

ARTICLE IV-COMMERCIAL

COMMERCIAL DISTRICT USE REGULATIONS

SECTION 403: C-COMMERCIAL

SECTION 403.01: **General Purpose or Intent**

The Commercial District is designed for retail businesses and service establishments needed by residents of Grant Township and the surround area. Uses excluded are those likely to cause environmental and safety hazards, offensive and loud noises, vibration, smoke and glare.

A purpose of the Commercial District is to encourage a concentration of business uses in suitable locations identified by the Grant Township Master Plan; such a pattern, and the standards required for development therein, are beneficial to consumers and merchants alike. Discouraged is a wide-spread scattering of business uses, intermingled with residential uses, along section-line roads.

Recognizing there is a range of commercial activities and some have objectionable operational characteristics that adversely effect surrounding land uses, this ordinance establishes two categories of commercial use: those permitted by right and those permitted by special land use approval. Special approval uses require specific standards to insure that such uses will not contribute to the blighting or downgrading of the surrounding neighborhood.

Further recognizing that all commercial land uses will impact the community and to insure that a proposed land use of activity is in compliance with local and state ordinances, to protect public health, safety, and general welfare of the residents of the community as well as those that will use the proposed land use, site plan review requirements will be used by the Planning Commission to review all proposed commercial land uses.

SECTION 403.02: **Permitted Uses**

In a C-Commercial District, no building or land shall be erected or used except for the following uses. All permitted uses are subject to the required conditions listed below in Section 403.04,

1. Office buildings for any of the following occupations: executive; administrative; professional; accounting; writing; clerical; stenographic; drafting and sales.
2. Medical office, including medical and veterinary clinics.
3. Banks, credit union offices, saving and loan associations, stock brokerage, and similar uses.
4. Art shops and photographic studios (except those defined as adult entertainment uses), and interior decorating studios.
5. Publicly owned buildings, communication (telephone) exchanges, public utility offices, but not including storage yards, transformer stations, substations, or gas regulator stations.

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6. Personal service establishments including barber shops, beauty shops, and health salons (except those defined as adult entertainments uses).
7. Hardware stores, variety stores, grocery stores, candy, nut and confectionery stores, dairy product stores, retail bakery, drug store and proprietary store.
8. Coin-operated laundries and dry cleaning.
9. Branch offices of banks and saving and loans and credit unions.
10. Florists.
11. Retail stores, such as liquor, sporting goods, bicycle shop, book, stationery, jewelry, hobby, toy, games, gifts, novelty and souvenir, luggage, leather goods, sewing, needlework and piece goods store.
12. Nursery schools, day nursery, and child care centers.
13. Off-street parking and lading in accordance with Section 603, par. 3.
14. Other uses similar to the above uses.
15. Accessory signs customarily incidental to the above permitted uses only when they pertain to the sale, rental, or use of the premise on which it is located, or to goods sold or activities conducted thereon, provided that any such signs shall not exceed two hundred and fifty (250') square feet in area and be located not closer than one hundred (100") feet measured along the same side of the street to any residentially or agriculturally zoned district.

SECTION 403.03: **Special Approval Uses:**

The following uses may be permitted by the Planning Commission after public hearing and review of the proposed site plan, and subject to the general standards to guide the actions of the Planning Commission as specified. (Section 608) Approval of all such uses is subject to the procedures set forth in Section 607.

The Township Board of Appeal is authorized to accept, review and make final determination regarding decisions made by the Planning Commission relating to special land uses and planned unit development.

Application for special approval uses authorized in this Ordinance shall be submitted to the Planning Commission through the Zoning Administrator.

1. Gas or electrical Transmission lines and static transformer stations, gas regulator stations, and other public utility building.
2. Lumber and other building material dealers.

