

**CITY OF ITHACA, MICHIGAN
ORDINANCE NO. 2018-01**

**AMENDING CHAPTER 40: ZONING,
ARTICLE 12. C-1 CENTRAL BUSINESS DISTRICT
OF THE
CITY CODE OF ORDINANCES**

An Ordinance to Amend Chapter 40: *Zoning*; Article 12: *C-1 Central Business District* of the Code of Ordinances of the City of Ithaca.

THE PEOPLE OF THE CITY OF ITHACA, MICHIGAN DO ORDAIN:

SECTION 1. Article 12 is hereby repealed in its entirety and replaced with the following:

ARTICLE 12. C-1 CENTRAL BUSINESS DISTRICT

Sec. 12-01	Purpose	Sec. 12-04	Required Conditions
Sec. 12-01	Permitted Uses	Sec. 12-05	Site Plan Review
Sec. 12-03	Uses Allowed by Special Use Permit	Sec. 12-06	Regulations

ARTICLE 12. C-1 CENTRAL BUSINESS DISTRICT

Sec. 12.01. Purpose.

The C-1 Central Business District is intended primarily for central shopping and merchandising activities that serve the entire community as well as residents of the larger Ithaca market area and tourists and is so located that the provisions of off-street parking facilities cannot reasonably be required. The C-1 District is intended as a diverse, concentrated, historic, pedestrian-oriented environment where residents can live, work, shop and socialize throughout the day and evening. Its purpose is to provide a sense of place for Ithaca residents and to instill a sense of civic pride throughout the region. The ground floor space along Downtown Center Street between Pine River and Main Streets, is intended for pedestrian-oriented retail, personal service and office uses, with office and residential uses above. The permitted uses in the C-1 District are subject to the site development requirements of Article 22.

Sec. 12.02. Permitted Uses.

The following uses shall be permitted with the C-1 Central Business District:

- a. Business services, including the following:
 1. Business, professional or governmental
 2. Real estate offices
 3. Commercial or public parking lots, typically in the rear of buildings and businesses (but not fronting on Center Street between Main and Maple Streets)
 4. Financial institutions, including banks, savings and loan association offices, credit unions and loan production offices

- b. Clothing services, including the following:
 - 1. Dressmaking shops
 - 2. Dry cleaning establishments occupying a total floor area not to exceed 2,000 square feet and using not more than two clothes-cleaning units, neither of which shall have a rated capacity of more than 40 pounds, using cleaning fluid which is nonexplosive and nonflammable.
 - 3. Millinery shops
 - 4. Tailor and pressing shops
- c. Equipment services, including the following:
 - 1. Electric and appliance repair shops
 - 2. Radio and electronic repair, television shops
 - 3. Shoe repair shops
 - 4. Watch repair shops
- d. Food services (excluding drive-in type businesses) the business of which shall be conducted entirely within an enclosed building, or by permit on adjacent sidewalks, including, but not limited to, the following:
 - 1. Bake shops
 - 2. Dairy stores
 - 3. Delicatessens
 - 4. Grocery stores
 - 5. Meat, fish and poultry markets
 - 6. Restaurants
 - 7. Taverns
 - 8. Coffee shops
- e. Medical offices for:
 - 1. Doctor, dentist or chiropractic practices
- f. Personal services, including the following:
 - 1. Barbershops
 - 2. Beauty shops
 - 3. Funeral homes
 - 4. Health/fitness salons and facilities
 - 5. Photographic studios
- g. Retail services and retail stores, generally including the following:
 - 1. Antique shops
 - 2. Apparel shops
 - 3. Bicycle sales and service establishments
 - 4. Book stores

5. Camera shops
 6. Drugstores
 7. Flower shops
 8. Gift shops
 9. Hardware, paint and wallpaper stores
 10. Hobby shops
 11. Household appliance stores
 12. Jewelry stores
 13. News dealers
 14. Radio, TV and music shops
 15. Picture framing stores
 16. Stationery shops
 17. Variety stores
 18. Catalog stores
 19. Theaters
- h. Places of assembly (membership, fraternal and service clubs, religious facilities or recreational buildings) but not on ground floors
 - i. Dwelling units within commercial structures (except on the main floor and basement of those structures), which meet State of Michigan minimum housing code standards, including but not limited to safety, ingress/egress, and electrical, plumbing and mechanical codes. If units are rentals, then they must meet rental code standards adopted by the City (currently the International Property Maintenance Code.)
 - j. Attached dwelling structures, including apartments, townhouses and terrace or row houses, except on those lots fronting: (1) Center Street between Jeffrey and Maple Streets; (2) South Main Street between Center and Newark Streets; and (3) Pine River Street between Emerson and Newark Streets
 - k. Single-family detached dwelling units, but only on those lots fronting: (1) Emerson Street between Main and Jeffrey Streets; and (2) Newark Street between Elm and Maple Streets
 - l. Uses similar to the above
 - m. Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to requirements of Section 4.05
 - n. Signs, as provided in Article 28
 - o. Off-street parking and loading facilities, in accordance with the requirements of Article 27
 - p. Temporary buildings and trailers for use incidental to construction work
 - q. Public parks, plazas and other public facilities such as farmers markets, libraries, emergency services facilities and community centers.

