

ARTICLE 12A
PCS PLANNED COMMERCIAL SERVICES DISTRICT

SECTION 12A.00 INTENT

The PCS District is designed to accommodate high quality commercial, retail, service, and entertainment uses serving both residents and visitors to the Township. The PCS District is the primary commercial zoning district in the Township. Standards are provided to create an environment of consistent character and design with generous landscaping and attractive buildings, where permitted uses will not negatively impact adjacent uses in other zoning districts. The PCS District is intended to be located near the freeway and interchanges, and act as a gateway to the community. Therefore, the appearance of uses in this district is critical to establishing the character of the community and maintaining the quality of life.

The following regulations shall apply in all PCS districts. Buildings, structures or premises, except as otherwise provided in this section, shall not be erected, altered or used except for one or more of the specified uses. Site plan review, as defined in Article 23 shall be required for all uses in the PCS District.

SECTION 12A.01 PERMITTED PRINCIPAL USES

Any use listed below with a floor area greater than 20,000 square feet, or a business center, shopping center, supermarket, or retail store with a floor area greater than 20,000 square feet shall automatically be considered a special land use and shall be subject to the additional standards provided in Section 12A.04.L. Otherwise, the following uses are permitted as principal uses:

- A. Generally recognized retail businesses, such as but not limited to groceries, meats, dairy products, books, stationary, newspapers, baked goods or other foods, drugs, dry goods, clothing, hardware, and automotive supplies.
- B. Personal service establishments that perform services on the premises such as but not limited to repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors or barbershops, photographic studios, and self-service laundries.
- C. Service establishments with an office, showroom, or workshop, such as an electrician, decorator, dressmaker, painter, upholstery, photographer, or similar service establishment with retail adjunct.
- D. Dry cleaning establishments or pick-up stations, dealing directly with the consumer. Dry cleaning plants serving more than one retail outlet shall be prohibited.

- E. Business establishments which perform services on the premises such as, but not limited to medical, insurance and real estate offices, personal, financial, professional, or business services.
- F. Stores that principally dispense products relating to medical facilities such as pharmacies, optical shops, medical supply, and/or home health care equipment.
- G. Administrative, general, and professional offices and office buildings, such as, but not limited to executive, accounting, writing, clerical, drafting, and sales offices.
- H. Essential services excluding outside storage.
- I. Publicly-owned buildings and structures.
- J. Restaurants, not including drive-in, drive-through, or fast food restaurants.
- K. Public and private educational facilities and institutions.
- L. Indoor commercial athletic or physical fitness establishments.
- M. Financial institutions.
- N. Motels and hotels.
- O. Public or private parks and open space.

SECTION 12A.02 PERMITTED ACCESSORY USES

Buildings, structures, and uses customarily accessory to any permitted principal uses shall be permitted as approved during site plan review, in accordance with Section 21.02.

SECTION 12A.03 SPECIAL LAND USES

Due to the unique characteristics of special land uses, site plan review according to Article 23 and issuance of a special land use permit according to Article 22 are required for the following:

- A. Motor vehicle fueling stations.
- B. Drive-in or drive-through restaurants.
- C. Bars and taverns.

- D. Child day care or nursery school, unlimited by size and meeting the conditions of Section 22.05.J.
- E. Theaters, assembly halls, concert halls, or similar places of assembly when conducted completely within enclosed buildings.
- F. Clubs, civic, and fraternal organizations and lodge halls.
- G. Greenhouses and landscape material sales, including lawn and garden centers, open-air sales of plant material not grown on the site, and sales of lawn furniture, playground equipment, and garden supplies. Such uses shall not be located forward of the front building line of the building, and shall not be permitted in the required setback areas for the principal building.
- H. Outdoor display of goods for sale, accessory to any of the principal permitted or special land uses in the PCS District, except that there shall be no outdoor display in conjunction with vehicle servicing and collision repair establishments. Outdoor display shall be permitted only if there is a building on the site that houses the principal use. No outdoor sales or display shall be permitted in the required setback areas for a principal building. Outdoor display areas shall be surfaced with asphalt, concrete or similar dust-proof surface. Where an outdoor display area abuts a street, landscaping shall be provided so as to buffer and breakup the appearance of the outdoor display without circumventing the total view of the product, as determined by the Planning Commission.
- I. Outdoor storage of goods, materials and equipment, accessory to any of the principal permitted or special land uses in the PCS District. Outdoor storage shall not be permitted in any required setback area and must be located behind the front building line. All outdoor storage shall be screened from view, using an opaque fence or wall, or other method satisfactory to the Township, and shall comply with the provisions of Section 21.19.B, Outdoor Storage - Non-residential Districts. Approval of outdoor storage does not constitute approval of outdoor sales or display; see Sections 12A.03.H and 12A.04.F.
- J. Bowling alleys, billiard halls, indoor archery ranges, indoor skating rinks, or similar forms of indoor commercial recreation. Any such use shall be setback at least 100 feet from any lot line or street right-of-way line in an adjacent residential district.
- K. Limited outdoor recreation facilities, such as sand volleyball, miniature golf, and similar uses, only if the outdoor recreation use is accessory to a principal permitted use, and screened as determined by the Planning Commission. No such use shall be permitted if it is determined by the Planning Commission to negatively impact surrounding uses or the planned character of the PCS district.

