

## ARTICLE 19

# TC, TOWN CENTER OVERLAY DISTRICT

### SECTION 19.01. Statement of Purpose

The intent of the TC, Town Center Overlay District is to encourage the development of a lively, mixed use area, consisting of retail, office, residential, township governmental, and hospitality uses. It is intended that this district will be a primary focus of community activity.

More specifically, purposes of this district are as follows:

- A. Promote the development of a commercial service district in which a variety of retail, commercial, office, civic, entertainment and residential uses are permitted in a pedestrian accessible environment.
- B. Provide flexible regulations regarding streetscape design, landscape design, parking, architectural and façade design, residential dwelling units, and setback standards.
- C. Encourage development of buildings that are harmonious with each other and with the Township’s Master Plan recommendations for the Town Center Area Plan, the boundaries of which are coterminous with the boundaries of the Town Center Overlay District.

The purpose of the regulations contained herein is to give general guidelines or parameters, recognizing that details regarding the uses and structures will emerge at the time of development. Because of existing conditions, conventional zoning standards cannot be reasonably applied to The Town Center Overlay District. Conventional zoning standards are too inflexible to deal with the type of development anticipated.

The regulations herein have been developed in accordance with the adopted Township Master Plan and the following principles:

- A. The integrity and value of existing nearby single-family residences should be preserved consistent with the Master Plan.
- B. The redevelopment of this area should have connections to the surrounding road network, where prudent.
- C. Development should be sensitive to the unique environmental features of the area.
- D. Integrating the mix of uses into a unified development plan that will result in greater efficiency, economic value, and a greater potential to create a sense of place so as to attract new residents and give existing residents a community they can be proud of.
- E. Road improvements should be planned and developed so needed improvements are in place to handle increased traffic.

**SECTION 19.02. Applicability of Overlay Zoning Concept**

The Town Center Overlay District is a mapped zoning district that imposes a set of requirements in addition to those of the underlying zoning district shown on the Zoning Map. In the Town Center Overlay District, the property shall be developed only under the applicable conditions and requirements of both zones. It is intended that existing uses maintain conformity with underlying zoning standards, but any expansion, redevelopment, or new development shall conform to the Town Center Overlay District standards. In the event there is a conflict between the requirements of the two zones, the requirements of the Town Center Overlay District shall govern.

**SECTION 19.03. Creation of Town Center Overlay District Boundaries**

The Town Center Overlay District boundaries shall be as established on the Official Zoning Map. Town Center Overlay Districts may be established or amended according to the Zoning Ordinance amendment procedures in Article 3.

**SECTION 19.04. Permitted Uses and Structures**

**A. Principal Uses and Structures**

In all areas zoned Town Center Overlay District, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following regionally-oriented principal permitted uses. The permitted location of such uses shall be based on the Commerce Township Future Land Use Map for the area.

1. Multiple-family housing may be in the form of townhouses, apartments, brownstone apartments, or similar configuration. Business, office, retail and residential uses may occupy the same building, provided that:
  - a. With the exception of legal home occupations, no business, entertainment, office use or retail business shall be located on the same floor that is used for residential purposes.
  - b. No floor may be used in whole or in part for business or office use or retail business on a floor located above a floor used for residential purposes.
  - c. Where there are non-residential and residential uses in a building, the residential uses shall be provided with separate, private entrances.
2. Housing for the elderly, including assisted living facilities.
3. Residential care facilities.
4. Generally recognized retail businesses that supply commodities on the premises, such as, but not limited to: stores selling groceries, meats, fruits and produce, dairy products, baked goods, and other specialty food products, pharmaceuticals, dry goods, flowers, clothing, notions, furniture, and hardware.

5. Department stores.
6. Hotels.
7. Public and quasi-public uses such as municipal offices, courthouses, public off-street parking, libraries, museums, public safety facilities, and public recreational facilities.
8. Offices of an executive, administrative, or professional nature.
9. Medical offices and medical laboratories.
10. Research and development businesses.
11. Performing arts center, theaters, assembly halls, community centers, or similar places of assembly.
12. Outdoor theater, plazas, parks, and public gathering places.
13. Schools and colleges.
14. Business establishments that perform services on the premises, such as, but not limited to: banks and other financial institutions (not including drive-thru, which are subject to special land use approval), insurance offices, real estate offices, and travel agencies.
15. Churches and other places of worship.
16. Dry cleaning drop-off establishments (not to exceed 4,000 sq.ft.), dealing directly with the consumer, but not including drive-thru facilities.
17. Indoor commercial recreational facilities, such as health clubs, handball and racquetball facilities, pool and billiard establishments, ice arenas, tennis, archery and similar facilities, but not including inflatable buildings.
18. Personal service shops, including, but not limited to: repair shops (such as watch, radio, television, shoe repair, and home appliance), tailor and dressmaking shops, beauty and barbershops, and photographic studios.
19. Standard restaurants (except drive-in and drive-thru facilities, which are subject to special land use approval), taverns and bars.
20. Fast food restaurants (except drive-in and drive-thru facilities, which are subject to special land use approval).
21. Take-out food and beverage sales.
22. Outdoor cafes, outdoor eating areas subject to adequate control of noise, particularly adjacent to residential areas.

23. Essential services.
24. Uses and structures accessory to the above, subject to the provisions in Article 33.

**B. Special Land Uses**

The following uses may be permitted by the Planning Commission, subject to the conditions specified for each use; review and approval of the site plan by the Planning Commission; any special conditions imposed by the Planning Commission that are necessary to fulfill the purposes of this Ordinance; and, the procedures and requirements in Article 34.

1. New single family detached dwelling units. (Special use approval shall not be required for expansion or renovation of a single family dwelling in existence at the time of adoption of this Article, provided that such expansion or renovation is in compliance with the adopted Building Code.)
2. Drive-thru or drive-in facilities, subject to Article 26.
3. Farmers' market.
4. Bed and breakfast establishments, containing ten (10) or fewer units.
5. Clubs, fraternal organizations, and lodge halls.
6. Funeral and interment services.
7. Retail sales in which both a workshop and retail outlet or showroom are required, such as, but not limited to establishments for interior decorators, artisans, upholsterers, printers, and photographers, subject to the following provisions:
  - a. Not more than eighty percent (80%) of the total useable floor area shall be used for service, repair or processing functions, and
  - b. Retail or showroom functions shall be located in the portion of the building where the customer entrance is located.
8. Dry cleaning plants when they are incidental to a dry cleaning establishment on the site.
9. Uses and structures accessory to the above.

