

DIVISION 9. - C-2 GENERAL BUSINESS DISTRICTS^[8]

Footnotes:

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Editor's note— Ord. No. 211, § 1, adopted October 16, 2013, repealed div. 9, §§ 38-351—38-355, and enacted a new div. 9 to read a set out herein. Former div. 9 pertained to similar subject matter and derived from Ord. No. 62, §§ 7-11.01, 7-11.02, 7-11.03, 7-11.04, 7-11.05, adopted Aug. 11, 1984.

Cross reference— Businesses, ch. 6.

Sec. 38-351. - Statement of purpose.

The C-2 general business district is intended to be that district permitting a wider range of business and entertainment activities than those permitted in the neighborhood business district. The permitted uses would serve not only nearby residential areas, but also people further away for types of businesses and services usually found in major shopping centers and central business districts at the juncture of major thoroughfares. These uses would generate larger volumes of vehicular and pedestrian traffic and are generally characterized by an integrated or planned cluster of establishments served by a common parking area. Alternatively, such districts may also be located along federal, state, or other major thoroughfares where the sites are easily accessible to large volumes of traffic. These districts are intended to be more isolated and buffered than C-1 districts from adjacent single-family residential areas where noise and traffic could be disturbing or a hazard. Such C-2 districts in the township would reflect major existing shopping concentrations, other commercial uses along major thoroughfares, and desired future commercial centers as proposed in the comprehensive master plan, which are needed to serve adequately the future population of the township.

(Ord. No. 211, § 1, 10-16-2013)

Sec. 38-352. - Permitted uses.

In all C-2 general business districts, no land, building, structure, or premises except as otherwise provided in this chapter, shall be erected, altered, or used except for one or more of the following uses. The parenthetical number (000000) listed by each use is taken from the North American Industry Classification System (NAICS), as published by the U.S. Office of management and budget and is intended to provide a general guide of uses intended under each heading. However, where it is determined by the planning commission that the effects of a NAICS listed use may tend to extend beyond the site, special land use approval shall be required.

- (1) All uses in O-1 office and C-1 neighborhood business districts, subject to all requirements for such uses in zoning districts where first permitted, except as otherwise provided in this section.
- (2) Automotive parts and accessories stores (44131) and tire stores (44132).
- (3) Furniture, home furnishings and equipment store (442).
- (4) Electronics and appliance stores (443) including appliance repair and maintenance (811412).
- (5) Building material and supplies dealers (4441), including home centers, including indoor lumber (444110), paint and wallpaper stores (444120), and hardware stores (444130), other building materials dealers (444190), except lumber yards and suppliers of prefabricated buildings and kits.
- (6) Lawn and garden equipment and supplies stores (4442), including outdoor power equipment stores (444210), retail nursery and garden centers (444220).

