

## CHAPTER 9

### C-1 GENERAL BUSINESS DISTRICT

**SECTION 9.01 DESCRIPTION AND PURPOSE.** This Zoning District is for the general business needs of the community including retail, personal and business services and limited wholesaling, and warehousing of goods.. When any of these types of enterprises are permitted, they are to be regulated in a manner that will protect any abutting residential districts. *(Amended 05-08)*

**SECTION 9.02 USE REGULATIONS.** Land, buildings or structures in this Zoning District may be used for the following purposes only: *(Amended 5/10/94)*

- (a) Wholesale and retail sales business conducted completely indoors and those non-residential uses which are permitted in the Residential Zoning Districts, except as specifically provided otherwise in this Zoning District. *(Amended 5/10/94)*
- (b) Amusement enterprises, Indoor. *(Amended 5/10/94)*
- (c) Antique shop, resale shop and auction houses not involving livestock, provided all articles for sale are displayed or stored indoors. *(Amended 5/10/94)*
- (d) Bakery goods store.
- (e) Bank, loan and finance offices, including drive-in branches.
- (f) Barber or beauty shop.
- (g) Bowling alley, including bars and restaurant.
- (h) Business or trade school.
- (i) Candy store, soda fountain and/or ice cream store, party store. *(Amended 5/10/94)*
- (j) Clinic-dental and medical including laboratory.
- (k) Diaper, linen, and towel supply clothes cleaning, laundry, dry cleaning, custom and self-service.
- (l) Electrical supplies - wholesale and storage.
- (m) Exterminator service.
- (n) Factory and mill supplies.
- (o) Florist and gift shop, with or without nursery.
- (p) Frozen food locker.
- (q) Funeral home and ambulance service.
- (r) Hotels and motels.
- (s) Juke box and vending machine service and distribution.
- (t) Locksmith.
- (u) Nursery school and day nursery.
- (v) Offices and professional studios, including dance, photographic, taxidermy, art, and music. *(Amended 5/10/94)*
- (w) Parcel delivery station.
- (x) Parking lot.
- (y) Pet shop, excluding treatment or boarding of animals*(Amended 05-08)*
- (z) Retail and convenience printing and publishing, including processes related thereto. *(Amended 5/10/94)*
- (aa) Plumbing and heating shop, provided all operations and storage areas are completely enclosed in a building.

- (bb) Radio, television and similar electronic repair and broadcasting studios. (Amended 1/18/00)
- (cc) Restaurants and eating places including bars, grills, cocktail lounges and drive-ins; without dancing or floor shows. (Amended 5/10/94)
- (dd) Special tools and gauges - checking, sales and service.
- (ee) Tailor and/or dress maker, shoe repair shop. (Amended 5/10/94)
- (ff) Theater (5/10/94)
- (gg) Travel agency.
- (hh) Business sign, real estate sign, identifying sign, name plate. (Amended 5/10/94)
- (ii) Taxidermist. (Amended 05-08)

**SECTION 9.02A SPECIAL USES.** The following uses may be permitted as special land uses when approved by the Planning Commission. Such uses are subject to the provisions and general standards outlined in Chapter 15 and any specific standards pertaining to the particular use as outlined in this section. (Amended 5/10/94)

- (a) Amusement enterprises, Outdoor.
- (b) Auto wash.
- (c) Automobile and other vehicle sales.
- (d) Automobile repair shop or garage, including major repair operations.
- (e) Bus stations.
- (f) Contractor yards.
- (g) Crating and packing service.
- (h) Lodge hall, private club, veterans' club.
- (i) Machine shop.
- (j) Ornamental iron work and fence service.
- (k) Sign painting and servicing shops provided all operations and storage are completely enclosed in a building.
- (l) Communications towers and antennas in excess of 50 feet subject to the provisions of Section 15.04A. (Amended 1-18-00)
- (m) Gasoline service stations. (Amended 3-04)
- (n) Small animal veterinary clinics. (Amended 05-08)
- (o) Commercial kennels. (Amended 05-08)
- (p) Retail and wholesale sale of bulk LP gas. (Amended 05-08)

**SECTION 9.03 REQUIRED CONDITIONS.**

- (a) With the exception of automobile parking, loading and refuse service areas, or unless otherwise specifically approved under the provisions of this ordinance, all business, service or processing shall be conducted wholly within a completely enclosed building. (Amended 05-08)
- (b) All goods produced on the premises shall be sold at retail on the premises where produced. (Amended 05-08)

**SECTION 9.04 HEIGHT REGULATION.** Unless otherwise provided for by this ordinance, no building or structure shall exceed thirty-five (35) feet in height.

**SECTION 9.05 AREA REGULATIONS.** No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area and building coverage requirements. *(Entire section amended 05-08)*

(a) Front Yard—

- (1) Where all the frontage on the same side of a street between two intersecting streets is located in a C-1 Zoning District and where a setback has been established on at least fifty percent (50%) of the developed frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than fifty (50) feet as measured from the right of way line, provided that for lots abutting a county primary road this distance shall be increased to 125 feet as measured from the street centerline.
- (b) Except as may be permitted by special use No accessory buildings or structures shall be located closer to the front property line than the principal building is located.