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3. Open air sale of mobile homes, recreational vehicles, motorcycles or other motor vehicle sales areas such as trucks, automobiles and home owners' gardening equipment, farm machinery and implements etc., new automobile and truck agency sales and showrooms and used automobile and truck sales.
4. Department stores.
5. Gasoline service stations.
6. Drive-in, fast food, or carry out restaurants.
7. Adult bookstores, adult motion picture theaters, massage parlors, nude modeling studios, premises for nude entertainment, and saunas or open bath houses all subject to the following regulations:
 - A. It shall be unlawful to establish any adult bookstore, adult motion picture theater, massage parlor, nude modeling studio, sauna or open bath house, or premises for nude entertainment except in the Commercial District.
 - B. No such uses may be permitted in the Commercial district within one thousand five hundred (1,500') feet of any district zoned R-1A, MN, AG-Residential OS or AG-Secure measured from the lot line of the locations of the proposed use.
 - C. No such uses may be permitted in the C-District within one thousand five hundred (1,500') feet of any church or school measured from the lot line of the location of the proposed use.
 - D. Any of the above sated uses shall not be located within a one thousand five hundred (1,500') foot radius of any other such use.
8. Direct selling establishments such as factory outlets stores.
9. Hotels, motels, and tourist courts.
10. Personal services not previously described.
11. Motor vehicle repair and service facilities not previously described.
12. Repair services not previously described as permitted uses in this district.
13. Motion picture theaters, except drive-in theaters.
14. Amusement and recreation centers and services not previously described as permitted uses in this district.
15. One attached dwelling unit per commercial parcel. The swelling unit shall meet all the requirements of Article V.

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SECTION 403.04: **Required Conditions for all Permitted Uses:**

Site plan review is required: (1) Whenever a building permit is required for new construction or alteration of a commercial building. (2) Whenever a business parking or storage area is to be constructed. (3) For any substantial change in commercial use or type-of-business. (4) With all application for status as a special approval use in the Commercial District. See General Provisions, Section 606, Site Plan Review.

Outdoor display of merchandise shall be prohibited except for minor day-to-day in and out display may be permitted.

Outdoor display of merchandise shall be kept back as least eighty (80') feet from the centerline of all roads.

Outdoor storage shall be limited to the side or rear yard and totally enclosed with view-obscuring screening as specified by Article VI, Section 613, General Provisions, when adjacent to any residential district or open to public view.

When a Commercial district abuts a R-1A, MH, AG-Residential, OS or AG-Secure district, a greenbelt shall be established on the Commercial property to serve as a buffer between the Commercial District and the non-commercial district. Lay out and design, including width and depth and type of plantings shall be specified by the Planning Commission during site plan review. If the intent of this ordinance can be achieved by other means the Planning Commission may at its discretion waive the requirements set forth in this Section. See Section 612, Green Belts.

SECTION 403.05: **Performance Standards:**

Any activity carried on in this district shall be subject to the Performance Standards as set forth in Article VI, Section 611.

SECTION 403.06: **Application Procedure for Special Approval Use:**

Application for special approval uses authorized in this Ordinance shall be submitted to the Planning Commission through the Zoning Administrator. (See Article VI, Section 607 for Administrative Procedure)

The application shall contain the following:

1. Completed form for new land use or change.
2. Material as required for site plan review as outlined in Section 606, Article V.

SECTION 403.07: **PLANNING COMMISSION ACTION:**

The Planning Commission may deny, approve, or approve with conditions, requests for special approval use. The decisions on a special approval use shall be incorporated in a

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statement of conclusions relative to the special approval use under consideration. The decision shall specify the basis for the decision and any conditions imposed.

SEVERABILITY: The provisions of this ordinance are hereby declared to be severable. If a clause, sentence, paragraph, rule, regulation, section, or sub-section is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion other than the part declared void or inoperable.

REPEAL: All Ordinance in Conflict herewith are hereby revoked.

Adopted: August 12, 1996, amended October 13, 1997.

Published: September 16, 1996, in the Jeffersonian, amendment: October 20, 1997.