**C. Uses Not Permitted**

1. Uses having outside storage shall be prohibited, except for automobile showrooms and outdoor display space for the exclusive sale of new and used motor vehicles subject to the terms of a planned unit development (PUD) approved per Article 38 of this ordinance.

## SECTION 19.05. Development Standards

Buildings and uses in the Town Center Overlay District, except for residential dwellings, shall comply with the following requirements.

### A. Building Entrances

The first floor main entrance of the structure shall be oriented toward the road on which the structure fronts, and open to the general public. If the site is on a corner, it may have its first floor main entrance oriented to either road. No overhead doors are permitted facing a road. If necessary, in larger developments a mid-block passageway shall be constructed to provide access from parking areas to main entrances.

### B. Façade Design

All building facades that face a road shall conform to the following design criteria:

1. Windows. All commercial building facades under 15,000 square feet in gross floor area that are visible from the road shall have windows with transparent, non-reflective glass, with the following requirements:
  - a. First floor: minimum 30% of facade.
  - b. Second floor and above: minimum 20% of facade.

Windows on the first floor shall be a minimum of two (2) feet above finished floor level.

2. Exterior Building Materials. Traditional building materials, such as finished masonry, stone, brick, or wood, shall be used as the predominant exterior building materials for all new construction, renovations, and additions. Plain concrete block, plain concrete, corrugated metal, plywood, vinyl siding and sheet pressboard are prohibited. At the building's interface with a sidewalk, cast concrete or another product shall be used that is not subject to spalling. Cement-based finishes, cement plaster, and Exterior Insulation Finish System (E.I.F.S.) are permitted only if used a minimum of ten (10) feet above grade, where such finishes will be less susceptible to damage, and provided they cover no more than ten percent (10%) of the exterior surface area (may exceed 10% with approval of Planning Commission where material is scored or otherwise architecturally treated to give the appearance of texture rather than a flat, monotonous façade). The Planning Commission may approve alternative manufactured exterior materials if there is a compelling structural reason, upon finding that such materials replicate authentic traditional building materials in terms of appearance and durability.
3. Architectural Guidelines. Traditional architecture is favored in the Town Center Overlay District, rather than radical design themes, structures and roof forms, which would draw unnecessary attention to the buildings. Traditional architectural design is intended to convey an image of durability, permanence, craftsmanship,

and consistent with Township planning standards. Building facades that incorporate canopies or walls with mock gables must provide a roof component to provide depth and give a more authentic appearance. Inflatable buildings shall be prohibited.

4. Utilities. Utility meters, conduits, etc., shall be screened, constructed in a building recess, or otherwise hidden so they are not visible from any public road.
5. Fire Escapes. Fire escapes shall not be permitted on a building's front facade. In buildings requiring a second means of egress pursuant to the local building codes, internal stairs or other routes of egress shall be used.

**C. Side or Rear Facade Design**

Wherever a side or rear facade is visible from a public or private road, or if parking is located at the side or rear of a building, the facade shall be designed to create a pleasing appearance, in accordance with the following design criteria:

1. Materials and architectural features the same as those present on the front of the building shall be used on the side or rear facade.
2. Open areas shall be landscaped with lawn, ground cover, ornamental shrubs, and trees, provided that sufficient light penetrates into the space.

**D. Awnings**

Awnings shall be permitted on buildings subject to the following criteria:

1. Construction. All awnings must be made from canvas fabric or similar waterproof material, rather than metal, aluminum, plastic, or rigid fiberglass. However, awnings that are a permanent part of the building architecture may be constructed of metal, wood, or other traditional building materials where they will add diversity and interest to the facade, and only if the design and materials are consistent with the overall design of the building.
2. Attachment to Building. All awnings shall be attached directly to the building, rather than supported by columns or poles.
3. Design. Awnings shall be traditional in design; they shall be triangular in section, sloping outward and down from the top of the opening. Round-top, half-round, box, or other unusual awning shapes are discouraged. Internally lighted awnings are prohibited. There shall be a minimum of clearance of eight (8) feet between the sidewalk and the lowest part of the awning.
4. Maintenance. Awnings shall be maintained on a regular basis. Fabric awnings shall be replaced when torn, or when the Planning Director determines that they are excessively faded or soiled. At the time of approval, the applicant shall provide the Township with a fabric swatch to be kept on file. The Planning Director shall

evaluate the condition of awnings by comparing the swatch to the awning fabric. A loss of 20% of color intensity, as judged by the Planning Director, shall be sufficient to necessitate replacement.

**E. Lighting**

1. General Requirements. Exterior lighting shall comply with the requirements in Article 31. Lighting must be placed and shielded so as to direct the light onto the site and away from adjoining properties. The lighting source shall not be directly visible from adjoining properties. Floodlights, wall pack units, other types of unshielded lights, and lights where the lens is visible outside of the light fixture shall be prohibited.
2. Appropriate Lighting Levels. Sidewalks and parking areas shall be properly lighted to facilitate the safe movement of pedestrians and vehicles and provide a secure environment. In parking areas, the light intensity shall average a minimum of 1.0-foot candle, measured five (5) feet above the surface. In pedestrian areas, the light intensity shall average a minimum of 2.0-foot candles, measured five (5) feet above the surface. The maximum average light intensity shall be ten (10) foot candles.
3. Traditional or Decorative Fixtures. The Planning Commission or Building Director may waive or modify the cut-off, orientation, and shielding requirements for traditional-style or decorative lighting fixtures, upon making the determination that the fixtures will comply with the illumination levels specified herein, will not cause glare or interfere with the vision of motorists, and will be consistent with the spirit and intent of this Ordinance.

**F. Parking and Circulation**

Parking and parking lot design shall comply with the following standards, in addition to the provisions of Article 28.

1. Front Yard Parking. New or expanded parking lots on the interior of the lots shall be located to the rear or side of the buildings, accessed by means of shared driveways, preferably from side roads or lanes. Parking lots shall connect with parking lots on adjacent properties. No new parking lot shall be created nor any existing parking lot expanded in front of a building unless the Planning Commission determines that parking in front of the building would be acceptable for either of the following reasons:
  - a. Front yard parking is required to maintain the continuity of building setbacks in the block while making efficient use of the site, or
  - b. Front yard parking is required for the purposes of traffic safety and to minimize driveway curb cuts where the new parking lot is proposed to connect with one or more parking lots on adjoining parcels.

