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MEMORANDUM

TO: Planning Commission

FROM: Brett Wittenberg, Community Development Director *BCW*
Kelli Furgason, Administrative Assistant II *KF*

SUBJECT: Ordinance Amendment 23-1 Shopping Center Business (BSC) District

DATE: February 28, 2023

Discussion

Staff recently reviewed the permitted uses of the BC (Community Business) and the BSC (Shopping Center Business) zoning districts. Staff has identified an area that it feels needs review and possible amending. Athletic clubs and health spas are allowed by right in the BC district and not allowed at all in the BSC district. Staff is of the opinion that this use is compatible with both districts and as such, should be a permitted use in both districts.

Staff is looking for Planning Commission input on this ordinance amendment in order to move forward.

Staff is looking to:

- Allow athletic clubs and health spas in the BSC (Shopping Center Business) as a use permitted by right.

Next Steps

1. Staff drafts the Ordinance Amendment
2. Possible Receive & Set
3. PC Public Hearing
4. TB Public Hearing

Attachments: Section 3.18 BC (Community Business) and Section 3.19 BSC (Shopping Center Business)

Main Office: 517.668.0270
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1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

A. INTENT

The BC, Community Business district is designed to facilitate the needs of a larger consumer population than is served by the local business districts; and, typically, accommodate those retail and business establishments that serve the community at large rather than localized residential areas as would be served by local business activity.

i **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PERMITTED BY RIGHT USES

The following uses are permitted by right, subject to **Section 4.41**.

1. Retail establishments
2. Personal, professional and business services
3. **Banks, credit unions, and other financial institutions, with drive-through facilities** ^{§4.44}
4. Office building and other public utility services
5. **Restaurants** ^{§4.44}, **with drive-through** ^{§4.44} **facilities** and taverns
6. Colleges, trade schools, dancing and music studios
7. Hospitals ^{§4.44}, medical clinics ^{§4.44} and ambulance services
8. Printing, publishing, photographic reproductions, blue-printing and related trades and arts
9. Building supply and equipment stores
10. Pet shops and pet grooming services
11. Light carting and express services.
12. Monument sales
13. Bicycle and motorcycle sales and service
14. Retail services ^{§4.44}
15. **Aircraft hangers** ^{§4.53}
16. **Public buildings and public service installations** ^{§4.22}
17. **Accessory tower/structure mounted WECS** ^{§4.80}
18. **Wind energy monitoring station** ^{§4.81}
19. **Commercial recreation facilities** ^{§4.54}
20. **Outdoor vehicle sales, service and repair** ^{§4.55}
21. **Motel, motor-hotel, hotel, and transient lodging facilities** ^{§4.56}
22. **Mini-warehousing** ^{§4.57}
23. **Temporary seasonal sales** ^{§4.58}
24. **Construction contracting businesses** ^{§4.59}
25. **Athletic clubs and health spas** ^{§4.47}
26. **Roof and ground mounted communication antennas** ^{§4.10}

B. PERMITTED BY RIGHT USES

27. **Child care centers** ^{§4.31}
28. **Greenhouses and nurseries** ^{§4.12}
29. **Drive-through facilities** ^{§4.44}
30. **Small wind energy conversion systems (WECS)** ^{§4.80}

C. SPECIAL USE PERMIT USES

1. **Servicing and repair of motor vehicles, trailers and boats or equipment** ^{§4.55}
2. **Manufacturing and processing establishments** ^{§4.61}
3. **Freezer locker businesses** ^{§4.62}
4. **Open air uses** ^{§4.60}
5. **Miniature golf and outdoor public amusements** ^{§4.20}
6. **Drive-through facilities** ^{§4.44}
7. **Gasoline service stations** ^{§4.52}
8. **Carwashes** ^{§4.51}
9. **Funeral homes and mortuaries** ^{§4.42}
10. **Bus passenger terminals, taxi garages, and dispatch stations** ^{§4.63}
11. **Firewood sales or storage** ^{§4.64}
12. **Banks, credit unions, and other financial institutions, with drive-through facilities** ^{§4.44} (when adjacent to residential)
13. **Restaurants** ^{§4.44}, **with drive-through** ^{§4.44} **facilities** (when adjacent to residential)
14. **Indoor sport shooting** ^{§4.33}
15. **Mixed use** ^{§3.28} **development**
16. **Donation boxes** ^{§4.78}
17. **Wireless communication towers** ^{§4.11} **and appurtenances**
18. **Animal hospitals and clinics** ^{§4.16}
19. **Drive-in theaters** ^{§4.65}
20. **Excavation of soils and minerals** ^{§4.24}
21. **Extraction of Minerals** ^{§4.24}
22. **Outdoor storage of personal recreation vehicles** ^{§4.57}



D. DEVELOPMENT STANDARDS

Lot Size

Minimum lot area^Δ: 3,750 sq. ft.
 Minimum lot width^Δ: 40 ft.

