

## **ARTICLE XIII**

### **B-1 LOCAL BUSINESS DISTRICT**

**SECTION 13.1 INTENT:** The Local Business District (B-1) is designed to provide for the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. The district will generally be used as a transitional district between more intensive uses of land such as major thoroughfare and other business districts and less intensive uses of land such as office and residential. It will normally be located only on property which fronts on a major or secondary thoroughfare.

**SECTION 13.2 PRINCIPAL USES PERMITTED:** In the B-1 Local 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 and provided that all business and servicing except for off-street parking or loading, shall be conducted within a completely enclosed building.

1. Medical offices and clinics.
2. Banks and similar financial institutions.
3. Libraries and government office buildings and public utility offices, but not including storage yards.
4. Private clubs or lodges.
5. Photographic studios and interior decorating studios.
6. Veterinary clinics and veterinary hospitals provided all activities are conducted within a permanently enclosed building.
7. Establishments which perform personal services on the premises such as: beauty parlors, barber shops, repair shops (including watches, radio, television, shoe, and etc., but prohibiting major repair shops such as automotive, heavy equipment, large appliances, furniture and etc.), tailor shops, self-service laundries and cleaners, dry cleaning and laundry establishments provided cleaning equipment is used to service only the premises at which it is located.
8. Stores of a generally recognized retail nature which supply commodities on premises such as, but not limited to: groceries, meats, dairy products, baked goods, or other foods, drugs, dry goods, clothing, notions and hardware.
9. Standard restaurants and taverns, carryout restaurants, excluding drive-in fast food restaurants.
10. Child care centers.
11. Insurance, real estate and similar uses with a low volume of customer contact.
12. Local Shopping Center, operating as an integrated or cluster of principal permitted uses, sharing a parking area, with 20,000 sq. ft. or less of gross floor area. Uses are limited to the permitted uses as listed in Section 13.2 above.
13. Accessory uses customarily incidental to any of the above permitted uses.

SECTION 13.3 SITE PLAN REVIEW: No structure in the B-1 District may exceed a footprint of 20,000 sq. ft.

SECTION 13.4 PRINCIPAL USES SUBJECT TO A SPECIAL APPROVAL USE:

1. Publicly owned buildings, public utility buildings, water and sewer pumping stations, mobile or temporary utility substations are subject to the following conditions:
  - A. Buildings and structures shall be architecturally compatible with adjacent development.
  - B. There shall be no permanent or temporary outdoor storage of any equipment or materials.
2. Public utilities for necessary and critical services including, but not limited to, electric transformer station and substations and gas regulator stations will be reviewed by the Planning Commission for the necessity of screening compatibility standards of adjacent properties.
3. Marihuana Provisioning Centers as defined in PA 281 of 2016, as amended, and Marihuana Retailers, as defined in Initiated Law 1 of 2018, as amended, subject to the following conditions:
  - A. All such facilities shall hold a valid license for the appropriate operation, as issued by the State of Michigan, before the use is commenced.
  - B. The licensee shall have, or shall have applied for a permit as provided for in Chapter 46 of the Adrian City Code.
  - C. A site may function as both a Provisioning Center and a Retailer, but the maximum number of properties used for provisioning centers, retailers, or provisioning centers and retailers in combination, allowed city-wide shall not exceed the number allowed pursuant to Section 46-504 of the Adrian Code.
  - D. No such facility shall be situated within 1000 feet of a school, private or public, including pre-school through college (but not including sports facilities or other accessory uses not located on a school's educational campus).
  - E. No such facility shall be situated within 250 feet of any of the following uses:
    - i) A church or house of worship located in a residential district.
    - ii) A public park or playground.
    - iii) A state licensed day-care facility as defined in the City of Adrian Zoning Ordinance definition(s) 2.46.
    - iv) A facility that provides services for substance abuse disorders as defined by MCL 330.1100d.
  - F. No such facility shall be situated on a site abutting land zoned for single-family residential use (R-1 through R-4).
  - G. Drive-through, drive up or curb-side service facilities are prohibited.

- H. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
- I. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required permit has been issued by the City Clerk and all conditions associated therewith are being met.

SECTION 13.05 SITE PLAN REVIEW: For all principal uses and uses subject to a zoning exception permit, a site plan shall be submitted in accordance with Section 4.6.

