

CHAPTER 1273
BUS General Business District

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CROSS REFERENCES

- Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581
- Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582
- Regulation of congested areas - see M.C.L.A. Sec. 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1273.01 STATEMENT OF PURPOSE.

The BUS General Business District, as herein established, is designed to meet the day-to-day convenience shopping and service needs of persons residing in nearby residential areas as well as to provide sites for more diversified business types. Further, it is designed to accommodate uses such as residential uses, offices, banks and personal services, which can serve as transitional areas between single-family residential and commercial uses, and to provide a transition between major thoroughfares and residential districts in areas platted in small lots. Certain automobile-related uses, waterfront uses and uses requiring larger parcels and/or featuring regional commercial uses, are permitted after review by the Planning Commission.

(Ord. Unno. Passed 11-9-94.)

1273.02 PRINCIPAL PERMITTED USES AND STRUCTURES.

In a BUS General Business District, no building or land shall be used and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this Zoning Code and subject to the limitations contained below:

- (a) All principal permitted uses and uses authorized after special approval in the R-M Multiple Family Residential District, subject to the conditions of that district, including single-family dwellings;

- (b) Office buildings, including medical and dental clinics (but not veterinary clinics having outdoor kennels), financial establishments, funeral homes and Municipal buildings and uses (but not including outdoor storage yards);
- (c) Generally recognized retail businesses which supply commodities on the premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, pharmacy products, dry goods, clothing, notions, hardware, office supplies, convenience foods and other similar uses, excluding outdoor storage yards;
- (d) Eating and drinking establishments having a seating capacity of 150 or less patrons;
- (e) Personal service establishments which perform services on the premises, such as, but not limited to, repair shops for watches, radios, televisions, shoes, etc.; tailor shops, self-service laundries and dry-cleaners; beauty parlors, barber shops and tanning salons; physical culture centers; and photographic studios;
- (f) Business service establishments performing services on the premises such as office machine repair, printing or blue-printing;
- (g) Dry cleaning establishments or pick-up stations dealing directly with the consumer;
- (h) Off-street parking lots, subject to the provisions of Chapter 1280;
- (i) Other uses which are similar to the above and subject to the following provisions:
 - (1) All business establishments shall be retail or service in nature, dealing directly with consumers. All goods produced on the premises shall be sold at retail from the premises where produced.
 - (2) Storage of excessive commodities shall be within buildings.
 - (3) Off-street parking and loading/unloading space shall be provided as required in Chapter 1280 of this Zoning Code;
- (j) Signs, as provided in Chapter 1284 of this Zoning Code;
- (k) Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to the provisions of this Zoning Code; and
- (l) Uses similar to the above, subject to the provisions of this Zoning Code.
(Ord. Unno. Passed 11-9-94; Ord. 2001-02. Passed 2-12-01.)

1273.03 PERMITTED USES AFTER SPECIAL APPROVAL.

In the BUS General Business District, the following uses shall be permitted, subject to the conditions hereinafter imposed for each use and subject, further, to approval by the Planning Commission pursuant to the provisions of Chapter 1278 of this Zoning Code.

- (a) Gasoline service stations for the sale of gasoline, oil and minor accessories, and including automotive repair activity where repair activity is conducted within a completely enclosed building, but not including the storage of disabled motor vehicles and parts therefrom, and subject to the following additional conditions:

- (1) The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five feet from a street intersection, measured from the street right-of-way or from adjacent residential districts.
 - (2) The minimum lot area shall be 15,000 square feet and such area shall be so arranged that ample space is available for motor vehicles which are required to wait for service. Gasoline service stations which are intended solely for the sale of gasoline, oil and minor accessories and which have no facilities for repair or servicing of automobiles, including lubricating facilities, may be permitted on parcels of 10,000 square feet or larger, subject to all other provisions herein required.
 - (3) A six-foot high screening fence shall be constructed and maintained along those property lines which abut a residential use.
- (b) Restaurants or other establishments serving food or beverages with a seating capacity greater than 150 persons, except those businesses having the character of a drive-in (where food is served to persons in a vehicle);
- (c) Private clubs, fraternal organizations and lodge halls;
- (d) Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings;
- (e) Business schools and colleges or private schools operated for profit;
- (f) Outdoor display lots and showrooms for the exclusive sale of new or used automobiles, recreational units or farm implements or for rental trailers and/or automobiles, subject to the following provisions:
- (1) The lot or area shall be provided with a durable surface and shall be graded and drained so as to dispose of all surface water accumulated within the area.
 - (2) Access to the sales lot shall be at least sixty feet from the intersection of any two streets.
 - (3) No major repair or major refinishing activity shall be done on the lot and no disabled motor vehicles or parts therefrom shall be stored on the property unless stored in a completely enclosed building or screened from public view.
 - (4) All lighting shall be shielded from adjacent residential areas.
 - (5) A six-foot high screening fence shall be constructed and maintained along those property lines which abut a residential use.
- (g) Motels or other transient guest lodging facilities, other than bed and breakfast establishments, provided that access to the site does not conflict with the adjacent business or adversely affect traffic flow on a major street, and provided that each unit shall contain not less than 200 square feet of floor area;
- (h) Businesses that have a drive-in or open front character, provided the following conditions can be met:
- (1) The setback for buildings or canopies shall be a minimum of forty feet from the right-of-way of any State trunkline or County primary road.
 - (2) Access drives to the property shall be located at least sixty feet from the intersection of any two streets.

