

22.09 SITE DEVELOPMENT REQUIREMENTS

22.09.010 INTENT. The Village of Beverly Hills recognizes that high quality and well-planned building and site design elements contribute to defining the sense of place in the Village of Beverly Hills.

Consequently, this ordinance section was developed to ensure future development and redevelopment occurs in accordance with the following objectives:

- a. Promote quality site design and building architecture consistent with the predominant residential character of the Village.
- b. Promote an understanding that the changes in commercial sites that occur periodically may be small, but the cumulative impact over time could alter the Village's attractive physical character.
- c. Facilitate development and redevelopment, which strives for quality site design on individual parcels, in relation to their surroundings and the Village overall.
- d. Retain sensitivity to overall community design goals, while allowing creativity of site design.
- e. Instill a sense of "timelessness" in the Village so individual buildings are not identified with a specific era.
- f. Implement the objectives and guidelines of the Village's Site Development Handbook.
- g. Balance all the above objectives with the Village's commitment to support the continued vitality and daily operations of existing businesses.
- h. Address the control and treatment of stormwater runoff by hereby adopting the current "Oakland County Stormwater Engineering Design Standards" as amended from time to time.

22.09.020 APPLICABILITY. All proposals within the P-Parking, O-1 Office, and B-Business Districts and nonresidential uses in a Residential Zone District shall be reviewed and approved by the Village for compliance with the requirements of Section 22.09.

The extent the proposal must comply with these requirements is as follows:

- a. New Construction Projects. All new projects that involve construction of new buildings and associated parking and landscaped areas shall fully comply with the design standards of Section 22.09. Site Plan approval is also required in accordance with Section 22.08.
- b. Façade Improvements. Projects that involve only changes to building elevations under the following circumstances are subject to the following requirements: (1) if the elevation faces the front yard(s) of the site; or (2) if the elevation is visible to the general public from the side and/or rear yard by means of parking, circulation, or a public building entrance.
 1. Minor Façade Improvements. Minor facade improvements to the exterior of the building shall mean minor improvements to the building that change its original appearance such as illumination, building material coverage, or design character. This shall not include daily repairs, common replacements, and building maintenance which are only subject to applicable building code requirements, not this ordinance. Minor façade improvements only require approval from the Building Official for compliance with subsection (a) and (b) below. The Building Official has the discretion to require review by the Planning Board when there is a question of interpretation for consistency with the intent of this ordinance.

- (a) Building materials and colors must provide a balance between compatibility with the existing structure and the general intent and purpose of Section 22.09.030 Building Design.
- (b) If the project involves changes to building mounted lighting, new fixtures shall comply with the requirements of 22.09.050, as applicable.

2. Major Facade Improvements. Major facade improvements shall mean facade improvements where building materials are changed in a manner that significantly alters the architectural design of at least one building elevation beyond minor façade improvements. These projects only require approval from the Planning Board for compliance with Section 22.09 and do not require site plan approval under Section 22.08.

- a) Building materials must provide a balance between compatibility with the existing structure and the general intent and purpose of Section 22.09.030 Building Design.
- b) All requirements of Section 22.09.040 a, b, c, f, h, i, and j (Landscaping) must be met.
- c) Ten percent (10%) of the required plantings of Section 22.09.040 d, e, and g (Landscaping) are to be provided.
- d) If the project involves changes to building mounted lighting, new fixtures shall comply with the requirements of 22.09.050, as applicable.

c. Expansions to Buildings. Expansion of a building shall meet the following minimum requirements. These projects require Site Plan approval in accordance with Section 22.08.

1. Less than twenty percent (20%) gross floor area expansion. Projects involving an expansion of less than twenty percent of the current gross floor area shall be required to comply with the following sub-sections:

- (a) Building materials must provide a balance between compatibility with the existing structure and the general intent and purpose of Section 22.09.030 Building Design. Some upgrades to the existing structure may be required.
- (b) Landscape standards of Section 22.09.040 a, b, c, f, h, i, and j must be met.
- (c) Twenty percent (20%) of the required plantings of Section 22.09.040 d, e, and g (Landscaping) shall be provided.
- (d) If the project involves changes to lighting, new fixtures shall comply with the requirements of 22.09.050, as applicable.

