

FRENCHTOWN CHARTER TOWNSHIP ZONING ORDINANCE NO. 200

**ARTICLE 15.00
C-1 LOCAL COMMERCIAL DISTRICT**

Section 15.01 PURPOSE

The purpose of the C-1 Local Commercial District is to provide a neighborhood shopping facility in close proximity to residential areas which satisfies the need for convenience goods and/or personal service uses. Further it is intended that this district shall be used to encourage concentration of commercial development.

Section 15.02 PRINCIPAL PERMITTED USES

In all C-1 Local Commercial Districts, no building or land, except as otherwise specifically provided for in this Ordinance, shall be erected or used for other than the following specified uses:

Section 15.02.1 RETAIL STORES SUPPLYING FOOD/DRUGS SUCH AS:

Retail shops, liquor stores, hardware's, clothing shops, meat markets, book shops, jewelry stores, bars, bakeries (limited to retail on the premises only). Candy, confectionery and ice cream stores. Delicatessens. Drug stores and pharmacies, dairy stores with no drive-in facilities, food market, grocery stores and meat markets, party stores, tobacco stores and other similar uses.

Section 15.02.2 PRINCIPAL PERMITTED USES IN AN OS OFFICE SERVICE DISTRICT

Any use permitted in an OS office Service District as a principal permitted use unless otherwise indicated in this Article.

Section 15.02.3 PERSONAL SERVICE USES SUCH AS BUT NOT LIMITED TO:

Dry cleaning pick up shops, rental business with no outside storage or outside display of goods, television and radio repair shops, watch repair shops and other similar establishments.

Section 15.02.4 FUNERAL HOMES SUBJECT TO THE FOLLOWING:

Section 15.02.4(a) A well designed and landscaped off-street vehicle assembly area shall be provided to be used in support of funeral processing.

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Section 15.02.4(b) A caretaker residence shall be considered an ancillary and incidental use.

Section 15.02.5 SHOPS PRODUCING MERCHANDISE SUBJECT TO THE FOLLOWING:

Shops producing merchandise to be sold on the premises, provided that not more than five (5) persons are employed on the premises in such productions.

Section 15.02.6 CONVALESCENT HOMES, NURSING HOMES OR REST HOMES

Section 15.02.6(a) Minimum lot size shall be three (3) acres.

Section 15.02.6(b) The lot or parcel shall be located so that at least one (1) property line abuts a collector or major thoroughfare road. All egress ingress to the facility shall be directly from the collector or major thoroughfare road. In no case shall access be from a primarily residential street.

Section 15.02.6(c) The main and accessory building shall be set back a minimum of seventy five (75) feet from all property lines.

Section 15.02.6(d) The facility shall be designed to provide a minimum of fifteen hundred (1,500) square feet of open space for every bed used or intended to be used. This open space shall include landscaping and may include off-street parking areas, driveways, required yard setbacks and accessory uses.

Section 15.02.6(e) Each facility shall be constructed, maintained and operated in conformance with applicable State and Federal laws.

Section 15.02.7 CHURCHES SUBJECT TO THE FOLLOWING:

Section 15.02.7(a) Minimum lot width shall be one hundred and fifty (150) feet.

Section 15.02.7(b) Minimum lot area shall be four (4) acres.

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Section 15.02.7(c) The height of the building (excluding spire) may exceed the maximum height limitation for the district provided an additional foot of front, rear, and side yard setback is provided for every foot of height by which the building exceeds the maximum height limitation.

Section 15.02.7(d) The lot or parcel shall be located so that at least one (1) property line abuts a collector or major thoroughfare road. All egress/ingress to the facility shall be directly from this collector or major thoroughfare road.

Section 15.02.7(e) The main and accessory buildings shall be setback a minimum of one hundred (100) feet from any adjacent dwelling or residentially zoned property.

Section 15.02.7(f) Off street parking shall be prohibited from the front yard setback area and from the first fifteen feet of any side or rear yard setback. The yard setback shall be measured from the street setback line as established in ARTICLE 4.00 GENERAL PROVISIONS. Each yard area shall be landscaped with deciduous and evergreen trees and shrubs.

Section 15.02.7(g) The following minimum building setbacks shall be provided for all religious institutions:

- Front Yard Setback: 60 Feet
- Side Yard Setback: 30 Feet
- Rear Yard Setback: 60 Feet

Section 15.02.8 ACCESSORY BUILDINGS AND USES

Accessory buildings, structures and uses customarily incidental to the above permitted uses.

