

ARTICLE 11 BUS GENERAL BUSINESS DISTRICT

SECTION 1100 INTENT AND PURPOSE

The BUS, General Business District, is designed to meet the day-to-day convenience shopping and service needs of persons residing in nearby residential areas as well as to provide sites for more diversified business types. Further, it is designed to accommodate uses such as residential, offices, banks and personal services which can serve as transitional areas between single-family residential and commercial uses, and to provide a transition between major thoroughfares and residential districts in areas plotted in small lots. Certain automobile-related uses, waterfront uses, uses requiring larger parcels and/or featuring regional commercial uses are permitted after review by the Planning Commission. Uses in the General Business District shall be limited to uses allowed under Local, State, and Federal Law.

SECTION 1101 USES PERMITTED BY RIGHT

In the General 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 unless otherwise provided in this Ordinance and subject to the limitations contained below:

1. Generally recognized retail businesses which supply commodities on the premises, such as, but not limited, to: groceries, meats, dairy products, baked goods or other foods, pharmacy products, dry goods, clothing, notions and hardware, office supplies, convenience foods, and other similar uses, excluding outdoor storage yards.
2. Eating and drinking establishments having a seating capacity of 150 or fewer patrons.
3. Personal service establishments which perform services on the premises, such as, but not limited to: repair shops (watches, radio, television, shoe, etc.), tailor shops, self-service laundries and dry-cleaners; beauty parlors, barber shops, tanning salons, physical fitness centers, photographic studios.
4. Office buildings including medical and dental clinics but not veterinary clinics having outdoor kennels, financial establishments, funeral homes, municipal buildings and uses, but not including outdoor storage yards.
5. Business service establishments performing services on the premises such as office machine repair, printing, blue-printing.
6. Dry cleaning establishments, or pick-up stations, dealing directly with the consumer.
7. Off-street parking lots, subject to provisions of Section 1911 of this Ordinance.
8. All principal permitted uses and uses authorized after special approval in the R-2 Multiple Family Residential District, subject to conditions of the R-2 District.
9. Other uses which are similar to the above and subject to the following provisions:
 - a. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from the premises where produced.
 - b. Except for off-street parking or loading/unloading space, all business, servicing or processing shall be conducted within completely enclosed buildings.

- c. Storage of commodities shall be within buildings and shall not be visible to the public from a street or thoroughfare.
 - d. Off-street parking and loading/unloading space shall be provided as required in Section 1911 of this Ordinance.
10. Signs as provided in Section 1913 of this Ordinance.
 11. Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to Section 1903 of this Ordinance.
 12. Private wind energy systems, subject to the provisions of Article 17 II of this Ordinance.

SECTION 1102 USES PERMITTED BY SPECIAL APPROVAL

In a General Business District, the following uses shall be permitted subject to the conditions hereinafter imposed for each use and subject further to review and approval of the Planning Commission and the Township Board pursuant to the provisions of Article 3 of this Ordinance.

1. Gasoline service stations for the sale of gasoline, oil and minor accessories and including automotive repair activity where repair activity is conducted within a completely enclosed building; storage of disabled motor vehicles and parts therefrom is prohibited.
 - a. The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the immediately adjacent streets/roads. Entrances shall be no less than twenty-five (25) feet from a street intersection, measured from the road right-of-way, or from adjacent residential districts.
 - b. The minimum lot area shall be fifteen thousand (15,000) square feet, and so arranged that ample space is available for motor vehicles which are required to wait. Gasoline service stations which are intended solely for the sale of gasoline, oil and minor accessories and having no facilities for repair or servicing of automobiles, including lubricating facilities, may be permitted on lots of ten thousand (10,000) square feet or larger, subject to all other provisions herein required.
 - c. A six (6) ft. high screening fence shall be constructed along those property lines which abut a residential zoning district.
2. Restaurants or other establishments serving food or beverage with a seating capacity greater than one hundred fifty (150) persons, except those businesses having the characteristics of a drive-in (where food is served to persons in a vehicle).
3. Private clubs, fraternal organizations and lodge halls.
4. Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings.
5. Business schools and colleges or private schools operated for profit.
6. Outdoor display lots and showrooms for exclusive sale of new or used automobiles, recreational units, farm implements, or for rental trailers and or automobiles, subject to the following provisions:
 - a. The lot or area shall be provided with a durable and dustless surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.
 - b. Access to the sales lot shall be at least sixty (60) ft. from the intersection of any two (2) roads/streets.

