

ARTICLE 13. C-3 GENERAL BUSINESS DISTRICT

SECTION 13.00. INTENT.

The C-3 General Business District is designed to provide for a wide diversity of business activities which are predominantly but not necessarily totally retail in character. In addition to retail uses, a number of other activities, usually requiring considerable land area and access to major thoroughfares, are permitted. Uses in this district normally must have good automobile accessibility, but should not cause congestion on adjacent thoroughfares.

SECTION 13.01. PERMITTED USES.

The following uses shall be permitted, provided that all business, servicing or processing (except for off-street parking or loading) shall be conducted within a completely enclosed building, except as otherwise provided herein; that all businesses shall be of a retail and service nature dealing directly with consumers; and that all goods produced on the premises shall be sold as retail on the same premises:

- A. Any one or more of the permitted uses in section 12.01 of the C-2 district, except as otherwise provided herein;
- B. Veterinary offices and clinics provided the conditions enumerated in the C-1 district, section 11.02.A. are satisfied. Planning Commission permission is not required;
- C. Building materials, hardware and garden supplies. Outdoor storage is prohibited;
- D. New and used passenger vehicle dealers (but excluding dealers of farm machinery and equipment, construction machinery and equipment and tractors, trailers and similar industrial and commercial vehicles and equipment) on parcels containing a minimum of five acres;
- E. Eating and drinking establishments, (including outdoor eating areas and catering if accessory to a principally permitted use), banquet facilities and fast-food restaurants. Fast-food restaurants shall be subject to the requirements of section 12.02(D)(1), (3),(4), (5), (7), (8) and (9);
- F. Hotels and motels;
- G. Mortuaries, as permitted and regulated in the O-2 District (section 9.02(G));
- H. Rental of tools and household goods;
- I. Large appliance repair;
- J. Automotive supply;
- K. Automotive rental;
- L. Essential services needed to serve the immediate vicinity, provided that appropriate screening, as determined by the Planning Department, shall be required when abutting single family dwellings;
- M. Other similar uses as determined by the Zoning Official.

(Ord. No. 278-E, § 9, 7-30-90; Ord. No. 278-O, § 7, 9-5-95; Ord. No. 278-Y, §§ 16-18, 5-16-00; Ord. No. 278-AA, §§ 2, 3, § 3-20-01)

SECTION 13.02. SPECIAL APPROVAL LAND USE.

The following uses and others similar to those cited in this article may be permitted by the Planning Commission subject to the general standards of section 25.02 and the specific standards imposed for

each use:

A. New passenger vehicle dealers (on parcels containing less than five acres) and outdoor sales lots for the sale of used automobiles, subject to the following:

1. The lot or area shall be provided and maintained with a permanent durable and dustless surface constructed of either asphalt or concrete and shall be so graded and drained as to dispose within the site of all surface water accumulated within the area;
2. The location of the site shall be upon a street with a right-of-way of at least 120 feet (existing or proposed) and shall contain no fewer than 40,000 square feet;
3. Such use shall be located no closer than 500 feet from any single family zoning district;
4. Ingress and egress points shall be located at least 60 feet from the intersection of any two streets and shall be determined by the Engineering Department of the City of Sterling Heights;
5. No vehicle repair, bumping, painting or refinishing shall be done on the lot site. Cleaning and refurbishing of vehicles or units shall be permitted if done completely within an enclosed building;
6. If such a use abuts a street of less than 120 feet of right-of-way located abutting an R district, a berm and landscaping in the front yard on such street shall be provided to screen all outdoor facilities, including storage and display areas from adjacent residential property. In addition, all other areas of the site shall be landscaped in accordance with the landscaping requirements contained in section 24.02 of this ordinance;
7. Devices for the transmission or broadcasting of voices and or music shall be prohibited;
8. Display areas, storage areas and all other vehicle parking contained on the site shall comply with the parking design and layout requirements of section 23.03 of this ordinance;

