

**ARTICLE 13  
COMMERCIAL ZONING DISTRICTS**

**SECTION 13.1: Commercial District (C)**

**13.1.1 Intent:** The provisions of this district are intended to apply to areas that can serve the general needs of the community within a large variety of retail commercial, financial, professional, office, service and other general commercial activities. This district establishes and preserves general commercial areas consisting of shopping centers and commercial strips where customers reach individual business establishments primarily by automobile.

**13.1.2** All uses shall comply with the performance standards listed in Section 3.22 of this Ordinance. Other than dwellings, structures shall comply with all state and local commercial building codes.

**13.1.3 Uses Permitted by Right and Special Land Uses:**

<b>Section 13.1.3</b>	
<b>LAND USES: PRINCIPAL USE</b>	<b>C</b>
<b>P = Permitted by Right    S = Special Approval Use Permit Required</b>	
<b>Residential Uses/Accessory Buildings</b>	
Accessory building	P
Home occupation in a dwelling	P
Multi-family dwellings (more than two living units)	S
Single family dwellings	P
Two family dwellings	P
Long-term rental	P
<b>Accommodation and Food Services</b>	
Bars, taverns and restaurants serving alcoholic beverages	S
Bed and Breakfasts	S
Coffee shops and tea rooms	P
Hotel / Motel	P
Ice cream parlors	P
Other prepared food vendors for consumption on or off premises excluding premises on which alcohol is served	P
Pizza and sub shops	P
Restaurants	P
Rooming homes	P
Tourist homes	P
Short-term rental	P
<b>Human Care and Social Assistance</b>	
Nursing home	S
Public or community assembly buildings	S
Hospitals	S
Medical clinics/offices	S
Veterinary clinics/animal hospitals	S
<b>Arts, Entertainment, and Recreation</b>	
Arenas	S
Boat liveries	S
Campgrounds	S

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Recreation and amusement facilities (e.g. pool halls, arcades) for which a license is required pursuant to any state or local Ordinance	S
Recreational facilities	S
Stadiums	S
Theaters	S
<b>Educational Services/Religion</b>	
Churches	S
Schools	S
<b>Public Facilities</b>	
Community clubs, fraternal organizations and similar civic organizations	P
Public or community assembly buildings	S
<b>General Commercial/Business/Service</b>	
Adult book stores	S
Business and professional offices	P
Cemeteries	S
Food processing facility	S
Funeral homes	S
Gasoline service stations	S
Mortuaries	S
Open air markets (e.g. flea markets, farmers' markets)	S
Outdoor advertising signs	P
Public and personal services direct to the customer (e.g. barbers)	P
Public, semi-public and public utility buildings, excluding storage yards	P
Retail stores or outlets and accessory service/production departments	P
Sale of alcoholic beverage for consumption off premises	P
Small businesses engaging in the repair, finishing, alteration, assembling, fabrication or storage of goods	S
<b>Transportation Services/Warehousing/Storage</b>	
Motor vehicle and/or boat repair shops	S
New and used motor vehicle and/or boat storage or display lots	S
<b>Parking Lots</b>	
Parking lots	P
<b>Agricultural</b>	
Greenhouses and nurseries	P
<b>Utilities</b>	
Electric transformers (stations and substations)	P
Gas regulator stations	P
Public utility electric power generating facilities	P
Publicly owned buildings and public utility buildings	P
Telephone exchange buildings	P
Water and sewage stations	P
Public, semi-public and public utility buildings, excluding storage yards	P
Small businesses engaging in the repair, finishing, alteration, assembling, fabrication or storage of goods	S
Gasoline service stations	S

**13.1.4 Minimum Lot Area:** Minimum lot area shall be five thousand (5,000) square feet with a minimum frontage of fifty (50) feet in all newly created parcels of property.

**13.1.5 Corner Lot:** On any corner lot where a residential structure is located, no walls, fences, hedges or accessory structures or shrubbery shall rise over three (3) feet in height

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above the level of the road grade within twenty (20) feet of any corner so as to interfere with traffic visibility.

**13.1.6 Driveways and Parking**

- A. Driveways shall be not less than ten (10) feet wide and at least three (3) feet from the lot line. No driveway common to two buildings shall be permitted unless an easement providing for same is recorded with the Sanilac County Register of Deeds.
- B. Off-street vehicle parking, access and egress shall be provided as shown in Section 3.21.

