECTION 4.1.22 • NURSING HOMES, CONVALESCENT HOMES, REST HOMES, ORPHANAGES, AND HALF-WAY HOUSES

The following regulations shall apply to Nursing Homes, Convalescent Homes, Rest Homes, Orphanages, and Half-Way Houses:

- A.** Such facilities shall be constructed, maintained, and operated in

Purpose

1

Definition

2

Zoning District and Uses

3

Use Standards

4

Planned Unit Development

5

Development Standards

6

General Provisions

7

Nonconformities

8

Administration & Enforcement

9

ARTICLE 4: USE STANDARDS

conformance with applicable state and federal laws.

- B.** The site plan shall be so planned as to provide ingress and egress directly onto a major thoroughfare.
- C.** The principal building and all accessory buildings shall be set back a minimum distance of thirty (30) feet from all property lines.
- D.** Such facility shall provide a minimum of one hundred fifty (150) square feet of outdoor open space for every bed used or intended to be used. Such space shall have a total minimum area of not less than three thousand (3,000) square feet. The open space shall be landscaped and shall include places for walking and sitting. Off-street parking areas, driveways, and accessory uses or areas shall not be counted as required open space.

SECTION 4.1.23 • OPEN-AIR BUSINESSES

The following regulations shall apply to Open-Air Businesses:

- A.** The display shall not, in the determination of the village planning commission, impede the movement or impair the vision of pedestrians or vehicles. The planning commission shall not approve any proposed display that shall serve to endanger the public health, safety or welfare.
- B.** The display shall be supervised and shall not be maintained outdoors during hours when the business is closed.
- C.** The outdoor display area shall not exceed one (1) square foot of ground surface area for each two (2) feet of frontage of the building.
- D.** The display area shall be located no closer than twenty (20) feet from any vehicular accessible street surface, parking or maneuvering areas.
- E.** The display area shall be kept clean and void of litter at all times.
- F.** Vending machines shall be located within a completely enclosed building and shall not be part of the outdoor display.
- G.** A plan shall be submitted for the proposed outdoor display. The plan shall indicate the materials to be displayed, an illustration of the layout of the display and the relationship of the display area to the sidewalks, streets, parking lots and building entrances within fifty (50) feet of the display area.
- H.** The planning commission may limit the approval period to a certain period of time during the year or for a certain number of years.
- I.** The owner of the display shall maintain responsibility for all goods and other display elements in order to protect the public from safety hazards associated with the display. In the event the village manager becomes aware of hazardous conditions associated with a previously approved outdoor display, the manager shall advise the business owner to cease and desist operation of the display until the planning commission has

opportunity to review the perceived hazardous conditions. The planning commission shall review the circumstances related to the hazardous condition in order to determine what, if any, changes are required in order to eliminate the hazards to public health, safety and welfare.

- J. Plant Material Nurseries.** Nurseries which deal with plant materials shall comply with the following:

1. Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.
2. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.

- K. Christmas Tree Sales.** Seasonal sales of Christmas trees shall comply with the following:

1. Christmas tree sales shall not be permitted in residentially-zoned districts.
2. All Christmas trees, as well as poles, lights, wires, or other items incidental to the sale of trees may be permitted no earlier November 1st and must be removed from the premises by December 31st of the subject Christmas season.
3. Christmas trees on display for sale shall comply with the minimum setback requirements for the district in which the sales lot is located.
4. Christmas tree sales lot shall have adequate parking and a safe means of ingress and egress.

- L. Roadside stands.** Temporary roadside stands for the sale of agricultural products shall comply with the following:

1. Any building or structure containing a roadside stand shall not exceed two hundred fifty (250) square feet in size.
2. Suitable trash containers shall be provided and maintained on the premises for public use.
3. Any building or structure containing a roadside stand shall be located no closer than twenty-five (25) feet to the nearest edge of the paved surface or gravel surface of any road.
4. Off-street parking shall be provided in accordance with the regulations in Article 7, Chapter 1, except that hard-surfacing shall not be required.

SECTION 4.1.24 • RACE TRACKS, INCLUDING MIDGET AUTO AND KARTING TRACKS

Because race tracks develop a concentration of vehicular traffic in terms of ingress and egress from their parking areas and cause noise levels which may project beyond the property so used, they shall be permitted in the C-2 Districts when located adjacent to a major street and when land on all sides of the parcel in question is

ARTICLE 4: USE STANDARDS

zoned C-2 or I-1. Race tracks shall further be subject to the following conditions and such other controls as the Planning Commission deems necessary to promote health, safety and general welfare in the Village.

- A. All access to the parking areas shall be provided from a major street. In no case shall access to the site from a residential street be permitted.
- B. All sides of the development not abutting a major thoroughfare shall be provided with a six (6) foot high wall and a twenty (20) foot wide obscuring greenbelt, in accordance with Article 7, Chapter 2.

SECTION 4.1.25 • OUTDOOR FACILITIES

- A. Outdoor recreation facilities, such as, but not limited to, playgrounds, ball fields, soccer fields, ski facilities, public swimming pools, and parks in general, shall comply with the following regulations:
 - 1. Principal and accessory buildings shall be set back at least five (5) feet from all property lines, unless otherwise specified herein.
 - 2. Outdoor recreation uses shall have direct access onto a thoroughfare.
 - 3. The location, layout, design, or operation of outdoor recreation facilities shall not impair the continued enjoyment, use, and future orderly development of adjacent and nearby properties. The Planning Commission may specify the hours of operation to assure compatibility with adjacent uses.
 - 4. Outdoor recreation uses shall not generate excessive noise, odors, dust, or other impacts, such that the continued use and enjoyment of adjacent properties would be impaired.
 - 5. Accessory retail or commercial facilities, such as food and beverage facilities or equipment shops, shall be designed to serve only the patrons of the outdoor recreation facility, unless otherwise listed as a permitted use in the district in which the facility is located.
 - 6. A wall or obscuring greenbelt, in accordance to Article 7, Chapter 2, shall be required wherever an outdoor recreation facility abuts directly upon land zoned or used for residential purposes. The Planning Commission may waive this requirement if the screening would impede desirable access to the facility by residents.

