

CITY OF KEEGO HARBOR

2025 Beechmont, Keego Harbor, Michigan 48320 (248) 682-1930

ORDINANCE NO. 2023-02

ORDINANCE TO AMEND CITY OF KEEGO HARBOR ZONING ORDINANCE, CHAPTER 26 ZONING; ADD ARTICLE IX(A) VILLAGE OVERLAY DISTRICT; AMEND ARTICLE II DEFINITIONS, ARTICLE IV(a) RT TOWNHOUSE RESIDENTIAL DISTRICT. ARTICLE V RM MULTIPLE FAMILY RESIDENTIAL DISTRICT, ARTICLE VIII C-1 LOCAL BUSINESS DISTRICT, ARTICLE IX C-2 GENERAL BUSINESS DISTRICT, ARTICLE X O-1 OFFICE BUILDING DISTRICT, ARTICLE XIII OFF-STREET PARKING REQUIREMENTS, ARTICLE XIV SIGNS, ARTICLE XV GENERAL PROVISIONS, AND ZONING MAP

Section 1:01 Amendments.

THE CITY OF KEEGO HARBOR ORDAINS THAT CHAPTER 26, ZONING TO BE AMENDED TO INCLUDE A NEW ARTICLE IX(a) VILLAGE OVERLAY DISTRICT TO READ AS FOLLOWS:

SECTION 9A.00 - INTENT

The intent of this overlay district is to transform the Cass Lake Road corridor into a walkable, tree-lined street fronted with small shops, cafes, parks, and residential clusters. Small lots, a mix of uses, and narrow streets are allowed and encouraged. Building setbacks are minimal to create a more walkable and pedestrian-centric experience.

SECTION 9A.01 - APPLICABILITY

For properties located within the Village Overlay District (VOD) as designated on the Keego Harbor Zoning District Map, compliance with the requirements of this Article IX(A), or sections thereof, shall apply based on the following table:

Development Type	Use Requirements (Sec. 9A.03)	Development Standards (Sec. 9A.04)	Architectural Design Standards (Sec. 9A.05)	Landscaping and Screening Requirements (Sec. 9A.06)
Façade improvements only			X	
New construction	X	X	X	X
Building expansions:				

<i>Twenty-five percent (25%) or more of current floor area</i>		X	X	X
<i>Less than twenty-five percent (25%) of current floor area</i>			X	
New uses or changes in use within an existing building:				
<i>Which require additional parking of ten percent (10%) or more of the current number of parking spaces</i>	X	X	X	X
<i>Which do not require additional parking of ten percent (10%) or more of the current number of parking spaces</i>	X			
Any project benefiting from off-street parking flexibility through Sec. 9A.07	X	X	X	X
Any project benefiting from additional building stories beyond the underlying district as allowed by section Sec. 9A.04	X	X	X	X

SECTION 9A.02 – CONTEXT ZONES

There is hereby established three context zones of the Village Overlay District (VOD), which are shown on the Keego Harbor Zoning District Map, as follows:

- (a) Cass Lake Road (CL) Context Zone
- (b) Central Business District (CBD) Context Zone
- (c) Central Business District Fringe (CBD-F) Context Zone

Where noted within this Article, certain provisions of the VOD may apply only within certain context zones of the VOD.

SECTION 9A.03 – USE REQUIREMENTS

Uses allowed within the underlying zoning district may be allowed within the VOD, unless otherwise provided in this Section.

- (a) Residential uses are permitted on upper floors of any building within the CL and CBD Context Zones.
- (b) Walk-up windows for pedestrians may be allowed within any yard within the CL and CBD Context Zones.
- (c) The following uses are prohibited within the CL and CBD Context Zones:
 - 1. Drive-in or drive-through facilities, including but not limited to those associated with restaurants, banks, and pharmacies
 - 2. Automobile service centers, gasoline service stations, and quick oil change shops
 - 3. Automobile wash or car wash establishments
 - 4. New or used vehicle sales office or showroom with outdoor sales area
 - 5. Commercial outdoor recreation uses, such as amusement parks, golf driving ranges, and similar uses
 - 6. Retail sales of plant materials not grown on the site, sales of lawn furniture, playground equipment, and home garden supplies, and similar open-air businesses, unless demonstrated that the proposed use will contribute to the intent of establishing a viable pedestrian-oriented business district.
 - 7. Facilities for the sales, servicing, and protection of small recreation, boats, along with retail facilities that supply commodities related to boating
 - 8. Mini warehouses
 - 9. Apartment complexes. For the purposes of this limitation, an apartment complex is defined as any development with one or more buildings containing dwelling units that do not each have a separate entryway with direct access to the outdoors at ground level. Rowhouses, townhouses and upper story residential uses allowed by subsection (a), above, are not considered apartment complexes.