- L. General sales, service, minor repair, and rental of automobiles, trucks, recreational vehicles, watercraft, and motorcycles. Sales of used vehicles shall not be permitted except as accessory to a new vehicle dealership.
- M. Animal hospitals.
- N. Car washes.
- O. Self-service lumber yards.
- P. Vehicle repair – major, collision, and painting, with a new vehicle dealership only. Repair of heavy equipment, construction vehicles, farm equipment and similar items shall not be permitted.
- Q. Campgrounds.
- R. Religious institutions, churches.
- S. Parking garages, bus passenger stations.
- T. Single family and multiple family dwellings, subject to recommendation of the Planning Commission and determination by the Township Board, that such uses will not adversely affect the intent and purpose of the PCS District as a location for commercial uses. In addition the following conditions shall apply:
 - 1. No dwelling unit shall occupy any portion of the building at ground level or below ground level. Businesses may occupy any number of total floors.
 - 2. In those instances where residential uses are proposed to occupy the same floor as a business use, the Planning Commission shall review the mixed use and may approve the mixed use based on findings that the business will be compatible with residential occupancy. These findings may include but are not limited to:
 - a. Compatible hours of operation.
 - b. Noise, lights, dust, odors or other impacts of the operation or occupancy that would be detrimental to the business operation or vice versa.
 - c. Excessive traffic.
 - 3. Each dwelling unit shall have a minimum floor area consistent with the requirements of Sections 20.02.G and 20.02.H based on the type of structure.

4. Off-street parking shall be provided in accordance with Article 25 Off-Street Parking and Loading Regulations and shall be provided in designated off-street parking areas within 300 feet of the dwelling unit the spaces are to serve.
- U. Utility-scale Solar Energy Facilities.
- V. Uses of the same nature or class as uses listed in this district as either a Permitted Principal Use or a Special Land Use, but not listed elsewhere in this Zoning Ordinance, as determined by the Planning Commission based on the standards of Section 21.44.

SECTION 12A.04 GENERAL REQUIREMENTS FOR PCS USES

Consistent with the intent of this district, the following conditions are required to be met by all uses in the PCS district.

- A. **Architecture.** All proposed development in the PCS District shall be subject to the requirements of Section 23.18, including review by the Architectural Review Committee per Section 23.18.G, and the requirements of this section. Design of sites shall utilize quality architecture to ensure that buildings are compatible with natural and man-made surroundings, protect property values in the district, and blend harmoniously with the overall development of the district.

Building materials and colors shall relate well and be compatible in character and harmonious with other buildings planned or existing within the surrounding area. For multi-building developments, building design shall be coordinated throughout, and the layout of buildings shall form an orderly relationship. Buildings shall provide architectural variety, and enhance the overall character of the district. Buildings shall provide architectural features, details, and ornaments - such as, but not limited to archways, colonnades, towers, cornices, cupolas, or peaked rooflines - that will make each building unique. The Planning Commission may require corporate or franchise design schemes to be modified as necessary to meet these objectives.

