### Planning Commission Regular Meeting

August 17, 2022 6:30PM

Big Rapids City Hall 226 N Michigan Ave

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Roll Call
- 4. Approval of Minutes
  - a. July 20, 2022
- 5. Public Comment Unrelated to Items on the Agenda
- 6. Public Hearing
  - a. Site Plan Review for an Expanded Parking Lot at 520 S Third Avenue
- 7. General Business
  - a. Discussion of Proposed RRC and Form-Based Code
     Amendments to the Zoning Ordinance Draft Zoning
     Ordinance Amendments
- 8. Unscheduled Business
- 9. Adjourn

# CITY OF BIG RAPIDS PLANNING COMMISSION MINUTES July 20, 2022

Unapproved

Chair Jane called the July 20, 2022 meeting of the Planning Commission, to order at 6:30 p.m.

#### **PLEDGE OF ALLEGIANCE**

**PRESENT** Jacob Buse, Kasey Thompson, Rory Ruddick, Kate McLeod, Megan Eppley, and

Chris Jane

**EXCUSED** Sarah Montgomery

**ABSENT** 

**ALSO PRESENT** Paula Priebe, Community Development Director

Emily Szymanski, Planning & Zoning Technician

There were 32 people in attendance.

#### **APPROVAL OF MINUTES**

Motion was made by Jacob Buse seconded by Kate McLeod, to approve the minutes of the May 18, 2022 meeting of the Planning Commission as presented, with one change:

"...Community Development Director, Paula Priebe, stated concerns regarding the number of parking spaces shown and the lack of bicycle parking."

Motion was passed with all in favor.

#### PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

Carol Hillman of Townline Lake stated that Voca Lyrica is hosting the City-wide rummage sale this year. The sale will take place on August 20, 2022, from 9:00 AM – 4:00 PM. The organization is accepting applications to participate in the rummage sale, with a \$25 fee. For more information, applications can be found at City Hall, Patterson's Flowers, or at Artworks.

Greg Denny of 323 W Pere Marquette voiced concerns regarding the new manufactured home at 124 W Bellevue. Denny stated that this type of housing does not match the existing character of the neighborhood, especially because the new owners were not required to build a garage on the property.

#### **PUBLIC HEARINGS**

#### Site Plan Review for a New Gas Station and Food Mart at 827 N State Street

The Public Hearing was opened at 6:37 PM.

Priebe summarized the Staff Report stating that Krist Oil Company is applying for a Site Plan Review for a new gas station and food mart on N State Street. The proposal will utilize both 827 and 819 N State Street for a combined 0.688-acre site for this new development. The site is zoned C-3 Commercial, where gas stations and convenience stores are a principal use. The site plans were distributed to the Fire Marshal, the Public Works Department's Engineering staff, the Building Official, and the Zoning Administrator for their review. A summary of staff comments are as follows:

#### Public Safety -

- 1. Required. Bollard posts in front of the propane cages.
- 2. Required. New fire hydrant in the Right-of-Way along N State Street near the northeast corner of the building.
- 3. Suggested. Change material behind the building, next to the privacy fence, from mulch to stone.

<u>Public Works – Engineering Technician</u>, Matt Ruelle, stated, "The stormwater collection system is designed to be underground with a controlled outlet leading to the catch basin on the SW corner of W Pere Marquette and N State Street. This catch basin belongs to MDOT and is tied into MDOT's stormwater system. Permission from MDOT will be needed for this connection…"

<u>Zoning</u> – Community Development Director, Paula Priebe, stated, "The proposed bicycle rack does not meet the standards of Section 5.7:2(3) of the Zoning Ordinance which requires "inverted U" or "post and ring" style racks.

Joe McNally, Realtor and Representative of Krist stores, introduced the company and the proposal. Krist Oil Company is a Michigan-based company with 77 stores in Michigan and Wisconsin. Over two years ago, Krist identified Big Rapids as a new location within their growth plan. Although previous attempts at a Big Rapids location have failed, the company continued to search for a location in town. Two property owners along the 800-block of N. State Street became interested in selling to Krist and went under contract in January 2022. Since January, Krist staff and representatives have been solidifying plans for the location. The Company intends on spending over five million dollars by building a modern gas station with a food mart and look forward to investing in the north side of town.