SECTION 9A.04 – DEVELOPMENT STANDARDS

- (a) Required Conditions. Except as otherwise noted for specific uses, buildings and uses in the Village Overlay District shall comply with the following required conditions:
 - 1. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises produced.
 - 2. All uses permitted subject to special conditions may be required to submit a Traffic Impact Analysis which shall, at minimum, include: trip generation estimates, the volume of existing traffic on roads adjacent to the site, the peak hour volume of traffic on roads

adjacent to the site, the peak hour volume of traffic expected to be generated by the proposed development, estimates of the directional distribution of trips generated by the development, projected assignment of vehicle trip volumes to the roadway network, analysis of anticipated turning movements and required left-or right-turn controls, and recommendations to mitigate the impact of the development on the transportation system. If deemed necessary by the City Planner following review of the site plan, a Traffic Impact Analysis may also be required in conjunction with development of a principal permitted Use.

3. Sidewalks shall be provided along all street frontages.
 - a. A sidewalk no less than 10 feet in width must be maintained along all sides of the building facing a road or parking area.
 - b. The sidewalk(s) adjacent to the building must be linked to the sidewalk(s) on adjacent properties to maintain the continuity of the pedestrian environment.
 - c. Decorative and coordinated pedestrian amenities including benches, planters, waste receptacles, and bicycle racks should be provided to encourage pedestrian activities.
- (b) Site Plan Review. Site plan review shall be required for all uses in the Village Overlay District in accordance with Section 16.06.
- (c) Area, Height, Bulk, and Placement Requirements. Buildings and uses in the Village Overlay District are subject to the requirements and schedule of regulations below:
 1. Within the Village Overlay District, corner lots shall have just one front setback along the principal frontage.
 2. Special architectural features will be allowed to exceed the above height if:
 - a. The feature is located at a corner; or,
 - b. The feature is deemed necessary to the type, use, or style of the building in question.
 - c. Special architectural features shall not exceed the height of the remainder of the building by more than 35%.
 3. Schedule of Regulations Table – See Attachment

SECTION 9A.05 – ARCHITECTURAL DESIGN STANDARDS

The requirements of this Section are applicable to properties within the Cass Lake Road (CL) and Central Business District (CBD) Context Zones. Within the Central Business District-Fringe (CBD-F) Context Zone, the architectural standards of Section 15.05 shall apply.

(a) Building Scale

1. The intent of these guidelines is to encourage the construction of buildings that are in scale with the majority of the existing buildings in the CBD and CL Context Zones. The majority of the older buildings are narrow in width. The intent of these guidelines is not to limit building width, but, to encourage the subdivision of wider facades, breaking-up the scale and mass of larger buildings, making them more compatible with existing facades.
 - a. Large, long facades shall be subdivided into structural bays, through the location and arrangement of columns and/or pilasters, apparent along the façade:
 1. Column or pilaster spacing to be 16' to 28' feet on center.
 2. Minimum 20" column or pilaster width.
2. Balconies and porches are permitted in the CBD and CL Context Zones.

(b) Building Roof Types

1. All new buildings with a flat roof shall be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment to the satisfaction of the Planning Commission.
2. Sloping roofs, gabled or hipped are permitted.
3. Mansard roofs are prohibited.

(c) Street Façade

1. The majority of the existing street facades, the facade that faces a public right-of-way, are comprised of common facade components. The arrangement of facade elements shall follow this model which include the following typical components: Facade Frame, Storefront Opening and Canopy/Awning.
 - a. Facade Frame - The facade frame, or wall, shall be brick masonry, painted wood siding, Portland Cement stucco, or stained wood shingles, constructed principally in a single plane. The top of the parapet wall shall be flat or step slightly to accentuate end piers. The facade frame shall be capped by a corbeled brick cornice, stone or simulated stone, painted 5/4 board (on wood

structures only), coping, or narrow cap flashing. Narrow cap flashing as a decorative cap limited to one-story buildings. Brick shall be laid primarily in running bond. Modular-design brick-relief and/or corbeling encouraged in general and required on the upper façades of one-story brick buildings. Building wall materials may be combined on each Facade only horizontally, with the heavier below the lighter.