- B. **Utilities.** All utilities except electrical transmission lines constructed or relocated within the site, including: electrical service lines, appurtenances and accessories, shall be placed underground. Any utility pad or transformer, where required to be placed above ground because of size or function, shall be screened or obscured by mature landscaping, a decorative masonry wall, or may be fully enclosed in a dedicated building constructed consistent with these regulations, and subject to the requirements of Article 21A of this Ordinance.

- C. Access.** Access to any site, including requirements for acceleration and deceleration lanes, shall meet the standards of MDOT or the Livingston County Road Commission (LCRC) as appropriate, and satisfy the standards of Section 21.54, Access Management, of this Zoning Ordinance. In those instances where the Planning Commission finds that the dimensions or configuration of the site and/or neighboring sites will result in an excessive number of ingress and egress points onto a public thoroughfare, the Planning Commission may limit such access points by requiring marginal access (frontage) roads, service drives, and/or shared driveways to prevent vehicular congestion or other traffic impairment.
- D. Primary Roads.** All sites shall have at least one property line abutting a paved, County Primary road, or shall be a part of a larger development planned to provide access directly onto or from a paved, County Primary road.
- E. Service Areas.**
- 1. Location.** Loading zones, service drives, loading docks and ramps, overhead doors, and similar access and service facilities shall be at the side or rear of the building, shall be located entirely within the lot lines of the site, and shall be physically separated from public streets.
 - 2. Screening.** Service areas shall be screened from view from common public areas, general parking areas, public or private roads, service drives, and adjacent land that is zoned or used for residential purposes.

Screening shall comply with the requirements of Article 21A and shall, in the determination of the Planning Commission, be sufficient to effectively reduce the adverse effects of the proposed use, in particular, glare of headlights, lighting, noise, unsightly areas such as trash pickup points, and unsightly views. Where necessary to effectively mitigate the impacts of service areas, the Planning Commission may require additional measures, such as greater setbacks, obscuring walls, berms, grade changes, and similar devices.
- F. Outdoor Storage.** Outdoor storage of goods or materials shall be prohibited, and all business shall be conducted, and materials and equipment shall be stored, within a fully enclosed building unless special land use and site plan approval have been granted for outdoor storage or operations. Any area of outdoor storage shall be limited to that area delineated on the site plan as recommended by the Planning Commission and approved by the Township Board.
- G. Temporary Outdoor Sales.** Grand openings, tent sales, special sales or special events may be permitted in the PCS District only upon approval of the Planning Commission, and shall be subject to the following conditions and considerations:

1. The use shall be temporary. A permit for the temporary sales may be granted for a period not to exceed 14 days. A permit shall not be issued more than two (2) times per year for any one (1) business, parcel or lot.
 2. All merchandise offered for sale shall be a product(s) normally offered or sold by the principal business or occupant of the subject business, parcel or lot.
 3. In review of the request, the Planning Commission shall consider factors such as the adequacy of parking and access; adequacy of drainage; compatibility with surrounding land uses; size, height and type of construction of any proposed buildings and structures in relation to the surroundings; sufficient setbacks from road rights-of-way and lot lines; adequate utilities; trash disposal and site clean-up; sanitary facilities; hours of operation; outdoor lighting and signs; other licenses or permits required; potential noise, odors, dust and glare; and other concerns that may impact the public health, safety or general welfare.
 4. A performance guarantee may be required to ensure prompt termination and removal of the use, clean-up or compensation for the impacts of the temporary use.
- H. Adjacent Lots.** In conjunction with the access management standards (See 12A.04.C above), shared service roads and parking area connections may be required between adjacent lots in order to limit points of conflict along the public road and promote access management. The owners of such lots shall submit to the Township Board a properly executed agreement, to be recorded and run with the land, describing that the property owners are responsible for building, repairing, maintaining, and clearing the shared service roads and parking area connections. The agreement should also state that the service roads and parking areas will not impede vehicle flow and will facilitate the safe and efficient movement of traffic. In the event a required cross access drive, shared service drive or parking lot connection can not be reasonably obtained in the determination of the Planning Commission, the applicant may be required to execute an easement agreement to allow the adjacent parcel(s) rights to access his site, and construct the portion of the easement that he controls in anticipation of future cooperation.
- I. Building Separation.** There shall be a minimum separation between freestanding buildings of no less than 30 feet.
- J. Pedestrian; Non-motorized Vehicular Circulation.** All developments shall provide sidewalks or other paved pedestrian and non-motorized vehicular circulation routes, to the satisfaction of the Planning Commission.

