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# City of Manistee Zoning Ordinance

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Article Fifteen  
C-3 Central Business  
District

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Effective March 27, 2006  
As Amended thru  
December 28, 2011

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## ARTICLE FIFTEEN C-3 – CENTRAL BUSINESS DISTRICT

### SECTION 1500 PURPOSE AND INTENT

It is the intent of this District to protect and strengthen the commercial core of the City of Manistee as a regional and specialty shopping, service and entertainment area; to encourage a broad range of compatible retail, service, entertainment and residential uses formed vibrant, walkable and attractive districts in concert with the objectives of the Master Plan and Downtown Development Authority Plan; while establishing standards to manage traffic and parking, operational impacts, parking and shared parking, loading/unloading area, landscaping, and building form intended to complement existing commercial uses and surrounding residential neighborhoods.

#### PERMITTED USES

- ◆ Accessory buildings with floor area less than or equal to the footprint of the principal structure
- ◆ Accessory uses related to uses permitted by right
- ◆ Community Garden, subject to [Section 534](#)
- ◆ Convenience Store w/o fuel pumps
- ◆ Dwelling, Upper Story Accessory, subject to **Section 1504**
- ◆ Eating and Drinking Establishment
- ◆ Financial Institution
- ◆ Gallery or Museum
- ◆ Home Occupation, Minor, subject to [Section 1847, B, 1.](#)
- ◆ Hotel
- ◆ Medical or Dental Office
- ◆ Outdoor Recreation, Park
- ◆ Personal Service Establishment
- ◆ Place of Public Assembly, Small
- ◆ Professional Office
- ◆ Professional Service Establishment
- ◆ Retail Business
- ◆ Studio for Performing and Graphic Arts
- ◆ Subdivision, Plat or Condo (of permitted uses)
- ◆ Theater
- ◆ Uses similar to uses permitted by right, subject to [Section 530](#)
- ◆ 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]

#### SPECIAL USES

- ◆ Accessory buildings with floor area greater than the footprint of the principal structure
- ◆ Accessory uses related to special uses
- ◆ Adaptive Reuse
- ◆ Bed & Breakfast
- ◆ Contractor's Facility
- ◆ Drive-through Establishment
- ◆ Duplex
- ◆ Dwelling, Multiple unit
- ◆ Home Occupation, Major
- ◆ Laundry and Dry Cleaning Establishment
- ◆ Marina
- ◆ Mixed Use Development
- ◆ Parking Facility, Public
- ◆ Planned Unit Development
- ◆ Uses similar to permitted special uses

#### SPECIAL USES

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

- ◆ Place of Public Assembly, Large
- ◆ Sports and Recreation Club

**ADDITIONAL STANDARDS**

- ◆ Site Plan requirements subject to [Section 2203](#), except for upper story dwellings, which are subject to [Section 2201, A](#)
- ◆ Vehicular Parking Space, Access and Lighting requirements subject to [Section 514](#)
- ◆ Landscaping requirements subject to [Section 531](#)
- ◆ Signage requirements subject to [Article 21](#)
- ◆ 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>	2,500 sq. ft.	<b>Minimum Lot Width:</b>	25 ft.
<b>Maximum Dwelling Units/Acre</b>	<sup>(a)</sup>	<b>Max. Building Height</b>	4 stories, or 50'
<b>Minimum Building Setbacks</b>		<b>Maximum Lot Coverage</b>	100%
Front <sup>(c)</sup>	0 ft.	<b>Waterfront Yard</b>	20 ft
Side <sup>(d) (e)</sup>	0 or 4 ft. (each side)	<b>Minimum Living Area</b>	500 sq. ft.
Rear <sup>(e)</sup>	6 ft.		

<sup>(a)</sup> Not more than three units per each fifteen hundred (1,500) square feet of building envelope

<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> Where a building is not proposed to be sited on the side lot line, a minimum yard of four (4) feet shall be provided.

<sup>(e)</sup> When a proposed commercial use is contiguous to a parcel in the R-1, R-2 or R-3 districts, the Planning Commission may require an additional buffer consisting of a ten (10) 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 1501 USES PERMITTED BY RIGHT**

The following uses of buildings and land shall be permitted within the C-3 District subject to the provisions of [Article 22](#), Site Plan Approval.

