

**RB**

**ARTICLE IV  
DISTRICT STANDARDS  
SECTION 412 REGIONAL BUSINESS DISTRICT, RB**

**SECTION 412 REGIONAL BUSINESS DISTRICT, RB (Revised 6/24/06 and 5/14/18)**

1. INTENT. This district is intended to provide for commercial, retail, and recreational enterprises intended to serve the greater Grand Traverse region and the tourist industry. Uses in this district may have special development requirements and characteristics which may be unique due to their proximity to other tourism and recreational facilities in the Grand Traverse region. These facilities may have unique characteristics with regard to the number of patrons which may attend functions at any one time; parking, mix of uses, noise, night lighting, fencing, etc. Such uses may utilize land areas which are ecologically sensitive or may require particular treatment to protect the environment, and therefore require a special use permit issued by the Township.

**PERMITTED USES**

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| ◆ Accessory buildings with floor area less than or equal to the footprint of the principal structure | ◆ Accessory uses related to uses permitted by right   |
| ◆ Antique store  | ◆ Combination of uses permitted by right, subject to Section 412.6  |
| ◆ Convenience store, excluding gasoline sales  | ◆ Drug store  |
| ◆ Drug store   | ◆ Grocery store, without gasoline sales   |
| ◆ Essential Service Facility, Routine  | ◆ Jewelry store   |
| ◆ Hotels and motels  | ◆ Mobile Food Court, subject to Section 236 (Revised 2/20/21)   |
| ◆ Marinas and uses incidental thereto  | ◆ Mobile Food Vehicle, subject to Section 236 (Revised 2/20/21)   |
| ◆ Party, drugs and notions store   | ◆ Personal services   |
| ◆ Photographic developing sales and supplies   | ◆ Professional offices  |
| ◆ Places of Public Assembly  | ◆ Public recreation facility, excluding carnival  |
| ◆ Public parks   | ◆ Restaurant  |
| ◆ Recreation facilities  | ◆ Commercial Subdivisions, and condominium subdivisions, clustered or traditional subject to Section 222 and the Subdivision Control Ordinance. |
| ◆ Sporting, recreation and bicycle shop  | ◆ Video Store   |
| ◆ Uses similar to uses permitted by right  |   |
| ◆ Walkways, elevated, open or enclosed   |   |
| ◆ Wearing apparel, accessory and shoe store  |   |

**SPECIAL LAND USES**

- ◆ Accessory buildings with floor area greater than the footprint of the principal structure
- ◆ Billboards
- ◆ Commercial establishments with drive-through facilities
- ◆ Fitness Centers
- ◆ Laundry and dry cleaning establishment
- ◆ Planned Unit Developments, subject to Section 637
- ◆ Adult Businesses
- ◆ Car wash, if connected to public sewer
- ◆ Dwelling, multiple
- ◆ Essential Service Facility, Major
- ◆ Personal wireless communication facilities
- ◆ Combinations of uses permitted by right or as special land uses, subject to Section 412.6.

**ADDITIONAL STANDARDS**

- ◆ Site Plan requirements subject to Section 820 for all uses other than accessory uses related to uses permitted by right
- ◆ Parking and Loading requirements subject to Article VII
- ◆ Signage requirements subject to Section 215
- ◆ Lighting requirements, subject to Section 210
- ◆ Landscaping and Buffering requirements, subject to Section 229.
- ◆ Regional Business site development standards, subject to Section 412,6

**DISTRICT REGULATIONS (Revised 12/28/15)**

- ◆ **Minimum Lot Area:** 20,000 sq. ft.
  - ◆ **Minimum Lot Width:** 100 ft.
  - ◆ **Maximum Dwelling Units/Acre:** N/A
  - ◆ **Maximum Building Height:** 35'/50<sup>(a)</sup>
  - ◆ **Minimum Building Setbacks:**

Front	30 ft.
Side	10 ft. <sup>(b)</sup> /15 ft. <sup>(c)</sup>
Rear	20 ft. <sup>(d)</sup>
  - ◆ **Maximum Lot Coverage:** N/A
  - ◆ **Maximum Building Footprint:** 30,000 sq. ft.<sup>(e)</sup>
- (a) For parcels south of US-31
- (b) Adjoining another commercial use
- (c) Adjacent to a detached single family dwelling
- (d) The rear yard setback shall be 45 feet from elevation 581' USGS datum properties located on Gd. Traverse Bay and 100' for properties located on Mitchell and Baker Creeks.
- (e) The Planning Commission may approve exceptions to allow a larger building footprint pursuant to Section 504, 3 and Section 624

2. **USES PERMITTED BY RIGHT:** The following uses are permitted, subject to the requirements of Site Plan Review as set forth in Article VIII, Section 820 of the Zoning Ordinance.

a. Accessory buildings with floor area less than or equal to the foot print of the

