

CHAPTER 11

C-1 GENERAL BUSINESS DISTRICT

SECTION 11.01 DESCRIPTION AND PURPOSE. This district is established to provide adequately sized and located areas in the Township where the principal uses of the land may be devoted to high activity commercial uses. Such uses provide retail-shopping opportunities and both personal and business services to the community and highway-oriented markets. The wide range of service and retail uses allowed are expected to have larger land area requirements, extended hours and higher traffic generation rates than similar businesses serving more localized and neighborhood markets.

SECTION 11.02 PERMITTED USES. Within the "C-1" General Business District, unless otherwise authorized under the provisions of this ordinance, no building or part thereof shall be erected, altered, or converted or the land used in whole or in part unless it is for the following or similar types of retail and service uses.

- (a) Hospitality and food service establishments including:
 - (1) Motels and hotels, bed and breakfast and other lodging establishments.
 - (2) Restaurants, and cafes including outdoor/patio seating and drive up or drive-through service, excluding drive-in restaurants (ref. Sec. 11.03).
 - (3) Delicatessens, food catering establishments.
- (b) Automobile related retail (except outdoor auto sales and rental, ref. Sec. 11.03(b)) and service establishments, including:
 - (1) Automobile/gasoline service stations for the sale of gasoline or accessories and the performance of incidental services such as tire changing, greasing, mechanical repairs, and car washing, provided all work is conducted wholly within a completely enclosed building.
 - (2) Enclosed car washes (automatic or manual).
 - (3) Automobile repair shops or garages and auto-body shops if all operations are conducted within a completely enclosed building.
 - (4) Automobile parts and accessory stores.
- (c) Retail and wholesale sales establishments including:
 - (1) General merchandise stores such as department and variety stores.
 - (2) Food and grocery stores such as butcher shops and fish markets, fruit and vegetable markets, dairy products stores, candy, nut and confectionery stores and retail bakeries.
 - (3) Apparel and accessory stores.
 - (4) Furniture and home furnishings, and home and office supply stores selling items such as floor coverings, drapery and upholstery, household appliances, radios,

televisions, and electronics, computers and software, videos, records, tapes and discs, musical instruments and office supplies.

- (5) Miscellaneous retail stores for items such as used merchandise, hunting and sporting goods, bicycles, books, stationery, jewelry, art, hobbies, crafts, toys, and games, cameras and photographic supplies, gifts, novelties, and souvenirs, luggage and leather goods, sewing, needlework, catalog and mail-order, tobacco products and accessories, and news dealers.
 - (6) Pet shops, not including boarding.
 - (7) Flower shops with or without accessory green houses.
 - (8) Drug stores including drive up and drive through service.
 - (9) Resale shops, pawn shops and auction houses (except livestock), excluding outdoor storage and display.
 - (10) Lumber and other building materials stores such as paint, glass, wallpaper, hardware stores, electrical and plumbing supplies, excluding outdoor storage.
- (d) Personal service establishments including:
- (1) Beauty and barbers shops, travel agencies, fitness, tanning and manicure salons, tailor and dress making shops, shoe-repair shops, taxidermy shops.
 - (2) Funeral parlor or Mortuary without residential living quarters.
 - (3) Laundry/Dry Cleaning including pickup and drop-off.
 - (4) Dance, art, music and other professional studios.
 - (5) Fitness centers.
 - (6) Medical clinics.
 - (7) Commercial kennels, animal hospitals, veterinary clinics including boarding provided that all animal runs shall be totally enclosed unless authorized as a Special Land Use.
 - (8) Taxidermist
- (e) Business and miscellaneous services including:
- (1) Advertising agencies, adjustment and collection services, credit reporting services, direct mail services, photocopying and duplicating services, commercial art and graphic design, secretarial and court reporting, disinfecting and pest control services, building maintenance services, employment agencies, computer programming services, data processing, messenger/telegraph-service stations and parcel-delivery stations.
 - (2) Repair services such as for radios, television, computers and similar electronics, household and business appliances and furniture, watches, clocks and jewelry, tools and gauges.
 - (3) Sign painting and repair services, locksmiths, vending machine service.
 - (4) Packaging services, frozen food lockers, self-service storage facilities.