2. **Cross-Access and Shared Parking.** Cross-access easements and a shared maintenance agreement are required for adjacent lots with connected parking lots. Easements and a maintenance agreement meeting the requirements of this Ordinance and the Commerce Charter Township Code shall be prepared by the Township Attorney, executed by the parties, and recorded at the Office of the Oakland County Register of Deeds. The cross-access shared driveway shall be installed at the same time that the parking lot on the same lot is constructed.

Common shared parking facilities are encouraged. Required parking may be accommodated off-site in common, shared parking facilities provided they are within 500 ft.

Off-street parking shall be set back a minimum of ten (10) feet from the front lot line. Off-street parking shall be set back a minimum of ten (10) feet from any single family residentially zoned parcel.

3. **Maximum Number of Spaces.** In order to maximize the amount of land area left for landscaping and open space, paving shall be confined to the minimum area necessary to comply with the parking requirements of Article 28. Accordingly, the maximum number of parking spaces that may be provided is 120% of the minimum parking requirement.
4. **Pedestrian Circulation.** The parking lot layout shall accommodate pedestrian circulation from the edge of the parking lot to the entrance of the buildings. Pedestrian crosswalks shall be provided, shall be distinguished by textured paving or brick pavers, and shall be integrated into the sidewalk network.
5. **Screening.** Surface parking lots shall be screened from the road and adjacent residential areas in accordance with Article 19.
6. **Collective Provision of Off-Street Parking.** Off-street parking for separate buildings or uses may be provided collectively subject to the following conditions:
  - a. The total number of spaces provided collectively shall not be less than the sum of spaces required for each separate use; however, the Planning Commission may reduce the total number of required spaces upon making the determination that the parking demands of the uses being served do not overlap.
  - b. Each use served by collective off-street parking shall have direct access to the parking without crossing roads.
  - c. Easements and a maintenance agreement are required. Easements and a Maintenance Agreement meeting the requirements of this Ordinance and the Commerce Charter Township Code shall be prepared by the Township Attorney, executed by the parties, and recorded at the Office of the Oakland County Register of Deeds.



7. Bicycle Rack. A bicycle rack to accommodate bicycle parking shall be provided on each site.

### **G. Building Setbacks**

The minimum setbacks and minimum lot size shall be based on accepted planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the exclusive use of residents on the site. There is a desire to create a comfortable and interesting pedestrian environment with buildings as close to the road as practicable.

### **H. Building Height**

Buildings shall have the appearance of being at least two (2) stories in height. The maximum height shall be four (4) stories or fifty-six (56) feet in height, except that the maximum height for hotels shall be five (5) stories or seventy (70) feet.

### **I. Landscaping**

1. Compliance with Article 29. Each site shall comply with the landscape requirements in Article 29. However, in consideration of the overall design and impact of a specific landscape plan, and in consideration of the urban setting in which Town Center Overlay District sites are developed, the Planning Commission may modify the specific landscaping requirements set forth below, provided that any such adjustment is in keeping with the intent of this Article and the Ordinance in general.
2. Building Foundation Plantings. Structures shall be provided with landscaping along the portion of their foundations that is visible from a public thoroughfare. The landscaped area must be at least three (3) feet in depth. For each one hundred (100) square feet of hard-surfaced area between the building and the road lot line at least one of the following amenities must be provided: a bench or other seating, a tree, or a landscape planter.
3. Street Trees. A minimum of one (1) deciduous canopy tree shall be planted for each thirty-five (35) feet of road frontage. This requirement shall be waived where street trees have been planted or are proposed to be planted by the Downtown Development Authority.
4. Parking Lot Landscaping.
  - a. A parking lot landscape buffer is required when a parking lot is located within fifty (50) feet of a road, measured from the back of curb. The landscape buffer shall consist of:

- i. A minimum 10-foot wide buffer between the parking lot and the road setback line.
  - ii. A decorative masonry wall or decorative wrought-iron appearing aluminum fence with a height between 3 and 3.5 feet. If a fence is proposed, decorative masonry pillars shall be used to connect fence panels with a minimum of one pillar being provided every 24-25 feet.
  - iii. A minimum 4-foot wide planting strip including evergreen shrubs planted to form a continuous hedge with a height between 2-3 feet at maturity in between the fence and the road right-of-way or road easement (see figure 19.1).
- b. A parking lot landscape buffer is required when a parking lot is located adjacent to residentially-zoned or used land. The landscape buffer shall consist of:
- i. A minimum 10-foot wide buffer shall be provided between the parking lot and the residential property line.
  - ii. A decorative masonry wall shall be constructed along the property line. In lieu of constructing a wall, the buffer width may be increased to twenty (20) feet.
  - iii. The buffer strip shall be planted with a variety of trees and shrubs at the following rates:
    - Deciduous trees: 2 trees per 100 lineal feet
    - Ornamental trees: 1 tree per 100 lineal feet
    - Evergreen trees: 4 trees per 100 lineal feet
    - Shrubs: 6 shrubs per 100 lineal feet
5. Detention Pond Landscaping. All detention ponds or similar stormwater management facilities (including bioswales, rain gardens, and similar facilities) shall be designed to have a natural appearance incorporating natural looking grading contours and native plant materials whenever possible. Detention pond landscaping shall comply with the following requirements:
- a. Clusters of large shrubs spaced not more than six (6) feet on center shall be provided above the high water or freeboard elevation of the pond. A minimum of one shrub shall be planted for every twenty (20) linear feet measured along the freeboard elevation of the pond.
  - b. One (1) ornamental deciduous tree (e.g., crabapple, pear, etc.) shall be planted for every forty (40) linear feet measured along the freeboard elevation of the pond.

- c. One canopy deciduous tree (e.g., oak, maple, etc.) shall be planted for every fifty (50) linear feet measured along the freeboard elevation of the pond.
- d. Detention ponds shall be planted with native grasses having a minimum height of 24 inches or detention pond seed mix to discourage use by waterfowl and to promote bioremediation (decontamination of the stormwater by filtering through the plants). Grass species that go dormant in winter such as fescue are suggested.
- e. Anti-waterfowl devices such as string matrix or string edge are recommended while establishing plantings, provided that such devices are removed immediately when they become unsightly or are no longer necessary.