- b. Storefront Opening - The storefront opening shall be a rectangular opening, 10' to 12' high (excepting a 14" to 24" height, opaque durable base), and extend entirely column-to-column or pilaster-to-pilaster. The opening shall be almost entirely glass (window or showcases) with few subdivisions. The glass framing system shall be painted wood or composite or natural-finish metal. Natural finish aluminum is a typical material and finish. The building entry shall be centered in the storefront opening (or left or right justified) and recessed minimum that of the door width. Maximum width of door recess area at right-of-way or build-to-line seven (7) feet. Display windows must be internally lit until 10pm, 2700k to 3000k color temperature. All openings, including porches, Galleries, Arcades, and windows, with the exception of Shopfronts, shall be square or vertical in proportion.
- c. Canopies/Awnings - A canopy or awning is typically located at the top of the storefront opening.
 - 1. Awnings shall be traditional in design; they shall be triangular in section, sloping outward and down from above the corresponding opening. Narrow front-flaps are allowable.
 - A. Round-top, half-round, box, or other unusual awning shapes are prohibited (except in association with existing, ground floor, arched doors and/or windows).
 - B. Internally lit awnings are prohibited. Signage on awnings shall be restricted to the awning -flap and 7" height letters.
 - 2. Canopies shall be limited in thickness, ranging from 6" to 12", flat, and provide for internal drainage. Canopies shall be self-supporting or supported by tension rods. Canopy projections to be limited to 60". Sloping, or unusually shaped, canopies are prohibited.

(d) Rear Facades

- 1. Exterior building walls not corresponding to rights-of-Way must not include decorative facades. Rear entryways may be denoted, however, with signage and lighting. Doors must not be recessed, except for public safety along alley easements or parking aisles.
- 2. Facade Frame – Non-Façade Exterior Wall Construction If no parapet is used, downspouts shall be located at the outer sides of the facades, not in the middle of the facade. Acceptable materials include brick, CMU (concrete masonry unit), rock-faced

block, Portland Cement stucco, painted wood siding, or stained wood shingles. Aluminum siding, or metal or wood panels are prohibited. All openings, including porches, Galleries, Arcades, and windows, with the exception of Shopfronts, shall be square or vertical in proportion.

3. Storefront Opening - Shopfront frontages (or storefront openings) are prohibited except corresponding to street rights-of way.
 - a. Exterior walls not corresponding to rights-of-way may include up to one display window adjacent to each entrance, maximum 54" in height and 84" in width. Such an opening shall be almost entirely glass with few subdivisions. The glass framing system shall be painted wood or composite or natural-finish metal. Natural finish aluminum is a typical material and finish. Display windows must be internally lit until 10pm, 2700 to 3000k color temperature.
4. Canopies/Awnings - A canopy or awning typically located at the top of the storefront opening is recommended.
 - a. Awnings shall be traditional in design; they shall be triangular in section, sloping outward and down from above the corresponding opening. Narrow front-flaps are allowable. Round-top, half-round, box, or other unusual awning shapes are prohibited (except in association with existing, ground floor, arched doors and/or windows). Internally lit awnings are prohibited. Signage on awnings shall be restricted to the awning -flap and 7" height letters.
 - b. Canopies shall be limited in thickness, ranging from 6" to 12", flat, and provide for internal drainage. Canopies shall be self-supporting or supported by tension rods. Canopy projections to be limited to 60". Sloping, or unusually shaped, canopies are prohibited.
 - c. Sloping canopies are permitted at the rear facade. If space is available, rear canopies can be ground supported.
 - d. A canopy or awning, typically located at the top of any rear entrance, is recommended.

(e) Materials.

1. Maintaining consistent palette of materials is important to establish continuity within the streetscape and to improving the overall appearance of the Village Overlay District. The following are identified as acceptable building materials.

- a. Street Façade

1. Façade Frame - Acceptable materials:

- A. Brick: Shall be standard modular brick with common tooled

mortar joints. Untooled joints, distressed brick, or irregular shaped brick are prohibited. Brick color and texture shall be compatible with original brick facades in the Central Business District, constructed from the 1920's thru the 1960's. Brick of this period was commonly blond, yellow-blond, beige, red, or dull red with very little color range. Textures varied from smooth or glazed to rough. Textures tended to be uniform.

- B. Stone: Smooth finish stone such as limestone or sandstone. Color to be light to medium 'buff'.
- C. Aluminum Parapet Cap: Typical material is aluminum or painted sheet steel. Color and finish shall match that of window framing system.
- D. Artificial Stone and Pre-Case Parapet Cap: To simulate traditional limestone and sandstone caps.
- E. Painted wood siding
- F. Stained wood shingles.
- G. Portland Cement stucco
- H. Painted 5/4 board trim (smooth finish only)
- I. Building wall materials may be combined on each Facade only horizontally, with the heavier below the lighter.

