

CHAPTER 8

Section 8.01 Title: Use Regulations Relating to the "B-1" Village Business District (Chapter amended by Ord. No. 2 of 2001; March 14 2001)

Section 8.02 Intent:

This district is intended to promote a village atmosphere, which is built to human scale to encourage attractive street fronts and connecting pedestrian walkways as a first priority while still accommodating vehicular movement. This district is intended to satisfy the land needs for convenience, specialty and personal service type shops and establishments primarily serving those persons residing in the surrounding residential areas of the Township. The district is not intended for the location of multi-tenant structures which when judged independently would be classified as community wide or regional in scale.

Section 8.03 Uses Permitted By Right:

In the "B-1" Village Business District, no building, structure or premises, shall be erected, altered or used except for one or more of the following uses unless otherwise provided in this Ordinance:

1. Generally recognized retail businesses, which supply commodities on the premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions or hardware.
2. Personal service establishments which perform services on the premises, such as, but not limited to, repair shops (watches, radios, television, shoes, etc.), tailor shops, beauty parlors or barber shops, photographic studios, flower shops and print shops.
4. Business establishments which perform services on the premises, such as, but not limited to, banks, loan companies, insurance offices and real estate offices.
5. Professional services, including offices of medical doctors, dentists, osteopaths and similar or allied professionals.
6. Post offices and similar governmental office buildings, serving persons living in the adjacent residential area.
7. Restaurants, excluding drive-in or drive through service.

8. Publicly and privately-owned parks, parkway and recreation facilities.

9. Churches.

10. Bed and Breakfast establishments.

11. Art gallery and studio

12. Banquet and meeting halls.

13. Music and Dance Academy

14. Accessory structures and uses customarily incidental to the uses permitted in this Section subject to the provisions of Section 4.08.

15. Signs as regulated by the Cascade Charter Township Sign Ordinance and consistent with the design guidelines set forth in the Cascade Village Design Plan. (This subsection amended by Ordinance #4 of 1993)

16. Temporary buildings, structures and uses and essential public services as provided in Section 4.25.

Section 8.04 Uses Permitted By Special Use Permit:

The following uses may be permitted, but are subject to the provisions and conditions outlined in Chapter 17.

1. Any permitted use listed in section 8.03 if all business, service or processing is not conducted wholly within a completely enclosed building, except for automobile parking for customers or employees, off-street loading spaces, outdoor "café" eating areas and signs.
2. Automobile Service Stations, and Mini-Food-Mart Stations related automotive parts repair shops, garages and vehicle wash facilities as also regulated in Section 17.07 (k) and Section 17.07 (q). (This section amended by Ord. #8 of 1993)
3. Dry cleaning establishments or pick-up stations, dealing directly with the consumer. Central dry cleaning plants serving more than one retail outlet are prohibited.
4. Self-service laundries

5. Pet Shops.
6. Child or Adult Day Care Centers.
7. Drive-in service window or drive-through services for businesses, not to include restaurants, as regulated in Section 17.07. (This subsection added by Ordinance #8 of 1993).
8. Other uses which determined by the Planning Commission to be similar to the uses permitted in Section 8.03 hereof and for which a special use permit is issued by the Township. (This subsection added by Ordinance #8 of 1993)
9. Other uses determined by the Planning Commission to be similar to the uses listed in Sections 8.03 and 8.04 hereof. (Section added by Ord. #3 of 2006; 5/10/06).

	One-story	Multiple-story
Single Building	.25 F.A.R	.50 F.A.R
Multiple Building	.30 F.A.R	.60 F.A.R.

5. The maximum floor area for a single building shall not exceed 30,000 square feet. (This subsection was amended by Ordinance #2 of 1994)
6. **Setback Requirements:** These building setbacks have been established for all new development projects as well as additions or modifications to existing buildings in order to create a sense of enclosure. This leads to a more pedestrian oriented street front.

