

## ARTICLE 14

### GC, GENERAL COMMERCIAL DISTRICT

This Article was amended in its entirety replacing Article 14 which had been amended on 5-4-2013 with Ordinance No. 2013-2.  
Effective 2-1-2016 Ord. No. 2016-2

Updated 3-14-2022

#### Sec. 14.01. DESCRIPTION AND PURPOSE.

The General Commercial (GC) District is intended to provide for a wide variety of retail, office and service uses which can serve the shopping needs of the resident of Allendale Township and passing traffic. Essentially this zone combines the C-1 and C-2 zoning districts as recommended by the Township Master Plan due to the similarities in development standards, permitted uses and their existing and future locations along Lake Michigan Drive. Regulations are designed to encourage and facilitate the development of sound and efficient shopping and business activities.

#### Sec. 14.02. PERMITTED USES

Land and/or buildings in the GC District may be used for the following purposes by right:

- A. Any generally recognized retail business that supplies commodities on the premises within a completely enclosed building.
- B. Personal service establishments conducting services on the premises, such as barber and beauty shops, shoe repair, tailoring and dry cleaning, health and fitness establishments, and other similar uses.
- C. Office uses.
- D. Medical, optical, dental, chiropractic, physical therapy and similar clinics and services.
- E. Banks, credit unions, and similar financial businesses, including those with drive-through facilities.
- F. Restaurants, delicatessens, coffee houses including sit-down and carryout establishments excluding those with drive in or with drive through facilities.
  1. Outdoor dining is permitted where such dining does not encroach upon a minimum of five feet of unobstructed sidewalk space adjacent to the curb.
  2. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers provided they do not exceed a height of thirty-six (36) inches including plan material.
  3. The minimum lot size is one acre with a minimum of 200 feet of lot width.
  4. Any outdoor dining activity proposed for a public side walk or elsewhere in a road right of way must first be approved by the Allendale Charter Township Board. *(Ord. 2018-6, Eff. 7-1-2018)*
- G. Coin operated laundries.
- H. Dancing, art and music studios.
- I. Libraries, museums, public parks and similar public uses.
- J. Pharmacies including those with a drive-up window.
- K. Catering establishments.
- L. Retail building supply and equipment stores provided there is no outdoor storage or display of merchandise.
- M. Retail nurseries and garden centers provided there is no outdoor storage or display of merchandise.
- N. Pet shop including grooming services.

- O. Establishments serving alcoholic beverages including establishments which make and sell their own alcoholic beverages on site. Live music is permitted subject to any applicable State of Michigan regulations.
- P. Veterinary clinics without Kennel services except for outdoor runs, which shall be used only when an employee is present with the dogs or dogs.  
*(Ord. 2020-2, Eff. 3-30-2020)*
- Q. Shops or stores for carrying on the trade of electricians, decorators, painters, upholsterers, photographers, similar artisans except metal workers.
- R. Ambulance service establishments.
- S. Funeral home/Mortuary.
- T. The repair or assembly of products sold by a permitted use in this district provided the repair or assembly does not constitute the principal use and all such work is performed inside. Repair of motorized vehicles is prohibited as a permitted use.
- U. Indoor recreation establishments and facilities such as bowling alleys, video gaming establishments, skating rinks, indoor rock climbing, theaters, swimming pools, auditoriums and other similar indoor recreation uses as may be regulated by Section 23.10 herein excepting those indoor recreation uses which are specifically listed elsewhere in this Ordinance.
- V. Utility and public service buildings including fire and police stations without storage yards.
- W. Dwelling units may be permitted as an accessory use within a building of two stories or greater subject to the following conditions:
  - 1. A dwelling unit shall not be located on the ground floor or in a basement.

- 2. The dwelling unit shall comply with the minimum floor area requirements of the R-4 zoning district.
- 3. Access to a dwelling unit shall be separate from the access used by the business located in the same building.
- 4. One off-street parking space per bedroom in addition to the requirements for the principal use shall be provided onsite in accordance with the applicable requirements of Article 21 herein.
- 5. A building permit shall be obtained to establish a dwelling unit in order to ensure compliance with the requirements of this section and also with the Township building and fire code and the requirements of the Ottawa County Health Department. The entire building containing the dwelling unit shall also comply with or shall be brought into compliance with the Township Building and fire code before an occupancy permit is issued for the dwelling.

**Sec. 14.03 USES REQUIRING SPECIAL APPROVAL**

The following uses may be authorized by the Planning Commission subject to the procedures and standards established for special use permits in Article 20 of this Ordinance.

