

**§ 130.16. C3 Regional Shopping Center District.**

130.16.1. Purpose. To provide for a well-designed, safe, efficient and attractive regional SHOPPING CENTER to provide a full range of commercial services to the population of the general area.

130.16.2. AUTHORIZED USES.

130.16.2.1. PERMITTED USES BY RIGHT.

130.16.2.1.1. PRINCIPAL USES. **[Amended 7-6-93 by Ord. No. 1585]**

130.16.2.1.1.1. COMMUNICATIONS ANTENNAS, subject to the requirements of Section 130.7.27. **[Added 7-6-93 by Ord. No. 1585; Amended 8-3-98 by Ord. No. 1774]**

130.16.2.1.1.2. AUTHORIZED MIXED USES: COMMUNICATION ANTENNAS permitted as an AUTHORIZED MIXED USE with any other PRINCIPAL USE authorized by this Chapter on the LOT or SITE, subject to the requirements of Section 130.7.27. **[Added 7-6-93 by Ord. No. 1585; Amended 8-3-98 by Ord. No. 1774]**

130.16.2.1.1.3. PUBLIC UTILITY. **[Added 4-6-98 by Ord. No. 1761]**

130.16.2.1.1.4. PUBLIC UTILITY FACILITY. **[Added 4-6-98 by Ord. No. 1761]**

130.16.2.1.1.5. RESIDENTIAL ESSENTIAL SERVICES. **[Added 4-6-98 by Ord. No. 1761]**

130.16.2.1.2. ACCESSORY USES.

130.16.2.1.2.1. STORAGE STRUCTURES.

130.16.2.1.2.2. SIGNS. See Article V.

130.16.2.1.2.3. FENCES and PRIVACY FENCES. **[Amended 10-1-98 by Ord. No. 1453]**

130.16.2.1.2.4. Air conditioners and heat exchangers.

130.16.2.1.2.5. Dumpsters.

130.16.2.1.2.6. REVERSE VENDING MACHINES. [**Added 10-1-90 by Ord. No. 1453**]

130.16.2.1.2.7. SMALL COLLECTION FACILITIES. [**Added 10-1-90 by Ord. No. 1453**]

130.16.2.1.2.8. Towers, spires and antennas. [**Added 7-6-93 by Ord. No. 1585**]

130.16.2.1.2.9. RESIDENTIAL ESSENTIAL SERVICES. [**Added 4-6-98 by Ord. No. 1761**]

130.16.2.2. CONDITIONAL USES. The following USES are permitted subject to the express standards and criteria in § 130.16.3.2. below.

130.16.2.2.1. PRINCIPAL USES.

130.16.2.2.1.1. Planned regional SHOPPING CENTER developments, including and limited to the following USES:

130.16.2.2.1.1.1. Any USE permitted as a CONDITIONAL USE in the C2 ZONING DISTRICT, except funeral homes and mortuaries, LONG-TERM CARE NURSING FACILITIES, MAJOR PERSONAL CARE HOMES, BED AND BREAKFAST INNS or SEMIPUBLIC USES. [**Amended 9-7-93 by Ord. No. 1599; Amended 4-6-98 by Ord. No. 1761**]

130.16.2.2.1.1.2. ASSEMBLY HALLS.

130.16.2.2.1.1.3. Department stores.

130.16.2.2.1.1.4. BOOK AND VIDEO STORES. [**Amended 9-7-93 by Ord. No. 1599**]

130.16.2.2.1.1.5. SUPERMARKETS.

130.16.2.2.1.1.6. AMUSEMENT ARCADE. [**Amended 7-5-83 by Ord. No. 1036**]

130.16.2.2.1.1.7. NIGHTCLUBS. [**Added 5-6-96 by Ord. No. 1712**]

130.16.2.2.1.1.8. SEXUALLY-ORIENTED BUSINESS. [**Added 5-6-96 by Ord. No. 1712**]

130.16.2.2.1.2. ESSENTIAL SERVICES. [**Added 4-6-98 by Ord. No. 1761**]

130.16.2.2.2. ACCESSORY USES.

130.16.2.2.2.1. Any ACCESSORY USE PERMITTED BY RIGHT.

130.16.2.2.2.2. PARKING AREAS.

130.16.2.2.2.3. LOADING BERTHS.

130.16.2.2.2.4. AMUSEMENT ARCADE. [**Added 7-5-83 by Ord. No. 1036**]

130.16.2.2.2.5. Any other ACCESSORY USE not specified, but customarily incidental to any AUTHORIZED USE in the ZONING DISTRICT.

