

Section 85-6. - "F" commercial zone.

The commercial zone is intended to accommodate a wide range of retail and business services found outside of a metropolitan center. Normally these developments will be of medium bulk proportions and designed shopping centers would be encouraged.

Section 85-6.1. Uses permitted. The specific uses permitted in the commercial zone shall be the erection, construction, alteration, conversion or use of buildings and/or land for:

(1) Uses permitted as of right:

- a. All uses permitted as of right in the "E" local business zone, and listed in subsection 85-5.1(1), and uses by special permit listed in subsection 85-5.1(2), excluding filling stations and the uses permitted under subsection 85-5.1(2)d.
- b. Retail stores, similar in character to those that sell jewelry, sports equipment, hobby and handicraft merchandise, beverages, tobacco, dry goods, firearms, automobile parts, household furniture and furnishings and supplies. Provided that, only assembly of products clearly incidental to the conduct of a retail business on the premises may be permitted.
- c. Personal service businesses similar in character to dressmaking or tailoring and self-service businesses similar to laundromats.
- d. Businesses servicing other businesses such as office supply stores, repairing of typewriters and other office machines, optical lens grinding, dental laboratories, repairing musical instruments or photographic equipment.
- e. Bus passenger stations or bus terminals, if the roadway of the street upon which the bus entrance or exit is located, is at least 30 feet wide between curbs.
- f. Business colleges, trade schools, music conservatory, dance studios, nursery schools, and other educational institutions.
- g. General office and professional office buildings.
- h. Greenhouses, florist shops, nursery stock sales.
 - i. Hospitals, medical clinics, and convalescent homes.
 - j. Hotels and motels.
 - k. Parks.
 - l. Parking garages and parking lots.
- m. Pet hospitals, pet shops and kennels where the animals and birds are kept entirely within the buildings at all times.
- n. Photographic reproduction and blueprinting.
- o. Printing, publishing and related trades and arts.

- p. Radio broadcasting and telecasting stations, studios and offices.
- q. Undertaking parlors, or mortuaries.
- r. Taxicab stations or limousine terminals.
- s. An accessory building or use customarily incidental to a use authorized by this section. A dwelling unit for a caretaker or watchman may be included within a building as an accessory use, although such use will not be applicable to distance restrictions in subsection u. below.
- t. Any signs permitted in the A, B, C, D and E zones will be permitted. One pole sign for multiestablishment commercial centers will be allowed based on one square foot of signage for each front foot of the building, with a maximum of 300 square feet in area and a maximum height of 25 feet above the crown of the road. When a building has frontage on two or more streets an additional sign will be allowed based on its frontage on the intersecting street, not to exceed 300 square feet in area. Only one sign will be allowed in any yard (per definition in section 82-2). The square footage is to be divided among tenants in the building according to their percentage of the usable square footage of the building.
- u. Adult bookstores, adult motion picture theaters, adult mini-motion-picture theaters, health clubs, massage parlors, and adult entertainment establishments (herein called "adult use business"); provided that the following conditions are met:
 - 1. No such adult use business may be located within 500 feet (measured from property line to property line) of any residential zone or use, single- or multiple-family dwelling, church, school or park; and
 - 2. No such adult use business may be located within 1,000 feet (measured from property line to property line) of any other building or land used as an adult bookstore, adult motion picture theater, health club or adult mini-motion-picture theater, massage parlor or adult entertainment establishment; and
 - 3. Any sign or signs proposed for the adult use business must comply with the other township requirements, and shall not include photographs, silhouettes, drawings, or pictorial representations that depict specified sexual activities or specified anatomical areas; and
 - 4. Signs must be posted on both the exterior and interior walls of the entrances, in a location which is clearly visible to those entering or exiting the business, and using lettering which is at least two inches in height, that state:
 - i. "Persons under the age of 18 years are not permitted to enter the premises."
 - ii. "No alcoholic beverages of any type are permitted within the premises"

unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission."