Sec. 12.03. Uses allowed by special use permit.

The following uses may be permitted subject to applicable site development requirements in Article 22 and subject further to the approval of the City Planning Commission in accordance with processing procedures in Articles 20 and 21.

- a. Automobile service stations, subject to site development standards in Section 22.01:7.
- b. Retail and wholesale lumberyards and associated showrooms/business offices, subject to the requirements of Section 22.01:25.
- c. Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, but not including the storage yards or radio, television, cellular, wireless or other similar communication towers, subject to site development requirements of Sections 22.01:36 and 22.01:37. Public emergency services and public works communications towers shall be exempt from this limitation.

Sec. 12.04. Required Conditions.

The following conditions are required for all uses in the C-1 District:

- a. All business, service or processing uses, with the exception of lumberyard operations, commercial parking lots and automobile service stations, shall be conducted wholly within a completely enclosed building, provided that all lighting in connection with permitted business uses shall be so arranged as to reflect the light away from all adjoining residential buildings or residentially-zoned property.
- b. All business or service establishments shall be mainly for the purpose of dealing directly with consumers. All goods produced or processed on the premises shall be principally sold at retail on the premises where produced and/or processed.
- c. The loading and unloading requirements of all uses in the C-1 District shall occur at the rear of the building and conform to the requirements of Section 27.04.

Sec. 12.05. Site plan review.

For all new or expanded uses in a C-1 District (except single-family detached dwelling units), a site plan shall be submitted for review and approval in accordance with Article 21.

Sec. 12.06. Regulations.

- 1. Minimum lot sizes for business, commercial and attached residential structures in the C-1 District: Lot sizes for single-family detached parcels shall be as required for similar structures in the R-2 Suburban Residential District.
- 2. Minimum lot width: No minimum lot width required for business, commercial and attached residential structures in the C-1 District. Lot widths for single-family detached parcels shall be as required for similar structures in the R-2 Suburban Residential District.
- 3. Maximum height of structure: 40 feet for business, commercial and attached residential structures in the C-1 District. Maximum height of structure for single-family detached parcels shall be as required for similar structures in the R-2 Suburban Residential District.

4. Yard setbacks:

- a. Front yard for lots fronting: (1) Center Street between Pine River and Main Streets; (2) Main Street between Newark and Emerson Streets; and (3) South Pine River Street between Center and Newark Streets: no front yard setback is permitted. All structures shall be built to the front lot line adjacent to the sidewalk.
- b. Front yard for all other business, commercial and attached residential structures: to be determined on a site-by-site basis by the Planning Commission.
- c. Front yard for all single-family detached dwelling units: equal to average setbacks of adjacent parcels on one block each direction from unit
- d. Side yard for parcels in subsections a. and b. of this section: no side yard setback is required.
- e. Side yard for parcels in subsection c. of this section: 15 feet on each side; if on a corner, the secondary street side yard shall be 27 feet.
- f. Rear yard for parcels in subsections a. and b. of this section: a minimum setback of ten feet is required for loading and unloading purposes, provided access is provided through an alleyway or parking lot.
- g. Rear yard for parcels in subsection c. of this section: 25 feet.

5. Minimum floor area:

- a. For parcels in subsection a. of section 4 above: no minimum floor area is required.
- b. For parcels in subsection b. of section 4 above: minimums as required for similar structures in the R-4 Multiple-Family Residential District.
- c. For parcels in subsection c. of section 4 above: minimums as required for similar structures in the R-2 Suburban Residential District.

This Ordinance Amendment is hereby adopted by the following recorded vote as moved by Councilperson Gray, and seconded by Councilperson Baublitz:

Ayes: (6) Koppberger, Andrew, Baublitz, Gray, Gruesbeck, Schafer

Nays: (0) None

Absent: (1) Hubbard

Abstain: (0) None

Barbara Fandell, Clerk-Treasurer

Introduced: 08-21-2018

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