(b) Side Yard -

- (1) There shall be two side yards each being a minimum of ten (10) feet provided that the requirements of 9.06(h) are met and further provided that where the side of a lot in a C-1 Zoning District abuts upon the side of a lot in any residential or A-1 Zoning District *(Amended01-04-11)*, each side yard shall be not less than twenty-five (25) feet.
- (2) There shall be a side yard of not less than forty (40) feet on the street side of a corner lot, provided that for corner lots butting two county primary roads this distance shall be increased to one hundred twenty five (125) feet as measured from the street centerline of each street.
- (3) No accessory buildings shall be located closer to the in side property line than the principal building is located.

(c) Rear Yard -

- (1) Where the rear of a lot in a C-1 Zoning District abuts upon the side yard of a lot in any Residential Zoning District, A-1 Zoning District, *(Amended01-04-11)* there shall be a rear yard for principal and accessory buildings of not less than fifty (50) feet.
- (2) In all other cases, there shall be a rear yard of not less than thirty (30) feet except that accessory building may be allowed not less than five (5) feet from the rear lot line.

(d) Green belt and Screening - Side yards and rear yards adjoining any lot in an R or AG Zoning District shall at minimum be protected by a greenbelt installed in accordance with the provisions of Section 26.07. Where necessary, additional screening may be required under the provisions of Section 26.12

(e) Lot Area - The minimum lot area shall be forty thousand (40,000) square feet; provided, however, that all private sewage disposal systems not connected to a public sewer must be eighty thousand (80,000) square feet and must be approved by the Allegan County Health Department. The minimum lot width shall be two hundred (200) feet.

**SECTION 9.06 SITE DEVELOPMENT STANDARDS.** *(Entire section added 05-08)*

- (a) Site Plan Review under the provisions of Chapter 14 is required for Uses Permitted by Right and for all Special Land Uses.

- (b) Measures for control of storm water drainage shall be as provided under the terms and standards adopted by the Allegan County Drain Commission and as amended from time to time. Said standards are adopted herein by reference.
- (c) In its consideration of site plans for permitted uses and special land uses, the Planning Commission may require additional measures for the screening and buffering of land uses, so as to avoid or moderate potentially adverse impacts on adjacent or nearby lands or the public streets. Such additional screening and buffering measures may include landscaping, fencing, revised placement of buildings and other facilities.
- (d) Off-street parking areas shall be set back at least ten (10) feet from the street right-of-way line and not less than twenty (20) feet when abutting A-1 and residential districts (*Amended 01-04-11*). When abutting C or I zoned property, side and rear yard parking and loading areas shall be setback at least five (5) feet unless there are recorded reciprocal use arrangements with respect to each property. In such cases parking and travel lanes may extend to the property line. Parking shall be provided in accordance with the requirements of Chapter 12.
- (e) Loading areas shall not be located in the front yard or face the street unless the lot has double frontage and no other options exist.
- (f) Signs shall be regulated in accordance with the requirements of Section 11.12
- (g) Site landscaping shall be installed and maintained in accordance with the provisions of Chapter 26.
- (h) Fire Apparatus Accessibility: Each use shall be provided with 20 feet wide unobstructed fire lanes. The fire lanes shall be capable of enabling fire apparatus accessibility to within two hundred (200) feet of all exterior points of a building and shall be positioned no closer to the building than 1.5 times the height of the adjacent building wall. Fire lanes located on adjacent property may be considered as meeting this standard when there is a recorded reciprocal provision for such with respect to each of the properties.
- (i) Site access shall be regulated under the provisions of Section 11.29

**SECTION 9.07 BUILDING MATERIALS STANDARDS.** (*Entire section added 05-08.*) Unless otherwise approved by the Planning Commission, all principle buildings and those accessory buildings facing the street shall be of masonry, pre-cast concrete, or factory finished metal construction. The first floor wall area of all office facades facing a street shall be constructed of brick, stone, fluted block, glass or similar decorative material. At least twenty five percent (25%) of the surface of balance of any first floor (or its equivalent height of twelve (12) feet), facing a street, other than an office facade, shall be constructed of brick, stone, fluted block, glass or similar decorative material. Wood may be utilized for decorative and non-structural porticos, canopies and other attachments. All steel frame and metal clad buildings shall be constructed to the minimum requirements established by the Metal Building Manufacturers Association and all such buildings shall be adequately protected on the interior and exterior from damage by vehicles and operations.

The Planning Commission may approve pole construction other materials in consideration of the following standards:

- (a) Whether or not the finished treatment will establish a negative precedent or otherwise is incompatible with surrounding properties in terms of color and overall image.
- (b) The relative scale of the building in terms of height and area.

- (c) The extent to which the building is setback from the street frontage(s) and the amount and quality of landscaping on the street frontage(s) and along the building.

Appeals of facade determinations may be made to the Zoning Board of Appeals