

ARTICLE IX

C-2 GENERAL BUSINESS DISTRICT

SECTION 9.00 - INTENT

The C-2 General Business District is designed to provide for a wide diversity of business activities. In addition to retail uses a number of other activities, usually requiring considerable land area and access to major thoroughfares, are permitted. Uses in this district normally must have good automobile accessibility, but shall not cause congestion on adjacent thoroughfares.

SECTION 9.01 - PRINCIPAL USES PERMITTED

The following uses shall be permitted, provided that all business storage, servicing, or processing (except for off-street parking, loading and other specified activities) shall be conducted within a completely enclosed building, subject to the requirements described herein:

- (a) Signs, as provided in Article XIV with the exception that no ground signs shall be permitted in the areas defined as the CBD or CBD-Fringe. Wall signs that project perpendicularly no more than two feet from a principal building façade may be permitted on buildings in these same areas provided the signs do not exceed five (5) square feet in area.
- (b) Multiple family residential units may be permitted in the areas defined as the CBD and CBD-Fringe, provided they are located above a ground floor that contains a use permitted in the C-2 district.
- (c) Mortuaries, including an accessory caretaker's apartment, subject to the following:
 - 1. In addition to the off-street parking required in Section 13.01(c) 3, one space shall be provided for all official vehicles of the mortuary or funeral home plus one space shall be provided for the caretaker.
 - 2. Ingress and egress shall be provided so as not to conflict with the traffic on adjacent residential streets.
 - 3. Sufficient space shall be provided so the funeral procession can be formed on the site or within off-street parking areas serving the mortuary or funeral home, rather than on residential streets.
 - 4. All outdoor activity associated with the mortuary shall be screened from view of adjacent residential districts.

- (d) Churches.
- (e) Hotels and motels.
- (f) Standard restaurants.
- (g) Utility and public service facilities and uses needed to serve the immediate vicinity, including transformer stations and switchboards, but excluding storage yards.
- (h) Signs, as provided in Article XIV with the exception that no ground signs shall be permitted in the areas defined as the CBD or CBD-Fringe. Wall signs that project perpendicularly no more than two feet from a principal building façade may be permitted on buildings in these same areas provided the signs do not exceed five (5) square feet in area (Ord. 386, 03/21/2002)
- (i) Other uses similar to the above uses.
- (j) [reserved – not used]
- (k) Multiple family residential units may be permitted in the areas defined as the CBD and CBD-Fringe, provided they are located above a ground floor that contains a use permitted in the C-2 district (Ord. 386, 03/21/2002)

SECTION 9.02 - PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

The following uses shall be permitted, subject to the specific conditions hereinafter imposed for each use and subject further to permission of the City Council following review and recommendation by the Planning Commission:

- (a) Automobile service centers and quick oil change shops, subject to the conditions in Section 8.02(a). Automobile service centers and quick oil change shops may not be located in the areas defined as the CBD or CBD-Fringe (Ord. 386, 03/21/2002).
- (b) Veterinary offices and clinics providing medical, surgical, and grooming facilities for small non-farm animals, subject to the conditions in Section 8.02(b).
- (c) Automobile wash or car wash establishments, subject to the following conditions:
 - 1. The minimum lot size required for such facilities shall be 20,000 square feet.
 - 2. All washing activities shall be carried on within a completely enclosed building. Vacuuming activities shall be permitted in the rear yard only, provided that such activities are located at least fifty (50) feet from adjacent residentially-zoned or used property.
 - 3. Sufficient space shall be provided on the lot so that vehicles do not enter or exit the wash building directly from an adjacent street or alley. All maneuvering areas, stacking lanes, and exit aprons shall be located on the car wash parcel it sell Streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the car wash.