- (f) Offices including but not limited to:
 - (1) Banks, credit unions and other financial institutions including drive thru and ATM facilities.
 - (2) Real estate, insurance and title offices.
 - (3) Professional offices of doctors, dentists, lawyers, architects, engineers, or other professionals, and corporate, executive, administrative or sales offices of any business.
 - (4) Laboratories and clinics (dental, chiropractic and medical)
 - (5) Base of operations offices and showrooms for plumbers, heating, cooling contractors, electricians, decorators and similar trades provided that operations are conducted within a completely enclosed building.
- (g) Amusement, recreational and institutional uses including but not limited to:
 - (1) Bowling alleys, pool and billiard halls, arcades.
 - (2) Theaters and cinemas except drive-in.
 - (3) Indoor archery and firearm practice ranges.
- (h) Governmental and institutional uses including:
 - (1) Post offices.
 - (2) Cemeteries.
 - (3) Churches and other places of religious assembly.
 - (4) Public parks, athletic grounds, libraries, museums, community centers, service organizations and similar institutional uses.
 - (5) Government administration offices and social service buildings.
 - (6) Fire stations, police offices.
 - (7) Business, trade and technical schools.
 - (8) Lodges, fraternal organizations.
- (i) Outdoor display or sales of merchandise not exceeding a total of 500 square feet of area when under the canopy or roof eave of the building and when accessory to a principle business conducted indoors subject to the provisions of Section 11.03 below.
- (j) Multiple tenant retail, office and personal service building containing less than 20,000 square feet of gross floor area.
- (k) Wind energy systems in accordance with the standards of Chapter 26.
- (l) Cellular Towers and other Communication Facilities in accordance with the provisions of Section 16.25.
- (m) Other similar businesses or service establishments that generally provide commodities or services not listed in this Section that are judged by the Zoning Administrator to be similar in character to those enumerated in this section.

SECTION 11.03 AUTHORIZED SPECIAL LAND USES. The uses of land and structures listed in this Section may be permitted as Special Land Uses within the C-1 General Business District if approved by the Planning Commission as provided under the procedures Chapter 17 and subject to all general and specific standards applicable to the use contained in this ordinance.

- (a) Adult entertainment use uses subject to the standards and regulations in Section 16.24.
- (b) Automobile, truck, farm equipment, recreation vehicle and boat sales, new or used.
- (c) Drive-in restaurants
- (d) Outdoor display or sales of merchandise or bulk commodities exceeding a total of 500 square feet of area or outdoor display and sales area beyond a canopy or roof eave of the principal use building or canopy. All goods or materials stored outside which are visible from a public road, or which are located less than 100 feet from a residential zoning district shall be screened from view by an approved landscaped screen, wall or solid fence. No such storage shall constitute a fire hazard, obstruct on-site vehicle circulation or fire fighting capabilities.
- (e) Hospitals and state-licensed residential care and tenant facilities.
- (f) Essential services buildings, municipal garages and storage yards and essential service structures such as electrical sub-stations, water treatment and storage structures.
- (g) Private elementary and secondary schools.
- (h) Colleges and universities.
- (i) Child day-care centers, adult day-care centers.
- (j) Amusement parks, go cart rides and miniature golf.
- (k) Multiple tenant retail offices and personal services buildings or shopping centers containing more than 20,000 square feet.
- (l) Outdoor animal runs.
- (m) Outdoor archery and firearm practice ranges.
- (n) Public and private correction facilities.
- (o) Wind Energy Systems subject to the provisions of Chapter 26.
- (p) Other similar businesses or service establishments that generally provide commodities or services not listed in this Section that are judged by the Zoning Administrator to be similar in character to those enumerated in this Section.

SECTION 11.04 OPERATIONAL STANDARDS.

- (a) Outdoor Uses and Activities: Unless specifically authorized under the terms and provisions of this Chapter, all outdoor uses and activities, other than parking and loading, shall be conducted wholly within enclosed buildings.
- (c) Fire Apparatus Accessibility: Each use shall be provided with fire lanes capable of enabling fire apparatus accessibility to within 200 feet of all exterior points of a building. Rear service drives, allies and fire lanes located on adjacent property may be considered

as meeting this standard when there is a reciprocal provision for such with respect to each of the properties.

- (d) Odor, Fumes, Dust, Glare, Vibration or Heat: No activity shall emit or produce odor, fumes, smoke, particulates, dust, glare, vibration or heat that will adversely affect permitted uses on an adjacent property.
- (e) Noise: No permitted activity shall emit noise that is readily discernable to the average person in any adjacent residential zone district providing that air handling equipment in proper working conditions shall be deemed to comply with this provision if located on a roof with intervening noise reduction baffles or if located on the side of a building facing away from the residential zone.
- (f) Electromagnetic Radiation: No permitted use shall emit electromagnetic radiation which would adversely affect the operation of equipment beyond the confines of the building producing the effect.
- (g) Hazardous Material Management Plan: Any permitted activity that may present danger of fire, explosion or other catastrophe shall have a current Hazardous Material Management Plan, shall be reviewed and approved by the Fire Department and the Township Engineer and shall not represent any danger to property or persons beyond the property lines.
- (h) Other Requirements: All uses shall conform to all other Township, County, State and Federal regulations pertaining to its operations.