- A. Vehicle wash establishments both drive through and self-serve if per Section 23.03.E
- B. Vehicle repair shop or garage which performs minor and major such services as tire sales and installation; oil changes; brake, shocks and exhaust work; engine analysis and tune-ups; front end alignments; heating and air conditioning repair, collision and painting work and

- similar vehicle repair services per Section 23.03.B.
- C. Open air businesses including but not limited to: the sale of motor vehicles, farm implements, lawn and garden equipment sales and service, motor homes, mobile homes, mobile or modular homes, including building materials, supplies, and similar uses.
- D. Restaurants with drive through facilities. Outdoor dining is permitted per Section 14.02.F.
1. The minimum lot size is one acre with a minimum of 200 feet of lot width.
  2. Waiting areas for any terminal or intercom system shall be sufficient to assure that roads, sidewalks, or other public access routes will not be obstructed by waiting automobiles at any time.  
(Ord. 2018-6, Eff. 7-1-2018)
- E. Retail building supply and equipment stores which have outdoor storage or display of merchandise.
- F. Retail nurseries and garden centers which have outdoor storage or display of merchandise.
- G. Outdoor recreation establishments such as athletic and recreational facilities, marinas, golf courses, golf driving ranges, miniature golf, go cart tracks, batting cages and similar outdoor facilities subject to the applicable requirements of Section 23.10 herein.
- H. Indoor gun and archery ranges.
- I. Gas stations with or without restaurants or convenience stores per the requirements of Sections 23.03.A herein.
- J. Hotels and motels.
- K. Kennels.
- L. Churches, synagogues, mosques and similar places of religious worship.
- M. Public or private clubs, lodges, and banquet halls or similar places of assembly.
- N. Housing for the elderly including retirement housing, assisted living and nursing facilities.
- O. Mini-ware house and self-storage facilities.
- P. Business or trade schools.
- Q. Establishments for the repair of small engines, appliances and similar equipment. All such items shall be kept indoors or outdoors in an area screened from view.
- R. Adult and Child Day Care Facility/Child Care Center.
- S. Veterinary clinics which provide Kennel services.  
(Ord. 2020-2, Eff. 3-30-2020)

#### **Sec. 14.04 HEIGHT REGULATION.**

No building or structure shall exceed 35 feet in height except TV or radio towers.

#### **Sec. 14.05 AREA REGULATIONS.**

All buildings, structures, or additions thereto shall comply with the following requirements:

- A. FRONT YARD.** The minimum required front yard setback shall be 25 feet for each street abutting the parcel. Uses permitted in the front yard setback shall be limited to pedestrian walks, vehicular access drives, meter pits and manholes, signs as regulated in Article 22, required landscaping and utility poles. No parking shall be permitted in the required front yard setback. The front yard shall be landscaped and maintained according to the requirements of Article 21A.

#### **B. SIDE YARD.**

1. Where a side lot line in the GC Zone abuts any R or AG Zone, there shall be a side yard of not less than 15 feet. No parking shall be allowed in this area except as may be allowed by Section 21.04.C. However, in cases where the abutting property is master planned for commercial or industrial land use the required building setback may be reduced to the setbacks as described in Section 14.05.B.2 below if it is determined by the Planning Commission that such reduction is not likely to adversely affect nearby residents and property. The Commission may require additional landscaping, solid fencing, a wall or other similar measures to reduce the impact of a closer building on nearby residents and properties.
2. A side yard for a commercial building shall not be required when a building is proposed in conjunction with the same or similar improvement within an abutting Lot as part of a larger project, provided building walls are built of fire-retardant construction in compliance with the State of Michigan building code. Where a building is not built on the lot line or where the wall of a structure facing the side lot line has windows or other openings, a 10-foot side yard shall be required.

*(Ord. 2022-04, Eff. 3-14-2022)*

**C. REAR YARD.**

1. The rear yard setback for lots in a GC Zone which abut any R Zone or AG Zone shall be a minimum of 25 feet.
2. In all other cases, there shall be a rear yard of not less than five (5)

feet. When a building is proposed in conjunction with the same or similar improvement within an abutting Lot as part of a larger project, no rear yard shall be required, provided building walls are built of fire-retardant construction in compliance with the State of Michigan Building Code.

3. No accessory building shall be allowed in the required rear setback area of any lot.

*(Ord. 2022-04, Eff. 3-14-2022)*

**D. LOT AREA AND WIDTH.**

Lots created after the effective date of this Ordinance amendment (February 1, 2016) except for lots of record as noted below shall have a minimum lot area of 22,500 square feet and the width of the lot at the minimum required front setback line shall not be less than 150 feet. A lot or lots which are of record as of the effective date of the amendment (February 1, 2016) and which are planned for General commercial land use by the Allendale Township Master Plan shall not be rezoned to the GC district unless the lot or lots contain a minimum of 15,000 square feet.