- principal structure
- b. Accessory uses related to uses permitted by right. Such uses shall not require site plan review
  - c. Antique store
  - d. Combinations of uses permitted by right in the RB district, subject to Section 412.6.
  - e. Convenience store, excluding gasoline sales
  - f. Drug store
  - g. Essential Service Facility, Routine
  - h. Grocery store, excluding gasoline sales.
  - i. Hotels and motels
  - j. Jewelry store
  - k. Marinas and uses incidental thereto
  - l. Mobile Food Court
  - m. Mobile Food Vehicle
  - n. Party stores, drugs and notions
  - o. Personal services
  - p. Photographic developing sales and services
  - q. Places of Public Assembly
  - r. Professional offices
  - s. Publicly and privately owned and operated parks, preserves, open space, and conservation areas.
  - t. Public recreation facility, excluding carnivals
  - u. Recreation facilities, subject to the following requirements:
    - (1) In the area between US-31 and East Grand Traverse Bay, it is expected that private recreational facilities will be associated with allowed commercial uses and will not normally be of a type that would require a separate admission payment for its use, although it may be available only to paying guests of the commercial establishment.
    - (2) In the area between US-31 and the present C & O Railroad right-of-way it may be a separate facility charging admission and operating as an independent commercial use if it is approved as a special use by the Township.
    - (3) In all uses; noise, lighting, traffic, and hours of operation will be compatible with residential uses, including motels and hotels.

- v. Restaurant
  - w. Sporting, recreation and bicycle shop
  - x. Commercial Subdivisions (Plats), subject to the Subdivision Control Ordinance, and Condominium Subdivisions subject to Section 222
  - y. Uses similar to the above uses permitted by right. A determination of whether a proposed use is similar to uses permitted by right shall be made by the Planning Commission upon the recommendation of the Zoning Administrator. In preparing such a recommendation, the Zoning Administrator shall evaluate the proposed use in terms of the potential generation of traffic, congestion, noise, odors, dust, litter and similar impacts. In addition, the proposed use shall be evaluated to determine the degree to which it may support or conflict with other uses permitted by right. If the Zoning Administrator determines that such use is similar to the uses permitted by right, a report outlining the determination shall be provided to the Planning Commission with a recommendation for approval of the required site plan
  - z. Video Store, provided drop-off and pick-up areas are arranged to prohibit parking within fire lane areas
  - aa. Walkways, elevated, open or enclosed. The following standards shall be applied in the review of a site plan pursuant to Section 820 related to an elevated walkway:
    - (1) The walkway structure shall not be lower in elevation than the ceiling height of the first floor of the principal structure.
    - (2) Shall not impede the ground level view from US-31 North to Grand Traverse Bay.
    - (3) Shall not exceed one (1) story in height.
    - (4) Side yard setbacks shall be waived for such structure, however, all supporting posts shall meet side yard setbacks, provided that the minimum open space between buildings giving visual access to Grand Traverse Bay from US-31 North shall be fifty (50) feet.
    - (5) No such walkway shall be approved which has been found by the Planning Commission to be detrimental to the surrounding properties or uses of US-31 North through the loss of visual access to Grand Traverse Bay.
    - (6) Emergency vehicle access to the bayfront side of connecting buildings shall not be eliminated by such walkway.
  - bb. Wearing apparel, accessory and shoe store
3. SPECIAL LAND USES and ACTIVITIES ELIGIBLE for APPROVAL CONSIDERATION: Approved special land uses shall be subject to the requirements of Article VI and the Site Plan review and approval by the Township Planning Commission as set forth in Article VIII, Section 820 of the Zoning Ordinance.

- a. Accessory buildings with floor area greater than the foot print of the principal structure, subject to the provisions of Section 603.
  - b. Adult businesses, subject to the provisions of Section 609.
  - c. Billboards, subject to the provisions of Section 607.
  - d. Car wash, if connected to public sewers, and subject to the provisions of Section 611.
  - e. Combinations of uses otherwise permitted by right or as special land uses within the RB district, subject to Section 412.6.
  - f. Commercial establishments with drive-through facilities, subject to the provisions of Section 614.
  - g. Dwelling, multiple, subject to the provisions of Section 618.
  - h. Essential Service Facility, Major, subject to the provisions of Section 628
  - i. Fitness Centers, subject to the provisions of Section 623.
  - j. Laundry and dry cleaning establishments, subject to the provisions of Section 627.
  - k. Personal wireless communication facilities, subject to the provisions of Section 634.
  - l. Planned Unit Developments; subject to the provisions of Section 637.
4. DIMENSIONAL STANDARDS. Yard, structure height, lot area, minimum gross living area and minimum living space dimensions, and lot width shall conform to the requirements of Article V.
5. COMBINATIONS OF USES. In the review of site plans and/or special land use permit applications for uses involving combinations of uses otherwise permitted by right or by special land use approval in the RB district, the Planning Commission shall find that all such uses shall be mutually compatible with one another and that all special land use standards applicable to any such component use in a combined land use shall be met. Provided, however, that the Planning Commission may approve joint parking arrangements to serve such combined uses as provided in Section 700.3.
6. REQUIRED CONDITIONS for ALL USES: All uses permitted either by right or as a special use are also subject to the following conditions in addition to any imposed in other sections;
- a. OPEN SPACE: All lots shall have a minimum of twenty-five percent (25%) of total lot area devoted to landscaped open space, of which thirty percent (30%) of this area shall contain woody vegetation (trees and shrubbery). Landscaped open space does not including driveways and parking. Further, all existing trees over five inches (5") in diameter, shall be retained as possible.
  - b. MAXIMUM BUILDING WIDTH: On parcels between US-31North and Grand