2. Storefront Opening - Acceptable materials:

- A. Painted wood or composite or natural-finish metal. Natural finish aluminum is the most common material and finish.
- B. Glass: Clear or with slight green tint. (Minimum 80% transparency).
- C. Entry Door: One or two-lite door matching storefront glazing system. Doors and windows that operate as sliders are prohibited along Frontages.

3. Canopies - Acceptable materials:

- A. Canopy Fascia Trim: Metal. Typically, natural finish aluminum or painted.
- B. Soffit: Metal or cement plaster.

C. Support Rods: Metal.

4. Awnings - Acceptable materials:

A. Frame: No requirements.

B. Fabric: Standard fabrics for non-internally lighted awnings. Patterns and colors to be compatible with other facade materials.

5. Balconies and porches

A. Balconies and porches shall be made of painted wood or wrought iron

b. Rear Facade

1. Exterior Wall - Acceptable materials:

A. Brick, CMU (concrete masonry unit), rock face block, Portland Cement stucco, painted wood siding, or stained wood shingles.

B. Stone: Smooth finish stone such as limestone or sandstone. Color to be light to medium 'buff'.

C. Aluminum Parapet Cap, Gutters, and Downspouts: Typical material is aluminum or painted steel. Color and finish shall match that of window framing system.

D. Artificial Stone and Pre-Cast Parapet Cap: To simulate traditional limestone and sandstone caps.

2. Rear Entrance - Acceptable materials:

A. Door Framing System: painted wood or composite or natural-finish metal. Natural finish aluminum is most common material and finish

B. Glass: Clear or with slight green tint. Reflective, mirror, heavily tinted, or unusually colored glass prohibited.

C. Entry Door: One or two-lite door matching storefront glazing system.

3. Canopies - Acceptable materials:

- A. Canopy Fascia Trim: Metal. Typically, natural finish aluminum.
- B. Soffit: Metal or cement plaster.
- C. Support Rods: Metal.
- D. Canopy Roof: Asphalt shingles, slate, tile, or metal. Wood shakes and shingles prohibited.
- 4. Awnings - Acceptable materials:
 - A. Frame: No requirements.
 - B. Fabric: Standard fabrics for non-internally lighted awnings.

SECTION 9A.06 – LANDSCAPING AND SCREENING REQUIREMENTS

The requirements of this section apply to the Cass Lake Road (CL) and Central Business District (CBD) Context Zones. Within the Central Business District-Fringe (CBD-F) Context Zone, the landscaping standards of Section 15.23 shall apply.

- (a) Compliance. No site plan shall be approved unless said site plan shows landscaping consistent with the requirements of this section. Where landscaping is required, a building permit shall not be issued unless provisions set forth in this section have been met or a performance guarantee has been posted in accordance with Section 15.19.
- (b) Minimum Requirements. The requirements set forth herein are minimum requirements, and nothing herein shall preclude the developer and the City from agreeing to more extensive landscaping.
- (c) Design Creativity. Creativity in landscape design is encouraged. Accordingly, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, depending on the designer's desired visual effect and, equally important, the intent of the City to coordinate landscaping on adjoining properties.
- (d) Landscaping Requirements:
 - 1. All developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berms, or screening are required:
 - a. All unpaved portions of the site shall be planted with grass, ground cover, shrubbery, or other suitable live plant material.
 - b. A mixture of evergreen and deciduous trees shall be planted at the rate of one (1) tree per 3,000 square feet or portion thereof of unpaved open area. Required trees may be planted at uniform intervals, at random, or in

groupings.

