

CHAPTER 9

DOWNTOWN FORM-BASED CODE DISTRICTS (DFBC), D-1 & D-2

SECTION 9.01 PURPOSE

The Zoning Ordinance regulates the intensity and use of development, which is appropriate in most parts of the Village. There are also areas within the Village in which greater emphasis on regulating form and character of development should be considered as well as use and intensity of use. The Downtown Form-Based Code (DFBC) Districts use form-based provisions to accomplish this, with a special sensitivity to the contextual relevance of two (2) unique downtown sub-districts within the overall DFBC. This unique zoning district allows the Village to regulate land use in a more flexible format for this specific area to encourage a viable, dynamic mix of uses.

Physically, the DFBC is intended to promote a unified vision for supporting the historic commercial core of the Village of Jonesville focused on and oriented as much to the needs of the pedestrian as to those of the automobile. The flexibility in permissible uses inherent in the overall DFBC regulations, paired with the prescriptive physical development regulations in this Section will result in a compact, walkable environment that creates new opportunities for investment while protecting quality attributes of the existing area.

Specifically, the DFBC will do the following:

- A. Ensure that development is of human scale, primarily pedestrian-oriented and designed to create attractive streetscapes and pedestrian spaces.
- B. Promote mixed-use development in both a horizontal and vertical form.
- C. Ensure reasonable transition between higher intensity development and adjacent neighborhoods.
- D. Provide economic development opportunities by allowing a wider range of potential uses and creative redevelopment techniques that will expand the employment base and value of land.
- E. Provide a simple, predictable, efficient way to allow complex, innovative development that would otherwise require special planning procedures.
- F. Encourage the incubation of a residential element within the traditional Downtown to foster a twenty-four (24)-hour community.
- G. Establish a development pattern in which new buildings and building modifications enhance the character of the existing built environment.
- H. Orient building entrances and storefronts to the street to add visual interest, put “eyes on the street” for enhanced crime surveillance, increase pedestrian traffic, and create memorable outdoor spaces.

- I. Limit the impact of off-street parking areas which interrupt the flow and consistency of the “street wall”.
- J. Enhance a sense of place and contribute to the sustainability of the Village.
- K. Allow a pattern of development which will encourage transportation alternatives (walking, biking and transit) to reduce automobile dependence and fuel consumption.
- L. Visually distinguish the Downtown from the rest of Jonesville by encouraging full use of property, consistency and density while respecting adjacent residential areas.

SECTION 9.02 DEFINITIONS

The following words shall have the meanings set forth in this section:

- A. Aesthetic: The form, design and/or quality of construction of a particular sign, building, site or structure that presents a judgment statement concerning the level of beauty or artistic value.
- B. Architectural Features: Architectural features of a building shall include but are not limited to cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.
- C. Design Standards: Standards established within a form-based district that control specific elements such as materials, site amenities, architectural, pedestrian and vehicular access, parking location and layout, and other site design features.
- D. Facade Variation: Architectural design changes for building walls facing the street utilized to ensure that the building is not monotonous in appearance.
- E. Form-Based Code: A means of regulating development with enhanced control over physical form to achieve a predictable, planned outcome.
- F. Mixed –Use Development: A Development of a tract of land, building, or structure with a variety of complementary and integrated uses as permitted by the applicable zoning district, in a compact form.
- G. Required Building Line: The line established by the maximum required setbacks forming the area within a lot in which a building may be located.
- H. Street Furniture: Pieces of equipment, such as streetlights and pillar boxes, placed in the street for the benefit of the public.
- I. Transparency: The physical property of allowing light to pass through.