SECTION 4.1.26 • PLACES OF WORSHIP

- A. Buildings of greater than the maximum height allowed in the subject zoning district may be allowed: subject to the approval of by the Planning Commission
- B. All ingress and egress from said site shall be directly onto a major street.
- C. In order to mitigate any negative off-site impacts (such as glare, noise, trespassing, odors or sound) on residential uses, the

Planning Commission may require adequate fencing, screening or landscaping on the site.

- D. In the case any off-street parking area abuts a lot in any residential district, a wall or obscuring greenbelt shall be provided as per Section 7.2.4.
- E. Related uses, such as social centers, social service centers, schools, nursery schools, and rental banquet facilities, among others shall only be permitted if they are otherwise permitted in the zoning district.

SECTION 4.1.27 • SAND AND GRAVEL EXTRACTION

Sand and gravel deposits are non-renewable natural resources which are necessary and beneficial to the economy of the region. The standards in this section are intended to assure that removal in a manner that is compatible with the existing and proposed development and to insure the proper restoration of the land.

- A. Permits for such use shall be issued for a one (1) year period by the Village Council after recommendation by the Planning Commission. Unless the owner and/or operator of the extractive operation ignores and/or violates any conditions of approval, operation and restoration, the permit is renewable for one (1) year periods. To insure such compliance, the Building Official shall conduct periodic inspections and shall file a written notice to the permit holder if a violation is found in accordance with this section. Thirty (30) days prior to the renewal date of any such permit, the Zoning Administrator shall file a written report with the Planning Commission on the status and compliance of the operation.
- B. Applications for a sand and gravel extraction permit shall include the following information, in addition to all additional information required as a part of site plan review and special land use review:
 - 1. Vertical aerial photograph, enlarged to a scale equal to one (1) inch equal to two hundred (200) feet, from an original photograph at a negative at a scale no smaller than one (1) inch equals one thousand (1,000) feet. The area covered by the vertical aerial photograph shall include: all land included in the petition; all contiguous land which is proposed to be used or has been used by the owner or leasehold applicant for any extraction, treatment or storage; and all public roads which can provide first point of access. Each such area or feature shall be delineated on the aerial.
 - 2. A land survey, prepared by an engineer or surveyor certified by the State of Michigan to prepare such survey, drawn to a scale of one (1) inch equals two hundred (200) feet. This survey shall include the boundary of the entire tract by courses and distances, boundary of the area where the extraction is proposed, and the means of vehicular access to the proposed operation. An estimate of the quantity of excavation shall also be provided.
 - 3. Report by a qualified soil scientist, soils engineer or geologist regarding the effect the proposed operation will have upon the watershed. Particular attention shall

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

9

ARTICLE 4: USE STANDARDS

be focused on the impact on the water table. The report shall indicate if water bodies are to be created and the anticipated permanence of such.

4. A master plan for the extraction of the natural resource deposits. The plan shall include a timetable for various stages of the operation and a restoration plan indicating how the parcel will be reused. A timetable for extraction and restoration shall be included for each yearly permit requested; subsequent requests shall include an evaluation of work completed in the preceding year. The restoration plan shall include the proposed use of the parcel, the proposed topography drawn at contour intervals of two (2) feet, indication of water bodies and other major physical features, and the delineation of areas intended to be partitioned or subdivided, including a preliminary layout.
 5. An explanation of the access routes which will be used, together with an estimate of the size, weight, and frequency of trips. The proposed routing shall be submitted to the Road Commission for Oakland County (RCOC) for review. The Village shall report any circulation or routing problems to the applicant and RCOC. After consultation with the RCOC, the Village may request use of alternate access routes or limited use of existing problem routes.
 6. A detailed explanation of how the applicant intends to comply with the operating requirements contained in Sub-section C, following.
- C.** A sand and gravel extraction permit shall not be issued unless the applicant demonstrates that the operation will comply with all of the following requirements:
1. The removal of sand, gravel, limestone or similar materials by excavation, stripping, mining or another method, and the on-site operations appurtenant to the extraction, including washing, grading, sorting, crushing and grinding operations, shall be carried on within the limits of an area approved for such activities. No natural resource extracted outside the limits of this area shall be brought in for washing, grading, or further processing, except in instances where the Village Council, following Planning Commission recommendation, finds that such activities will not conflict with the reasonable use and development of neighboring properties. Resource-related industries including, but not limited to, concrete batching plants and asphalt mixing plants, shall not be permitted as a part of the operation unless specifically approved and regulated as an accessory operation to the principal permitted use.
 2. Excavation, washing and stockpiling of extracted material and all other shall not be conducted closer than three hundred (300) feet to the outer boundary of the area approved for extractive operation. Greenbelt plantings and landscaping shall be provided in the setback area as required in Section 7.2.4.
 3. In order to reduce the effects of airborne dust, dirt, and noise, all equipment for sorting, crushing, grinding, loading, weighing, and other operational structures shall not be built closer than three hundred (300) feet from any public street right-of-way line or adjacent property lines.
- All such activities, equipment, roadways and material storage areas shall be treated, covered, muffled or otherwise controlled to minimize adverse impact beyond the property line. Trucks hauling extractive materials to or from the site shall be loaded and covered in accordance with all applicable State and County and local regulations.
- Private access roads serving the operation shall be treated to create dust-free surfaces for a distance of three hundred (300) feet from any public access road. Arrangements shall also be made to minimize dust on public access routes traveled in the Village.
4. Extractive operations shall be subject to the following safety requirements:
 - a.) Where slopes steeper than thirty (30) degrees exist for any length of time, access to such slopes shall be barred by a fence or similarly effective barrier at least six (6) feet high.
 - b.) Where collections of water one (1) foot or more in depth exist for a period of one (1) week or more in an area of two hundred (200) square feet or more, access to such collections shall be fenced as required in (1) above.
 - c.) Where the extractive area is situated in marginal land areas consisting of swamp land or is bounded by natural bodies of water, a fence shall be required on those sides accessible via public rights-of-way and as the Village Council may require to secure safety. The Village Council may require the posting of "KEEP OUT - DANGER" signs.
 - d.) The installation of a six (6) foot high fence around the entire site with suitable gates shall be considered as compliance with the requirements of this sub-section.
 5. Finished slopes shall be no steeper than three (3) feet horizontal to one (1) foot vertical. Where ponded water is created as a result of extraction, the 3 on 1 slope shall be extended into the water to a depth of five (5) feet. The slope requirements shall be met as the work in any one section of the excavation proceeds.
 6. Sufficient top soil shall be stockpiled on the site so that the entire area may be recovered with a minimum of three (3) inches of top soil when excavating operations are completed. The top soil replacement shall occur immediately following the termination of extraction operations. All replaced top soil shall immediately be planted with grass or other plan material acceptable to the Village so as to prevent erosion. Lands under water

or in approved beach areas are excluded from top soil replacement and planting requirements.