SECTION 13.06 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS: All uses permitted in the RT Two-Family Residential District shall be in accordance with Article XXIV, Schedule of Regulations.

## **ARTICLE XIV**

### **B-2 COMMUNITY BUSINESS DISTRICT**

**SECTION 14.1 INTENT:** The Community Business District (B-2) is designed to provide sites for diversified business types and is often located so as to serve passerby traffic. These uses are generally characterized by generating large volumes of vehicular traffic. This district is intended to prohibit establishments which require outdoor storage of goods and materials. The district will generally be used adjacent to high volume major thoroughfares. The district is also intended to provide an appropriate location for work-release facilities which are considered appropriate, subject to certain conditions.

**SECTION 14.2 PRINCIPAL USES PERMITTED:** In the B-2 Community Business District, no building or land shall be erected except for one or more of the following specified use:

1. Any principle permitted use in the B-1 Local Business District.
2. Post offices.
3. Photographic reproduction, blueprinting and print shop.
4. Sit down restaurants and taverns.
5. (Reserved for future use).
6. Establishments of electricians, plumbers, heating contractors, bakers, painters, or similar trades in conjunction with a retail sales operation.
7. Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings.
8. Open-air retail sales of plant materials and sales of lawn furniture, playground equipment and garden supplies provided that:
  - A. The open-air sales area is enclosed with a fence.
  - B. That such sales area is in conjunction with indoor sales of the same general type.
  - C. That the square footage of the open sales area is no greater than the indoor sales area.
9. Hotels and motels.
10. Business schools and colleges or private schools operated for a profit.
11. Local Shopping Center, operating as an integrated or cluster of principal permitted uses, sharing a parking area, with 80,000 sq. ft. or less of gross floor area. Uses are limited to the permitted uses as listed in Section 14.02 above.
12. Accessory uses customarily incidental to any of the above permitted uses which are of the character of a personal or administrative service or a retail facility for a product on a "cash and carry" basis.

#### SECTION 14.3 USES SUBJECT TO A ZONING EXCEPTION PERMIT:

1. Recreation centers, similar to bowling alleys, skating rinks, archery ranges, dance studios, amusement areas, arcades with a minimum of one hundred (100) gross sq. ft. of floor area per machine and if located within a building or structure containing other uses, the amusement arcade shall be separated and segregated from such other uses by the means of approved walls, rails, fences or similar approved means as to specifically delineate the area in which said machines are to be located, the minimum square footage of floor area per machine being measured thereby, and similar forms of commercial recreation or amusement when conducted wholly within a completely enclosed building.
2. Motor vehicle washing, conveyor or non-conveyor type, when completely enclosed in a building excepting points of ingress and egress and subject to the following conditions:
  - A. All cleaning operations shall be completely enclosed within a building.
  - B. A hard-surfaced driveway of one (1) or more lanes shall be constructed on the parcel in such a manner as to provide for a continuous movement of cars into the wash rack.
  - C. The driveway as provided shall be not less than ten (10) feet wide for a single lane and not less than ten (10) additional feet in width for each additional lane.
  - D. Where only a single lane is provided, it shall be used for no other purpose than to provide access to the wash rack. All lanes provided shall be suitably protected from interference by other traffic.
  - E. For a non-conveyor type auto wash, five (5) waiting spaces, for each twenty (20) feet in length, shall be provided for each washing stall on the entrance side of the stall and two (2) spaces per stall shall be provided on the exit side for a drying area.
  - F. The site shall be designed in such a manner that no operations are conducted off the parcel.
  - G. A building setback of at least sixty (60) feet must be maintained from the proposed or existing street right-of-way, whichever is greater.
  - H. Ingress and egress points shall be located at least sixty (60) feet from the intersection formed by the existing or proposed right-of-way lines, whichever is greater, and shall be directly from a major thoroughfare.
  - I. The site shall be drained so as to dispose of all surface water in such a way as to preclude drainage of water onto adjacent property.
  - J. Gasoline sales shall be permitted on the property provided there is compliance with Section 14.03.3
3. Gasoline stations and gasoline filling stations in conjunction with convenience stores. Prohibited activities include, but are not limited to, the following: trailer renting and leasing, motor vehicle body repair, undercoating, painting, tire recapping, engine rebuilding, motor vehicle dismantling, upholstery work, and other such activities whose adverse external physical effects would extend beyond the property line.