SECTION 9.03 APPLICABILITY AND ORGANIZATION

- A. Any new use or expansion of an existing use, unless otherwise noted herein, shall comply with the requirements of this Chapter and other applicable requirements of this Ordinance.
- B. The requirements of this Chapter shall not apply to:
1. Continuation of a permitted use within an existing structure.
 2. Reoccupation of an existing building with a permitted use.
 3. The expansion of an existing structure, whether conforming or legal non-conforming, by less than five hundred (500) square feet or five percent (5%), whichever is less, when the building will be occupied or reoccupied by a permitted use.
 4. Changes of use within existing structures provided the new use is permitted in the sub-district of the DFBC where the site is located.
 5. Normal repair and maintenance of existing structures that do not increase its size or significantly alter its existing architectural features.
 6. Continuation of a legal non-conforming use, building, and/or structure.
 7. Existing residential structures being used for residential occupancy in D-2.
- C. The DFBC is divided into two (2) sub-districts. These two (2) sub-districts are identified as the Downtown Core (D-1) and Downtown Edge (D-2). These sub-districts are identified on the Zoning Map as separate and distinct sub-districts within the overall DFBC zoning classification.
- D. This Chapter contains a set of regulations unique to the DFBC. Specifically, these include:
1. General standards that apply to all DFBC properties in both sub-districts. These include special provisions for parking and landscape and streetscape elements.
 2. Design standards applicable to all DFBC properties.
 3. Form-based dimensional requirements for the D-1 and D-2 sub-districts. These include special provisions not found in other zoning districts, including:
 - a. Minimum and maximum height;
 - b. Required building lines and setback lines;

- c. Exemptions and modifications from form-based provisions for streetscape elements;
- d. Parking location; and
- e. Lot coverage and open space.

SECTION 9.04 DESIGN STANDARDS

In addition to standards set forth in this Chapter, all proposed development in the DFBC shall comply with the standards set forth herein.

A. Building Design and Materials:

1. Overall Design: It is the intent of this Chapter to improve the appearance of and add visual interest to the DFBC. Emphasis shall be placed upon methods that focus attention on attractive buildings that front on the adjacent right-of-way.
2. Materials. Durable building materials, simple configurations, and solid craftsmanship are required. Fifty percent (50%) of walls visible from public streets, exclusive of wall areas devoted to meeting transparency and ground story activation requirements, shall be constructed of brick, glass, fiber cement siding, metal (beams, lintels, trim elements, and ornamentation only), wood flap, split-faced block, or stone. Exterior Insulation Finishing Systems (E.I.F.S), stucco and vinyl or aluminum siding should only be used for accents.

- B. **Façade Variation:** The maximum length of an uninterrupted building façade facing public streets and/or parks shall be thirty (30) feet. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance. Building wall offsets (projections and recesses), cornices, varying building materials or pilasters shall be used to break up the mass of a single building.

C. Ground Story Activation:

1. Transparency:
 - a. The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques. It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building. The first floor of any front façade facing a right-of-way in the D-1 sub-district shall be no less than seventy percent (70%) windows and doors, and the minimum transparency for facades facing a side street, side yard, or parking area shall be no less than thirty

percent (30%) of the façade. The first floor of any front façade facing a right-of-way in the D-2 sub-district shall be no less than fifty percent (50%) windows and doors, and the minimum transparency for facades facing a side street, site yard, or parking area shall be no less than thirty percent (30%) of the façade.

When property in both the D-1 and D-2 sub-districts have frontage on US-12 and another street, any other street frontage is considered a side street.

- b. Transparency requirements shall not apply to sides which abut an alley.
- c. Windows for building sides shall be concentrated toward the front edge of the building, in locations most visible from an urban open space or public right-of-way.

Figure 9-1. Transparency and Building Façade Features



- 2. Transparency Alternatives: The following alternatives may be used singularly or in combination. They may count toward no more than fifty percent (50%) of the transparency requirement.
 - a. Wall Design: Wall designs that provide visual interest and pedestrian-scale may count as a transparency alternative if they provide a minimum of three (3) of the following elements, occurring at intervals no greater than twenty-five (25) feet horizontally and ten (10) feet vertically:

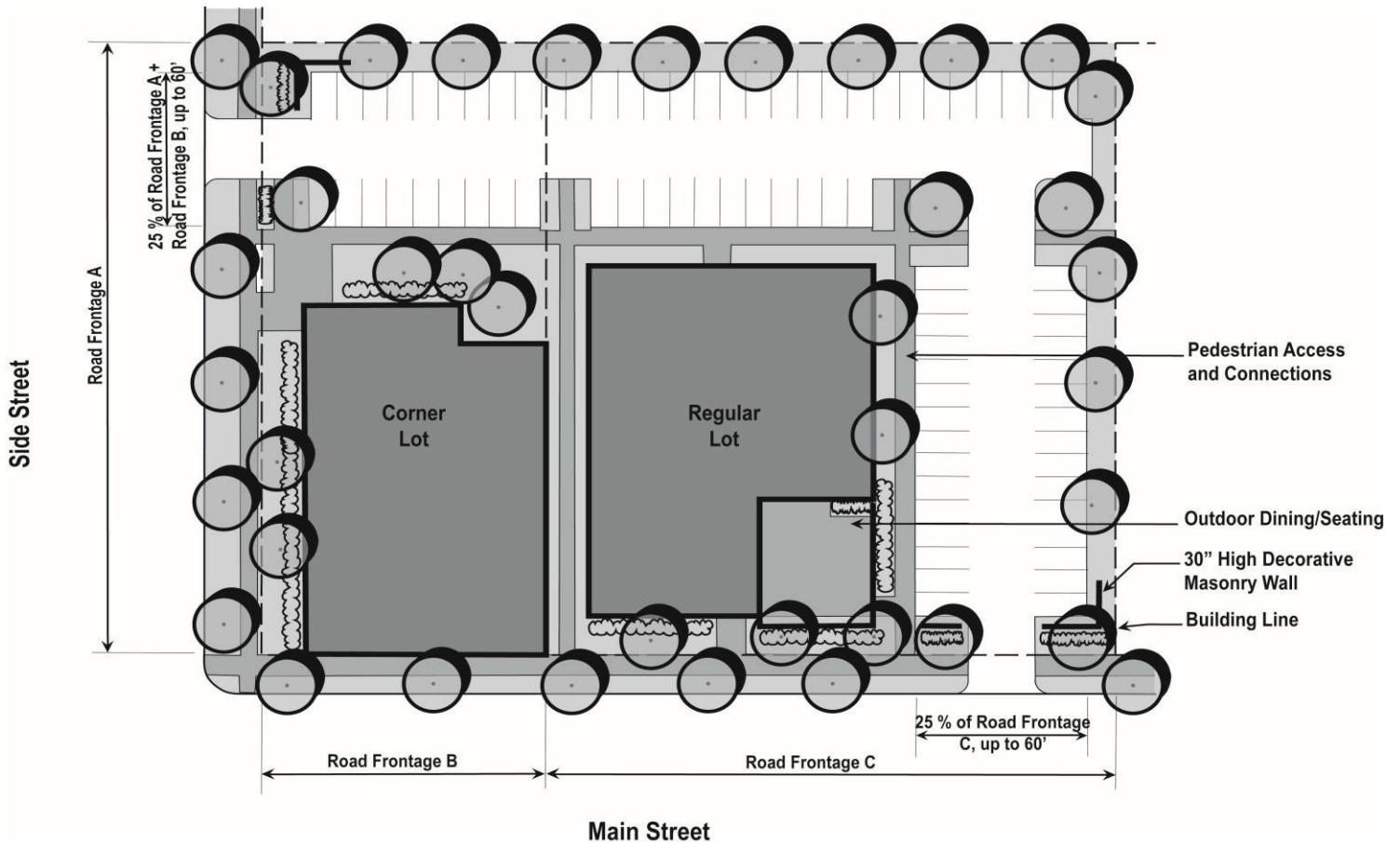
- i. Expression of structural system and infill panels through change in plane not less than three (3) inches.
 - ii. System of horizontal and vertical scaling elements such as: belt course, string courses, cornice, pilasters, and the like (See Figure 9-1 on previous page).
 - iii. System of horizontal and vertical reveals not less than one (1) inch in width/depth.
 - iv. Variations in material module, pattern, and/or color.
 - v. System of integrated architectural ornamentation.
 - vi. Green screen or planter walls.
 - vii. Translucent, fritted, patterned or colored glazing.
- b. Outdoor Dining/Seating: Outdoor dining/seating located between the building and the primary street zone lot line may count toward the transparency requirement. Such spaces must be permanently created by a wall or other permanent improvement defining the outdoor dining area.
 - c. Permanent Art. Non-commercial art or graphic design of sufficient scale and orientation to be perceived from the public right-of-way and rendered in materials or media appropriate to an exterior, urban environment and permanently integrated into the building wall may count toward the transparency requirement.