- c. All required landscaping shall be served by an in-ground sprinkling system.
 - d. Landscaped areas which adjoin paved parking or driveways shall be protected with curbs from encroachment of vehicles.
2. Landscaping Adjacent to Roads. All front, side, and rear yards adjacent to roads in the Village Overlay District shall be landscaped in accordance with the following standards:
- a. A minimum of one (1) deciduous or evergreen tree shall be planted for each forty (40) lineal feet or portion thereof of road frontage, PLUS, a minimum of one (1) ornamental tree shall be planted for each one hundred (100) lineal feet or portion thereof of road frontage, PLUS, a minimum of eight (8) shrubs shall be planted for each forty (40) lineal feet or portion thereof of road frontage. For the purposes of computing length of road frontage, openings for driveways and sidewalks shall not be counted. Trees and shrubs may be planted at uniform intervals, at random, or in groupings.
3. Screening Walls. A screening wall shall be provided in accordance with Section 15.04 for the following:
- a. Where any off-street parking lot or alley is located adjacent to any residential use, whether such adjacent residential use is located within or outside of the Village Overlay District.
 - b. Where any non-residential use within the Village Overlay District is located adjacent to a residential use located outside of the Village Overlay District.
 - c. The Planning Commission may waive the requirement for a screening wall between non-residential and adjacent residential uses within the Village Overlay District.
4. Greenbelts. Where required or proposed, greenbelts shall conform to the following standards:
- a. A required greenbelt may be interrupted only to provide for pedestrian or vehicular access.
 - b. Grass, ground cover, or other suitable live plant material shall be planted over the entire greenbelt area, except where paved walkways are used.
 - c. A minimum of one (1) deciduous or evergreen tree shall be planted for each thirty (30) lineal feet or portion thereof of required greenbelt length, or alternatively, eight (8) shrubs may be substituted for each required tree. Trees may be planted at uniform intervals, at random, or in groupings.
 - d. Plant materials shall not be placed closer than four (4) feet to the property line or right-of-way line when a greenbelt abuts a public sidewalk.

- e. For the purposes of calculating required plant material, greenbelt length shall be measured along the exterior edge of the greenbelt.
- 5. Berms. Where required or proposed, berms shall conform to the following standards:
 - a. Berms shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal (33 percent slope), with at least a two (2) foot flat area on the top.
 - b. The planting requirements for greenbelts, above, shall also apply to berms.
 - 6. Evergreen or Landscaped Screening. Where required or proposed, evergreen screening shall consist of closely spaced plantings which form a complete visual barrier that is at least six (6) feet above ground level within five (5) years of planting.
 - 7. Parking Lot Landscaping. All off-street parking areas shall provide landscaping as follows:
 - a. Landscaping Ratio. Off-street parking areas containing greater than fifteen (15) spaces shall be provided with at least fifteen (15) square feet of interior landscaping per parking space. Whenever possible, parking lot landscaping shall be designed to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of parking areas.
 - 1. Parking lot landscaping is not required for parking areas located behind buildings and out of view from the street.
 - b. Minimum Area. Landscaping areas in parking lots shall be no less than five (5) feet in any single dimension, and no less than one hundred fifty (150) feet in area. Landscaped areas in or adjacent to parking lots shall be protected with curbing or other means to prevent encroachment of vehicles.
 - c. Other Landscaping. Required landscaping elsewhere on the parcel shall not be counted in meeting the parking lot landscaping requirements.
 - d. Required Plantings. Requirements for plant material shall be based on the location, size, and shape of the parking lot landscaped area. A minimum of one (1) tree shall be planted per three hundred (300) square feet or fraction thereof of interior landscaped area. The landscape plan shall indicate the types, sizes, and quantities of plant material proposed for such area.
 - 8. Landscaping of Rights-of-Way. Public rights-of-way located adjacent to required landscaping areas and greenbelts shall be planted with grass or other suitable live ground cover and shall be maintained as if the rights-of-way were part of the required landscaped areas or greenbelt.

(e) Maintenance of Unobstructed Visibility for Drivers

- 1. Landscaping located at an intersection of two streets shall comply with the

requirements in Section 15.03 so as to maintain unobstructed cross-visibility for drivers.

(f) Standards for Landscape Materials

1. Plant Quality. Plant materials used in compliance with the provisions of this Ordinance shall be nursery grown, free of pests and diseases, hardy in Oakland County, in conformance with the standards of the American Association of Nurserymen and shall have passed inspections required under state regulations.
2. Non-Living Plant Material. Plastic and other non-living plant materials shall not be considered acceptable to meet the landscaping requirements of this Ordinance.
3. Plant Material Specifications. The following specifications shall apply to all plant material proposed in accordance with the landscaping requirements in this Ordinance:
 - a. Deciduous shade trees shall be a minimum of two (2) inches in caliper measured twelve (12) inches above grade with the first branch a minimum of four (4) feet above grade when planted.
 - b. Deciduous ornamental trees shall be a minimum of one and one-half (1 1/2) inches in caliper measured six (6) inches above grade with a minimum height of four (4) feet above grade when planted.
 - c. Evergreen trees shall be a minimum of five (5) feet in height when planted, except that juniper, yew and arborvitae species shall be a minimum of three (3) feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of three (3) feet, and the size of the burlapped root ball shall be at least ten (10) times the caliper measured six (6) inches above grade.
 - d. Shrubs shall be a minimum of two (2) feet in height when planted. Low growing shrubs shall have a minimum spread of fifteen (15) inches when planted.
 - e. Hedges shall be planted and maintained so as to form a continuous, unbroken, visual screen within two (2) years after planting.
 - f. Vines shall have a minimum of three (3) runners, six (6) inches to eight (8) inches long when installed and be a minimum of thirty (30) inches in length after one growing season.
 - g. Ground cover used in lieu of turf grasses shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season.
 - h. Grass area shall be planted using species normally grown as permanent lawns in Oakland County. Grass, sod, and seed shall be clean and free of weeds, noxious pests, and diseases. Straw or other mulch shall be used to protect

newly seeded areas.

