

**CHARTER TOWNSHIP OF ROYAL OAK**  
**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CHARTER TOWNSHIP OF ROYAL OAK BY THE REPEAL AND READOPTION OF DIVISION 7 AC-3 GENERAL BUSINESS DISTRICTS OF ARTICLE III ADISTRICT REGULATIONS OF CHAPTER 32 AZONING TO CHANGE THE C-3 DISTRICT FROM AGENERAL BUSINESS TO AMIXED USE, TO EXPAND THE LIST OF USES PERMITTED IN THE AMIXED USE DISTRICT AND TO ELIMINATE AUTO RELATED AND ADULT REGULATED USES FROM THE AC-3 MIXED USE DISTRICT.**

**THE CHARTER TOWNSHIP OF ROYAL OAK ORDAINS:**

**ARTICLE I. AMENDMENT:** That the Charter Township of Royal Oak Zoning Ordinance be revised to Repeal and Readopt Division 7 AC-3 Community Business District of Article III ADistrict Regulations of Chapter 32 AZoning which shall hereafter read as follows:

Chapter 32 Zoning  
Article III District Regulations  
Division 7 C-3 Mixed Use District

**Section 32-497. Statement of purpose.**

(a) The intent of the C-3, Mixed Use District is to provide for intensive commercial development. The permitted business uses in the C-3 district typically exhibits one or more of the following characteristics:

- (1) offer a broad range of goods and services, including both comparison and convenience goods and services;
- (2) the demand market for businesses include the general City population, residents in surrounding communities, and the people in transit;
- (3) are pedestrian-oriented, rather than auto-oriented; and
- (4) are generally appropriate for unified development due to their size, location relative to each other and to Eight Mile Boulevard, and due to their deep and narrow configurations.

(b) Because of the variety of business types permitted in the C-3 District, special attention must be focused on site layout, building design, vehicular and pedestrian circulation, spacing of uses, and coordination of site features between adjoining sites. Accordingly, Mixed Use District developments should (be):

- (1) compatible in design with adjacent commercial development;
- (2) designed in coordination with development on adjoining commercial sites;
- (3) designed to connect to and be sensitive to surrounding residential areas;
  - a. maintain and enhance a viable mix of complimentary retail uses and discourage domination of the district by any single category of use;
  - b. preserve and enhance the district as a community asset that contributes positively to property values, community identity, and a sense of place;
  - c. create a retail oriented mix of businesses that encourages an active pedestrian environment and promotes both convenience and destination shopping activities;
  - d. encourage a lively social environment and economically viable district with a wide variety of uses in a pedestrian oriented unified setting, with shared parking;
  - e. extend greater opportunities for traditional community living, working, housing and recreation to citizens and residents of the Township;
  - f. discourage the development of separate off-street parking facilities for each individual use, and to encourage the development of off-street parking facilities designed to accommodate the needs of several individual uses with access from side streets only;
  - g. promote the creation of urban places such as plazas which are oriented to the pedestrian thereby promoting citizen security and social interaction;
  - h. promote developments where the physical, visual and spatial characteristics are established and reinforced through the consistent use of traditional urban design resulting in coherent overall development patterns and street scape for the district as well as surrounding areas;
  - i. discourage commercial and business uses that create objectionable noise, glare or odors;
  - j. promote uses that support and compliment the retail focus of the district, such as office and residential uses, above the first floor; and
- (14) directly served by a major thoroughfare.

**Section 32-498. Permitted uses and structures.**

(a) Principal uses and structures.

In all areas zoned C-3, Mixed Use District, no building shall be erected, used, or structurally

altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses:

1. Arcade when accessory to a standard restaurant.
2. Bakeries limited to the production of goods for retail sale on the premises.
3. Bar/Lounge/Tavern when accessory to a standard restaurant.
4. Business, executive, administrative, and professional offices.
5. Business and technical schools and schools and studios for photography, art, music, and dancing.
6. Financial institutions without drive-through facilities.
7. Ice cream parlor.
8. Dry cleaning establishments with processing limited to goods brought to the establishment by the individual retail customer.
9. Medical or dental clinics and offices.
10. Personal fitness center.
11. Personal service establishments such as shoe repair shops, tailor shops, excluding beauty parlors, barber shops.
12. Pool or billiard hall when accessory to a standard restaurant.
13. Public utility business offices.
14. Publicly owned buildings including libraries, museums, and those used for offices or business functions.
15. Residential uses subject to the following provisions:
  - a. Residential uses shall only be located on the 2nd story of a building or above.
  - b. Residential uses shall be intergraded into the design of a larger mixed use development.
  - c. No dwelling unit shall be located on the same floor as a business use (excluding a home occupation), and no floor may be utilized for business or office purpose which is located above a floor used for residential purposes.
  - d. Adequate provisions for off-street parking for any use above the second floor must be demonstrated to the satisfaction of the Township planning

commission.