Planning Commission review and approval shall be for the purpose of maintaining the health and safety and welfare of the community. The Planning Commission shall approve the use only after find that the use is so arranged that the gasoline station will not adversely affect the normal development or use of adjacent property and further, that the gasoline station with or without a convenience store will be constructed in accordance with the following development standards:

- A. One hundred and twenty (120) feet of street fronting on the lot proposed for the gasoline station shall be provided on the principal street serving the station.
  - B. The lot shall contain not less than twelve thousand (12,000) sq. ft. in area.
  - C. All buildings shall be set back not less than forty (40) feet from all existing or proposed street right-of-way lines, whichever is greater. Canopies over pump islands may extend to the property line, provided the canopy is internally drained.
  - D. Gasoline pumps, air and water hose stands and other appurtenances shall be set back not less than ten (10) feet from all street right-of-way lines.
  - E. Driveway widths entering the gasoline station shall have a maximum width of thirty-five (35) feet.
  - F. Any driveway approach shall enter the property not less than twenty (20) feet from the intersection formed by the existing or proposed right-of-way lines and less than fifteen (15) feet from any adjoining property lines.
  - G. Curbs in accordance with standard City specifications shall be constructed on all streets adjacent to the gasoline station site.
  - H. Signs and lighting shall be shielded from residential property.
  - I. No signs, storage nor display of any kind shall be allowed within the street right-of-way. All signs and display shall be so located as not to obstruct the view of vehicles.
  - J. There shall be no outside storage or display of any kind except for the display of new merchandise related to the primary use of a gasoline station for retail sale during the hours of operation of the gasoline station.
  - K. There shall be no parking of damaged motor vehicles except on a temporary basis for seventy-two (72) hours or less. Junk parts and junk vehicles shall not be kept on the outside of the building.
  - L. Automobile leasing may be permitted in connection with a gasoline service or gasoline filling station upon the special approval of the Planning Commission and subject to the provisions that the number of automobiles on the site that are available for lease shall not exceed one (1) automobile for each one thousand (1,000) sq. ft. (93 meters) of lot area and shall not be located in areas that are required for parking, aisle ways, service bays, loading, landscaping or sidewalks.
4. Automobiles repair and service facilities subject to the following provisions:
- A. Minor repair and service of automobiles are permitted with prohibited activities including, but not limited to, truck and trailer renting and leasing, motor vehicle body repair, undercoating, painting, tire recapping, engine and transmission rebuilding,

- motor vehicle dismantling, upholstery work, and other such activities whose adverse external physical effects would extend beyond the property line.
- B. All activities shall be conducted in an enclosed building.
  - C. All buildings shall be set back not less than forty (40) feet from all existing or proposed street right-of-way lines, whichever is greater.
  - D. No signs, storage nor display of any kind shall be allowed within the street right-of-way. All signs and display shall be so located as not to obstruct view of vehicles.
  - E. There shall be no outside storage or display of any kind except for the display of new merchandise related to the primary use of the facility and for retail sale during the hours of operation of the facility.
  - F. There shall be no parking of damaged motor vehicles except on a temporary basis not to exceed seventy-two (72) hours. Junk parts and junk vehicles shall not be kept on the outside of the building.
  - G. Parking shall be provided on the site at a ratio of one (1) parking space for each three thousand (3000) sq. ft. of site area.
  - H. Automobile leasing may be permitted subject to the provisions that the number of automobiles on the site that area available for lease shall not exceed one (1) automobile for each one thousand (1,000) sq. ft. of lot area and shall not be located in areas that are required for parking, aisle ways, service bays, loading, landscaping or sidewalks.
  - I. The parking of low trucks shall be permitted only in designated areas and shall not be permitted in the corner clearance areas.
5. Automobile and truck agency sales and showrooms subject to the following provisions:
- A. The automobile and truck sales agency must be located on a site having a frontage on a major thoroughfare of not less than one hundred (100) feet. Minimum lot area shall be 10,000 sq. ft.
  - B. Ingress and egress to the outdoor sales area shall be at least sixty (60) feet from the intersection formed by the existing or proposed right-of-way lines, whichever is greater.
  - C. Major repair and major refinishing shops will be permitted as accessory when located not less than two hundred (200) feet from residentially zoned property and conducted entirely within an enclosed building.
  - D. No outside storage of discarded or salvaged materials, junk vehicles or junk parts shall be permitted on the premises.
  - E. The outside display of new and used automobiles and trucks shall be permitted but the outside storage of vehicles shall be limited to new vehicles and such storage area shall occupy no more than thirty-five (35%) percent of a lot which is used for new vehicle sales.
  - F. Vehicles shall not be placed within five (5) feet of the property line.
  - G. All lighting shall be shielded from adjacent residential districts and the use of open or base bulbs shall be prohibited.
  - H. No outside loud speaker or outside public address system shall be used.

