

SECTION 4.9 COMMERCIAL (CD)

The purpose and intent of this district is to provide an area within the township where commercial development can be expanded alongside other rural activities. This provides areas where high density uses may be developed in a park-like manner with large areas of open space and landscaping. Sewer and water systems and other infrastructures may be necessary for these uses.

SECTION 4.9.1 PERMITTED PRINCIPAL USES

- A. Public and semi-public uses, including community meeting halls, public or private schools, athletic clubs, museums, libraries, parks and playgrounds and structures typically constructed as part of these types of facilities.
- B. The following commercial uses:
 - 1. Banks and other financial institutions.
 - 2. Offices and personal service establishments.
 - 3. Retail stores.
 - 4. Restaurants.

SECTION 4.9.2 CONDITIONAL USES

- A. Wireless telecommunication antennae towers and equipment shelter buildings shall be allowed under the following conditions:
 - 1. Maximum height forty-two (42) feet.
 - 2. Designed and constructed to be inconspicuous in their intended locations.
 - 3. Co-location with other servers is mandatory.
 - 4. Provision of a positive environmental assessment.
 - 5. A statement proving the proof of need for the proposed tower.
 - 6. Equipment shelter buildings and other accessory structures shall meet all the requirements for similar structures in this district.
- B. The following uses require a Special Use Permit in accordance with Chapter 7:
 - 1. Community clubs.
 - 2. Day care centers.
 - 3. Elderly day care centers.
 - 4. Churches.
 - 5. Building supply warehouses and wholesale businesses.
 - 6. Motor vehicle service facilities, including gas stations and car washes.
 - 7. Motor vehicle repair facilities.
 - 8. Self-service storage facilities.
 - 9. Contractors and builders establishments.
 - 10. Indoor recreation establishments, such as bowling alleys, skating rinks, arcades.

11. Theaters.
12. Coin operated laundries.
13. Mortuaries and funeral homes.
14. Manufacturing, processing assembling, packaging, treatment of previously prepared material (must be conducted in an enclosed building).
15. Hotels and motels.
16. Taverns, bars and other adult entertainment businesses.
17. Bed and Breakfast establishments.

SECTION 4.9.3 DEVELOPMENT STANDARDS

High density uses must conform to the development standards that follow for each type of allowed use within designated districts.

A. AREA AND BULK REGULATIONS

1. Commercial

Properties within the Commercial District shall use the requirements listed below for singular lot development.

Metes-and-bounds or platted lots:

Minimum lot area: ten (10) acres

Minimum lot width: at front yard setback, three hundred thirty (330) feet.

Minimum setbacks:

Front or side setbacks: State roads, two hundred fifty (250) feet.

County roads, one hundred (100) feet.

Side setbacks: thirty-five (35) feet

Rear setbacks: thirty-five (35) feet

Maximum building coverage: twenty five (25) percent

Maximum impervious surface: fifty (50) percent

Maximum building height: thirty five (35) feet

Minimum distance between buildings: thirty (30) feet

Parking must be in rear or alongside buildings

Landscape plantings or architectural walls sufficient to screen parked cars from view from highway and from interior travelways shall be provided as well as landscape plantings of sufficient size and material to create a park-like setting for any structures and uses.

2. Community Facilities, Institutional and Religious Buildings

Minimum lot area: ten (10) acres

Minimum lot width: at front yard setback, three hundred thirty (330) feet.

Minimum setbacks:

Front or side setbacks: State roads, two hundred fifty (250) feet.

County roads, one hundred (100) feet.

Side setbacks: thirty-five (35) feet

Rear setbacks: thirty-five (35) feet

Build-up line: two (2) stories, finished first floor must be level with sidewalk
Maximum building coverage: twenty five (25) percent
Maximum impervious surface: fifty (50) percent
Maximum building height: thirty five (35) feet
Maximum interior yards (open space between buildings on the same lot): fifteen (15) feet.
All off-street parking must be in rear or side yards. Alleys are recommended.