Traverse Bay, no building shall exceed one hundred and fifty (150) feet in width, as measured parallel to US-31 North.

- c. **BUILDING SETBACK FROM RIVERS and STREAMS:** Where a lot adjoins or is intersected by a river or stream, any structure located thereon shall be set back a minimum of fifty (50) feet from said water for DNR designated trout streams, and fifteen (15) feet from the water of other rivers and streams, unless a one hundred (100) year flood plain is established and approved by the Township, in which event the setback line will be the one hundred (100) year flood elevation line.
- d. **BUILDING SEPARATION SETBACK:** All buildings and structures shall be separated a minimum of ten (10) feet between each other. **PROVIDED, HOWEVER,** for parcels between US-31 North and Grand Traverse Bay, this minimum separation between buildings and structures shall be thirty (30) feet and shall be designed and arranged so that there is a clear view to the Bay from the highway.
- e. **PEDESTRIAN SIDEWALK:** A Pedestrian sidewalk five (5) feet wide, shall be established and extending along the entire front of the parcel. Sidewalks must meet State of Michigan Construction Standards, may be located whenever possible within the highway right-of-way along the property line, or may be on private land to avoid obstructions. Curb-cuts must be brought into compliance, and a permit (if required) must be obtained from the State of Michigan.
- f. **PARKING LOTS:** Parking lots may be established in the front yard, providing that they are set back a minimum of twenty (20) feet from the street curb.
- g. **PERMITTED HEIGHT EXCEPTIONS:**
  - 1) For Parcels between US-31 North and Grand Traverse Bay; Principal buildings may be erected to a height not to exceed fifty (50) feet, **PROVIDED** that one or both side yard minimums and/or each clear view corridor to the Bay is increased two (2) feet for each one (1) foot of additional height above the district maximum.
  - 2) For Parcels south of US-31 North; Principal buildings may be erected to a height not to exceed eighty (80) feet, **PROVIDED** that the twenty-five percent (25%) minimum landscaped open space requirement is increased one percent (1%) for each six (6) feet of additional height above the district maximum.
- h. **ACCESS CONTROL:** It is the intent that access driveways on Munson Ave/US-31 North shall be a minimum distance of 400 feet separation between each other. It is also the intent that all parcels shall have interconnections between each other by establishing a front or rear connection between properties.
  - (1) One driveway shall be permitted for each development or project.
  - (2) Additional driveways may be permitted within a parcel providing that the development has more than 400 feet of continuous frontage, and that each

driveway is located in such a way that there is 400 feet separation between each driveway measured between the centerline of each driveway.

- (3) All existing and future developments and projects upon submission through the site plan review process shall contain a service drive unless the applicant can demonstrate that the access plan is not feasible from a public safety, engineering, traffic flow, or natural features respect. These accesses shall be a minimum of 20 feet in width, and mutually maintained by the owners of said property. Reduction in parking requirements may be approved for establishing these accesses.
- (4) Corner lots may contain a driveway on both roads providing that the driveway approaching (right lane) intersection is located a minimum of 350 feet from the nearest edge of the traveled portion of the major thoroughfare, and the driveway leaving the site is located a minimum of 150 feet from the nearest edge of the traveled portion of the major thoroughfare. If a corner parcel does not contain this minimum required frontage, they still may have driveways on both roads, providing that the applicant can demonstrate that the access plan is not feasible from a public safety, engineering, traffic flow, or natural features respect, and that driveway locations are such that they can comply as close as possible with the intent of this requirement.
- (5) The service drive shall be maintained by the property owners establishing a service drive, in a reasonably safe condition, including snow storage.
- (6) Adjacent property owners may and are encouraged to consolidate their driveways by using either a shared access drive or a service drive. Service drives may be located within the highway right-of-way (if approval is received from the appropriate Road Authority), or on private property outside of the right-of-way. Bonuses may be approved by the Planning Commission which include increased building coverage, reduction of landscape open space, yard setbacks and parking limits for consolidating adjacent driveways.