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# City of Manistee Zoning Ordinance

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Article Thirteen  
C-1 Regional  
Commercial District

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As Amended thru  
March 2, 2018

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## ARTICLE THIRTEEN

### C-1 REGIONAL COMMERCIAL DISTRICT

#### SECTION 1300 PURPOSE AND INTENT

It is the intent of this District to provide areas for commercial uses intended to serve the larger community and the traveling public in the vicinity of highway U.S.-31 and to promote the economic development of the City in conformity with the Manistee City Master Plan, while establishing standards for curb cut location, pedestrian facilities, parking and shared parking, loading/unloading area, landscaping, and building form intended to mitigate the negative impacts of lineal development along highway U.S.-31; and potential conflicts with nearby residential districts.

##### PERMITTED USES

- ◆ Accessory buildings
- ◆ Accessory uses related to uses permitted by right
- ◆ Animal Grooming
- ◆ Automobile Repair Facility
- ◆ Community Garden, subject to [Section 534](#)
- ◆ Convenience Store w/o fuel pumps
- ◆ Eating and Drinking Establishment
- ◆ Financial Institution
- ◆ Gallery or Museum
- ◆ Hotel
- ◆ Medical or Dental Office
- ◆ Mixed Use Development
- ◆ Motel
- ◆ Outdoor Recreation, Park
- ◆ Personal Service Establishment
- ◆ Place of Public Assembly, Small
- ◆ Professional Office
- ◆ Professional Service Establishment
- ◆ Retail Business
- ◆ Sports and Recreation Club
- ◆ Studio for Performing and Graphic Arts
- ◆ Subdivision, Plat or Condo (permitted uses)
- ◆ Theater
- ◆ Urgent Care Facility
- ◆ Uses similar to uses permitted by right, subject to [Section 530](#)
- ◆ Veterinary Clinic
- ◆ Wholesale Facility
- ◆ Wind Energy Conversion System, Accessory, subject to [Section 515.G](#)

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

[Annotation: Mixed Use Development was changed from a Special Use to a Permitted Use by Amendment Z17-04, Effective 6/16/17]

##### SPECIAL USES

- ◆ Accessory uses related to special uses
- ◆ Adaptive Reuse

##### SPECIAL USES (cont'd)

- ◆ Billboard
- ◆ Car Wash
- ◆ Contractor's Facility
- ◆ Day Care, Commercial or Group
- ◆ Drive-through Establishment
- ◆ Dwelling – Multiple Unit
- ◆ Gasoline Station
- ◆ Laundry and Dry Cleaning Establishment
- ◆ Marihuana Grower
- ◆ Marihuana Processer
- ◆ Marihuana Safety Compliance Facility
- ◆ Marihuana Secure Transporter
- ◆ Mini/Self Storage Facility
- ◆ Mine, Sand and Gravel
- ◆ Nursing or Convalescent Home
- ◆ Parking Facility, Public
- ◆ Planned Unit Development
- ◆ Sexually Oriented Business
- ◆ Tattoo Parlor
- ◆ Uses similar to permitted special uses
- ◆ Warehouse, Public
- ◆ Wireless Communication Facility

[Annotation: Duplex changed from Permitted Use to Special Use by Amendment Z10-01, effective 10/30/10]

[Annotation: Communication Tower was deleted as a Special Use by Amendment Z17-02, effective 6/16/17]

[Annotation: Wireless Communication Facility was added as a Special Use by Amendment Z17-02, effective 6/16/17]

[Annotation: Convenience Store w/fuel pumps was deleted as a Special Use by Amendment Z17-04, effective 6/16/17]

[Annotation: Marihuana Grower, Processer, Safety Compliance Facility and Secure Transporter as a special use by amendment Z18-03, effective 3/2/18]

##### SPECIAL USES

##### [Requires Key Street Frontage](#)

- ◆ Greenhouse or Nursery
- ◆ Mortuary
- ◆ Outdoor Sales Facility
- ◆ Places of Public Assembly, Large

