



CITY OF BUCHANAN PLANNING COMMISSION
TUESDAY, APRIL 14, 2026 – 6:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

AGENDA

The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.

** Comments may also be submitted in writing at least 4 hours in advance to the Zoning & Community Development Director Kristen Gundersen at kgundersen@cityofbuchanan.com*

** Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week's prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.*

I. Regular Meeting - Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Approve Agenda

V. Public Comments - Agenda Items

VI. Approve Minutes

A. Minutes- Consider approving the Regular Meeting Minutes from March 10th, 2026.

VII. Old Business

A. Master Plan - One Herd, One Future - Building a Better Buchanan - Update

B. Unified Development Code - Buffering, Tree preservation, landscaping and Fencing - Discussion 2

C. Unified Development Code - Section 71-30 Signs

VIII. New Business

A. Discussion - Sections 71-16.G Corner Lot clear sight lines, 771-27 Parking and loading standards and creation of Planned unit development (PUD) process

IX. Public Comment - Non-Agenda Items Only

X. Zoning & Community Development Director Comments

XI. Commissioner Comments

XII. Adjournment



CITY OF BUCHANAN PLANNING COMMISSION
TUESDAY, MARCH 10, 2026 – 6:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

- I. *The City of Buchanan Planning Commission, in compliance with Michigan's Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.*
- II. * *Comments may also be submitted in writing at least 4 hours in advance to the Zoning & Community Development Director Kristen Gundersen at kgundersen@cityofbuchanan.com*
- * *Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week's prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.*

III. PUBLIC HEARING

A. Call to Order

Houser called the Public Hearing to order at 6:00pm.

B. Roll Call

Present: Vigansky, Houser, Pleasant, Lysy, Garry

Absent: Brown

C. Opening of Hearing and Statement of Purpose of the Hearing

The purpose of the public hearing is to hear public comments on proposed amendments to Sections 71-5 Zoning district established; Section 71-14.A – Figure 71-A Buchanan Zoning Map; creation of Section 71-16.H Establishment of zoning districts and regulations; Section 71-18 Uses – Table 71-J Use Matrix – Accommodations- Article V Definitions and any other sections of the Unified Development Code that may be necessary to fully implement and a Short-term rental overlay district consistent with Ordinance 2025.09.443, as adopted in the City of Buchanan Code of Ordinances.

C. Announcement of the Rules of the Hearing

Houser read the rules of the hearing.

D. Presentation by the Applicant

Planning and Zoning Director Gundersen presented the proposed changes to the Unified Development Code. Because the area where short term rentals are allowed by right covers multiple zoning districts, she proposed an overlay district be added as well as some minor changes.

E. Presentation by the Opposition

None.

F. Applicant's Rebuttal

None.

G. Closing of Hearing

Houser closed the Public Hearing at 6:07pm.

IV. Regular Meeting - Call to Order

Regular meeting called to order at 6:07pm.

V. Pledge of Allegiance

Houser led in the pledge of allegiance.

VI. Roll Call

Present: Vigansky, Houser, Pleasant, Lysy, Garry

Absent: Brown

VII. Resignation Announcement and Appointment of Chairperson

A. 1) *Accept the resignation of Chairperson Ralph McDonald.*

2) *Appoint new Chairperson and other positions if needed.*

Vigansky moved, seconded by Pleasant, to accept the resignation of Chairperson Ralph McDonald with regret. Voice vote carried unanimously.

Pleasant moved, seconded by Vigansky, to appoint Houser as Planning Commission Chairperson. Voice vote carried unanimously.

Houser moved, seconded by Pleasant, to appoint Garry as Planning Commission Vice Chairperson. Voice vote carried unanimously.

Vigansky moved, seconded by Houser, to appoint Pleasant as Planning Commission Secretary. Voice vote carried unanimously.

Vigansky asked about the timeline on approving a new member to the Planning Commission. Langston-Weiss answered that the application is on the website and a call for applicants was made at the most recent City Commission meeting, and that there are two applicants on file.

VIII. Approve Agenda

Lysy moved, seconded by Vigansky, to approve the agenda as presented. Voice vote carried unanimously.

IX. Public Comments - Agenda Items

None.

X. Approve Minutes

A. *Consider the Regular Meeting Minutes from February 10th, 2026.*

Lysy moved, seconded by Vigansky, to approve the February 10, 2026 Minutes as presented. Voice vote carried unanimously.

XI. Old Business**A. Sign Discussion #3**

Gundersen updated the Planning Commission on her most recent updates, including clarifications regarding sizes, as well as vehicle, inflatable, and portable signs. Gundersen will integrate all her changes into one document and present the final draft at the next Planning Commission meeting.

B. Master Plan Update Discussion #3 - Title Survey Background

Marcy Hamilton was in attendance to speak to the Master Plan updates and survey draft. There was discussion on the name of the Master Plan, deciding on One Herd, One Future: Building a Better Buchanan.

C. Vacant and Underutilized Building Ordinance – Discussion

City Manager McGhee walked the Planning Commission through the draft ordinance, addressing the purpose and intent, exceptions, and procedure.

Vigansky moved, supported by Pleasant, to recommend to the City Commission for Approval of the Vacant and Underutilized Building Ordinance to the City Commission. Voice vote carried unanimously.

XII. New Business

A. Unified Development Ordinance- Consideration of Text Amendment- Creation of Short-term Rental Overlay District

Vigansky moved, supported by Houser, to recommend approval of the Text Amendment – Creation of Short-Term Rental Overlay District.

Lysy stated he will not vote to approve as he does not like the overlay district concept.

Yes: Garry, Vigansky, Houser

No: Lysy, Pleasant

B. Unified Development Code- Buffering, Tree preservation, landscaping and fencing.

Gundersen spoke to changes she’d like to make in the buffering, tree preservation, landscaping, and fencing. She’d also like to add lighting requirements. There was discussion about tree preservation and the list of trees included in the UDC.

XIII. Public Comment - Non-Agenda Items Only

None.

XIV. Zoning & Community Development Director Comments

None.

XV. Commissioner Comments

Vigansky: Around a dozen stumps were removed around town, they did a good job.

Pleasant: Thanked Ralph for his contributions and service to the Planning Commission.

Lysy: Ralph set a high standard during his time on the Planning Commission.

Garry: Appreciated going through the proposed changes to the UDC, thanked McDonald for his work on the Planning Commission.

Houser: Proposed adding McDonald and Lietz’s names to the Master Plan, as they both served on the Planning Commission for decades and contributed much to Buchanan.

XVI. Adjournment

Houser adjourned the meeting at 7:52pm.

Kalla Langston-Weiss, City Clerk

Mayor Mark Weedon

Memorandum



Date: April 8, 2026
To: Planning Commission Members
From: Kristen Gundersen, Planning and Community Development Director
Subject: **Master Plan Update Discussion 4 – Update and Next Steps**

Background

During the January 2026 meeting, Marcy Hamilton representative from the Southwestern Michigan Planning Commission (SWMPC) attended the meeting and reviewed the timeframe for the creation of the update of the 2021 Master Plan.

Project title

During the March meeting the Commission concluded the title of the plan would be “One Herd, One Future – Building a Better Buchanan.” This appears on all documents.

Survey Update

The survey went live on March 24th and will be available until Monday, April 20th for individuals to take. Outreach regarding the survey has included the following:

- Buchanan public school backpacks for grades pre-K through 6th along with the electronic email that is sent. The flyers were in the March 26th backpack.
- Posters and flyers were distributed left: public library, senior center, American Legion, RAM, Roti Roti
- The flyer was posted on the city’s Facebook page Friday, April 3rd and will be likely be posted two or three more times.
- Information was included on the water bill that went out on April 1st.
- Information was placed on the city’s website and can be found by searching “master plan.”

As of Monday, April 6th 135 people had responded to the survey with 24 after the Facebook post. The 2021 master plan had 481 responses to the survey. Based on Census Reporter the population of Buchanan is 4,223 with 1,752 households.

Review of Background/Supplemental Information

During the March 10th meeting background and supplemental information was reviewed. Ms. Hamilton answered questions.

MemorandumFuture Activities

It is anticipated that results from the survey will be included in the May 12th agenda packet for review and discussion. Work will need to begin regarding the proposed public visioning session that is tentatively scheduled for Tuesday, June 9th.

To promote the public visioning session, staff would rely on the outreach activities for the survey.

Next Steps

No action is required currently. Please spread the word regarding the survey.

Memorandum



Date: April 8, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Discussion #2 - Unified Development Code – Buffering, Landscaping and Trees, Fencing**

Background

The Planning Commission began hearing concerns regarding Sections 71-26 Buffering, 71-28 Tree Preservation and Landscaping standards and 71-29 Fencing standards during the March 10th meeting. The concerns were discussed and the Planning Commission directed staff to move forward to address the concerns.

In drafting the proposed changes, staff reviewed ordinances from cities of Holland, Benton Harbor, New Buffalo, Niles, South Haven, St Joseph, and the village of Bridgman. Both Holland and Bridgman utilize a unified development code similar to the city's adopted code from December 2025.

Please disregard formatting. Once a final draft document is completed, proper formatting will take place along with review by the city attorney before a final recommendation is taken by the planning commission. In cases where there is a list of items, information will be provided in alphabetical order when appropriate.

Fencing. Section 71-29 Fencing. Attached is the existing language and proposed changes associated with fencing and walls. Staff also reviewed the old fence regulations. For ease, staff deleted the current language and started over as there appeared to be some standard information missing. Following is a summary of the proposed changes:

General standards. Includes basic information: permit is required; how fencing is measured; setbacks; clear sight line; gates; pools; placement in easements.

Fence design, types, materials and maintenance. Information includes good side of fence faces out; describes open, solid, public recreational use and protective measure fencing. Materials for fencing that are allowed and prohibited. Maintenance including general language.

Fence height. A table was created to provide the regulations for fence requirements.

In addition, changes are proposed to Section 71-36 Table 71-V and Section 71-36D Variances to add language associated with fence modifications

Article V Definitions included a new definition for Fence and defining the different "Yards".

Proposed changes that require review and discussion:

Memorandum

- The current code prohibits the use of chain link, which is a large change from the previous code which allowed chain link. The draft language allows chain link in the side and rear yards.
- Allowing the anchor posts to extend not more than 6” above the fence. Standard in many places.
- Requiring the “good side” of fence to face out. This is standard practice.
- Allowing city staff to administratively approve “protective fencing” to be taller than 6’ and to allow protective measures under certain conditions.
- Referencing fencing materials allowed and prohibited. Creating a process for approval of alternative fence material. New language
- Fence height. Maintain allowed height of 4’ for fencing in the front yard when “open” and decreasing height to 3’ for solid fence. New language.
- Within Section 71-36 created fence modification process for fencing that does not meet the requirements. Decreases the standards for review and eliminates a public hearing notice but still provides notice to property owners and would have a lower application fee.

Lighting. This is new language proposed to be incorporated into the UDC. Staff have not found reference to lighting in the UDC. Review of the old zoning ordinance found a simple reference to parking lot lighting being directed away from residential properties as not to create a nuisance. The section referenced for additional information leads to floodplain regulations. New language is basic and includes:

Intent statement, exceptions to the regulations, need for lighting plan. Provides maximum height of pole and wall mounted lighting, regulates maximum foot-candle reading at 0.5 of the lot line and 15 on the property and exempts properties in the D District.

Screening. Section 71-27.H.1.b under Loading standards provides basic language for off-street loading and refuse collection. Staff is proposing changes to this language and expansion which related mechanical equipment, outdoor storage and refuse-containers. This section would exclude one and two-family dwellings from the regulations. The term “mechanical equipment” is defined.