- (3) All lighting shall be shielded from adjacent residential uses.
- (4) A six-foot high screening fence shall be constructed and maintained when the site abuts a residential area.
- (i) Veterinary hospitals or clinics and/or commercial kennels, with outdoor animal runs;
- (j) Plant nurseries which have outdoor storage or display of plants, plant materials, garden supplies, lawn furniture or playground equipment, subject to the following:
 - (1) The storage and/or display of any materials and/or products shall meet all setback requirements of the principal building.
 - (2) All loading and parking areas shall be provided on the site and shall have a six-foot high screening fence along those side or rear property lines abutting residential uses.
 - (3) The storage of any soil, fertilizer or other loose, unpacked materials shall be contained so as to prevent any effects on adjacent properties.
- (k) Bowling alleys, billiard halls, indoor archery ranges, indoor tennis courts, indoor skating rinks or similar forms of indoor commercial recreation when located at least fifty feet from any front, rear or side property line when said use or building is adjacent to a residentially zoned property;
- (l) Outdoor commercial recreational facilities such as tennis courts, archery courts, shuffleboard courts, horseshoe courts, miniature golf facilities, golf driving ranges, baseball batting cages, basketball courts, children's amusement parks, waterslides or similar commercial leisure-time activities, provided that no such area or equipment site is located in the front yard setback area or closer than fifty feet from any property line that abuts a residentially zoned district, and provided further that such activity areas are provided with a security fence around their perimeter. Such perimeters that abut a residential zoning district shall be provided with a six-foot high obscuring wall or fence along the common property line.
- (m) Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations or substations and gas regulator stations with service yards, but without storage yards and water and sewage pumping facilities;
- (n) Adult entertainment businesses as defined in Section 1260.09(b)(2A) of this Zoning Code when the business site is located at least 1,000 feet from another adult entertainment business or from a residence, governmental building, library, civic building or church;
- (o) Arcades and amusement centers where mechanical, electronic or other devices, excluding music devices, which may be operated or played by placing or depositing coins or slugs therein, or by renting the same, or by paying therefor either in advance of or after use, involving in their use either skill, games, chance, amusement or pleasure, including, but not limited to, tape machines, card machines, pinball machines, bowling games, shuffleboard, marble game machines, horse racing machines, basketball (baseball, football,

- hockey, etc.), electronic video games, or any similar devices, where five or more such devices are located at one establishment or center;
- (p) Wholesale stores, storage facilities, warehouse buildings and distribution plants; and
 - (q) Waterfront uses customarily incidental to recreational boating facilities, including sales, service and mooring/storage uses and facilities.
- (Ord. Unno. Passed 11-9-94; Ord. 2001-02. Passed 2-12-01.)

1273.04 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

Area, height, bulk and placement requirements, unless otherwise specified, are as provided in Section 1286.44.
(Ord. Unno. Passed 11-9-94.)

1273.05 OFF-STREET PARKING AND LOADING/UNLOADING.

Off-street parking and loading/unloading requirements shall be as provided in Chapter 1280.
(Ord. Unno. Passed 11-9-94.)

1273.06 ADDITIONAL REGULATIONS.

The storage of all material, objects, equipment and machinery, other than for heating or cooling, and of inoperable or unlicensed motor vehicles, shall be wholly within a completely enclosed building or screened from public view.
(Ord. Unno. Passed 11-9-94.)

1273.07 SITE PLAN REVIEW.

(a) Site Plan Review is required pursuant to Section 1286.43 for all new construction and changed uses in the Business District, except for single-family residential dwellings on platted lots or lots of record.

(b) All proposed construction of change in use in the business district is required to submit a Zoning Compliance Permit application to the Zoning Administrator prior to construction and/or use change as mandated in 1262.03. The Zoning Administrator will determine the necessity for a Site Plan Review with the Planning Commission review or a review solely completed by the Zoning Administrator.
(Ord. Unno. Passed 11-9-94; Ord. 2009-12. Passed 5-11-09.)

1273.08 RESTROOMS AND PARKING.

All transient, seasonal and permanent businesses shall provide restrooms and parking that is adequate to handle the traffic their business creates, thus relieving the burden applied to neighboring businesses.
(Ord. 2006-04. Passed 5-8-06.)

**1273.09 AESTHETICS OF EXTERIORS OF BUSINESS DISTRICT
STRUCTURES.**

(a) Exterior of buildings shall be aesthetically pleasing and have materials compatible with nearby structures.

(b) At least fifty percent of exterior wall finishes of the front of the building that fronts the main roadway shall be comprised of at least two of the following:

- (1) Brick;
- (2) Natural or artificial stone;
- (3) Glass;
- (4) Stucco; or
- (5) Other comparable or superior material as approved by the Planning Commission.

(c) Buildings on corner lots shall have the exterior materials approved by the Planning Commission.

(d) The approval of the exterior building materials and aesthetic will be made by the Planning Commission in the site plan review process as outlined in Section 1286.43.

(Ord. 2008-07. Passed 7-14-08.)