Section 15.02.9 PONDS TO BE LOCATED WITHIN A COMMERCIAL COMPLEX SUBJECT TO THE FOLLOWING:

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Section 15.02.9(a) The construction, maintenance or existence within the Township of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, wells, which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided, however, this Section shall not prevent any excavation under a permit issued, pursuant to this Ordinance, where such excavations are properly protected and warning signs posted in such a manner as may be approved by the Building Official and provided further, that this Section shall not apply to streams, natural bodies of water or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Michigan, the County of Monroe, the Township or other governmental agency.

Section 15.02.9(b) Ponds shall be set back at least one hundred (100) feet from all property lines and any dwellings. This requirement may be varied by the Commission for buildings located within a Commercial Complex.

Section 15.02.9(c) Ponds shall be subject to all applicable Department of Natural Resources and County Soil Conservation District requirements.

Section 15.02.9(d) Subject to the permit requirements of Section 4.21.2 of ARTICLE 4.00 GENERAL PROVISIONS.

Section 15.02.9(e) All man made ponds which are located on a parcel of land which is less than 5 Acres in area, shall be secured by totally enclosing the pond or the subject property with a fence which shall be a minimum of four (4) feet in height, unless otherwise approved by the Planning Commission. In reviewing this matter the Commission shall take into consideration the size of the subject property and the density and proximity of housing on the surrounding properties.

Section 15.02.9(f) In all cases the pond, surrounding lands and the enclosure fence shall be maintained.

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Section 15.02.9(g) In all cases a life saving station shall be located at the pond. The life saving station shall, as a minimum, have a flotation device with safety rope attached

Section 15.02.10 Landscape ponds subject to the following:

Section 15.02.10(a) A Landscape Pond for the purpose of this ordinance is an excavation, container, lining or other means for holding permanent water which is 2 ft. or less in depth, has a water surface of 300 sq. ft. or less and is intended for viewing purposes only. If a proposed pond is not a Farm Pond or a Landscape Pond as defined by this ordinance, it shall be considered a pond and shall be subject to the restrictions for a pond as found in Section 4.21.2 of this ordinance.

Section 15.02.10(b) A Landscape Pond may be constructed as an element ancillary to a residential use only. A landscape pond may not be developed on a lot which does not contain a single family use.

Section 15.02.10(c) The water source for the Landscape pond may be an open source of water (water fall, simulated creek etc.) provided it is 10 ft. or less from the Landscape Pond, 6-8 inches in depth and is 3 ft. or less in width (water surface).

Section 15.02.10(d) The Landscape pond must meet all building setback requirements for this district.

Section 15.02.10(e) Subject to the permit requirements of Section 4.21.1 of ARTICLE 4.00 GENERAL PROVISIONS.

Section 15.03 USES SUBJECT TO SPECIAL CONDITIONS

The following uses shall be considered uses subject to special conditions in this district and may be permitted only after public hearing and review and approval by the Planning Commission.

The Commission shall review the application for use subject to special conditions in accordance with the procedure and standards as established in Section 3.09 of this Ordinance and specific standards directly related to the proposed use as established below:

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Section 15.03.1 ADULT FOSTER CARE FACILITIES

Section 15.03.2 ADULT FOSTER CARE LARGE GROUP HOMES

Section 15.03.3 ADULT FOSTER CARE SMALL GROUP HOMES

Section 15.03.4 MUNICIPAL USES OR BUILDINGS

Municipal uses or buildings such as, but not limited to: fire stations, police stations, parks, parkways, water treatment plants, sewage treatment plants and public or private emergency facilities.

Section 15.03.5 HOSPITALS SUBJECT TO THE FOLLOWING:

Section 15.03.5(a) Minimum lot area shall be ten (10) acres.

Section 15.03.5(b) The lot location shall be such that at least one (1) property line abuts a major thoroughfare. The ingress and egress for off-street parking facilities for guests and patients shall be directly from said major thoroughfare.

Section 15.03.5(c) All main and accessory buildings shall be setback a minimum of one hundred (100) feet from all property lines.

Section 15.03.5(d) Ambulance and emergency entrance areas shall be located away and visually screened from adjacent residential uses. Screening shall be by way of a structure or by a masonry wall of six (6) feet or more in height.

Section 15.03.5(e) Helipad for air ambulance and emergency entrance associated with the helipad shall be located away and visually screened from adjacent residential uses. In siting the helipad consideration shall be given to the impact of take off and landings and the potential impact on adjacent properties. Screening shall be by way of a structure or by a masonry wall of six (6) feet or more in height.

