



CITY OF BUCHANAN PLANNING COMMISSION
TUESDAY, AUGUST 11, 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. Consider the Public Hearing & Regular Meeting Minutes from July 14th, 2026.

VII. Old Business

A. Review and Discuss Master Plan Draft Objectives, Goals and Actions

B. Review and Discuss Unified Development Code - Signs draft language

C. Review Recommendations from Design Review Committee Associated with Unified Development Code

D. Review Final Draft Fencing, Screening, Lighting and Landscaping Amendments to Unified Development Code

VIII. New Business

IX. Public Comment - Non-Agenda Items Only

X. Zoning & Community Development Director Comments

XI. Commissioner Comments

XII. Adjournment



CITY OF BUCHANAN PLANNING COMMISSION
TUESDAY, JULY 14, 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

Public hearing called to order at 6:00pm.

B. Roll Call

Present: Vigansky, Houser, Brown, Pleasant, Lysy, Garry, Wreggelsworth

Absent: None

City Staff Present: Clerk Kalla Langston-Weiss, Planning & Community Development Director Kristen Gundersen

- C. The purpose of the public hearing is to hear public comments on proposed amendments to Table 71-J – Use Matrix and Article V Definitions and any other sections of the Unified Development Code related to residential housing options.

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

E. Announcement of the Rules of the Hearing

F. Presentation by the Applicant

Gundersen summarized the proposed amendments as discussed by the Planning Commission and staff.

G. Presentation by the Opposition

H. Applicant's Rebuttal

I. Closing of Hearing

The public hearing was closed at 6:09pm.

IV. Regular Meeting - Call to Order

Houser called the regular meeting to order at 6:00pm.

V. Pledge of Allegiance

Houser led in the pledge of allegiance.

VI. Roll Call

Present: Vigansky, Houser, Brown, Pleasant, Lysy, Garry, Wreggelsworth

Absent: None

City Staff Present: Clerk Kalla Langston-Weiss, Planning & Community Development Director Kristen Gundersen

VII. Approve Agenda

Pleasant moved, seconded by Brown to approve the agenda as presented. Voice vote carried unanimously.

VIII. Public Comments - Agenda Items

Andrew Warner – Spoke in support of allowing additional dwelling units in the Neighborhood Edge zoning district.

Dion Bouzas – Hopes the Planning Commission can figure out a path forward for the Open flags and asked to City to place some of the new tables and chairs in the greenspace on the Creek next to Hilltop's Creekside Cafe.

IX. Approve Minutes

A. Consider the Regular Meeting Minutes from May 12th, 2026.

Brown moved, seconded by Vigansky to approve the May 12th, 2026 Minutes as presented. Voice vote carried unanimously.

X. Old Business

A. Master Plan Update Discussion 6 – Open House/Pop-Up Event Results – Future Land Use Map and Goals and Objectives - Update and Next Steps

Marcy Hamilton of the Southwest Michigan Planning Commission reported on the open house and pop up events for the new Master Plan. They were well attended and participation was good. Gundersen heard a lot of positive comments. Overall, the responses were in line with expectations.

The next step is to update the future land use map. As the zoning map has been recently updated, Hamilton recommended using it as a base. There was discussion of different zoning districts, the flood plain, the location of industrial zones, and what they'd like to change going forward.

XI. New Business

A. Consideration of a Text Amendment to Table 71-J Use Matrix and Article V Definitions Relating to Residential Uses in the Unified Development Code

Brown moved, seconded by Pleasant, to approve amendment to Table 71-J Use Matrix – Residential and Article V Definitions relating types of dwelling units and the number of dwelling units allowed in different zoning districts as the request is consistent with the 2021 Master Plan Goals and Objects and Section 71-36.B.2 standards for text amendments.

In reference to allowing accessory dwelling units in the D district, Lysy asked if you could have an accessory dwelling where there was no primary dwelling, as defined in the UDC. There was discussion of if a commercial use could work in lieu of a primary dwelling.

Brown moved, seconded by Pleasant, to approve amendment to Table 71-J Use Matrix – Residential and Article V Definitions relating types of dwelling units and the number of dwelling units allowed in different zoning districts as the request is consistent with the 2021 Master Plan Goals and Objects and Section 71-36.B.2 standards for text amendments, with the amendment of changing the definition of

an ADU to replace the text ‘incidental and subordinate to the principal dwelling unit’ to ‘incidental and subordinate to the principal use’. Roll call vote carried unanimously.

XII. Public Comment - Non-Agenda Items Only

Dennis Mori & Dennis Mori – Spoke on behalf of the Buchanan Business Boosters and introduced a proposal for Open flags in the downtown district that the Boosters will be proposing to the board in a future meeting. The goal of the proposal will be for Open flags to be installed at downtown businesses to help advertise their location while delivering a uniform look, and for the Planning Commission to review sign requirements to ensure they comply. They would like the standards to use the ADA minimum rather than what’s in the sign ordinance.

Dion Bouzas – Spoke about having a barrier between ADUs and commercial buildings downtown.

XIII. Zoning & Community Development Director Comments

Gundersen is continuing to work on projects and will bring them before the Planning Commission for review, including the Master Plan and potential changes to fence requirements, parking and PUDs.

XIV. Commissioner Comments

Vigansky – Spoke about Roberts Rules and the requirement that public comment not be a question and answer session with the board, but a space for the public to address the board. He does not believe the Business Boosters do their due diligence with their requests and that the recently updated sign ordinance is appropriate. There was objection from the crowd and Houser called for order.

Lysy – The Design Review Committee did not have a quorum at their most recent meeting. Gundersen shared that the DRC has appointed an alternate member who can be called on in future.

Pleasant – Thanked the public for their public comments.

Garry – Thanked the public for attending the meeting and sharing their thoughts. Thanked Hamilton for going through the map with the Board.

Wreggelsworth – Appreciated going over the map and looks forward to learning from the board.

Brown – Thanked Wreggelsworth for volunteering his time in joining the board and thanked the public for joining.

Houser – Thanked everyone for coming and for their discourse.

XV. Adjournment

Brown moved, seconded by Pleasant to adjourn at 7:35pm.

Kalla Langston-Weiss, City Clerk

Chairperson Tony Houser

Memorandum



Date: August 5, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Master Plan Update Discussion 7 – Goals and Objectives Discussion - Update and Next Steps**

Background

The Planning Commission has been working on the Master Plan since January 2026 after the Southwestern Michigan Planning Commission (SWMPC) was hired to complete the project. The current Master Plan was adopted in 2021. An online survey, two community engagement opportunities have been completed. During the July 14th meeting, the Planning Commission began work on the Future Land Use Map.

Staff also introduced the need to work on the Objectives, Goals and Tasks portion of the Master Plan. The 2021 Plan included 12 areas consisting of 32 objectives and 51 goals. Following is the number of objectives and goals for each area:

1. Hometown Character – 2 objectives – 2 goals
2. History & Art – 4 objectives - 3 goals
3. Recreation & Tourism – 2 objectives - 5 goals
4. Thriving Business Climate – 3 objectives - 7 goals
5. Infrastructure – 2 objectives 4 goals
6. Education – 3 objectives 2 goals
7. Housing -3 objectives 6 goals
8. Responsive Government – 5 objectives 5 goals
9. Transportation & Mobility – 3 objectives 5 goals
10. Land Use – 1 objective 4 goals
11. Natural Resources – 3 objective 4 goals
12. Regional Leadership – 1 objective 4 goals

The complete list and descriptions were included in the July 14th agenda packet.

Staff recommended condensing the number of objectives to five as described below. In addition, staff have drafted goals and action items for the different objects to help begin the discussion. The time frame, key partners and tool columns have not been completed. An example of time frame could be:

On-going	annually
Near	1 – 3 years
Short	4 – 5 years
Long	5 – 20 years

Memorandum

Proposed Objectives:

1. Strong Neighborhoods and Housing – increase housing options, diversity, and supply, support existing housing improvement program, housing incentives, vacant and underutilized buildings/properties, built environment, short-term rentals
2. Vibrant Community – natural resources (wetlands, forested areas, streams, river), connecting trails, walkability, complete streets, architecture, historic districts, art, culture, education, non-profits, public events
3. Infrastructure, Public Assets, Utilities and Services – streets, alleys, sidewalks, trails, sewer, water, stormwater, city owned buildings, asset management, parks/recreation facilities and programming, canopy trees (Tree City USA), public parking, broadband, capital improvement planning, public transportation, waste disposal and recycling, brush/yard waste, public safety -fire, police, snow removal
4. Effective Government – responsive, transparency, communication, public participation, fair treatment, land use and zoning, code enforcement, attain/maintain Redevelopment Ready Certification and implement best practices, participate in regional bodies/efforts (NATS, economic development organizations, etc), cooperation with local governments and the County
5. Economic Vitality – downtown, DDA, commercial, industrial, tourism, economic development, redevelopment, marketing, business and entrepreneurship support

Next Steps

Review the draft objectives, goals and actions and direct staff to make changes as needed.

