

120.190 "CBD" Cooper Business District.

A. Description of District:

This district is intended to support a wide range of uses with frontage or access from either D Avenue or Douglas Avenue, within an area roughly ½ mile from the intersection of those two roads. The scope of permitted uses and special exception uses within the “CBD” is based upon prior zoning that included commercial and various residential classifications. This district is based upon the primary intent to support commercial uses and redevelopment for such use, with any new residential and mixed uses permitted as special exception uses.

B. Permitted Uses:

No land or buildings in the “CBD” shall be used, erected, altered or converted, in whole or in part, except for the following uses permitted by right:

1. Retail sales such as bakeries, clothing and dry goods, florist and garden supplies, furniture and household furnishings, groceries and food stuffs, hardware, hobby supplies, household appliances, pharmacies, variety stores, and antiques gifts.
2. Personal service establishments such as financial institutions, barber and beauty salons, laundromats, laundry and dry-cleaning pick-up businesses, music and dancing schools of instruction, photography studio, design studios, and tailoring.
3. Indoor health and fitness centers.
4. Funeral homes.
5. Offices, business and professional, including medical, dental, or similar uses.
6. Shopping centers, plazas or similar buildings supporting two or more permitted commercial uses, with any special exception uses subject to that approval process.
7. Restaurants without drive-in or drive-through facilities.

8. Municipal offices or public facilities, including park and recreation areas, or those devoted to public utilities, communications, and emergency services. Such use may include open-air buildings with roofs (such as pavilions and gazebos) and other permanent or temporary structures (including tents) for seasonable or community event purposes.

C. Conditional Uses:

The following uses are permitted by right if the required regulations can be met:

1. Single-family dwelling, subject to the site development requirements of the “R-3” Residential District and provided such dwelling does not include a business use other than a home occupation meeting the requirements of 120.340 or a family daycare home licensed or registered pursuant to Act No. 116 of the Public Acts of 1973, as amended, where:
 - a. It is conducted in the bona fide private residence of the operator of the family day care home.
 - b. It is conducted in accord with the requirements of Act No. 116 of the Public Acts of 1973, as amended, and the rules promulgated pursuant to said Act.
2. Private Solar Energy Systems when in accordance with Section 120.470.
3. Accessory uses or buildings subject to Section 120.410.

D. Special Exception Uses:

No land or buildings in the “CBD” shall be used, erected, altered, or converted, in whole or in part, except when approved in accordance with the requirements noted herein as well as the requirements of Section 120.420. The Planning Commission may grant a waiver of some of the specific conditions listed for such uses based upon the desire to support a mix of uses within the District.

1. All permitted or special exception uses in the “C-1” Local Commercial District, except motor vehicle sales, outdoor storage, and sexually oriented businesses.

2. Package liquor, beer, and wines sales, unless secondary and incidental to the primary grocery business.
3. Restaurants with drive-in or drive-through facilities.
4. New single-family dwellings, two-family dwellings or similar residential use within a mixed-use building or development, subject to location either to the rear or on the second story of such building or development.
5. Bed and Breakfast Inn with the following conditions and limitations:
 - a. The use shall be in a single-family residence which exists prior to the adoption date of this Ordinance.
 - b. The dwelling shall be the principal residence of the innkeeper.
 - c. The dwelling has six or fewer sleeping rooms for guests to rent, excluding the sleeping rooms occupied by the innkeeper.
 - d. All sleeping rooms must be within the existing single-family home. Exterior alterations to the residence to create additional accommodations is prohibited.
 - e. No separate cooking facilities shall be provided for guests of the bed and breakfast operation.
 - f. All food shall be served on the premises and shall be for the consumption of the innkeeper and guests only.
 - g. Parking lots
 - i. Shall include one space for every guest room available for rent in addition to one space for the innkeeper, which can be within an enclosed structure.
 - ii. Shall be screened from view from adjacent residentially zoned or used properties.

- h. Occupancy shall be of a temporary nature for periods not to exceed 14 consecutive days.
- 6. Assisted living facilities, nursing homes or similar facilities.
- 7. Group day care home or childcare center.
- 8. Animal hospital, dog training or show facility, kennels, or similar facilities.
- 9. Indoor commercial recreation enterprises such as dance halls, skating rinks, bowling alleys, or similar uses.

E. Lot, Parcel or Building Site, Yard and Area Requirements.

Except as specified in F. Design Criteria herein, the lot, parcel or building site, yard and area requirements shall be as specified in Section 120.600.

F. Design Criteria.

- 1. Open space. The lot or site shall provide for no less than 20 percent open space, inclusive of setback areas, with such space devoted to landscaping and to enhance pedestrian movement.
- 2. Floor area. The minimum floor area for a single business or dwelling unit shall be 600 square feet and any storefront shall have a minimum width of 20 feet.
- 3. Front yard build-to lines and setbacks.
 - a. The build-to line shall be a minimum of 10 feet from the preserved right-of-way, which is an additional 17-feet of width on each side of a 66-foot-wide County primary road, creating a total 100-foot right-of-way. This "build-to" line is intended to provide a more consistent setback of buildings.
 - b. The maximum building setback from the preserved right-of-way shall be 33 feet.

4. Layout and design. The layout and design shall include coordination of sidewalks, landscaping and lighting based upon the adjoining properties, and shall be oriented to enhance pedestrian movement and minimize conflict with vehicular circulation and parking areas. Sidewalks are required unless waived by the Planning Commission with a deed restriction requiring the construction of sidewalks at such time as required by the Township.
5. Visual appearance. For nonresidential buildings, the visual appearance shall include glass for eye-level display and shall include porches, awnings, canopies or other architectural relief such as window bays, alcoves, variations in building depth, or vertical relief such as columns or pilasters to provide façade articulation and cover for pedestrians.
6. Exterior lighting. Exterior lighting shall not exceed .5 footcandles at the property line and shall be coordinated with adjoining businesses and to enhance pedestrian movement and safety.
7. Parking. Parking areas shall be located in a manner that minimizes the conflict with continuous pedestrian movement throughout the “CBD.” Emphasis is placed on reducing the size of individual parking lots unless devoted to shared parking accessible to a number of businesses. Toward this intent, multi-use sites shall not be required to meet parking standards for all uses when it can be shown that days and hours of operation may not overlap between the proposed and existing uses on the site. Where available parking is within 500 feet of the subject site and private cross-access agreements are in place, including connection by sidewalk or bike path facilities, a site plan may be approved with a deficiency in required parking. It is recommended that parking be located within rear or side yards to reduce conflict with pedestrian movement to the establishment.

G. Existing Uses:

Uses existing within the Cooper Business District on the date of August 31, 2023, when Ordinance No. 265 became effective, but which do not conform to the present allowable uses, shall be permitted to repair or reconstruct existing structures to their original size, shape, and design if damaged or destroyed. A building permit must be obtained within twelve (12) months from the date of the damage and construction must be completed within eighteen (18) months from the date of permit issuance.

[Ord. No. 245, eff 11/26/2017]

[Ord. No. 255, eff 05/26/2020]

[Ord. No. 262, eff 01/25/2022]

[Ord. No. 265, eff 08/31/2023]