

ARTICLE XII

C-1 NEIGHBORHOOD SHOPPING DISTRICT

PURPOSE

To provide for neighborhood shopping facilities in close proximity to residential areas which satisfies the need for non-durable convenience goods and/or personal services and to encourage the planned concentration of such activities in locations where analysis of the residential population within a one mile radius demonstrates the need for such facilities.

SEC. 12.1 PRINCIPAL PERMITTED USES

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 Ordinance:

1. Any use permitted in an OS Office Service District, as a principal permitted or special land use, provided such use does not meet the definition of “large scale institutional uses”, unless otherwise indicated in this Article.
2. Retail establishments, whose principal activity is the sale of food and/or drugs in an enclosed building without drive-in or drive-through facilities, such as and limited to:
 - (a) Bakeries, limited to retail, on the premises only.
 - (b) Candy, confectionery and ice cream stores.
 - (c) Delicatessens.
 - (d) Drug stores and pharmacies, without drive-in or drive-through facilities.
 - (e) Dairy stores, without drive-in or drive-through facilities.
 - (f) Food market, grocery stores and meat markets.
 - (g) Party stores.
 - (h) Tobacco stores.
 - (i) Other retail establishments as determined by the Planning Commission to be consistent with the purpose and standards of the C-1 District.
3. Establishments which provide personal services in an enclosed building excluding drive-in or drive-through businesses and not exceeding 10,000 square feet of gross floor area, such as and limited to:

PURPOSE

SEC. 12.1 PRINCIPAL PERMITTED USES

- (a) Barber shop or beauty parlor.
 - (b) Dry cleaning or laundry pick-up shops.
 - (c) Laundromat.
 - (d) Rental business with no outside storage or outside display of goods.
 - (e) Shoe and hat repair.
 - (f) Tailor shops.
 - (g) Television, computer, and radio repair shops.
 - (h) Watch repair shops.
4. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional use” subject to the following requirements:
- (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
5. Accessory structures and uses customarily incidental to the above permitted uses, subject to the standards of this Article, including restrictions on accessory warehousing and storage as specified in Section 12.3, Development Requirements.

SEC. 12.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

- 1. Any of the principal permitted uses and related accessory uses listed in Section 12.1 with hours of operation within the time period 12 Midnight to 6:00 A.M.
- 2. Restaurants, but not including drive-in or drive-through restaurants, or those which provide entertainment or dancing or which sell alcoholic beverages.
- 3. Public and quasi-public uses intended to serve the neighborhood and immediate vicinity including park and ride facilities, provided that they do not meet the definition of “large scale institutional uses.”

4. Municipal facilities, including libraries and community buildings, provided that they do not meet the definition of “large scale institutional uses”.
5. Commercial child care centers and adult care facilities, as licensed by the State of Michigan, subject to the standards of Section 28.64.
6. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools, provided that they do not meet the definition of “large scale institutional uses” offering courses in general education subject to the following conditions:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
7. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than fifty (50) feet, and two (2) side yards and a rear yard of not be less than twenty five (25) feet each.

SEC. 12.2A (Added 3/14/10) USES SPECIFICALLY PROHIBITED

No building or land shall be used and no building shall be erected for any use which would be in violation of any State or Federal Law.

SEC. 12.3 DEVELOPMENT REQUIREMENTS

All principal uses and special land uses in the C-1 Neighborhood Shopping District shall comply with all applicable requirements of this Ordinance, including, but not limited to the following:

1. Site plan and development approval for all uses as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses as specified in Article 24 of this Ordinance.
3. Off-street loading for all uses as specified in Article 24 of this Ordinance.
4. Landscaping, screening and land use buffers for all uses as specified in Article 26 of this Ordinance.
5. Height, area, lot coverage and yard regulations as specified in Article 20 of this Ordinance.

6. Signs for all uses as specified in Article 25 of this Ordinance.
7. Special Provisions, as specified in Article 28 of this Ordinance.

8. The following specific requirements shall apply within a C-1 Neighborhood Shopping District:
- (a) The above specified stores, shops or businesses shall be retail or service establishments dealing directly with consumers and offering personal services and/or new merchandise only.
 - (b) Such stores, shops or businesses shall be conducted entirely within a building.
 - (c) All goods produced on the premises shall be sold only at retail on the premises. Manufacturing of products for distribution or sale at off-premises locations shall be prohibited in the C-1 District.
 - (d) All warehousing and storage of goods associated with permitted uses in the C-1 district shall be limited to that which is normally associated with the permitted use and/or shall be restricted to that amount necessary to support on-site operations of the principal use. There shall be no outside storage of goods, inventory, or equipment.
 - (e) All exterior walls of every building hereafter erected or extended or whose exterior is structurally altered which faces a street or which is adjacent to property classified as residential shall be designed, treated and finished in a uniform manner consistent with the exterior of the front of the building. All such buildings shall comply with Section 28.14, Building Design Standards.
 - (f) Underground utilities shall be provided as required under Section 28.10.
 - (g) Compliance with Section 28.5, Environmental Performance Requirements, is required for all uses.
 - (h) Yard Grading and Drainage. All yard and open space areas in a C-1 Neighborhood Shopping District shall be graded as specified in Section 28.15 of this Ordinance.
 - (i) All buildings shall be readily accessible by fire and emergency vehicles, and shall comply with the Township Fire Prevention Ordinance.
 - (j) Sidewalks shall be provided as specified in Section 28.16 of this Ordinance.
 - (k) Lighting shall comply with the standards as specified in Section 28.8, Exterior Lighting.
 - (l) The method of trash pick up shall be presented to the Planning Commission for approval. Dumpsters and similar waste receptacles shall be subject to the requirements of Section 28.9, Waste Receptacles.

- (m) Street trees shall be provided between the street or road pavement and sidewalk of all public right of ways.
- (n) Fences. In all Neighborhood Shopping Districts it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Zoning Compliance and/or Building permit from the Department of Building and Code Enforcement. All fencing and/or screening walls required and approved by the Planning Commission as part of a special land use and/or site plan approval shall be, subject to the following:
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous land either in whole or part, serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:
 - a) Maximum Height: The maximum height of a protective or security fence shall be four (4) feet.
 - b) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of dot less than ninety (90) degrees. The fence shall comply with the requirements of the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.
 - c) Placement: No fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along said street or in front of the principal building on the lot that is closest to the street setback.
 - d) The Planning Commission may, at its discretion, permit alternative fence placements, heights or materials in keeping with the spirit and intent of this Ordinance and deemed necessary to provide adequate protection for the abutting properties.