7. Explosives shall be used in accordance with the regulations established by the Michigan State Police, Fire Marshall Division or other applicable authority.
8. Submittal of a performance guarantee, in accordance with Article 9, Chapter 4 may be required as a condition of approval of a sand and gravel extraction operation.

SECTION 4.1.28 • RESERVED

SECTION 4.1.29 • RESERVED

SECTION 4.1.30 • SEWAGE DISPOSAL PLANTS AND LANDFILLS

The following regulations shall apply to Sewage Disposal Plants and Landfills:

- A. Any such use shall conform to current standards established by the U.S. Environmental Protection Agency, the U.S. Department of Agriculture, the Michigan Department of Natural Resources, and other regulatory agencies.
- B. An environmental impact statement shall be prepared in accordance with Village requirements.

SECTION 4.1.31 • VETERINARY CLINICS

Veterinary Clinics shall comply with the following requirements:

- A. All activities shall be conducted within a completely enclosed building.
- B. All boarding shall be limited to animals brought in for treatment or surgery, unless the site has also been approved as a commercial kennel.

SECTION 4.1.32 • RADIO AND TELEVISION TOWERS

The following regulations shall apply to Commercial and Public Radio and Television Towers, Microwave Towers, and other communication antennae/towers (See Section 4.1.41 for specific regulations for Wireless Telecommunication Facilities):

- A. Each tower shall be set back from all property lines a minimum distance equal to one and one-half (1 1/2) times the height of the tower.
- B. An open weave, six (6) foot high chain link fence shall be constructed around the entire perimeter.
- C. Radio, television, and other types of communication towers shall be constructed, maintained, and operated in conformance with applicable state and federal laws.

SECTION 4.1.33 • RESERVED

SECTION 4.1.34 • RESERVED

SECTION 4.1.35 • RESERVED

SECTION 4.1.36 • PUBLICLY OWNED BUILDINGS

The following regulations shall apply to publicly owned buildings:

- A. All such buildings located within the single family residential districts shall be in character with the surrounding residential area.

SECTION 4.1.37 • RESERVED

Purpose

1

Definition

2

Zoning District and Uses

3

Use Standards

4

Planned Unit Development

5

Development Standards

6

General Provisions

7

Nonconformities

8

Administration & Enforcement

9

ARTICLE 4: USE STANDARDS

SECTION 4.1.38 • STATE LICENSED RESIDENTIAL FACILITIES

The following regulations apply to all state licensed residential facilities, as defined by this Ordinance and as licensed by the State of Michigan; and to all other managed or state licensed residential facilities.

- A. Licensing.** In accordance with applicable state laws, all state licensed residential facilities shall be registered with or licensed by the State of Michigan, and shall comply with applicable standards for such facilities.
- B. Separation Requirements.** New state licensed residential facilities shall be located a minimum of 1,500 feet from any other state licensed residential facility, as measured between the nearest points on the property lines of the lots in question. The Planning Commission may permit a smaller separation between such facilities upon determining that such action will not result in an excessive concentration of such facilities in a single neighborhood or in the Village overall.
- C. Compatibility with Neighborhood.** Any state licensed residential facility and the property included therewith shall be maintained in a manner consistent with the visible characteristics of the neighborhood in which it is located.
- D. Group Day Care Homes.** In addition to the preceding subsection, the following regulations shall apply to all group day care homes, as defined in this Ordinance.
 - 1. **Outdoor Play Area.** A minimum of 150 square feet of outdoor play area shall be provided and maintained per child at the licensed capacity of the day care home, provided that the overall play area shall not be less than 5,000 square feet. The play area shall be located in the rear yard area of the group day care home premises and shall be suitably fenced and screened.
 - 2. **Pick-Up and Drop-Off.** Adequate areas shall be provided for employee and resident parking, and pick-up and drop-off of children or adults, in a manner that minimizes pedestrian-vehicle conflicts and allows maneuvers without affecting traffic flow on the public street.
 - 3. **Hours of Operation.** Group day care homes shall not operate more than 16 hours per day.

SECTION 4.1.39 • FUNERAL HOMES

The following regulations shall apply to funeral homes:

- A.** The site of a proposed funeral home shall contain adequate assembly area for vehicles to be used in funeral processions and such assembly area shall be provided in addition to any required off-street parking area.
- B.** A caretakers residence may be provided within the main building of the funeral home.

SECTION 4.1.40 • OFFICE SHOWROOMS

The following regulations shall apply to offices and showrooms of a plumber, electrician, building contractor, upholsterer, caterer, decorator, or similar trade:

- A.** All services performed on the premises, including fabrication, repair, cleaning or other processing of goods, shall be sold at retail on the premises where produced.
- B.** The only ground floor premises facing upon and visible from any abutting streets shall be used only for entrances, offices, sales, or display.
- C.** Outdoor storage of materials or goods is prohibited.

SECTION 4.1.41 • WIRELESS TELECOMMUNICATION FACILITIES

Wireless telecommunication facilities shall conform and be subject to the following.