**ADDITIONAL STANDARDS**

- ◆ Site Plan requirements subject to [Section 2203](#)
- ◆ Vehicular Parking Space, Access and Lighting requirements subject to [Section 514](#)
- ◆ Landscaping requirements subject to [Section 531](#)
- ◆ Signage requirements subject to [Article 21](#)
- ◆ Dumpsters and Enclosures subject to [Section 506](#)
- ◆ Outdoor Lighting requirements, subject to [Section 525](#)
- ◆ U.S. 31 Corridor Overlay District requirements, subject to [Article 19](#)

**DISTRICT REGULATIONS <sup>(b)</sup>**

<b>Minimum Lot Area:</b>	20,000 sq. ft. <sup>(a)</sup>	<b>Minimum Lot Width:</b>	120 ft.
<b>Maximum Dwelling Units/Acre</b>	17	<b>Max. Building Height</b>	3 stories, or 40' <sup>(b)</sup>
<b>Minimum Building Setbacks</b>		<b>Maximum Lot Coverage</b>	60%
Front <sup>(c)</sup>	30 ft.	<b>Minimum Living Area</b>	500 sq. ft.
Side <sup>(d)</sup>	10 ft. (each side)	<b>Minimum Dwelling Width</b>	20 ft.
Rear <sup>(d)</sup>	20 ft.		

<sup>(a)</sup> For multiple unit buildings, a minimum of 10,000 square feet shall be provided for the first two units, plus 2,000 square feet for each additional dwelling unit up to twenty (20), plus 2,500 square feet for each additional dwelling unit in excess of 20.

<sup>(b)</sup> Except as may be permitted pursuant to [Section 1870](#), Planned Unit Development.

<sup>(c)</sup> Subject to [Section 502, G](#).

<sup>(d)</sup> When a proposed commercial use is contiguous to an existing single-unit or duplex dwelling, the Planning Commission may require an additional buffer consisting of a fifty (50) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to six (6) feet in height, or any combination thereof.

**SECTION 1301            USES PERMITTED BY RIGHT**

The following uses of buildings and land shall be permitted within the C-1 District subject to the provisions of [Article 22](#), Site Plan Approval.

- A. Accessory buildings, regardless of floor area.
- B. Accessory uses related to uses permitted by right, subject to [Section 516](#)
- C. Animal Grooming
- D. Automobile Repair Facility
- E. Community Garden, subject to [Section 534](#)
- F. Convenience Store without fuel pumps
- G. Eating and Drinking Establishment
- H. Financial Institution
- I. Gallery or Museum

- J. Hotel
- K. Medical or Dental Office
- L. Mixed Use Development
- M. Motel
- N. Outdoor Recreation, Park
- O. Personal Service Establishment
- P. Place of Public Assembly, Small
- Q. Professional Office
- R. Professional Service Establishment
- S. Retail Business
- T. Sports and Recreation Club
- U. Studio for Performing and Graphic Arts
- V. Subdivision, Plat or Condo (of permitted uses)
- W. Theater
- X. Urgent Care Facility
- Y. Uses similar to uses permitted by right, subject to [Section 530](#)
- Z. Veterinary Clinic
- AA. Wind Energy Conversion System, subject to [Section 515.G](#)
- BB. Wholesale Facility

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/22]

[Annotation: Mixed Use Development was changed from a Special Use to a Permitted Use by Amendment Z17-04, Effective 6/16/17]

## **SECTION 1302 USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the C-1 District, as special land uses subject to the provisions of [Article 18](#), special land use approval.