B. Businesses of a drive-in nature but not including outdoor theaters, subject to the following:

1. All buildings shall observe the front or street-side setbacks as specified in section 13.04, area, height and bulk requirements, plus 25 feet;
2. Ingress and egress points shall be located at least 60 feet from the intersection of any two streets and shall be determined by the Engineering Department of the City of Sterling Heights;
3. The entire site other than that area occupied by buildings and/or structures shall be landscaped or provided with a permanent, durable and dustless surface constructed of either asphalt or concrete. The site shall be landscaped and maintained in accordance with the standards and specifications of article 24. In addition, the site shall be graded and drained, hardsurfaced and maintained in accordance with the standards and specifications of the Engineering Department of the City of Sterling Heights;
4. Devices for the transmission or broadcasting of voices shall be so directed or muffled as to prevent said sounds or music from being audible beyond the boundaries of the site;
5. All driveway approaches, road drainage, curbs and curb cuts shall meet the requirements of the City of Sterling Heights or of other agencies having jurisdiction thereof;
6. All adjacent side yards shall be zoned for business use;

C. The following open air business use, subject to the conditions enumerated:

1. Retail sales of plant materials not grown on the site and sale of lawn furniture, playground equipment, boats and home, garden or building supplies, when located in excess of 300 feet of the intersection of major thoroughfares;

D. Bowling alleys, tennis houses, racquetball facilities and similar forms of indoor commercial recreation, provided that no such use within the building shall be located within 100 feet of any residential district;

E. Gasoline service stations other than gasoline self-service stations subject to the following:

1. The site for the gasoline service station shall have 160 feet of frontage on the principal street serving the station;

2. The site shall contain an area of not less than 24,000 square feet;

3. All buildings shall observe front or street-side setbacks as specified in section 13.04, area, height and bulk requirements, plus 15 feet. For purposes of this section, canopies, gasoline pumps and pump islands shall not be considered buildings but shall observe the setbacks of this article;

4. Curbs, curb cuts, driveway widths (and) acceleration or deceleration lanes shall meet the requirements of the City of Sterling Heights or other agencies leaving jurisdiction thereof;

5. Storage of vehicles awaiting repair shall be limited to no more than five such vehicles for each repair bay. In no case shall vehicles be stored for a period in excess of 15 days;

6. In order to facilitate safe pedestrian circulation and safety, no parking or standing of customer vehicles shall be permitted in the area immediately adjacent to any customer entrance or payment window;

F. Gasoline self-service stations, subject to the following:

1. The site for the gasoline self-service station shall have 150 feet of frontage on the principal street serving the station;

2. The site shall contain an area of not less than 21,000 square feet;

3. All buildings shall observe front or street-side setbacks as specified in section 13.04, height and public requirements, plus 15 feet. For purposes of this section, canopies, gasoline pumps and pump islands shall not be considered buildings, but shall observe the setbacks of this article;

4. Curbs, curb cuts, driveway widths and acceleration or deceleration lanes shall meet the requirements of the City of Sterling Heights or other agencies having jurisdiction thereof;

5. In order to facilitate safe pedestrian circulation and safety, no parking or standing of customer vehicles shall be permitted in the area immediately adjacent to any customer entrance or payment window;

G. Amusement device centers located in an enclosed mall area of a shopping center containing a gross floor area of not less than 400,000 square feet, subject to the following:

1. All such uses shall have public access only from the interior mall pedestrian areas;

2. Adequate on-site security for the shopping center mall shall be provided;

3. Noise associated with the use shall be confined within the tenant space so as to not constitute a nuisance to adjoining or nearby tenants;

4. Such uses shall be conducted in accordance with all applicable provisions of the City Code;

H. Amusement device centers located in an unenclosed shopping center or planned center development with a gross floor area in excess of 20,000 square feet, subject to the following conditions:

1. The days and hours of operation of an amusement device center may be limited by the Planning Commission based on the size and nature of the operation, proximity to surrounding

residential properties, and the standards of Section 25.02;

2. All patron entrances shall be located at least 500 feet from the nearest applicable property line of any school, playground, or public park;

3. All patron entrances shall be located at least 200 feet from any residential district measured by the shortest walking distance between the patron door and the zoning district line;

4. No amusement device center shall be located within 1,000 feet of any existing amusement device center measured from the nearest applicable walls or leasable space of each center;

5. There shall be adequate provision for the parking of bicycles, in accordance with the bicycle rack requirements set forth elsewhere in this Zoning Ordinance, for the center or development in which the amusement device center is proposed to be located;

6. The building or part of the building devoted to the use shall be designed and constructed such that no audible sound may be heard by adjoining tenants or at the lot line;