A. Wireless Telecommunication Facility Support Structures.

- 1. **Limitation on new support structures.** It is the Village's policy to minimize the proliferation of new wireless telecommunication facility support structures in favor of collocation of such facilities on existing structures. No new wireless telecommunication facility support structures shall be constructed unless the applicant for the new structure demonstrates, and the Planning Commission finds, that collocation on an existing structure is not adequate or is not reasonably feasible.
- 2. **Monopole Design Required.** All wireless telecommunication facility support structures, unless otherwise provided, shall have a monopole, unipole or similar non-lattice, single vertical structure design and shall be further designed to accommodate at least four wireless telecommunication arrays of antennas or panels. The applicant shall submit an affidavit by a design engineer registered in the state attesting that the support structure can support at least four wireless telecommunication arrays of antennas or panels. The site plan for any new support structure shall expressly state that the support structure shall be erected and available for collocation, and shall also show the proposed location of the applicant's and collocators' equipment shelters and related facilities.
- 3. **Maximum Height.** Wireless telecommunication facilities shall not exceed 185 feet in height, as measured from the average grade at the base of the support structure to the top of the antenna or panel. In no case shall the height exceed any applicable height limitation established by county, state or federal regulations.
- 4. **One Support Structure per Lot.** Except in the I zoning district, not more than one wireless telecommunication support structure may be located on a single lot.
- 5. **Location on Lot.** If located on the same lot as another permitted use, a wireless telecommunication facility

ARTICLE 4: USE STANDARDS

shall not be located in a front yard or side yard abutting a street, except that the Planning Commission may approve a support structure utilizing camouflage or stealth design for location in a front or side yard abutting a street if the Planning Commission determines that location will better facilitate a satisfactory and harmonious relationship with existing and prospective development of contiguous land and adjacent neighborhood.

6. **Setbacks.** Wireless telecommunication facilities shall be set back from the lot line a distance not less than one-half of its height or 65 feet, whichever is greater. However, when wireless telecommunication facilities are located on premises which abut a lot that is residentially zoned, the minimum setback from the lot line abutting the residentially zoned lot shall be equal to the height of the facility. All setbacks shall be measured from the edge of the facility.
7. **Maintenance and removal.** Wireless telecommunication facilities shall be installed and maintained in accordance with manufacturers' specifications and the building code. Upon discontinuance or cessation of use, the facility shall be removed by the owner thereof.
8. **Signs.** No sign shall be attached to or displayed on a wireless telecommunication facility. No signals or lights or other means of illumination shall be permitted on a facility unless required by state or federal law or regulation. The facility shall have a neutral color intended to blend with the surroundings.
9. **Equipment Shelters.** If the wireless telecommunication facility is located on a site which is already improved with another building or structure, and an equipment shelter is proposed, the equipment shelter shall be constructed with exterior facade materials similar to the principal building or structure on the site.

B. Co-location.

1. **Existing structures.** Wireless telecommunication antennas or panels may be installed on existing buildings or structures provided such antennas or panels, and their supporting structure, do not exceed the height limitation set forth in subsection A(3) of this section.
2. **Exemption from setbacks.** Any wireless telecommunication antenna or panel mounted on an existing building or structure which does not increase the height of the building or structure shall be exempt from the setback requirements of subsection A(6) of this section.

C. Wireless telecommunication facilities located in single-family residential zones shall meet one of the following requirements:

1. **Existing non-residential building.** The wireless telecommunication facility shall be mounted directly onto an existing, non-residential building in a manner that does not increase the height of the building. The facility shall

consist of material or color which is compatible with the exterior treatment of the building;

2. **Existing Non-Residential Structure.** The wireless telecommunication facility shall be located on an existing, non-residential support structure, pole or tower such as a public or private utility tower, pole or structure, but not on a building. Such facility shall consist of a material or color which is compatible with the tower, pole or structure. Antennas or panels may extend above the top of the tower, pole or structure not more than 30 feet; however, the height to the top of the antenna or panel may not exceed 165 feet; or
3. **New Support Structure on Public Property.** The wireless telecommunication facility shall be located on a new support structure situated on public property. Any facility located on public property which is used for passive recreation shall be designed to minimize the conspicuousness of the facility (e.g., utilizing camouflaged or stealth designed poles or existing environmental features as screening). All such facilities located on public property shall meet the setback requirements of subsections A(6) and B(2) of this section.

SECTION 4.1.42 • RESERVED

SECTION 4.1.43 • RESERVED

SECTION 4.1.44 • RESERVED

SECTION 4.1.45 • OUTDOOR CAFES AND SEATING

Outdoor cafes or seating areas associated with an approved restaurant or other food establishment which sells food for immediate consumption on the premises: shall be permitted on private property between April 15 and November 1 provided they meet the following standards in the opinion of the Planning Commission;

Outdoor cafes may be permitted on public property through the special use process in section 9.2, and must meet the following standards.

Outdoor cafes may be permitted to operate between November 2 and April 14 if approved through the special use process in Section 9.2 including compliance with the following standards:

- A. All approvals for outdoor seating shall apply so long as the site operates continuously as a restaurant. If the site ceases to be a restaurant for greater than six months, the approval shall be voided.
- B. Outdoor seating areas shall be required to be enclosed in instances where there is waitstaff or alcohol service. For the purpose of this Section, an enclosure is a decorative wood or metal railing or other decorative removable physical delineation approved by the Planning Commission.