SECTION 11.05 HEIGHT REGULATIONS. Unless otherwise provided for in this ordinance, no building or structure shall exceed three (3) stories or thirty five (35) feet, whichever is the lesser height. Ref. Section 16.03 for exceptions.

SECTION 11.06 AREA REGULATIONS. Unless otherwise stipulated in this ordinance, no building or structure nor the enlargement of any building or structure shall be hereafter erected unless the following requirements are provided and maintained in connection with such building, structure or enlargement.

- (a) Front Yards:
 - (1) M-40 and County Primary Streets - There shall be a front yard setback of not less than seventy five (75) feet. Along M-40 the first 20 feet of such yard area as measured from the street right of way line shall be devoted to greenbelt. Along county primary streets the first 10 feet of yard area as measured from the street right of way line shall be devoted to greenbelt.
 - (2) Minor/Local Streets - There shall be a front yard setback of not less than fifty (50) feet. The first 10 feet of such yard area as measured from the street right of way line shall be devoted to greenbelt.
- (b) Side Yard
 - (1) Where the side of the lot in a C-1 Zoning District abuts upon a lot in any R or AG Zoning District, the side yard shall be not less than twenty-five (25) feet.
 - (2) No side yard setback is required on any side of a building directly abutting other commercial uses or land included in a C District if access from the rear is

available through an alley, service drive or other improved and perpetual means enabling fire apparatus accessibility to within 200 feet of all exterior points of a building. If a building is not constructed to the lot line there shall be a side yard setback of not less than 10 feet.

- (3) A lot directly abutting other commercial uses or land included in a C District but not having fire apparatus access from the rear through an alley or other improved means shall have one side yard of not less than 10 feet and one unobstructed second side yard of not less than 25 feet or 1.5 times the height of the adjacent exterior building wall, whichever is the greater distance. (ref. 11.04 (c)).

(c) Rear Yard

- (1) Where the rear of a lot in a C-1 Zoning District abuts upon the side yard of a lot in any R Zoning District or AG Zoning District, there shall be a rear yard of not less than twenty-five (25) feet.
- (2) In all other cases, there shall be a rear yard of not less than ten (10) feet.
- (3) No accessory building shall be allowed closer than five (5) feet from the rear lot line.

(d) Lot Area and Width-

- (1) Existing Lots of record. The minimum lot area for lots created prior to the effective date of this ordinance shall be ten thousand (10,000) square feet; provided, however, that all private sewage disposal systems not connected to a public sewer must be approved by the Allegan County Health Department. The minimum lot width shall be seventy-five (75) feet.
- (2) The minimum lot area for lots created subsequent to the effective date of this ordinance shall be twenty thousand (20,000) square feet; provided, however, that all private sewage disposal systems not connected to a public sewer must be approved by the Allegan County Health Department. The minimum lot width shall be one hundred (100) feet.

SECTION 11.07 SITE DEVELOPMENT STANDARDS.

- (a) Parking and site lighting shall be provided in accordance with the requirements of Chapter 23.
- (b) Signs shall be regulated in accordance with the requirements of Chapter 24.
- (c) Site landscaping shall be installed and maintained in accordance with the provisions of Chapter 23.
- (d) Site Plan Review is required for Uses Permitted by Right and for all Special Land Uses.
- (e) Site access shall be regulated under the provisions of Chapter 22.
- (f) Accessory buildings and structures may not be located in the front or side yard and shall otherwise be regulated in accordance with the requirements of Section 16.10.

SECTION 11.08 BUILDING MATERIALS STANDARDS. The first floor wall area of all office facades facing a street shall be constructed of brick, stone, fluted block, glass or similar decorative material. At least 25 percent of the surface of balance of any first floor (or its equivalent height of 12 feet) facing a street, other than an office facade, shall be constructed of brick, stone, fluted block, glass or similar decorative material. Wood may be utilized for decorative and non-structural porticos, canopies and other attachments. All building exteriors shall be adequately protected from damage by vehicles and internal operations.

In recognition of developing technologies in building materials, the Planning Commission may approve other materials in consideration of the following standards:

- (a) Whether or not the finished treatment is compatible with surrounding properties in terms of color and overall image.
- (b) The relative scale of the building in terms of height and area.
- (c) The extent to which the building is setback from the street frontage(s) and the amount and quality of landscaping on the street frontage(s) and along the building.
- (d) Appeals of facade determinations may be made to the Zoning Board of Appeals.