K. Additional Requirements for Any Use or Building with a Floor Area Greater Than 20,000 Square Feet, Shopping Centers, Business Centers, or Supermarkets. The following additional requirements shall be met by all buildings or uses having a floor area greater than 20,000 square feet.

- 1. Overall Plan; Floor Area Required.** The proposed development shall be constructed in accordance with an overall plan, shall be of a unified design with appropriate landscaping, and shall provide initially for the construction of a minimum of 10,000 square feet of floor area. All buildings shall be arranged in an orderly manner, reflecting a compatible and consistent design character.
- 2. Parking Lots, Access Drives, Service Areas; Location.** No part of any parking lot, access drive, and/or service area(s) may be located closer than 50 feet to any property line of an adjacent residential district. All parking shall conform to the requirements of Article 25.
- 3. Perimeter Buffer Area.** Any development adjoining residential zoned or used land shall provide and maintain a visual perimeter buffer of at least 50 feet in width. This perimeter buffer shall be located adjacent to and along the entire length of the property line(s) shared with the residential zoned or used land. The buffer shall be designed to obscure the view of building(s), vehicular use areas and other features of the commercial development from view by adjacent non-commercial lots and to muffle sound and provide a physical barrier to discourage the trespass of people and objects, including trash and debris on to the adjacent properties. The buffer shall be planted with a mixture of evergreen and deciduous trees, shrubs and other suitable plantings, The trees shall be spaced no more than 15 feet on center and shall be provided and spaced to form a solid visual screen within three years of planting.

Decorative masonry screening walls, grade changes, berming, or a combination thereof may be used to enhance the screening effect created by the buffer. The buffer area shall be used for no other purpose.

L. Open Space. All PCS sites shall provide open space consisting of not less than 10% of the total development area. Open space may include plazas, sidewalks, accessory outdoor eating or entertainment areas, landscaping and buffer areas and green space provided they exceed the minimums required by this Ordinance, active or passive recreation space, storm water basins which utilize best management practices to provide for an aesthetic site amenity at the discretion of the Planning Commission based upon review of the specific solution, developed outdoor spaces intended for the users of the site, and other open spaces as recommended by the Planning Commission to be consistent with the intent of this Article.

- M. Public Sanitary Sewer System.** All uses in the PCS district shall be connected to a publicly owned and operated sanitary sewer.
- N. Landscaping.** Landscaping shall be provided as required by Article 21A of this Ordinance. Landscaping shall be provided and maintained along all street frontages, service drives, in open space areas, and within parking lots, and shall meet all requirements of Article 21A.
- O. Outdoor Lighting.** Lighting shall be required where deemed necessary for the safety and convenience of shoppers and employees. These facilities shall be arranged so as to not create unreasonable glare or hazardous interference of any kind on abutting streets and adjacent properties, in accordance with Section 21.37 of this Ordinance.
- P. Alternatives.** Within the intent of this Article, the Planning Commission may approve alternatives to the above standards that it determines to be necessary to accommodate peculiar circumstances or unforeseen problems or to carry out the spirit, intent and purpose of this Article.

SECTION 12A.05 REFERENCES TO ADDITIONAL STANDARDS AND REGULATIONS

The following list of references includes additional standards and regulations applicable to any proposed use in this district:

- A. Article 2: Definitions
- B. Article 20: Schedule of Regulations (minimum lot area, lot width, setbacks, max. height, etc.).
- C. Article 21: Supplemental District Regulations
- D. Article 21A: Landscaping and Screening
- E. Article 23: Site Plan Review and Project Evaluation Report
- F. Article 25: Off-Street Parking and Loading Regulations
- G. Article 27: Outdoor Advertising and Sign Regulations
- H. Ord. 16: Subdivision Control Ordinance
- I. Ord. 25: Land Division Ordinance

REVISIONS:

- 2009 OCTOBER - General amendment, creates new zoning district.
- 2014 SEPTEMBER – Revised sewer connection requirements (12A.04.M).
- 2015 JANUARY – Amended the permitted and special uses in this district.
- 2019 JULY – Added 12A.03.U. Utility-scale Solar Energy Facilities.