- A. Accessory uses related to special uses, subject to [Section 1805](#)
- B. Adaptive Reuse, subject to [Section 1807](#)
- C. Billboard, subject to [Section 1814](#)
- D. Car Wash, subject to [Section 1816](#)
- E. Contractor's Facility, subject to [Section 1820](#)
- F. Day Care, Commercial, subject to [Section 1825](#)
- G. Day Care, Group, subject to [Section 1826](#)
- H. Drive-through Establishment, subject to [Section 1828](#)
- I. Dwelling – Multiple Unit, subject to [Section 1832](#)
- J. Gasoline Station, subject to [Section 1841](#)
- K. Greenhouse or Nursery, subject to [Section 1844](#) – *Requires Key Street Frontage*
- L. Laundry and Dry Cleaning Establishment, subject to [Section 1850](#)

- M. Marihuana Grower, subject to [Section 1851](#)
- N. Marihuana Processor, subject to [Section 1851](#)
- O. Marihuana Safety Compliance Facility, subject to [Section 1851](#)
- P. Marihuana Secure Transporter, subject to [Section 1851](#)
- Q. Mini/Self Storage, subject to [Section 1855](#)
- R. Mine, Sand and Gravel, subject to [Section 1856](#)
- S. Mortuary, subject to [Section 1859](#) – [Requires Key Street Frontage](#)
- T. Nursing or Convalescent Home, subject to [Section 1862](#)
- U. Outdoor Sales Facility, subject to [Section 1864](#) – [Requires Key Street Frontage](#)
- V. Parking Facility, Public, subject to [Section 1865](#)
- W. Places of Public Assembly, Large, subject to [Section 1868](#) – [Requires Key Street Frontage](#)
- X. Planned Unit Development, subject to [Section 1870](#)
- Y. Sexually Oriented Business, subject to [Section 1879](#)
- Z. Tattoo Parlor, subject to [Section 1883](#)
- AA. Uses similar to permitted special uses, subject to [Section 1886](#)
- BB. Warehouse, Public, subject to [Section 1889](#)
- CC. Wireless Communication Facility, subject to [Section 1893](#)

[Annotation: Communication Tower was deleted as a Special Use by Amendment Z17-02, effective 6/16/17]

Annotation: Wireless Communication Facility was added as a Special Use by Amendment Z17-02, effective 6/16/17]

Annotation: Convenience Store w/fuel pumps was deleted as a Special Use by Amendment Z17-04, effective 6/16/17]

[Annotation: Mixed Use Development was changed from a Special Use to a Permitted Use by Amendment Z17-04, Effective 6/16/17]

[Annotation: Marihuana Grower, Processor, Safety Compliance Facility and Secure Transporter as a special use by amendment Z18-03, effective 3/2/18]

## **SECTION 1303                      DIMENSIONAL STANDARDS**

Within the C-1 District, the following dimensional standards shall apply:

- A. Parcel Area – No building or structure shall be established on any parcel less than twenty thousand (20,000) square feet in area. Provided that for multiple unit buildings, in addition to ten thousand (10,000) square feet in minimum parcel area for the first two units, two thousand (2,000) square feet of parcel area shall be provided for each dwelling unit up to twenty (20) and two thousand five hundred (2,500) square feet of parcel area shall be provided for each additional dwelling unit in excess of twenty (20).
- B. Parcel Width – For all uses the minimum parcel width shall be one hundred twenty (120) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
  - 1. Front Yard: The minimum setback shall not be less than thirty (30) feet from front property line.
  - 2. Side Yards: Except as provided in subparagraph 4 below, the minimum width of either side yard shall not be less than ten (10) feet.

3. Rear Yard: Except as provided in subparagraph 4 below, the minimum rear setback shall twenty (20) feet.
4. When a proposed commercial use is contiguous to an existing single-unit or duplex dwelling, the Planning Commission may require an additional buffer consisting of a fifty (50) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to six (6) feet in height, or any combination thereof.
- E. Building Height. Except as a part of a Planned Unit Development, no structure in the C-1 District shall exceed three (3) stories in height or forty (40) feet in height.
- F. Living Area: No dwelling unit shall be constructed in the C-1 District which has less than five hundred (500) square feet of living area.
- G. Dwelling Width: No dwelling shall be constructed in the C-1 District which is less than twenty (20) feet wide.
- H. Lot Coverage: Not more than sixty percent (60%) of the parcel area shall be covered by buildings.