- (7) Supermarkets and other grocery stores (445110).
- (8) Department stores (452110) and warehouse clubs and superstores (452910).
- (9) Health and personal care stores (446), including pharmacies and drug stores (446110), cosmetics, beauty supplies, and perfume stores (446120), optical goods stores (446130), health food supplement stores (446191), and all other health and personal care stores (446199).
- (10) Clothing and clothing accessories stores (4481), including clothing for men, women, children and infants, family, clothing accessories, and other clothing such as bridal gowns, fur apparel, hosiery, leather coats, lingerie, swimwear, and uniforms. Custom dress retailers such as bridal gown shops and custom dress makers (448190) and fashion design services (541490) are included.
- (11) Shoe stores (448210) and shoe and leather product repair shops (811430).
- (12) Jewelry, luggage, and leather good stores (4483).
- (13) Pre-recorded tape, compact disc, and record stores (451220).
- (14) Office supplies and stationary stores (453210) and office service establishments (561110 and 56143).
- (15) Used merchandise stores (453310), including antique shops, used books shops, used clothing stores, used household-type appliance stores, used merchandise thrift shops, and flea markets in accordance with section 38-354.
- (16) Pet and pet supplies stores (453910).
- (17) Electronic shopping and mail-order houses (454110), only in conjunction with a retail showroom which shall be a predominant feature of the facility.
- (18) Vending machine operators (454210). This industry comprises establishments primarily engaged in retailing merchandise through vending machines at a location that they service.
- (19) Radio stations and studios (513112) and Television broadcasting offices and studios (513120).
- (20) Rental and leasing services (532), including passenger car rental and leasing (53211), truck, utility trailer, and recreational vehicle (RV) rental and leasing, consumer goods rental (5322) including electronics and appliances, formal wear, home health equipment, recreational goods and general rental centers (532310), but not including Commercial and industrial machinery and equipment rental and leasing (5324).
- (21) Videotape, DVD, CD, and/or other media device rental shop (532230), except rental of adult motion pictures.
- (22) Graphic design services, including commercial art studios (541430).
- (23) Educational services (611), including business and secretarial schools (611410), computer training (611420), professional and management development training (611430), technical and trade schools provided no vehicles or heavy machinery are used on site (61151), fine arts schools (611610), sports and recreation instruction (611620), and language schools (611630).
- (24) Social services (624), but not including temporary residential services.
- (25) Theatrical producers (711310) and dinner theaters (711110).
- (26) Museums and art galleries (712110).
- (27) Amusement arcades (713120), indoor tennis courts and club facilities, indoor rinks, ice and roller skating, sports club and physical fitness facilities (713940), bowling alleys and bowling centers (713950), billiard parlors and rooms, indoor archery ranges, dance halls, trampoline facilities and other indoor recreation as listed in (713990.)
- (28) Eating and drinking places (722110), Cafeterias (722212), Drinking places (bars and taverns (722410.) Adult-oriented entertainment uses are not included.

- a. Restaurants or other places serving food or beverages. Outside seating, assembly, and activity areas for restaurants may be permitted by the planning commission. Such outside areas shall be designed as part of the building mass to which they are accessory in the sense that they shall be enclosed by masonry walls and/or decorative fencing elements extended from the main building, or shall otherwise be physically delineated and limited in a manner acceptable to the planning commission; subject further to the following conditions:
 - 1. For outside areas not requiring permanent capital improvements, the zoning administrator may approve such outside seating uses or activity areas for an initial period not to exceed two years, with successive approvals for a similar period.
 - 2. Setbacks for such outside areas shall be not less than those required for conventional buildings within the district.
 - 3. Outside areas provide for adequate emergency egress by patrons, and shall not occupy required sidewalk areas nor impair emergency vehicle access.
 - 4. Parking shall be provided for the uses in such outside areas in addition to that required for uses in the main building.
- (29) Small engine repair (811411).
- (30) Re-upholstery and furniture repair (811420).
- (31) Personal services (8121), except tattoo parlors and adult-oriented entertainment uses.
- (32) Automobile parking for fee (812930).
- (33) Planned shopping centers are, hereby, defined as a grouping of retail and service uses on a single site with common parking facilities. The following development standards shall apply to all sites developed as planned shopping centers, as defined above and are in addition to any of the applicable requirements of this chapter.
- a. Building facades greater than one hundred feet in length shall incorporate recesses and projections along, at least, 20 percent of the length of the facade. Windows, awnings and arcades must total at least 60 percent of a facade length abutting a public street.
 - b. Architectural interest shall be provided through the use of repeating patterns of changes of color, texture, and material modules. At least one of these elements shall repeat horizontally. All elements should repeat at intervals of no more than 50 feet, either horizontally or vertically.
 - c. There shall be variations in roof lines to reduce the massive scale of the structure and to add visual interest. Roofs shall have at least two of the following features:
 - 1. Parapets concealing flat roofs and rooftop equipment;
 - 2. Overhanging eaves;
 - 3. Sloped roofs;
 - 4. Three or more roof surfaces.
 - d. Each principal building with an anchor tenant shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls and integral planters.
 - e. Facade colors shall be of a low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
 - f. Building trim may consist of brighter colors, but neon tubing, as a building accent, is prohibited.