2. Between twenty percent (20%) and forty-nine percent (49%) gross floor area expansion.

- (a) Building materials must provide a balance between compatibility with the existing structure and the general intent and purpose of Section 22.09.030. Some upgrades to the existing structure shall be required.
- (b) Landscape standards of Section 22.09.040 a, b, c, f, h, i, and j must be met.
- (c) Forty percent (40%) of the required plantings of Section 22.09.040 d, e, and g (Landscaping) shall be provided.
- (d) If the project involves changes to lighting, new fixtures shall comply with the requirements of 22.09.050, as applicable.

3. Expanding the gross floor area fifty percent (50%) or greater. Projects involving an expansion that is fifty percent (50%) or greater of the current gross floor area shall be required to fully comply with the requirements of Section 22.09.

4. Cumulative expansions: The percentage of building expansion will be calculated cumulatively from the original floor area of the building as established on the effective date of this ordinance. For instance, if a building is expanded by fifteen percent (15%), then two (2) years later it is expanded by twenty percent (20%), then it must comply with upgrade requirements applicable to expansions of thirty-five percent (35%).

d. Improvements Due to Destruction. Should a structure be destroyed by any means (e.g. fire or weather) where replacement costs total sixty percent (60%) or less of the total value of the building (as established at the time of damage), improvements may be made without conforming to the requirements of Section 22.09 Site Development Requirements and Site Plan approval is not required.

22.09.030 BUILDING DESIGN. Architectural elevation drawings are required to be submitted for all site plans to confirm compliance with the following requirements for building design.

a. Village Discretion. The Village may waive strict compliance of Section 22.09.030 Building Design when the following qualities can be demonstrated.

1. The design and materials are found to be in keeping with the intended character of the Village.
2. The materials are found to be permanent and durable.
3. The design and materials are compatible with the type of use and development proposed.
4. The design and materials can easily be adapted to another use in the future.
5. The design and materials meet the intent of Section 22.09 Site Development Requirements as expressed in Section 22.09.010.
6. The project involves only interior expansion that does not affect the exterior appearance of the building.

b. General Building Design Requirements.

1. Building materials must be permanent and durable and shall be designed in a manner that promotes high quality architectural design and character.
2. Building colors shall not be a contrasting departure from surrounding building colors.
3. All entrance facades shall be of a finished quality.
4. Rhythm of openings, or the number and spacing of windows, shall not be disrupted for new construction or expansions.
5. New construction shall consider the scale and proportion, or the relationship of building height to width of existing structures in the area.
6. The most visible building elevations shall include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or other decorative finish materials.
7. Buildings shall be designed at a pedestrian scale with relationship to the street and sidewalk. A prominent and usable public building entrance shall be provided at the front of the building.
8. Canopies, such as over gasoline pumps, shall be designed consistent with approved building materials and colors. Support columns shall be brick or materials compatible with the principal structure. The

Village may require a peaked roof to complement the principal building. Any canopy lighting shall be recessed in the canopy.

c. Long Walls. When building walls are one hundred (100) feet or greater in length, design variations must be applied to ensure that the building is not monotonous in appearance. Such variations include but are not limited to the following:

1. Recess and projections along the building facade.
2. Architectural details or features.
3. Enhanced ornamentation around building entryways.
4. Landscaping.
5. Streetscape elements.

d. Roof Design. As a part of building design, roofs shall be designed in keeping with the overall architecture of the building.

1. Asphalt, fiberglass, tile, copper, slate or cedar shingles are permitted and shall be heavily textured to indicate dimension. Standing seam metal roof systems shall be permitted only by special approval from the Village when it is demonstrated to be compatible with the residential character of the Village.

2. The following roof style elements are required:

(a) All roofs shall be mansard, gambrel, hip or gable roof styles. The slope of the roof shall not be less than 5 (rise) on 12 (run).

(b) Additional roofline treatments are encouraged and may be required by the Village in order to minimize the mass of the roof and in order to promote the residential character. These treatments include, but are not limited to offset rooflines, dormer windows, cupolas, additional accent gables and covered entryways.