- i. Mulch used around trees, shrubs, and vines shall be a minimum of three (3) inches deep and installed in a manner as to present a finished appearance.
 - j. A list of recommended and prohibited plant materials is provided in the appendix. Prohibited plant materials are not encouraged because of susceptibility to storm damage, disease, and other undesirable characteristics.
- 4. Installation and Maintenance. The following standards shall be observed where installation and maintenance of landscape materials are required:
 - a. Installation.
 - 1. Landscaping shall be installed in a sound, workmanlike manner to ensure the continued growth of healthy plant material. Trees, shrubs, hedges, and vines shall be generously mulched at the time of planting.
 - 2. Landscaping shall be protected from vehicles through the use of curbs. Landscape areas shall be elevated above the pavement to a height adequate to protect the plants from snow removal, salt, and other hazards.
 - 3. If development is completed during the off-season when plants cannot be installed, the owner shall provide a performance guarantee to ensure installation of required landscaping in the next planting season.
 - b. Maintenance
 - 1. Landscaping required by this Ordinance shall be maintained in a healthy, neat, and orderly appearance, free from refuse and debris. All unhealthy and dead plant material shall be replaced immediately upon notice from the Building Official, unless the season is not appropriate for planting, in which case plant material shall be replaced at the beginning of the next planting season.
 - 2. All landscaped areas shall be provided with a readily available and acceptable supply of water. Trees, shrubs, and other plantings and lawn areas shall be watered regularly throughout the growing season.
 - 3. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained in good condition and neat appearance. Rotted, deteriorated, or damaged landscape elements shall be repaired, replaced, or removed.

(g) Modifications to Landscape Regulations

1. In consideration of the overall design and impact of a specific landscape plan, and in consideration of the amount of existing plant materials to be retained on the site, the Planning Commission may modify the specific requirements outlined herein, provided that any such adjustment is in keeping with the intent of this Section. In determining whether a modification is appropriate, the Planning Commission shall consider whether the following conditions exist:
 - a. Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.
 - b. Parking, vehicular circulation, or land use are such that required landscaping would not enhance the site or result in the desired screening effect.
 - c. The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of the Ordinance.

SECTION 9A.07 – OFF-STREET PARKING

Where compliance with Sections 9A.03 through 9A.06 above is achieved, buildings and uses in the Cass Lake Road (CL) and Central Business District (CBD) Context Zones may benefit through flexibility in the application of off-street parking as outlined below. The off-street parking requirements of Article XIII shall also apply, except as modified by this Section.

- (a) Location of Parking. Required parking for other than residential uses shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot, without crossing any major thoroughfare. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant when an application for a building permit or a certificate of occupancy is filed. The existence of on-street parking along building frontages (or along other frontages within 300 feet and in excess of other proximate buildings' parking requirements) may be counted toward commercial and/or residential parking requirements.
- (b) Residential Off-Street Parking. Residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, parking lot, on-street parking within 300 feet, or combination thereof. Such spaces shall be located on the premises they are intended to serve, on-street, or according to other dedications, and in appropriate cases also shall be subject to the provisions of Section 15.13, Accessory Buildings, of this Ordinance. Single and two-family residential off-street parking is exempt from regulations of this Article governing a parking lot.
- (c) Off-Street Parking Formulas for Specific Uses. For the following uses, special parking formulas shall apply based on the table below. The off-street parking formulas for uses not specified in the table shall be in accordance with Section 13.01.