- g. Loading docks, trash collection, outdoor storage and similar facilities and functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Use of screening materials that are different from or inferior to the principal materials of the building and landscape is prohibited.
 - h. Each planned shopping center must contribute to the establishment or enhancement of the community and public spaces by providing at least two community amenities, such as patio/seating area, water feature, clock tower, pedestrian plaza with benches, public art, etc.
- (34) Membership organizations (813410), including community service clubs, fraternal organizations, and lodge halls.
- (35) Self-storage facilities and mini-warehouses (531130) used to provide temporary storage needs for businesses, apartment dwellers and other individuals on a self-service basis shall be a permitted use and are subject to the following extra standards:
- a. No storage of combustible or flammable liquids, combustible fibers, explosive materials, or toxic materials shall be permitted with the self-storage buildings or upon the premises.
 - b. No outside storage shall be permitted.
 - c. The use of the premises shall be limited to storage only and shall not be used for operating any other business, or for maintaining or repairing of any vehicles, recreational equipment or other items, or for any recreational activity hobby or purpose other than the storage of personal items and business items.
 - d. Appropriate screening as per the requirements of section 38-614 shall be provided for those portions of the site abutting a residential zoning district.
 - e. The site shall be graded, drained and developed with hard-surfaced pavement as per the specifications of section 38-73.
 - f. Fire hydrants and fire suppression devices shall be provided, installed and maintained as per the requirements of the township fire chief.
 - g. Buildings shall not exceed 200 feet in length and shall maintain a minimum distance of 25 feet between individual buildings.
- (36) Drive-in, fast food, or carry out restaurants (722211), shall be a permitted use and are subject to the following extra standards:
- a. Ingress and egress points shall be located at least 30 feet from the intersection of any two streets measured from the intersection of the street right-of-way of least 120 feet.
 - b. The minimum distance of any driveway to the property line shall be seven feet. The minimum distance between driveways on the site shall be 65 feet measured from the two closest driveway curbs.
 - c. When a building or portion of building is used for such purposes, it must be located not less than 500 feet from an elementary, intermediate, or secondary school, and not less than 300 feet from a church, nursing home, or a home for the aged.
 - d. Any unpaved area of the site shall be landscaped with lawn or other horticultural materials, maintained in a neat and orderly fashion at all times, and separated from the paved parking area by a raised curb or other equivalent barrier.
 - e. Concrete curbing six inches in height shall be properly placed and maintained along or parallel to all property lines, except where bumper guards are required and except across approved driveways so as to prevent vehicular encroachment onto or over the adjoining property or vehicular damage to building.
 - f. All outside trash receptacles (except those intended for use by the customer) shall be located within a six-foot high enclosure constructed of masonry material and covered with face brick

and shall be provided with opaque gates of the same height. In addition, two trash receptacles for use by the customer shall be placed in a manner reachable by the customer from their car windows at each point where exit drives empty onto a public street. Such receptacles shall be emptied as often as is necessary to ensure their efficient and continued use by the customer.

