

ARTICLE X
C-1 COMMERCIAL DISTRICT

Section 10.01 - Intent. The Commercial District is established as a district in which the principal use of land is for mercantile establishments of all types, personal service establishments, eating and drinking establishments, professional and other business offices, offices of governmental institutions (including schools and municipal buildings), churches etc., and all other similar uses that rely upon street/road frontage and site access that accesses on-site parking.

Section 10.02 - Uses Permitted By Right. Land, buildings or structures in this zoning district may be used for the following purposes only:

- A. Retail, personal service and related commercial establishments; retail gasoline sales facilities; restaurants; professional service and other offices; assembly halls of schools, churches and other organizations; financial institutions, including automated teller machines; group homes, including nursing, child and adult foster care facilities not elsewhere regulated; florist and greenhouse commercial businesses; funeral homes; furniture stores; village/township, school and other government buildings; bed & breakfast operations; lodges, fraternal, labor and social organizations, and accessory uses as regulated hereafter.
- B. Other uses when determined to be similar and compatible with the intent of the zoning district by the Planning Commission.
- C. An essential service as defined by this Ordinance.

Section 10.03 - Uses Permitted by Special Use Permit. The following uses are permitted in this district subject to obtaining a special use permit as provided in Article XIX.

- A. Utility transmission facilities not deemed An essential service.
- B. Residential living units when incorporated within the second story of the principal building or structure meeting the minimum room size requirements of the Michigan Construction Code.
- C. Motels, hotels and other lodging facilities, except bed and breakfast operations.
- D. Theaters and any other business offering entertainment of any type.
- E. Any festivals and/or events including, fairs, outdoor dances, temporary displays, circuses and other similar activities including the provision of food and beverages for consumption on premises provided such food operations and facilities meet the requirements of the Berrien County Health Department that are conducted by private businesses or not-for-profit organizations on private (or public property with permission granted by the Village Council) designed to be temporary in nature, that being less than fourteen (14) days in duration.
- F. The outdoor display or sale of any good or products, including agricultural produce.

Section 10.04 - Uses Excluded. No junk yard, recycling operation or business involving livestock, or business likely to create detrimental noise, odors, fumes, radiation or vibration, as determined by the Planning Commission shall be located or operated in this district.

Section 10.05 - Accessory Buildings and Structures . Accessory buildings customarily incidental to uses herein permitted may not be erected, altered or used in this district except in conformity with the yard and lot requirements of this district.

Section 10.06 - Signs Permitted. Signs permitted in the C-1 Commercial District shall conform to the provisions of Article XVIII.

Section 10.07 - Parking Requirements. Off-street parking shall be provided in conformance with Article XVII.

Section 10.08 - Visual Screening Requirements. Every commercial lot or parcel of land that abuts a lot or parcel of land zoned for residential purposes must provide an adequate visual blockage screen between the commercial and residential lot or parcel of land. This visual blockage shall be no less than six (6) feet in height, in accord with Article XVI, Section 16.05.

Section 10.09 - Building Height Regulations. No commercial building or other buildings or structures shall not exceed two and one-half (2½) stories or exceed forty (35) feet in height.

Section 10.10 - Yard, Setback and Lot Area Requirements. No principal or accessory use building or structure, nor any enlargement thereof, shall be hereafter erected except in conformance with the following yard, lot area, and width requirements:

A. Front Yard: There shall be a front yard of no less than thirty-five (35) feet, measured from the edge of the public or private highway or street right-of-way line. Where there are existing buildings or structures having front yards less than thirty-five (35) feet in depth within two hundred (200) feet on either side of the building proposed to be erected, the Zoning Administrator shall approve a setback equal to the average depth of previously constructed buildings located within two hundred (200) feet on either side of the building proposed to be erected.

B. Side Yard: There shall be a side yard so located that the side yard on each side of the building shall not be less than five (5) feet in width measured from the side lot line to nearest point on any part of the structure erected thereon, including the overhang of roof eaves.

Side Yard Public Street Frontage Setback: The side yard shall be not less than twenty (20) feet.

C. Rear Yard: There shall be a rear yard of no less than eight (8) feet, unless altered due to practical difficulties related to the size or configuration of the zoning lot as determined by the Board of Appeals.

Accessory Use Rear Yard: There shall be a rear yard for all accessory use buildings and structures including (e.g. garages, play structures, storage sheds, etc.) of no less than eight (8) feet, unless altered due to practical difficulties related to the size or configuration of the zoning lot as determined by the Board of Appeals.

D. Lot Area: The minimum lot area shall be eight thousand five hundred (8,500) square feet.

C. Lot Width: The minimum width shall be sixty-six (66) feet.

D. Maximum Lot Coverage of All Buildings and Structures: The maximum lot coverage shall not exceed eighty (80) percent.