Use	Number of Minimum Parking Spaces Required
Residential one family, two family, and townhouse residential	1 space for each dwelling unit
Residential, multiple family	0.5 spaces per unit for 1-to-2-bedroom units; 1.5 spaces for units with more than 2 bedrooms
Churches or temples	No parking minimum
Private clubs or lodge halls	No parking minimum
Auto service stations	2 spaces total (or, if applicable, 1 space per stall, rack, or pit)
Retail stores except an otherwise specified herein.	1 space for each 400 square feet of usable floor space
Tanning salons	1 space for each 400 square feet of usable floor space
Beauty and barber shop	1.5 spaces per beauty and barber chair
Bowling establishments	2.5 spaces for each bowling lane
Dance halls, pool or billiard parlors, roller- or ice-skating rinks, exhibition halls and established assembly halls without fixed seats	1 space for each 4 allowed within the maximum occupancy load as by local county or state, fire, health or building codes
Restaurant – Dining room, including banquet areas	1 space per 200 square feet of usable floor space
Restaurant – Lounge	1 space per 200 square feet of usable floor space
Restaurant – Carry out	No parking minimum
Restaurant – Drive-in or drive-through	1 space per 30 square feet of usable floor area plus 10 stacking spaces for each drive-in or drive-through transaction station
Banks	1 space for each 400 square feet of usable floor area and 6 stacking spaces for each drive-in transaction station
Business offices or professional offices	1 space for each 400 square feet of usable floor area
Offices of doctors, dentists or similar professionals	1 space for each 400 square feet of usable floor area plus 1 space for each examining room or dental chair, plus 1 space for each doctor, dentist, practitioner, and employee

- (d) Shared parking. Where the owners of two buildings (or the owner of one building containing a mix of uses) desire(s) to share common parking facilities, application shall be made to the Planning Commission. The Planning Commission may grant approval of such facilities, subject to a finding that the following conditions have been met:

1. The common parking meets all location requirements of this Ordinance with respect to each building or use.
2. The common parking conforms to the following table:

The Shared Parking Factor for two Functions (the number indicated in the corresponding triangular box below), when divided into the total spaces required by Keego Harbor on any particular lot, produces the Effective Parking needed for that lot. Parking may be also shared in this manner across lot ownership by agreement.

SHARED PARKING FACTOR

Function	with		Function
RESIDENTIAL			RESIDENTIAL
LODGING			LODGING
OFFICE		1	OFFICE
RETAIL	1.1	1.1	RETAIL
	1.4	1	
	1.2	1.7	
	1.3	1	
	1.2	1.2	
	1		

SECTION 9A.08 – SIGNAGE

See Article 14

SCHEDULE OF REGULATIONS

Zoning District	Lot Regulations			
	Minimum Lot Area	Minimum Lot Width	Maximum Gross Livable Area	Maximum Lot Coverage
Village Overlay District (VOD)	30,000 s.f. Max. (see footnote 1)	264 ft. Max. (see footnote 2)	--	No requirement

Setback (Feet)				
Front Yard	Side Yard		Side Yard Facing a Street	Rear Yard
	Least One	Total of Two		
Build-to-line 30'-40' from road centerline; 0'-10' from Orchard Lake Rd R.O.W.	0' (see footnote 3)	0' (see footnote 4)	--	3' (see footnote 5)

Structure Regulations		
Maximum Building Height		Maximum Dwelling Unit Floor Area (sq. ft.)
Stories	Feet	
3' (see footnote 6)	36' to building eaves (see footnote 6)	350 s.f. (see footnote 7)

Footnotes:

- Properties with R-T District underlying zoning shall have 15,000 s.f. max and properties with RM District underlying zoning shall have 20,000 s.f. max.
- Properties with R-T District or RM District underlying zoning shall have 132 ft. max.
- Properties with R-T District underlying zoning shall have a 3.5' minimum setback.
- Properties with R-T District underlying zoning shall have a 7' minimum setback.
- Properties with R-T District underlying zoning shall have a 3' minimum setback (clear 30' corresponding to garage doors via setback and/or easement).
- A fourth story may be allowed within the Central Business District (CBD) Context Zone. Further, such additional story must be stepped back from the front building line by a minimum of ten feet.
- Properties with R-T District underlying zoning shall have an 800 s.f. minimum.