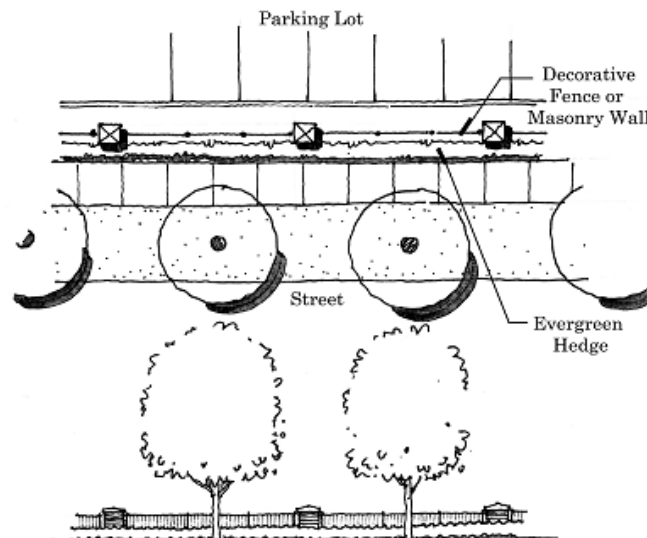
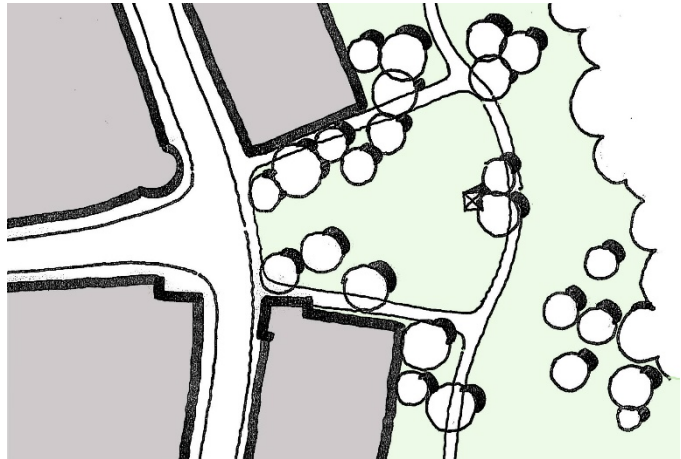


Figure 19.1 – Interior Parking Lot Buffer

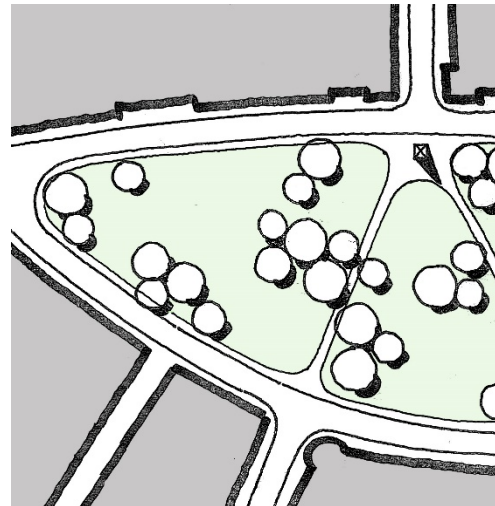
## J. Open Space

All developments in the Town Center Overlay District shall provide open spaces. The requirements for open space may be waived or reduced by the Planning Commission where open space has been provided or is planned in proximity to a proposed development by the Downtown Development Authority. The types of open spaces that may be provided are summarized below:

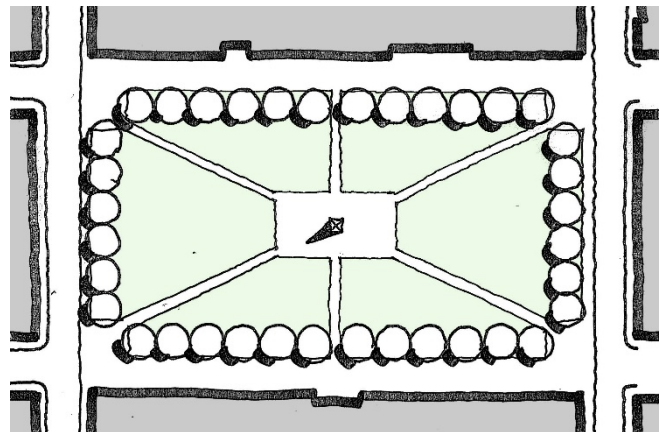
**Park.** An open space usually created around an existing natural feature. It is the largest type of open space and is the most natural in character. A park does not have a minimum area; however, it must contain a natural feature of some kind, such as a woodlot, water channel or water feature, or wetland.



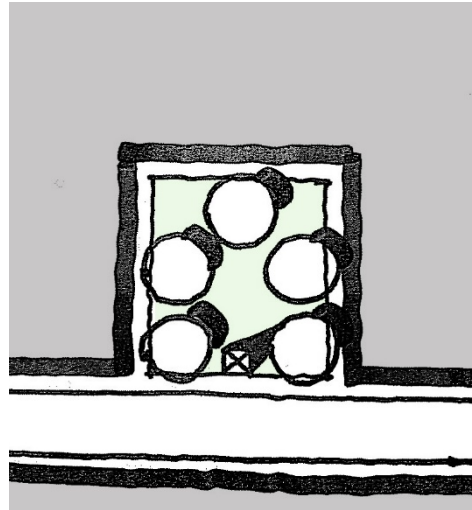
**Green.** An open space type that is spatially defined by adjacent rights-of-way, private road easements, or building facades. A green contains a grassy center that may have hard surfaced pedestrian pathways crossing the lawn area. The edges of the green are usually defined by formal tree plantings or landscaped planters which surround the grassy center. A green shall have a minimum area of 1 acre, and shall have a minimum dimension of 150 feet in any one direction.