**13.1.7 Yards:** Every building hereafter erected, altered or moved upon commercial premises shall be provided with yards complying with the following standards:

A. Front Yards:

- 1. Commercial structures in commercial districts shall be erected with not more than a five (5) foot setback from the existing or prospective sidewalk at the front of the building. (The purpose of this provision being to require development of parking areas to the rear of the commercial structure and to preserve and expand upon the Village's architectural theme.)
- 2. Front yards for residential structures in commercial districts shall be not less than the average depth of existing front yards in the block in which parcel is located.
- 3. Provisions of this Section ("Front Yards") notwithstanding, those lots which border on use districts other than commercial shall comply with the setback requirements defined in Section 3.38.

B. Side Yards:

- 1. Commercial structures may be built up to the side property line, with no side yard. However, residential structures must comply with the side yard requirements of residential districts.

C. Rear Yards:

- 1. Shall contain sufficient area for off-street parking, loading and unloading as defined in Article 3, but not less than 25% of the total lot depth. The depth of a rear yard abutting upon a street shall not be less than the depth of a front yard required for a building of the same size and kind, on the adjoining lot fronting on such rear street.

**13.1.8 Fences and Buffers:**

- A. All outdoor storage areas, including refuse disposal units, shall be completely screened by a view obstructing fence, earthen berm, coniferous natural growth (or combination thereof) surrounding the storage area, including the line abutting a public thoroughfare. The screen shall be at least six (6) feet above the road grade level. Exceptions may be made by the Planning Commission (for Special Land Uses) or the Zoning Board of Appeals (for variances).

**13.1.9 Signs:** Signs shall be in conformance with Article 7.

**13.1.10 Building Floor Area and Height:**

A. Floor Area

- 1. Every building hereafter erected, altered or moved upon commercial premises shall contain not less than seven hundred and fifty (750) square feet of ground floor area. The total floor area of Commercial district Special Land Uses shall not exceed twenty (20,000) square feet.

B. Height

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1. No buildings shall hereafter be erected, altered or moved upon any premises exceeding a height of thirty-five (35) feet at its highest point unless a variance for a greater height is approved by the Zoning Board of Appeals after a public hearing and taking into consideration the firefighting capabilities in the Village or available neighboring fire-fighting facilities.

**13.1.11 Accessory Buildings:** Accessory buildings which are located on a corner lot shall not be placed closer than ten (10) feet to a rear or side line. (amended numbering 1/25/2021)

**SECTION 13.2: Central Business District (CBD)**

**13.2.1 Intent:** The Central Business District is designed to promote uses that generate a high volume of people activity among the businesses, institutions and public spaces within the City's downtown. To that end the CBD's primary focus is on retail, institutional, culinary, hospitality and service uses that stimulate ongoing interaction and vitality within the downtown. These primary uses are supplemented by professional, business and governmental offices and other service businesses. Together they provide the shopping, service and entertainment needs of the entire community. The retail and entertainment focus of the district shall be promoted by encouraging the development of such uses along the major street frontages and by prohibiting automotive related services and non-retail uses.

**13.2.2** In the Central Business District (CBD), land may be used and buildings or structures be erected, altered or moved on and used, in whole or in part, for any one or more of the following specified uses, except as otherwise provided in this Ordinance. All uses shall comply with the performance standards listed in Section 3.22 of this Ordinance. Other than dwellings, structures shall comply with all state and local commercial building codes.

**13.2.3 Uses Permitted by Right and Special Land Uses from the CBD District:**

<b>Section 13.2.3</b>	
<b>LAND USES: PRINCIPAL USE</b>	<b>CBD</b>
<b>P = Permitted by Right S = Special Approval Use Permit Required</b>	
<b>Residential Uses /Accessory Buildings</b>	
<b>Accommodation and Food Services</b>	
Bars, taverns and restaurants serving alcoholic beverages	P
Bed and Breakfasts	S
Coffee shops and tea rooms	P
Hotel / Motel	P
Ice cream parlors	P
Other prepared food vendors for consumption on or off premises excluding premises on which alcohol is served	P
Pizza and sub shops	P
Restaurants	P
Rooming homes	P
Tourist homes	P
<b>Arts, Entertainment, and Recreation</b>	
Arenas	S
Boat liveryes	S