C-2 DISTRICT

4. Sufficient space shall be provided on the lot for drying of the vehicle undercarriage during sub-freezing weather prior to exiting on the public thoroughfare.
 5. Automobile wash or car wash establishments may not be located in the areas defined as the CBD or CBD-Fringe (Ord. 386, 03/21/2002).
- (d) Bus passenger stations.
- (e) New and used vehicle sales offices and showrooms, provided that any outdoor sales area for used vehicle sales shall be permitted only as an adjunct to a new vehicle sales establishment, subject to the following requirements:
1. The sales lot shall be provided with a permanent, durable, and dustless surface having an asphaltic or concrete binder, and shall be so graded and drained to dispose within the site of all surface water accumulating within the area.
 2. Ingress and egress driveways shall be located at least sixty (60) feet from the intersection of any two (2) streets, measured from the nearest intersection right-of-way line.
 3. No major repair or major refinishing shall be done on the lot.
 4. All abutting or adjacent property shall be zoned for business or industrial use.
 5. Devices for the transmission or broadcasting of voice or music shall be prohibited outside of any building.
 6. No vehicle shall be parked or displayed within forty (40) feet of a public right-of-way.
 7. All driveway approaches, road drainage, curbs and curb cuts shall meet the requirements of the agencies which have jurisdiction thereof.
 8. No new or used vehicle sales office or showroom with outdoor sales area may be permitted in the areas defined as the CBD or CBD-Fringe (Ord. 386, 03/21/2002)
- (f) Private service clubs, fraternal organizations, banquet halls, and meeting halls. Those establishments with hours of operation between 11 p.m. and 6 a.m. shall meet standards set forth in subsection (t) below.
- (g) Parking garages.
- (h) Carry-out, drive-in, drive-through, or fast-food restaurants, including ice cream parlors, subject to the following requirements:
1. All such facilities shall be subject to the requirements for drive-through facilities set forth in Section 9.02(i), following.
 2. All abutting property shall be zoned for business or industrial use.

C-2 DISTRICT

3. A masonry screen wall at least six (6) feet in height shall be provided along any portion of the site which abuts a C-1 District.
 4. No drive-in or drive-through restaurants may be located in the areas defined as the CBD or CBD-Fringe.
- (i) Any use which has drive-through facilities, including banks, savings and loan companies, other financial institutions, drive-through restaurants, car washes, dry cleaners, and other such uses, unless such use is otherwise specifically prohibited in this district. Drive-through facilities shall comply with the following requirements:
1. Ingress and egress drives shall be a minimum of thirty (30) feet in width. No more than one (1) such drive or curb opening shall be permitted for every seventy-five (75) feet of frontage (or fraction thereof) along any street. The nearest edge of any such drive shall be located at least twenty-five (25) feet from the nearest point of any property zoned or used for residential purposes.
 2. Curb openings for drives shall not be permitted where the drive would create a safety hazard or traffic nuisance because of its location in relation to other ingress and egress drives, its location in relation to the traffic generated by other buildings or uses, its location near vehicular or pedestrian entrances or crossings, or similar concerns.
 3. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets, measured from the nearest intersection right-of-way line.
 4. Devices for the transmission of voice shall be so directed or muffled as to prevent said sounds from being audible beyond the boundaries of the site. Devices for the broadcasting of voice or music over the entire site shall be prohibited.
 5. No use which has a drive-through facility may be located in the areas defined as the CBD or CBD-Fringe (Ord. 386, 03/21/2002).
- (j) Commercial outdoor recreation uses, such as amusement parks, golf driving ranges, and similar uses, subject to the following requirements:
1. No such uses shall be located within one hundred (100) feet of any residential district.
 2. All abutting or adjacent property shall be zoned for business or industrial use.
 3. A masonry wall at least six (6) feet in height shall be provided along any property line which abuts a C-1 District.