Lot Coverage^Δ

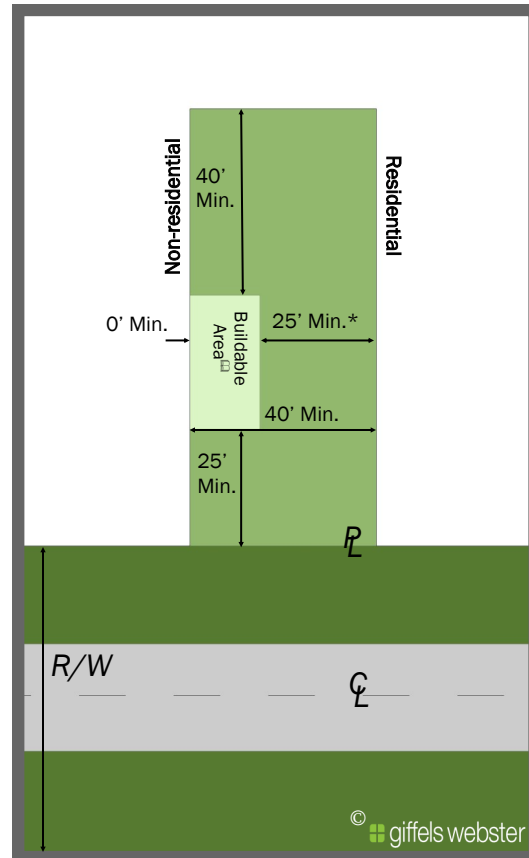
Maximum lot coverage: None specified

Setbacks^Δ

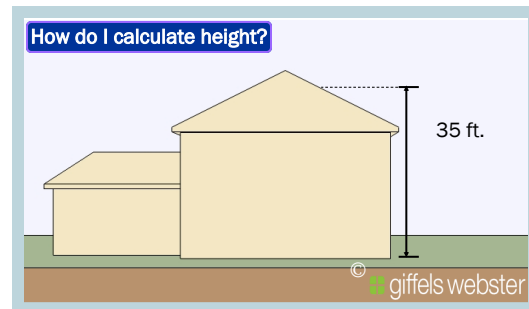
Minimum front yard setback: 25 ft.
 Minimum rear yard setback: 40 ft.
 Minimum side yard setback:
 Abutting residential or street 25 ft.*
 Abutting non-residential 0 ft.

Building Height^Δ

Maximum building height: 35 ft.



Note to District Standards:
 Section 3.32.B.1, 2, 3, 12, 13, 14 and 15



* Yard shall be fenced and/or planted to adequately screen use.

The above drawings are not to scale.

SELECTED REFERENCES

3. Zoning Districts

- [Planned Unit Development](#) §3.27
- [Mixed Use Development](#) §3.28
- [Essential Services; Improvements](#) §3.40

4. Use Standards

- [Uses Specifically Prohibited](#) §4.76

5. Site Standards

- [Accessory Buildings](#) §5.1
- [Performance Standards](#) §5.2
- [Streets, Sidewalks and ...](#) §5.3
- [Signs](#) §5.4
- [Site Lighting](#) §5.5
- [Loading Spaces](#) §5.9
- [Off-Street Parking](#) §5.10
- [Coordinated Access](#) §5.11
- [Landscaping and Buffer Yards](#) §5.12
- [Access to a Street](#) §5.13
- [Required Water Supply...](#) §5.14
- [Fences, Walls, and Screens](#) §5.15
- [Clear Vision Triangle](#) §5.16

6. Development Procedures

- [Site Plan Review...](#) §6.1
- [Earth Change Development Procedures](#) §6.7

Δ Ord. No. 19-2, 21-2



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A. INTENT

The BSC, Shopping Center Business district is intended to provide for and encourage the development of grouped retail sales and service establishments at logical and sound locations within the township. Typically, such planned centers are located on a single unified site and are designed and constructed as an integrated unit for shopping and other business activity.

i **User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PERMITTED BY RIGHT USES