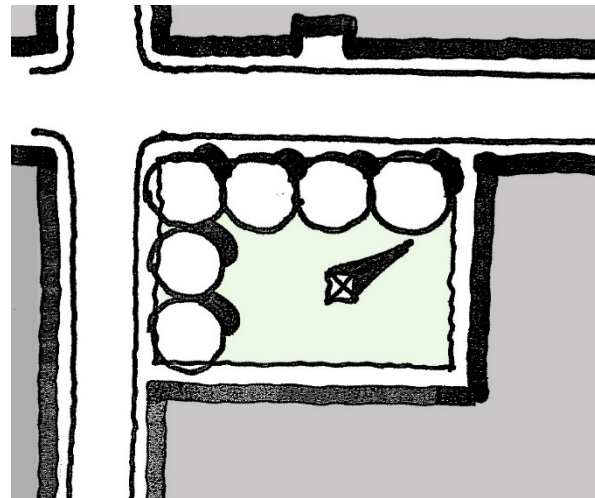
**Square.** An open space type defined by adjacent building facades, public road rights-of-way, or private road easements. It has a mix of pavement and formally designed landscaping. Monuments and art work are commonly included in its design. A square is defined on at least one side by a road. A square shall have a minimum area of 15,000 sq. ft. and a maximum area of 1 acre and shall have a minimum dimension of 100 feet in any one direction.



**Close.** A type of open space that is fronted by buildings on 3 sides and a street on the fourth side. A close is typically hard surfaced with any landscaping being located in planters or tree grates. A close shall have a minimum area of 4,000 sq. ft. and a maximum area of 15,000 sq. ft. and shall have a minimum dimension of 50 feet in any one direction.



**Corner Plaza.** A type of open space located at the corner of two roads. A corner plaza is created by shifting the build-to-zone along one road back from the frontage line of the building lot to create an open space area in between the building and the road. A corner plaza is fronted by buildings on 2 sides and by roads on 2 sides. A corner plaza shall have a minimum area of 4,000 sq. ft. and a maximum area of 6,000 sq. ft. and shall have a minimum dimension of 30 feet in any one direction. When a corner plaza is proposed, the build-to zone is shifted to the edge of a corner plaza.



**Playground.** An open space type that can be surfaced or landscaped and includes play equipment, recreational facilities such as tennis courts or basketball courts, and/or recreational fields, depending on the size of the playground. Typically, the area is fenced and is found in primarily residential areas. A playground shall have a minimum area of 5,000 sq. ft.

1. Minimum Open Space Required. Unless the minimum open space requirements are waived or reduced by the Planning Commission because of the proximity of open space provided by the Downtown Development Authority, then open space shall be provided in the Town Center Overlay District at the ratios expressed in the following chart:

**Table 19.1: Minimum Open Space Required**

<b>Building Type</b>	<b>Open Space Required</b>	<b>Permitted Open Space Types</b>
Commercial or Office	5% of gross floor area of buildings	Close Corner Plaza Green Square
Residential	250 sq. ft./dwelling unit	Green Park Playground

2. Location of Open Space. Open space shall be located proximate to the building type for which it is required. For example, if a Close open space is proposed to meet the open space requirement for a commercial building, the close should be fronted by commercial buildings. Common open space serving the entire development may be counted toward meeting the open space requirements of adjacent buildings, subject to approval of the Planning Commission.
3. Open Space Maintenance Plan. The applicant shall submit an open space maintenance plan indicating how privately owned open space will be maintained in an attractive and inviting condition, and identifying the party or parties responsible for maintaining the open space.

**K. Service Access**

1. A service area or designated loading space shall be reserved at the rear or side of the building, as appropriate, provided no loading space shall face directly onto a road.

**L. Signs**

1. Applicability.
  - a. When new site development is proposed, sign locations shall be shown on building elevations and site plans submitted for site plan approval and shall be reviewed and approved by the Planning Commission.
  - b. Signs proposed for an existing site developed under the standards of this Section shall require only sign permit and approval from the Building and Planning Departments, unless the proposed development requires site plan review.
  - c. No sign shall be erected without a valid sign permit. Sign permit applications are submitted to the Building Department and reviewed for ordinance compliance by the Planning Department.

For new developments, sign location shall be shown on site plans and building elevations and shall be approved by the Planning Commission.

2. Purpose. The intent of the Town Center District sign regulations are to:
  - a. Establish reasonable standards for business identification.
  - b. Encourage creative approaches to signage within an established framework.
  - c. Promote economic vitality in the Town Center District.
  - d. Enhance property values and the visual environment in the Township by discouraging signs that visually clutter the streetscape.
  - e. Ensure that commercial signs are designed for the purpose of identifying a business in an attractive and functional manner.
  - f. Ensure that signs on the façade of buildings reinforce the intended character of the Town Center Overlay District and are integrated into the architectural scheme of the building.
  - g. Promote a quality visual environment by allowing signs that are compatible with their surroundings and that effectively communicate their message.
  
3. Design and Materials.
  - a. Signs shall be professionally constructed using high-quality materials such as metal, stone, hard wood, and brass. The use of exposed neon tubing in conjunction with other types of materials to emphasize the business name or logo is permitted; however, any other use of neon tubing for signage is prohibited.
  - b. Internally lit plastic letters or plastic box signs are prohibited.
  - c. To minimize irreversible damage to masonry, all mounting and supports shall be inserted into mortar joints and not into the face of the masonry.
  
4. Sign Lighting. Sign lighting greatly contributes to the character and perceived quality of a sign. Signs in the Town Center District shall comply with the following lighting requirements:
  - a. *Internally Illuminated Signs.* Internally illuminated signs are prohibited in the Town Center Overlay District; except that the Planning Commission may permit internally illuminated monument or wall signs if the applicant can demonstrate that no alternative sign illumination method is available to make monument or wall signs oriented towards a primary road legible to passing motorists (Martin Road, Martin Parkway, Welch Road, Pontiac Trail, Oakley Park, and Haggerty Road are the primary roads in the Town Center Overlay District).

- b. *Externally Illuminated Lighting.* Projecting light fixtures used for externally illuminated signs such as gooseneck fixtures for wall or projecting signs or ground mounted spotlights for monument signs shall be simple and unobtrusive in appearance. Any external sign light source must be designed so that the light source is directed against the sign and away from pedestrian or automobile travel ways, and the light source must not shine onto adjacent properties or cause glare for motorists or pedestrians.



*Gooseneck Light Fixtures*


- c. *Back-lit, Halo-lit, or Reverse Channel Letter Illumination.* The use of back-lit, halo-lit, or channel-lit lighting is permitted in the Town Center Overlay District. These types of sign lighting are appropriate for pedestrian and automobile scale sign lighting applications (see illustration at right).