Landscaping. After reviewing the Code of Ordinances – Chapter 106 Vegetation which regulates public or street trees and Sections 71-26 Buffering and 71-28 Tree preservation and landscape standards it appeared there was some overlap regarding planting in the tree lawn. Several city staff also discussed the regulations found in Section 71-28 which involves the need for tree survey, permitting removal of trees of a certain size and the need for replacement plantings. These regulations affect private property owners. Staff is recommending the removal of tree preservation on private property and trees located in the public right-of-way/tree lawn would continue to follow the regulations found in Chapter 106 of the Code of Ordinances.

Attached is the draft document which is broken down into the following sections:

A. Purpose which includes information regarding the intent and purpose of the Section.

Memorandum

B. General Requirements. This outlines the intent for design creativity, when a landscape plan is required, what is included in a landscape plan, general standards for landscaping (needs more work) and will incorporate prohibited and permitted species list along with ongoing maintenance of landscaping.

Staff attended the Tree Board/Friends meeting on April 8th with a proposed list of prohibited species which expands on the current list available. There was also discussion of using the permitted list and breaking it into small, medium and large tree species for easier use. A final draft list likely will not be available until June.

C. Tree lawns and public trees. This refers the reader to the code of ordinance for the use of this area.

D, E, F would relate to Lighting, Screening and Fencing which for this discussion are separate draft documents.

G. Berms. Provides standards on basic construction of a berm if used.

H. Retaining walls. Basic information provided and specifically calls out as landscaping and not a fence/wall.

I. Green infrastructure. This area could be expanded to provide more language but states the use of rain gardens, bioretention and vegetated swales as allowed.

J. Perimeter landscaping, parking lot landscaping, foundation plantings and transitional buffer strips. This section combines the intent of Section 71-26 and 71-28 and establishes the following:

1. when landscaping is required – established a tiered approach for improvements on a non-one or two-family parcel.
2. provides a table with minimum plant sizes at time of planting.
3. establishes the perimeter landscaping of trees/evergreens.
4. establishes foundation landscaping.
5. establishes parking lot landscaping requirements.
6. establishes transitional buffer strips for a nonresidential use abuts a one-two family use (simplifies existing language in Section 71-26. The current regulations also include a 25' minimum buffer area which could be difficult for many properties to meet. The proposed draft language establishes one dimension for the buffer area and allows the use of fencing to accomplish the goal.

Memorandum

In recommending these changes, staff reviewed two properties under the current regulations determined the following would be needed:

Taco Bell – if new construction. Parcel is 135 x 266 or 35,910 square feet in size which requires 5,386.5 square feet of green space.

Existing:

- Green space 15% of lot area for 5,386.5 sf. Within the area 2 shrubs for each 250 sf of area is required for 40 shrubs plus 2 trees for each 500 sf of green space are required for 20 trees
- Buffering to the south would require a 10' strip with 1 tree per 40' or 4 trees and a hedge being 6' high at maturity, planted 30" on center or 54 plants. It is unclear if there is an existing 20 wide area with existing vegetation

Proposed:

- Perimeter landscaping: 10 trees 1/70'
- Foundation landscaping: 2' along the front/north side of the building. Based on 35' width of building 10 shrubs would be required.
- Parking lot landscaping: a 5' landscape area would be required along the front lot line where there is no curb cut. This area would be approximately 90 feet of frontage which requires 5 shrubs/5' of frontage or 18 shrubs/ornamental grasses there is also an option for ornamental tree which 1 tree could replace 5 shrubs or 4 trees could be planted. There site would likely not require landscape islands in the parking lot as there would be less than 20 parking spaces in a row.
- Transitional buffer strip. Along the south lot line the property abuts a multiple-family development. A 10' buffer strip would be required. With the buffer strip a 6' fence could be installed or evergreens 1 tree every 15 feet for 9 evergreen.

Next Steps

Review the draft changes and direct staff to make changes.

Excerpt – Unified Development Code – 71-29 Fencing standards

Sec. 71-29 Fencing and wall standards

- ~~A. Construction of a fence requires a zoning compliance permit issued by the zoning administrator prior to construction.~~
- ~~B. When erected on a lot line, all of the fence and any of its supporting structures must be contained within the lot.~~
- ~~C. Chain link, barbed wire, razor wire, and electrically charged fences are not permitted.~~
- ~~D. Fences may not exceed four feet in height in the front yard and may not exceed six feet in height in all other yards.~~
- A. General standards. These standards shall apply to fences as an accessory structure in all zoning districts.
1. Permits Required. Construction of a fence shall require issuance of a permit issued by the City, prior to construction or installation of any fence.
 2. Measurement of Fence Height. Fence height is measured from the grade below the fence, to the top of the fence. Anchor posts may be up to 6 inches above the fence. There will be an additional tolerance of not more than 3 inches due to grade changes along the fence.
 3. Setbacks. All portions of the fencing including support posts must be installed on the parcel and cannot extend over the lot line. It is the responsibility of the property owner to determine the location of the lot lines.
 4. Clear Sight Lines. All fencing shall comply with the Clear sight lines regulations found in Section 71-16G.
 3. Gates. Shall not swing over public rights-of-way or onto an adjacent property.
 4. Pools. Fences that serve as enclosure for a swimming pool shall meet the permit requirements and standards of the State of Michigan Building Code.
 5. Placement in recorded easements. Fencing may be approved within recorded easements, however, those with easement rights may need to remove the fence.
- B. Fence design, types, materials and maintenance. These standards shall apply to a fences in all zoning districts.
1. Finished Side Out. All fences shall be constructed to present a finished outside fence appearance to adjacent property and public rights-of-way by either:
 - a. Symmetrical construction having identical inside and outside appearance, including anchor posts and frame members.
 - b. Offset construction with anchor posts and horizontal and vertical frame members visible on inside face only and horizontal and vertical members or materials mounted on outside surface of frame and anchor post members.
 2. Fence Types.
 - a. Open Fence. An open fence is more than 50% open when viewed from an angle perpendicular to the fence. Examples of open fences include split rail, vinyl coated chain link, picket, metal open fences.
 - b. Solid Fence. A solid fence is 50% or less open when viewed from an angle perpendicular to the fence. The fence may also provide sound blocking. Examples of solid fences include vinyl privacy fencing, brick walls, wood stockade fencing and board on board fencing.
 - c. Public Recreational Use Fence. An open fence is used to keep recreational equipment within a confined area. Typically installed around the perimeter of tennis or pickleball courts or baseball fields or basketball courts.
 - d. Protective Measure Fence. A protective measure fence is used to protect utility and public service installations, other uses or facilities as determined necessary. The zoning administrator, city manager and police or fire chief will determine if the property requires a protective measure fence.
 - i. An exception to increase the maximum allowable height of a fence maybe granted not to exceed 12' in height.
 - ii. A protective measures fence may incorporate barbed wire, concertina wire, razor wire or electrically

charged fencing or incorporate jagged or sharp materials, so long as these materials are at least 8' above grade.

iii. A protective measures fence shall be placed to protect only the authorized facilities and a reasonable adjacent area that is necessary to provide access to the authorized facilities or that is impractical to separate from the authorized facilities. The specific location and design of the protective measure fence shall be subject to approval by the zoning administrator, city manager, police and fire chief.

3. Materials.

a. Fences shall be constructed of pressure-treated wood, wrought iron, brick, masonry, high quality vinyl, vinyl coated chain link or other materials designed for permanent outdoor fencing.

b. Wood fences shall be constructed of cedar, redwood, or other decay-resistant wood.

c. Alternative materials such as scrap or "recycled" materials such as recycled doors, sheet metal, corrugated metal, wood pallets, siding, filing cabinets, tires, plywood, and similar materials must be reviewed and approved by the Zoning Board of Appeals in accordance with Section prior to any permit being issued.

c. Prohibited materials. The following materials are prohibited barbed wire, concertina wire, razor wire or electrically charged fencing. The use of slats in chain link or the use of chicken wire, fabric, tarps and materials not traditionally used for fencing is prohibited.

4. Maintenance.

a. Fences shall be maintained in good repair and safe condition.

b. Peeling, flaking, and chipped coating shall be eliminated and surfaces shall be recoated.

c. Damaged boards or panels shall be replaced.

d. Nonconforming fencing may not be replaced.

C. Fence Height Maximums

	N, NE, GN, NC – One and Two- Family Residential Uses	N, NE, GN, NC – Three- Family or more Residential Uses or Non- Residential Uses	D	SC	I
Front Yard	4' – open excluding chain-link 3' - solid	4' – open excluding chain- link 3' - solid	N/A	4' – open excluding chain link	4' – open or solid excluding chain link
Secondary Front Yard – Behind front face of building	6'	6'	6'	6'	6'
Side Yard – Behind front face of building	6'	6'	6'	6'	6'
Rear Yard	6'	6'	6'	6'	6'
Public Recreational Use Fencing	6'	12'	N/A	N/A	12'

Sec. 71-36 Specific standards for development approval.

A. General. Table 71-V summarizes the development review procedures for all types of applications.

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES						
Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	
Text amendments	R	[R]		[DM]		N
Zoning map amendment	R	[R]		[DM]		W, N
Special use permit	R	[DM]				W, N
Variance	R		[DM]			W
Fence Modification	R		[A]			W
Appeals of administrative decision			[DM]			W
Administrative adjustments	DM		[A]			
Site plan review	DM					
Sign permit	DM		[A]			
Temporary use permit	DM		[A]			
Certificate of zoning compliance	DM					
Downtown application	R				DM	
Interpretations	DM		[A]			

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES						
Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	
Key						
Planning Commission	PC					
Zoning Board of Appeals	ZBA					
City Commission	CC					
Design Review Committee	DRC					
Review & Recommendations	R					
Decision Making Body	DM					
Appellate Body	A					
Public Hearing Required	[]					
Published Notice	N					
Written Notice	W					

D. Variances

1. Purpose

- a. General. There are ~~two~~ three types of variances allowed under the terms of this chapter: dimensional variances, ~~and~~ use variances and fence modifications.
- b. Dimensional variances. Dimensional variances are deviations from the height, setback, yard, lot coverage, parking, landscaping and signage standards of this chapter, when special conditions make the literal enforcement of the provisions of this Ordinance result in peculiar difficulties to the owners of the land, and the deviation would not be contrary to the public interest.

c. Use variances. Use variances are variations from the schedule of permitted uses in a zone district when unnecessary hardship uniquely associated with the property, this chapter unreasonably restricts the property owner's access to permitted uses.

d. Fence modifications. Fence modifications are deviations from Section Fence and Wall Standards from height, setback, yard, or alternative materials when special circumstances of the property which are not the reasonably foreseeable result of the actions of the property owner, and the strict enforcement of Section would unreasonably deprive the owner of the lawful use and enjoyment of the property or would be contrary to the spirit and purpose of these provisions or the public interest.

2. Authority. The zoning board of appeals is authorized to review and approve, approve with conditions or disapprove an application for a variance.

3. Standards.

a. Dimensional variance. The zoning board of appeals will approve a dimensional variance on finding there is evidence that all of the following standards are met:

- i. There are special circumstances that are peculiar to the property for which the variance is sought, that is not applicable to other land in the same zone district.
- ii. The special circumstances are not the result of the actions of the applicant or titleholder of the land.
- iii. The literal interpretation of the terms and provisions of this chapter would deprive the applicant of rights commonly enjoyed by other land in the same zone district.
- iv. The variance will not adversely affect adjacent land in a material way.
- v. The variance is generally consistent with the purposes and intent of this chapter.

b. Use variance. The zoning board of appeals will approve a use variance on a finding there is evidence that all of the following standards are met:

- i. The literal interpretation of the terms and provisions of this chapter would deprive the applicant from using the property for a permitted use which is a right commonly enjoyed by other land in the same zone district.
- ii. There is unnecessary hardship based on special circumstances that are peculiar to the property for which the variance is sought that is not applicable to other land or structures in the same zone district.
- iii. The special circumstances are not the result of the actions of the applicant.
- iv. The variance will not adversely affect adjacent land in a material way.
- v. The variance will be generally consistent with the purposes and intent of this chapter.

c. Fence modification. The zoning board of appeals may approve a fence modification on a finding there is evidence of the following:

- i. There are special circumstances of the property which are not the reasonably foreseeable result of the actions of the property owner, and the strict enforcement of Section would unreasonably deprive the owner of the lawful use and enjoyment of the property or would be contrary to the spirit and purpose of these provisions or the public interest.

ii. The applicant has demonstrated the proposed alternative materials are appropriate for the location and how they will be maintained as not to become a nuisance per se.

