

**Section 21.00 – Preamble**

Special Purpose 1 (SP-1) Districts are intended to provide for a mixture of residential and commercial uses in one (1) location or in one (1) building. Furthermore, a primary purpose of this District is to preserve and permit one-of-a-kind mixed-use developments that are located in farm buildings and similar buildings that have converted from their original use. The District also provides for new mixed-use developments in new buildings. It is intended that all Special Purpose 1 Districts have the following characteristics:

- A. They should consist of one (1) or more buildings, unique because of their history, design, or original use, which are similar in nature and capable of attracting patrons from the metropolitan area.
- B. They should be isolated from other commercial districts.
- C. They should be isolated from other residential districts.
- D. Within the Special Purpose 1 District, the commercial activities should be located on the ground floor where such activities are readily accessible to the general public. Residential uses should be located on upper floors or in locations where the disruption from commercial activity is minimal.
- E. The Special Purpose 1 District shall be served by an internal roadway that has a right-of-way of at least sixty (60) feet. *(amended 08.29.88)*
- F. The internal road should have direct access onto a collector or major thoroughfare that has an existing or proposed right-of-way of at least eighty-six (86) feet.

**Section 21.01 – Use Matrix** *(added 07.16.18)*

Uses Permitted by Right shall be permitted subject to the standards and requirements set forth herein. Special Uses shall be permitted subject to the standards and requirements set forth herein and subject to the standards and approval requirements as provided for in Section 30.02. Accessory Uses shall be permitted subject to the standards and requirements set forth herein and in Section 27.02. The Planning Commission may allow uses of a similar nature to those listed below, in accordance with Section 27.02E, provided that such uses will not create adverse impacts to surrounding uses.

*Matrix Chart Next Page*

LAND USE <i>(added 07.16.18)</i>	Zoning District	Footnotes
<b>P = Permitted by Right    S = Special Use</b>	<b>SP-1</b>	
<b>Residential Uses</b>		
Single-family residential uses.	S	
<b>Commercial Uses</b>		A
<u>Merchant, Professional Services</u>		
General store, book and/or stationary store, gift or arts & craft Shop	S	
Personal service establishments such as shoe repair, tailor shop, beauty/barber shop.	S	
Photography studio and/or camera sales-service shop.	S	
Professional offices for doctors, dentists, lawyers, accountants, insurance and/or real estate agents.	S	
<u>Food Service</u>		
Delicatessen, bakery, dairy store, or other establishment selling prepared food products when they are related to the sale of groceries	S	
Restaurants serving food and beverages for consumption within the building or for carry out, but not having the character of a drive-in facility.	S	
<b>Planning Unit Developments (PUD)</b>		
Planning Unit Developments (PUD), subject to the standards and approval requirements set forth in Section 30.03.	S	
<b>Accessory Special Land Uses</b>		
Accessory buildings, structures or uses that are clearly and customarily incidental to the principal use or uses on the parcel shall be permitted as special land uses	S	B
<b>Uses Not Permitted</b>		
A business or establishment having the character of a drive-in or drive-through facility.		
A business engaged in the repair or maintenance of vehicles, machinery, or other equipment.		
A business that potentially generates a heavy flow of traffic such as a gasoline station, a nursery, a lumber yard, a department store, a veterinary service, or similar businesses.		
Outside storage of materials, supplies, vehicles, equipment, or similar items		

**Section 21.02 – Footnotes to Use Matrix** *(added 07.16.18)*

A. Commercial Uses:

1. Commercial uses shall consist of retail establishments or professional services selling directly to, or performing services directly for, individuals.
2. No one business, service, or establishment shall occupy more than fifteen percent (15%) of the total square footage of the buildings and structures in the development.

B. Accessory Special Land Uses:

1. Accessory buildings or structures may be used by all or some of the principal uses in the district.

2. No accessory building or structure shall exceed two thousand (2,000) square feet in area or twenty-five (25) feet in height.
3. Accessory buildings or uses shall be located on the same parcel as the principal use.
4. Maximum square footage of all accessory buildings shall not exceed forty thousand (40,000) square feet.

**Section 21.03 – Required Conditions** *(amended 07.16.18)*

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. Minimum Parcel Size and Maximum Lot Coverage.
  1. The minimum development area shall be ten (10) acres.
  2. Buildings and structures shall not cover more than thirty percent (30%) of the lot area.
- C. Off-Street Parking.
  1. One (1) parking space for each two hundred (200) square feet of gross floor area of the principal use structures and buildings shall be provided within the development. Restaurants shall require one (1) parking space for each one hundred (100) square feet of gross floor area. *(amended 08.06.07)*
  2. 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)*
  3. No parking area or driveway shall be closer than twenty (20) feet to an adjacent property line.
  4. Driveways and parking areas shall be curbed and consist of hard-surfaced concrete, blacktop, or equivalent as approved by the Planning Commission.
  5. All off-street parking shall conform to the standards set forth in Section 27.04 of this Ordinance.
  6. The required setback for parking may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office, or industrially zoned property, and when existing off-street parking, drives, and/or structures are located within the setback area. *(amended 09.16.93)*
- D. 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 screen, at least ten (10) feet in width, shall be provided along the entire perimeter of an SP-1 District, except where ingress and egress drives are located.
  3. The off-street parking areas and driveway accesses to said parking areas shall be screened from view from any adjoining residential property. Such screening shall consist of earth berms, permanent walls, or evergreen landscaping, subject to approval of the Planning Commission.

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 and when existing off-street parking, drives and/or structures are located within the setback area. 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)*
- E. Sign Regulation. All signs shall comply with the standards set forth in Orion Township Sign Ordinance No. 153. *(amended 10.08.98, 02.21.06)*
- F. 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.
- G. Public Road Access. Any use developed or proposed within this district shall have direct access to an internal roadway having a right-of-way of at least sixty (60) feet. This internal roadway shall have direct access to a dedicated public road having an existing or planned minimum right-of-way of at least eighty-six (86) feet.
- H. Utilities. If possible, all utilities servicing the buildings or structures shall be buried underground.
- I. 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 for use by businesses in the district.
  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)*
- J. Loading and Unloading.
1. Loading and unloading areas shall be located in the rear or side yard 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 of this Ordinance.
- K. 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)*

- L. **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)*
- M. **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)*
- N. **Wetland Setbacks.** The wetland setback requirements apply to all developments in this District, according to the terms of Section 27.17. *(added 09.17.07)*

**Section 21.04 – Area and Bulk Requirements, SP-1 (For the SP-1 District as a Whole)** *(amended 07.16.18)*

**Please see the Matrix Chart in Section 21.01 for variations to these requirements by use.**

	SP-1
Front Yard Setback	30 ft.
Rear Yard Setback	40 ft.
Side Yard Setback	40 ft.
Minimum Lot Area	10 acres
Maximum Structure Area (Collectively)	200,000 sq. ft.
Maximum Lot Coverage	30%
Maximum Height of All Structures	25 ft.
Minimum Clear Space Around Structures	30 ft.

**Section 21.05 – Area and Bulk Requirements (For Each Separate Structure)** *(amended 07.16.18)*

**Please see the Matrix Chart in Section 21.01 for variations to these requirements by use.**

	SP-1
Front Yard Setback	30 ft.
Rear Yard Setback	40 ft.
Side Yard Setback	20 ft.
Minimum Lot Area	5,000 sq. ft.
Maximum Structure Area	10,000 sq. ft.
Maximum Height of All Structures	25 ft.
Minimum Clear Space Around Structures	30 ft.

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