- g. Except for approved drive-in restaurants, it shall be unlawful for any person to consume or for any restaurant owner, operator, manager, franchise holder, or anyone else in authority to allow or permit the consumption of foods, frozen desserts, or beverages in motor vehicles parked upon the restaurant premises. Outdoor eating may be permitted in designated outdoor seating areas attached to the main restaurant building and accessible from such building. Such areas may also include children's playground equipment. The size and spatial arrangement of such areas shall be subject to the review and approval of the planning commission during site plan review.
- (37) Motor vehicle repair and service facilities not previously described as permitted uses in this district (8111), shall be a permitted use and are subject to the following extra standards:
- a. All activities shall be conducted in an enclosed building.
 - b. All buildings shall be set back not less than 40 feet from all existing or proposed street right-of-way lines, whichever is greater.
 - c. No signs, storage, nor display of any kind shall be allowed within the street right-of-way. All signs and display shall be so located as not to obstruct view of vehicles.
 - d. There shall be no outdoor parking of damaged motor vehicles except on a temporary basis not to exceed 72 hours. Junk parts and junk vehicles shall not be kept on the outside of the building.
 - e. Automobile, truck or trailer renting and leasing may be permitted in connection with motor vehicle repair and service facilities, subject to the provisions that the number of automobile, trucks or trailers on site that are available for lease shall not exceed one automobile, truck or trailer for each 1,000 square feet of lot area and shall not be located in areas that are required for parking, aisles, service bays, loading, landscaping or sidewalks.
 - f. The parking of tow trucks shall be permitted only in designated areas and shall not be permitted in the corner clearance areas.
- (38) Motor vehicle washing, conveyor or nonconveyor type (811192) shall be a permitted use, must be completely enclosed in a building, excepting points of ingress and egress, and are subject to the following extra standards:
- a. All cleaning operations shall be completely enclosed within a building.
 - b. A hard-surfaced driveway of one or more lanes shall be constructed on the parcel in such a manner as to provide for a continuous movement of cars into the wash rack.
 - c. The driveway so provided shall be not less than ten feet wide for a single lane and not less than ten additional feet in width for each additional lane.
 - d. Where only a single lane is provided, it shall be used for no other purpose than to provide access to the wash rack. All lanes provided shall be suitably protected from interference by other traffic.
 - e. The total length of the required lane or lanes so provided for a conveyor type wash rack shall be determined by the overall length of the building, including areas having side walls but no roof. In any building where the washing operation moves in other than a straight line, the length of the building, for the purposes of this section, shall be the distance measured along the centerlines of the conveyor or wash line from the point of entry to the point of exit from the building. The overall length of the required lane or lanes, as measured along the centerline, shall be determined in accordance with the following: Where the building is 80 feet or less in overall length, the total required lanes shall be not less than 400 feet in length.

Where the building exceeds 80 feet in length, the length of the required lane or lanes shall be increased 50 feet for each ten feet or fraction thereof by which the building exceeds 80 feet in overall length.

- f. For a nonconveyor type auto wash, five waiting spaces, each 20 feet in length, shall be provided for each washing stall on the entrance side of the stall and two spaces per stall shall be provided on the exit side for a drying area.
 - g. The site shall be designed in such manner that no operations are conducted off the parcel.
 - h. A building setback of at least 60 feet must be maintained from the proposed or existing street right-of-way.
 - i. Ingress and egress points shall be located at least 60 feet from the intersection formed by the existing or proposed right-of-way lines, whichever is greater, and shall be directly from a major thoroughfare.
 - j. The site shall be drained so as to dispose of all surface water in such a way as to preclude drainage of water onto adjacent property.
 - k. Gasoline sales shall be permitted on the property, provided that there is compliance with any other applicable sections.
- (39) Lumber yards and suppliers of prefabricated buildings and kits (444190) shall be a permitted use and are subject to the following special standards:
- a. The site shall abut only land zoned C-2, M-1, or M-2.
 - b. All storage of building materials shall be within enclosed buildings, or storage sheds, except that outdoor storage may be permitted when within an area enclosed by an area enclosed by an obscuring fence or wall not less than six feet nor more than eight feet in height. Screening slats placed in a chain-link fence shall not be accepted as a suitable screening device.
- (40) Automobile service stations (447) for the sale of gasoline, oil, and minor accessories only (447110), gasoline stations with convenience stores (447110) and fueling stations without minor repair services or with other product or services (447190) are included in this category.
- a. The curb cuts for ingress and egress to and from a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than 25 feet from a street intersection measured from the edge of the planned road right-of-way or from adjacent AG, R-1A, R-1B, R-2, R-3, RM or MHD districts.
 - b. The minimum lot area shall be 15,000 square feet, and so arranged that ample space is available for motor vehicles which are required to wait. Automobile 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 lubrication facilities) may be permitted on lots of 10,000 square feet, subject to all other provisions required in this chapter.
- (41) Accessory structures and uses customarily incidental to the permitted uses listed in this section.
- (42) Temporary outdoor sales: The temporary outdoor display and sale of live plants, cut flowers, pumpkins or Christmas trees, which are not part of an otherwise approved open-air business, provided such display or sale is for a period of not more than 60 days per year and is in accordance with section 38-354.
- (43) Other uses similar to the uses listed in this section provided that the business is conducted within completely enclosed buildings.

Sec. 38-353. - Special approval uses.