**Sec. 14.06 ADDITIONAL REGULATIONS**

- A. Outdoor display of merchandise as an accessory use to the principal use of the parcel is permitted subject to the following requirements:

1. The items displayed shall not be located within the required front yard.
2. The outdoor display of merchandise shall be placed no more than 10 feet from any building on the property. The Planning Commission may

- allow merchandise to be located more than 10 feet from a building if a Special Land Use is approved in accordance with the procedures and requirements of Article 20 herein.
3. The outdoor display of merchandise shall be located so that the items do not occupy those parking spaces required by the Allendale Township Zoning Ordinance for the principal use or occupy any access lanes or driving lanes on the parcel.
  4. The area devoted to the outdoor display of merchandise shall at all times be kept neat and orderly and not be allowed to become unsightly or a visual nuisance. Any debris, scrap material, litter, empty shelves, racks, pallets, boxes or similar material not containing display items shall be removed from the outdoor display area.
  5. If the outdoor display requires the use of electricity then the method of providing the electricity shall comply with the applicable requirements of Allendale Township.
- B. Landscaping shall be provided in accordance with Article 21A herein.
- C. Parking and Loading Areas – see Article 21.
- D. Signs – see Article 22.
- E. Site Plan Review Requirements – see Article 24.
- F. Existing single family dwellings which are proposed to be converted from residential use to a commercial, office or other non-residential use including the enlargement of the existing dwelling shall comply with the following requirements:
1. The proposed use shall be subject to site plan review by the Planning Commission.
  2. The building shall comply with the requirements of the Allendale Township Building Code.
  3. In order to ensure that such conversion is in keeping with the development standards required for new non-residential developments the Planning Commission may require that existing buildings, structures and landscaping that have fallen into dis-repair or have become unsightly be restored and repaired. This shall include but not be limited to repair or restoration of: exterior defects in any existing buildings; cracked sidewalk and driveway; broken fencing; unkempt lawn; dead or diseased trees and shrubs and removal of outdoor storage items. These repairs shall be identified as part of the site plan review process and corrected before the building is occupied.
  4. The standards of Section 24.06 shall be met. These standards may be specifically waived or modified by the Planning Commission if it can be demonstrated that strict adherence to these standards would not be practical due to the existing conditions of the property and that the modification or waiver would not result in the proposed use having an adverse effect on adjacent properties or residents.
  5. The existing drive way may be used to fulfill the off street parking requirements provided that vehicles shall not be parked in the required 25 feet front yard and that a turnaround shall be provided on site so vehicles do not need to back onto a public street. The turnaround area,
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however, may be located in the required front yard.

- 6. Structural alterations of existing buildings, including enlargements, shall be subject to the façade requirements of Section 24.06.J in accordance with the modification/waiver standards of Section 14.06.F.4 above.

**Sec. 14.07. MORATORIUM**

**A. Section 14.07(a). Findings.**

The Township Board has determined that:

- i. In accordance with the Michigan Zoning Enabling Act, 2006 PA 110, as amended (the “MZEA”), the Charter Township of Allendale (the “Township”) has the authority to establish reasonable land use regulations to protect the public health, safety and welfare and in a manner consistent with applicable Michigan law.
- ii. Article 14, Section 14.03(O), permits the construction of mini warehouse and self-storage facilities as a special use in the GC, General Commercial District.
- iii. In reviewing the Master Plan, it has been determined that there is a potential for a negative impact on the long-term health and sustainability of the community if such developments are permitted to proliferate within certain areas of the General Commercial District.
- iv. The Township Board has submitted a request to the Planning Commission to review the language contained in Section 14.03 of the Zoning Ordinance to determine whether or not it is reasonable to continue to permit mini warehouse and self-

storage facilities as a special use in the GC General Commercial District, or whether the use should be authorized in another area of the Township.

- v. Imposing a Moratorium, on a limited temporary basis, is reasonable and necessary in order to allow time for review of and potential amendments to the Zoning Ordinance.
- vi. A moratorium should be imposed upon the issuance of any and all permits or licenses for the development of mini warehouse and self-storage facilities for a period of 12 months or until an amendment of the applicable Zoning Ordinance provision is adopted, whichever occurs first.

**B. Section 14.07(2). Moratorium.**

There is hereby imposed a Moratorium upon the issuance of any and all permits or licenses for the development of mini warehouse and self-storage facilities as a special use in the GC General Commercial District Zone within the Township. This moratorium shall not apply to requests for electrical permits or other permits necessary for routine maintenance of existing facilities.

**C. Section 14.07. Term.**

The moratorium imposed by this Ordinance shall expire the earlier of 12 months from its effective date or the effective date of an amendment to the Zoning Ordinance.

*(Ord. 2022-03, Eff. 3-14-2022)*

**Ord. # 2016-2**  
**Eff. 2-1-2016**

**Ord. # 2022-03**  
**Eff. 3-14-2022**

**Ord. # 2018-6**  
**Eff. 7-1-2018**

**Ord. # 2022-04**  
**Eff. 3-14-2022**

**Ord. # 2020-2**  
**Eff. 3-30-2020**