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Marinas	S
Recreation and amusement facilities (e.g. pool halls, arcades) for which a license is required pursuant to any state or local Ordinance	P
Theaters	P
<b>Educational Services/Religion</b>	
<b>Human Care and Social Assistance</b>	
Medical clinics/offices	S
Veterinary clinics/animal hospitals	S
<b>Public Facilities</b>	
Community clubs, fraternal organizations and similar civic organizations	P
<b>General Commercial/Business/Service</b>	
Adult book stores	S
Business and professional offices	P
Fueling service stations including electrical vehicles	S
Gasoline service stations	S
Open air markets (e.g. flea markets, farmers' markets)	S
Processing or sale of used motor vehicles	S
Public and personal services direct to the customer (e.g. barbers)	P
Retail stores or outlets and accessory service/production departments	P
Sale of alcoholic beverage for consumption off premises	P
Sidewalk kiosks	P
Signs not in compliance with Article 7	S
Small businesses engaging in the repair, finishing, alteration, assembling, fabrication or storage of goods	S
<b>Parking Lots</b>	
Public parking lots	P
<b>Transportation Services/Warehousing/Storage</b>	
Motor vehicle and/or boat repair shops	S
New and used motor vehicle and/or boat storage or display lots	S
<b>Utilities</b>	
Electric transformers (stations and substations)	P
Gas regulator stations	P
Public utility electric power generating facilities	P
Public, semi-public and public utility buildings, excluding storage yards	P
Publicly owned buildings and public utility buildings	P
Telephone exchange buildings	P
Water and sewage stations	P

(amended 11/17/2020)

**13.2.4 Minimum Lot Area:** Minimum lot area shall be five hundred (500) square feet with a minimum frontage of twenty (20) feet in all newly created parcels of property.

**13.2.5 Corner Lot:** On any corner lot where a residential structure is located, no walls, fences, hedges or accessory structures or shrubbery shall rise over three (3) feet in height above the level of the road grade within twenty (20) feet of any corner so as to interfere with traffic visibility.

**13.2.6 Parking:** Parking Requirements listed in Section 3.20 will include on-site and available Municipal Parking lots within a reasonable walking distance for Commercial

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Enterprises. Applicant must submit alternative suitable parking plan to the Zoning Administrator to be exempt from the commercial parking requirements.

**13.2.7 Yards:** Every building hereafter erected, altered or moved upon commercial premises shall be provided with yards complying with the following standards:

**A. Front Yards:**

1. Commercial structures in commercial districts shall be erected with not more than a five (5) foot setback from the existing or prospective sidewalk at the front of the building. (The purpose of this provision being to require development of parking areas to the rear of the commercial structure and to preserve and expand upon the Village's architectural theme.)
2. Front yards for residential structures in commercial districts shall be not less than the average depth of existing front yards in the block in which parcel is located.

**B. Side Yards:**

1. Commercial structures may be built up to the side property line, with no side yard. However, residential structures must comply with the side yard requirements of residential districts.

**C. Rear Yards:**

1. Shall contain sufficient area for off-street parking, loading and unloading as defined in Article III, but not less than 25% of the total lot depth. The depth of a rear yard abutting upon a street shall not be less than the depth of a front yard required for a building of the same size and kind, on the adjoining lot fronting on such rear street.

**13.2.8 Fences and Buffers:**

- A.** All outdoor storage areas, including refuse disposal units, shall be completely screened by a view obstructing fence, earthen berm, coniferous natural growth (or combination thereof) surrounding the storage area, including the line abutting a public thoroughfare. The screen shall be at least six (6) feet above the road grade level. Exceptions may be made by the Planning Commission (for Special Land Uses) or the Zoning Board of Appeals (for variances).

**13.2.9 Signs:** Signs shall be in conformance with Article 7.

**13.2.10 Building Floor Area Height:**

**A. Floor Area:**

1. Every building hereafter erected, altered or moved upon commercial premises shall contain not less than two hundred and fifty (250) square feet of ground floor area.

**B. Building Height:**

1. No buildings shall hereafter be erected, altered or moved upon any premise exceeding a height of thirty-five (35) feet at its highest point or unless a variance for a greater height is approved by the Village Council after a public hearing and taking into consideration the firefighting capabilities in the Village or available neighboring firefighting facilities.

**13.2.11 Accessory Buildings:** Accessory buildings which are located on a corner lot shall not be placed closer than ten (10) feet to a rear or side line. (amended numbering 2/16/2021)