It is likely the draft Future Land Use map will be available for review at the September meeting where revisions to the draft Objectives, Goals and Actions can be further reviewed.

DRAFT 1 - OBJECTIVES, GOALS AND ACTIONS FOR MASTER PLAN (PC08112026)

Strong Neighborhoods and Housing – increase housing options, diversity, and supply, support existing housing improvement program, housing incentives, vacant and underutilized buildings/properties, built environment, short-term rentals

#	Goal	Action	Timeframe	Key Partners	Tool
	Diversity and Supply	Educate community regarding need for additional housing options. Prepare information for website and possible newsletters.			
		Support new landlords and renters with “Welcome to Buchanan” resources.			
		Continue work on the UDC to improve and address concerns.			
		Review building permits issued to determine if changes are needed to the zoning ordinance to help provide additional housing options.			
		Study and discuss tiny house developments to determine if appropriate and recommend changes to zoning ordinance.			
		Monitor the short-term rental regulations and certificates issued and recommend changes as needed.			
	Housing Improvement	Investigate funding opportunities to help property owners improve dwellings.			
		Work with other organizations and development community to create opportunities to improve the existing housing stock			
		develop an accessible housing renovations pattern book.			
		Identify residential properties that need improvement.			
	Housing Incentives	Investigate funding incentives, opportunities, and sources to help create low and moderate housing options in the community.			
		Work with development community to educate the housing incentives available on a local and statewide basis.			
		Promote the Buchanan Promise program.			
	Vacant and Under-Utilized Buildings	Implement adopted ordinance requiring registration of vacant and under-utilized buildings.			
		Work with property owners to reactivate buildings and properties.			

Vibrant Community –natural resources (wetlands, forested areas, streams, river), connecting trails, walkability, complete streets, architecture, historic districts, art, culture, education, non-profits, public events					
#	Goal	Action	Timeframe	Key Partners	Tool
	Maintain and Enhance Natural Resources	Encourage the use of natural landscaping in community parks, around public facilities and on private land, where appropriate.			
		Encourage development along water ways while provide public access to the water.			
		continue to participate in the National Flood Insurance Program (NFIP).			
	Connect trails, improve walkability	Continue to promote the 50/50 sidewalk replacement program.			
		Look for opportunities to expand existing trail systems within the community while eliminating any known gaps.			
		Establish regulations for sidewalk to be installed when vacant property is developed.			
		Pursue Trail Town designation			
	Architecture, heritage, historic character	establish list of appropriate locations in need of placemaking activities			
		encourage activating alleys in commercial areas to be enjoyed by the community.			
		pursue placemaking funding opportunities			
		Investigate opportunities for façade grants or low interest loans for historic buildings.			
		promote community events			
	Gateways, parks and streets	Expand beautification efforts (entryway signage and landscaping) to enhance the appearance of the public places and gateways into the City.			
		enhance streetscapes and public places to include pedestrian-friendly features such as trees, street furniture, bike racks, trash receptacles, and pedestrian scale lighting.			
		Improve linkages between downtown and established trails.			
		Implement the goals and objectives identified within the BARB Master Plan.			
		Update parks plans as required every 5-years.			
		ensure all parks are accessible by non-motorized transportation and provide safe and convenient bike parking.			
		Pursue grant funding to support identified park projects.			

Infrastructure, Public Assets, Utilities and Services – streets, alleys, sidewalks, trails, sewer, water, stormwater, city owned buildings, asset management, parks/recreation facilities and programming, canopy trees (Tree City USA), public parking, broadband, capital improvement planning, public transportation, waste disposal and recycling, brush/yard waste, snow removal

#	Goal	Action	Timeframe	Key Partners	Tool
	Public Assets	Establish and maintain a Capital Improvement Plan (CIP) for large budget projects.			
		Continue to evaluate the condition of local streets and utilities on an annual basis.			
		Develop plans to implement sidewalk, trail extensions, corridor improvements, destination points, and visual elements in the City.			
		Continue developing the City's geographic information system (GIS) to assist with management and community planning and development of city assets.			
		Create a plan for the ongoing maintenance of vegetation within and along rivers, creeks and other water bodies.			
		Evaluate city owned buildings to determine existing and future needs			
	Tree City USA	create a comprehensive plan for the City's tree canopy that identifies a strategy to replace dead or diseased trees, prune trees when needed, manage the spread of tree diseases, and maintain or increase the city's overall tree canopy			
		Support the ongoing street tree planting program and designation as a Tree City USA community.			
		identify a consistent funding source for tree planting.			
	Waste, Bursh and Recycling	Provide efficient and accessible solid waste disposal options within the city.			
		Continue to host City-wide clean-up days annually.			
	Parking and Transportation	Improve city owned parking lots and work to address needs of business owners for waste, recycling and grease removal.			
		Improve overnight parking opportunities for residents living downtown			
		Promote the need for an Amtrack flag stop near Redbud Trail.			
		Connect with and educate elected and appointed officials the need for a flag stop.			
		Pursue grants that will support the establishment of an Amtrack flag stop.			

Effective Government – responsive, transparency, communication, public participation, fair treatment, land use and zoning, code enforcement, attain/maintain Redevelopment Ready Certification and implement best practices, participate in regional bodies/efforts (NATS, economic development organizations, etc), cooperation with local governments and the County

#	Goal	Action	Timeframe	Key Partners	Tool
	Responsive, transparent and clear communications.	Ensure the city's communication programs are accurate, maintained, and easily accessible for all community members including individuals with no internet access and those with disabilities.			
		Provide clear, consistent written correspondence and information when necessary.			
		Encourage the use of the City's website to disperse information, such as planning-related resources, news releases, agendas, meeting minutes, financial information, adopted regulations and plans and any forms.			
		Communicate with property owners and tenants of the responsibilities and expectations of the city based on established rules and regulations.			
		Communication with property owners and tenants should be done via printed materials and through online opportunities to reach as many as possible.			
		Look for ways to streamline approval processes.			
		Develop work order/maintenance system for city assets			
	Public Participation and Fair Treatment	Encourage public participation in local government, including voting, services on board and commissions and volunteerism.			
		Work to obtain a diverse group of volunteers for appointment boards and commissions			
		Provide different opportunities for community engagement while meeting public notice requirements.			
		Conduct joint meetings annually of the City Commission, Planning Commission and Downtown Development Authority			
		When appropriate conduct community and neighborhood public forums to solicit public feedback from all demographic sections of the City.			
		Identify populations that are missing from critical community conversations, committees, and leadership positions, and develop relationships to bring all groups to the table.			
		evaluate and update programming as needed to meet community needs and to diversify offerings.			

Effective Government – responsive, transparency, communication, public participation, fair treatment, land use and zoning, code enforcement, attain/maintain Redevelopment Ready Certification and implement best practices, participate in regional bodies/efforts (NATS, economic development organizations, etc), cooperation with local governments and the County

#	Goal	Action	Timeframe	Key Partners	Tool
	Land Use, Zoning, Development Regulations	Consistently enforce the current Unified Development Code and other City Ordinances.			
		Work to ensure the Unified Development Code is consistent with goals and objectives of Master Plan.			
		Follow and research advances in land use, zoning and code enforcement to help maintain the goals and objectives of the community while creating an accommodating atmosphere for the different types of development.			
		Review changes to the UDC associated with green infrastructure such as the use of permeable pavers, solar panels, rain barrels to minimize impact on adjacent property owners			
		create payment in lieu of parking provisions			
		Conduct annual review of goals and tasks found in the Master Plan. At a minimum review the Master Plan at five-year intervals per state law.			
	Code Enforcement and Property Maintenance	Consistently and fairly enforce Unified Development Code and other City Ordinances.			
		Review existing regulations pertaining to blight and property maintenance and recommend needed changes.			
		continue to improve property maintenance ordinances and enforcement.			
		Research and establish a property maintenance program.			
	Engement with state, regional and local agencies	Work with different agencies to help advance the needs of the community.			
		Participate in workshops to increase knowledge of opportunities available.			
		When appropriate investigate opportunities to create shared services with surrounding communities			
		Where possible become involved with boards and commissions of professional organizations			

Effective Government – responsive, transparency, communication, public participation, fair treatment, land use and zoning, code enforcement, attain/maintain Redevelopment Ready Certification and implement best practices, participate in regional bodies/efforts (NATS, economic development organizations, etc), cooperation with local governments and the County