(c) Flat roofs may be permitted if accent treatments are provided along the top edge of the roofline as a cornice treatment.

3. Rooftop equipment shall be screened from view of adjacent properties and public rights-of-way. The method to screen rooftop equipment shall be compatible with the building through color, scale, materials, and architectural style. The Village may require cross-section details to confirm compliance.

22.09.040 LANDSCAPING.

a. Landscape Plan Review. A separate detailed landscape plan shall be submitted as part of the approval process. The landscape plan shall demonstrate that all requirements of this Section are met and shall include the following information:

1. Planting plans shall be prepared by a registered landscape architect.
2. Illustrate location, spacing, species, and size of proposed plant material.
3. Confirm that each landscape standard is separately met on the plans.
4. Provide, where required by the Village, typical cross sections to illustrate views from adjacent land uses, and the slope, height, and width of proposed berms or landscape elements.
5. Identify trees and other landscape elements to be preserved.
6. Delineate the location of tree protection fence and limits of grading at the perimeter of areas that to be preserved.

7. Provide details to ensure proper installation and establishment of proposed plant material.
8. Identify grass areas and other methods of ground cover.
9. Identify a landscape maintenance program including a statement that all diseased, damaged or dead materials shall be replaced in accordance with requirements of this Section.

b. Minimum Planting. All plant material shall be hardy to Oakland County, be free of disease and insects, and conform to the American Standard for Nursery Stock of the American Nurserymen. The minimum plant sizes shall be provided in accordance with the following:

Plant Type	Minimum Plant Size	Minimum Spacing	Requirements
Large Canopy Trees	Three (3) inch caliper	Twenty-five (25) ft on center	
Ornamental Trees	Two (2) inch caliper	Six (6) ft height	Fifteen (15) ft on center
Evergreen Trees	Six (6) ft height	Fifteen (15) ft on center	
Large Deciduous Shrubs	Two (2) ft height	Four (4) - six (6) ft on center	
Upright Evergreen Shrubs	Two (2) ft height	Three (3) - four (4) ft on center	

c. General Planting.

1. Ornamental trees may be used to diversify planting requirements, provided two (2) ornamental trees shall be provided for each one (1) required canopy tree.
2. Fractions of trees shall be rounded upward to the nearest whole number.
3. All areas of open space shall contain only living materials and planting beds with the exception of approved sidewalks, bike paths, signs, driveways, essential services, and detention ponds as dictated by site conditions. On redevelopment projects, the Village has the discretion to require installation of live materials in areas currently covered by concrete, asphalt, stone, gravel or other non-living materials to increase pervious surface and enhance the site.
4. Shrub plantings shall be designed to screen parking from being visible from the roadway or adjacent land uses, as necessary.
5. Canopy trees within the greenbelt shall be planted in a manner to create a formal, consistent tree canopy along the streetscape.
6. The overall landscape plan shall not contain more than thirty three (33%) of any one (1) plant genus to ensure a hardy mixture of species.
7. Plantings shall be designed to ensure adequate sight visibility for motorists, adequate clearance for pedestrians and vehicles, clearance from overhead utility lines, adequate separation from underground utilities and accessibility to fire hydrants.
8. All landscape areas shall be protected from vehicles or other types of encroachment by concrete curbing. Bumper stops, guard rails, bollards, or any other type of method shall not be permitted. On redevelopment projects where these treatments currently exist, removal is required.
9. Landscaping shall comply with Section 22.08.080 Obstructions to Vision on Corner Lots.

d. Street Trees.

1. Street trees are required along land abutting a public street, private street or access drive to serve as an obscuring screen, noise abatement, and visual enhancement along roadway corridors.
2. Street trees shall be planted at a rate of one (1) large canopy tree per thirty (30) linear feet, or fraction thereof, of the entire road frontage. The frontage calculation shall include any openings for driveways, sidewalks or easements with the number of trees.

3. Street trees shall be planted between the sidewalk and the roadway curb, within the right-of-way. If conditions prohibit planting in the right-of-way, trees shall be planted where feasible along the right-of-way line on the subject site.

e. Buffers.