7. Such use shall be conducted in accordance with all applicable provisions of the City Code;

I. Automobile service centers, subject to the following conditions:

1. All repair and service activities shall be confined to the interior of the building;

2. No outdoor storage is permitted;

3. An adequate means of waste disposal shall be provided;

4. Adequate measures shall be taken to ensure that any noise, dust, smoke, odor, fumes or other negative environmental impacts are confined to the site;

J. Self storage facilities used to provide temporary storage needs for businesses, apartment dwellers and other individuals on a self-serve basis, subject to the following:

1. The minimum size of the site devoted entirely to such use shall be not less than seven acres;

2. Such use shall (except for frontage on a major thoroughfare of 120 feet in width or greater) abut C-3 zoned property on at least two sides or residentially zoned property on one side with all remaining sides C-3;

3. All ingress and egress from the site shall be directly onto a major thoroughfare having a right-of-way equal to, or greater than, 120 feet as indicated on the city's Master Road Plan;

4. No storage of combustible or flammable liquids, combustible fibers or explosive materials as defined in the Fire Prevention Code or toxic materials shall be permitted within the self-storage buildings or upon the premises;

5. No storage outside of the self-storage buildings shall be permitted. Storage of rental trucks, specifically intended to serve individuals and businesses, shall be permitted up to a maximum of five. Parking of such vehicles shall be in an area designated on the site which is screened and not visible from residential or office zoned properties or a public thoroughfare;

6. Except as provided herein, the use of the premises shall be limited to storage only and shall not be used for operating any other business, 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 as hereinbefore set forth;

7. Screening shall be provided, as specified in section 24.01;

8. A security manager shall be permitted to reside on the premises to the extent required by such use;

9. The site shall be graded, drained, hard-surfaced and maintained in accordance with the standards and specifications of the Engineering Department of the City of Sterling Heights;

10. Limited retail sales to tenants of products and supplies incidental to the principal use, such as parking materials, packing labels, tape, rope, protective covers and locks and chains shall be permitted on the site devoted to this use;

11. Access to the self-service storage facility premises shall be restricted to tenants only, by means of entrance-controlled devices;

12. No building or structure shall be located closer than 150 feet from any abutting residential property;

13. The use of barbed wire fence shall not be permitted;

K. Miniature golf and golf driving ranges, subject to the following:

1. Such uses shall only abut nonresidentially zoned properties;

2. Devices for the transmission of broadcasting of voices or music shall be so directed or muffled in order to prevent said sound or music from being audible beyond the boundaries of the site;

3. All lighting shall be directed away from public streets and abutting uses;

L. Automobile wash establishments, subject to the following:

1. The site and use shall be located on a major thoroughfare having a right-of-way equal to or greater than 120 feet as shown on the Master Road Plan;

2. Adequate measures shall be taken to ensure that any noise, dust, smoke, odor, fumes, lighting or other negative environmental impacts are confined to the site;

3. Such use shall (except for frontage on a major thoroughfare of 120 feet in width or greater) abut non-residentially zoned property on at least two sides;

M. Public utilities, as regulated by section 3.02(I). Wireless communication towers, antennas and related facilities shall be further subject to the provisions of section 28.18;

N. Gasoline service stations (including self-service stations) and automobile wash establishments, subject to the following:

1. The site for the gasoline service station shall have 190 feet of frontage on the principal street serving the station and car wash;

2. The site shall contain an area of not less than 30,000 square feet;

3. In order to facilitate safe pedestrian circulation and safety, there shall be a minimum distance of 24 feet between the principal building and any pump island. In addition, no parking or standing of customer vehicles shall be permitted immediately adjacent to any customer entrance or payment window;

4. All buildings shall observe front or street-side setbacks as specified in section 13.04, area, height and bulk requirements, plus 15 feet. For purposes of this section, canopies, gasoline pumps and pump islands shall not be considered buildings, but shall observe the setbacks of this article;

5. Curbs, curb cuts, driveway widths and acceleration or deceleration lanes shall meet the requirements of the City of Sterling Heights or other agencies having jurisdiction thereof;

6. Storage of vehicles awaiting repair shall be limited to no more than five such vehicles for each repair bay. In no case shall vehicles be stored for a period in excess of 15 days;