#	Goal	Action	Timeframe	Key Partners	Tool
	Staffing and Training	Review staffing levels to determine if and where changes may need to take place to address changing needs of the community			
		Allocate sufficient resources to ensure adequate staffing and the ability to fund training opportunities for staff along with elected and appointed officials.			
	Encourage prudent use of City financial resources.	Encourage the use of standards of the Certificate of Financial Achievement Award as best practices for the City.			
		Encourage the City to continue to maintain a General Fund balanced budget.			
		Coordinate implementation and capital improvements plan efforts with the City Commission, appropriate departments			

Economic Vitality – downtown, DDA, commercial, industrial, tourism, economic development, redevelopment, marketing, business and entrepreneurship support					
#	Goal	Action	Timeframe	Key Partners	Tool
	Balanced growth while maintaining small town character	encourage and recruit businesses that provide goods, services, recreation, and employment opportunities that contribute to the vibrance of the community while meeting the needs of the community while attracting new residents.			
		work with the various cultural and arts organizations to promote arts and cultural programs in the city.			
		promote the vitality of downtown by emphasizing the entertainment and cultural center, restaurants, library, parks and shopping.			
	Economic Development	Work with the Chamber, DDA, Southwest Regional Chamber, Cornerstone Alliance and local businesses to enhance the City's economy and ability to provide affordable housing opportunities.			
		Continue working to gain Certified status through the Michigan Economic Development Corporation's Redevelopment Ready Communities program.			
		Continue to promote and implement the City's Brownfield Redevelopment Authority programs.			
		Investigate and promote state funding programs to help fill gaps in funding needed for both new and redevelopment opportunities			
		Adopt policies regarding the implementation of specific incentive tools.			
		Identify priority development sites to help property owner market			
		establish façade improvement program for commercial buildings			
		Determine if a corridor plan for the area east of Redbud Trail along East Front Street is needed and if so move forward with the process			
	Marketing	Coordinate with local agencies on the marketing of the community			
		implement wayfinding program to direct residents and visitors to the City's cultural and ____ resources.			

Memorandum



Date: May 5, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Discussion #6 - 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 several months.

Three new items have come up for discussion. Please note that formatting will be completed as part of the application submittal and before the public hearing.

1. Minimum clearance for signage.

The existing draft language and the previous Sign Ordinance require a minimum clearance of 8'. This is measured from the ground to the lowest point of the sign. To be compliant with ADA (American Disability Act) projecting signs must provide a minimum clearance of 6'8" when measured from the ground to the bottom of the sign.

While the 8' clearance further decreases the opportunity of the projecting sign to be damaged by individuals jumping and hitting it, 6'8" has become the standard with the sign owner acknowledging damage could happen if not properly installed.

There have been comments made that the minimum clearance should be decreased if an object such as a planter box or seating is placed under the signage. Staff has discussed this concept with individuals that are well versed and have received training on ADA and it was recommended that this is not a good practice as some equipment can easily be moved daily and it creates a practical difficulty during winter months when items are not found on the sidewalk due to snow removal processes. In addition, the equipment would need to be sufficient size to accommodate the entire flag movement to establish the 6'8" clearance. Attached is an ADA exhibit depicting walking areas and required clearances.

Staff recommend that Table 71-T District Regulations be updated with a minimum clearance for wall mounted signs be decreased from 8' to 6'8" when located over public or private sidewalk and continued use of 15' when located over public or private streets/alleys or drive-aisles. Staff does not recommend any allowances to decrease the minimum clearance for safety reasons as stated above.

Memorandum

2. Regulations associated One-Two Family verses Three or more.

Based on past conversations and the text amendment public hearing in July where the Commission recommended that 4 attached dwelling units should be allowed in the different residential districts, Table 71-T District Regulations along with Section 5 Temporary signs subsections b and c should be reviewed to determine if language should be modified.

3. Temporary signage hanging over or placed on public sidewalk in the D Downtown District.

The draft regulations provide an opportunity for business owners to place sandwich board signs on the public sidewalk under certain conditions in the D Downtown District where customers typically walk down the street. The sandwich board helps to promote businesses as wall mounted signs may not be as visible for those walking on the sidewalk. In addition, businesses can advertise on front display windows. The sandwich board and window signage do not require a sign permit as in many cases, neither are permanent, either type of signage must be in compliance with the sign regulations.

Earlier this year the Business Boosters made a request to the Downtown Development Authority (DDA) for the purchase of “open flags” with mounting equipment. The DDA has not acted on the request as staff expressed concerns regarding the existing and pending sign ordinance regulations.

During the July meeting members of the Business Boosters attend and introduced the desire to have “open flags” for business in the D Downtown District. Staff stated language would be drafted for the Planning Commission to review during the August 11th meeting.

Also attached is a seven-page document prepared by the Business Boosters for additional information.

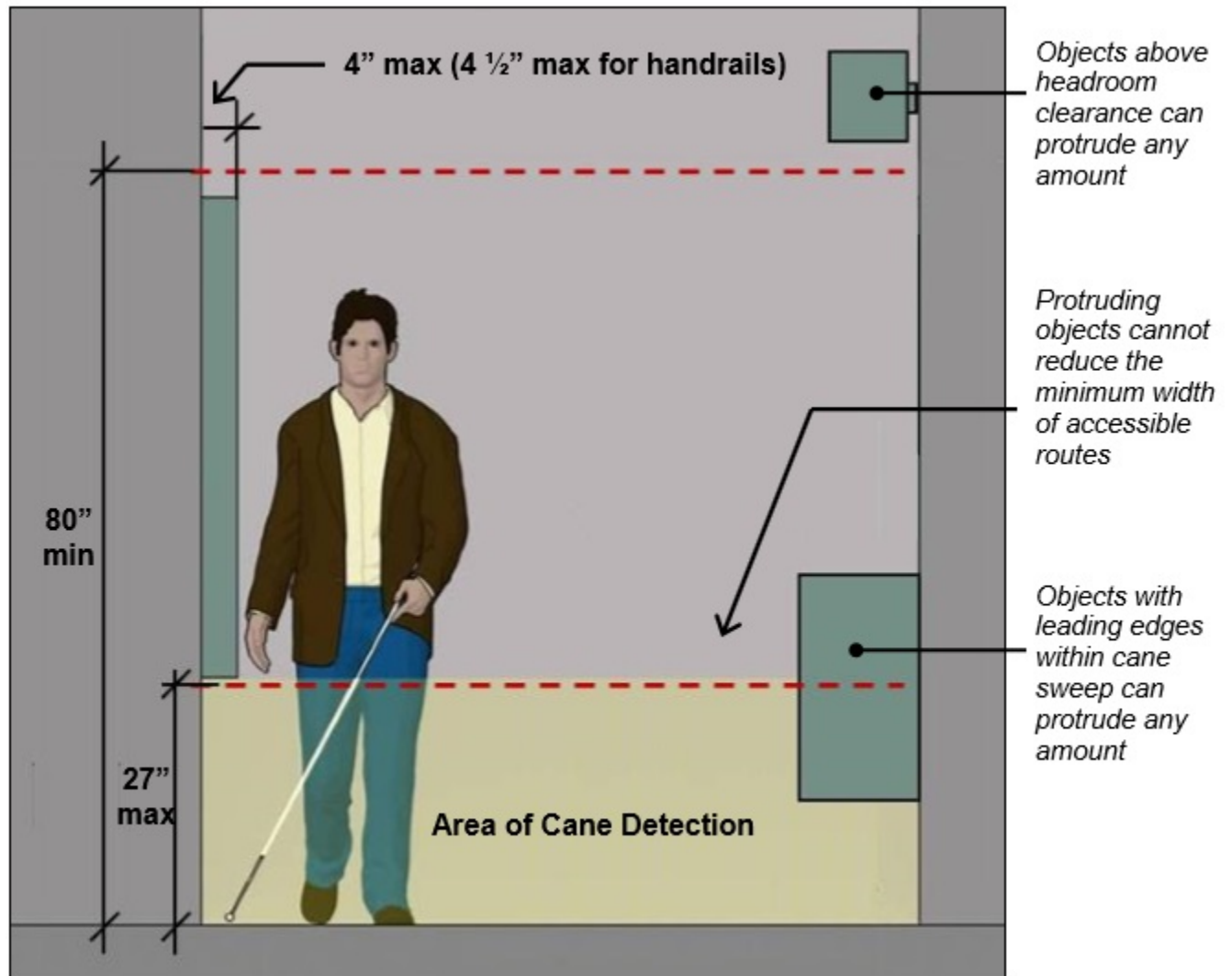
Within the draft language, Section 5 Temporary signs provide language for several types of temporary signs. Staff believes this is best location for temporary “open flag” signs as they hang over the public sidewalk and because the flag and post would be removed daily, as the signage would be placed out when the business is open.