Purpose
1

Definition
2

Zoning District
and Uses
3

Use Standards
4

Planned Unit
Development
5

Development
Standards
6

General
Provisions
7

Nonconformities
8

Administration &
Enforcement
9

ARTICLE 4: USE STANDARDS

- C.** All roofs and other overhead structures must be shown on the site plan. A previously approved outdoor cafe may add a roof, subject to Planning Commission approval.
- D.** Tables, chairs, planters, trash receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they should complement building colors. During non-business hours, all tables, chairs, umbrellas and other furniture and fixtures must be stored inside the building or properly secured within the enclosure.
- E.** A site plan shall specify the plans for storage of tables, chairs, and equipment during the months when the outdoor seating is not in use.
- F.** The outdoor seating area shall be kept clean, litter-free, free of debris, and with a well-kept appearance within and immediately adjacent to the area of tables and chairs. Additional outdoor waste receptacles may be required. Written procedures for required maintenance services, such as cleaning and waste containment and removal responsibilities must be included with all applications and approved by the Planning Commission.
- G.** Outdoor seating areas shall be allowed only during normal operation hours of the establishment. In no case shall an outdoor seating area operate between the hours of 11 PM and 7 AM.
- H.** Outdoor seating areas shall not be located within the unobstructed triangular area (clear vision area) of a corner lot, consistent with Section 6.1.11, Clear Vision Area.
- I.** The capacity of the outdoor seating area shall be provided by the applicant and verified by the Building Official. An outdoor seating area containing 30 or more seats shall be required to provide for the required number of parking spaces consistent with the restaurant parking standard in Section 7.1.9. However, no parking shall be required if the outdoor seating area is located within the parking reduction district per Section 7.1.8
- J.** A sign must be posted stating "No food or beverages allowed beyond this point." Additional signs associated with the outdoor seating area are prohibited.
- K.** Any outdoor seating areas shall be completely screened from view of all single-family residential properties by an obscuring wall or landscape buffer, unless the outdoor seating area is separated by a public road, public alley, or public parking area.
- L.** Vending machines and other similar products shall be prohibited in all outdoor seating areas.
- M.** Preparation of food and beverages shall be prohibited in any outdoor seating area. The sale and consumption of alcohol are governed by the Michigan Liquor Control Act and local ordinance. Additionally, such seating areas must include food service in addition to the sale and service of alcoholic beverages.
- N.** Details regarding the hours and type of entertainment, music, speakers, lighting, or similar devices used in outdoor seating areas must be identified at the time of site plan review. There shall be no loudspeaker located in conjunction with an outdoor seating area and all other noise including music, speakers, or similar devices shall be controlled so as to not be audible more than ten (10) feet from the outdoor seating area. All lighting must be shielded to prevent glare on adjacent roadways and protect abutting parcels.
- O.** A minimum of five (5) feet of sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables and other encumbrances, in accordance with the provisions of the national Americans with Disabilities Act (ADA) and Michigan barrier-free requirements. If the sidewalk is not wide enough to allow for a five (5) foot wide clearance for circulation, the outdoor seating area shall not be permitted.
- P.** Outdoor seating shall be subject to applicable Village, County and State requirements.
- Q.** Approval of an outdoor cafe may be revoked by the Village if the condition(s) of approval or other ordinance requirements have not been met or that use poses a nuisance to the surrounding properties.
- R.** Outdoor cafes on public property must meet the following standards:
 - 1. The applicant will provide evidence of primary comprehensive general liability insurance by a Michigan authorized insurance carrier in an amount not less than \$500,000.00 naming the Village of Oxford as co-insured if any Village property is involved covering any and all claims arising by virtue of the use and/or activity as well as provide evidence of prepaid annual premium to the Village of Oxford timely every year. Failure to do so will automatically terminate special use approval of such use or activity if it involves the use of Village property.
 - 2. The outdoor cafe must be directly accessible from inside the restaurant
 - 3. In addition to special use approval, the applicant must receive permission from the Village Council to use the space in question.
 - 4. In order to use any part of the M-24 right-of-way, the applicant must receive permission from MDOT.
- S.** Outdoor cafes operating between Nov. 1 and April 14 must meet the following standards;
 - 1. The outdoor cafe must be equipped with temporary heaters, with the specific design to be approved by the Planning Commission and Fire Chief.
 - 2. The applicant must designate a snow removal area on the site plan, and must remove snow after every snowfall exceeding two inches. If the snow area is not within the outdoor cafe, it must be on private property.

SECTION 4.1.46 • OUTDOOR STORAGE

- A.** There shall be no outdoor storage of any industrial or commercial equipment, vehicles and/or other materials, including wastes, unless otherwise provided by this Ordinance. Any storage shall be screened from public view from a public street and from adjoining properties by an enclosure consisting of a wall or fence not less than the height of the equipment, vehicles and all materials to be stored or 8 feet, whichever is less. Whenever such open storage is adjacent to a residential district in either a front, side or rear lot line relationship, whether immediately abutting or across a right-of-way from such district, there shall be provided an obscuring masonry wall or wood fence of at least six feet in height.
- B.** Such masonry wall or wood fence shall be repaired, maintained and kept in good condition by the owners.
- C.** When screening is required for outdoor storage of refuse or waste, an enclosure constructed of masonry material and sturdy obscuring wood gates shall be provided. The enclosure shall be at least six feet in height or equal to the height of the receptacle or waste material being stored, whichever is greater. If the enclosure is in a conspicuous location or visible from a public road or residential zoning district, the Planning Commission or official approving the site plan may specify the type and/or appearance of masonry material to be used to construct the enclosure.

SECTION 4.1.47 • MOBILE MEDICAL TRAILERS

- A.** A detailed use statement identifying the hours of operation, method of dropping off and picking up the trailer on and off site, method of lighting, utility connections, and anticipated noise shall be provided as part of the special use application. When the trailer is located on a parcel adjacent to a residential use or zone district, then trailer shall not be used nor picked-up/dropped-off between 10 PM and 8 AM.
- B.** Approval of a special land use proposal for a mobile medical trailer may be revoked by the Planning Commission if the condition(s) of approval or other ordinance requirements have not been met or that use poses a nuisance to the surrounding properties. In such a case, Village staff shall place the special land use on the agenda of the Planning Commission for consideration, and give written notice to the applicant at least five (5) days prior to the meeting. The applicant shall be given the opportunity to present information to the Planning Commission and answer questions. The Planning Commission may revoke approval if it finds that a violation has occurred.

Purpose
1

Definition
2

Zoning District
and Uses
3

Use Standards
4

Planned Unit
Development
5

Development
Standards
6

General
Provisions
7

Nonconformities
8

Administration &
Enforcement
9

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Article 5: Planned Unit Development

SECTION 5.1 • STATEMENT OF INTENT

It is the intent of this Article to authorize the use of Planned Unit Development (PUD) regulations to:

- A. Permit flexibility in the regulation of land development;
- B. Encourage innovation in land use and variety in design, layout, and type of structures constructed;
- C. Achieve economy and efficiency in the use of land, natural resources, energy, and public services and utilities;
- D. Encourage useful open space; and
- E. Provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of the Village of Oxford.