- A. Accessory buildings with floor area less than or equal to the footprint of the principal structure
- B. Accessory uses related to uses permitted by right, subject to [Section 516](#)
- C. Community Garden, subject to [Section 534](#)
- D. Convenience Store, without fuel pumps.
- E. Dwelling, Upper Story Accessory subject to **Section 1504**
- F. Eating and Drinking Establishment
- G. Financial Institution

- H. Gallery or Museum
- I. Home Occupation, Minor subject to [Section 1847](#), B, 1
- J. Hotel
- K. Medical or Dental Office
- L. Outdoor Recreation, Park
- M. Personal Service Establishment
- N. Place of Public Assembly, Small
- O. Professional Office
- P. Professional Service Establishment
- Q. Retail Business
- R. Studio for Performing and Graphic Arts
- S. Subdivision, Plat or Condo (of permitted uses)
- T. Theater
- U. Uses similar to uses permitted by right, subject to [Section 530](#)
- V. 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]

## **SECTION 1502 USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the C-3 District, as special land uses subject to the provisions of [Article 18](#), special land use approval.

- A. Accessory buildings with floor area greater than the footprint of the principal structure, subject to [Section 1804](#)
- B. Accessory uses related to special uses, subject to [Section 1805](#)
- C. Adaptive Reuse, subject to [Section 1807](#)
- D. Bed & Breakfast, subject to [Section 1813](#)
- E. Contractor's Facility, subject to [Section 1820](#)
- F. Drive-through Establishment, subject to [Section 1828](#)
- G. Duplex, subject to [Section 1829](#)
- H. Dwelling, Multiple Unit, subject to [Section 1832](#)
- I. Home Occupation, Major, subject to [Section 1847](#)
- J. Laundry and Dry Cleaning Establishment, subject to [Section 1850](#)
- K. Marina, subject to [Section 1852](#)
- L. Mixed Use Development, subject to [Section 1858](#)
- M. Parking Facility, Public, subject to [Section 1865](#)
- N. Place of Public Assembly, Large, subject to [Section 1868](#) – [Requires Key Street Frontage](#)
- O. Planned Unit Development, subject to [Section 1870](#)

- P. Sports and Recreation Club, subject to [Section 1880](#) – *Requires Key Street Frontage*
- Q. Uses similar to permitted special uses, subject to [Section 1886](#)

### **SECTION 1503            DIMENSIONAL STANDARDS**

Within the C-3 District, the following dimensional standards shall apply:

- A. Parcel Area – No building or structure shall be established on any parcel less than two thousand, five hundred (2,500) square feet in area.
- B. Parcel Width – For all uses the minimum parcel width shall be twenty-five (25) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
  - 1. Front Yard: The minimum setback shall be 0 feet.
  - 2. Side Yards: Except as provided in subparagraph 5 below, the minimum width of either side yard shall 0 feet. Where a building is not proposed to be sited on the side lot line, a minimum yard of four (4) feet shall be provided.
  - 3. Rear Yard: Except as provided in subparagraph 5 below, the minimum rear setback shall six (6) feet.
  - 4. Waterfront yard: For properties abutting the Manistee River Channel, the minimum setback from the ordinary high watermark shall be twenty (20) feet; provided however, that such setback shall not apply to docks, boat launching ramps, and riverwalks.
  - 5. When a proposed commercial use is contiguous to an parcel in the R-1, R-2 or R-3 districts, the Planning Commission may require an additional buffer consisting of a ten (10) 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.
- D. Building Height. Except as a part of a Planned Unit Development, no structure in the C-3 District shall exceed the lesser of four (4) stories or fifty (50) feet in height.
- E. Living Area: No dwelling unit shall be constructed in the C-3 District which has less than five hundred (500) square feet of living area.
- F. Lot Coverage: Up to 100% of the parcel area may be covered by buildings.

### **SECTION 1504            UPPER STORY DWELLINGS**

- A. Upper story dwellings are permitted in existing structures within the C-3 district. New structures proposing upper story dwellings shall be governed as a mixed use.
- B. Upper story dwellings shall be accessed by a secure entrance dedicated for the exclusive use of building residents and guests.
- C. No commercial or office use shall be located on the same floor as a residential use.
- D. No dwelling unit shall exceed a maximum of two (2) bedrooms.
- E. Each dwelling unit shall have a minimum floor area of five hundred (500) square feet.
- F. A basic site plan shall be required and reviewed by the Zoning Administrator per [Section 2201, A.](#)