5. No product for sale or gift, nor any picture or other representation of any product for sale or gift which depicts or relates to specified sexual activities or specified anatomical areas shall be displayed so that it is visible by a person of normal visual acuity from the nearest adjoining roadway or adjoining property. When an adult use business is located on a property where parking and pedestrian access is shared with other nonadult use businesses, then this requirement will be enforced from within five feet of the portion of building housing the adult use business.
- v. Furniture reupholstering and repair (excluding furniture stripping).
- w. Outdoor entertainment such as circuses, carnivals, parades or concerts where more than 150 people are expected to attend with proper licensing as provided herein and in title VI, chapter 60. This section is not meant to regulate activities associated with licensed or accredited schools. Approval of license shall be subject to provision for adequate sanitary services as approved by the township building department. The license shall be subject to the following conditions which shall be specified on each license:
 1. Licensee shall not admit to the premises any person who is then under the influence of intoxicating beverages or of drugs, nor shall licensee knowingly permit the possession, sale or consumption of intoxicating beverages or controlled substances on his/her business premises.
 2. Licensee shall provide sufficient fences or barriers or shall so patrol the boundaries of his/her business premises as to efficiently prevent his/her patrons from directly trespassing on neighboring premises.
 3. Licensee shall so conduct his/her business to ensure that it shall not give rise to a nuisance of noise, vibration, smoke, odor or dust.
 4. Licensee shall limit his/her business activities to the hours of 12:00 noon to 10:00 p.m. on Sunday through Thursday and from 12:00 noon to 11:00 p.m. on Friday and Saturday.

The fees and cleanup deposit to be charged for licenses issued pursuant to this section shall be established by the township board by resolution. The fee schedule so established by the township board shall be posted in the office of the township clerk.

Prior to issuance of the license, a deposit for cleanup of the property shall be deposited with the township clerk's office. This amount shall be refunded after the event if the site is properly cleaned. A public liability and property

damage insurance policy insuring licensee and the township against any liability imposed on such person or the township providing for payment up to \$500,000.00 in the event of injury or death of any one person, and for payment up to \$1,000,000.00 in the event of injury or death of more than one person and for payment of up to \$1,000,000.00 for property damage is required.

Each applicant for a license shall file with the township clerk a bond in the penal sum of \$10,000.00 indemnifying the township against any and all violations of any ordinance, regulation or rule of the township and to indemnify the township for any and all damage to public property of any kind or nature.

x. Communication towers as allowed in chapter 105:

1. *[Minimum site size.]* Minimum site size required will be 60 feet frontage with 100 feet depth.
2. *Setbacks.* Front—50 feet (except when there is a pre-established building line less than 50 feet); side—15 feet; rear—20 feet.
3. *Signage.* No signage permitted on the site except what is allowed or required on the tower.
4. *Collocation.* Applicant must demonstrate attempts of collocation.
5. *Height.* 300 feet maximum with measurement to be made from ground level.
6. *Landscaping of accessory buildings and tower.* Landscaping and screening shall be provided in the form of shrubs, trees or bushes with a minimum height of six feet that will not interfere with the maintenance of the structures. Opaque fencing will be required not to exceed six feet in height in the rear and side yards.

y. Catering.

z. Churches.

aa. Drive-in and takeout restaurants without drive-up window service.

bb. Tattoo parlors and body-piercing studios

- (2) The board of trustees may authorize the following uses by special permit if the following conditions are satisfied: A public hearing is held in conformance with section 88-2.4, the specific standards of the particular use stated herein are met, and the general standards stated in section 88-2.4 are met and the general spirit and purposes of this zone are maintained.

- a. Drive-ins and takeout restaurants with drive-up window service: Provided the operation of the use will not create dangerous or other objectionable traffic

conditions and the driveways shall be located as far from a street intersection as practical, but not less than 50 feet.

