

6.04 B4 General Business District

6.04-1 Intent of District

This district is composed of certain land and structures used to provide for the retailing and wholesaling of goods, to furnish services such as beauty shops, eating places and storage of goods. Under certain conditions it may provide for other uses and services including warehousing, trucking facilities and limited fabrication or processing of goods.

A. Uses By Right

1. Grocery store, meat market, drugstore, bakery, hardware, variety store, household furnishings, appliances, plumbing and heating shops, lumber yard, farm home equipment enterprises, and automotive sales and service.
2. Banks, barber and beauty shops, laundromat, garage, gasoline stations and gas service.
3. Restaurants, bowling alleys, cue parlors, drive-in restaurants, drive-in theaters and funeral homes.
4. Offices, motels and private clubs.
5. Municipal building, meeting halls, churches and lodges.
6. Mixing or blending of products including baked goods candy and ice cream, the canning and preserving of fruits and vegetables and the bottling and packaging of dairy products and soft drinks.
7. Clinics; medical and dental.

B. Accessory Uses

Any accessory use or structure clearly incidental to the operation of the Use By Right.

1. Accessory solar energy systems (Subject to Sec. 7.11-3).

C. Conditional Uses Requiring Planning Commission Authorization

Provided all provisions of Section 7.10 governing application for Conditional Use Permits are fully complied with, the following conditional uses will be permitted:

1. Custom butchering; wholesale and retail, provided any operation in connection therewith shall comply with the requirements of Act 228, P.A. of Michigan 1952 or any amendments thereto.
2. Billboards subject to Article 7, Section 7.06.
3. Tool and die shops, other fabrication of metals or plastics only to the extent of stamping, cutting, extruding or otherwise shaping and assembling processed materials into useful objects.
4. Removal of sand, gravel and rock and including crushing or aggregate screening operations, provided any structure housing power or power producing machinery used in the removal, crushing or screening operations shall be at least four hundred (400) feet distant from any property line.
5. Junkyards used in whole or part for commercial purposes, provided that all storage and operations are conducted within an area either (1) at least 1500 feet from any public or private road or neighboring residential dwelling, or (2) fully screened from the view of persons standing on adjoining roads and the ground level of adjoining properties by natural objects, plantings, fences, or other appropriate means. A plan showing the type and location of such screening shall be approved by the Planning Commission as being in compliance with this screening requirement.
6. Veterinary clinic or kennel for household pets only, provided;
 - a. There are no outside exercise runways or yards, and
 - b. Any structure for such purposes shall be at least two hundred (200) feet from all adjoining property lines.
7. Single family dwellings, provided,
 - a. The lot and yard requirements for dwellings as provided in the RS District are fully complied with,
 - b. Such use will not endanger the safety and welfare of the dwelling occupants,

- c. Such use will not create or threaten undue hardship or inconvenience upon the Uses By-Right in this District.
- d. Such use is applicable only to an owner of a lot or parcel of land of record prior to the adoption of this ordinance.

8. Adult Entertainment

It is the purpose and intent of this section to regulate the location of, but not to exclude, adult bookstores, adult motion picture theaters, adult mini-motion picture theaters and health clubs in the Township by preventing the concentration of these uses in one area. This regulation is done with the understanding that the Township recognizes that there are some uses, which because of their very nature have serious objectionable operational characteristics, particularly if several of them are concentrated under circumstances having a deleterious effect upon adjacent residential and commercial areas. The Township recognizes that regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of a surrounding residential neighborhood.

9. Definitions

- a. Adult Bookstore--means an establishment which has as a significant portion of its stock in trade, books, periodicals, magazines, newspapers, pamphlets, pictures, photographs, motion picture films, and/or videotapes which are distinguished or characterized by their emphasis on matter depicting, describing or relating to nudity, sado-masochistic abuse or sexual conduct.
- b. Adult Motion Picture Theater--means an establishment, whether in a completely enclosed building or not, which offers, for an admission fee, membership fee or other valuable consideration, the viewing of motion pictures, films, pictures or photographs which are distinguished or characterized by their emphasis on nudity, sado-masochistic abuse or sexual conduct.

- c. Adult Mini-Motion Picture Theater--means an enclosed building or any portion of a building which is used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual conduct, nudity or sado-masochistic abuse, by any means of display, including, without limitation, by motion picture, mechanical amusement devices, television (including videotape or closed circuit) or live performance for observation by patrons within.
- d. Nudity--means uncovered or less than opaquely covered post-pubertal human male or female genitals, pubic areas, buttocks or breasts.
- e. Offered for Sale--means offered in exchange for money, membership fee or any other valuable consideration.
- f. Sexual Conduct--means any of the following actual or simulated acts of:
 - 1. Human sexual intercourse, homosexual or heterosexual;
 - 2. Human or animal masturbation;
 - 3. Bestiality;
 - 4. Fellatio;
 - 5. Cunnilingus;
 - 6. Human excretory functions;
 - 7. Homosexuality; or
 - 8. Lesbianism.
- g. Health Club--means any establishment which offers service in the form of massages, baths, exercises or similar services, singly or in combination, to club members or to the public for a charge. The term "health club" does not include:

1. Hospitals, nursing homes, medical clinics, or the offices or quarters of a physician, surgeon, chiropractor or osteopath; or
 2. Exercise clubs exclusively for members or clientele where the services, without massage in any form, are performed by persons of the same sex as the members or clientele; and where the facilities are not utilized by members of both sexes at the same time; or
 3. Barber shops and beauty parlors.
10. Adult Bookstores, Adult motion picture theater, Adult mini-motion picture theaters; health clubs; location. No building or land and no building hereafter erected, converted, or structurally altered shall be used as an adult bookstore, adult motion picture theater, adult mini-motion picture theater or health club within three hundred (300) feet of the property line of any residence, suburban residential district, church or school, nor shall any adult bookstore, adult motion picture theater, adult mini-motion picture theater or health club be located within one thousand (1000) feet of any other establishment known as adult bookstore, adult motion picture theater, adult mini-motion picture theater or health club as herein defined.
11. Bars and taverns.
12. Power Generating Facilities.
13. Large solar energy system (permitted with conditional use approval) (Subject to Sec. 7.11-4).

6.04-3 Lot Area and Yard Requirements

A. Lot Area

No minimum lot area shall be required for Uses By Right or Accessory Use structures other than that required for sanitary, parking and loading facilities.

B. Yards For All Principal Structures

1. Front Yard - Every lot shall be provided with a front yard of not less than forty (40) feet in depth from the highway right-of-way line.
2. Side Yard Widths - No minimum side yard width shall be required except when adjoining any other district or abutting a street, then not less than forty (40) feet.
3. Rear Yard - Every lot shall be provided with a rear yard of not less than twenty-five (25) feet in depth, provided, however, when such lot abuts any RS, AG, or AGOS District it shall have a rear yard of not less than forty (40) feet in depth.

6.04-4 Permitted Signs

The provisions of Article 7, Section 7.06 shall be in full force and effect in this District.

6.04-5 Off-Street Parking and Loading Requirements

The provisions of Article 7, Section 7.07 and 7.08 shall be in full force and effect in this District.

6.04-6 General Requirements

For regulations applicable to all Districts within the Township, see Article 4.

6.04-7 Supplemental Regulations

For other regulations, any exceptions or modifications applicable to this District, see Article 7.

6.04-8 Building Permits

A building permit shall be required for all dwellings, buildings, or structures, incidental to the use of lands in this District.