

**Section 11.00 – Preamble** *(amended 02.19.08, 02.01.16)*

The Restricted Business (RB) District is intended to provide for the convenient shopping needs of persons residing in adjacent residential areas. The RB District accommodates small shopping plazas or individual buildings so as to service the basic personal service and day-to-day shopping needs. RB District uses are further intended to be low - intensity uses that are compatible with adjacent residential uses and are intended to maintain restrictions necessary to minimize disturbances to those areas. The RB District is further intended to have direct access onto an existing or proposed collector or thoroughfare.

**Section 11.01 – Use Matrix** *(added 02.01.16)*

Uses are allowed in the RB Zoning District in accordance with the use table of this section. Unless otherwise noted within the matrix, retail or service establishments within the RB District shall not exceed twenty-thousand (20,000) square feet in gross floor area for a single tenant building. The Planning Commission shall allow uses of a similar nature to those listed below, in accordance with Section 27.02 (E), provided that such uses will not create adverse impacts to surrounding uses.

LAND USE	Zoning District	Footnotes
<b>P = Permitted by Right    S = Special Use</b>	<b>RB</b>	
<b>Extended hour uses</b>	S	A
<b>Retail, Entertainment and Service</b>		
<i>Entertainment, Amusement and Recreational Uses</i>		
Health clubs and exercise establishments	P	
Private indoor recreation facilities (such as yoga, karate and dance studios)	P	
<i>Automobile-Related Uses</i>		
Automobile parts, accessories (no auto sales/service)	P	
<i>Eating and Drinking Establishments</i>		
Bar/Lounge	P	
Outdoor Café	S	B
Outdoor Patio	P	C
Restaurant (no drive-thru)	P	
<i>General Retail</i>		D
Day-to-day consumer goods	P	
Grocery store	P	
Home Improvement/Hardware store	P	
Neighborhood convenience store (no gasoline sales)	P	
Pharmacy/drugstore (without drive-thru pharmacy)	P	
Pharmacy/drugstore (with drive-thru pharmacy)	S	G
Specialty food store	P	
Outdoor display areas	P	E
<i>General Service</i>		
Dry cleaning	P	
Printing, copying, or shipping stores	P	
General appliance repair/service	P	
Financial and insurance service (banks, credit unions, etc.) (no drive-thru)	P	
Banks, Credit Unions (with drive-thru)	S	G

LAND USE	Zoning District	Footnotes
<b>P = Permitted by Right    S = Special Use</b>	<b>RB</b>	
<b>Extended hour uses</b>	S	A
Personal service	P	
Pet grooming/daycare	P	F
<i>General Service (Contd.)</i>		
Real estate/property management services	P	
Travel/ticket agencies	P	
<b>Office</b>		
Emergency or extended hour medical clinics	S	A
Professional and medical offices	P	
Veterinary clinics and hospitals	P	F
<b>Civic and Institutional</b>		
Schools for music, dance, business or trade	P	
Private clubs, fraternal organizations, and lodge halls	P	
<b>Other Uses</b>		
Accessory buildings and accessory uses customarily incidental to the permitted uses in this section, in accordance with Section 27.02.	P	
Planned Unit Development, subject to the standards and approval requirements of Section 30.03	P	
Uses which in the opinion of the Planning Commission are similar to the above permitted or special uses.	P	

**Section 11.02 – Footnotes to the Use Matrix** *(added 02.01.16)*

- A. The special use shall comply with the following required conditions, except where an existing building is legally in nonconformance with certain conditions, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals.
  1. Setback. All buildings, drive-thru canopies, or speaker boxes shall be set back no less than one hundred (100) feet from the lot line of a single-family or multi-family zoned and/or used parcel. Associated parking lots, maneuvering lanes, drive-thru lanes (if applicable) shall be set back no less than fifty (50) feet from the lot line of single-family or multi-family zoned and/or used parcels.
  2. Buffering. All parcel perimeters which abut a single family zoned and/or used parcel shall have no less than a six (6) foot continuous buffer. The buffer may consist of a solid fence or wall, a double staggered row of evergreens and/or a combination of each.
  3. Noise. Any noise associated with an extended hour use shall not exceed sixty (60) decibels when measured at the property line. The noise shall also not be intermittent in nature, high frequency, or that which causes vibration.
  4. Lighting. Any operation or activity which produced glare shall not cause illumination in excess of 0.3 foot-

candles when measured along the lot line of a single family zoned and/or used parcel. Between dusk and dawn the light levels shall be further reduced to 0.0 foot-candles when measured at the same property lines.