1. In order to minimize the negative impacts of conflicting adjacent land uses, a planted buffer strip shall be required when any use in the Parking, Office, or Business District or a nonresidential use in a Residential Zone District abuts a Residential Zone District (R-A, R-1, R-1A, R-2, R-2A, R-3, and RM).

2. Buffer strips shall consist of two (2) canopy trees and four (4) shrubs, or one (1) evergreen tree, one (1) canopy tree and four (4) shrubs per thirty (30) linear feet along the property line.

3. At a minimum, the width of the buffer shall be fifteen (15) feet, measured from the property line.

4. The Village has the discretion to require a decorative screening wall within the buffer area in cases where it is determined the above referenced planting requirements are not sufficient to minimize incompatible land use impacts. In those cases, the wall shall comply with the following requirements:

(a) Walls cannot extend into the required front setback.

(b) Wall height shall not be less than four (4) feet nor more than six (6) feet.

(c) Walls shall be constructed of the primary building material of the principal structure as determined by the Village. They shall be made of unpierced and reinforced poured concrete with false brick design or a capped brick wall, masonry brick or poured masonry decorative wall. Cement or slag blocks shall not be permitted.

f. On-Site Screening. On-site landscape screening is required to screen outside storage areas, mechanical equipment, loading and service bays, and similar operations in a manner acceptable to the Village.

g. Parking Lots. All parking, drive aisles, loading, and other paved ground surface areas used for vehicular parking shall have internal landscaping to provide visual and climatic relief from broad expanses of pavement and to channelize and define logical areas for pedestrian and vehicular circulation. The following parking area landscaping is required.

1. Required parking area landscaping shall be placed within the parking lot surface and may also be provided along the edge of parking lot extending no more than ten (10) feet from the edge of the pavement provided it is located within the subject lot.

2. One (1) canopy tree shall be required for each 2,000 square feet of the total paved surface, including parking, drive aisles, and loading. At least two (2) parking lot trees shall be provided on each site.

3. At least one-third (1/3) of the required trees shall be placed within landscaped islands situated in the parking lot.

4. When visible from a street or access drive, screening shall be provided to shield views of parked cars from passing motorists and pedestrians in the form of a minimum three (3) foot tall hedgerow. Decorative treatment may be incorporated such as a combination of a hedgerow with tree clusters, or with a two and half (2.5) foot tall wood fence, brick wall or wrought iron fencing with brick pilasters.

5. When provided, landscape parking lot islands shall meet the following requirements:

(a) Each separate landscaped island shall be a minimum of one hundred and fifty (150) square feet in area.

(b) Each parking lot island shall be a minimum of ten (10) feet wide.

(c) The island shall be two (2) feet shorter than adjacent parking spaces.

(d) A minimum curve radius of five (5) feet is required.

(e) Each island shall contain at least one (1) tree.

h. Waste Receptacles. Garbage, rubbish, and similar refuse to be stored outside shall be stored within approved receptacles and situated in a centralized location(s) on the site. The waste receptacle and its enclosure shall comply with the following requirements:

1. A space for the location of a waste receptacle, including a dumpster or compactor, paved with a concrete pad, shall be provided.
2. The waste receptacle base shall be at least nine (9) feet by six (6) feet in area, constructed of six (6) inches of reinforced concrete. The base shall extend six (6) feet beyond the waste receptacle pad or gate to support the front axle of a refuse vehicle.
3. The waste receptacle shall be located in a rear yard or interior side yard whichever has the least impact on adjoining uses and least visibility from the street and shall be clearly accessible to servicing vehicles.
4. The location of waste receptacles shall not conflict with on-site circulation of vehicles and trucks.
5. Waste receptacles shall be screened from view on all sides. Such screening shall consist on three (3) sides of a screening wall which is not less than six (6) feet in height or at least one (1) foot above the height of the enclosed waste receptacle, whichever is greater.
6. The screening wall shall replicate the primary materials of the building.
7. An opaque, lockable gate providing access shall also provide screening.

i. Maintenance.

