

ARTICLE IX-A D, DOWNTOWN DISTRICTS

PREAMBLE

The purpose of the Downtown District is to encourage the creation of a pedestrian-oriented, mixed-use urban environment, providing shopping, employment, housing, business, and personal services consistent with the City's vision outlined in the Master Plan and 2009 Auburn Hills Downtown Economic Enhancement Strategy. The Downtown is intended to be the focal point of the community. This is achieved by promoting an efficient, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles within the district; promoting a functional and attractive community through the use of urban design principles; and allowing applicants flexibility in land use and site design.

The following are the City's primary objectives for development and redevelopment in the Downtown:

- A. Land Use Diversity. Developments are encouraged to incorporate multiple uses within a building or parcel. A mixture of residential with retail or office space is encouraged to maintain a Downtown with vital living space. Building owners are encouraged to fill first floor space with retail impulse-oriented uses.
- B. Creating a Sense of Place. Developments should contribute a sense of visual continuity through compatibility and similarity in building heights, scale, massing, overall organizational facade, and the use of materials, colors, and roof shapes.
- C. Pedestrian Friendly Design. Developments should create a sense of human scale, activity, and interest at the street level to enhance its pedestrian appeal. Areas external to buildings should be designed at a human scale, and should encourage pedestrian activity and invite interaction between pedestrian areas and activities within buildings. Further, it is recognized that automobile-oriented uses (e.g., automobile service stations, car washes, or new and used motor vehicle sales or service establishments, and businesses with drive-through facilities, etc.) have a disruptive effect on the intended pedestrian orientation of the district and are prohibited from locating in the Downtown.
- D. Planned Unit Development Option / Deviations. This ordinance is provided as a safeguard and outlines required standards to ensure the intent of the Master Plan and 2009 Auburn Hills Downtown Economic Enhancement Strategy is implemented. Applicants are encouraged to utilize the City's Planned Unit Development (PUD) Option listed in Section 1830 for increased flexibility in land use and site design standards. Applicants may seek deviations to the standards listed in this zoning district through the PUD review process.
- E. Green Building Design. Applicants are encouraged to comply with the City's Green Building Policy.

SECTION 905. PRINCIPAL USES PERMITTED:

In the D, Downtown Districts no building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance:

1. All Principal Uses Permitted in the B-2 General Business Districts, with the exception that drive-through facilities shall not be permitted in the district.
2. Publicly owned and operated libraries, parks, parkways, and recreational facilities.
3. Municipal buildings and uses, including parking structures.
4. Accessory buildings and accessory uses customarily incidental to any of the above principal uses permitted.
5. Uses determined to be similar to the above principal permitted uses in accordance with the criteria set forth in Section 1827 and which are not listed below as special land uses.

SECTION 906. SPECIAL LAND USES PERMITTED:

The following uses may be permitted under the purview of Section 1818 by the City Council, after site plan review and Public Hearing by the Planning Commission, and subject further to such other reasonable conditions which, in the opinion of the City Council, are necessary to provide adequate protection to the health, safety, general welfare, morals and comfort of the abutting property, neighborhood and City of Auburn Hills:

1. Residential units developed within mixed use buildings, when said units are located above the first floor.
2. Free standing restaurants or other places serving food or beverage, except those having the character of a drive-in or having a drive-through facility.
3. Funeral homes subject to the requirements stated in Section 902.
4. Churches and places of worship
5. Museums, Theaters, and Performance Centers
6. Hotels and Lodging Facilities
7. Outdoor seating and outdoor facilities for the serving and/or consumption of food or beverages for restaurants and other similar uses where food and/or beverages are served and/or consumed, subject to the criteria listed in Section 902, Item 23. This provision shall not apply to outside seating allowed in City right-of-way via City license, which is considered a permitted accessory use.
8. Accessory buildings and accessory uses customarily incidental to any of the above Special Land Uses permitted.
9. Special Land Uses determined to be similar to the above Special Land Uses in accordance with the criteria set forth in Section 1828.

SECTION 907. REQUIREMENTS FOR ALL USES:

All uses shall be subject to the following requirements:

1. **Building Height.** Buildings shall not exceed two (2) stories or thirty (30) feet in height.
2. **Building Setbacks.** Front and side yard setbacks shall be a minimum and maximum of zero (0) feet. Rear yard setbacks shall be a minimum of twenty-five (25) feet.
 - A. The City Council may, after review and recommendation by the Planning Commission, allow a greater front or side yard setback to allow for consistency with adjacent buildings, patio or outside seating, driveway, or other applicable design considerations.
3. **Building Materials and Architecture.** The City desires the highest quality of building materials feasible to be used on the exterior facades of buildings in the Downtown. Building facades shall meet the intent of the City's Architectural Design Policy. Buildings should maintain the quality of their architectural character from all viewing angles.
 - A. **Franchise Architecture.** To maintain the unique character of the Downtown, buildings shall not be constructed or renovated using franchise architecture. Franchise architecture is defined as building design that is trademarked or identified with a particular franchise, chain, or corporation and is generic or standard in nature. Franchises or national chains may be located in the district, but must follow the standards of this Ordinance to create a building that is compatible with the Downtown.
4. **Landscaping, Buffering, and Screening.** The following standards for landscaping, buffering, and screening shall apply to all new development and redevelopment in the district:
 - A. **Foundation Landscaping.** Foundation plantings such as trees, shrubs, flower beds, and/or planters shall be provided along the rear of building when adjacent to a parking lot. Planting locations shall not obstruct ingress/egress doors.
 - B. **Parking Lot Landscaping.** For every twenty (20) spaces in a row which do not immediately adjoin a landscape greenbelt, a minimum of one (1) deciduous shade tree shall be provided within a minimum landscape island of eight (8) feet wide and sixteen (16) feet in depth.
 - C. **Frontage Greenbelt.** A minimum ten (10) foot landscaped greenbelt area shall be provided along any public or private road. This provision is not intended for developments along Squirrel Road and Auburn Road.
 - D. **Frontage Tree Planting.** Street landscaping shall be required for developments along the public or private right-of-way line of any street or road. At least one (1) evergreen or

- deciduous tree shall be planted for each thirty (30) linear feet of required greenbelt length, rounded upward.
- E. Plant Materials and Landscape Elements. Projects shall meet tree size, tree diversity, and other applicable requirements listed in Section 1808, Item 6.
 - F. Parking Lot Screening. Parking lot screening shall minimize direct views of parked vehicles from streets and sidewalks, and avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties, in particular one family residential property outside the district. Parking lots exposed to view from abutting one family residential property outside the zoning district shall be surrounded by a minimum of a three (3) foot high barrier in the form of berms, shrubs, masonry walls, or a combination thereof, in addition to the required tree plantings.
 - G. Trash Dumpster and Utility Screening. Transformers, HVAC equipment (if located at the ground level), utility meters, and other machinery, as well as garbage collection points, should be located at the rear of the building. If such uses are visible from any adjacent rights-of way or property, they shall be totally screened by a fence or suitable plant or other visual barrier of an appropriate height or as proposed and approved in a site plan. Trash dumpsters shall meet the requirements of Section 1825 shall remain closed at all times.
5. Combining of Use Groups within a Single Structure. Commercial and office uses may occupy any number of total floors within a building used for residential uses. No commercial or office shall be located on the same floor as residential use, and no floor may be used for commercial or office purposes which is located above a floor used for residential purposes.
 6. Off-Street Parking Requirements: Off-street parking shall not be required. If off-street parking is voluntarily provided, it shall meet the applicable requirements of Sections 1804 and 1805. Off-street parking shall be located in the rear of the building.
 7. Signs. Signs shall meet the requirements of Section 1811, with the following additional restrictions:
 - A. Sign types shall be restricted to wall mounted and projecting signs along Squirrel Road, Squirrel Court, and Auburn Road in the district. Signs which encroach into City right-of-way shall require a license from the City.
 - B. Signs shall be architecturally compatible with the style, composition, materials, colors, and details of the building to which they are affixed and with other signs on nearby buildings, while providing for adequate identification of the business. Signs shall not block or obliterate design details, windows or cornices of the building upon which they are placed.
 - C. Pole signs and exposed neon signs shall be prohibited throughout the district. This provision is not intended to prohibit neon signs which indicate the operational status of a business. Such operational status signs may not flash or change color.
 8. Outside Storage:
No outside storage shall be permitted.
 9. Off-Street Loading:
Off-street loading space shall be provided in accordance with Section 1701, Item p and Section 1806, with the exception that all buildings shall provide a minimum of one (1) paved loading space nine (9) feet in width and eighteen (18) feet in length in the rear of the building for small delivery vehicles.
 10. Performance Standards:
All development shall adhere to the Performance Standards specified in Section 1807.
 11. Freestanding Lighting:
Freestanding light poles shall not exceed twenty-five (25) feet in height and lighting shall be shielded onto the site so as to not become a nuisance to adjacent areas.
 12. Cross-Access Interior Drives:
Cross-access interior drives, or drives that will allow vehicles to move from one site to another without entering the frontage street, may be required.
 13. Site Plan Review:
Site plan review and approval is required for all development within the District in conformance with Section 1815.

SECTION 908. AREA AND BULK REQUIREMENTS

See Article XVII, Schedule of Regulations, for additional requirements limiting the height and bulk of buildings and not in conflict with this Article IX-A.

(Adopted: 7-12-04 per Ordinance No. 737)
(Amended: 11-22-04 per Ordinance No. 743)
(Amended: 3-16-09 per Ordinance No. 815)