

Article 54: Bay View Area (BVA)

5401 Building Types Allowed By Right

Building types allowed in this area include:

- A. Small **Parcel** Single-**Family** Homes
- B. Large **Parcel** Single-**Family** Homes
- C. Multi-**Family Dwellings** designed to be compatible with single-**Family** homes
- D. Flex units with retail and service **Uses** on the first floor and professional and residential on the upper floors.
- E. Hotel **Structures** designed to be compatible with surrounding single and multi-**Family** homes.

5402 Allowed Uses by Right

The following **Uses** are permitted in this area:

- A. Single-**Family** Homes along with a single attached or detached accessory **Dwelling**
- B. Civic **Uses** including schools, day care centers, libraries, churches, etc.
- C. Sites for active recreation including parks, marinas.
- D. Bed and Breakfast establishments.
- E. Open space land including pocket parks and playgrounds permanently protected through conservation easements.
- F. Retail **Uses**.
- G. Professional offices.
- H. Multiple-**Family Dwellings** with up to six units per **Building**.
- I. Second **Story** residential **Uses** located above stores, shops and/or offices to the extent that on-site parking or off-site parking shared with others can be provided.
- J. Marina and related facilities.
- K. Hotel.
- L. Restaurants.

Drive Through facilities and the outdoor storage of commercial goods and materials are specifically prohibited in this Area.

5403 Residential Density

The base residential density will be a maximum of 8 **Dwelling** units (single and multi-**Family**) per gross acre of project area.

5404 Public Open Space

Public access to and **Use** of open space for active recreational purposes will be encouraged. Where such land is suitable for active recreational purposes and satisfies one or more active recreational needs of the **Village**, and when such land is provided in a location acceptable to the **Village**, and is either conveyed to the **Village** or other public entity or is protected through an appropriated easement,



Bay View Area

(Note: unless otherwise stated all area boundaries shall follow **Property Lines** or street/alley centerlines)

a density bonus of

2½ **Dwelling** units per acre of active recreational land, up to a maximum bonus of 7 percent of the base residential **Dwelling** unit density may be granted. The decision as to whether or not active recreational land will be accepted by the **Village** will be at the discretion of the **Village Council** on the recommendation of the **Commission**.

5405 Dimensional Standards

All Development shall meet all of the following dimensional and bulk standards:

- A. **Minimum Parcel Size For Mixed-Use/Commercial and Civic Buildings** - The minimum **Parcel** size will be determined by adding 20 percent to the land area needed for the **Building**, on-site parking, ingress/egress and on-site infrastructure that is required. The additional 20 percent will constitute setbacks and landscape buffers.
- B. **Minimum Parcel Size For Single-Family Home Parcels** - A minimum of 5,000 square feet in area.
- C. **Street Frontage - Parcels** will front either on a **Street** or on a back alley or shared driveway. Houses served by rear lanes or alleys may front directly onto parks or **Greens**. These areas will be designed with perimeter sidewalks.
- D. **Street Front Setback - Buildings** in this area are subject to a front build-to line of between 15 and 15-1/2 feet from any public **Street**, public **Right-Of-Way** or private **Street** or public green.
- E. **Rear Setback** - The minimum rear setback will be 20 feet except for **Buildings** along alleys, in which case the minimum rear setback will be 10 feet.
- F. **Side Setback** - The minimum side setback will be 5 feet.
- G. **Waterfront Setback** - The minimum waterfront setback will be 50 feet inland and upland of the Lake Michigan Historical High Water Elevation (.581.78' MSL) , unless a greater setback is required by another public agency.
- H. **Minimum and Maximum Building Height - Buildings** will be between 1 ½ and 2 ½ stories above ground as seen from their front sides, with a maximum height of 35 feet, except for **Building** cupolas and towers, which can be up to 50 feet in height and church steeples which can be up to 75 feet in height.
- I. **Maximum Facade Length** - The maximum facade length of a **Building** will be 100 feet. Permission for a facade length in excess of 100 feet will only be given in accordance with the following standards:
 - 1. Architectural drawings and detailed elevations will be submitted to the **Commission** for review;
 - 2. **Building** bulk and mass will be de-emphasized by the facade treatment; and
 - 3. Commercial **Building** facade treatment will create the impression of separate storefronts with distinct faced treatment lengths not to exceed 100 feet.

5406 Overall Form

New Construction will be sited so as to best preserve natural vistas and the existing topography and to improve the view of and the view from **Buildings**.