The following uses may be permitted in the C-2 district by the planning commission after a public hearing and review and subject to the general special approval standards and procedures provided in article IV of this chapter. The parenthetical number (000000) listed by each use is taken from the North American Industry Classification System (NAICS), as published by the U.S. Office of Management and Budget and is intended to provide a general guide of uses intended under each heading.

- (1) Gas or electrical transmission lines as provided in section 38-491.
- (2) Telephone exchange, static transformer stations, gas regulator stations, and other public utility buildings as provided in section 38-499.
- (3) New automobile and truck agency sales and showrooms (441110) and used automobile and truck sales (441120), recreational vehicles (441210), motorcycles (441221), boat dealers (441222) or other motor vehicle sales areas (441229) [other than homeowners' gardening equipment and related] as provided in section 38-518 and section 38-519.
- (4) Open air sale of manufactured and mobile homes, parts, and equipment (453930).
- (5) Taxi service office (485310) and limousine service office (485320).
- (6) Motion picture theaters (512131), and outdoor theaters, including drive-in theaters (512132), except adult motion picture theaters.
- (7) Veterinary and animal clinics (541940).
- (8) Hospitals (622) as provided in section 38-513.
- (9) Community housing services with overnight accommodations (62422) including temporary shelters (624221).
- (10) Sports arenas and sport stadiums (711310), amusement and theme parks (713110), commercial outdoor recreation (713120, 713940, 713950, 713990), except racing (711212).
- (11) Gambling facilities (7132) including casinos (713210) and casino hotels (721120).
- (12) Hotels, motels (721110), and health spas and fitness centers with accommodations (721110), and tourist courts, as provided in section 38-500.
- (13) Repair services not otherwise provided for as permitted uses in this district (811).
- (14) Personal services not previously described as a permitted use in this district (812199).
- (15) Outdoor storage and/or outdoor sales areas.
- (16) Adult businesses (see definitions); including adult bookstores, adult motion picture theaters, adult novelty stores, massage parlors (812199), nude modeling studios, premises for nude entertainment, cabarets, and escort services may be permitted in the C-2, general business districts subject to the following regulations:

Intent. Recognizing that because of their nature, some uses have objectionable operational characteristics, especially when concentrated in small areas, and recognizing that such uses may have a harmful effect on adjacent areas; special regulations of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood.

Regulations.

- a. It shall be unlawful to establish any adult bookstore, adult motion picture theater, massage parlor, nude modeling studio, premises for nude entertainment, cabarets, or escort service except in the C-2 general business district.

- a. No such uses may be permitted in the C-2 district, within 660 feet of any district zoned AG, R-1A, R-1B, R-2, R-3, RM or MHD measured from the lot line of the locations of the proposed use.
- b. No such uses may be permitted in the C-2 district within 660 feet of any church or school measured from the lot line of the location of the proposed use.
- c. Any of the stated uses of subsection (16) of this section shall not be located within a 660-foot radius of any other such use.

(17) Pet care services as provided in section 38-529.

(Ord. No. 211, § 1, 10-16-2013; Ord. No. 212, § 1, 8-19-2015)

Sec. 38-354. - Required conditions.

Required conditions in the C-2 district are as follows:

- (1) Outdoor display of merchandise shall be limited as noted in section 38-324, except for such open-air display uses as are approved by the planning commission.
- (2) Outdoor display of merchandise shall be kept back at least 80 feet from the centerline of all roads.
- (3) Outdoor storage shall be limited to the side or rear yard and totally enclosed with view-obscuring screening as specified by the planning commission based on section 38-614, when adjacent to any residential district or open to public view.
- (4) Retail stores with a gross floor area of 50,000 square feet or more shall be developed in accordance with "Site Development Standards for Planned Shopping Centers" as stated section 38-352(33) of this chapter.

(Ord. No. 211, § 1, 10-16-2013)

Sec. 38-355. - Area, height and placement requirements.

Area, height and placement requirements in the C-2 district are in accordance with the schedule of district regulations, division 12, article III of this chapter.

(Ord. No. 211, § 1, 10-16-2013)

Secs. 38-356—38-380. - Reserved.