Please review the proposed new language that is depicted in highlight and underline as it relates to temporary “open flags” in the D Downtown District.

Next Steps

Review the additional draft changes and direct staff to make changes and schedule a public hearing for the September meeting.

ADA exhibit regarding minimum clearance and projections



Draft 5 – 08112026 PC Meeting discussion – new language pertaining to temporary signage and staff memorandum requests discussion on minimum clearance and two unit versus five unit dwellings New draft language is shaded and underlined

DRAFT 4– 05122026 PC meeting – - changes have now been incorporated into current draft.

Discussion 3 – new language added 04142026 – incorporated into document as standard text

Discussion 2 – new language added 03102026 – incorporated into document as standard text

Discussion 1 new language added 02102026 – incorporated into document as standard text

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 to residents of the City of Buchanan, the business community and visitors

The regulations also promote the goals of the master plan by improving the visual character of thoroughfares and fostering business retention while attracting new businesses. Accommodation for special circumstances or events may create a need for temporary signs or modifications to adopted regulations. The need to eliminate potential hazards to motorists and pedestrians resulting from sign clutter and visual distractions and preventing blight.

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 vehicle 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 (or Article I, Section 5 of MI Constitution – not sure), that commemorate any of the following:
 - i. Any of the following who 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.
- 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.

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

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. Temporary signage in the D Downtown District - sandwich board or open flag signs are allowed under the following:
 - i. A business is limited to one temporary sign that is placed on or hangs over the public sidewalk:
 - a. Sandwich Boards
 - i. One sandwich board sign per business
 - ii. Maximum height of 4 feet
 - iii. Maximum size is 8 square feet.
 - iv. Maximum width 30".
 - 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.
 - viii. Shall not be illuminated or have sound amplification.
 - ix. 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.
 - x. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas.
 - b. Open flag
 - i. Minimum clearance of 6'8" from the ground to the lowest hanging portion of flag.
 - ii. Maximum projection of equipment from building of not more than 24".
 - iii. Maximum size of 3.5 square feet.
 - iv. Displayed outside during business hours and stored inside when the business is closed.
 - v. Shall be limited to the word "open".
 - vi. Shall be constructed of fabric or similar material.

- e. Pennant signs are allowed under the following:
 - i. Shall be 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. Shall be located on private property.
 - iii. Shall 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. Shall be displayed on private property no more than one week prior to advertised event.
- h. Sandwich boards located on private property are allowed under the following:
 - i. One sandwich board sign per business
 - ii. Maximum height of 4 feet
 - iii. Maximum square footage of 8 square feet.
 - iv. Maximum width 30".
 - 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.
 - viii. Shall not be illuminated or have sound amplification.
 - ix. 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.
 - x. Must be placed to allow unobstructed ADA compliant route to business and surrounding areas.

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.

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 alerts, 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

- 1. Signs and sign structures must be maintained free of broken or torn materials, peeling paint or paper, sun fading, staining, rust or other conditions which impair the legibility of the sign.
- 2. Any permitted signs, including all supports, braces, guys and anchors, must be maintained in a manner not to cause a hazard to the public.

G. Removal of unsafe, abandoned, obsolete and prohibited signs and sign structures.

- 1. Public Property or Rights-of-Way. Any unauthorized sign or sign structure located in a public right-of-way or on public property may be removed without notice and may be destroyed after seven days of being removed.

2. Abandoned, Obsolete, Unsafe or Prohibited Signs. If upon inspection, the zoning administrator finds that a sign or sign structure located on private property is abandoned, obsolete, unsafe, and/or prohibited, the zoning administrator shall issue a written order to the sign owner and the property owner upon which the sign or sign structure is located stating the nature of the violation and requiring them to repair, remove, or conform the permanent sign or sign structure within 30 calendar days of the date of the order, or to remove temporary signs or sign structures within five calendar days of the order.

3. Imminent Danger. When any sign or sign structure is found to be in such condition as to make it an imminent danger to the life or safety of the public, in addition to any other remedy in this chapter, the zoning administrator is hereby authorized and empowered to immediately order the necessary work to be done as is necessary to render such sign or sign structure temporarily safe. In such event, the owner of the premises upon which the sign is located is responsible for such costs and the zoning administrator shall cause such appropriate action as is necessary to recover those costs.

H. Non-conforming signs.

Every permanent sign which was erected legally and which lawfully exists at the time of the enactment of this article, but which does not conform to the provisions of this chapter as of the date this chapter is effective, is hereby deemed to be nonconforming and may remain except as provided in this section.

1. Nonconforming status shall not be granted to any temporary sign, banner, or other non-permanent sign. In addition, a sign illegal at the time of the adoption of the ordinance from which this section derives shall not become a non-conforming sign by reason of such adoption, but shall remain an illegal sign.

2. The right to maintain any nonconforming sign shall terminate whenever any of the following occurs:

a. The nonconforming sign is dimensionally or structurally altered, enlarged, modified, added to, or changed, except as may be required by law, unless it is made to conform with this chapter.

b. The nonconforming sign is located on property that is being modified as requested and initiated by the owner of the property or owner's representative, for an application that involves a public hearing request before the planning commission (examples include: map amendment (rezoning), text amendment, special use permits, or planned unit developments) or zoning board of appeals (example, a dimensional variance).

c. The principal structure associated with the sign or the non-conforming sign is razed or destroyed by fire or other casualty loss when restoration will constitute more than 50 percent of the value of the structure.

d. The principal structure associated with the sign is renovated or remodeled when renovation or remodeling will constitute more than 50 percent of the value of the structure on the date the renovation or remodeling begins.

e. The nonconforming sign is unsafe, abandoned, obsolete and/or prohibited.

3. The nonconforming sign shall not be relocated or moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to the regulations of this chapter and other applicable regulations of the city.

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, Mural requests or Iconic Sign Designation.
- 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	Planning commission: Not less than 15 days prior to public hearing
	City commission: reasonable time 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		
Sign modification or mural	No notice is required	

*** 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					
Sign permit, modifications, mural and iconic designation	DM or R	DM	[A]	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.
 - 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.
 - 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.
- 3. **Authority to Grant Iconic Sign Designation and Maintenance.** The planning commission has authority, in connection with an application, to grant approval of the application for iconic sign designation, subject to the following regulations.
 - a. **Review.** The planning commission shall, within 90 days of receiving a complete application, either grant the application by written findings stating the reasons therefor, deny the application, or grant the application with modifications or conditions. The failure of the planning commission to act within 90 days, or such further time to which the applicant may agree, shall be deemed to be a decision of denial.
 - b. **Factors for Approval of Iconic Sign Designation.** Iconic sign standards are intended to provide for the preservation of the city's unique character, history, or identity as reflected in its historic and iconic signs. A sign may be designated as an iconic sign if the planning commission determines that the sign is structurally safe or capable of being made so without materially altering its historical character or significance, and the applicant presents a proposed maintenance program that addresses general maintenance, repair, restoration, and other potential future modifications (e.g., text changes).

In addition, the planning commission must determine that the sign meets a majority of the following criteria:

1. The sign has been in continuous existence at its present location for at least 10 years.
2. The sign is associated with historic figures, events, or locations within the city; is recognized as a popular focal point in the community; or reflects the history or historical use of the building or the history of the city.
3. The sign is of exemplary technology, craftsmanship, or design for the period in which it was constructed; uses historic sign materials or means of illumination; or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation.

c. *Factors for Approval of Iconic Sign Repair or Restoration.* Any repair or restoration to an iconic sign requires a permit and shall be reviewed by the planning commission by the above described process, and must comply with the following:

1. The sign will be restored and repaired to its substantially original condition, using the same color scheme, graphics, and materials to the extent practicable in order to replicate the original appearance of the sign;
2. Text changes either match or are compatible with existing text in material(s), letter size, font/typography; and
3. Restoration or repair of the sign is not expanded beyond the original sign area.

d. *Iconic Sign Removal.* Nothing in this chapter prohibits the voluntary removal of an iconic sign. Once removed, an iconic sign cannot be replaced unless it is removed as part of an approved sign restoration.

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 monito, 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.)

Iconic sign: A sign found in its sustainably original form or construction that exemplifies historical, cultural or architectural features or is deemed to be unusual, significant, or meaningful to the city streetscape or the city's history.

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.

PROPOSED AMENDMENT TO DOWNTOWN SIGN STANDARDS

AUGUST 6, 2026

■ CITY OF BUCHANAN



PREPARED FOR

THE PLANNING COMMISSION

City of Buchanan

302 N Redbud Trail
Buchanan, MI 49107

**BUCHANAN
BUSINESS
BOOSTERS**

PREPARED BY

DENNIS MORI, President
JENNIFER MARTELL, Member

BUCHANAN BUSINESS BOOSTERS

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EXECUTIVE SUMMARY

On behalf of local businesses, we respectfully request consideration of an amendment to the City's Unified Development Code (UDC) Section 71-30 relating to the mounting height of small hanging and projecting signs.