5407 Block Design

- A. Development will be designed in a continuous pattern of blocks and interconnecting **Streets** and alleys, defined by **Buildings**, **Street** furniture, landscaping, pedestrian ways and sidewalks.
- B. Topography, existing vegetation, hydrology and design intentions will determine block shapes and sizes. However, the maximum length for a block is to be 500 feet, with an allowance for blocks up to 800 feet when mid-block footpaths are provided. No less than one eight-foot wide

pedestrian alley or way must be provided for every 250 feet of **Street** frontage where there is commercial activity to connect commercial or **Civic Buildings** with rear parking **Parcels**.

- C. Each block that includes storefronts and/or residential **Parcels** will be designed to include an alley serving rear parking areas or garages.
- D. In order to calm traffic the **Use** of "T" intersections where vehicles must stop and turn to the right or left will be required, unless waived by the planning commission during site plan review.

5408 Spatial Relationships of Various Use Areas and Open Space

- A. Any residential **Parcels** permitted closer than 200 feet of any state highway will be effectively screened from the public view-shed by virtue of topography, dense vegetation or other physical or visual barriers.
- B. Proposed development to be located within 500 feet of existing residential development or future development shall be designed to be contiguous with pre-existing neighborhoods though the **Use** of multiple **Street** and footpath connections.
- C. The transition between different land **Uses** will be handled so as to avoid distinct visual differences, such as the scale of **Buildings**. Similar land **Use** types will generally front one another, while dissimilar land-**Use** types will generally abut along alleys or rear parking areas.
- D. **Civic Buildings** are permitted in all areas. When possible they should be located adjacent to or fronting **Village** parks, squares or at vista terminations. Front entrances will be from the main sidewalk.

5409 Parcel Design

- A. All **Parcels** will have frontage access onto a **Street**, alley or both. **Parcels** fronting directly on common **Greens** or parks will be provided with sidewalks.
- B. Single-**Family** residential **Parcels** should be as narrow as possible to encourage pedestrian movement. Houses should be located off-center on the **Parcel** to maximize the usability of side yard spaces.
- C. Sidewalks and footpaths will border at least one side of every **Parcel**.

5410 Commercial Uses

- A. Parking - All off-**Street** parking will be located behind or along-side commercial **Buildings** and will be screened from public **Streets**, except alleys.
- B. Maximum Size - Mixed-**Use Buildings** will not occupy more than a total of 12,000 sq. ft. of first floor space in this Area, exclusive of a hotel and/or restaurants. These **Buildings** may include second-**Story** office and/or residential units.
- C. Parking for Second-**Story** Residential **Uses** - If **Dwelling** units are constructed above commercial **Uses**, one additional **Parking Space** is required to accommodate each residential unit.
- D. **Greens** and Squares - These areas will include at least one public park, green, square or **Street** with a central planted island.

5411 Architectural Design Standards for Residential Buildings

- A. All residential **Buildings** will be designed to reflect the historic local vernacular **Building** tradition.
- B. Single and multi-**Family** residential **Dwellings** will be sited so they front directly onto **Streets** or **Greens** (rather than parking areas). Large **Porch** areas are encouraged.
- C. Rather than having a strict separation of residential **Building** types, residential areas should be designed so that there is a mixture of housing types within close proximity to each other.
- D. Residences housing more than one **Family**, will be designed to resemble large single-**Family** residences.

- E. Housing styles, shapes and material will be varied, within the overall theme of traditional **Village Dwellings**.
- F. Accessory **Dwellings** will be architecturally integrated with the main **Dwelling**.

5412 Architectural Design Standards for Mixed-Use Buildings

- A. **Buildings** containing commercial **Uses shall** be either traditional in their architectural character or be a contemporary expression of traditional styles and forms. Storefront design **shall** be based upon historic examples in the area, with large display windows having sills between 12 and 18 inches above the sidewalk level and lintels 9 to 12 feet above sidewalk level. Commercial **Buildings shall** also articulate the line between the ground and upper levels with a cornice, canopy, balcony, arcade, or other visual device.
- B. The massing of **Buildings** containing commercial **Uses shall** be de-emphasized in a variety of ways, including the **Use** of projecting and recessed sections to reduce their apparent overall bulk and volume. These types of breaks **shall** not occur more frequently than the width of two historic storefronts (about 25 feet) nor less frequently than 100 feet. To harmonize with the traditional scale of commercial **Buildings** in the **Village**, commercial **Buildings**, (excluding hotels and restaurants retail space) **shall** not exceed 3,500 sq. ft. of first floor spaces per **Building**.
- C. Materials on pitched roofs include slate, shingles, and metal formed to resemble “standing seams”. Specifically excluded are white and blue shingles, red clay tiles, and corrugated metal.
- D. Exterior wall materials **shall** include wood clapboard (including imitation vinyl and cement fiberboard), native stone, split-face aggregate block or brick of a size, shape, color, and texture found in historic towns in the county. Plywood and metal siding is specifically excluded. Except for foundations all forms of concrete block are also prohibited.
- E. Landscaping around **Buildings** with commercial **Uses** and their parking areas **shall** emphasize native species of trees, shrubs and flowers.
- F. The main entrances to storefront **Buildings shall** be located on the front sidewalk or in a courtyard opening onto the front sidewalk.
- G. Mixed **Use Building Areas shall** contain:
 1. At least one public trash receptacle of a design approved by the **Commission**, in each block;
 2. At least one public bench of approved design on each block and at green spaces; and
 3. At least one bike rack on each block, located in areas that have been designed to accommodate such features.