- c. No major repair or major refinishing shall be done on the lot and no disabled motor vehicles or parts therefrom shall be stored on the property unless stored in a completely enclosed building or screened from public view.
 - d. All lighting shall be shielded from adjacent residential areas.
7. Motels or other transient guest lodging facilities, other than bed and breakfast establishments, provided that access to the site does not conflict with adjacent business or adversely affect traffic flow on a major thoroughfare, and that each unit shall contain not less than two hundred (200) sq. ft. of floor area.
8. Businesses that have a drive-in or open front character, provided that the following can be met:
 - a. The setback for buildings or canopies shall be a minimum of forty (40) feet from the right-of-way line of any State trunk line or County Primary Road.
 - b. Access drives to the property shall be located at least sixty (60) feet from the intersection of any two (2) roads/streets.
 - c. All lighting shall be shielded from adjacent residential areas.
 - d. A four (4) foot high screening fence shall be provided when abutting or adjacent to residential districts.
9. Veterinary hospitals or clinics, and/or commercial kennels with outdoor animal runs, provided the outdoor areas are fenced and not located within the setback areas.
10. Nurseries which have outdoor storage or display of plants, plant materials, garden supplies, lawn furniture, or playground equipment subject to the following:
 - a. The storage and/or display of any materials and/or products shall meet all setback requirements of the principal building.
 - b. All loading and parking areas shall be provided on the site.
 - c. The storage of any soil, fertilizer, or other loose, unpacked materials shall be contained so as to prevent any effects on adjacent properties.
11. Bowling alleys, billiard halls, indoor archery ranges, indoor tennis courts, indoor skating rinks, or similar forms of indoor commercial recreation shall be located at least fifty (50) feet from any front, rear or side property line adjacent to a residential zoned property.
12. Outdoor commercial recreational facilities such as tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf facilities, golf driving ranges, baseball batting cages, basketball courts, children's amusement parks, water-slides or similar commercial leisure-time activities, providing all areas or equipment sites are not located in the front yard setback area nor closer than 50 feet from any property line that abuts a residential zoning district; and further, that such activity areas are provided with a security fence around their perimeters. Such perimeters that abut a residential zoning district shall be provided with a six (6) ft. high obscuring wall/fence along the common property line.
13. Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer substations, gas regulator stations with service yards but without storage yards, water and sewage pumping stations.
14. Waterfront uses customarily incidental to recreational boating including sales, service and storage facilities.
15. Adult entertainment businesses, as defined in **Port Austin Township Adult Entertainment**

Business Ordinance No. 133 are subject to all the provisions therein including:

- a. A sexually oriented business may not be operated within two thousand (2000) feet of:
 - (1) A church, synagogue or regular place of religious worship.
 - (2) A public or private elementary or secondary school.
 - (3) The boundary of any residential zoned district or any residential structure within or without a zoned area.
 - (4) A public park.
 - (5) A licensed daycare center.
 - (6) Another sexually oriented business.
 - (7) Any residential care facilities, licensed or unlicensed.
 - b. A sexually oriented business may not be operated in the same building, structure, or portion thereof, containing another sexually oriented business.
 - c. For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of worship, or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot, or licensed daycare center.
 - d. For purposes of these requirements the distance between any two sexually oriented businesses shall be from the closest exterior wall of the structure in which each business is located.
16. Arcades and amusement centers having six (6) or more mechanical or electronic devices that allow patrons to enjoy games of skill, chance, amusement or pleasure for a fee provided that they are located five hundred (500) feet or more from properties zoned for residential use and five hundred (500) feet from any existing arcade or amusement center.
17. Wholesale stores, storage facilities, warehouse buildings, distribution plants.
18. Waterfront uses customarily incidental to recreational boating facilities, including sales, service and mooring/storage uses and facilities.
19. A dwelling unit located within a building used for an approved business use provided:
 - a. The residential dwelling unit is not located in a basement and may be completely separated from that part of the building used for a business.
 - b. Parking for integrated residential units is provided at a rate of 1 space per unit, on the same site or in a permanently reserved area within 500 feet of the site.
20. Any structure or use which, in the opinion of the planning commission is similar to or compatible with a structure or use permitted in this zoning district.

SECTION 1103 ADDITIONAL REGULATIONS

The storage of all materials, objects, equipment and machinery other than for heating/cooling, and inoperable/unlicensed motor vehicles shall be wholly within a completely enclosed building(s) or screened from public view.

SECTION 1104 SITE PERMIT

A site permit is required for all new construction and new uses in a General Business District. In addition to compliance with any stated permitted use, a site permit shall require compliance with any applicable regulations found in ARTICLE 18 or ARTICLE 19 of this ordinance.