The following schedule (8-A) sets forth the minimum and maximum building setback lines for the B-1 Zoning District:

Schedule 8-A

	Minimum	Maximum
Front Yard		
ArterialT	25	40
CollectorT	15	25
LocalT	10	20
Side Yard	10	-
Rear Yard	50 [see also Section 18.13(4)]	

T See Appendix A (major street plan) in Zoning Ordinance.

Section 8.05 Additional Conditions:

1. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced, with the exception that food produced as part of a catering operation may be delivered off premises.
2. The Township shall have the ability to require sidewalks in the B-1 district to be constructed at a width determined by their intended function.
3. Sidewalks shall be allowed to wander around trees and other fixed objects, without being overly rigid in placement.
4. Any lighting proposed along the street as part of the development shall be consistent with the existing streetlights already in the village.
5. The Township may require that important landmark places and areas that preserve important views and vegetation remain. As shown in the Village Design Plan Exhibit 2.

Section 8.06. Site Development Standards

(This section added by Ordinance #4 of 1993)

1. Minimum Lot Area - 20,000 square feet
2. Minimum Lot Width - 100 feet
3. Maximum Height – 2 stories or 25 feet whichever is the lessor
4. Maximum net floor area:

Section 8.07 Parking Area Location and Screening:

All new, or expansion of existing, parking area in the B-1 district constructed after the effective date of this ordinance shall not be located within the front yard area. Any business or property owner who has parking in the front yard area as of the effective date of this ordinance shall be considered lawful non-conforming.

In the event that the site requires Township approval under the conditions of this Ordinance, the following screening shall apply:

Existing parking lots located in the front yard shall be required to be screened from view, in addition to the requirements of the landscaping section of the zoning ordinance, by one of the architectural/ landscape designs described in this section. The Planning Commission may waive the screening requirement when in its opinion the intent of this section has already been met. The reasons for the waiver would include but need not be limited to, existing landscaping/screening, the topography of the site, not adjacent to, or in the view of any sidewalk or pedestrian path, type of business, etc.

Architectural/ landscape designs

- a. Type I – Walls and similar structures used as a screening element shall be constructed of permanent, low maintenance materials such as brick or concrete. These walls shall not be less than 36 inches nor greater than 48 inches in height. (See Figure 1)

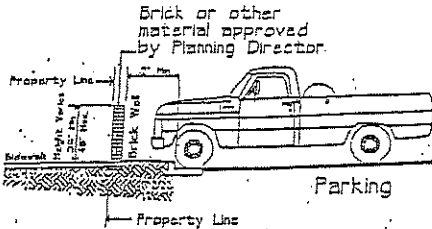


Figure 1

- b. Type II – A decorative fence may be installed at the property line if used in conjunction with a landscape screen. The fencing shall be constructed of painted decorative elements between 36 and 48 inches in height. Wrought iron or similar fencing is preferred. Chain link fencing shall be prohibited. (See Figure 2)

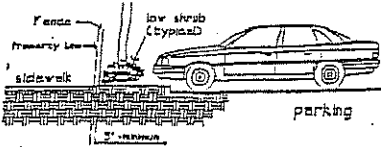


Figure 2

- c. Type III – A minimum of a 5 foot wide landscape screen, consisting of hedges, shrubbery, or other planted materials having a minimum of 3 feet when planted and maintained to form a visual screen of 4 feet minimum height with 80 percent summer opacity within 2 years after time of planting. (See Figure 3)

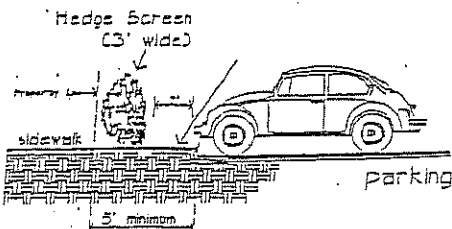


Figure 3

All new buildings and structures shall be so designed to incorporate the following architectural design features:

1. The principal façade and front entry of the building shall face the street.
2. Pedestrian connection to front and rear entrances shall be provided.
3. Storefronts shall be directly accessible from the sidewalks or walkways.
4. At least 90% of the exterior finish material on all facades that face a street or connecting walkway shall be limited to the following: glass; brick; stone; stucco; or wood.
5. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty 30 feet without including at least 2 of the following: change in plane, change in texture or masonry pattern, windows, or an equivalent element that subdivides the wall into human scale proportions.
6. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades shall be prohibited.
7. Each storefront must have display windows on the street side, between one and eight feet from the ground.
8. The primary colors of the buildings exterior shall be compatible with the colors of the adjacent buildings and in character with those in the surrounding area.
9. Facades that face the street or connecting pedestrian frontage shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, etc. along no less than 50 percent of the façade.
10. Roofs shall be so designed to include a pitched roof. Roof shapes such as: gable, hip or gambrel are considered appropriate. The use of a metal is appropriate provided it has a dull finish. Roof styles normally considered inappropriate include shed, flat and mansard style roofs.
11. Exterior materials must project a traditional building appearance. The exterior shall be constructed using horizontal wood siding, wood, stone, brick, brick veneer or masonry. The use of vinyl or aluminum siding is acceptable provided it simulates the appearance of horizontal wood siding.
12. Outside dining tables and “café” style eating areas are permitted.
13. Porches that are constructed should be large enough to be used as a gathering place.

Section 8.08 Building Design:

- 14. Chain link fence shall be prohibited.
- 15. Dumpsters shall be located in the rear yard or side yard and must be screened. These facilities shall be enclosed with a solid fence or wall six (6) feet high with solid doors having sufficient truck access for dumpster service.

The requirements contained in Section 8.08 above, shall apply to the entire building, including any addition, when any of the following conditions are met:

- a) A proposed exterior addition or expansion has a project construction valuation* of \$60,000 or more.
- b) The project involves a change in the use of the building or property which results in the remodeling or reconstruction of the existing building and has a project valuation* of \$60,000 or more.
- c) A proposed exterior addition or expansion increases the size of the building or structure by at least 25 percent of the existing size of the building or structure at the effective date of this amendment.

**Project construction valuation shall be based upon the Square Foot Construction Cost Table, as administered by The Cascade Charter Township Building and Inspections Department and adopted by the Cascade Charter Township Board. The amount of the project valuation shall be increased each year by the same percent as set by the Consumer Price Index (CPI).*

Section 8.09 The Village Design Review Committee:

The Village Design Review Committee (VDRC) is a Township Board appointed committee made up of 5 Cascade Township citizens. The VDRC shall be made up of at least one member of the Township Board, Planning Commission, DDA and Zoning Board of Appeals.

The purpose of the VDRC is to foster a working partnership between property owners, developer and the Township in achieving the objectives/intent of the

B-1 zoning district. This committee may recommend to the Planning Commission departures from section 8.08 of this chapter of the Zoning Ordinance, which may, on occasion, work against the overall objectives of this chapter. When considering a variation which has been recommended by the VDRC, the Planning Commission shall consider the following: the impact the modification has on future and existing development; the benefit to the community the modification will have; and the public purpose to be served by permitting the modification.

Section 8.10 Village Design Review Committee procedure:

The applicant shall submit at least 6 copies of the site plan together with all other related detail showing what items he/she would like to be considered for a modification from Section 8.08 of this chapter.

Once an applicant has submitted a complete application for review The Township Planner shall call a meeting of the VDRC within 10 days. The VDRC shall consider the application and give its recommendation to the Planning Commission or Township Board at this meeting.

Although project review by the VDRC is mandatory for all projects that are requesting modifications from Section 8.08 of this chapter, compliance with the recommendations is voluntary.

A quorum shall consist of three members of the VDRC and is required to render a recommendation. A concurring vote of three members of the VDRC is required to render any recommendation to the Planning Commission or Township Board. The Township Planner shall communicate to the Planning Commission or Township Board and applicant the recommendations of the VDRC.

Section 8.11 Site Plan Review:

A site plan shall be required for all uses permitted in this zoning district according to the requirements of Chapter 21 of this Ordinance.