*Reverse Channel Illumination*

- d. *Prohibited Signs.* Any sign incorporating flashing or blinking lights, animated display screens, or LCD readerboards is prohibited on private property in the Town Center Overlay District.
5. Multiple Story Buildings. The following regulations are applicable to multiple story buildings:
- a. Ground floor tenants shall place signs at the storefront level, below the expression line separating the ground floor from upper floors.
  - b. Upper story tenants may only display window signs. A maximum of one (1) window sign may be permitted in one (1) window per tenant. Such window signs may not exceed 20% of the total window area appurtenant to the tenant's floor space.
  - c. A directory sign shall be permitted at ground level entrances that provide access to upper story tenants.
  - d. Permanent banner signs are permitted on the upper façade area of a multiple story building.
6. Permitted Signs. The following types of sign are permitted in the Town Center Overlay District:



<b>a. WALL SIGNS</b>	
<p><b>Definition:</b> A sign that is mounted flush and fixed securely to or painted on a building wall, projecting no more than 12 inches beyond the face of a building wall and not extending sideways beyond the building face or above the highest line of the building to which it is attached.</p>	<p><u>Regulations:</u></p> <ol style="list-style-type: none"> <li>i. Wall signs should be located on the upper portion of the storefront, and should not exceed the width of the storefront bay.</li> <li>ii. Wall signs shall not exceed 15% of the area of the building façade on which they are mounted, placed, or painted. The total sign area of all Wall, Awning and Canopy, Plaque, and Permanent Banner Signs for each tenant space may not exceed the limits in Article 19.</li> <li>iii. Wall signs shall be placed in a clear signable area, which is an architecturally continuous area uninterrupted by doors, windows, or architectural details such as grillwork, piers, pilasters, or other ornamental features.</li> </ol>
	

<b>b. AWNING &amp; CANOPY SIGNS</b>	
<p><b>Definition:</b> A sign that is printed on, painted on, or attached to an awning or canopy above a business door or window. Such signs are generally oriented toward pedestrians on the opposite side of the road.</p>	<p><u>Regulations:</u></p> <ol style="list-style-type: none"> <li>i. Sign lettering or logos shall comprise no more than 30% of the total exterior surface of an awning or canopy. The exterior surface shall consist of the face plus the top of the awning.</li> <li>ii. Awnings or canopies with back-lit graphics or other kinds of interior illumination are prohibited.</li> <li>iii. The total sign area of all Wall, Awning and Canopy, Plaque, and Permanent Banner Signs for each tenant space may not exceed the limits in Article 19.</li> <li>iv. The lettering and logo shall be located on the valance portion of the awning.</li> </ol>
	

**c. PROJECTING SIGNS**

Definition: A sign that is affixed to the face of a building or structure that projects in a perpendicular manner from the wall surface of a building.



Regulations:

- i. Projecting signs shall not be mounted above the second floor window sill in multi-story buildings.
- ii. Projecting signs shall be small in scale and provide a minimum vertical clearance of 8 feet between the lowest point of the sign and the sidewalk.
- iii. The entire sign area of the projecting sign shall fit inside an imaginary rectangle with a maximum area of 5 square feet.
- iv. Mounting hardware shall be an integral part of the sign design.
- v. Marquee Signs are a form of projecting sign. A marquee sign is only permitted in conjunction with a theatre, cinema, or performing arts facility, and the sign may indicate the facility's name and a changeable copy portion of the sign highlighting current and future attractions. The permitted area of a Marquee Sign shall be determined by the Planning Commission.




**d. HANGING SIGNS**

Definition: A hanging sign is similar to a projecting sign, except that it is suspended below a marquee, awning or canopy. Hanging signs are smaller than projecting signs due to their lower mounting height.



Regulations:

- i. Hanging signs shall fit within an imaginary rectangle with a maximum area of 4 square feet (excluding supporting rods, chains, or similar hangers).
- ii. Hanging signs shall maintain a minimum vertical clearance of 7.5 feet between the lowest point of the sign and the sidewalk.

<b>e. WINDOW SIGNS</b>	
<p>Definition: A window sign is painted, posted, displayed, or etched on an interior translucent or transparent surface, including windows or doors.</p> 	<p><u>Regulations:</u></p> <ol style="list-style-type: none"><li>i. Window signs shall not exceed 15% of the first floor window area so that visibility into and out of the window is not obscured.</li><li>ii. Sign copy shall not exceed 8 inches in height.</li><li>iii. Window signs should be applied directly to the interior face of the glazing or hung inside the window to conceal all mounting hardware and equipment.</li><li>iv. Paper signs are prohibited.</li></ol>
<b>f. PLAQUE SIGNS</b>	
<p>Definition: A plaque sign is a small version of a wall sign that is attached to surfaces adjacent to store entries or tenant entries.</p> 	<p><u>Regulations:</u></p> <ol style="list-style-type: none"><li>i. Plaque signs shall fit into an imaginary rectangle with a maximum area of 2 square feet. The total sign area of all Wall, Awning and Canopy, Plaque, and Permanent Banner Signs for each tenant space may not exceed the limits in Article 19.</li><li>ii. Plaque signs may project a maximum of 3 inches from wall surfaces.</li></ol>
<b>g. RESTAURANT MENU SIGNS</b>	
<p>Definition: A restaurant menu sign is a sign that incorporates a menu for the restaurant. The purpose of restaurant menu signs is to assist customers in finding a restaurant they would like to patronize.</p> 	<p><u>Regulations:</u></p> <ol style="list-style-type: none"><li>i. The maximum area for menu signs is 6 square feet (not including the display box).</li><li>ii. Menu signs shall be located in a permanently mounted display box on the surface of the building adjacent to the entry. The maximum depth of the display box shall be six (6) inches.</li></ol>

**h. MONUMENT SIGNS**

Definition: A freestanding sign. Monument signs are typically used for a building or series of buildings that are separated from adjacent roads by substantial setbacks.



Regulations:

- i. The maximum area for a monument sign is 32 square feet.
- ii. The maximum height for a monument sign is 8 feet.
- iii. Monument signs shall be oriented towards a primary road, and shall be set back a minimum of 5 feet from the right-of-way of any primary or interior road.
- iv. Monument signs shall be constructed out of decorative materials that complement the design of principal buildings within the development. Natural materials such as stone, decorative masonry, wood, or metal are preferred.
- v. Low level landscaping shall be provided around the base of the sign, but shall not obscure any part of the sign message.

**i. TENANT DIRECTORY SIGNS**

**Definition:** A tenant directory sign is used to identify tenants and businesses in a multi-tenant building, often for tenants that do not have direct frontage on a public road. Such tenants may be located in second story space, or in portions of the building that do not front on a road. Tenant directory signs are oriented toward the pedestrian.