The approval of a Planned Unit Development application shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as "PUD, Planned Unit Development". Approval granted under this Article, including all aspects of the final plan and conditions imposed on it, shall constitute an inseparable part of the zoning amendment.

The provisions of this Article are not intended as a device for ignoring the Zoning Ordinance and specific standards set forth therein, or the planning upon which it has been based. Provisions of this Article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with guidelines in this Article.

SECTION 5.2 • ELIGIBILITY CRITERIA

To be eligible for planned development approval, the applicant must demonstrate that the following criteria will be met:

- A. **Recognizable and Substantial Benefit.** The planned development shall result in a recognizable and substantial benefit to the ultimate users of the project and to the community.
- B. **Land Area.** Sufficient land area shall be provided to comply with all applicable regulations of this Ordinance, to adequately serve the needs of all permitted uses in the PUD project, and to ensure compatibility between uses and the surrounding neighborhood.
- C. **Availability and Capacity of Public Services.** The proposed type and density of use shall not exceed the capacity of existing public services, facilities, and utilities.
- D. **Compatibility with the Master Plan.** The proposed development shall be consistent or compatible with the Village's Master Plan and other sub-area plans.
- E. **Compatibility with the Planned Development Intent.** The

proposed development shall be consistent with the intent and spirit of these regulations, as stated in Section 5.1, Intent.

- F. **Economic Impact.** The proposed development shall not impede the continued use or development of surrounding properties for uses that are permitted in the Zoning Ordinance or planned in the Village Master Plan.
- G. **Preservation of Site Features.** Long-term conservation of significant site features or open space will be achieved, where such features would otherwise be destroyed or degraded by development as permitted by the underlying zoning district(s).

SECTION 5.3 • PERMITTED PRINCIPAL USES

Any land use authorized in this Ordinance may be included in a PUD as a principal or accessory use, subject to adequate public health, safety and welfare protection mechanisms being designed into the development as provided in this Article.

Nonresidential uses, including, without limitation, parking and vehicular traffic ways, shall be buffered from residential units in a manner consistent with good land and community planning principles. Such buffering shall be provided for residential units located within the same PUD as the nonresidential uses, as well as for residential units located on adjacent parcels. It is recognized that this provision may have limited application to multi-use buildings.

SECTION 5.4 • DEVELOPMENT REGULATIONS

The following regulations shall apply to all Planned Unit Developments:

- A. **Unified Control.** The proposed Planned Unit Development area shall be under the control of one owner or a single entity and shall be capable of being planned and developed as one integral unit. Application for Planned Unit Development zoning must be made with the written authorization of all owners of the site and with all parties having an interest in the property joining in said application.

The applicant shall provide legal documentation of single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further, that all portions of the development will continue to be operated and maintained by the developers or their successors. These legal documents shall bind all development successors in title to any commitments made as a part of the documents. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is given to the Village.

- B. **Street Provisions and Vehicular Access.** Each lot, main building, and principal use within the Planned Unit Development district shall have vehicular access from a public street or private road meeting the design standards of a public street. Adequate provision shall be made for dedications of land for

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

9

ARTICLE 5: PLANNED UNIT DEVELOPMENT

streets and essential services.

- C. Applicable Base Regulations.** Unless waived or modified in accordance with the procedures and standards set forth in this Article, the lot size, lot width, lot coverage, setbacks, parking, loading, landscaping, lighting, and other standards set forth in designated underlying zoning district for uses proposed as part of a PUD.

To encourage flexibility and creativity in development consistent with the Planned Unit Development concept, departures from compliance with the underlying zoning district regulations may be granted by the Village Council, upon recommendation of the Planning Commission, as a part of the approval of the Planned Unit Development. Such departures may include, but are not limited to lot dimensional standards; floor area standards; setback requirements; density standards; parking, loading and landscaping requirements; and similar requirements.

Such departures may be approved only on the condition that they will result in a higher quality of development than would be possible using conventional zoning standards. Such modifications or waivers shall be clearly shown on the approved site plan.

- D. Water and Sanitary Sewer Service.** Each main building in a Planned Unit Development shall be connected to public water and sanitary sewer lines.
- E. Storm Drainage.** Each site in a Planned Unit Development shall be provided with adequate storm drainage and meet all applicable local, county, state and federal laws.
- F. General Provisions.** A Planned Unit Development shall comply with the provisions in Article 6, Development Standards.
- G. Additional Considerations.** During review of a proposed Planned Unit Development, the Planning Commission shall take into account the following considerations, which may be relevant to a particular project:
1. Perimeter setbacks and berming
 2. Thoroughfares
 3. Drainage and utility design
 4. Underground installation of utilities
 5. Insulating the pedestrian circulation system from vehicular thoroughfares and ways
 6. Achievement of an integrated development with respect to signage, lighting, landscaping and building materials
 7. Noise reduction and visual screening mechanisms, particularly in cases where non-residential uses adjoin off-site residentially-zoned property.

SECTION 5.5 • PROJECT TIMETABLE

- A. Timetable.** A timetable for construction for a Planned Unit Development shall be included as part of the review and

approval process. Where a PUD project is proposed to be constructed in phases, the following standards shall apply:

1. **Phasing Plan.** The applicant shall submit a phasing plan for review and approval by the Planning Commission. Once construction of a planned development has commenced, approval of any revisions to the phasing plan shall be approved only if the revised phasing does not materially change the integrity of the approved planned development.
2. **Integrity of Each Phase.** The PUD project shall be designed so that each phase shall be complete in terms of the presence of services, construction, facilities, and open space and shall contain the necessary components to ensure the health, safety, and welfare of the users of the planned development and the residents of the Village.

- B. Performance Bond.** In accordance to Article 9, Chapter 4, the Village may require that a performance bond be posted by the developer to assure compliance with the construction timetable. Unapproved deviations or delays in the timetable during construction may result in a loss of all or a portion of the performance bond.