- B. Restaurant with an outdoor café subject to special use conditions imposed by the Planning Commission in accordance with Section 30.02, with the exception that no site plan will be required unless requested by the Planning Commission, and subject to:
1. Seasonal use restrictions.
  2. Hours of operation.
  3. Sketch plan indicating location of tables, chairs, awnings, canopies, dance floor, protective fencing, railings, planters, or other pedestrian barriers.
  4. Compliance with Michigan Liquor Control Commission (MLCC) requirements.
  5. Compliance with Township Noise Regulations (Ordinance No. 135).
  6. Other conditions as required by the Planning Commission, with the Planning Commission retaining the option of requiring a full site plan.
- C. Restaurant uses may also include an outdoor patio subject to administrative review by the Building Department and approved by the Planning Commission. No site plan will be required for an administrative review unless requested by the Planning Commission.
- D. Any general retail use shall be no larger than 20,000 square feet per individual tenant space within the RB District.
- E. Outdoor Display and Sales area, subject to the following: *(added 02.16.10)*
1. Outdoor display and sales area shall not exceed ten percent (10%) of the building or one thousand (1,000) square feet, whichever is less.
  2. Outdoor display and sales area shall adhere to all setback requirements, shall not encroach upon a parking lot, driveway, or public right-of-way, and shall maintain at least five (5) feet of clear pedestrian passage on sidewalk areas. Materials shall be displayed no closer than ten (10) feet from building entrance doors.
  3. Bulk storage or stockpiles of unpackaged mulch, soil, gravel, building supplies, or similar materials shall be prohibited. Flammable products shall be located away from structures to prevent a fire hazard.
  4. The use of outdoor display and sales areas shall not exceed ninety (90) days in any calendar year.
  5. Outdoor display and sales areas shall be subject to administrative review and permitting by the Building Department.
- F. Pet grooming facilities, pet daycare for small household pets or veterinary hospitals or clinics, provided that:
1. All activities are conducted within a totally enclosed building.
  2. The facility has no outdoor runs or kennels.
  3. Inside boarding facilities are confined to use by animals being treated by the hospital or clinic.
  4. The applicant makes provisions to deal with pet litter and potential conflict between pets, pedestrians, and vehicular traffic. Such provisions may include locating in the end unit in a shopping center, and/or

providing a grassy area or garden adjacent to the clinic for use by pets, and/or designating a special parking area close to the clinic.

- G. Drive thru facilities as permitted in this section shall be subject to the landscaping and screening wall requirements of Section 27.05.5.

### **Section 11.03 – Required Conditions** *(amended 02.21.06, 02.01.16)*

All activities and uses in this District shall comply with the following required conditions, except where an existing building is legally in nonconformance with certain conditions, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals. *(amended 01.30.86)*

- A. Site Plan Approval. The proprietor shall submit a site plan for approval pursuant to the requirements set forth in Section 30.01 of the Zoning Ordinance.
- B. Outside Storage. Any outside storage of materials, supplies, equipment or similar items is prohibited in this district.
- C. Minimum Parcel Size. The minimum lot area shall be nine-thousand (9,000) square feet.
- D. Off-Street Parking.
1. All principal uses shall be contained within a building or combination of buildings that have a common parking lot.
  2. Parking requirements shall be based upon the following schedule:
    - a. One (1) parking space per two hundred (200) square feet of gross floor area for general retail uses, personnel services, banks, etc.
    - b. One (1) parking space per one hundred (100) square feet of gross floor area for restaurants.
    - c. Parking requirements for all other uses in the RB district shall be based upon one (1) parking space per two-hundred (200) square feet of gross floor area.
  3. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic. *(amended 01.30.86)*
  4. No parking area or driveway shall be closer than thirty (30) feet to the adjacent property lines when the parcel abuts residentially zoned or used property. However, when the parcel abuts commercial/office or industrially zoned property, no parking area or driveway shall be closer than twenty (20) feet to the adjacent property lines. *(amended 09.14.89, 08.06.98)*
  5. Driveways and parking areas shall be curbed and consist of hard surfaced concrete, blacktop or equivalent as approved by the Planning Commission.
  6. Off-street parking shall conform to the standards set forth in Section 27.04 of this Ordinance; provided, however, that when there are conflicts between that section and this, the provisions of this section shall apply.
  7. The required setback for parking may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office, or industrial zoned property, and when existing off-street parking, drives, and/or structures are located within the setback area. *(amended 09.16.93)*