D. Pedestrian Access/Entrance:

1. The primary entrance for a non-residential and/or mixed-use building shall be clearly identifiable, useable and located facing the right-of-way.
2. A pedestrian connection shall provide a clear, obvious, publicly-accessible connection between the primary street upon which the building fronts and the building. The pedestrian connection shall comply with the following (for those public entryways recessed from the public sidewalk):
 - a. Fully paved and maintained surface not less than five (5) feet in width.
 - b. Unit pavers or concrete pavers distinct from the surrounding parking and drive lane surface.
 - c. Located either within a raised median or between wheel stops to protect pedestrians from vehicle overhangs where parking is adjacent.

3. **Additional Entrances:** If a parking area is located in the rear or side yard, it must also have a rear entrance to the building that is consistent with the materials and quality to that of the primary entrance.
 4. Direct vehicular access to a building within the DFBC from the right-of-way is prohibited.
- E. **Parking:** Parking may be provided in the D-1 and D-2 sub-districts. When provided on-site, whether required or not required, parking must comply with the following:
1. When parking is located in a side yard (behind the front building line) but fronts on a required building line, no more than twenty-five percent (25%) of the total site's linear feet along the required building line or sixty (60) feet, whichever is greater, shall be occupied by parking.
 2. For a corner lot or lot with multiple frontages, no more than twenty-five percent (25%) of the total site's linear feet along the required building line or sixty (60) feet, whichever is greater, shall be occupied by parking on both frontages.

Figure 9-2. Parking Location



- F. **Landscape and Streetscape.** Landscape and streetscape elements shall be required in accordance with the following:
1. Street furniture shall be provided at a ratio of one (1) element for every thirty (30) linear feet of frontage along a right-of-way. Street furniture may be located in the right-of-way or on private property, provided they are located between the front building line and the back-of-curb. Permitted street furniture features include:
 - a. A permanently mounted seating fixture constructed of decorative metal.
 - b. A permanently reserved planting bed with defined, durable edges. Such beds must be a minimum of twenty (20) square feet in area and should be raised or protected from the surrounding paved areas by a durable curb, edge, or other designed feature. Planting beds must be planted with hardy plants and general areas within planting beds must be planted with groundcover to reduce soil loss.
 - c. Waste receptacle constructed of decorative metal.
 2. Parking areas which front a right-of-way shall be screened from the public right-of-way by a thirty (30)-inch decorative masonry wall. Such wall may be located directly along the front property line or may be recessed and buffered by a landscape bed three (3) feet in depth.

SECTION 9.05 FORM-BASED REGULATIONS

- A. **Downtown Core (D-1) Sub-District:** Downtown core buildings and sites will be developed in a manner which contributes to the character of the area by maximizing the value of the property and continues to the traditional “street wall” of adjacent historic buildings. D-1 sites must comply with the following regulations:

Table 9.05A-1 D-1 Dimensional Requirements

Height	Minimum		1 Story / 15 Feet
	Maximum		3 Stories / 45 feet
	Ground Floor Maximum		15 feet
Placement	Front	Required building line*	0 feet. 75% of the building façade must meet the required building line, while up to 25% of the façade can be setback to allow for architectural consideration.*

Lot		Minimum Setback	N/A
	Side	Minimum Setback	N/A
	Rear	Minimum Setback	N/A
	Required Open Space		N/A
	Lot Coverage by all Buildings		N/A
	Access and Circulation		Driveways may access the site from any side; pedestrian pathways must be provided from the right-of-way.
	Parking Location		Parking is not required, but if provided shall be located in a side or rear yard.