SECTION 5.6 • OPTIONAL PRE-APPLICATION CONFERENCE

- A.** A potential applicant for a Planned Unit Development classification may request a pre-application conference prior to filing an application. If the applicant requests a pre-application conference, then such request shall be made to the Zoning Official, who shall set a date and shall inform the Village Manager, the Village President and the Chairperson of the Village Planning Commission of the pre-application conference and invite their attendance. The Zoning Official shall also invite other officials and consultants who might have a interest in the proposed development, or who might assist the Village in the review process.
- B.** The applicant shall present at such a conference(s), at minimum, sketch plan of the proposed Planned Unit Development (drawn to scale); a legal description of the property in question; and the total number of acres in the project.
- C.** The purpose of the meeting is to inform Village and other Officials of the concept of the proposed development and provide the potential applicant with information regarding land development policies, procedures, standards, and requirements of the Village in terms of the proposed development. To this end, the applicant is encouraged to present schematic plans, site data, and other information that will explain the proposed development.
- D.** Statements made at the pre-application conference shall not be legally binding commitments.

SECTION 5.7 • APPLICATION PROCEDURES

Application for Planned Unit Development classification shall be for an amendment to the Village Zoning Map. An application for a Planned Unit Development classification shall be filed with the

ARTICLE 5: PLANNED UNIT DEVELOPMENT

Zoning Official, who shall forward the information to the Planning Commission. This application shall contain the following:

- A. Cover letter signed by the applicant and owner(s) holding an equitable interest in the property.
- B. Legal description showing the location and acreage of the property.
- C. General description of proposed development, including a timetable of development.
- D. Site plan at a scale of 1" - 100' or larger, prepared in accordance with Article 9, Chapter 2. Additional information on the site plan shall include:
 1. Proposed schedule of usable floor areas and land areas by category of use and building ground coverage.
 2. Areas preserved for open space, indicating the proposed improvements.
 3. Architectural sketches showing building heights, external wall finishes, location of entry ways, and loading and unloading facilities.
 4. Other information deemed pertinent to the proposed development by the Planning Commission or Village Council.
- E. A fee for the processing of the Planned Unit Development application, as established by the Village Council.

SECTION 5.8 • REVIEW AND STANDARDS FOR APPROVAL

The review and approval process for a Planned Unit Development shall be as follows:

- A. **Planning Commission Review.** The Planning Commission shall review the application and determine whether or not the proposed development best serves the intent of this ordinance, and the public, health, safety, and welfare. Standards for review shall include:
 1. **Public, Health, Safety, and Welfare.** The public, health, safety and welfare will be better served by this development. In making such findings, the following shall be considered: location, density of population, adequacy of schools, public facilities, hours of operation, traffic volumes and circulation, compatibility with existing development, adequate provisions for light and air, and accessibility for police and fire protection.
 2. **Compatibility with Master Plan.** The proposed development shall not have an adverse impact upon the Master Plan of the Village, and shall be consistent with the intent and spirit of this Article.
 3. **Economic Impact.** The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
 4. **Compatibility with Adjacent Uses.** The proposed Planned

Unit Development shall set forth specifications with respect to height, setbacks, density, parking, circulation, landscaping, views, and other design and layout features which exhibit due regard for the relationship of the development to surrounding properties and the uses thereon. Consideration shall be given to:

- a.) The bulk, placement, and materials of construction of proposed structures.
 - b.) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - c.) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
 - d.) The hours of operation of the proposed uses.
 - e.) The provision of landscaping and other site amenities.
5. **Public Services.** The proposed Planned Unit Development shall not exceed the capacity of existing and available public services, including but not necessarily limited to utilities, public roads, police and fire protection, schools; unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the Planned Unit Development is completed.
 6. **Impact of Traffic.** The Planned Unit Development shall be designed to minimize any adverse impact of traffic generated by the proposed development. Consideration shall be given to:
 - a.) Estimated traffic to be generated by the proposed development.
 - b.) Access to major thoroughfares.
 - c.) Proximity and relation to intersections.
 - d.) Adequacy of driver sight distances.
 - e.) Location of and access to off-street parking.
 - f.) Required vehicular turning movements.
 - g.) Provisions for pedestrian traffic.
 - h.) Access to loading and unloading areas.
 7. **Compliance with Applicable Regulations.** The proposed Planned Unit Development shall be in compliance with all applicable Federal, state, and local laws and regulations.
 8. **Phasing.** The PUD project shall be designed so that each phase shall be complete in terms of the presence of services, construction, facilities, and open space and shall

Purpose

1

Definition

2

Zoning District
and Uses

3

Use Standards

4

Planned Unit
Development

5

Development
Standards

6

General
Provisions

7

Nonconformities

8

Administration &
Enforcement

9

ARTICLE 5: PLANNED UNIT DEVELOPMENT

contain the necessary components to ensure the health, safety, and welfare of the users of the planned development and the residents of the Village.

B. Public Hearing. The Planning Commission shall schedule a public hearing on the proposed Planned Unit Development. Notice of the public hearing shall be published in a newspaper of general circulation in the Village, and sent by mail or personal delivery to the owners of property for which approval is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet. Such notice shall be given not less than fifteen (15) days before the public hearing scheduled. The notice shall do all of the following:

1. Describe the nature of the planned development project requested.
2. Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
3. State the location, date, and time of the public hearing.
4. Indicate the location and times that written comments will be received concerning the request.

C. Planning Commission Recommendations. At the public hearing or within a reasonable time following the public hearing, the Planning Commission shall make its final consideration of the request including the zoning map amendments, and shall recommend to the Village Council denial, approval, or approval with conditions, of the request. The Planning Commission shall have prepared a report stating its conclusions, the basis for its recommendations, and any conditions relating to an affirmative recommendation. The public hearing held pursuant to this subsection shall also serve as the public hearing for the proposed zoning amendment.

D. State and County Approval. All planned development projects shall require the review and approval of the following agencies, if applicable, prior to final site plan approval:

1. The Road Commission for Oakland County or, if any part of the project includes or abuts a state highway or includes streets or roads that connect with or lie within the right-of-way of a state highway, the Michigan Department of Transportation.
2. The Oakland County Drain Commission.
3. The Oakland County Health Department.