ORGANIZATION OVERVIEW

The Buchanan Business Boosters exists to bring together all business owners, organizations and community members who believe Buchanan matters. Through collaboration, events and community-driven initiatives, we work to strengthen downtown, support local businesses and create a vibrant community for residents and visitors alike.

REQUESTED AMENDMENTS

We respectfully request that the City:

1. **Reduce the minimum clearance requirement** for small hanging or projecting signs or similar from the current **8 feet (96 inches)** to the typical **ADA-required minimum vertical clearance of 80 inches** over pedestrian routes.
2. **Create a narrowly defined exception** allowing a sign or similar to be installed below 80 inches when:
 - A fixed planter, bench, railing, decorative barrier, or similar permanent obstruction prevents pedestrian travel beneath the sign;
 - The required accessible sidewalk path remains unobstructed and fully compliant with ADA standards;
 - The sign does not project into the required accessible route; and
 - The exception applies only to small hanging or projecting signs and not to larger projecting business signs.

BASIS FOR THE REQUEST

The current eight-foot clearance requirement exceeds the minimum vertical clearance required under the Americans with Disabilities Act for pedestrian routes. ADA accessibility standards ordinarily require **80 inches** of vertical clearance along a pedestrian circulation path. They also recognize installations below 80 inches where a fixed, cane-detectable barrier prevents pedestrian travel into the area of reduced clearance and an accessible pedestrian route remains available.

For many downtown businesses – particularly those occupying historic storefronts – the existing eight-foot requirement creates unnecessary challenges. Many storefronts were designed with lower transom heights and architectural features that make installation at eight feet impractical or visually inconsistent with the building's historic character.

Reducing the clearance requirement to the nationally recognized ADA standard would:

- Maintain accessibility for all pedestrians.
- Increase consistency with recognized accessibility standards.
- Better accommodate historic downtown architecture.
- Allow businesses greater flexibility in displaying small OPEN signs that help customers identify when a business is operating.
- Improve the pedestrian-oriented character of downtown without creating additional safety concerns.



Limited Exception Where Pedestrian Travel Is Physically Prevented

There are also situations where pedestrians cannot physically travel beneath a sign because permanent site features – such as planters, benches, decorative railings, or similar fixed barriers – already occupy that space.

In these cases, the purpose of the vertical clearance requirement is effectively satisfied because pedestrians are naturally directed around the protected area while the accessible sidewalk route remains fully available. Allowing a carefully defined exception under these circumstances would provide flexibility without reducing accessibility or public safety.

SUGGESTED ORDINANCE LANGUAGE

Small Hanging or Projecting Signs. A small hanging or projecting sign shall maintain a minimum vertical clearance of **80 inches** above any accessible pedestrian route.

SMALL HANGING OR PROJECTING sign may be installed below 80 inches where all of the following conditions exist:

1. A barrier such as a permanent planter, bench, railing, or similar fixed barrier prevents pedestrian travel beneath the sign with its lowest detectable edge no more than 27 inches above the walking surface;
2. The rigid bracket, pole and sign must remain within the area protected by the barrier;
3. The required accessible pedestrian route remains unobstructed and compliant with ADA requirements;
4. The installation must not interfere with entrances, vehicle sight lines or required pedestrian clearances;

This request represents a modest, targeted amendment that better aligns Buchanan's sign regulations with nationally recognized accessibility standards while supporting the needs of small businesses and preserving pedestrian safety.

The proposed amendment is intentionally narrow in scope, applying only to small hanging or projecting signs. It maintains accessible pedestrian routes, respects the character of Buchanan's historic downtown, and provides businesses with practical flexibility without compromising public safety.

We respectfully request that the Planning Commission place this proposed amendment on a future agenda for review and discussion and, following the required process, recommend appropriate amendment language to the City Commission.

Thank you for your consideration and your continued support of Buchanan's business community.

EXAMPLES



Three Oaks, MI



Michigan City, IN



South Haven, MI



Example flag

Memorandum



Date: August 6, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Discussion #1 - Unified Development Code – Downtown Design Review**

Background

Earlier this year staff requested the Downtown Design Review Committee review portions of the recently adopted Unified Development Code. Staff explained the new code did not incorporate design standards to be used by the Committee when reviewing requests.

The Committee and staff have been working on drafting and reviewing proposed changes for several months. During the August 5, 2026 meeting, the Committee unanimously recommended that the Planning Commission move forward with the draft changes.

Currently the Committee relies on the 2007 Downtown Design Standards which include information regarding the Secretary of the Interior Standards associated with historic preservation. Since the City does not have an historic preservation commission, the standards drafted incorporate concepts while not calling out historic preservation.

It is believed relying on established standards within the Unified Development Code will help eliminate confusion for those owning property downtown. In addition, care was taken in drafting the standards that would not prohibit change to a building.

Summary of changes

While working through the changes, it was concluded the use of an overlay district would be appropriate. The overlay district consists of properties located in the D Downtown District. Other changes included:

1. Modification to Section 71-33 Review and decision-making bodies.
 - a. The Committee's name was changed to include "Downtown" to help eliminate confusion on what areas require review.
 - b. An appeal process was added. Applicant that do not receive the desired outcome may appeal to the Planning Commission.
2. Section 71-34 General provisions – Table 71-U Notice Timing

Memorandum

- a. Downtown Design Review was added and clearly states no written or published notice is required for review.
 - b. Language added regarding applications by decision making bodies.
3. Section 71-36 Table 71-V Development Review Procedure and H – Downtown Design Review.
- a. Included Downtown Design Review with reference to decision makers and appeal group.
 - b. Expanded language for administrative review.
 - c. established design objectives and standards that will be reviewed as part of a request.
 - d. incorporated the appeal process through the Planning Commission
4. Article V Definitions
- a. defined the Downtown Design Review Overlay District.

Next Steps

Review and discuss the draft document. Direct staff to make changes as needed and to schedule for public hearing to take place during the September 8th meeting.

Existing language found in Unified Development Code to be deleted

Section 71-36 Specific standards for development approval.

~~H. Downtown applications:~~

~~1. Applicability:~~

~~a. This subsection applies to all proposed exterior work in the D Downtown District subject to the Downtown Design Standards, including new construction, façade alterations, cosmetic upgrades, and signage.~~

~~2. Administrative approvals. The community development director may approve proposed work when all of the following criteria are met:~~

~~a. The work does not involve the addition or removal of architectural features that define the character of the building, including but not limited to cornices, transoms, storefront configurations, or decorative masonry.~~

~~b. The work is consistent with the City of Buchanan Downtown Design Standards, including any applicable design guidance or previously issued staff interpretations.~~

~~c. The work is located on a non-primary façade or is minimally visible from the public right-of-way, unless the proposed materials and design match the existing conditions.~~

~~d. The work is limited to repainting, signage, awning replacement, lighting, window or door replacement of the same size and material, or similar minor treatments.~~

~~e. The proposal does not require interpretation of discretionary design guidance or involve requests for exceptions to adopted standards.~~

~~3. DRC referral. The community development director may refer any application to the DRC when the proposed work is unusual, precedent-setting, or potentially inconsistent with the Downtown Design Standards.~~

~~4. Effect of noncompliance. Proposals determined not to comply with Downtown Design Standards may not proceed until amended to achieve compliance and receive approval from the appropriate review authority.~~

PROPOSED DRAFT LANGUAGE. FORMATTING TO BE ADDRESSED

Sec. 71-5 Zoning districts established

A. Zoning under this chapter is limited to the following district designations.

8. Short-term rental Overlay District allows short-term rental uses to be located in specific geographic areas.

9. Downtown Design Review Overlay District establishes specific geographic areas where exterior design review by the Downtown Design Review Committee is required

Sec. 71-14 Zoning districts

A. Official zoning map – Figure 71-A (Zoning Map shall have the following language added under “Zoning Districts”)

Overlay District

Short-Term Rental Overlay District – see Sec. 71-16.H.11

Downtown Design Review Overlay District – see Sec. 71-16.H.12

Sec. 71-16 General requirements

Section 71-16.H Establishment of zoning districts and regulations

1. through 10 - intentionally left blank (in future Tables 71-C through 71-H will be retitled)