B. REQUIRED OFF-STREET PARKING IN COMMERCIAL AREAS

1. The following requirements are in addition to the requirements in Chapter 6.
 - a) Off-street parking for commercial uses shall be sufficient to provide parking for the employees of all proposed uses as well as long-term customer parking.
 - b) Off-street parking lots:
 1. Shall be prohibited in any front yard setback area.
 2. Shall be located at the rear of the buildings on the interior of the lot.
 3. Shall be accessed by means of common driveways, preferably from side streets or lanes.
 - c) Such lots shall be small-sized (less than 25 parking spaces), where possible, and interconnected with commercial parking lots on adjacent properties.
 - d) Cross-access easements for adjacent lots with interconnected parking lots shall be required, in language acceptable to the Township.
 - e) Common, shared parking facilities are encouraged, where possible.
2. Parking Lot Landscaping, Buffering and Screening
 - a) Lots shall balance the functional requirements of parking with the provision of pedestrian needs. Transition areas between parking and civic or commercial uses should be designed with textured paving, landscaping and street furniture.
 - b) Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise or exhaust fumes onto adjacent properties, in particular residential properties, and provide the parking areas with a reasonable measure of shade. In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of four (4) foot high, year-round visually impervious screen, hedge or wall. The height of any required screen, hedge, or wall shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrians or bicyclists from motor vehicles, and shall not interfere with clear sight triangle requirements.

- c) The interior of all parking lots shall be landscaped to provide shade and visual relief. This is best achieved by protected planting islands or peninsulas within the perimeter of the parking lot. Parking lots with ten or less spaces may not require interior landscaping if the Planning Commission determines that there is adequate perimeter landscaping. If this perimeter landscaping is found to be inadequate, and in parking lots with eleven (11) or more spaces, a minimum of one (1) deciduous shade tree, 2 ½” caliper, shall be planted for every six (6) parking spaces. Planting areas shall be as large as possible, but no smaller than 10 x 20 or an equivalent planter is required. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible, but shall ensure the above objectives are satisfied.
- d) Parking lot layout shall take into consideration pedestrian circulation. Pedestrian crosswalks shall be provided, and where necessary and appropriate, shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian or multi-mode trailways.

C. PERIPHERAL AREAS OF COMMERCIAL DISTRICT

- 1. Unless peripheral areas abutting highways and arterials contain existing mature trees, a mixture of indigenous species trees shall be planted to provide visual and noise screening to the area. Trees must be 2 ½” caliper minimum at the time of planting.
- 2. Peripheral areas should have lower density uses, including where appropriate light manufacturing or warehousing, with large open areas to define the edges of the commercial park development.
- 3. Peripheral areas may be used for agricultural purposes or forests, as long as the uses are not nuisances to the commercial/community facilities/institutional/ religious building use area.
- 4. Natural vegetation and other existing attractive natural features within peripheral and within commons or green areas shall be properly maintained.

SECTION 4.9.4 PERFORMANCE STANDARDS

- A. All uses in this district shall be subject to Chapter 8, Development Site Plan Review.
- B. Any use allowed in this district shall be so situated and operated that it shall not become a nuisance to the neighbors.
- C. All commercial activities and operations shall be carried on within an enclosed structure unless specifically permitted to do otherwise by a Special Use Permit

D. The following standards shall be used to measure Commercial District projects:

1. Sewerage - Adequate facilities to handle the total build-out proposal and not endanger area ground water quality as determined by the local health department. (Monitor wells may be required by the Planning Commission upon recommendation by the appropriate health authorities or a qualified engineer).
2. Water - Adequate facilities to handle the total build-out proposal and not endanger area ground water quality as determined by the local health department. (Monitor wells may be required by the Planning Commission upon recommendation by the appropriate health authorities or a qualified engineer).
3. Fire – A review and a letter of written recommendation from the appropriate authority shall be required.
4. Police - A review and a letter of written recommendation from the appropriate authority shall be required.
5. Traffic - A review and a letter of written recommendation from the appropriate authority shall be required. A formal traffic study may be required dependent upon the size and scope of the project.
6. Drainage - Storm drainage resulting from a project shall be handled on-site or in conformance with an approved area plan and with the country regulations governing storm drainage.
7. Air quality - Projects shall promote non-polluting transportation, heating ventilating and air conditioning systems.
8. Physical conditions and natural features - Local prominent features and attributes, such as streams, woodlots, ridges, shall be preserved and enhanced.

SECTION 4.9.5 ACCESSORY STRUCTURES AND USES

Any use or structure incidental to a permitted principal use not otherwise regulated by this Ordinance is allowed by right.

SECTION 4.9.6 MISCELLANEOUS REGULATIONS

General provisions as permitted in Chapter 5

Parking as permitted in Chapter 6

Signs as permitted in Chapter 9

Kasson Township – Section 4.9-Commercial District (CD)

As Adopted: 10-16-2006