- c. Conditions of approval. The zoning board of appeals may impose conditions on the proposed use as necessary to ensure compliance with the standards in this section.
 - d. Recording. The zoning board of appeals may require the applicant to record the variance with the County Register of Deeds. The variance is binding upon the landowners, their successors and assigns.
 - e. Expiration. Unless specified in the variance, an application for a construction permit must be applied for and approved within one year of the date of the approval of the variance, otherwise the variance becomes invalid. Permitted time frames do not change with successive owners.
 - f. Extension. Upon written request, one extension of six months may be granted by the zoning board of appeals for good cause.
- B. Appeals of administrative decisions.
- 1. Authorization. Any person effected by any decision made by the zoning administrator may appeal the decision to the zoning board of appeals.
 - 2. Procedure.
 - a. Initiation of appeal. An appeal must be initiated by filing within 30 days of the date of the decision.
 - b. Contents of appeal. The written appeal of the administrative decision must include a statement of the error, the date of that decision, and all materials related to the decision. A nonrefundable filing fee as set by resolution of the city commission must also be submitted.
 - c. Scheduling of notice and hearing. The zoning administrator will schedule a hearing at the next regularly scheduled zoning board of appeals meeting.
 - d. Action by zoning board of appeals. At the hearing on the appeal, the appellant must state the grounds for the appeal and identify any materials or evidence from the record to support the appeal. The zoning administrator will be given an opportunity to respond. After the conclusion of the hearing, the zoning board of appeals will affirm, partly affirm, modify, or reverse the decision.
 - 3. Standards. A decision will not be reversed or modified unless there is substantial evidence in the record that the decision fails to comply with either the procedural or substantive requirements of this chapter, state law, or the federal or state constitutions.
 - 4. Conditions. The zoning board of appeals may impose conditions upon an affirmative decision to ensure the requirements and purposes of this chapter are followed.
- C. Administrative adjustments.
- 1. General. This section sets out the procedures and standards for administrative adjustments, which are modifications of 10% or less of any numeric dimensional standard of this chapter.
 - 2. Procedure.
 - a. Action by the zoning administrator. Within 30 days after the application is determined sufficient, the zoning administrator will review the application and approve, approve with

conditions, or disapprove the administrative adjustment.

3. Standards. The zoning administrator may approve an administrative adjustment upon a finding that all of the following standards are met:
 - a. General. The requested adjustment eliminates an unnecessary inconvenience to the applicant, is consistent with the character of development in the surrounding area and will not result in incompatible land uses;
 - b. Mitigates adverse impacts. Any adverse impacts resulting from the administrative adjustment will be mitigated to the maximum extent feasible; and
 - c. Technical nature. The administrative adjustment is of a technical nature and is required to compensate for some unusual aspect of the site or the proposed development that is not shared by landowners in general.
4. Conditions of approval. The zoning administrator may impose restrictions and conditions on an approval as are determined are required to ensure compliance with the general goals, objectives, and policies of this chapter.

ARTICLE V. DEFINITIONS

This Section provides definitions for terms in this chapter that are technical in nature or that may not reflect a common usage of the term.

Fence: a permeable metal or wooden wall, independent of a building. A barrier, railing, buffer or other upright structure, typically of wood, metal or vinyl, enclosing an area of ground, marking a boundary, screening an activity, or creating a visual barrier. A retaining wall is not a fence. Plant material is considered landscaping and not fencing.

Front Setback: the distance from the lot line to the point where a building may be constructed. This area must be maintained clear of permanent structures with the exception of encroachments.

Frontage: the area between a building facade and the vehicular lanes, inclusive of its built and planted components.

Frontage, Primary: corner lots have two frontages. The primary frontage faces the street of the property address.

Frontage, Secondary: the frontage facing the non-addressed street on a corner.

Frontage Line: a lot line bordering a public frontage.

Lot: a parcel of land accommodating a building or buildings under single ownership.

Lot Coverage: the percentage of a lot that is covered by buildings and other roofed structures.

Lot Line: the boundary that legally and geometrically demarcates a lot.

Lot Width: the length of the principal frontage line of a lot.

Planter: the element of the right-of-way which accommodates street trees, whether continuous or individual.

Porch: an open air room appended to a building, with floor and roof but no walls on the sides facing streets.

Rear Setback: the distance from the rear lot line to the point where a building may be constructed. This area must be maintained clear of permanent structures with the exception of encroachments.

Setback: the area of a lot measured from the lot line to a building facade or elevation that is maintained clear of permanent structures, with the exception of encroachments. (Syn: build-to-line.)

Yard: the open area between a building and a property line, as determined by the actual construction on a property. Depending on the footprint of the building, the yard may not be rectangular in shape.

Front Yard: the open space extending the full width of the lot between the wall of the building and the front lot line.

Front Secondary Yard: the open space between the wall of the building and the secondary front lot line.

Rear Yard: the open space extending the full width of the lot between the wall of the building and the rear lot line.

Side Yard: the open space between the building and the side lot line.

UDC – New Language - lighting

A. Lighting

1. Intent. The following regulations are intended to require sufficient lighting for parking areas, walkways, driveways, building entrances, loading areas, and common areas to ensure security of property and safety of individuals on both residential properties and non-residential properties. The regulations are also intended to prevent the adverse effects of inappropriate lighting, including glare, light trespass onto adjoining properties, light pollution and energy waste.

2. Exceptions. The following types of outdoor lighting shall not be subject to this Ordinance; however, no lighting shall cause a disturbance on private property.

a. Residential decorative lighting such as porch, low level lawn lights, and seasonal lights.

b. Ground lights that illuminate flags and lights that are incorporated as architectural accent features shall be placed so that lighting or glare is not directed toward streets or adjacent properties, and fixtures shall be located, aimed, or shielded to minimize light spilling into the night sky.

c. Internally and externally illuminated signage as regulated in Section 71-30 of this Ordinance.

d. Lighting necessary for road work, utility work or emergency work.

e. Lighting for a permitted temporary event such as carnival, fair or city approved event.

f. Motion sensitive security lighting.

g. Fossil fuel light. Fossil fuel light produced directly or indirectly from the combustion of natural gas or other utility-type fossil fuels (i.e., gas lamps) is exempt from the provisions of this section.

h. Streetlights located within the public right-of-way.

3. Lighting Plan and manufacturer lighting details. A lighting plan with manufacturer lighting information is required if exterior lighting is required. The plan will include placement of lighting equipment and foot-candle readings along lot lines and location of highest foot-candle readings.

4. Lighting requirements.

a. Maximum height

i. Light Pole Height. The maximum height of light pole shall be 20' as measured from the ground to the top of the pole or light fixture, except for approved outdoor recreation area lighting associated with ballfields, tennis courts or stadiums.

ii. Wall Mounted Light Height. A wall mounted light shall not extend above the wall or be located on a roof.

iii. Lighting under a canopy shall be fully recessed

b. Maximum light levels. The maximum light level at any lot line shall be 0.5 foot-candles. The maximum light level anywhere else on the property is 15 foot-candles. Buildings located in the D Downtown District and built at the lot line are exempt from the foot-candle levels.

c. Shielding. All exterior light shall be shielded, hooded and or louvered to provide a glare free area from all lot lines. 100% of the light shall be cut off above the horizontal plane at the lowest part of the light source.

d. Design. All exterior lighting shall be downward facing to reduce glare and arranged to direct and deflect light away from adjacent properties.

e. Ground lighting. Ground lighting shall not produce glare on adjacent properties.

f. Maintenance. Light fixtures shall be maintained in good working order. Bulbs and fixtures shall be promptly replaced as needed as not to become a hazard or nuisance.

Screening

Section 71-27.H Loading standards

b. ~~Off-street loading and refuse collection must be located and screened so it is not visible from adjacent streets, or residential uses.~~ Required off-street loading shall be located and screened in accordance with Section _____.

New Section created:

1. Intent. The following screening requirements are established to protect the environment and ensure compatibility between land uses of differing intensity or impact. The regulations enhance the visual environment, protect property values, lessen the impact of noise and minimize the visual impact of loading areas, storage, mechanical equipment and refuse containers.

2. Exceptions to screening requirements. One and two-family dwellings are excluded from the screening requirements following.

3. Mechanical equipment. Screening is required at time of installation of new or the replacement of existing mechanical equipment.

a. Rooftop mechanical equipment. All rooftop mechanical equipment shall be screened from ground-level view at the property line with the use of a concealing roof line, a parapet, a screening wall, or grillwork constructed of the same building material as the building directly surrounding the equipment, other alternatives may be approved by both the zoning administrator and city manager. All mechanical equipment shall be sufficiently setback from the façade edge to be concealed from street-level view or where roofs are visible from abutting and adjacent properties shall be covered. Any screening material shall be no taller than necessary to achieve the required screening.

b. Ground mounted equipment. All ground mounted equipment shall be screened from view by fencing or landscaping of sufficient height to screen the equipment.

4. Outdoor storage. All stored materials, supplies, equipment, or other similar materials, including any vehicle, trailers, commercial vehicles, boats (or similar), recreational vehicles, or similar materials that are not on display for direct sale, rental or lease to the ultimate consumer or user must be screened by landscaping or fencing or wall with a minimum height of 6' at time of installation. If outdoor storage materials exceed the height of the allowable fence, then a combination of berming, fencing and landscaping shall be used to accomplish appropriate screening.

5. Refuse containers. With the exception of one and two-family dwellings and properties located in the D Downtown District, refuse containers including recycling and grease containers shall be installed as follows:

a. Location. Refuse containers shall be located in the side or rear yards of the property and at least 5' from any principal building. To the greatest extent possible, the door side of the enclosure shall be situated as to not face an abutting property, sidewalk, or street. Properties abutting residential uses shall place the refuse containers as far away as possible from the residential use. Refuse containers may not be placed in the front yard.

b. Access. Refuse containers shall be accessible by the waste hauler to prevent damage to vehicles and buildings.

c. Screening. Refuse containers shall be enclosed by a fence or wall on three sides with a gate for the refuse hauler to gain access.

d. Base. Refuse containers must be located on a concrete or asphalt base, designed to support the refuse container. Where grease containers are used, curbing shall be provided around the enclosure base to contain any spillage.

Article V – Definitions

Mechanical equipment: means a system or part of a system installed outside of a structure and utilized to provide control of environmental conditions and related process within a structure. Equipment can include air conditioning units, emergency generators, heat pumps, ductless heat pump (mini-splits), water pumps or other similar things.

Section 71-27 LANDSCAPING

A. Purpose:

1. Intent and Purpose. The intent of this Section is to establish standards for the design, installation, and maintenance of landscaping for the protection and enhancement of the City's environment. Landscaping enhances the visual image of the City, helps to preserve natural features, improve property values, and lessen the impact of noise, traffic and visual distraction associated with certain uses.

These regulations are intended to increase the compatibility of adjacent uses by requiring a buffer or screen between uses, and in doing so, minimize the harmful impact of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions, and other objectionable activities or impacts conducted or created by adjoining or nearby uses; reduce topsoil erosion and storm water runoff and replenish ground water supply; reduce energy consumption through windbreak and shade; preserve nesting for birds and wildlife; and control insects.