**Regulations:**

- i. The size of a tenant directory sign shall depend on the number of tenants, based on a maximum of 0.5 sq. ft. per tenant, and a maximum sign area of twelve (12) square feet.
- ii. Tenant directory signs shall be mounted flat against a solid wall proximate to a common building entrance serving tenants listed on the directory sign, or on a freestanding sign located on the property on which the tenants are located.
- iii. The maximum height for a freestanding tenant directory sign shall be 6 feet.
- iv. Tenant directory signs may include the following: building or project name, project logo, address, business tenant names, and suite numbers or letters.

**j. A-FRAME SIGNS**

**Definition:** A-Frame signs are designed to stand on their own either on private or public property. Such signs are portable and are usually placed along public sidewalks to attract pedestrians to adjacent businesses.



**Regulations:**

- i. A-frame signs may have a maximum area of 6 square feet. The sign area is calculated on one side only.
- ii. A-frame signs may only be located in the frontage or furnishings areas of the pedestrian area on an interior road. Such signs may not be located in the walkway or edge areas of the pedestrian area.
- iii. A-frame signs may not be permanently affixed to any object, structure, or the ground.
- iv. A-frame signs may only be displayed during business hours, and shall be removed when the business to which they are accessory is closed.
- v. Each ground floor business with frontage on an interior road may have one A-frame sign. The sign must be located adjacent to the business to which it is accessory. Businesses without ground floor frontage may not have an A-frame sign.

**k. PERMANENT BANNER SIGNS**

Definition: Permanent banner signs often help to add interest and color to blank facades and special buildings. They are vertically oriented and compatible with the overall character and color of the building.



Regulations:

- i. Permanent banners may project a maximum of 36 inches from the face of the building.
- ii. Permanent banner signs shall be mounted on metal brackets, and shall be designed appropriate to the architectural character of the building.
- iii. The maximum size of each permanent banner shall be sixty (60) square feet. The total area of all Wall, Awning and Canopy, Plaque, and Permanent Banner Signs for each tenant space may not exceed the limits in Article 19.
- iv. Fabric awnings shall be replaced when torn, or when the Planning Director determines that they are excessively faded or soiled...

7. Sign Area. Any one building or tenant space within a building may have multiple types of signs. For example, a store can have a wall sign, a projecting sign, and an A-frame sign.

No sign may exceed the maximum area permitted for that type of sign by Article 19, and the total sign area of all Wall, Awning and Canopy, Plaque, and Permanent Banner Signs for each tenant space may not exceed the following:

**Table 19.2: Maximum Permitted Sign Area**

Premises Frontage (in feet) (frontage on either a road or sidewalk, as appropriate)	Maximum Permitted Sign Area (in square feet)
Less than 10	15
10 – 19.9	30
10 – 39.9	42
40 – 59.9	64
60 – 99.9	86
100 or more	100

**On a corner lot each frontage shall be treated separately.**

8. Political Signs. Political signs shall be subject to the applicable requirements of Article 30.

9. Clear Vision Area. Signs shall comply with the clear vision requirements at intersections, as specified in Article 6.

**M. Sidewalks and Sidewalk Displays**

1. Sidewalk Width and Location. Sidewalks shall be provided in accordance with the Commerce Charter Township Code.
2. Driveway Crossings. When a sidewalk crosses a driveway or shared driveway, the driveway or shared driveway shall retain the elevation of the sidewalk. The appearance of the sidewalk shall be maintained across the driveway or shared driveway to indicate that pedestrians have the right-of-way.
3. Sidewalk Displays. Sidewalk displays shall be permitted directly in front of an establishment provided at least five (5) feet of clearance is maintained along pedestrian circulation routes.
  - a. Display cases shall be located against the building wall and shall not be more than two (2) feet deep. The display area shall not exceed fifty (50%) percent of the length of the storefront.
  - b. Display cases shall be permitted only during normal business hours, and shall be removed at the end of the business day. Cardboard boxes shall not be used for sidewalk displays.
  - c. Sidewalk displays shall maintain a clean, litter-free and well-kept appearance at all times and shall be compatible with the colors and character of the storefront from which the business operates.

**N. Mechanical Equipment**

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

**O. Access Management.**

Access is a means to provide vehicular entrance to or exit from a parcel. Access Management means controlling vehicular access so as to balance the need to provide reasonable access to property with the need to maintain safety, capacity and speed on the adjoining road. Access management is necessary to preserve the capacity of primary roads, encourage efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements, and to improve safety and reduce the potential for crashes.

The road system in the Town Center Overlay District consists of the primary road system (Martin Road, Martin Parkway, Welch Road, Pontiac Trail, Oakley Park, and Haggerty Road) and the secondary road system that must be developed to distribute traffic from lots or parcels to the primary road system. Secondary roads are roads that provide access to abutting properties and which connect development roads, other secondary roads, and local roads to the primary roads.

The following access management provisions shall apply to primary roads:

1. The number of access points shall be the fewest needed to allow motorists reasonable access to the site.
2. Provision shall be made to share access with adjacent uses. Shared access easements and maintenance agreements are required. Easements and a maintenance agreement meeting the requirements of this Ordinance and the Commerce Charter Township Code shall be prepared by the Township Attorney, executed by the parties, and recorded at the Office of the Oakland County Register of Deeds.
3. Where a lot or parcel fronts on a primary and secondary road, access shall be via the secondary road, unless there is no other practical alternative.
4. Driveways and shared driveways shall be separated from other driveways and shared driveways along the same side of a primary road the distances specified in Article 19 (measured from centerline to centerline) based on the posted speed limit.