C-2 DISTRICT

4. Devices for the transmission or broadcasting of voice or music shall be prohibited outside of any building.
 5. All driveway approaches, road drainage, curbs and curb cuts shall meet the requirements of the agencies which have jurisdiction thereof.
 6. No commercial outdoor recreation use may be located in the areas defined as the CBD or CBD-Fringe (Ord. 386, 03/21/2002).
- (k) Retail sales of plant materials not grown on the site, sales of lawn furniture, playground equipment, and home garden supplies, and similar open-air businesses, subject to the following conditions:
1. All loading and parking areas for open-air businesses shall be confined to the site and shall not be permitted to spill over onto adjacent roads.
 2. Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.
 3. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.
 4. Open-air uses shall not be permitted to locate at the intersection of major thoroughfares.
 5. Any open-air use proposed in the areas defined as the CBD or CBD-Fringe must demonstrate that the proposed use will contribute to the intent of establishing a viable pedestrian oriented central business district (Ord. 386, 03/21/2002)
- (l) Offices, showrooms, or workshop of a plumber, electrician, building contractor, upholsterer, caterer, exterminator, heating and cooling contractor, decorator, or similar trade, subject to the following conditions:
1. All services performed on the premises, including fabrication, repair, cleaning, or other processing of goods, shall be sold at retail on the premises where produced.
 2. All services performed on the premises, including fabrication, repair, cleaning, or other processing of goods, shall be conducted within a completely enclosed building.
 3. The ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, sales, and display.
 4. There shall be no outside storage of materials or goods of any kind.

C-2 DISTRICT

- (m) Bowling establishment, arcades, and other forms of indoor commercial recreation, provided that no such use shall be located within one hundred (100) feet of any residential district.
- (n) Facilities for the sales, servicing, and protection of small recreation, boats, along with retail facilities that supply commodities related to boating, subject to the following conditions:
 - 1. Except for land area immediately adjacent to water, the portion of the lot used for vehicular circulation and parking, boat sales, and boat storage shall be provided with a permanent, durable, and dustless surface having an asphaltic or concrete binder, which shall be graded and drained to dispose of storm water in a manner that is approved by the City Engineer.
 - 2. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets, measured from the nearest intersection right-of-way.
 - 3. A landscaped greenbelt shall be provided along all sides of the site that are zoned or used for residential purposes, in accordance with Section 15.23.
 - 4. Devices for the transmission or broadcasting of voice or music shall be prohibited.
 - 5. All driveway approaches, road drainage, curbs and curb cuts shall meet the requirements of the agencies having jurisdiction thereof.
 - 6. The storage of any resins, epoxies, fiberglass, etc., and any engine or hull repair activities shall be performed within a completely enclosed building.
 - 7. Adequate room shall be provided for the maneuvering of boats and trailers without interruption or blockage to traffic on any public road.
 - 8. No boat hauling activities or mast cranes shall be located closer than twenty (20) feet from any side lot line.
 - 9. Such use may not be located in the areas defined as the CBD or CBD-Fringe.
- (o) Mini-warehouses, subject to the following conditions:
 - 1. The minimum lot size for mini-warehouses shall be three (3) acres.
 - 2. Mini-warehouse establishments shall provide for storage only, which must be contained within an enclosed building.
 - 3. The entire site, exclusive of access drives, shall be enclosed with a six (6) foot high chain link fence or masonry wall, constructed in accordance with Sections 15.04 and 15.12.
 - 4. The exterior of any mini-warehouse shall be of finished quality and design, compatible with the design of structures on surrounding property.
 - 5. All one-way driveways shall be designed with one ten (10) foot wide loading/unloading lane and one fifteen (15) foot travel lane. All two-way

C-2 DISTRICT

driveways shall be designed with one ten (10) foot wide loading/unloading lane and two (2) twelve (12) foot travel lanes.