#### **SECTION 1304                      SITE STANDARDS**

- A. In addition to Site Plan requirements set forth in [Article 22](#) of this Ordinance, a site plan in the C-1 District for a commercial enterprise with frontage on highway U.S.-31 shall also meet the following requirements:
  1. Existing drives and curb cuts onto U.S.-31 shall comply with the requirements of [Article 19, US-31 Corridor Overlay](#).
  2. Parking shall not be allowed within the front yard setback.
  3. Loading and solid waste storage areas shall be located in the side or rear of the commercial establishment.
  4. All dumpster enclosures shall be in accordance with [Section 506](#) of this Zoning Ordinance. [Annotation: Changed to reflect Section 506 Dumpsters and Enclosures by Amendment Z17-05, effective 6/16/17]
  5. The location of the solid waste container(s) shall be adjacent to a building, unless specifically waived by the Commission.
  6. Loading/unloading docks and areas (including solid waste containers) shall be situated so that trucks loading and unloading do not park in parking lot areas.
- B. Yards median, and all grounds areas shall be maintained and shall meet the following standards:
  1. The front yard setback area:
    - a. The required front yard shall consist of a landscaped lawn and shrub area. The Commission may require manicured lawn covered berm, fences, walls, and other screening and the same shall be provided and maintained as a condition of the establishment and continued maintenance of any use to which they are appurtenant.
    - b. The City may require walkways for pedestrian and non-motorized vehicles.
  2. All utilities (electric, gas, water, sewer, cable television, and other similar services) shall be located underground. This requirement applies to service to individual commercial establishments and to any utilities necessary to travel between the rear wall of the principle commercial establishment building and the centerline of highway U.S.-31. All utility pad

- fixtures, meters, shall be shown on the site plan and integrated with the architectural and landscape elements of the site plan.
3. All exterior lights shall be arranged and installed in accordance with [Section 525](#).
  4. All service drives, driveways, parking areas, sidewalks, shall be paved with concrete, bituminous asphalt or other similar material.
  5. Landscaping of the yard and grounds area of the parcel shall meet the following standards:
    - a. All open yard and grounds areas in front and on the sides and the rear 20 feet (closest to the building) of the parcel shall be maintained as manicured lawn, and/or formal garden.
    - b. The owner shall be responsible for maintenance of all landscaping. Plant materials (including grass) shall be kept in a healthy growing condition and free from refuse and debris, except for continuous watering during periods of water shortage or drought.
    - c. The site plan shall identify existing vegetation on the site and indicate whether such existing vegetation will be preserved or replaced upon construction.
- C. All buildings, fences, walls, gates, shall meet the following architectural standards:
1. No building exterior (whether front, side, or rear) will consist of architectural materials inferior in quality, appearance, or detail to any other exterior of the same building. Nothing in this section shall prevent using different building exterior materials or design which would be acceptable as representative of good architectural design and does not involve use of inferior materials on sides which face adjoining property and thus might adversely impact existing or future development.
  2. The building shall be constructed and finished in such a manner that its color and appearance will be aesthetically complimentary to the other buildings in the area. It shall be subject to prior site plan and construction approval by the Planning Commission.
  3. Mechanical equipment, whether ground-level or rooftop, shall be shielded and screened from public view and designed to be perceived as an integral part of the building.
  4. For all commercial establishments, servicing or processing shall be conducted within completely enclosed buildings, except for off-road parking, loading, unloading, and open air uses specifically approved by the Commission.
- D. In addition to any requirements of Manistee City Subdivision Ordinance, a division of a parcel of land, in or outside of an existing subdivision, which results in one or more parcels which do not have public highway U.S.-31 frontage, shall be required to have an approved access to a public highway U.S.-31 prior to the division of the parcel or issuing a zoning permit.

## **SECTION 1305                      EXISTING RESIDENTIAL STRUCTURES**

A dwelling or duplex which exists prior to the effective date of this Article may continue as a non-conforming use pursuant to [Article 4, Section 401, A, 2](#) of this Ordinance.