**Table 19.3: Minimum Spacing between Driveways  
Located on the Same Side of a Primary Road**

Posted Speed (mph)	Driveway Spacing (in feet)
25	130
30	185
35	245
40	300
45	350
50+	455

**P. Street Cross Section**

Streets in the Town Center Overlay District shall consist of three basic elements: the travelway area, the parking area, and the pedestrian area. The elements that are included in each street are described as follows (see Figures below):

1. The **vehicle travelway area** consists of vehicle travel lanes, left turn lanes, and medians (for boulevards).



2. The **parking area** consists of vehicle parking lanes, and public transit elements. While transit elements are not required on interior streets, transit elements can be accommodated in the parking area if transit is available in the Town Center District. Transit facilities would be accommodated by replacing some parking spaces with transit stops.
3. The **pedestrian zone** consists of the area between the edge of the right-of-way or road easement and the curb. The pedestrian zone is separated into 4 sub areas:
  - a. The *edge area* is the space adjacent to and including the curb. The edge area is necessary to allow the doors of cars parked along the street to open and close freely, and must remain clear of obstructions for a minimum width of 2.5 feet (30 inches).
  - b. The *furnishings area* accommodates amenities such as street trees, planters, and sidewalk furniture. Outdoor eating areas or other similar uses associated with a use in a principal building may be located in the furnishings area. Some street templates do not include a furnishings area. Outdoor accessory uses are not permitted on the sidewalk on streets that do not include a furnishings area.
  - c. The *walkway area* is the basic sidewalk area where pedestrians walk. The walkway area must remain clear of obstructions to pedestrian travel. No permanent structures or uses are permitted in the walkway area. Street trees shall be planted in tree grates in the walkway area when the pedestrian area does not contain a furnishings area.
  - d. The *frontage area* is the portion of the walkway adjacent to the edge of the right-of-way or road easement. This is the area of the sidewalk that is closest to the building. The frontage area is intended to accommodate door openings and window shoppers. The frontage area may also be used for outdoor eating areas or other similar accessory uses associated with a use in a principal building.

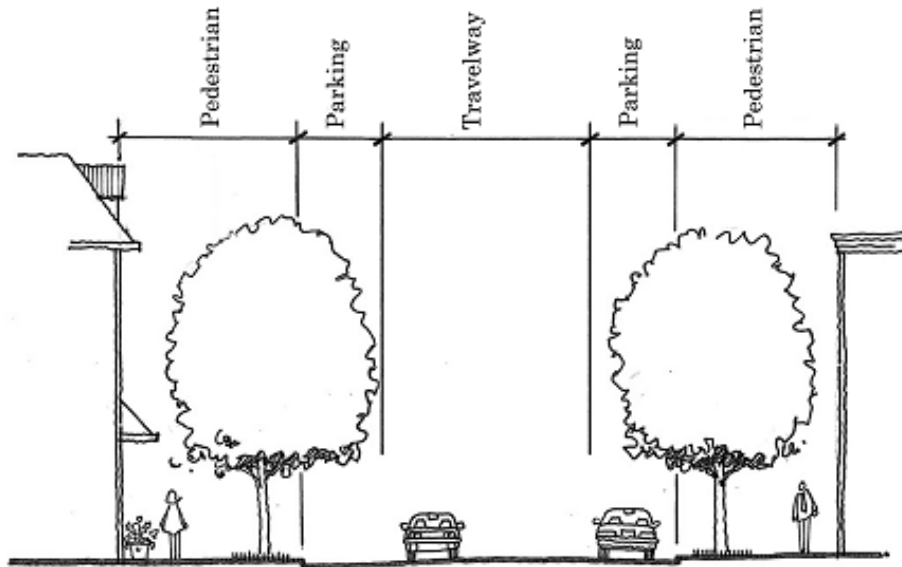


Figure 19.2 – Street Areas

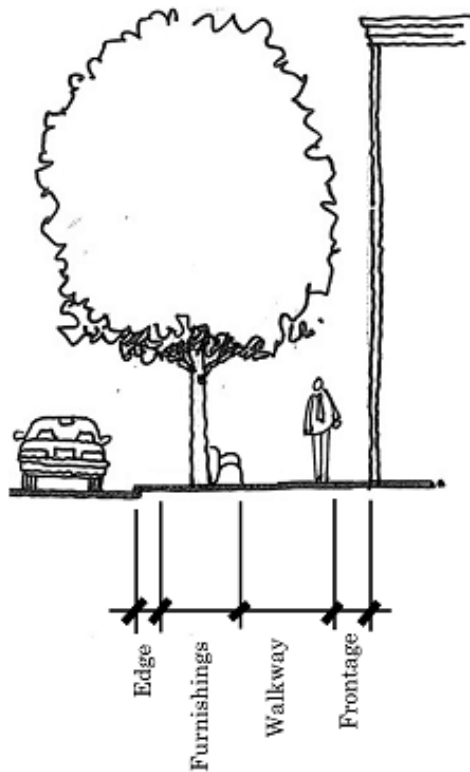


Figure 19.3 – Pedestrian Areas

**Q. Pedestrian Pass-Throughs**

1. When parking is located behind buildings, one pedestrian pass-through may be proposed by the applicant or required by the Planning Commission for every 450 feet of frontage along a block face.
2. Pedestrian pass-throughs shall have a minimum width of eight (8) feet, be designed so they cannot be enclosed or locked, and shall be designed to be safe and visually interesting for pedestrians. Lighting shall be sufficient to maintain a minimum light level of one footcandle measured one foot above grade level.

**R. Streetscape Improvements**

The following improvements shall be required along secondary roads, subject to the specifications in the Township’s streetscape design manual:

<b>Streetscape Element</b>	<b>Preferred Location</b>
Street lights	Pedestrian zone
Trash receptacles	Frontage area of the pedestrian zone
Bicycle racks	Adjacent to the edge area in the pedestrian zone
Benches	Furnishings area of the pedestrian zone
Street trees	Furnishings area of the pedestrian zone

**S. Security Gates**

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

**T. Multiple Family Development Standards**

Multiple family developments in the TC District shall comply with the applicable standards in Article 26.

**SECTION 19.06. Area, Height, Bulk, and Placement Requirements**

The following chart summarizes the regulations in Article 19, but the user is cautioned to refer to Article 19 for more detailed information and explanatory notes.

<b>Minimum Lot Area</b>	None specified
<b>Minimum Lot Width</b>	None specified
<b>Maximum Height</b>	4 stories, 56 feet - See footnote (a)
<b>Setbacks</b>	
Front (b)	Minimum: five (5) feet/ Maximum: fifteen (15) feet
Side	See footnote (c)
Rear	
<b>Maximum Density of Multiple Family Development</b>	See Article 6

**Table Notes**

- (a) The maximum height for hotels shall be five (5) stories.
- (b) The required front setback for attached residential developments shall be:  
         Minimum: five (5) feet  
         Maximum: thirty-five (35) feet
- (c) The minimum side and rear yard setback and minimum lot size shall be based on good planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and the need for proper amounts of open space for the exclusive use of residents on the site.

**SECTION 19.07. Site Plan Review**

Site plan review and approval is required for all uses in accordance with Article 35.