6. Such use may not be located in the areas defined as the CBD or CBD-Fringe.
- (p) Enclosed theaters.
- (q) Adult regulated uses, subject to the following conditions:
1. Any adult regulated use shall be situated within the City so as to be out of the reasonable proximity of uses selling alcoholic beverages and uses where juveniles are present, and, specifically, an adult motion picture theater shall not be located within:
 - a. Five hundred (500) feet of an establishment licensed by the Michigan Liquor Control Commission; or
 - b. Five hundred feet of a church, or public or private school which provides education for children in kindergarten or any grade between one and twelve; or
 - c. Two hundred fifty (250) feet of property zoned for residential use.
 2. The measurement used to determine the application of any of the above restrictions shall be made from the nearest lot line of the proposed adult regulated use on a plane to the nearest lot line of the use in connection with which the measurement is being taken.
 3. No person under eighteen years of age shall be permitted entry into an adult motion picture theater unless accompanied by the parent or legal guardian of such persons. For purposes of enforcing this provision, the owner or agent of the person or entity operating the adult motion picture theater shall require from all persons desiring to enter the theater the display of sufficient identification to insure compliance with this provision, and, for all determinations whether this provision has been satisfied, the burden of proof shall be on the owner of the adult motion picture theater to show clearly that the display of identification was required and that the identification displayed was sufficient.
 4. No person under eighteen (18) years of age shall be employed by, or shall otherwise be permitted to be present at an adult motion picture theater.
 5. Each and every person desiring to enter an adult motion picture theater shall be expressly verbally advised immediately prior to entry by the owner or agent of the person or entity operating the adult motion picture theater that the display to be presented on such occasion includes the display of Specified Sexual Activities.
- (r) Wireless communications support structures subject to the requirements specified in Section 15.28.
- (s) Restaurants serving alcohol.

C-2 DISTRICT

- (t) Bars/lounges. Those establishments with hours of operation between 11 p.m. and 6 a.m. shall meet standards set forth in subsection (u) below.
- (u) Commercial establishments with hours of operation between 11 p.m. and 6 a.m., subject to the following:
 1. Parking areas shall be configured as to prevent vehicular headlights from shining into adjacent residentially zoned and used property, whenever possible. If this is not possible, parking areas configured such that vehicular headlights are directed toward public rights-of-way shall provide continuous screening at a minimum height of three (3) feet. The Planning Commission shall have the discretion to require an obscuring wall, fence, berm, landscape plantings, or a combination thereof.
 2. Ingress and egress drives and primary circulation lanes shall be located away from residential areas to minimize vehicular traffic and noise which may become a nuisance to adjacent residential areas, wherever practical.
 3. All building entrances to be utilized by patrons shall be located on the side(s) of the building which does not abut residentially zoned or used property, wherever possible, to minimize the potential for patrons to congregate outside of building entrances and create noise which may become a nuisance to adjacent residential areas.
 4. Screening not less than six (6) feet in height shall be provided along all property lines abutting residentially zoned or used areas. The Planning Commission shall have the discretion to require an obscuring wall, fence, berm, landscape plantings, or a combination thereof.
 5. All parking lot lighting shall be screened with shoebox-type metal halide light fixtures which are directed downward at all times.
 6. Neon, fluorescent, or similar decorative lighting located on the building, signs, or in other areas on the site shall not be visible from adjacent residential properties between 11 p.m. and 6 a.m.
 7. Deliveries or garbage pick-up shall not be permitted between the hours of 11 p.m. and 6 a.m.
- (v) Outdoor cafes, eating areas, and open front restaurants
 1. The outdoor seating area shall be accessory to a fully-operational restaurant located on the same site and shall not be located in any required front, side, or rear setback area.
 2. The capacity of the outdoor seating area shall be considered along with the indoor seating for the purposes of determining compliance with required parking.
 3. An outdoor eating area shall be located no closer than fifteen (15) feet from the edge of pavement of a public or private road that is constructed without curb and gutter and no closer than ten (10) feet from the edge of pavement of a public or private road that is constructed with curb and gutter.