11. Short-Term Rental Overlay District (STROD)

12. Downtown Design Review Overlay District (DDROD)

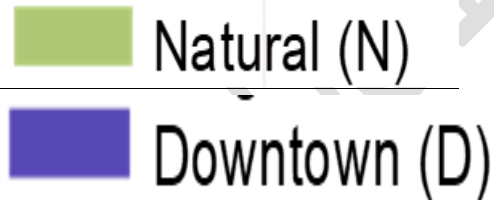
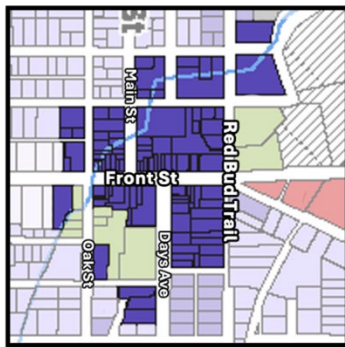
a. Intent. The Downtown Design Review Overlay District is established and applies to the area shown on the map in Section 71-16.H.12.c. The intent of the Downtown Design Review Overlay District is:

i. Preserve and promote the historic and architectural qualities of the downtown and thereby preserve the distinctive character of the City. The downtown business district has special historical, cultural, and design significance and contains historic or unique sites deserving protection. The preservation and appropriate development of these sites require rules and regulations specifically addressing these distinctive characteristics.

ii. To effect and accomplish the protection, enhancement, perpetuation, and use of improvements and areas of special character or special historic and aesthetic interest or value which represent or reflect elements of the City’s cultural, social, economic, and architectural history or distinction.

- iii. To maintain the local, "small town" atmosphere of and the downtown business area within the City.
- iv. To insure compatibility of new development with the existing characteristics of the area.
- v. To protect sensitive areas of transition from one land use to another.
- vi. To protect and enhance the downtown's attractiveness to visitors and the support and stimulus to local business provided thereby.
- vii. To strengthen the economy and promote improvements in the City.
- viii. To promote the use of areas within the Downtown Design Review Overlay District for the education, pleasure, and welfare of the residents of the City.

b. **Downtown Design Review Areas.** The Downtown Design Review Overlay District will consist of all properties located in the D Downtown District and those properties located in the N Natural District located between Days Avenue and South Oak Street between East Roe and East Front Streets in addition to parcels abutting the west side of South Oak Street between Charles Court and West Front Street.



c. **Applicability, Exception**

i. The placement of allowed non-permanent items such as sandwich board signage, outdoor seating, planter boxes and other similar items in accordance with adopted regulations and policies shall be excluded from the Downtown Design Review Overlay District standards of review as found in _____.

Sec. 71-33 Review and decision making bodies.

E. Downtown Design Review Committee

1. **Powers and duties.** The Downtown Design Review Committee has the following powers and duties under this chapter:

a. **Downtown Design Review Overlay District.** To review, hear, consider and approve, approve with conditions or disapprove applications .

b. Appeals to administrative decisions. To hear, review, consider and affirm, modify, or review decisions of the Zoning Administrator as allowed under Sec ____.

2. Appeals. An appeal of a decision by the Downtown Design Review Committee must be filed with the City of Buchanan Planning Commission in writing within 60 days after the decision is made or within 21 days after the Downtown Design Review Committee approves the meeting minutes, whichever comes first.

Sec. 71-34 General provisions.

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	None	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 permits	Not less than 15 days prior to public hearing.	Not less than 15 days prior to public hearing
Variance	Not less than 15 days prior to public hearing	Not less than 15 days prior to public hearing
Appeal	Not less than 15 days prior to public hearing	Not less than 15 days prior to public hearing
Downtown Design Review Overlay District	None	None

K. Review of applications by decision-making bodies.

4. Downtown Design Review Overlay District. After submission of an Application for Downtown Design Review, the Downtown Design Review Committee will hear comments on the application during a public meeting. -The Downtown Design Review Committee will either approve, approve with conditions, or disapprove the application based on actual conditions and the relevant review standards.

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					
Sign permit	DM		[A]			
Temporary use permit	DM		[A]			
Certificate of zoning compliance	DM					
Downtown design review	DM	A			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

H. Downtown design review.

4. Purpose. Downtown design review is required for properties located within the Downtown Design Review Overlay District as established in Sec. 71-16.H.12.a. and applies to all proposed exterior work in the Downtown Design Review Overlay District associated with exterior alterations to existing buildings related but not limited to windows, doors, awnings, signage, lighting; changes to the façade such as new siding or paint; and new construction.
2. Approval Process Options. No building or sign permit may be issued for work on the exterior of a building located within the Downtown Design Review Overlay District

until either an Administrative approval has been issued by the zoning administrator, or the Downtown Design Review Committee has approved the request.

a. Administrative approvals. The Zoning Administrator along with the City Manager considers and may approve, approve with condition or disapprove downtown design review applications for proposed work when all of the following criteria are met:

- i. The work does not involve the addition, removal, or covering of architectural features that define the character of the building, including but not limited to cornices, transoms, storefront configurations, or decorative masonry.
- ii. The work is limited to repainting, signage replacement, awning replacement, lighting, window or door replacement with units of the identical size, material, and construction, or similar minor treatments.
- iii. The repair or replacement of a roof surface when not visible from the street and retaining the original roof design.
- iv. The proposal does not require interpretation of discretionary design guidance or involve requests for exceptions to adopted standards.
- v. The Zoning Administrator or City Manager may choose not to review a request and instead send it to the Downtown Design Review Committee for action.

b. Downtown Design Review Committee approvals. The Downtown Design Review Committee is authorized to review and approve, approve with conditions or disapprove an application for modifications or new construction for properties located in the Downtown Design Review Overlay District in accordance with Objectives and Standards found in Sec. 71-36.c.____

c. Objectives and Standards

The Downtown Design Review Committee shall review the following Objectives and Standards when reviewing applications for exterior work within the Downtown Design Review Overlay District.

1. Building character, context and mass

- a. Objective. Each new development or exterior renovation should relate and contribute towards a positive image in terms of architectural style and details, placement, shape, scale, character, and materials, as well as relationship to

adjacent buildings.

- b. Standard: New development must maintain setbacks, and should maintain building proportions, roof and cornice lines, façade divisions, rhythm and proportions of openings, building materials, and colors that are consistent with or similar to surrounding commercial buildings, where present, and shall adhere to the established regulations found within this code pertaining to bulk standards and façade type requirements.

2. Architectural Style.

- a. Objective. To ensure general consistency with historic architectural styles found in downtown Buchanan.
- b. Standard. For new construction, historic architectural styles need not be replicated. The contemporary adaptation of elements of historic commercial architectural styles found in downtown Buchanan is encouraged. Elements should be based upon, and consistent with, an architectural inventory of the existing downtown district. Elements of multiple architectural styles should not, however, be mixed in a single building. For renovations of or additions to existing buildings, the architectural style of the existing building will inform the design of the new work, which will be consistent and harmonious with the existing building.

3. Roof Treatment.

- a. Objective. Roof forms should provide visual interest that is consistent with the roof forms of adjacent buildings.
- b. Standard. Flat roofs and low-pitch (no more than 2:12) roofs are the most common traditional downtown roof form and should be used on all new buildings. Detailed cornices or parapets are encouraged to emphasize the roofline and conceal the roof.

4. Corner Buildings.

- a. Objective. To emphasize the importance of corner locations for pedestrian circulation and visibility.
- b. Standard. New buildings on corner lots should be oriented to the corner and both public streets. Both street-facing facades should be built up to the established building façade line on each block. Corner entrances may be desirable but are not required. However, both street-facing facades should maintain similar articulation, detailing, and rhythm of window openings.
- c. Existing buildings on corner lots should maintain or create orientation on both public streets.

5. Building Widths and Facades

- a. Objective. To reflect typical existing building widths found in the downtown and to avoid long building facades with a monolithic or monotonous appearance.
 - b. Standard. Buildings of more than 40 feet in width shall be divided into smaller increments (between 20 and 40 feet each) through articulation of the facade. This can be achieved through combinations of the following techniques and others that may meet the objective, as long as they all conform to a single architectural style: stepping back or extending forward a portion of the façade; using different textures or materials drawn from a common palette; dividing the storefronts with separate display windows and entrances; varying the rooflines by alternating parapets, stepped roofs, or other roof elements; using arcades, awnings, window bays, arched windows, and balconies as focal points or defining elements.
6. Materials – All elevations and roof
- a. Objective. To ensure that high-quality, durable and authentic materials typical of Buchanan’s traditional downtown continue to be used.
 - b. Standard:
 - i. Primary materials: New buildings should be constructed of high-quality materials, including but not limited to the following: brick, natural stone, precast concrete units and decorative concrete block (provided that surfaces are molded, serrated or textured giving the wall surface a three-dimensional character), stucco, jumbo brick (which may be used on up to 30 percent of any façade, provided that it is used only on the lower third of the building wall), EIFS (exterior insulating finish system, which may be used as an accent but not a primary material), architectural metalwork.
 - ii. The following materials are prohibited: unadorned plain or painted concrete block, tilt-up concrete panels, reflective or darkly tinted glass, or pole buildings.
 - iii. Accent materials may be used on up to 15 percent of the building’s façade. These may include metal, glass, block, painted wood panels, spandrel glass or similar materials as approved by the Downtown Design Review Committee (DDRC).
 - iv. Existing buildings should be rehabilitated using original materials to the extent feasible. If original features or materials cannot be restored or replicated, the primary materials listed above may be used.
 - v. Roofs, generally flat or low pitch (2:12 or less). Asphalt shingles and asphalt roll roofing are prohibited on flat or low-pitch roofs. New roofing

material may not be terminated on the fascia or the wall below the roof, that is, the existing fascia must be retained or replaced in kind and may not be covered by the roofing material.