The standards contained in this Section are considered the minimum necessary to achieve the intent. The standards are intentionally flexible to encourage creative design. Property owners are encouraged to provide additional landscaping beyond the minimum requirements to improve the function, appearance, and value of their property.

B. General requirements:

1. 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 integration with existing landscaping on adjacent properties.

2. Installation. When a landscaping plan is required, it shall be installed as part of the building permit construction process. In the event of building completion in the winter months, an installation bond may be required to guarantee completion of the project.

3. Landscape Plan requirements. When a landscape plan is required pursuant to this Ordinance, the landscaping plan shall clearly describe the location, type, size, height, and spacing of materials. The landscape plan may be incorporated into the site plan.

4. General standards for landscape materials and ground cover NEEDS WORK

a. permitted species – Tree Board/Friends

b. prohibited species – Tree Board/Friends

5. Maintenance. All lot areas not used for buildings, parking, loading, and storage shall be landscaped. Maintenance shall include all reasonable and regular watering, weeding, fertilizing, and pruning. Plant materials that show signs of insect pests, diseases, and/or damage should be removed immediately or as soon as practical under the seasonal conditions existing and according to the approved landscape plan. Any mulch or stone used for ground cover must be maintained and refreshed as needed. Any debris or refuse must be removed as soon as possible. The developer or subsequent owner(s) shall be responsible for maintaining all on-site landscaping in a living condition and shall replace any removed plants required based on the approved landscape plan.

C. Tree lawns and Public Trees.

1. See Chapter 106 Vegetation in the Code of Ordinances.

D. Lighting -see stand-alone document

E. Screening – see stand-alone document

F. Fencing – see stand-alone document

G. Berms. A berm is a raised mound of soil designed to enhance both the aesthetic and functional aspects of outdoor spaces. They can be installed improve drainage, provide privacy or create a focal point. Berms shall be constructed as follows:

a. Dimensions. Berms shall be measured from the grade or flat ground adjacent to the berm and shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal (33% slope), with a least two (2) feet of flat area on top. Berms may undulate in height, subject to review and approval of the berm design. The height of a berm should not exceed three (3) feet.

b. Protection from erosion. Any berm shall be planted with sod, ground cover, or other suitable live plant material to protect it from erosion so that it retains its height and shape. The use of railroad ties, cement blocks, or other types of construction materials to retain the shape and height of the berm shall be prohibited.

c. Required plantings. The installation of a berm does not eliminate the landscaping requirements.

H. Retaining walls. A structure designed to restrain the existing natural grade of land or changes to grade associated with mass grading of a parcel where the soil slope would not naturally keep due to steep, near vertical or vertical slopes. A retaining wall is considered landscaping. A retaining wall more than four feet in height when measured from existing grade to the highest point requires a building permit.

I. Green infrastructure. The use of rain gardens or bioretention or vegetated swale facilities may be incorporated into parking lot design.

J. Perimeter Landscaping, Parking Lot Landscaping and Foundation Plantings

1. Applicability.

a. One- and two-family residential properties shall be exempt from providing perimeter landscaping, parking lot landscaping as required as provided in this Section.

b. For all other properties any development activity involving an improved property, such landscaping shall be required when the floor area of any building or structure, or parking areas, or any combination thereof, is increased, as follows:

i. If the total of the existing such area(s) is increased twenty-five percent (25%) or less, no additional landscaping is required.

ii. If the total of the existing such area(s) is increased more than twenty-five percent (25%) but less than fifty percent (50%), such landscaping is required for that portion of the lot which is faced by the expanded area(s).

iii. If the total of the existing such area(s) is increased fifty percent (50%) or more, such landscaping is required for the entire development.

The percentage of increase shall be calculated by combining all increases in floor or parking area(s) after the effective date of this ordinance.

2. Minimum Plant sizes at time of planting. The minimum size of landscape plant material at time of installation shall comply with the following:

Plant Type	Minimum Caliper	Minimum Height	Minimum Spread
Deciduous/Canopy Tree	2" measured 2' above grade	N/A	N/A
Ornamental Tree	1.5 inches measured 2' above grade	N/A	N/A
Evergreen Tree	N/A	5'	2'
Deciduous Shrub	N/A	2'6"	2'
Upright Evergreen Shrub	N/A	3-gallon container or 30" in height whichever is greater	N/A
Spreading Evergreen Shrub	N/A	N/A	2' spread
Ornamental or Native Grasses	N/A	18"	N/A
Perennials	N/A	1-gallon container	N/A

3. Perimeter Landscaping.
- Trees: Shade trees or evergreen trees are required based on one (1) tree for each seventy (70) feet of lot line length, exclusive of access drives perpendicular to the lot lines.
 - Ground Cover: Except where occupied by planting beds and trees, all perimeter landscaping areas shall be sodded or seeded with turf grass.
3. Foundation Landscaping: Foundation plantings shall be located adjacent to all sides of buildings which face a public right-of-way or internal street access drives, excluding buildings that are constructed at the front or street side which are not required to provide foundation landscaping.
- The foundation landscaping area shall be a minimum of two (2) feet in width and shall remain open and free of all paving except where interrupted for sidewalks and driveways leading directly into the building as necessary ingress and egress.
 - Foundation plantings shall consist of a minimum ratio of one plant for every three (3) linear feet of building length. A combination of deciduous shrubs, evergreens, flowers, ornamental grasses and other native ground covers should be used. All planting areas which are not occupied by trees, shrubs, flowers, ground cover, ornamental grasses or mulch shall be sodded or contain decorative landscape stone. Attention should be paid to providing transitions between the building and ground plane, visual breaks along monotonous building facades, and enhancing walkways, entrances, seating areas or other pedestrian areas.
 - At the discretion of the Zoning Administrator and City Manager, required foundation plantings may be relocated elsewhere on site or provided in an alternate manner, such as using above-ground planting containers or boxes.
4. Parking Lot Landscaping.
- All parking spaces used by employees and guests shall comply with the required parking lot landscape regulations except for areas specifically designated for the storage of vehicles as follows:
- Parking in the front and street side yards.

i. Where parking stalls and drive aisles abut or face a public street, landscaping shall be required between the parking area and the street right-of-way and shall consist of a landscape strip of land at least five (5) feet in width.

ii. Landscaping consisting of one shrub or ornamental grass for each 5' of street frontage excluding curb cuts. One (1) ornamental tree may be planted instead of 5 shrubs or ornamental grasses. Landscaping installed may be placed in groupings within the required landscape strip.

b. Internal parking lot landscaping and Islands.

i. For every twenty (20) parking spaces, there shall be provided a landscape island at least ten (10) feet in width and eighteen (18) in length. The islands shall be dispersed evenly throughout the parking lot.

ii. Each landscape island shall include one canopy tree and include ground cover, ornamental grasses, annual or perennial flowers or shrubbery. Vegetation planted shall not infringe on access to the adjacent parking spaces.

iv. The landscape island may be used as part of the on-site stormwater management system.

5. Transitional buffer strips.

Transitional buffer strips shall be provided along the interior side and rear yards of a lot where a non-residential use abuts directly upon land zoned or used for one or two family residential. Properties located in the D Downtown District are exempt from providing a transitional buffer strip.

a. A minimum 10' wide transitional buffer strip shall be provided along the shared lot line.

b. Screening within the 10' wide transitional buffer strip may consist of the following:

i. Fence or Wall. A solid 6' fence or wall located 10' from the lot line. The area located outside of the fence must have established grass, ground cover, or other suitable live plant materials and shall be planted over the entire length of the transition buffer strip.

ii. Landscaping. The use of evergreens or a landscape screen is proposed, the plans shall consist of closely spaced evergreen plantings (i.e., no farther than fifteen (15) feet apart) which can be reasonably expected to form a complex visual barrier that is at least eight (8) feet above the ground level within three (3) years of planting. Deciduous plant materials may be used provided that a complete visual barrier is maintained throughout the year.

iii. A berm may be installed to help create the required transitional buffer strip. Landscaping will be required on the berm.

Memorandum



Date: March 4, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Discussion #4 - Unified Development Code – Signs**

Background

The Planning Commission began hearing concerns regarding Section 71-30 Sign standards during the January 13th meeting at which time directed staff to move forward to address issues. Discussions have taken place during the February 10th and March 10th meetings when staff presented draft language and provided updates based on direction by the Planning Commission.

Update

Attached is the second draft of changes to Section 71-30. Ordinances from the cities of Holland, Benton Harbor, New Buffalo, St. Joseph along with the village of Bridgeman have been reviewed along with the previous Sign Ordinance from Buchanan.

Based on the changes proposed, reviewed and supported by the Planning Commission during February and March 2026 meetings, staff has created a draft final version of Section 71-30. The format is as follows:

- A. General Provisions – purpose, compliance, exclusions, not vested rights, and substitution/no discrimination ...,
- B. Sign regulations – permits required, exempt signs, prohibited signs, district regulations for permanent signs, and temporary signs
- C. Sign standards in all districts – corner lot clear site lines, setback, sign height, sign measurement, illumination. Possibly need to add description of sign types – wall, free-standing.
- D. Changeable message centers/boards/reader boards
- E. Billboards
- F. Maintenance and liability
- G. Removal
- H. Nonconforming signs

Next Steps

Review the additional draft changes and direct staff to make changes. Staff needs to continue to work on Sections F, G and H.

DRAFT 3– 04080206 PC MEETING DISCUSSION

Discussion 3 – new language added 04142026 – gray where language added and previously discussed in existing text (process section) underlined

Discussion 2 – new language added 03102026 – incorporated into document as teal

Discussion 1 new language added 02102026 – incorporated into document as yellow

Sec. 71-30 Sign standards – delete in entirety and replace with the following:

Sec. 71-30 Sign standards

71-30.A General Provisions

1. Purpose

This section establishes the standards for the number, size, placement, and physical characteristics of on-premises signs visible from a public sidewalk or adjacent property. Signage regulated is located on private property and does not include directional, emergency, or traffic related signs owned or required by city, county, state or federal governmental agencies. The regulations are designed to protect the interest of public health, safety and welfare while accommodating the need for signs to inform, direct, identify, advertise, advocate, promote, endorse and otherwise communicate information.

While these regulations allow for a variety of sign types and sizes, they do not necessarily ensure every property owner or business owner's desired level of visibility. It is not the intent or purpose to regulate the message or content displayed on any sign.

2. Compliance and applicability of other regulations

It shall be unlawful for any person to erect, relocate, enlarge, alter, modify or maintain a sign or allow a sign to remain on property in the city except for compliance with this Section. All regulations in this section shall be in addition to any other applicable laws, rules and regulations concerning signs. If any provision in this section is inconsistent with the provisions of any other law presently existing or enacted in the future, the more restrictive will apply.

3. Exclusions

Government signs are not regulated by this section.

4. No vested rights.

Nothing in this section shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular sign, and it is hereby declared to be subsequent amendment, change or modification as may be necessary for the preservation of public health, safety and welfare.

5. Substitution/no discrimination against non-commercial signs or speech.

The owner of any sign which is otherwise allowed by this section may substitute non-commercial content in lieu of any other commercial or non-commercial content. This substitution of content may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech or non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provisions to the contrary in this section.

The clause shall not be construed to allow content, which is profane, obscene, threatening, discriminatory or otherwise not protected by the First Amendment to the United States Constitution or art. 5 of the Michigan Constitution.

71-30.B Sign regulations.

1. Permits required
 - a. A permit is required to erect, alter, place, or replace any sign or sign structures as regulated and required by this section or by the City's Code of Ordinance. A permit is also required for substantial maintenance or repair to an existing nonconforming sign.
 - b. To obtain a sign permit, a completed application as provided by the city shall be filed with the City in accordance with Section 71-26I Sign Permit.
 - c. Properties located within the D Downtown District are required to obtain Downtown Design Review in accordance with Section 71-36H Downtown Applications.