C-2 DISTRICT

4. Such eating areas shall be separated from all vehicular parking and maneuvering areas by means of an approved protective landscaped buffer, wall, architectural feature, or some other similar means of separation.
5. The outdoor seating shall in no way impair the use and enjoyment of adjacent or nearby properties.
6. Outdoor seating shall not face directly on a lot or parcel that is zoned or used for residential purposes.
7. Outdoor seating shall be subject to applicable Oakland County Health Department requirements.
8. The site plan shall specify the plans for storage of tables, chairs, and equipment during the months when the outdoor seating is not in use.
9. The outdoor eating area shall be kept clean and void of litter at all times.
10. All vending machines and arcades shall be located within a completely enclosed building.
11. The hours of operation for outdoor eating areas shall be established on an individual basis during the special land use review process.
12. The capacity of the outdoor seating area shall be provided by the applicant and verified by the Building Official.
13. If the eating area is elevated above a parking area, pedestrian walkway, or waterway objects shall not be placed on a ledge or railing which may dislodge and endanger vehicles or pedestrians below.
14. Additional signs shall not be permitted, beyond what is permitted for the existing restaurant.
15. Entertainment, music, speakers, or similar devices shall be prohibited in this outdoor area within 100 feet of any residential use.
16. Outdoor storage of food and preparation of food and beverages shall be prohibited in this outdoor area. The sale and consumption of alcohol are governed by the Michigan Liquor Control Act and local ordinance.
17. In addition to the standards listed above, outdoor sidewalk cafes shall also be subject to the following standards:
 - a. To allow for pedestrian circulation, a minimum of ten (10) feet of sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables and other encumbrances. If the sidewalk is not wide enough to allow for a ten (10) foot wide clearance for circulation, the café should not be permitted. Planters, posts with ropes, or other removable enclosures should be encouraged and shall be used to define the area occupied by the outdoor seating.

C-2 DISTRICT

- b. Pedestrian circulation and access to other building entrances should not be impaired. Thus, a boundary (maximum encroachment width and length) into the sidewalk should be established, with an accessible aisle being maintained between this line and the curb, in accordance with the provisions of the national Americans with Disabilities Act (ADA) and Michigan barrier-free requirements.
 - c. The operators of the outdoor café should be responsible for a clean, litter-free, and well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor trash receptacles should be required. Written procedures for cleaning and trash containment and removal responsibilities of the café must be noted on the site plan to the satisfaction of the City.
 - d. Tables, chairs, planters, trash receptacles, and other elements of street furniture should be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they should complement building colors.
 - e. Liability issues for use of the public sidewalk should be addressed and reviewed by the City Attorney. (Ord. 337, 12/18/1997) (Ord. 376, 10/18/2001)
- (w) Buildings containing up to three stories may be permitted in the areas defined as the CBD or CBD-Fringe provided the building height does not exceed forty (40) feet exclusive of architectural design elements such as turrets or other architecturally compatible roof elements (Ord. 386, 03/21/2002).

SECTION 9.03 - ACCESSORY USES PERMITTED

Accessory buildings and uses incidental to the principal permitted uses enumerated in 9.01 and 9.02 are permitted including home occupations accessory to nonconforming residential uses subject to the provisions of section 15.29 Home Occupations. (Ord. 377, 11/15/2001)

SECTION 9.04 - DEVELOPMENT STANDARDS

(a) Required Conditions

Except as otherwise noted for specific uses, buildings and uses in the General Business District shall comply with the following required conditions:

1. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced and services performed on the premises shall be sold at retail on the premises produced.
2. All business, servicing, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building.
3. There shall be no outside storage of goods, inventory, or equipment.

C-2 DISTRICT

4. All uses permitted subject to special conditions shall be required to submit a Traffic Impact Analysis which shall, at minimum, include: trip generation estimates, the volume of existing traffic on roads adjacent to the site, the peak hour volume of traffic expected to be generated by the proposed development, estimates of the directional distribution of trips generated by the development, projected assignment of vehicle trip volumes to the roadway network, analysis of anticipated turning movements and required left or right turn controls, and recommendations to mitigate the impact of the development on the transportation system. If deemed necessary by the City Planner following review of the site plan, a Traffic Impact Analysis may also be required in conjunction with development of a Principal Permitted Use.
5. The site and building layout for all business establishments shall be designed to accommodate safe pedestrian access for passersby and for patrons of the business. Accordingly, sidewalks shall be provided along all street frontages, as specified in Section 16.08(f).

(b) Site Plan Review

Site plan review shall be required for all uses in the General Business District in accordance with Section 16.08.

(c) Area, Height, Bulk, and Placement Requirements

Buildings and uses in the General Business District are subject to the area, height, bulk, and placement requirements in Article XXIV, Schedule of Regulations.

(d) General Development Standards

Buildings and uses in the General Business District shall be subject to all applicable standards and requirements set forth in this Ordinance, including off-street parking and loading requirements in Article XIII, and Landscaping and Screening requirements in Section 15.23.