5. Architectural Details.

- a. Objective. Incorporate architectural details to serve as identifiable and visually interesting enhancements to building facades and help to establish a pedestrian supportive environment.
- b. Standard. Architectural design shall be sensitive to the massing and proportion of adjacent structures, and reflect or complement the detailing of surrounding buildings, with elements such as lintels, cornice lines, balconies and decorative brick or stonework. Exterior lighting, awnings and signage shall be installed without damaging the building or visually impairing distinctive architectural features. Fasteners will be placed in mortar joints and not into masonry units.

6. Openings in Front

- a. Objective. To establish the visual importance of the primary street entrance, and to ensure those entries contribute to the visual attractiveness of the building and are readily visible to the customer.
- b. Standard. The main entrance should always face the primary street, with secondary entrances to the side or rear. Entries to corner-oriented buildings may face the corner rather than either primary street. The main entrance of commercial, office and mixed-use facilities should be placed at sidewalk grade to facilitate ease of access.

7. Windows and Doors

- a. Objective. Preservation of the historic character of the building and downtown.
- b. Standard. Historic windows and doors should be rehabilitated or repaired if possible. Replacement of historical windows or doors will either replicate or simulate the appearance of the historical unit.
 - i. The removal of existing doors and windows and replacement by a solid wall is typically not allowed unless the applicant can provide detailed information regarding why the removal is necessary.
 - ii. Original or historic windows and doors should be rehabilitated or repaired whenever possible. Options for dual glazing (storm panels) is the preferred method to improve energy efficiency. When rehabilitation or repair is not possible, replacement is allowed.

Door and window openings shall not decrease in size. When it is proposed to increase the size of an existing opening or create a new opening, clear and detailed information must be provided in the application. Care must be given not to damage or remove any existing architectural elements.

When original or historic doors are to be replaced, the new units must be of a similar style, have the same number and placement of panels, lights, etc., and have similar molding profiles. Historic pattern or decorative glass (glue-chip, etched, beveled, etc.) must be replaced with identical materials. When non-historic doors are to be replaced, the new doors should be of a style appropriate to the architectural style of the building.

When original or historic windows are to be replaced, the new units must be of a similar style (i.e. double-hung, casement, fixed, etc.), have the same number and placement of lights (i.e. 6 over 6, 3 over 1, etc.), and have similar muntin widths (with no more than 1/8" variation from the original). Historic pattern or decorative glass (prism, reeded, glue-chip, etched, beveled, etc.) must be replaced with identical materials. If the window sash are not true divided light, grilles simulating muntin's must be permanently installed on both the inner and outer sides of the glass.

When non-historic windows are to be replaced, the new windows should be of a style appropriate to the architectural style of the building and should otherwise follow the standards for replacement of historic windows above.

Triple-track storm units are not allowed.

8. Color and Use of Paint.

- a. Objective. To ensure that building colors are aesthetically pleasing and compatible with surrounding buildings.
- b. Standard. Principal building colors shall consist of subtle, neutral or muted colors, with low reflectance. Allowed colors include browns, grays, tans, beiges, and muted greens, blues and reds. No more than two principal colors may be used on a façade or storefront. Bright, white, or primary colors shall be used only as accents, occupying a maximum of 15 percent of a building's facades. This standard does not apply to murals or other works of public art.
 - i. Buildings that currently have painted masonry may change paint color as stated above.

- ii. Painting masonry surfaces is strongly discouraged as it cannot be easily removed without damaging the masonry, often creates conditions that lead to the accelerated deterioration of the masonry, and turns a maintenance-free surface into a maintenance-required surface. Any application to paint an unpainted masonry building must include clear, detailed, and persuasive reasons as to why painting the masonry is necessary. Simple aesthetic preference is not a sufficient reason.
- iii. Removing the paint from historically painted masonry surfaces is also strongly discouraged. Any application to remove paint in such situations must clearly demonstrate why the removal of the paint is necessary, what methods and materials are to be used in the removal, the plan for repairing or replacing deterioration, which is revealed, and the planned material to be used to treat or finish the newly exposed brick.

9. Mechanical Equipment and Service Areas.

- a. Objective. To ensure that views of rooftop equipment and services areas from public streets or pedestrian ways are minimized.
- b. Standard. All rooftop equipment shall be screened from view six feet above by an adult standing at ground level on adjacent streets, public rights-of-way, or properties. Preferably, rooftop equipment should be screened by the building parapet or located out of view from the ground. If this is not feasible, the equipment shall be grouped within a single enclosure. This structure shall be set back a distance of 1 ½ times its height from any façade fronting a public street. Screens shall be of durable, permanent materials (not including wood) that are compatible with the primary building materials.

If ground mounted outdoor mechanical units or storage, service, or loading areas face adjacent residential uses or are visible from a public street, alley or walkway, they shall be screened from view by masonry walls or plant material. Screen walls shall be architecturally compatible with the primary structure. Loading docks and loading doors shall be located to the side or rear of the building.

d. Appeal process.

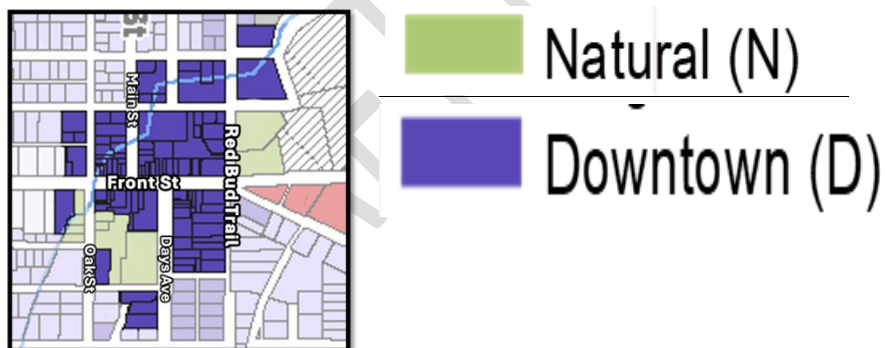
- a. A decision by the Zoning Administrator may be appealed to the Downtown Design Review Committee. The applicant shall submit a complete application for such request to the Downtown Design Review Committee on such forms provided by the City for that purpose and subject to the fees set by the City Commission prior to the posted submittal deadline prior to the next regularly scheduled Downtown Design Review Committee meeting.

- b. Appeals of a decision of the Downtown Design Review Committee shall be made to the Planning Commission on such forms provided by the City for that purpose and subject to such fees set by the City Commission and within 60 days after the decision or within 21 days after the Downtown Design Review Committee approves the meeting minutes, whichever comes first.
- c. A building permit may shall not be issued for proposed exterior work unless the Downtown Design Review Application has been approved or approved with conditions. An occupancy permit will not be issued until the Zoning Administrator has inspected the work and finds it is in compliance with the plans approved by the Zoning Administrator or the Downtown Design Review Committee.

Article V. DEFINITIONS

Overlay District: A zoning district which has definite boundaries and is superimposed over all existing zoning districts within those boundaries. The overlay district may establish additional regulations, reduce existing regulations, or extend or limit the permitted uses within the underlying zoning district. Where there is a conflict between standards in the Overlay district and the underlying Zoning district, the standards in the Overlay district shall be applied. The intent is to address issues that span a geographic area and may include more than one underlying zoning district or portions of underlying zoning districts.

Downtown Design Review Areas. The Downtown Design Review Overlay District will consist of all properties located in the D Downtown District and those properties located in the N Natural District located between Days Avenue and South Oak Street between East Roe and East Front Streets in addition to parcels abutting the west side of South Oak Street between Charles Court and West Front Street.