6. Fast food restaurants with or without drive-thru facilities subject to the following conditions:
  - A. A set back of at least sixty (60) feet from the right-of-way line of any existing or proposed street must be maintained.
  - B. Ingress and ingress points shall be located at least sixty (60) feet from the intersection of any two (2) streets and shall be directly from a major thoroughfare.
  - C. There shall be provided screening in accordance with Section 4.41 B.
7. Mini-Warehouse
  - A. Minimum lot width shall be 200'.
  - B. Minimum front yard setback shall be 50'
  - C. The site shall be completely enclosed with a 6' cyclone security fence.
8. Wholesale establishments
  - A. The maximum site size shall be two acres.
  - B. The minimum lot width shall be 200' on a major thoroughfare.
  - C. There shall be no storage of semi-tractor trailers onsite except during loading and unloading.
  - D. The minimum front setback shall be 50'.
  - E. There shall be no product manufacturing onsite.
  - F. There shall be a landscaped planting strip having a minimum width of 10' immediately adjacent to the road right-of-way.
9. Mortuary Establishments subject to the following conditions:
  - A. The minimum lot size shall be 25,000 sq. ft.
  - B. Adequate queuing space shall be required which does not use any space of required off-street parking.
10. Publicly owned buildings, public utility buildings, water and sewer pumping stations, mobile or temporary utility substations are subject to the following conditions:
  - A. Buildings and structures shall be architecturally compatible with adjacent development.
  - B. There shall be no permanent or temporary outdoor storage of any equipment or materials.
11. Public utilities for necessary and critical services including, but not limited to, electric transformer stations and substations and gas regulator stations will be reviewed by the Planning Commission for the necessity of screening compatibility standards of adjacent properties.
12. Outdoor recreational space for miniature golf courses and other similar recreational activities. Such recreation space shall not impact the traffic visibility within the designated sight triangle. The location, layout, design or operation of the outdoor facility shall not impair the continued enjoyment, use, and future development of nearby properties. The use shall not generate excessive noise, odors, dust, or other impacts. The planning commission may specify hours of operation and screening mechanism to assure compatibility with adjacent uses. Any such use shall be subject to site plan review by the planning commission.

13. Work-release facility (subject to the following conditions):
- A. No work-release facility shall be located within three-hundred (300) feet of any residential district, park or school.
  - B. No work-release facility shall be located within 1500 feet of another work-release facility.
  - C. The work-release facility shall be designed, constructed, and maintained so that such use will not change the general character of the area or any adjacent, or nearby residential areas.
  - D. The facility shall be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal, water and sewer; or if such facilities and services are not provided, documentation that persons or agencies responsible for the establishment of the work-release facility shall be able to provide adequately any such facilities and services.
  - E. The work-release facility shall submit plans which provide a description of programs and procedures which are operational at the facility to assure security and safety for the residents of the facility and the surrounding neighborhood and to assure the success of the program in terms of rehabilitation counseling, training, job placement, and resident access to essential services and facilities, including recreation and transportation. Said plans shall be approved by the planning commission.
  - F. A license, or evidence of ability to obtain a license, if such is required, from the appropriate governmental unit. Prior to the issuance of a final certificate of occupancy, the operator or agency shall provide evidence that a valid license has been issued or is obtainable for the proposed work-release facility on the property. Should licensing not be required, an affidavit from the applicant stating that licensing is not required, shall be provided.
  - G. Every room occupied for sleeping purposes within the structure shall contain a minimum of eighty (80) square feet of habitable room area for one (1) occupant, and when occupied by more than one (1) person, shall contain at least sixty (60) square feet of habitable room area for each occupant.
  - H. Indoor and outdoor recreational space shall be provided for the clientele served, based upon standards specified by the licensing authority. If no such standards exist then the following minimum standards shall apply.
    - i) A common indoor area shall be provided which shall consist of at least twenty-five (25) square feet per individual.
    - ii) A common outdoor area shall be provided which shall consist of at least sixty (60) square feet per individual.
    - iii) Any exterior alteration of the structure shall be compatible with the surrounding area.
    - iv) Exterior security lighting shall be provided. All exterior lighting shall be suitably directed and shaded to prevent any glare upon adjoining, or nearby, residential properties.