2. Signs exempt from obtaining permits.

The following signs may be installed or erected without a permit:

- a. Donor signs up to two square feet in size.
- b. Historic markers placed under the authority of the local, state, or federal government and not exceeding two square feet in size.
- c. Home occupation sign, not to exceed 3 square feet and nonilluminated (from section 71-23.A.5)
- d. Nameplate or plaques up to 2 square feet in size, bearing the name of the building occupant, one per occupant.
- e. Official legal notice.
- f. On-site informational signs.
- g. Vehicle signs, where the on which the sign is displayed does not regularly go unoperated for a period exceeding seven consecutive days. – **defined NEED WORK**
- h. Signs located on or within a building, in compliance with MCL125.3205d, that commemorate any of the following:
 - i. Any of the following how die in the line of duty: police officers, firefighters, medical first responders, members of the United States Armed Forces or correction officers;
 - ii. Veterans of the United States Armed Forces.
- i. Window signs when applied to the interior or exterior of the window or door glass does not exceed 25% of the glass area. Windows that are immediately adjacent, on the same wall face of the same building, maybe averaged together. (25% per existing code)

3. Prohibited signs.

The following signs as described are prohibited:

- a. Abandoned signs.
- b. Inflatable signs or devices except for balloons used in temporary, non-commercial situations.
- c. Neon, LED, or other light types permanently outlining windows or doors. **DISCUSS**
- d. Pornographic or obscene signs.
- e. Roof signs
- f. Signs emitting smoke, vapors, particulate matter, odor or open flames
- g. Signs imitating or resembling official traffic or government signs or signals that confuse, mislead, or create a safety hazard.
- h. Signs prohibited under federal, state, or local laws, rules or regulations.
- i. Signs utilizing animation or which contain the optical illusion of sign movement.
- j. Snipe signs.
- k. Transported signs unless the vehicle with the transported sign is operating lawfully in a public or private road. – defined **DISCUSS**

4. District sign regulations

Table 71-T sets forth the sign types, maximum size, height and number of signs allowed, minimum setbacks, prohibited or permitted signs. All permitted signs require a sign permit prior to installation unless exempt under section ___ or allowed as temporary under section ___ of this chapter.

Table 71-T Permanent Sign Standards

DRAFT 04142026

Table 71-T District Sign Regulations

	N, NE, GN, NC - One or Two-Family Residential Use	N, NE, GN, NC - Three-Family or more Residential Use or Non-Residential Use	D	SC	I
Wall Signs: Awning, Canopy, Wall	Permit Required				
Maximum square footage for business frontage		One times (1 x) the building frontage	Two times (2x) the building frontage not to exceed a combined total of 150 square feet		
Number allowed		1 per building frontage	3 per building frontage		
Maximum square footage for side or rear wall having a secondary entrance (not on building frontage)		20 square feet			
Number allowed on a side or rear wall having a secondary entrance (not on building frontage)		1 per wall			
Maximum height		20 feet or below the bottom of any second floor window, whichever is less. Shall not extend above the roof deck or parapet and shall not be located on a penthouse or elevator overrun.			
Minimum vertical clearance		8 feet when located over public or private sidewalk; 15 feet over public rights-of-way or drive aisles. If projection less than 4" no minimum vertical clearance			
Maximum projection		12" from face of building			
Illumination - see section ___ for additional information					
Wall Signs: Projecting or Hanging	Permit Required				
Maximum square footage			6 square feet		
Number allowed			1 per building frontage		
Maximum projection from wall of building			4 feet		
Maximum height			Below the bottom of the second floor window		
Minimum vertical clearance			8 feet		
Illumination - see section ___ for additional information					

	N, NE, GN, NC - One or Two-Family Residential Use	N, NE, GN, NC - Three-Family or more Residential Use or Non-Residential Use	D	SC	I
Ground Signs			Permit Required		
Number allowed, total	1 per development entrance	1 per parcel	1 per parcel		
Maximum size	32 square feet	32 square feet	50 square feet		
Maximum Height - Monument	6 feet	6 feet	8 feet		
Maximum Height - Pole		6 feet	15 feet		
Minimum setback	3 feet from any lot line	3 feet from any lot line	3 feet from any lot line		
Minimum vertical clearance for pole sign			8 feet		
Illumination - see section ___ for additional information					
Changeable message board - see section ___ for additional information					
Billboards, see Section ___ for additional information					Permit Required
Number allowed					1 per parcel
Maximum size					260 sf
Maximum height					30 feet
Minimum setback					50 feet
Distance between signs					300 feet
Minimum clearance from ground					8 feet
Illumination - see section ___ for additional information					

5. Temporary signs

- a. Temporary signs which allow for the freedom of expression or promotion of temporary events while minimizing clutter, visual distractions, obstructions, and nuisances when meeting the following:
General regulations:
 - i. Shall not be illuminated;
 - ii. Shall not have supports or borders wider than two inches on any side; and
 - iii. Shall be removed no more than seven days after an event concludes if the sign is associated with a particular commercial event.
- b. Signs placed on a lot where the primary use is a single-family or two-family residential use
 - i. The maximum overall sign height is four feet.
 - ii. The maximum sign area is six square feet.
 - iii. The maximum total area of all temporary signs displayed concurrently on one lot is 24 square feet.
- c. Signs placed on parcels where the use is not a single-family or two-family residential use
 - i. The maximum overall height is eight feet.
 - ii. the maximum total area of all temporary signs displayed concurrently on one parcel is 32 square feet.
- d. Sandwich Board signs under the following:
 - i. One board per business;
 - ii. Maximum height of 4 feet (no requirement now);
 - iii. Maximum square footage of ~~9~~ 8 square feet (reduced to 8 sf);
 - iv. Maximum width ~~24" or 30"~~ **NEED TO DECIDE** ;
 - v. Displayed outside during business hours and stored inside when the business is closed;
 - vi. Shall not have moving parts or attachments, including but not limited to, balloons, pinwheels, streamers, pennants, flags, or similar adornments;
 - vii. Shall not be illuminated or have sound amplification;
 - viii. Shall be constructed of wood, metal, or other similarly durable material and shall have adequate support to prevent tipping or movement of the sign and shall not present a tripping hazard to pedestrians.
 - ix. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas;
 - x. Located on private property or on public sidewalk when located in the D Downtown district.
- e. Pennant signs are allowed under the following:
 - i. May displayed for not more than thirty (30) days when associated with a business grand opening.
- f. Feather flag signs are allowed under the following:
 - i. No more than two feather flag signs per commercial property.
 - ii. Must be located on private property.
 - iii. May only be displayed during business hours.
- g. Portable Changeable Message signs are allowed under the following:
 - i. No more than one portable changeable message sign is allowed on an non-residentially zoned property or on properties which have non-residential uses.
 - ii. May be displayed on private property no more than one week prior to advertised event.

iii. May not be

71-30.C Sign design standards in all districts

1. **Corner lot clear sign lines**
No sign shall be located within the required corner lot clear sight line as established in Section 71-16.G of this Code.
2. **Setback – minimum Distance**
The minimum required distance between any sign, building or property line is measured by drawing a straight horizontal line that represents the shortest distance between the sign and other sign, building or property line.
3. **Sign height/overall height.**
The height of a sign is measured from the existing average finished grade level of the premises where the sign is located to the highest point of the sign structure. Freestanding signs located in raised planter boxes shall have the height measured from the existing average finished grade outside the planter box. The ground beneath a sign shall not be raised to artificially raise the height of a sign.
4. **Sign area measurement**
 - a. The area of a sign shall be measured as the area within a single, continuous perimeter composed of either the smallest square, or rectangle, which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign. Reader boards shall be included in the sign measurement.
 - b. The area of a freestanding or projecting sign that has two or more faces shall be measured by including the area of all sign faces, except if two such faces are placed back-to-back shall be counted as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as one face.
5. **Illumination**
 - a. Any permanent wall or free-standing sign may be internally or externally illuminated.
 - b. If externally illuminated, the source of the light shall be located, shielded and directed to prevent the source of light from shining directly onto any public right-of-way or residential property.
 - c. Uniform lighting shall be used throughout a sign to create a uniform appearance rather than creating some areas that appear brighter than others.
 - d. Signs shall not be illuminated between the hours of 11:00 pm and 6:00 am, except that a business open after 11:00 pm or before 6:00 am may have illumination during business hours.
 - e. All signs must comply with the building and electrical codes of the City of Buchanan. Underground wiring is required for all illuminated signs.

Include types of signs ??

71-30.D Changeable message centers/boards/reader boards

1. In addition to other regulations contained in this section, the following provisions shall apply to changeable message boards, where allowed:
 - i. One changeable message board is permitted per business; however, no more than one changeable message board is permitted per lot.
 - ii. Changeable message boards shall only advertise on-site products or services or non-commercial public information such as time/temperature, safety alters, and community/civic events.
 - iii. Changeable message boards are permitted only on free-standing signs and shall not be attached to the exterior wall of a building.
 - iv. Changeable message boards shall be integrated into a free-standing sign in order to create a cohesive, single-looking sign and shall not occupy more than 50% of the total sign face on each side.
 - v. With the exception of wall mounted signage located in the D Downtown district, Illumination shall not exceed 0.0 foot-candles at any lot lines that are adjacent to or across a right-of-way from a residential use. In all other cases, the illumination shall not exceed 0.5 foot-candles at the lot line.
 - vi. Changeable message boards shall not be illuminated between the hours of 11:00 pm and 6:00 am, except that a business open after 11:00 pm or before 6:00 am may have the changeable message board illuminated during business hours.
2. Electronic message centers (EMC) must comply with the following additional regulations:
 - i. An EMC shall not be used or displayed in a way that presents multiple screens within a single sign face, whether simulated or actual.
 - ii. Transition from one message to another shall be instantaneous, without movement or other transition effects between messages.
 - iii. Messages must remain on display for no less than seven seconds. Scrolling and flashing display messages is prohibited.
 - iv. Illumination shall not exceed 0.0 foot-candles at any lot lines that are adjacent to or across a right-of-way from a residential use. In all other cases, the illumination shall not exceed 0.5 foot-candles at the lot line.
 - v. Any new EMC must be equipped with both a programable dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the electronic sign, from dusk to dawn or in overcast conditions, will be no more than 40% of the daytime brightness level. Manufacturers' information must be submitted with the sign permit application.
 - vi. A copy of the manufacturer's operating manual for the EMC, including any recommended standards for brightness, display operations and any interfaced computer programs, must be available for immediate access at the business location where it is operating and must be provided to the zoning administrator upon request.
3. Electronic vehicle fuel station signs displaying fuel prices must comply with the following:
 - i. A maximum of three fuel products may be displayed per sign face, limited to fuel product pricing only.
 - ii. The maximum electronic message area is 12 square feet or five square feet per fuel product displayed.

E. Billboards.

The following standards shall apply to all billboards unless specifically exempted in this section:

- a. A sign face shall not exceed 260 square feet per side, and the total area of a double-faced sign shall not exceed 520 square feet. A double-faced sign shall consist of the two sign faces being parallel to each other and facing opposite directions.
- b. Billboards greater than 100 square feet in size shall be located a minimum of 50 feet from the nearest property line and 100 feet from any residential use or district, public park, religious institution or any public or private school.
- c. Billboards must have a minimum ground clearance of eight feet and may not exceed 30 feet in height.
- d. Billboards must have a minimum separation of 300 feet from any other billboard or any public waterway.
- e. Billboards shall be located perpendicular to the nearest street.
- f. Billboards must be free-standing and shall not be attached to, erected on, cantilevered over or constructed above any other structure.
- g. Billboards shall not incorporate flashing or rotating lights, beacon lights, running lights, animated copy, electronic message centers or digital displays.