Section 15.03.5(f) No power plant or laundry shall be located nearer than three hundred (300) feet to any adjacent residential use or district.

Section 15.03.5(g) Hospitals shall be constructed, maintained and operated in conformance with all applicable State and Federal laws.

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Section 15.03.6 ESSENTIAL SERVICES

Essential services such as public utility buildings, public utility transformer stations, sub-stations and gas regulator stations, without service or storage yards, shall comply with the requirements of ARTICLE 26.00 SCREENING, LAND USE BUFFERS, AND LANDSCAPE REQUIREMENTS and ARTICLE 37.00 DEFINITIONS and shall be subject to the following:

Section 15.03.6(a) A perimeter yard setback of not less than fifty (50) feet shall be provided.

Section 15.03.6(b) When a transmission or relay tower, etc. is proposed as part of the facility, the tower shall be so located that it does not present a nuisance to abutting residential properties. The tower shall be so located on the subject property that the distance from the base of the tower to all points on each property line shall be not less than one and one-half (1-1/2) times the height of the tower, unless engineering data is provided which indicates the proposed tower construction is such that failure would be restricted.

Section 15.03.6(c) The applicant substantiates that the proposed use will be so designed and so located as to reasonably minimize potential impact on adjoining properties by reason of noise, traffic problems or similar factors.

Section 15.03.6(d) In the case of cellular towers the requirements as found in Section 4.02 inclusively shall apply.

Section 15.03.7 PRIVATE NON-COMMERCIAL AND PUBLIC
COMMERCIAL RECREATION

Section 15.03.8 GOLF COURSE, COUNTRY CLUBS AND GOLF DRIVING
RANGES SUBJECT TO THE FOLLOWING:

Section 15.03.8(a) Regulation length 18-hole golf course shall have a minimum lot size of 140 acres. Nine-hole courses with regulation length fairways shall have a minimum lot size of 60 acres. Eighteen-hole, par-3 golf courses shall have a minimum lot size of 50 acres.

Section 15.03.8(b) The principal and accessory buildings shall be set back at least seventy-five (75) feet from all property lines. Fairways and driving ranges shall be oriented and designed in such a manner and set back a sufficient distance to prevent golf balls from being hit outside the perimeter of

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the golf course or driving range.

- Section 15.03.8(c) At least one (1) shelter building with toilet facilities shall be provided. The shelter shall meet all requirements of the Monroe County Health Department and the Township Building Code.
- Section 15.03.8(d) Engineering data shall be submitted to the Township to permit review by the Township Engineering Consultant. The submitted data shall document the impact of the golf course watering system on ground water supply for the general area.
- Section 15.03.8(e) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided exterior display or advertising of said facilities shall be restricted to the sign advertising the golf course and shall clearly by way of area, size of lettering etc. be identified as the accessory activity on the site.
- Section 15.03.9 MAN MADE PONDS ARE NOT PERMITTED IN C-1, COMMERCIAL DISTRICT EXCEPT WHEN LOCATED WITHIN A COMMERCIAL COMPLEX SUBJECT TO THE REQUIREMENTS OF SECTION 15.02.9.
- Section 15.03.10 RESTAURANTS SUBJECT TO THE FOLLOWING:
The nature of the restaurant and the intended exterior operations are such that the design and orientation of the facility and all of its ancillary uses on the site shall be completed in a manner which will not impact the adjacent properties by way of traffic, noise, odors, litter or similar factors.
- Section 15.03.11 OTHER COMMERCIAL/SERVICE USES NOT SPECIFIED

Any commercial establishment or professional or commercial services not specified as a principal permitted use which the Planning Commission finds not to be inconsistent with the purposes of this Article and will not impair the present or potential use of adjacent properties.