16. Retail stores which supply goods and commodities on the premises for persons residing in adjacent residential areas such as: groceries, dairy products, beverages, packaged baked goods or other foods, drugs, dry goods, notions, hardware, books, stationery, records, video cassette rentals or sales, bicycles, flowers, sporting goods, paints, periodicals, shoes, hobby supplies, small household articles, and tobacco products.

17. Standard restaurants.

18. Stores producing jewelry, leather goods, candles, and similar merchandise to be sold at retail on the premises, provided that the services of not more than four persons are required to produce such merchandise.

19. Other uses not specifically listed in this ordinance, after determination by the Zoning Board of Appeals that such use is similar to other permitted uses in this district;.

20. Accessory structures and uses customarily incidental to the above permitted use.

**(b) Special land uses.**

The following uses may be permitted, subject to: the conditions specified for each use; review and approval of the site plan; any special conditions imposed during the course of review; and, the provisions set forth in articles II and IX of this chapter.

1. Bus terminals, cab stands, and other transit facilities.
2. Hotels and motels.
3. Recreation facilities, indoor and outdoor.
4. Rental halls.
5. Theaters.

**Section 32-499. Development Standards.**

**(a) Required conditions.**

Unless otherwise noted, buildings and uses in the C-3, Mixed Use District shall comply with the following requirements:

1. All permitted retail or service establishments shall deal directly with customers. Manufacturing of products for wholesale distribution off of the premises is not permitted.
2. All business operations, services, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building, unless otherwise specifically permitted.
3. There shall be no outside storage of any goods, inventory, or equipment. Any storage

must be clearly accessory to the principal permitted use.

4. Commercially used or commercially licensed vehicles used in the normal operation of a permitted retail or service use on the site may be parked in the rear only. This provision shall apply to operable vehicles are moved on and off of the site on a regular basis.

5. Parking or storage of damaged or disabled vehicles shall be prohibited. No vehicle parked on a site shall be used principally for storage, sales, or advertising.

6. All sites shall be maintained in compliance with the open space and landscaping requirements of section 32-716.

(b) Site plan review.

Site plan review and approval is required for all uses in the C-3, Mixed Use District in accordance with article II of this chapter.

(c) Area, height, bulk, and placement requirements.

Buildings and uses in the C-3, Mixed Use District, are subject to the area, height, bulk, and placement requirements in division 12 of this article, the schedule of regulations.

(d) Planned development.

Planned Development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in division 10 of this article.

(e) General development standards.

Buildings and uses in the C-3, Mixed Use District shall be subject to all applicable standards and requirements set forth in this Ordinance, including the following:

Location	Topic
Article III, division 12	Schedule of regulations
Article IV	Supplemental regulations
Article VI	Off-street parking and loading
Article VIII	Walls
Article IX	Site development standards
Article XI	Signs

**ARTICLE II. Severability:** Should any word, sentence, phrase or any portion of this Ordinance be held in any manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the Ordinance.

**ARTICLE III. Conflicting Ordinances:** All prior existing ordinances adopted by the Charter Township of Royal Oak inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

**ARTICLE IV. Reading and Publication:** This Ordinance shall be given a reading on and shall be published and posted on or before \_\_\_\_\_ and shall be effective upon publication on \_\_\_\_\_. The Clerk shall publish a summary of this Ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk=s office.

**ADOPTED, APPROVED AND PASSED** by the Board of Trustees for the Charter Township of Royal Oak this \_\_\_\_\_, 2012.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the Board of Trustees of the Charter Township of Royal Oak at a regular meeting held on \_\_\_\_\_, 2012.

\_\_\_\_\_  
Gwendolyn W. Turner, Township Clerk

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William F. Morgan, Supervisor