** The Planning Commission may adjust the required building line to a maximum of fifteen (15) feet beyond the property line for projects incorporating a permanent space for an outdoor café, public space, or a cross-access drive with an adjacent parcel. Outdoor cafes or public spaces must be developed as part of the primary building and must incorporate a permanent wall or landscaping area along the required building line.*

Figure 9-3. D-1 Building Form and Placement

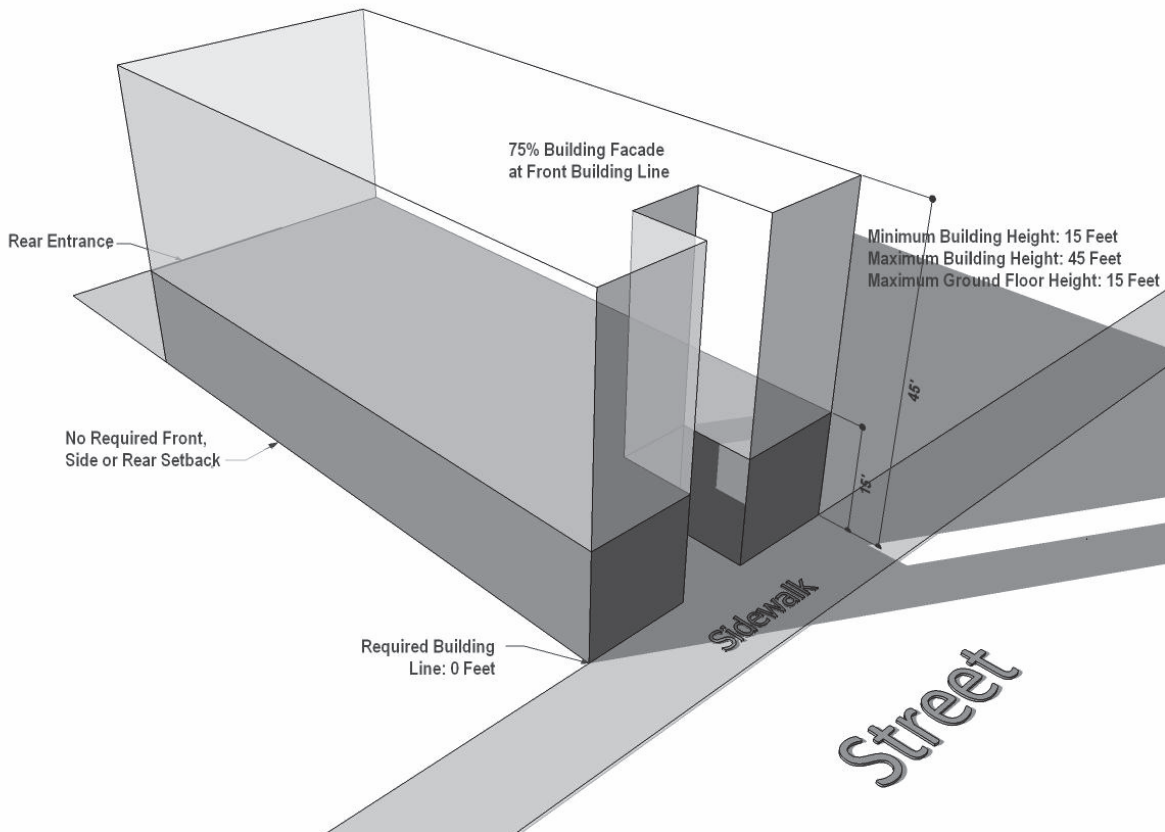


Table 9.05A-2 D-1 Permitted and Special Land Uses

Purpose + Intent	The uses planned for the Downtown Core (D-1) Sub-District are intended to provide a comfortable balance of uses appropriate for a downtown setting. At the same time, some uses have more restrictive requirements or are prohibited altogether because they take up valuable retail space, which should be the focus of the downtown as a central shopping area for the community and the region.	
Uses	Permitted Uses	Special Land Uses
Residential	Upper story residential; single-family detached and two-family freestanding dwelling units are not permitted.	Senior Housing
		Multiple Family
Government + Institutional	Public and quasi-public uses, including: parks, plazas, squares, playgrounds, walkways and/or similar uses.	None
	Business + Vocational Schools	
	Municipal Parking Lots	
	Public Recreation Facilities	
	All other Governmental + Institutional Uses	
Financial, Medical, Professional Offices + Related Services	Banks, credit unions and similar financial institutions, including ATMs and 24-hour ready tellers.	None
	Drug stores and pharmacies.	
	Hospitals.	
	Medical and dental clinics, urgent care facilities and emergency medical stations.	
	Offices of an executive, administrative or professional in nature.	
	Personal service establishments conducting services on the premises, including barber and dry-cleaning service outlets, beauty shops, fitness centers.	
	State licensed child care facilities in accordance with Section 2.32.	
	Studios for art, photography, music, dance and similar uses.	
	All retail sales, except those listed as special land	