5413 All Streets and alley Design Standards

All **Streets** and Alleys **shall** be designed to

- A. Form an interconnected network, with variations as needed for topographic, environmental and other design considerations;
- B. Parallel and preserve existing tree lines and other natural resources;
- C. Minimize alteration of natural, cultural and historic site features;
- D. Secure the view of prominent natural vistas;
- E. Calm traffic speeds;
- F. Promote pedestrian movement;
- G. Be aligned so that the “terminal vista” is of open space elements, either man-made (**Greens** or **Commons**) or natural (the water, meadows, large trees in distance) or **Civic Buildings** or churches;
- H. Terminate at other **Streets** or at public land (except where **Street** connections are blocked by natural features), At least two **Streets shall** provide connections to separate existing or proposed through **Streets** or collectors outside of the development;
- I. For traffic calming purposes, at least 25% of the residential **Streets shall** terminate in a manner that vehicles must come to a stop and either turn right or left.

- J. **Provide for Public access and Shall** not be controlled by gates, bars other means, which restrict access to the public;
- K. Have a maximum grade for any portion of a **Street** or alley **shall** not exceed 7%;
- L. Be paved;
- M. Have a minimum **Right-Of-Way** for **Streets** of 50 feet and 20 feet for alleys;
- N. Have a minimum paved width for **Streets** of 24 feet and 12 feet for alleys;
- O. Have a minimum intersection angle for all **Streets** and alleys of 45 degrees;

5414 Shade Trees

- A. The developer **shall** plant and maintain shade trees on both sides of all existing or proposed **Streets** (both public and private), as a condition for project approval.
- B. New trees **shall** be a minimum of 2 inches in diameter at chest height.
- C. Shade trees **shall** be planted at intervals no less than 20 feet or greater than 40 feet apart, on both sides of each **Street**, including arterial **Streets**, but not including rear alleys.
- D. All shade tree species selected for planting **shall** have the following characteristics:
 1. Be tolerant of pollution and direct or reflected heat;
 2. Require little maintenance by being mechanically strong as well as being resistant to insects and disease;
 3. Be able to survive without irrigation two years after planting;
 4. **Shall** consist of deciduous species that cast moderate shade, but that can withstand trimming to facilitate views of storefronts and signage; and
 5. In residential areas **shall** normally survive more than 60 years and have a mature height of at least 50 feet.
- E. Parking **Parcels** larger than 19 spaces and/or 6,000 square feet in size **shall** be provided with at least one shade tree for every eight **Parking Spaces** or fraction thereof. Trees **shall** be located in internal planting islands and perimeter buffer strips along the **Street** edges of the **Parcel**. Internal planting islands **shall** be a minimum width of six feet and be a minimum of 100 sq. ft. in area.
- F. Trees and other public landscaping **shall** be protected by means of suitable barriers. Trees **shall** be well maintained, specifically irrigated and fertilized by the developer for at least two years from the time of planting. Trees removed **shall** be replaced with trees of a of similar size, shape, function, hardiness, longevity and appearance.
- G. The developer **shall** be required to post a performance bond with the Suttons Bay **Village Council** to ensure that any trees or other landscaping plantings that die within 2 years of planting **shall** be replaced.

5415 Parking Requirements and Design

- A. All off-**Street** parking for commercial, mixed **Use** and multi-**Family Buildings** **shall** be located to the side or the rear, or located within internal parking areas screened from the **Street**. In addition to the required trees, these screened areas **shall** include either:
 1. A landscaped area no less than four feet planted with a continuous row of shrubs no less than four feet high; or
 2. By a wall no less than four feet wide and no more than six feet in height.
- B. For commercial and mixed **Use Buildings**, on-**Street Parking Spaces** along the front **Property Line** **shall** be counted toward the number of **Parking Spaces** required for the **Use** in that **Building** (except where there are driveway curb cuts.)