Exemption: Billboards lawfully existing on the date this chapter becomes effective shall be allowed to continue in their current location and size even if in conflict with the provisions of this chapter. However, all other regulations shall continue to apply to such billboards.

F. Maintenance and liability.

2. **Painted or paper-faced signs must be maintained free of peeling paint or paper, sun fading, staining, rust or other conditions which impair the legibility of the sign.**
3. **Any permitted signs, including all supports, braces, guys and anchors, must be maintained in a manner not to cause a hazard to the public.**
4. **The city requires proof of current, in-force liability insurance in the aggregate amount of at least \$500,000.00, as a condition of granting a sign permit or as a condition of allowing the continued use of an existing sign, in the following instances:**
 - a. **Signs that extend over the city right-of-way.**
 - b. **Freestanding signs whose height exceeds the horizontal distance of the base of the sign to the nearest city right-of-way**

G. Removal. The zoning administrator or their designee is authorized to remove any sign deemed to be unsafe or a hazard to the public. The cost of the removal will be billed to the property owner.

H. Non-conforming signs.

5. **If a sign display is not current, is in a state of disrepair, or is left blank for a continuous period of 60 days, it is considered abandoned, within 30 days**

after abandonment the owner of the property must remove or replace the sign or the message. The sole exception to this provision is signs installed as an integral component of a building.

6. **Illumination may not be added to a nonconforming sign.**
7. **A nonconforming sign may not be replaced except to bring it into complete conformance with this section.**
8. **If a sign is removed or damaged to the extent that the cost of restoration exceeds 50 percent of the original value of the sign it must be removed or brought into complete conformance with this section.**

ARTICLE IV. ADMINISTRATION AND PROCESS

This article outlines the bodies with review, approval, and appellate authority in administering this chapter.

Sec. 71-33 Review and decision making bodies.

- A. City Commission.
 1. Powers and duties. In addition to any authority granted the City Commission by charter, ordinance or state law, the commission has the following powers and duties under this chapter:
 - a. Amendments to text and zoning map. To review, hear, consider and approve or disapprove:
 - i. Text amendments. Petitions to amend the text of this chapter.
 - ii. Zoning map amendments. Petitions to amend the zoning map.
 - b. Initiate amendments. To initiate petitions to the text of this chapter and the zoning map.
 - c. Other. To take any other action not delegated to the Planning Commission, Zoning Board of Appeals or heads of city departments, as the City Commission may deem desirable and necessary to implement the provisions of this chapter.
- B. Planning Commission. The Planning Commission establishment, organization, powers and duties are enumerated in Chapter 70 of the City of Buchanan Code of Ordinances and include review, hear, consider and approve or disapprove Sign Modifications or Mural requests.
- C. Community Development Director/Zoning Administrator.
 1. Powers and duties. In addition to the jurisdiction, authority and duties that may be conferred upon the Zoning Administrator by other provisions of this chapter and general or special law, the zoning administrator has the following jurisdiction, powers and duties under this chapter:
 - a. Administrative adjustments. To review, hear, consider and approve or disapprove administrative adjustments.
 - b. Temporary use permit. To review, hear, consider and approve, approve with conditions or disapprove temporary use permits.
 - c. Minor deviations. To review, hear, consider and approve, approve with conditions or disapprove minor deviations for site plans.
 - d. Interpretations. To render interpretations of all provisions of this chapter, including interpretations of the text; interpretations of the zoning map

boundaries; and determinations of whether an unspecified use falls within a use classification or use group allowed in a zone district.

e. Enforcement. To enforce the provisions of this chapter.

f. Administer chapter. To establish application requirements and schedules, to review and make recommendations to the City Commission, Planning Commission and Zoning Board of Appeals on all applications considered by those boards, and take any other actions necessary to administer the provisions of this chapter.

g. Provide expertise and technical assistance. To provide expertise and technical assistance to the city commission, planning commission and zoning board of appeals.

D. Zoning Board of Appeals.

1. Powers and duties. The Zoning Board of Appeals has the following powers and duties under this chapter:
 - a. Variances. To review, hear, consider and approve, approve with conditions or disapprove variances.
 - b. Appeals of administrative decisions. To hear, review, consider, and affirm, modify or reverse any decision or interpretation of the zoning administrator.
2. Appeals. An appeal of a decision by the Zoning Board of Appeals must be filed with the Circuit Court within 30 days after the decision in writing, or within 21 days after the board approves the minutes of the meeting.

E. Design Review Committee.

1. Powers and duties. The design review Committee is the decision-making body for applications subject to downtown design standards unless the proposed work qualifies for administrative approval under [Sec. 71-36 H. Downtown applications](#).
2. The Design Review Committee meets on an as-needed basis when discretionary review is required.

Sec. 71-34 General provisions.

*****Sections A – F not included*****

G. Timing of notice. Unless otherwise provided in the Michigan statutes and laws or this chapter, notice will be provided as shown in [Table 71-U](#).

TABLE 71-U NOTICE TIMING		
Application	Notice Required	
	Written	Published
Text amendment		Planning commission: Not less than 15 days prior to public hearing City commission: not less than 15 days prior to public hearing
Zoning map amendment	Planning commission: not less than 15 days prior to public hearing City commission: reasonable time prior to public hearing	Planning commission: Not less than 15 days prior to public hearing City commission: not less than 15 days prior to public hearing
Special use permit	Not less than 15 days prior to public hearing	
Variance		
Appeal		
<u>Sign modification or mural</u>	<u>No notice is required</u>	

*** Sections H – K not included ***

Sec. 71-35 Public hearing procedures. NOT INCLUDED

All public hearings must comply with the following procedures.

Sec. 71-36 Specific standards for development approval.

A. General. [Table 71-V](#) summarizes the development review procedures for all types of applications.

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES						
Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	
Text amendments	R	[R]		[DM]		N
Zoning map amendment	R	[R]		[DM]		W, N
Special use permit	R	[DM]				W, N
Variance	R		[DM]			W
Appeals of administrative decision			[DM]			W
Administrative adjustments	DM		[A]			
Site plan review	DM					
<u>Sign permit</u>	DM or R	<u>DM</u>	<u>[A]</u>	A		
Temporary use permit	DM		[A]			

Certificate of zoning compliance	DM				
Downtown application	R			DM	
Interpretations	DM		[A]		

TABLE 71-V DEVELOPMENT REVIEW PROCEDURES

Procedure	Authority					Notices
	Staff	PC	ZBA	CC	DRC	

Key

Planning Commission	PC
Zoning Board of Appeals	ZBA
City Commission	CC
Design Review Committee	DRC
Review & Recommendations	R
Decision Making Body	DM
Appellate Body	A
Public Hearing Required	[]
Published Notice	N
Written Notice	W

*****Section B Amendment to text or zoning map and C Special use permit D Variances E Appeals of administrative decisions and F Administrative adjustments, G Site Plan and H Downtown applications not included *****

B. Sign permit.

1. Administrative review of sign applications. Procedure.

- a. Action. After the application is determined sufficient, the zoning administrator will review the application and determine if the application complies with the standards in [Sec. 71-30](#).
- b. Approval. If the zoning administrator finds that the application complies, the zoning administrator will approve the sign permit.
- c. Appeals from any interpretations, determinations, or denials made by the zoning administrator shall be made to the planning commission and submitted on such forms provided by the city for that purpose and subject to such fees set by the city commission prior to the posted submittal deadline prior to the next regularly scheduled planning commission meeting.

~~Fails to comply.~~

- ~~1. If the Zoning Administrator determines the application fails to comply, the applicant will be provided comments explaining why the application fails to comply, and an opportunity to submit a revised application. A revised application will be reviewed and approved, approved with conditions or disapproved, based on the standards in [Sec. 71-30](#).~~
- ~~2. If the application is not resubmitted within 30 days, the application will be considered withdrawn.~~

- d. Applications denied by the zoning administrator for the reason that the proposed sign requires a sign modification of the sign regulations by the planning commission as provided under section _____ of this section, the applicant shall submit a complete application for such request to the planning commission on such forms provided by the city for that purpose and subject to the fees set by the city commission prior to the posted submittal deadline prior to the next regularly scheduled planning commission meeting.
 - e. Appeals from a decision of the planning commission shall be made to the city commission on such forms provided by the city for that purpose and subject to such fees set by the city commission and within 30 days after the decision in writing, or within 21 days after the planning commission approves the meeting minutes.
2. Planning commission review and approval of certain sign modifications and murals

Subject to the standards and limitations set forth in this section, the planning commission shall have the authority to review certain sign applications and grant approvals. Any approval granted shall be valid for not more than 180 days.

- a. Authority to Grant Requested Modifications of Sign Regulations. The planning commission has no authority to grant a modification for signs prohibited under section _____ of this section. However, the planning commission has authority, in connection with an application, to grant approval of a request for modification of the sign regulations for permitted signs, subject to the following regulations.
 - 1. Review. The planning commission shall, within 60 days of receiving a complete application, either grant approval of the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. Failure of the planning commission to act within 60 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
 - 2. Authorized Modification. The planning commission may grant an applicant's request to modify the provisions of this section as follows:
 - (a) To increase by no more than 20 percent the maximum allowable height of any free-standing sign.
 - (b) To increase by no more than 20 percent the maximum area of signage otherwise allowed.
 - (c) To increase by no more than one sign the maximum number of signs or sign types otherwise allowed.
 - (d) To allow no more than one sign type to be located on a lot where signs of such types are not otherwise allowed.
 - (e) To adjust the required spacing between any signs, structures or lot lines.
 - 3. Factors for Approval of Modifications. The factors to be considered by the planning commission for permitted modifications shall include, but are not limited to the following:
 - (a) Minimum Request. The modification requested is the minimum change necessary to alleviate the hardship while addressing the unique and specific needs of the applicant.
 - (b) General Standards. Carrying out the strict letter of the provisions of this Ordinance would create a particular hardship or a practical difficulty not caused by an act or omission of the applicant.
 - (c) Unusual Physical Limitations. The subject property or the structure on which the sign is proposed to be located is burdened with an unusual physical limitation, such as irregular shape, unusual geographic location, exceptional

feature, or other extraordinary physical condition, that is peculiar to the subject property and is more than merely an inconvenience or cost consideration to the applicant.

- (d) Location Factors. The subject property location supports the permitted modification, reviewing such factors as size and use of parcel, setbacks, adjacent property uses, and speed of adjacent roadway(s).
- (e) Adverse Impacts. The modification, if granted, would have no significant adverse impact on any abutting or adjacent property, the essential character of any part of or all of the neighborhood, or the use, enjoyment or value of other nearby properties.
- (f) Public Health and Safety. The modification, if granted, would have no significant adverse impact on and would not endanger the public health or safety of the public.

b. Authority to Approve Requested Mural Installations. The planning commission has authority, in connection with an application to grant approval of a request for installation of a mural as defined in Article V subject to the following regulations.

1. Review. The planning commission shall, within 60 days of receiving a complete application, either grant approval of the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. Failure of the planning commission to act within 60 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
2. Factors for Approval of Murals. The factors to be considered by the planning commission for installation of a mural shall include, but are not limited to the following:
 - (a) Art Work. The mural design does not include elements that would be considered inappropriate and/or indecent by community standards and the art work provided is sufficient and accurate for review.
 - (b) Location Appropriate. The proposed mural placement on the building does not negatively impact vehicular or pedestrian traffic once installed and does not disrupt the properties landscaping and maintenance activities.
 - (c) Placement in Neighborhood/Surrounding Area. How many murals are in the neighborhood/surrounding area and what impact could the new mural have on existing ones.
 - (d) Scale and Placement on Building. Is the scale of the mural on the exterior wall and view from public right-of-way properly designed and placed. Does the mural design minimize alterations to the existing façade of the building including windows or doors.
 - (e) Enhancement and Activation. How will the proposed mural enhance and activate the pedestrian and streetscape experience.
 - (f) Installation Process. The applicant has sufficiently documented how the exterior wall will be prepared prior to installation of the mural, how the mural will be installed and what if any city permits will be required (right-of-way permit), documentation regarding public utilities being disturbed either on the building or overhead.
 - (g) Maintenance and Removal. Written document has been provided regarding the future maintenance and/or removal of the mural.