Retail Sales	uses.	
	Commercial Bakery	None
	Brewery or Micro-brewery	
	None	
Automotive Oriented Businesses	Restaurants, including carry-out and delicatessens.	None
Entertainment + Recreation	Fitness centers and health clubs.	None
	Bars, taverns, lounges, brewpubs and microbreweries.	
	Banquet, dance, lodge and union halls, private clubs; and other similar places of assembly.	
	Bed and Breakfast establishments.	
	Hotels and motels.	
	Recreation facilities (public/private, indoor/outdoor)	
	Theaters	
	Accessory buildings, structures and uses, customarily incidental to any use in accordance with section 2.21.	
Utilities / Other Uses	Small Scale Manufacturing when operations can be completely enclosed within the building.	Bus passenger stations.
	Warehousing and storage in upper floors only.	Commercial parking lots.
		Antennas and towers in excess of 50 feet in height for Commercial Wireless Telecommunication services, and related equipment and accessory structures provided that such antennas or towers are attached to already existing buildings or structures.

B. **Downtown Edge (D-2) Sub-District:** Downtown edge buildings and sites will be developed in a manner which contributes to the character of the Downtown, as well as the adjacent residential areas. The D-2 area will provide an extension of the Downtown area through modified dimensional and height regulations. D-2 sites must comply with the following regulations:

Table 9.05B-1 D-2 Dimensional Requirements

Height	Minimum		1 Story / 15 Feet
	Maximum		3 Stories /45 feet
	Ground Floor Maximum		15 feet
Placement	Front	Maximum Setback / Required Building Line	15 feet. 75% of the building façade must meet the required building line, while up to 25% of the façade can be setback to allow for architectural consideration.
		Minimum Setback	N/A
	Side	Minimum Setback	N/A
	Rear	Minimum Setback	N/A
	Required Open Space		10%
Lot	Lot Coverage by all Buildings		N/A
	Access and Circulation		Driveways may access the site from any side; pedestrian pathways must be provided from the right-of-way.
	Parking Location		Parking shall be located in a side or rear yard.