1. All required plant materials shall be planted prior to issuing a Certificate of Occupancy. A financial guarantee is required if the project is completed during a time of year when planting is impractical.
2. Tree stakes, guy wires, and tree wrap shall be removed after completion of the initial growing season.
3. All landscaped areas shall be provided with a source of irrigation.
4. The owner of the property shall be responsible for the regular maintenance of all landscaping. Landscaped areas and plant materials required by this Section shall be kept free from refuse and debris. Plant materials, including lawn, shall be maintained in a healthy growing condition, neat and orderly in appearance per the intent of the approved site plan. If any plant material required with an approved site plan dies or becomes diseased, it shall be replaced within thirty (30) days of receiving written notice from the Village or within an extended time period as specified in said notice.

j. Landscape Waiver. The Village may determine that conditions warrant a waiver from or modification of the landscaping provisions of Section 22.09.040. In making such determination, the Village may consider the following criteria:

1. Presence of existing natural vegetation
2. Topography
3. Existing wetland, floodplain and poor soils areas
4. Existing and proposed building placement

5. Building heights and views
6. Types and distance to adjacent land uses
7. Dimensional conditions unique to the parcel
8. Provision of adequate sight distances for motorists
9. Health, safety and welfare of the Village
10. Future land use proposed in the Village Master Plan
11. Drainage conditions
12. For existing building expansion projects, when strict compliance would hinder the ability to meet parking requirements for the site

22.09.050 LIGHTING. The intent of this subsection is to protect the health, safety and welfare of the public by recognizing that buildings and sites need to be illuminated for safety, security and visibility for pedestrians and motorists. To do so, requirements are imposed for various forms of lighting that will: minimize light pollution; maintain safe nighttime driver performance on public roadways; preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to 'sky glow'; reduce light pollution and light trespass from light sources onto adjacent properties; conserve electrical energy; and curtail the degradation of the nighttime visual environment.

a. Submittal Requirements. The following information must be included in the required site plan submission, as applicable to the project:

1. Location of all proposed and existing freestanding, building-mounted and canopy light fixtures on the site plan and building elevations;
2. Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in footcandles);
3. Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding;
4. Use of the fixture proposed; and
5. Any other information deemed necessary by the Building Official to determine compliance with provisions of this Section.

b. General Lighting Requirements. The following requirements apply to all pole-mounted and building mounted exterior lighting.

1. Exterior lighting fixtures shall be fully shielded and directed downward to prevent off-site glare. Further, the design and size of such fixtures shall be compatible with the architecture of the building.
2. The intensity of light within a site shall not exceed ten (10) footcandles or one (1) footcandle at any property line, except where the site abuts a residential district or use whereby a maximum of only 0.5 footcandles at any property line is permitted.
3. Metal halide fixtures, or other fixture type that reflects similar illumination, shall be used in an effort to maintain a unified lighting standard throughout the Village and prevent 'sky glow.'
4. The Village may require decorative light fixtures as an alternative to shielded fixtures where it will be compatible with the Village character.
5. The maximum height of pole-mounted light fixtures shall be fourteen (14) feet measured from the finished grade of the parking lot to the top of the fixture. The Village may allow a taller fixture.
6. Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all buildings, such as along the roofline and eaves, around windows, etc.

c. Miscellaneous Lighting Requirements. The following lighting requirements apply to other types of lighting that may be proposed either interior or exterior to the site.

1. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
2. Luminous tube (includes neon) and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Section 22.32 Signs.
3. The internal illumination of building-mounted canopies is prohibited.
4. Indirect illumination of signs, canopies, window displays and buildings is permitted provided there is no glare.
5. The use of laser light source, searchlights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.
6. Lighting shall not be of a flashing, moving or intermittent type (see also regulations applicable to digital messages, Section 22.32).