E. PUD Agreement. A proposed contract setting forth the conditions upon which approval of the PUD is based. Prior to approval by the Village Council, the contract shall be entered into between the Village and the applicant at the time of PUD plan approval. Said contract shall provide:

1. The manner of ownership of the land, including mineral rights.
2. The manner of the ownership and of the dedication of the common open space or parks.
3. The restrictive covenants required for membership rights and privileges, maintenance and obligation to pay assessments for the common open land, parks or other features.
4. The stipulations pertaining to commencement and completion of the phases of the development, to construction, installation, repairs and maintenance of improvements, to obligations for payment of any costs, expenses or fees planned or reasonably foreseen, and to the manner of assuring payment of obligations.
5. Provisions for the Village to effect construction, installation, repairs and maintenance and use of public utilities, storm and sanitary sewers and drainageways, water, streets, sidewalks and lighting, and of the open land and improvements thereon, and any other conditions of the plan, and the manner for the assessment and enforcement of assessments for the costs, expenses, or fees incidental thereto against the applicant, or the future owners or occupants of the PUD.
6. The PUD plan shall be incorporated by reference and attached as an exhibit.
7. Any approved modifications shall be enumerated.
8. Provisions reasonably and necessarily intended to affect the intent of this Article, or the conditions of the approval of the plan for the public health, safety, morals, and general welfare of the Village.
9. Provisions for amendments to the layout of the PUD and associated site improvements following approval of the PUD, including definitions of what constitutes a minor or major amendment, and the Village approval authority and process for approving minor and major amendments.
10. Other pertinent information necessary to enable the Planning Commission to make a determination concerning the desirability of applying the provisions of this Article.
11. The application and site plan shall not be officially approved nor may the building permit be issued, until the PUD agreement has been signed as required herein and has been received by the Village Clerk.

F. Village Council Action. The Village Council shall be provided with a copy of the Planning Commission's report, a summary of comments received at the public hearing, minutes of all proceedings, and all documents related to the Planned Unit Development. Within a reasonable time of the action of the Planning Commission, and after all approvals noted above are obtained, the Village Council shall deny, approve, or approve with conditions, the request.

ARTICLE 5: PLANNED UNIT DEVELOPMENT

SECTION 5.9 • PERFORMANCE GUARANTEES

In accordance with Article 9, Chapter 4, the Village Council shall require that a performance guarantee be deposited with the Village to insure faithful completion of improvements. In no event shall the performance bond be less than the estimated cost of completion, and such bond shall be posted with the Village of Oxford by a licensed Michigan insurance bonding company. Improvements shall mean those features and actions associated with the project which are considered necessary by the Village Council to protect natural resources, or health, safety, and welfare of the residents of the Village and future users or inhabitants of the proposed development, including roadways, lighting, utilities, sidewalks, screening, landscaping, and drainage.

SECTION 5.10 • EFFECT OF APPROVAL

Approval of a planned development application, site plan, and PUD Agreement shall constitute an amendment to the Zoning Ordinance to revise the official Zoning Map to designate the subject property as "PUD" (Planned Development District). The PUD Agreement, approved PUD site plan, and all conditions of approval granted under this Article shall constitute an inseparable part of the zoning amendment.

- A. All improvements and land uses of the site shall be in conformity with the approved PUD plan and any conditions imposed and the approved PUD agreement.
- B. Notice of the adoption of the amendment shall be published in accordance with the requirements set forth in the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).
- C. The applicant shall record the approved PUD Agreement with the Oakland County Register of Deeds within ten (10) days of the date of approval of the application. The petitioner shall immediately provide a certified copy of the recorded documents to the Village Clerk.

SECTION 5.11 • ENFORCEMENT

The Village Council may enforce any or all provisions of the approved site plan and agreement, and conditions of approval, against the petitioners, owners, successors, assigns, or agents.

SECTION 5.12 • EXPIRATION OF PUD APPROVAL

If construction has not commenced within 365 calendar days of PUD approval by the Village Council, all PUD approvals become null and void and a new PUD application shall be required to continue the project. Upon written request received prior to the expiration date, the Village Council may grant one (1) extension of up to 365 calendar days, provided that the approved PUD plan remains in conformance with the intent and eligibility requirements of this Article, and adequately represents current conditions on and surrounding the site.

SECTION 5.13 • REVISION OF APPROVED PLANS

- A. **General Revisions.** Approved final plans for a Planned Unit Development may be revised in accordance with the procedures set forth in this article.
- B. **Minor Changes.** Notwithstanding sub-section A above, minor changes may be permitted following normal site plan review

procedures outlined in Article 9, Chapter 2, subject to finding that:

1. Such changes will not adversely affect the initial basis for granting approval.
2. Such minor changes will not adversely affect the overall Planned Unit Development in light of the intent and purpose of such development as set forth in Section 5.1.

SECTION 5.14 • TERMINATION AND REVOCATION

- A. **Termination.** An approved PUD plan and PUD contract may be terminated by the applicant prior to any development within the PUD area involved by filing with the Village Clerk an affidavit so stating. The approval of the development plan and PUD contract shall terminate upon said recording. No approved PUD plan and PUD contract shall be terminated after any development commences within the PUD area, except with the approval of the Village Council and of all parties of interest in the land.
- B. **Revocation.** In any case where the conditions of PUD approval have not been or are not being complied with, the Village Administration shall provide the applicant notice of such failure to comply and establish a time period of twenty (20) days from the date the notice was issued for the applicant to remedy the violation. The applicant must remedy the violation within the twenty (20) day period or request a public hearing before the Village Council for a review of the notice of violation. If the applicant does not remedy the violation and does not request a public hearing before the Village Council within twenty (20) days of the date the notice was issued, the Village Council may revoke PUD approval.

If the applicant requests a hearing before the Village Council for review of the notice of violation, the time period for remedying the violation shall be temporarily suspended and the review shall be placed on an upcoming Village Council agenda. After the conclusion of such review, if the Village Council finds that a violation exists, it shall establish a time period in which the violation must be remedied. If the violation is not remedied by the conclusion of the established time period, the Village Council may revoke PUD approval.

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