**E. Landscaping.**

1. A landscape plan shall be submitted to the Planning Commission for approval. The landscape plan shall specify plant materials and landscape treatment, based on the requirements of Section 27.05 of this Ordinance for such items. This landscape plan shall be part of, or accompany, the site plan.
2. A landscaped greenbelt at least twenty (20) feet in width in the front and rear yards and fifteen (15) feet in width in the side yards shall be provided in the RB District, except where ingress or egress drives are located when the parcel abuts commercial/office or industrially zoned property. However, when the parcel abuts residentially used or zoned property, the landscape greenbelt shall be at least thirty (30) feet in width except where ingress or egress drives are located. *(amended 09.14.89, 08.06.98)*
3. The off-street parking area and driveway access to said parking area shall be screened from view from any adjoining residential property.
4. All landscaping and screening shall be maintained in an attractive, litter-free, safe and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition.
5. The landscaped greenbelt required along with the perimeter of the parcel may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office or industrially zoned property. The Planning Commission may, at their discretion, modify or waive certain landscaping requirements in accordance with the considerations outlined in Section 27.05. *(amended 01.30.86, 09.16.93)*
6. Where commercial uses abut residential uses, the Planning Commission may require a greenbelt buffer, berm, or obscuring wall or combination of the aforementioned methods of screening in accordance with Section 27.05 (A)(5). *(added 02.19.08)*

**F. Sign Regulation.** All signs shall comply with the standards set forth in Orion Township Sign Ordinance No. 138. *(amended 10.08.98, 02.21.06)***G. Lighting Regulations.** *(amended 04.27.00)*

1. A lighting plan shall be submitted with all site plans as set forth in Section 27.11 of this Ordinance. All other Zoning Ordinance regulations shall apply unless otherwise noted in this Ordinance.
2. Exterior site lighting shall be fully shielded and directed downward to prevent off-site glare.
3. Site illumination on properties adjacent to residential properties shall not exceed 0.3 foot-candle along property lines, or 1.0 foot-candle along non-residential property lines. Parking lot lighting shall be governed by Section 27.11.

**H. Public Road Access.** Any use developed or proposed within this district shall have direct access to a dedicated public road having an existing or proposed right-of-way of at least eighty-six (86) feet.**I. Utilities.** All utilities servicing the business structure shall be buried underground.**J. Covered Trash Areas.**

1. Covered trash receptacles, surrounded on three (3) sides by masonry brick-type walls one (1) foot higher than the receptacle shall be provided in the rear yard.
2. The fourth side of the enclosed trash receptacle area shall be equipped with an opaque lockable gate that is the same height as the masonry brick wall.

- 3. The Planning Commission may, at their discretion, waive the requirements for a covered trash receptacle as described herein, if, after considering the nature of the operation being proposed, the Commission determines that the amount of trash generated can be adequately disposed of without use of an outside trash receptacle. *(amended 01.30.86)*

**K. Loading and Unloading.**

- 1. Loading and unloading areas shall be located in the rear or side yards of a non-residential district.
- 2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress or egress.
- 3. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04.

**L. Performance Guarantee Requirement.** The Planning Commission shall require a performance guarantee to be deposited with the Township Clerk in accordance with the provisions set forth in Section 30.09, to ensure that necessary and required improvements proposed on the site plan will be completed. *(amended 08.15.16)*

**M. Safety Paths.** Construction of safety paths for pedestrian use and use by non-motorized vehicles shall be required in conjunction with the development of all parcels in this zoning district. The safety paths shall conform to the specifications outlined in Section 27.06 and Ordinance No. 97. *(amended 01.05.87, 02.03.03)*

**N. Tree Preservation Regulations.** The tree permit requirements apply to developments in this District, according to the terms of Section 27.12. *(amended 08.03.00)*

**O. Noise.** Regulations regarding the abatement and control of excessive noise are found within the Charter Township of Orion Noise Ordinance No. 135. *(added 02.19.08)*

**Section 11.04 – Area and Bulk Requirements (Applies to Principal and Accessory Uses)**  
*(amended 02.01.16)*

		<b>RB</b>
<b>A</b>	Front Yard Setback	20 ft.
<b>B</b>	Rear Yard Setback	20 ft.
<b>C</b>	Side Yard Setback	15 ft. on each side
<b>D</b>	Minimum Lot Area	9,000 sq. ft.
<b>E</b>	Maximum Lot Coverage	30%
<b>F</b>	Maximum Building	20,000 square feet*
<b>H</b>	Maximum Height of All Structures	25 ft. <i>(amended 09.20.90)</i>
<b>I</b>	Minimum Clear Space Around Structures	15 ft.

\*For buildings with single proprietary business or single tenant use.

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