130.16.2.3. USES BY SPECIAL EXCEPTION: None.

130.16.3. Requirements for PERMITTED USES BY RIGHT and CONDITIONAL USES.

130.16.3.1. General requirements.

130.16.3.1.1. Procedure. The procedure for review and approval of a planned regional SHOPPING CENTER development CONDITIONAL USE APPLICATION FOR DEVELOPMENT is the procedure for PLANNED DEVELOPMENTS set forth in Article VI, §130.37.

130.16.3.1.2. Minimum SITE size: Twenty-five (25) acres.

130.16.3.1.3. Maximum LOT COVERAGE: Twenty percent (20%).

130.16.3.1.4. Maximum HEIGHT OF STRUCTURE.

130.16.3.1.4.1. PRINCIPAL STRUCTURES other than PRINCIPAL BUILDINGS: Three and one-half (3½) STORIES which may not exceed forty-five (45) feet in total height. [**Amended 6-6-94 by Ord. No. 1631**]

130.16.3.1.4.2. PRINCIPAL BUILDINGS: Three and one-half (3½) STORIES which may not exceed forty-five (45) feet in total height. **[Amended 6-6-94 by Ord. No. 1631]**

130.16.3.1.4.2.1. The maximum HEIGHT OF BUILDING may be exceeded by chimneys, spires, towers, antennae, masts, smoke stacks, flagpoles, tanks, skylights, elevator shafts, or by a penthouse or STRUCTURE required for enclosure of stairs and equipment necessary to the operation of the BUILDING or any such projection provided that any such projections do not have an aggregate area greater than twenty-five percent (25%) of the total roof area and shall not exceed fifteen (15) feet above the maximum allowable HEIGHT OF BUILDING to which it is attached. **[Added 6-6-94 by Ord. No. 1631]**

130.16.3.1.4.3. ACCESSORY STRUCTURES and ACCESSORY BUILDINGS: **[Amended 8-2-93 by Ord. No. 1589; 10-6-97 by Ord. No. 1750]**

130.16.3.1.4.3.1. Exterior light pole and fixture at a planned regional SHOPPING CENTER: Fifty (50) feet.

130.16.3.1.4.3.1.1. All other light poles and fixtures: Twenty-eight (28) feet. **[Added 9-5-95 by Ord. No. 1681]**

130.16.3.1.4.3.2. All other ACCESSORY STRUCTURES and BUILDINGS: One (1) STORY which may not exceed fifteen (15) feet in total height. **[Amended 10-6-97 by Ord. No. 1750]**

130.16.3.1.5. YARD requirements for PRINCIPAL STRUCTURES.

130.16.3.1.5.1. All YARDS: One hundred (100) feet, provided that PARKING AREAS and DRIVEWAYS are permitted within required YARDS, except for that portion of a YARD which measures thirty-five (35) feet from an existing STREET or residential ZONING DISTRICT which is to be maintained as a BUFFER AREA.

130.16.3.1.5.2. Special YARD requirements along U.S. Route 19: One hundred five (105) feet from the center line of U.S. Route (Washington Road).

130.16.3.1.5.3. Special YARD requirements for YARDS adjoining a SINGLE-FAMILY ZONING DISTRICT. When rear or side walls of the PRINCIPAL STRUCTURE adjoining the R1, R2, or R3 ZONING DISTRICTS exceed the height limitations of the ZONING DISTRICT in which the PRINCIPAL STRUCTURE is located by more than ten (10) feet as a result of topographic conditions and the requirement to measure HEIGHT OF BUILDING at the front of the BUILDING, the required YARD adjoining to R1, R2, or R3 ZONING DISTRICTS shall be increased by one (1) foot for every foot in excess of ten (10) feet above the height limitations.