- C. On-**Street Parking Spaces** shall be designed as either parallel to the curb on both sides of the **Street** or they may be diagonal (including 90 degrees) to the **Street** on the side where there are commercial and mixed **Use Buildings**, with landscape breaks serving the pedestrian alleyways every 250'.
- D. Except for access to off-**Street** parking, continuous parking shall be provide along **Streets** throughout the Area.
- E. Access lanes and off-**Street** parking areas shall be located at the rear of residential **Buildings**, townhouses and multi-**Family Buildings**.
- F. Parking garages or other **Buildings** intended for the storage of four or more vehicles shall be located at the rear of **Parcels** and be accessed from rear alleys or lanes.
- G. Parking requirements in this area follows (unless the Shared Parking option described below is elected):
 - 1. Retail stores - 1 space per 800 sq. ft. of floor space
 - 2. Hotels - 1 space per room plus one space per employee working at peak hours.
 - 3. Restaurants & Taverns - 1 space for every 8 seats.
 - 4. Professional Offices - 1 space per 400 sq. ft. of floor space.
 - 5. One & Two-**Family Buildings** -2 spaces per **Dwelling** unit.
 - 6. Multiple **Family/Townhouse Buildings** - 2 spaces per **Dwelling** unit.

5416 Shared Parking Option

- A. The Shared Parking Option is defined as the dual function of off-**Street Parking Spaces** where operating hours or parking needs associated with individual **Buildings** or **Uses** occur at distinctly different times.
- B. To take advantage of this Option the developer is required to explain in detail, as part of the site plan and to the satisfaction of the **Commission**, how the Shared Parking Option would function in a specific application to receive an exemption.
- C. Any change to the conditions giving rise to the Shared Parking Option exemption shall require a review by the **Commission** in order for the exemption to remain in force.
- D. All shared parking agreements shall run with the land and such deed restrictions shall be filed with the Register of Deeds.

5417 Lighting

Shielded **Street** lights shall be provided along all public and private **Streets** as follows and shall meet the requirements of Section 1062, Outdoor Lighting:

- A. All outdoor lighting fixtures including, but not limited to, pole mounted or **Building** mounted yard lights, dock lights, and shoreline lights other than decorative residential lighting such as **Porch** or low level lawn lights shall be subject to the following regulations:
 - 1. Lighting shall be designed and constructed in such a manner to:
 - a. Insure that direct or directly reflected light is confined to the area needing it and that it is not directed off the property;
 - b. That all light sources and light lenses are shielded and down facing;
 - c. That any lighting elements are not directly visible from beyond the boundary of the site. (Fixtures with a single light rated at less than 200 lumens are excluded from this requirement.)
 - d. That light from any illuminated source shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas.
 - 2. There shall be no lighting of a blinking, flashing, or fluttering nature, including changes in light intensity, brightness or color. Beacon lights are not permitted.
 - 3. No colored lights shall be used at any location or in any manner so as to be confused with

or construed as traffic control devices.

The **Commission** may also require the lighting of lanes, alleys, and pedestrian walkways.

5418 Utilities and Location

All utilities **shall**, when possible, be located underground and within **Street** and alley rights-of-way. All utility outlets, service entrances, transformers and the like **shall** be centrally clustered in a neat and orderly fashion. They **shall** be screened from view when it is permitted by **Building** and electrical codes.

5419 Modifications

To encourage the creation of a well-planned traditional community, the **Commission** after a public hearing, may permit the modification of the development provisions for this area. Applicants must demonstrate that such modifications would not substantially diminish the traditional character of the proposed development and that they would be within the spirit of the development provisions for this Area.

Any modification of these development provisions **shall** be subject to the following criteria:

- A. The design and modifications **shall** be consistent with the purposes and the development standards for this Area;
- B. The proposed modifications **shall** enhance the development plan, the central core area, the **Streetscapes** and the neighborhoods, or at least not be any less desirable than the plan that could be created in conformance with the development provisions for this Area;
- C. The proposed modifications **shall** not produce **Parcels** or **Street** systems that would be impractical or detract from the appearance of the Area and **shall** not adversely affect emergency vehicle access or deprive adjoining properties of adequate light and air;
- D. The applicant **shall** demonstrate to the **Commission** that the proposed modifications **shall** produce equal or better results than could be achieved without the requested modification and represent the minimum modification necessary; and
- E. In granting modifications, the **Commission** may impose such conditions that in its judgment secure the objectives and purposes for this Area.

5420 Other Standards

In addition to the requirements of this **Article** the provisions of **Article** 10 of this Ordinance **shall** also apply.