7. All car washing activities shall be carried on within a building. Vacuuming activities shall be permitted in the side or rear yard only. Self-service vacuum operations shall be located in an area to encourage use after the vehicle is washed to provide more drip time before the vehicle exits the site;

8. All vacuuming areas, stacking lanes and exit aprons shall be separate from the station itself. No less than four stacking spaces shall be provided for each car wash facility;

9. A minimum distance of 100 feet shall be maintained between the exit door of the wash structure to the nearest exit drive approach of the principal street serving the car wash to permit adequate time for excess water to drip off of the vehicle. Additional measures, including the installation of a sloping heated concrete exit ramp of at least 20 feet in length, a trench drain system and an automated mechanical dryer at the exit of the wash cycle shall be installed to limit icing conditions and water run off;

10. All automatic car wash facilities must be equipped with at least one video monitor system, with cameras located in such a manner as to provide a complete and unobstructed view of the vehicle at all times within the wash facility. The monitors must be located in an area easily viewed by the facility employees;

O. Dance halls, subject to the following:

1. The site and use shall be located on a major thoroughfare having a right-of-way equal to or greater than 120 feet as shown on the Master Road Plan;

2. The use shall be setback at least 100 feet from any property line abutting a residentially zoned district;

3. Adequate measures shall be taken to ensure that any noise, lighting and all other negative impacts are confined to the site.

P. Banquet and event facilities, subject to the following:

1. The use shall be located in a freestanding building.

2. The site shall be located upon a major thoroughfare having an existing or proposed right-of-way of at least 86 feet, as indicated on the Master Road Plan.

3. Any open air area where patrons of the banquet facility may congregate shall not face any property used for or zoned for residential use.

4. The banquet and event facility shall be operated in compliance with all applicable provisions of the City Code.

5. The City Planner may require the installation of additional landscaping, screening, or other devices or materials designed to contain noise, light, and or other impacts that are anticipated to extend beyond the property line of the site and/or to provide separation from abutting parking and maneuvering areas.

(Ord. No. 278-A, § 26, 4-17-90; Ord. No. 278-G, §§ 6-10, 9-18-90; Ord. No. 278-O, §§ 8, 9, 9-5-95; Ord. No. 278-Y, §§ 19, 20, 5-16-00; Ord. No. 278-AA, § 4, 3-20-01; Ord. No. 278-AAA, § 4, 5-3-17; Ord. No. 278-BBB, § 4, 7-18-17)

SECTION 13.03. ACCESSORY USES PERMITTED.

The following accessory uses may be permitted:

A. Accessory buildings and uses incidental to the principal permitted uses enumerated in sections 13.01 and 13.02 are permitted.

B. Amusement devices shall be permitted as provided in section 28.01.

C. Accessory banquet or event uses, provided that such uses are conducted in accordance with all applicable provisions of the City Code, and provided further that the City Planner may require the installation of additional landscaping, screening, or other devices or materials designed to contain noise, light, and or other impacts that are anticipated to extend beyond the property line of the site and/or to provide separation from abutting parking and maneuvering areas.

(Ord. No. 278-BBB, § 5, 7-18-17)

SECTION 13.04. AREA, HEIGHT AND BULK REQUIREMENTS.

A. The minimum size of each lot per building:

1. Area: 0,000 square feet.
2. Width: 100 feet.

B. Maximum height of any structure:

1. In stories: 2.
2. In feet: 30.

(Except as otherwise permitted in section 13.04(D)).

C. Minimum yard setback per lot:

1. Front yard street-side setbacks shall be measured from the centerline of each road right-of-way (R.O.W.) in accordance with the city's Master Road Plan, as follows:

Distance from the centerline:

- a. Regional (204' R.O.W.): 137 feet.
- b. Regional (150' R.O.W.): 110 feet.
- c. Major: 95 feet.
- d. Secondary: 78 feet.
- e. Collector: 70 feet.
- f. Local: 65 feet.
- g. Cul-de-sac: 95-foot radius.
- h. Freeway: 35 feet.*
- i. Private roads: 35 feet.**

* Freeways shall be measured from the established right-of-way line.

** In the case of private roads, the front yard setback shall be measured from the road easement or common usage line abutting the subject lot.