RECOMMENDED PLANT MATERIALS

Common Name	Latin Name	Native	Suitable for sites w/ Overhead Utilities?	Tolerates Wet Sites	Drought Tolerant	Prefers Well-Drained Sites	Salt Tolerant	Notes
SMALL TREES (mature height less than 30 feet)								
Trident Maple	Acer buergerianum 'Streetwise'		X		X	X	X	Choose tree form
Paperbark Maple	Acer griseum		X			X		
Striped Maple	Acer pensylvanicum	X	X			X		
Downy Serviceberry	Amelanchier arborea 'Trazam'	X	X	X				Choose single stem/tree form
Allegheny Serviceberry	Amelanchier laevis 'Cumulus'	X				X		Choose single stem/tree form
Autumn Brilliance Serviceberry	Amelanchier x grandiflora	X	X			X		Hybrid of native species
Robin Hill Serviceberry	Amelanchier x grandiflora	X	X					Hybrid of native species. Sensitive to drought
Eastern Redbud	Cercis canadensis	X	X	X	X			
Chinese Fringetree	Chionanthus retusus		X	X				Choose single stem stem/tree form
White Fringetree	Chionanthus virginicus	X	X	X				Choose single stem/tree form. Native to southern U.S.
Kousa Dogwood	Cornus kousa		X			X		Choose single stem stem/tree form
Cornelian Cherry	Cornus mas		X			X		Choose single stem stem/tree form
Amur Maackia	Maackia amurensis		X		X			
Crabapple	Malus sp	Some	X	X	X		Moderate	
Accolade Flowering Cherry	Prunus 'Accolade'		X				Moderate	
Sargent Cherry	Prunus sargentii		X		X		Moderate	
Kwanzan Cherry	Prunus serrulata		X	X			Moderate	
Japanese Tree Lilac	Syringa reticulata 'Ivory Silk'		X	X	X		X	

PROHIBITED PLANT MATERIALS

Common Name	Scientific Name	Native?	Messy... Or...	Structural Weakness	Root Lift	Invasive
Black Locust	Robinia pseudoacacia	Y	Suckers & thorns			
Black Walnut	Juglans nigra	Y	Fruit large, stains			
Box Elder	Acer negundo	Y		X		
Callery Pear (Bradford, Cleveland)	Pyrus callaryana	N		X		X
Catalpa	Catalpa speciosa	Y	Flowers & seedpods			
Cottonwood	Populus deltoides	Y	Fluff and sticky bud scales	X	X	
Honey Locust (seeded)	Gleditsia triacanthos	Y	Large seedpods			X
Mountain Ash	Sorbus spp	N	Salt sensitive, disease prone			
Mulberry	Morus spp	N	Fruit stains			X
Sweetgum	Liquidamber styraciflua	Y	Large spiked seed pods		X	
Silver Maple	Acer saccharinum	Y		X	X	
Tree of Heaven	Ailanthus altissima	N		X	X	X
Tulip Tree	Liriodendron tulipifera	Y		X		
Weeping Willow	Salix babylonica	N	Twig drop, sight line blocking	X	X	

Section 1:02 Amendments.

THE CITY OF KEEGO HARBOR ORDAINS THAT CHAPTER 26, ZONING, ARTICLE II DEFINITIONS, ARTICLE IV(a) RT TOWNHOUSE RESIDENTIAL DISTRICT. ARTICLE V RM MULTIPLE FAMILY RESIDENTIAL DISTRICT, ARTICLE VIII C-1 LOCAL BUSINESS DISTRICT, ARTICLE IX C-2 GENERAL BUSINESS DISTRICT, ARTICLE X O-1 OFFICE BUILDING DISTRICT, ARTICLE XIII OFF-STREET PARKING REQUIREMENTS, ARTICLE XIV SIGNS, ARTICLE XV GENERAL PROVISIONS SHALL BE AMENDED AS SHOWN IN EXHIBIT A.

Section 1:03 Amendments.

THE CITY OF KEEGO HARBOR ORDAINS THAT THE CITY OF KEEGO HARBOR ZONING MAP SHALL BE AMENDED TO INCLUDE THE VILLAGE OVERLAY DISTRICT BOUNDARY AS SHOWN IN EXHIBIT B.

Section 2:01. Savings Clause.

Nothing in this division shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 3:01. Repealer.

All resolutions, ordinance, orders or parts thereof in conflict in whole or in part with any of the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4:01. Effective Date

A public hearing having been held on Tuesday, October 11, 2022, Wednesday, November 2, 2022 and Tuesday, December 6, 2022. The provisions of this Ordinance shall take effect 10 days from and after approval and publication in a newspaper, general circulation, by the City of Keego Harbor.

Made and passed by the City Council of the City of Keego Harbor this 16th day of March 2023.

Tammy Neeb

TAMMY NEEB, City Clerk

MOTION TO ADOPT ORDINANCE

Motion by Lampl and seconded by Karson that the foregoing Ordinance be adopted.

YEAS: Kalman, Attisha, Lampl, Karson

NAYS: Ø

ABSENT: Theresa Shimanovsky

ORDINANCE DECLARED ADOPTED.

CERTIFICATE OF CLERK

I, TAMMY NEEB, being the duly appointed Clerk of the City of Keego Harbor, do hereby certify that the above Ordinance No. 2023-01 is a true copy of the Ordinance adopted by the City Council of the City of Keego Harbor, Oakland County, Michigan, at a regular meeting thereof held on March 16, 2023.