- v) One (1) parking space shall be provided for each three persons residing in the work-release facility, except for facilities which prohibit the ownership or operation of automobiles by occupants. Parking shall be provided on-site in an amount determined to be appropriate to accommodate guests, and employees as deemed necessary by the planning commission following a review of the proposed work-release facility, and its operation.
- I. The facility shall be limited to forty (40) clients.
- J. Signage shall be limited to one identification sign affixed flat against the front wall of the facility of size not to exceed eight (8) square feet.

#### 14. Pet Care Facility

Any establishment, or part thereof, or premises maintained for the purpose of providing socialization, training, or temporary boarding, in the absence of the owner, for pets owned by the general public for which a fee is charged.

Pet Care facilities are subject to the following conditions:

- A. Parcel must be one (1) acre minimum in size.
- B. Adequate traffic circulation shall be provided on the site to accommodate the frequent pickups and drop-offs of animals for the facility.
- C. Drop-off/Pick-up hours will be between 6 am-8 pm.
- D. Maximum of 30 dogs on the premises.
- E. Outdoor facilities, with the following restrictions:
  - i) Any outdoor facilities shall not be closer than 50 feet from the Parcel line.
  - ii) A six (6) foot tall, solid, obscuring fence or wall shall completely enclose all outdoor facilities.
  - iii) The outdoor facilities shall not encroach into any required building setback.
  - iv) All animal waste shall be removed from the outdoor area daily and disposed of in a sanitary manner.
  - v) Pets shall not be permitted to remain outdoors overnight.

#### 15. Marihuana Provisioning Centers as defined in PA 281 of 2016, as amended, and Marihuana Retailers, as defined in Initiated Law 1 of 2018, as amended, subject to the following conditions:

- A. All such facilities shall hold a valid license for the appropriate operation, as issued by the State of Michigan, before the use is commenced.
- B. The licensee shall have, or shall have applied for a permit as provided for in Chapter 46 of the Adrian City Code.
- C. A site may function as both a Provisioning Center and a Retailer, but the maximum number of properties used for provisioning centers, retailers, or provisioning centers and retailers in combination, allowed city-wide shall not exceed the number allowed pursuant to Section 46-504 of the Adrian Code.
- D. No such facility shall be situated within 1000 feet of a school, private or public, including pre-school through college (but not including sports facilities or other accessory uses not located on a school's educational campus).

- E. No such facility shall be situated within 250 feet of any of the following uses:
  - i) A church or house of worship located in a residential district.
  - ii) A public park or playground.
  - iii) A state licensed day-care facility as defined in the City of Adrian Zoning Ordinance definition(s) 2.46.
  - iv) A facility that provides services for substances abuse disorders as defined by MCL 330.1100d.
- F. No such facility shall be situated on a site abutting land zoned for single-family residential use (R-1 through R-4).
- G. Drive-through, drive up or curb-side service facilities are prohibited.
- H. A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
- I. While the Planning Commission may issue a Zoning Exception Permit conditionally, no operation may commence or continue until the required permit has been issued by the City Clerk and all conditions associated therewith are being met.

**SECTION 14.4 SITE PLAN REVIEW:** For all principal uses and uses subject to a zoning exception permit, a site plan shall be submitted in accordance with Section 4.6.

**SECTION 14.5 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS:** All uses permitted in the RT Two-Family Residential District shall be in accordance with Article XXIV, Schedule of Regulations.