Parking shall not be permitted in the required front yard, except where the majority of lots are located in commercial platted subdivisions where the lot abuts private roads and/or public roads with a right-of-way equal to or less than 86 feet as shown on the Master Road Plan, and provided further that adequate access to the building for firefighting and emergency equipment is available. In those instances, parking shall be permitted to encroach not more than 20 feet into the required front yard setback measured from the required front building setback line. If the existing right-of-way is greater than that shown on the Master Road Plan, the front yard setback (or street-side setback) as measured

from the centerline of the right-of-way shall be equal to one-half of the actual right-of-way of the street, plus 35 feet for all classes of roads.

2. Side: 5 feet. If walls or structures facing such interior side lot lines contain windows or other openings, side yards or not less than 15 feet shall be provided. In addition, when a side yard lot line of the property abuts property zoned for residential purposes, the building shall be set back no less than 50 feet from the side lot line abutting the residential district.

3. Rear: 35 feet; however, not within 75 feet of any residential district.

D. The following conditions shall be applied to a building site with frontage on a major thoroughfare (120 feet of right-of-way) where said building exceeds 30 feet in height or two stories:

1. Minimum yard setback in feet:

a. Front: the building shall observe the front yard setback specified in C-1, plus 15 feet, plus the height of each level of the building which exceeds 30 feet measured from the nearest point of each level to the property line. The first 50 feet shall be landscaped and maintained in a neat and orderly condition. No parking shall be permitted in the 50 foot required yard;

b. Side: 20 feet, plus the height of each level to the property which exceeds 30 feet measured from the nearest point of each level to the property line. Side abutting a residential district: 100 feet, plus the height of each level of the building which exceeds 30 feet measured from the nearest point of each level to the property line;

c. Rear: 50 feet, plus the height of each level of the building which exceeds 30 feet measured from the nearest point of each level to the property line. Rear abutting a residential district: 100 feet, plus the height of each level of the building which exceeds 30 feet measured from the nearest point of each level to the property line.

2. Maximum percentage of site coverage shall be 35%, including accessory building.

3. Landscaped areas shall not be less than 15% of a total building site.

E. Maximum lot coverage: the maximum lot coverage shall be governed by meeting all requirements for yard spaces, landscaping, off-street parking and loading.

(Ord. No. 278-A, § 27, 4-17-90; Ord. No. 278-O, § 10, 9-5-95; Ord. No. 278-CC, § 5, 6-3-03; Ord. No. 278-JJ, §§ 4, 5, 3-4-08)

SECTION 13.05. STRUCTURE AND SITE REQUIREMENTS.

A. The exterior of all buildings hereafter erected shall be constructed of brick and/or stone building materials or other similar durable, decorative building materials as may be approved by the Planning Department, subject to any additional requirements set forth in section 26.01, paragraph H. The architecture and exterior finish of any building shall be complementary and compatible in style and be of uniform finish on all sides of its exterior.

B. All portions of the site not used for parking, driveways and buildings shall be provided with a lawn or landscaping (see section 24.02, environmental provisions) approved by the Planning Department and so maintained in an attractive condition.

C. Roof-mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site (section 24.04).

D. Once a building line has been established by the construction of a principal building upon an approved site, no other principal building or use shall be located between the established building line and the front lot line (or side lot line abutting a side street) without first obtaining approval of the Planning Commission. The Planning Commission shall review the building and/or use proposed to be

located in front of the established building to determine whether the building or use is of such location, size and character to be in harmony with the appropriate and orderly development of the balance of the site, is not detrimental to the development of adjacent uses, does not create any vehicular or pedestrian hazards and is aesthetically compatible with the buildings and uses located upon the site. Landscaping plans, site plans (including signs and the location of dumpsters) and elevations of all sides of any building to be constructed shall be submitted to enable the Planning Commission to determine whether the proposed additional building and/or use conforms with the requirements of this section. All dumpsters shall be screened from visibility from any area visible to the public by use of a wall constructed of the same material as the building walls to ensure aesthetic compatibility. In reviewing this request, the Planning Commission shall apply the standards contained herein and in section 25.02 and may impose reasonable conditions as authorized by section 25.03(D) to ensure that the standards are satisfied.

E. Loading shall be provided only in rear yards. Side yard loading may be permitted by the Planning Department when such space and loading facilities do not interfere with parking and circulation, either vehicular or pedestrian.

(Ord. No. 278-A, § 28, 4-17-90; Ord. No. 278-OO, § 6, 8-5-09)