Final draft 08052026 DDRC changes

Memorandum



Date: August 4, 2026

To: Planning Commission Members

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Discussion #6- Unified Development Code – New Section 71-28 Fencing, Lighting, Screening and Landscaping Standards**

Background

The Planning Commission previously completed its review of the draft changes associated with Sections 71-26 Buffering, 71-28 Tree preservation and landscape standards, and 71-29 Fencing standards. In preparation of a public hearing on the proposed changes at the September 8th meeting, staff have compiled the draft language into Section 71-28 Fencing, Lighting, Screening and Landscaping Standards to allow for one last review prior to the public hearing. Please note that work needs to be completed on proper formatting as part of the application submittal.

While compiling the information minor issues were found that require additional review.

1. Fencing. While reviewing fence permits over the past 7 months, there have been two proposed fence requests for the use of chain-link. The regulations adopted in December 2025 prohibited the use of chain-link and the draft document reviewed in April allowed vinyl-coated chain-link in the side and rear yards.

Staff would like the Planning Commission to further discuss the use of vinyl-coated chain-link as staff have not seen this type of fencing used in the city. The attached draft document has the wording “vinyl coated” called out in bold and underline.

Staff made no changes to the chart which includes Fence Height Maximums, however, would request that Commissioners review the draft language again before public hearing.

2. Screening. Language was added regarding screening of loading areas.

3. Landscaping and Buffering. Staff worked with the Tree Friends Board regarding an improved list of species which is included in the draft document.

Next Steps

Review the draft document and concerns called out above. Direct staff to make changes as needed and to schedule for public hearing to take place at the September 8th meeting.

Final draft of new Section 71-28 which combines Sections 71-26, 71-28, 71-29 and expands language while incorporating additional new regulations. Final formatting is still needed. New language is shaded and areas of discussion are underlined/bolded. Changes in Section 71-36 are still called out as shaded.

Section 71-28 Fencing, Lighting, Landscaping and Screening Standards

A. Intent and Purpose

The intent and purpose of this section is to provide regulations and requirements for fencing, lighting, landscape and screening of certain uses and perimeters while protecting the character of surrounding areas, enhancing the visual environment, lessening the impact of differing intensity and use of adjacent properties, securing property, providing safety for individuals, stabilizing soils, controlling blowing dust and debris, preventing the glaring of lighting on adjacent properties, reducing stormwater runoff, and reducing noise.

B. Fencing and wall standards

1. These standards shall apply to fences as an accessory structure in all zoning districts.
 - a. Permits Required. Construction of a fence shall require issuance of a permit issued by the City, prior to construction or installation of any fence.
 - b. 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.
 - c. 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.
 - d. Clear Sight Lines. All fencing shall comply with the Clear sight lines regulations found in Section 71-16G.
 - e. Gates. Shall not swing over public rights-of-way or onto an adjacent property.
 - f. Pools. Fences that serve as enclosure for a swimming pool shall meet the permit requirements and standards of the State of Michigan Building Code.
 - g. Placement in recorded easements. Fencing may be approved within recorded easements, however, those with easement rights may need to remove the fence.
2. Fence design, types, materials and maintenance. These standards shall apply to a fences in all zoning districts.
 - a. 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:
 - ii.. Symmetrical construction having identical inside and outside appearance, including anchor posts and frame members.
 - ii. 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.
 - b. Fence Types.
 - i. 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.

- ii. 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.
- d. 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.

4. 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'

C. Lighting standards

1. The standards shall apply to all exterior lighting found in any zoning district.
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.

D. Screening standards

- 1. These standards apply to all uses and zoning districts where mechanical equipment, outdoor storage and refuse containers are found on the exterior of the building.
- 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.

6. Loading areas. All new exterior loading areas shall be placed at the rear of the building when possible.

a. Loading areas visible from the street shall be screened with a wall or landscaping sufficient height to screen equipment and vehicles.

E. Landscaping and Buffering standards

1. 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.

2. General requirements

a. 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.

b. 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

a. permitted species. Following is a list of permitted species of trees to be planted. Species not listed are either prohibited or must be reviewed and approved by the zoning administrator after review of the updated MDNR Recommended Trees for Community Planting and/or discussions with the Buchanan Tree Friends Board prior to installation.

Common Name	Botanical Name	Size	Native	Street Sidewalk Friendly	Riparian Friendly	Park/Utility Friendly
Serviceberry	Amelanchier spp.	Small	Yes	Yes	No	No
Eastern Redbud	Cercis canadensis	Small	Yes	Yes	No	No
Pagoda Dogwood	Cornus alternifolia	Small	Yes	Yes	No	No
Flowering Dogwood	Cornus florida	Small	Yes	No	No	No
Kousa Dogwood	Cornus kousa	Small	Yes	No	No	No
Hawthorn (Thornless)	Crataegus spp. Var. inermis	Small	No	No	No	No
Star Magnolia	Magnolia stellata	Small	No	No	No	No
Saucer Magnolia	Magnolia x soulangiana	Small	No	No	No	No
Red Horsechestnut	Aesculus x carnea	Medium	No	No	No	No
River Birch – single stem only	Betula nigra	Medium Large	Yes	No	No	No
European Hornbeam	Carpinus betulus	Small Medium	Yes	No	No	No
American Hornbeam	Carpinus Carolina	Small Medium	Yes	Yes	Yes	Yes
Yellowwood	Cladrastis kentukea	Medium	Yes	Yes	No	No
Turkish Filbert – Turkish Hazel	Corylus colurna	Medium	No	No	No	No
Ginkgo (male only)	Ginkgo biloba	Medium Large	No	Yes	No	Yes
Thornless Honeylocust	Gleditsia triacanthos var. inermis	Medium Large	Yes	No	No	No
American Tamarack	Larix laricina	Medium	Yes	Yes	No	No
Hop-Hornbeam Ironwood	Ostrya virginiana	Small medium	Yes	Yes	Yes	Yes
Sourwood	Oxydendrum arboreum	Small medium	Yes	No	No	No
Persian Parrotia	Parrotia persica	Small medium	Yes	No	No	No
Ohio Buckeye	Aesculus glabra	Large	No	No	No	No
Bitternut Hickory	Carya cordiformis	Large	Yes	No	No	No
Red Maple	Acer rubrum	Large	Yes	Yes	No	Yes

Sugar Maple	Acer saccharum	Large	Yes	Yes	Yes	Yes
Pignut Hickory	Carya glabra	Large	No	No	No	No
Shagbark Hickory	Carya ovata	Large	No	No	No	No
Catalpa	Catalpa spp.	Large	No	No	No	No
Hackberry	Celtis occidentalis	Medium Large	Yes	Yes	Yes	No
Katsura	Cercidiphyllum japonicum	Medium Large	Yes	No	No	no
American Beech	Fagus grandifolia	Large	No	No	No	No
Kentucky Coffeetree	Gumnocladus dioicus	Large	Yes	Yes	No	No
Tulip Tree	Liriodendron tulipifera	Large	Yes	Yes	No	No
Dawn Redwood	Metasequoia glyptostroboides	Large	No	No	No	No
Sycamore	Platanus occidentalis	Large	Yes	Yes	No	No
London Planetree	Platanus acerifolia x	Large	Yes	No	No	no
White Pine	Pinus strobus	Large	Yes	No	No	No
White Oak	Quercus alba	Large	Yes	Yes	No	No
Swamp White Oak	Quercus bicolor	Large	Yes	Yes	Yes	No
Shingle Oak	Quercus imbricaria	Large	Yes	No	No	No
Bur Oak	Quercus macrocarpa	Large	Yes	Yes	No	No
Chinkapin Oak	Quercus muehlenbergli	Large	Yes	Yes	No	No
Red Oak	Qauercus rubra	Large	Yes	Yes	No	No
Baldcypress	Taxodium distichum	Large	Yes	Yes	No	no
American Linden Basswood	Tilia americana	Large	Yes	Yes	No	No
Littleleaf Linden	Tilia cordata	Large	Yes	No	No	No
Silver Linden	Tilia tomentosa	Large	Yes	No	No	No
American Elm	Ulmus americanan x Hybrids	Large	Yes	Yes	Yes	No
Zelkova	Zelkova serrata	Large	No	No	No	no

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.

G. Landscaping

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. Standard design principles shall be incorporated into the facility.

J. Perimeter Landscaping, Parking Lot Landscaping, Foundation Plantings and Transitional Buffer Strips

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.

- a. 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.
- b. 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.

- i. 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.
- ii. 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.
- iii. 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:

- a. 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.

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.

B. Extension. Upon written request, one extension of six months may be granted by the zoning board of appeals for good cause.

C. 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.

E. Administrative adjustments.

5. 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.

6. 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.

7. 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.
8. 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.

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.

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 _____.

Delete in entirety:

- Sec. 71-26 Buffering*
- Sec. 71-28 Tree preservation and landscape standards*
- Sec. 71-29 Fencing standards*