22.09.060 ACCESS MANAGEMENT REQUIREMENTS. These standards are intended to preserve the capacity of the street system and to minimize potential for traffic collisions, in balance with the need to provide reasonable access to properties. Commercial driveways or driveways, referred to in this section, shall include driveways serving any nonresidential use as applicable to these Site Development Requirements.

a. Location in General. Driveways shall be located to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade. Driveways and association access features, such as radii, right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the Village.

b. Number of Driveways. Access to a parcel shall consist of either a single two-way driveway or a pair of one-way driveways where one (1) driveway is designed and appropriately signed to accommodate ingress movements and the other egress movements. Other circumstances may require the following:

1. Where a parcel has frontage along two (2) streets, access shall be provided only along the street with the lower average daily traffic volume, unless the Village determines this would negatively affect traffic operations or surrounding land uses.
2. Where the property has continuous frontage of over three hundred (300) feet, the Village may allow an additional access point.

c. Driveway Spacing from an Intersection. Minimum spacing requirements between a proposed driveway and an intersection either adjacent or on the opposite side of the street may be set on a case-by-case basis but in no instance shall be less than the distances listed below. The following measurements are from the near edge of the proposed driveway, measured at the throat perpendicular to the street, to the near lane edge of the intersecting street or pavement edge for uncurbed sections.

Location of Driveway Minimum Spacing for a Full Movement Driveway Minimum Spacing for a Channelized Driveway Restricting Left Turns

Along major roadways* intersecting street is a major roadway 150 feet 95 feet

Along major roadways intersecting street is not a major roadway 100 feet 75 feet

Along other Roads 75 feet 50 feet

* Major roadways include 14 Mile Road, 13 Mile Road, Lahser Road, Evergreen Road, Southfield Road, and Greenfield Road

d. Minimum Spacing between Driveways. Minimum spacing between two commercial driveways shall be determined based upon posted speed limits along the parcel frontage. The minimum dimensions indicated below are measured from each driveway's centerline

Posted Speed Limit (MPH) Minimum Driveway Spacing (in feet)

25 130

30 185

35 245

40 300

45 350

50 and higher 455

e. Modification of Standards. Given the existing built conditions through much of the Village, the standards above may be modified by the Village on a case-by-case basis depending upon analysis of existing and expected traffic operations, and restrictions imposed by current development or site conditions.

f. Shared Access System. The Village may require a shared access system where it is determined to have a beneficial impact on traffic operations and safety. This determination shall be based on the expected traffic patterns, existing traffic conditions and the feasibility for shared access. This shared access system could involve a shared driveway, connections of parking lots or a drive connecting two or more lots or uses, access from a side street, a shared driveway or service road connecting two or more properties or uses. In such cases a shared access agreement shall be provided to the Village.

22.09.070 GENERAL SITE DESIGN REQUIREMENTS. In addition to the specific requirements, the following are required:

a. Construction of new or expanded off-street parking areas shall be located in the side or rear yard, where practical. Front yard parking shall be screened as set forth in Section 22.09.040 (g).

b. Loading and unloading and other types of service areas shall be located in the rear yard and shall not conflict with vehicular circulation. Where it is visible from a residential district, additional screening may be required by the Village in addition to the required screening of Section 22.09.040 (e).

c. To the extent feasible, new building construction or expansions shall provide a building close to the front lot line, with no front yard parking, at the same time complying with the minimum front yard setback of the district.

d. Visible utility lines and equipment detract from the aesthetics of a site. Therefore, where feasible, new on-site utility lines shall be installed underground and existing on-site utility lines shall be buried. The location of ground mounted equipment shall ensure the least visible impact and shall be screened in accordance with Section 22.09.040 (f).

e. Sidewalks or bikepaths are required in accordance with Section 22.08.410. Internal pedestrian circulation shall also be provided on for all sites. This shall be in the form of the following:

1. An internal sidewalk is required between the public sidewalk and the front entrance to the building. Where parking is located between the building and the public sidewalk, other methods shall be required to ensure a safe pedestrian system such as cross walk striping.

2. Other internal walkways shall be required to allow people to move safely through the parking areas, as determined by the Village. {Section 22.09 added by Ord. 318, 9-7-04}

22.09.080 MAINTENANCE AGREEMENTS. A maintenance agreement shall be required for all vegetative and structural best management practices (BMPs) to be constructed on site. {Ord. 353; 11-18-14}