Section 15.04 DEVELOPMENT REQUIREMENTS

The following requirements shall be complied with in a C-1 Local Commercial District:

- Section 15.04.1 SITE PLAN AND DEVELOPMENT APPROVAL FOR ALL USES AS SPECIFIED IN ARTICLE 27.00 OF THIS ORDINANCE

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Section 15.04.2 OFF-STREET PARKING FOR ALL USES AS SPECIFIED IN ARTICLE 24.00 OF THIS ORDINANCE

Section 15.04.3 SCREENING AND LAND USE BUFFER FOR ALL USES AS SPECIFIED IN ARTICLE 26.00 OF THIS ORDINANCE

Section 15.04.4 SIGNS FOR ALL USES AS SPECIFIED IN ARTICLE 25.00 OF THIS ORDINANCE

Section 15.04.5 HEIGHT, AREA, LOT COVERAGE AND YARD REGULATIONS AS SPECIFIED IN ARTICLE 21.00 OF THIS ORDINANCE FOR THE C-1 LOCAL COMMERCIAL ZONING DISTRICT

Section 15.04.6 GENERAL PROVISIONS OF THIS ORDINANCE, ARTICLE 4.00

Particular conditions or provisions may generally apply to development in this District as found in GENERAL PROVISIONS ARTICLE 4.00 of this Ordinance.

Section 15.04.7 YARD GRADING AND DRAINAGE

All yards in a C-1 Local Commercial District shall be graded in a manner which shall avoid the ponding of storm water unless said conditions have been designed to occur as part of a storm detention plan which has been approved by Frenchtown Charter Township and such grading shall comply with the engineering design standards for Frenchtown Charter Township. A detailed grading plan shall be submitted by the builder/developer and shall be approved by Frenchtown Charter Township prior to issuance of a permit.

Section 15.04.8 SPECIFIC REQUIREMENTS

The following specific requirements shall apply with in a C-1 Local Commercial District:

Section 15.04.8(a) All roads shall be constructed in accordance with standards adopted by Frenchtown Charter Township.

Section 15.04.8(b) All utility lines or similar facilities intended to serve any use in a C-1 Local Commercial District, whether designed for primary service from main lines or for distribution of services throughout the site, shall be placed and maintained

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underground at all points within the boundaries of the site.

- Section 15.04.8(c) Sanitary and storm sewer systems shall be provided in accordance with standards adopted by Frenchtown Charter Township.
- Section 15.04.8(d) All buildings shall be readily accessible by fire and emergency vehicles and shall comply with the Township Fire Prevention Ordinance.
- Section 15.04.8(e) Lighting shall be provided in an amount which shall be sufficient to permit safe movement of vehicles and pedestrians at night. The lighting shall be hidden source and so located and designated as to reflect light away from adjacent properties with particular attention to single family residential areas.
- Section 15.04.8(f) Water system improvements and hydrant shall be provided in accordance with standards adopted by Frenchtown Charter Township.
- Section 15.04.8(g) The method of trash pick up shall be presented to the Planning Commission for approval. If dumpsters are proposed, they shall be screened in a manner acceptable to the Planning Commission. No dumpster shall be located less than fifteen (15) feet from any building. All dumpsters shall be located on a concrete pad sufficient in size (area) to accommodate the dumpster and the dumpster pick up vehicle.
- Section 15.04.8(h) Repealed August 9, 2016 by Zoning Ordinance Amendment No. 200-122.
- Section 15.04.8(i) See the current Uniform Building Code, adopted by Frenchtown Charter Township, for regulations pertaining to pool fencing.
- Section 15.04.8(j) Street trees shall be provided between the street or road pavement and sidewalk or street setback line of all interior and exterior street and/or roadways.

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- Section 15.04.8(k) All parking spaces shall be restricted to customer and employee parking. Parking of vehicles used in the operation of the business shall be subject to review by the Planning Commission. All such vehicles shall be restricted to areas which are not exposed to public streets and roads.
- Section 15.04.8(l) The above specified stores, shops or businesses shall be retail establishments offering personal services and/or new merchandise only.
- Section 15.04.8(m) Such stores, shops or businesses shall be conducted entirely within a building.
- Section 15.04.8(n) Products made incident to a permitted use shall be sold only at retail on the premises.
- Section 15.04.8(o) 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 similar to the basic material forming the exterior of the front of the building. The Planning Commission shall review and approve all proposed building elevations.
- Section 15.04.8(p) Compliance with the Environmental Performance Standards in ARTICLE 29.00 PERFORMANCE STANDARDS is required for all uses.

Section 15.04.9 YARD USE

Except for private roads the area lying between the front property line and the back of curb or edge of roadway is street right-of-way and as such is under the jurisdiction of the Monroe County Road Commission or Michigan Department of Transportation. A permit from the Monroe County Road Commission or Michigan Department of Transportation shall be required for all work performed in this area. Parking of vehicles shall be restricted to driveways or approved designated parking areas. Parking or storage of vehicles on lawn or landscape areas shall be prohibited.

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