Figure 9-4. D-2 Building Form and Placement

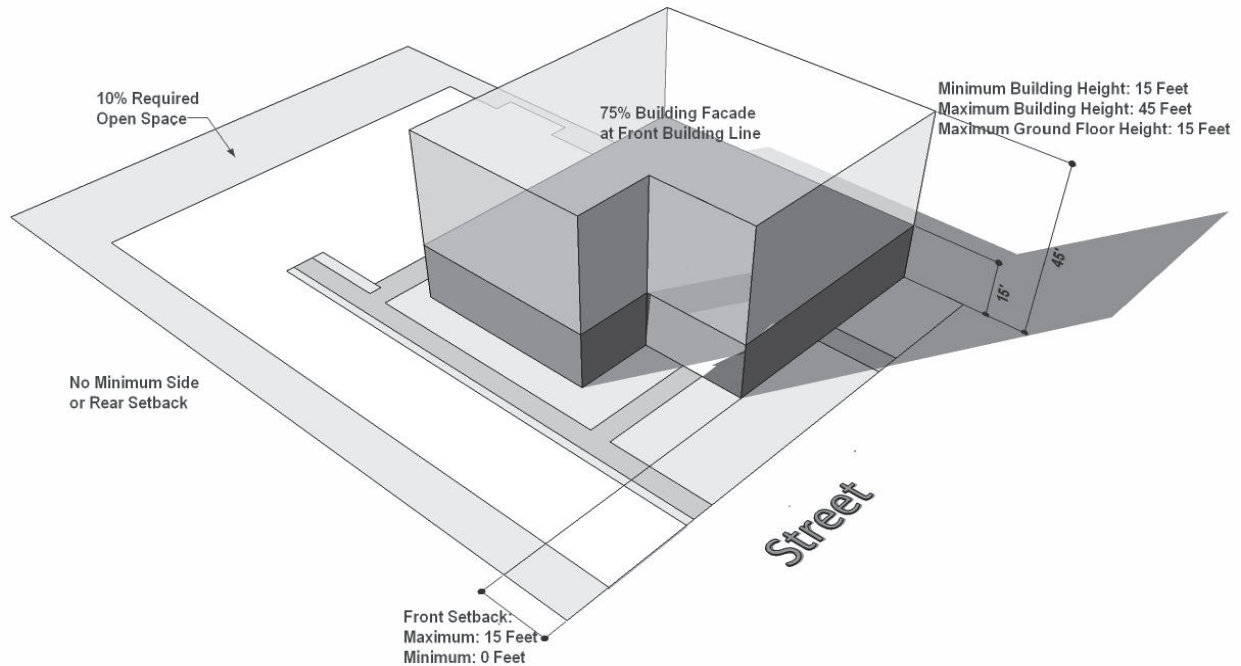


Table 9.05A-2

D-2 Permitted and Special Land Uses

Purpose + Intent	The uses planned for the Downtown Edge (D-2) Sub-District are intended to contribute to the character of downtown as an extension of the downtown district. Due to larger lot sizes a wider range of uses can be accommodated.	
	Uses	
Residential	Permitted Uses	Special Land Uses
	Upper story residential; single-family detached and two-family freestanding dwelling units are not permitted.	Senior Housing. Multiple Family.
Government + Institutional	Municipal Parking Lots	None
	Public and quasi-public uses, including; parks, plazas, squares, playgrounds, walkways and/or similar uses.	
	Public Recreation Facilities	

Financial, Medical, Professional Offices + Related Services	Social, fraternal and service organizations.	
	All other Governmental + Institutional Uses	
	All uses listed in this category in the D-1, Downtown Core Zoning District	None
Retail Sales	All retail sales, except those listed as special land uses.	All uses with a Gross Floor Area in excess of 10,000 square feet.
	Brewery or Micro-brewery	
	Commercial Bakery	
Automotive Oriented Businesses	None	None
Entertainment + Recreation	All	None
Utilities / Other Uses	Accessory buildings, structures and uses, customarily incidental to any use in accordance with section 2.21.	Bus passenger stations.
	Small Scale Manufacturing when operations can be completely enclosed within the building.	Commercial parking lots. Towers in excess of 50 feet in height for Commercial Wireless Telecommunication services, and related equipment and accessory structures.

SECTION 9.06 REPEAL OF CONFLICTING ORDINANCE

This Chapter is intended to replace the current Chapter 9, Central Business District. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as the conflicting portions there of are concerned.