1. **Retail food establishments** §4.49
2. Retail businesses, which supply commodities on the premises
3. Personal service establishments, which perform services on the premises
4. **Banks, credit unions, and other financial institutions, with drive-through facilities** §4.44
5. **Restaurants**, with drive-through facilities §4.44
6. Administrative and professional offices
7. Medical offices of doctors, dentists, and other health professionals.
8. **Public buildings, such as post offices, libraries, or similar public office buildings** §4.22.C
9. **Dry cleaning establishments** §4.50
10. **Child care centers** §4.31
12. **Gasoline service stations** §4.52
13. **Public buildings and public service installations** §4.22.C
14. **Motor vehicle cleaning or carwashes** §4.51
15. **Drive-through facilities** §4.44
16. **Funeral homes and mortuaries** §4.42
17. Banks and other financial corporation offices.
18. Auditorium, assembly and indoor entertainment facilities.
19. **Temporary structures** §4.58
20. **Wireless Communication towers and Appurtenances** §4.11
22. **Accessory tower/structure mounted WECS** §4.80
23. **Wind energy monitoring station** §4.81
24. **Small wind energy conversion systems (WECS)** §4.80

C. SPECIAL USE PERMIT USES

1. **Mixed use development** §3.28
2. **Donation boxes** §4.78
3. **Wireless Communication towers and Appurtenances** §4.11
4. **Large wind energy conversion systems (WECS)** §4.80
5. **Excavation of soils and minerals** §4.24
6. **Extraction of Minerals** §4.24



D. DEVELOPMENT STANDARDS

Lot Size

Minimum lot area^Δ: 5 acres
 Minimum lot width^Δ: None specified

Lot Coverage^Δ

Maximum lot coverage: None specified

Setbacks^Δ

Minimum front yard setback: 40 ft.
 Minimum rear yard setback: Varies*
 Minimum side yard setback: Varies*

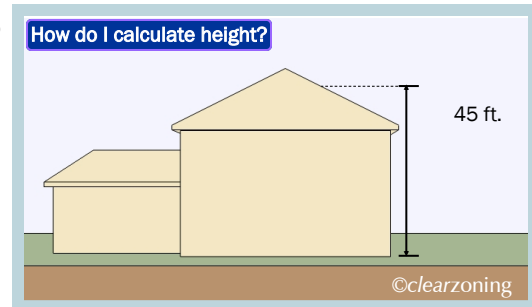
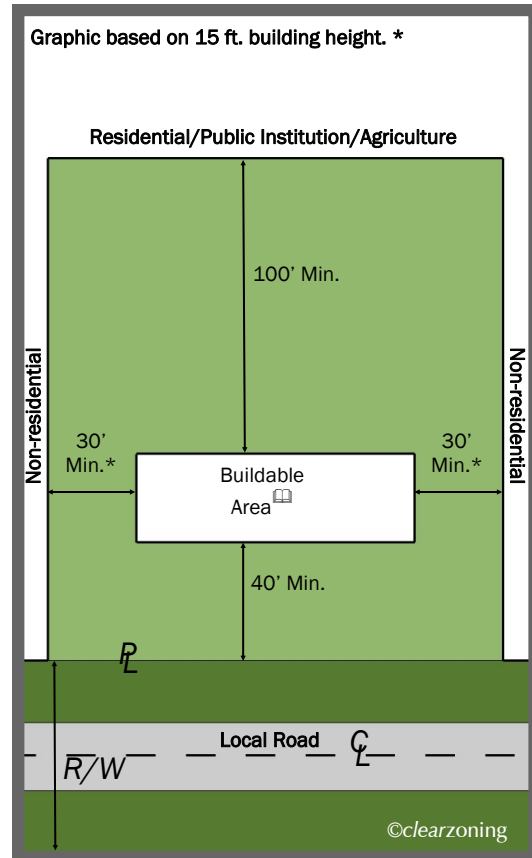
Building Height^Δ

Maximum building height: 45

Note to District Standards:
[Section 3.32.B.1, 2, 3, 12, 13, 14 and 15](#)

*No structure, with the exception of permitted signs, fences, walls and light standards, shall be located closer to any property line of the center than a distance equal to twice its height. When located in or adjacent to an agricultural district, residential district, or when adjacent to a school, hospital, or other public institution, shall include as an integral part of the site development a strip of land 100 feet or more in width on all those sides of the site except on the side fronting a major arterial.

See [Section 3.37 - BSC District Regulations](#)



The above drawings are not to scale.

SELECTED REFERENCES

3. Zoning Districts

- [Planned Unit Development](#) §3.27
- [Mixed Use Development](#) §3.28
- [BSC District Regulations](#) §3.37
- [Essential Services; Improvements](#) §3.40

4. Use Standards

- [Uses Specifically Prohibited](#) §4.76

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