ARTICLE V. DEFINITIONS

This Section provides definitions for terms in this chapter that are technical in nature or that may not reflect a common usage of the term.

***** definitions A – Z with exception of sign related language not included *****

Signs: An object, devise, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service or activity. Multiple types of signs exist and are defined below:

Awning or canopy: a fixed or movable shading structure, cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions.

Banner: a temporary lightweight sign that is made of flexible, nondurable materials such as fabric, cloth or plastic and is typically affixed to a building or accessory structure. A banner sign does not include a feather or pennant sign.

Billboard: An off-premises sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

Business frontage: The maximum linear width between exterior wall(s) of a building, or in the case of a multi-tenant building, the maximum linear width between the exterior and/or demising walls of an individual tenant located at street level and having an individual exterior entrance. Building frontage must abut a public street or a parking lot abutting a public street; it is measured in a single straight line parallel, or essentially parallel, with the abutting public street or parking lot. The building frontage is used to determine the maximum square footage of wall signs. A corner lot is considered to have a building frontage abutting each public street or parking lot; maximum signage is calculated individually per building frontage.

Donor or memorial sign: a sign that contains names, acknowledgements, or factual information to acknowledge or honor a benefactor, volunteer, or individual associated with the structure or site upon which it is located.

Electronic message center: an electronic changeable message board, including an electronic screen or monitor, which is not an animated sign.

Expressive sign: a temporary sign that promotes or expresses an individual's personal non-commercial ideology, belief, value, or message. Examples of expressive signs include, but are limited to, signs expressing political beliefs, supporting clubs or sports teams, and expressing religious views.

Feather flag: A temporary sign applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing, are generally a single sign attached to a support post and typically having a dimensional ratio of four high to one wide and move in the wind to attract attention. This can also be referred to as a feather banner or feather sign.

Flag: Any fabric, banner or bunting containing distinctive color, letters or symbols.

Freestanding sign: A sign that is not affixed to a separate structure or building but is affixed to the ground, including but limited to pole signs or monument/ground signs.

Historical marker sign: a plaque bearing historical information related to the nearby structure, land or area upon which it is located (i.e., date of construction, early owners and builder, etc.)

Inflatable sign: a sign composed of an inflatable, nonporous bag, and exceeding 20 cubic feet.

Marquee: a permanent structure constructed of rigid materials that projects from the exterior wall of a building.

Monument sign: A base-mounted, freestanding sign placed on the ground and not attached to any building or other structure. A monument sign includes a solid supporting base of at least twelve inches in height and a width equal to or greater than the width of the sign face.

Mural: A design, graphics, or representation painted or drawn on a wall or other structure which does not contain commercial copy, advertising symbols, lettering, trademarks or other references to a particular entity, product or service located on the premises where the mural is located, or any other premise.

Official legal notice: Notices required by law, signs erected by a governmental agency or public utility

Off-premises sign: A sign which contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located. Sometimes referred to as a billboard and can be free-standing or attached to a building.

On-site informational sign: a sign that identifies entrances and exits, safety precautions, open and closed information, warnings and other such incidental information for the property upon which the sign is located, including drive-thru menu boards, which is of a minimum size and height to provide the necessary information while not extending above the parapet, eave or wall of the building.

Pennant sign: a geometric piece of fabric or other material, commonly attached by string, with rows of loose materials, streamers, shapes, or strands, or supported on small poles intended to flap in the wind and used to draw attention. A pennant sign is not a feather flag.

Permanent sign: a sign that has a permanent location on the ground or which is painted on or attached to a structure having a permanent location and which meets the structural requirements for signs as established in the building code.

Pole sign: a freestanding sign that is affixed, attached, or erected on a pole that is not an integral part of or attached to a building or structure.

Portable changeable message board or sign: A sign containing a changeable message and designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

Projecting sign: a double-faced sign attached to and not parallel with a building or wall.

Reader board: a portion of a sign, with written representation, emblem, graphic, logo, symbol or other display that can be changed periodically, either manually or electronically without altering the face surface of the sign, whether or not displayed is periodically rearranged. This definition excludes sandwich boards.

Roof sign: a sign which is erected, constructed and maintained above any portion of the roof or parapet.

Sandwich board sign: a free-standing, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians; it is also known as an A-frame sign or inverted T-shaped sign.

Sign: An object, device, display or structure, or part thereof situated outdoors which is used to advertise or identify an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion illumination or projected images.

“Signs” do not include the following:

- a. Flags which do not advertise a business, product or service, not larger than 30 square feet and affixed to permanent flagpoles or flagpole mounted to buildings, subject to the maximum building height of the zoning district it is in. However, if such flags are greater than 30 square feet, they are considered signs and are subject to regulations in this Article.
- b. Seasonal decorations which do not advertise a business, product or service.
- c. Interior signs that are not visible from adjacent property or public rights-of-way.
- d. Merchandise, pictures or models of products or services incorporated in a window display.

- e. Governmental, educational, military, religious, fraternal, and civic symbols or crests.
- f. Tablets or plates containing only the building's name and/or date the building was installed when cut into the masonry surface or permanently affixed to the building.
- g. Time and temperature devices not related to a product and not larger than six square feet.
- h. Works of art, including murals, which do not advertise a business, product or service.
- i. Address numbers in compliance with the International Property Maintenance Code, Premises identification.

Sign structure: poles, posts, walls, frames, brackets, or other supports holding a sign in place.

Snipe sign: Any sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property in the public right-of-way or on any private property with or without the permission of the property owner for commercial uses.

Temporary sign: Any sign which is erected or displayed on a non-permanent basis for a limited period of time. Examples of temporary signages include, but not limited to, a banner sign, construction sign, garage sale sign, political sign, expressive sign, real estate sign, and sandwich board sign.

Transported sign: A sign attached to or pulled by a vehicle that may be displayed or affixed to a moveable object such as but not limited to a car, truck, trailer, or similar transportation device. A transported sign is not a vehicle sign.

Vehicle sign: A sign, painted or otherwise, attached to an operable vehicle or pulled trailer that is regularly used and moved. A vehicle sign is not a transported sign.

Wall sign: any sign mounted or attached to and supported by the wall of any part of a building or structure and in which the horizontal sign surface is parallel to the building wall or structure.

Window sign: any sign painted on, affixed to or placed against any window intended to be viewed from the outside.

Memorandum



Date: March 4, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Discussion #1 - Unified Development Code – Section 71-16G Corner lot clear sight lines, 71-27 Parking and Loading and Planned Unit Developments**

Background

As staff continues to use the new Unified Development two areas found within the document need additional review – Section 71-16.G Corner lot clear sight lines and Section 71-27 Parking and Loading. Staff believes there are changes that could be made to make the sections more user friendly and to improve the intent of the language. Attached are the excerpts from the UDC for the two areas.

In addition, the UDC removed the ability for an applicant to request a planned unit development and relies on the use of Neighborhood plans found in Section 7-15. However, to request a neighborhood plan that is only reviewed by city staff the parcel must be a minimum of three-acres in size. This minimum threshold can be a problem for some properties and staff believes allowing requests for planned unit development should be incorporated back into the regulations.

Next Steps

Staff would like to begin work drafting changes associated with the areas referenced for review at a future Planning Commission meeting.

ARTICLE 2 – SUBDIVISION

BUCHANAN UDC

ARTICLE II. SUBDIVISION

Buchanan, Michigan

Sec. 71-10 Applicability

Conflicting ordinances. This article supersedes Chapter 90, Article III as it applies to Neighborhood Plans (NP), see [Sec. 71-15 Neighborhood plans](#).

Sec. 71-11 Street, block, and lot standards

A. Street network. Layout and design of streets must:

1. Be dedicated for public use.
2. Extend existing streets into the proposed project where they terminate at the bounds of the proposed subdivision.
3. Provide stub streets to the boundary of the subdivision where conditions permit the later extension of thoroughfares into adjacent areas.
4. Ensure both ends of every street terminate at intersections and form a network of streets composed of lots and blocks. Network density should equal or exceed 150 per square mile.
5. Alleys are required for neighborhood plans. Alleys are not mandatory where the rear lot lines are at the edge of the site to be subdivided or where the block has been previously subdivided.
6. New streets must meet the requirements of [Table 71-A](#).
 - a. Street trees are required to be planted an average of 40 ft. on center.

TABLE 71-A RIGHT-OF-WAY DIMENSIONS

Criteria	Medium Intensity (NP-M)	High Intensity (NP-H)
Travel lane width		
Mixed Use	10 ft., 11 ft. if on bus route	10 ft., 11 ft. if on bus route
Residential	9 ft.	9.5 ft.
Parallel parking lane width		
Mixed Use	8 ft. max.	
Residential	7.5 ft. max.	8 ft. max.
Curb return radii	15 ft.	
Sidewalk width		
Mixed Use	8 ft. min.	10 ft. min.
Residential	5 ft. min.	5 ft. min.
Planter type		
Mixed Use	Tree wells	Tree wells
Residential	Continuous	Continuous or tree wells

B. Block standards.

1. Block perimeters are defined by rights-of-way or pedestrian ways.
2. Rectangular block perimeters at a ratio of at least 1.25:1 are limited to 1,500 feet in length. Square blocks are limited to a perimeter of 2,000 feet. Exceptions are as follows:

- a. Blocks containing more than 50% civic space are exempt;
 - b. Blocks at the perimeter of the application area may be exempt if connections cannot be made to adjacent properties; and
 - c. Blocks abutting natural waterways and slopes greater than 10% are exempt.
3. Blocks with a perimeter exceeding 2,000 feet must include a pedestrian way traversing the block from the facade of greatest length.
- C. Lot standards. All developable land must be subdivided into lots. The following standards do not apply to lots platted before the effective date of this ordinance.
1. Lot widths must meet the following width requirements for each zoning district.
 - a. Natural (N) – Not applicable
 - b. Neighborhood Edge (NE) – 60 ft. min., 200 ft. max.
 - c. General Neighborhood (GN) – 20 ft. min., 100 ft. max.
 - d. Neighborhood Center (NC) – 20 ft. min., 180 ft. max.
 - e. Downtown (D) – Not applicable
 - f. Suburban Commercial (SC) – 50 ft. min.
 - g. Industrial (I) – 60 ft. min.
 - h. Neighborhood Plan, see [Sec. 71-15 on page 09](#):
 - i. Medium Intensity (NP-M) – 20 ft. min., 100 ft. max.
 - ii. High Intensity (NP-H) – 16 ft. min., 200 ft. max. Existing lots designated as NP-H may exceed the 200 ft. max. lot width.
 2. Lots containing only civic uses may exceed maximum lot size requirements.

Sec. 71-12 Civic space standards

Civic spaces permanently dedicated as public open space are required for each neighborhood plan.

- A. A minimum of 5% of the developable land within each neighborhood plan must be assigned to civic space.
- B. The design, programming, and landscaping of all civic space must comply with the following:
 1. Size – 2,000 sq. ft. min.
 2. Proportion – The longest side of the civic space may be no more than five (5) times the shortest side.