130.16.3.1.5.4. Permitted projections into required YARDS: Same as R1 ZONING DISTRICT. See §130.8.3.1.6.5. **[Added 10-1-90 by Ord. No. 1453]**

130.16.3.1.6. YARD requirements for ACCESSORY STRUCTURES. **[Amended 7-6-93 by Ord. No. 1585]**

130.16.3.1.6.1. FRONT YARD: One hundred (100) feet.

130.16.3.1.6.2. All other YARDS: Thirty-five (35) feet.

130.16.3.1.6.3. Permitted projections into required YARDS: Same as R1 ZONING DISTRICT. See §130.8.3.1.6.5. **[Added 10-1-90 by Ord. No. 1453]**

130.16.3.1.6.4. YARD requirements along U.S. Route 19: All ACCESSORY STRUCTURES except SIGNS, DRIVEWAYS, FENCES, open PARKING AREAS, retaining walls and lighting fixtures must be located a minimum of one hundred five (105) feet from the centerline of U.S. Route 19 (Washington Road).

130.16.3.1.7. Parking requirements.

130.16.3.1.7.1. Minimum PARKING SPACES.

130.16.3.1.7.1.1. See §130.7.6.

130.16.3.1.7.1.2. ASSEMBLY HALLS: as determined by the BOARD OF COMMISSIONERS upon recommendation of the PLANNING COMMISSION following a parking needs analysis. **[Amended 9-7-93 by Ord. No. 1599]**

130.16.3.1.7.1.3. Other USES: One (1) PARKING SPACE for every two hundred (200) square feet of GROSS LEASABLE FLOOR AREA OF BUILDING. **[Amended 10-1-90 by Ord. No. 1453]**

130.16.3.1.7.1.4. PARKING SPACES FOR HANDICAPPED PERSONS: Same as SB ZONING DISTRICT. See §130.13.3.1.6.1.6. **[Added 10-1-90 by Ord. No. 1453]**

130.16.3.1.7.2. PARKING AREA and DRIVEWAY requirements: See General Regulations, §130.7.

130.16.3.1.8. LOADING BERTH requirements: Same as C2 ZONING DISTRICT. See §130.15.3.1.8. **[Amended 9-7-93 by No. 1599]**

130.16.3.1.9. SIGNS. See Article V.

130.16.3.1.10. FENCES: Same as C1 ZONING DISTRICT. See §130.14.3.1.10.

130.16.3.1.11. Screening and landscaping.

130.16.3.1.11.1. Open areas which are not PARKING AREAS, DRIVEWAYS or LOADING BERTHS must be planted with shrubs, trees or grass and must be maintained in accordance with the approved LANDSCAPE PLAN. **[Amended 10-1-90 by Ord. No. 1453]**

130.16.3.1.11.2. A BUFFER AREA thirty-five (35) feet in depth must be provided along all LOT LINES in any YARD adjoining a residential ZONING DISTRICT, except where natural or physical man-made barriers exist that will duplicate the effect of the required BUFFER AREA. Screening required for open PARKING AREAS may be part of a BUFFER AREA. See §130.7.18.12. **[Amended 10-1-90 by Ord. No. 1453]**

130.16.3.1.11.3. Dumpsters must be enclosed or screened by a six (6) feet high, densely planted evergreen hedge, PRIVACY FENCE or other STRUCTURE. See Chapter 68 of TOWNSHIP CODE. **[Amended 10-1-90 by Ord. No. 1453]**

130.16.3.1.11.4. Rooftop mechanical equipment, not including antennas, must be enclosed or screened by a STRUCTURE. **[Amended 7-6-93 by Ord. No. 1585]**

130.16.3.1.12. Minimum FRONT LOT LINE: Thirty (30) feet. **[Added 12-3-84 by Ord. No. 1110]**

130.16.3.1.13. Storage: Same as SB ZONING DISTRICT. See §130.13.3.1.12.

130.16.3.1.14. ACCESSORY BUILDINGS must be constructed of the same type, size and color of material as the PRINCIPAL BUILDING. **[Added 10-1-90 by Ord. No. 1453]**

130.16.3.1.15. Standards for REVERSE VENDING MACHINES and SMALL COLLECTION FACILITIES: Same as C1 ZONING DISTRICT. See § 130.14.3.1.15. **[Added 10-1-90 by Ord. No. 1453]**