- b. Filling stations: Provided they meet the standards given in subsection 85-5.1 (2)a.
- c. Miniature golf courses.
- d. Public assembly buildings similar to theaters, auditoriums, clubs, and lodges.
- e. Publicly owned buildings, public utility buildings, telephone exchanges, transformer stations and substations with service yards but without storage yards. Water and sewage pumping stations.
- f. Recreation centers similar to arcades, bowling alleys, skating rinks, dance studios when conducted wholly within a completely enclosed building.
- g. Autowash.
- h. Miniwarehousing and storage in bulk for such material as building materials, contractor's equipment, furniture, food, fabrics, hardware, and similar goods: Provided that such permitted storage buildings shall not store scrap or junk metals, petroleum and other inflammable fluids in aboveground tanks, paint and paint materials, discarded or salvaged material, or be used for wrecking or dismantling of motor vehicles.
- i. Public garages, auto repair and oil change.
- j. Carpet cleaning and laundries.
- k. Automobile and trailer sales or rentals.
- l. Production by hand of crystal glass art novelties, pottery, figurines, or similar ceramic products using previously pulverized clay.
- m. Retail stores and pharmacies with drive-up window: Provided the operation of the use will not create dangerous or other objectionable traffic conditions and the driveways shall be located as far from a street intersection as practical, but not less than 50 feet. (Ord. No. 3197, § 3, 5-28-85; Ord. No. 31.106, § 1, 9-2-86; Ord. No. 31.109, § 1, 5-26-87; Ord. No. 31.110, § 1, 7-21-87; Ord. No. 31.118, § 1, 6-21-88; Ord. No. 31.121, § 1, 8-1-89; Ord. No. 31.126, § 1, 10-23-90; Ord. No. 31.129, § 1, 7-28-92; Ord. No. 31.130, § 1, 6-2-93; Ord. No. 31.138, § 1, 8-22-95; Ord. No. 31.149, § 1, 2-3-98; Ord. No. 31.160, § 1, 5-31-05; Ord. No. 31.163, 5-14-06)

Section 85-6.2. Front yard. A 50-foot setback will be required except when there is a preestablished building line less than 50 feet; in such cases, the setback shall not be less than 25 feet. When two or more business structures are set back for the purpose of providing suitable parking in front, new construction on adjacent lots shall conform to that setback insofar as is practical to the creation of a functional joint parking design.

Where the front of commercial property faces residential zoned property, a 20-foot buffer strip shall be required which is not part of the normal road right-of-way or utility easement. Such buffer may be a berm or plantings in the form of shrubs, trees, or bushes with a minimum of four feet in height and properly maintained. The buffer may be part of the 50-foot front yard setback required above. (Ord. No. 31.121, § 1, 8-1-89; Ord. No. 31.135, § 1, 7-25-95; Ord. No. 31.160, § 1, 5-31-05)

Section 85-6.3 Side yard. A five-foot setback will be required, except on that side of a lot abutting residential zoned property or when the side of a commercial lot faces residential zoned property; in which case, there shall be a side yard of not less than seven feet with a continuous hedge, berm, or masonry wall not less than four feet and not more than six feet in height beginning 25 feet from the front property line. A 20-foot buffer strip may be provided instead of the berm or masonry wall. (Ord. No. 31.135, § 1, 7-25-95; Ord. No. 31.160, § 1, 5-31-05)

Section 85-6.4. Rear yard. A five-foot rear yard shall be required except where the commercial zone abuts on a residential zone without an intervening alley, in which case there shall be a rear yard of not less than 25 feet for the first two stories, or 28 feet. Six inches shall be added to the required rear yard for each additional foot of building height over 28 feet. A fence, approved by the building inspector (sites that do not require planning commission approval), or masonry wall at least four feet and no more than six feet high shall be placed along the boundary line of a rear yard abutting a residential zone. (Ord. No. 31.123, § 1, 2-27-90; Ord. No. 31.135, § 1, 7-25-95)

Section 85-6.5. Building height. In the commercial zone no building hereafter erected or structurally altered shall exceed six stories or 65 feet in height.

Section 85-6.6 Landscape standards. Landscape standards shall conform with sections 85-11.2(3) through 85-11.2(3)b.4. (Ord. No. 31.160, § 1, 5-31-05)