ARTICLE 3 – ZONING

BUCHANAN UDC

Buchanan, Michigan

Buchanan, Michigan

- 3. Edge condition – street, path, or sidewalk required on one side, min. but are required at all rights-of-way adjacent to the civic space.
- 4. Surface – 30% max. paved
- 5. Landscape – 20% mature canopy required

ARTICLE III. ZONING

Sec. 71-14 Zoning districts

The zoning districts listed in [Sec. 71-5 Zoning districts established](#) are created by this chapter. [Table 71-B](#) indicates the consolidation of zoning districts upon adoption of this chapter.

- A. Official zoning map. The location and boundaries of each of the districts are shown on the official zoning map and the map is a part of this code, see [Figure 71-A Buchanan Zoning Map](#). Whenever amendments or changes are made in district boundaries, the amendments or changes must be made by ordinance and recorded on the official zoning map. The official zoning map located in the office of the planning department is the final authority in determining current zoning status.
- B. Zoning districts summary table. [Table 71-B](#) generally shows the City of Buchanan’s previous zoning districts in relation to this chapter’s zoning districts.

TABLE 71-B ZONING DISTRICT SUMMARY			
Previous district		New district	
R1-A	Single-family residential	NE	Neighborhood edge
R1-B	Single-family residential	GN	General neighborhood
R-2	Two-family residential		
R-3	Multi-family residential		
R-4	Multi-family senior residential	NC	Neighborhood center
C-1	Neighborhood commercial		
C-2	Commercial	SC	Suburban commercial
C-3	Central business	D	Downtown
I-1	Light industrial		
I-2	Heavy industrial	I	Industrial
PUD	Planned unit development	Archived	
		NP	Neighborhood plan
CD	Cluster residential	Deleted	

Sec. 71-15 Neighborhood plans

A neighborhood plan is a regulatory category that defines the physical form, intensity, character, and size of the application area.

- A. Each plan must include a combination of two intensities as described below and regulated by this section.
 - 1. Medium intensity (NP-M): Medium intensity consists of a mix of uses but is primarily blended density residential. It contains a wide range of building types: houses, cottages, townhouses, duplexes, triplexes, small apartment buildings, and live-work units. NP-M must comply with the GN standards, see [Table 71-D](#) and [Table 71-J](#).

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2. High Intensity (NP-H): High intensity consists of higher density mixed-use buildings that accommodate retail, offices, institutions, and apartments. NP-H must comply with the NC standards, see [Table 71-E](#) and [Table 71-J](#).
- B. A neighborhood plan is available by-right on any parcel three acres or greater, regardless of the underlying zoning.
 - C. Neighborhood plans are subject to the standards of [Article II. Subdivision](#), in addition to this article.

*St. Joseph River***Sec. 71-16 General requirements**

The following requirements apply to all zoning districts and neighborhood plans.

- G. Corner lot clear sight lines. New buildings, signs, and trees higher than 30 inches above grade may not be located within a triangle formed by the intersection of the streets and a line drawn between points along the two street lines 30 feet from the intersection. Controlled intersections do not require clear sight lines. See [Figure 71-B Clear Site Lines](#).

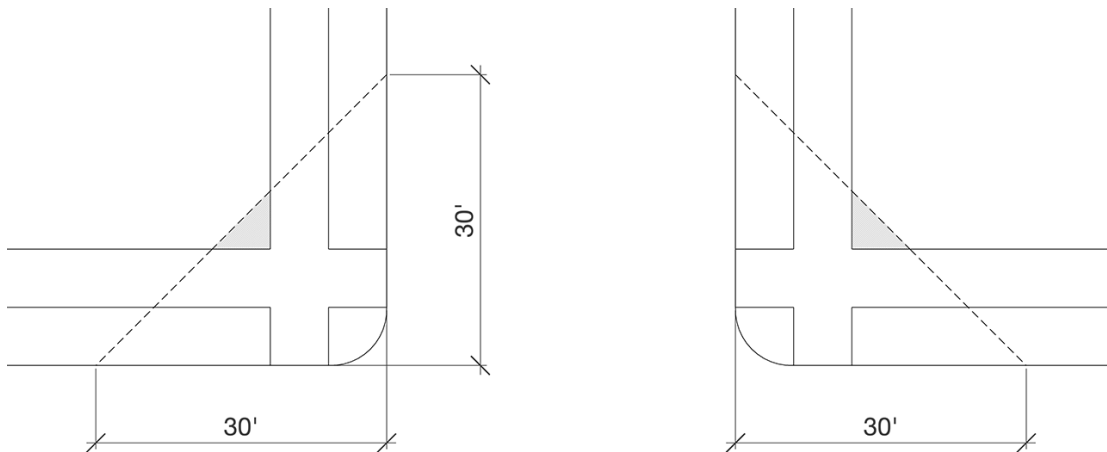


Figure 71-B Clear Site Lines

Sec. 71-27 Parking and loading standards

Off-street parking must be provided according to the requirements of this section, with the exception of the Downtown (D) district. It is exempt from parking quotas, but is subject to the parking location requirements of subsection §F.

- A. Automobile parking is required in the amount specified in [Table 71-N](#) and as follows:
1. All uses are added to determine the minimum required parking;
 2. When requirements result in a fractional number, fractions are rounded down; and
 3. Uses within buildings less than 30 feet in depth and no more than two stories are exempt from required parking.
- B. One automobile parking space may be reduced for every four bicycle parking spaces provided.
- C. Required parking for residential uses may be adjusted downwards by 50% where spaces serve state licensed assisted living and senior independent living facilities.
- D. Required automobile parking may be fulfilled in the following locations:
1. Within the same lot;
 2. On-street parking spaces located along lot lines;
 3. Within an adjacent shared parking lot; and
 4. Within a shared parking facility located within 600 feet of the use.

TABLE 71-N PARKING REQUIREMENTS

	N	NE	GN	NC	SC	I
Civic Space	No minimum					
Commercial	N/A	3 / 1,000 sq. ft.		2.5 / 1,000 sq. ft.	3 / 1,000 sq. ft.	1 / 1,000 sq. ft.
Entertainment	N/A			1 / 6 fixed seats or patrons		
Industrial & Manufacturing	Not applicable					1 / 2 employees
Institutional	N/A	1 / 4 fixed seats or patrons		1 / 8 fixed seats or patrons	Not applicable	
Lodging	N/A	1 / room		0.5 / room	Not applicable	
Residential						
Home occupations	N/A					
Accessory dwellings	N/A	1 / ADU			N/A	
per dwelling unit	N/A	2 / unit	1.5 / unit	1 / unit	N/A	

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- E. Shared parking.
 - 5. Shared parking reductions are available for the NC district and Neighborhood Plans. Required parking may be adjusted downward by shared parking according to [Table 71-O](#). Shared parking is determined as follows:
 - a. Shared parking is available for two or more uses on one lot or within one block.
 - b. Parking facilities may utilize shared parking for uses within 500 feet of the facility.
 - c. Step 1. Calculate the parking required by each use in [Table 71-N](#) and sum the total.
 - d. Step 2. The gross minimum number of parking spaces from Step 1. is multiplied by the “occupancy rate” as determined by [Table 71-O](#), for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively.
 - e. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period must be added to produce the aggregate gross minimum numbers of parking spaces for each time period.
 - f. The greatest of the aggregated gross minimum numbers of parking spaces for each period will be the parking minimum.
 - g. [Table 71-O](#) defines the percent of the basic minimum needed during each time period for shared parking. (M-F = Monday to Friday)

TABLE 71-O PARKING OCCUPANCY RATES						
USES	M – F	M – F	M – F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM
Residential	60%	100%	100%	80%	100%	100%
Office/ Warehouse/ Industrial	100%	20%	5%	5%	5%	5%

TABLE 71-O PARKING OCCUPANCY RATES						
USES	M – F	M – F	M – F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM	8 AM–6 PM	6 PM–12 AM	12 AM–8 AM
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Institutional	100%	20%	5%	10%	10%	5%
Religious	10%	5%	5%	100%	50%	5%

- E. Off-street parking standards.
 - 1. All off-street parking spaces and aisles must meet AASHTO size and configuration standards.
 - 2. Automobile parking must be located according to [Table 71-C through Table 71-H](#).
 - 3. Off-street parking in NE and GN must be used for noncommercial passenger vehicles.
 - 4. Off-street parking must be accessed by rear alleys or rear lanes where available.

5. Where rear alleys or rear lanes are not available, off-street parking may be accessed from the following locations:
 - a. From secondary facades driveways should be located near the rear lot line; and
 - b. Where secondary facades are not available, parking may be accessed from the primary facade.
6. Driveways.
 - a. Driveways providing access to off-street parking are limited to 10 feet in width for one-way access, and 20 feet in width for two-way access.
 - b. A hardscape apron is required where the driveway meets the public street, from the edge of pavement to the front lot line.
 - i. The apron must be constructed using concrete or asphalt.
 - ii. A standard curb cut is required unless the public works department approves a different method.
 - iii. The apron must be built to keep gravel, crushed stone, or other loose materials off the public street and sidewalk.
 - c. The portion of the driveway beyond the apron, located on private property, may use concrete, asphalt, gravel, crushed granite, or similar materials.
 - d. Loose surface materials are allowed only when:
 - i. The surface is installed over a professionally compacted base that's appropriate for the material.
 - ii. The driveway includes an engineered edge, or another approved edge restraint, to keep the surface in place and prevent it from spreading.
 - iii. The materials and installation are consistent with those typically used in professional residential construction, including high-end homes.
 - e. The driveway must be maintained in good condition so that no loose material washes or moves into the public right-of-way.
 - f. If gravel or other loose material causes problems in the street or drainage system, the city may require the property owner to repair or replace the driveway.
 - g. All driveways and aprons must follow city engineering standards and are subject to inspection and approval by the zoning administrator or their designee.
7. Parking lots must be screened along front and side street lot lines by one or more of the following methods:
 - a. Buildings. A minimum of 70% of parking lot width must be screened;
 - b. A masonry wall no less than 4 feet in height; or
 - c. A metal fence with a hedge or other landscape element no less than four feet in height.

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F. Bicycle parking standards.

1. Bicycle parking is required in the Downtown zone as specified in [Table 71-P](#) and as follows:

a. Enclosed spaces for multi-family residential must be located at ground level.

TABLE 71-P DOWNTOWN BICYCLE PARKING REQUIREMENTS			
USES	MINIMUM SPACES	ENCLOSED SPACES	ON-STREET SPACES
Residential			
Over 4 dwellings per lot	.5 / unit	25% min.	25% max.
Commercial			
Food & beverage	.5 / 1,000 sq. ft.	n/a	100% max.
Other	.2 / 1,000 sq. ft.	n/a	100% max.
Institutional			
All assembly uses	.2 / 1,000 sq. ft.	n/a	100% max.
Other			
All other uses	No minimum requirements.		

G. Loading standards.

1. Loading facilities must be provided for commercial uses in NC, D, SC, and I districts according to the following requirements:

- a. Location of loading facilities must comply with the setbacks according to [Table 71-C through Table 71-H](#). No loading bay for vehicles over a two ton capacity may be closer than 50 feet to a NE or GN lot unless completely enclosed by a building.
- b. Off-street loading and refuse collection must be located and screened so it is not visible from adjacent streets, or residential uses.
- c. Loading bays must be a minimum of 10 feet wide by 25 feet long, exclusive of aisle and must have a vertical clearance of 14 feet.
- d. Loading facilities may not satisfy the requirements for off-street parking.
- e. Loading bays in the NC and D districts may be located off an adjacent alley.

2. Required loading area. On-site loading must be provided for all buildings greater than 50,000 square feet as follows:

- a. Loading bays are required in the amounts specified below:
 - i. 50,000 sq. ft. - 160,000 sq. ft.: 1 bay
 - ii. 160,000 sq. ft. - 320,000 sq. ft.: 2 bays
 - iii. Over 320,000 sq. ft. 1 per 180,000 sq. ft.