130.16.3.2. Express standards and criteria for granting CONDITIONAL USES. All CONDITIONAL USES are subject to the general requirements of § 130.16.3.1. and to the following express standards and criteria:

130.16.3.2.1. ALL USES.

130.16.3.2.1.1. Access and traffic control.

130.16.3.2.1.1.1. See General Regulations. See §130.7.

130.16.3.2.1.1.2. Direct access must be provided from the PLANNED DEVELOPMENT SITE to a PUBLIC STREET classified as a COLLECTOR STREET or ARTERIAL STREET. Access to and from the SITE and all traffic channelization and control must be designed to prevent congestion and to accommodate peak traffic demands without hazard or great delay.

130.16.3.2.1.2. No shipping or receiving is permitted within six hundred (600) feet of a residential ZONING DISTRICT between the hours of 6:00 p.m. and 8:00 a.m.

130.16.3.2.2. DAY CARE CENTERS: Same as C1 ZONING DISTRICT. See §130.14.3.2.1.

130.16.3.2.3. GASOLINE STATIONS: Same as C2 ZONING DISTRICT. See § 130.15.3.2.5.

130.16.3.2.4. PRIVATE CLUBS: Same as C2 ZONING DISTRICT. See § 130.15.3.2.6.

130.16.3.2.5. KENNELS: Same as C2 ZONING DISTRICT. See § 130.15.3.2.9.

130.16.3.2.6. AMUSEMENT ARCADES. No AMUSEMENT DEVICE is permitted within five hundred (500) feet of a school or CHURCH. **[Added 7-5-83 by Ord. No. 1036]**

130.16.3.2.7. PARKING FACILITIES: Same As C2 ZONING DISTRICT. See §130.15.3.2.12. **[Added 10-1-90 by Ord. No. 1453]**

130.16.3.2.8. ESSENTIAL SERVICES. **[Entire Section Added 4-6-98 by Ord. No. 1761]**

130.16.3.2.8.1. No storage of equipment or materials is permitted outside a STRUCTURE.

130.16.3.2.8.2. All lights must be shielded and reflected away from abutting LOTS.

130.16.3.2.8.3. Such USE may be located no closer than one hundred (100) feet to a LOT in any residential ZONING DISTRICT.

130.16.3.2.8.4. Such USE may not be located on a CORNER LOT abutting the intersection of an ARTERIAL STREET with a COLLECTOR STREET.

130.16.3.2.8.5. The BOARD OF COMMISSIONERS shall consider whether or not such USE will be a detriment to the surrounding LOTS because of such nuisance factors as traffic generated, emission or noise, vibration, odor, smoke, fumes, glaring light and storage of flammable or explosive materials.

130.16.3.2.8.6. No electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance is permitted.

130.16.3.2.8.7. No vibration which is discernible to the human sense of feeling for three (3) minutes or more in duration is permitted in any hour of the day between 7:00 a.m. and 7:00 p.m. or for thirty (30) seconds or more between the hours of 7:00 p.m. and 7:00 a.m.

130.16.3.2.8.8. No activities producing heat, cold, dampness or movement of air which shall produce any material effect on the temperature, motion or humidity of the atmosphere at the LOT LINE or beyond are permitted.

130.16.3.2.8.9. No USE which, by its nature, operation or activity, produces noise of objectionable character or volume is permitted.

130.16.3.2.8.10. No emission of odorous gases or other odorous matter in such quantities as to be detectable to the human sense of smell when measured at the LOT LINE is permitted.

130.16.3.2.8.11. No direct or sky-reflected glare, whether from floodlights or from high temperature processes, such as combustion or welding or otherwise which is detectable from any point on the LOT LINE is permitted. This restriction does not apply to SIGNS or floodlights otherwise permitted by TOWNSHIP ordinance.

130.16.3.2.8.12. All activities shall comply with county, state, and federal environmental laws and regulations.

130.16.3.2.9. MASSAGE THERAPY ESTABLISHMENT – Same as C1 Zoning District. See 130.14.3.2.6. MASSAGE THERAPY ESTABLISHMENT. [**Added 8-3-09 by Ord. No. 2026**]

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