#### Those Who Spoke in Favor of the Request: None heard

#### Those Who Spoke in Opposition of the Request:

David Treece of 821 Rose Avenue expressed concerns regarding the brightness of the lighting at the facility, the potential increase in crime on the north side of town, and potential gas spills that could occur.

Kevin Maloy of 822 Marion Avenue stated that in the plans, the Applicant states utility poles will be moved, but does not specify where the new location will be. He also stated that the lighting specifically covering the diesel pump is concerning due to how close the pump will be to his property. Emily Maloy referenced an article from June 18, 2021 from the Big Rapids Pioneer stating that a member of the Planning Commission stated, "I don't think this particular block is a great place for this type of project. It would negatively impact, in a great way, the rest of the block and I understand the concerns of the residents..." Mrs. Maloy stated that although she knows the Commissioner was referring to the rezoning request in particular, what makes her neighborhood any different? In order for the Maloy's to be comfortable with the proposal being approved with conditions is if the Applicant were to:

- 1. Replace the fence at 822 Marion to implement a solid buffer between the facility and their property
- 2. Address lighting concerns for the surrounding neighbors
- 3. Install a speed deterrent in order to slow traffic, especially larger trucks using the alley to access the diesel pump.

Tyler and Kristal Wible of 830 Marion Avenue stated that there are several children that live in the neighborhood and parents are very concerned with the levels of benzene that could cause cancer. They also stated that the new gas station would create a nuisance for the neighborhood due to the lighting, safety, increase in traffic, and fumes. Mrs. Wible stated that another main concern is that there is inadequate space between the diesel pump and the alley, which will cause property damage for the surrounding neighbors.

Josh Ladwig of 826 Marion Avenue expressed concerns regarding the potential for the gas station becoming at 24-hour operation. Having the facility open 24/7 will directly impact the character and safety of the neighborhood.

Scott VanScoy of 818 Marion Avenue stated that while he doesn't have strong opinions of the proposal, he does have questions regarding the use of the alley and overall safety concerns. He stated that currently, the alley is the only access point he has to his property. It is likely that more incidents and property damage will occur to the surrounding homes with the increase in traffic accessing Krist off of the alley.

Andrew Jorgenson of 205 W Pere Marquette Street stated that another gas station will not add any value to the City since there are several in town already. The City needs to focus on businesses that are currently lacking instead of welcoming even more competition with another gas station.

Jana Farrier of 729 N State Street stated there is no need to gas stations right next to each other. Additionally, other commercial businesses have been required to install a fence buffer between residential and commercial, so Krist Oil should be required to buffer between their property and the surrounding neighbors. She also stated that three rental units will be demolished in order for Krist Oil to build as proposed. The City has clearly indicated that the Big Rapids is in dire need of different housing types, so why demolish even more housing for residents. Mrs. Farrier also stated that there has been a gas station at the proposed location in the past and asked if Krist Oil has a plan to address any existing contamination before beginning their development.

Pam Borstler of 819 Marion Avenue expressed frustration with Krist Oil Company for wanting to locate so close to a residential neighborhood. Mrs. Borstler stated that there are many families that attend St. Mary's Catholic Church so why ruin the character of the neighborhood with a gas station.

A Representative of Farm Bureau Insurance at 826 N State Street stated that he is neither for nor against the project, he simply has a few questions. He stated according to MDOT, State Street was the highest accident-prone corner in Big Rapids up until a few years ago, so he is curious if the traffic pattern will change after this facility is open. He also asked about the likelihood or the feasibility of the City widening the existing alley approach to help mitigate traffic concerns.

#### Telephonic or Written Correspondence Received by Staff:

Staff received one phone call:

Sandy Hatchew of Mighty Muffer, 1204 N State Street, expressed their support for the proposed project, stating that the facility will be a nice new development for the north side of town. The food mart will be a nice addition and provide a convenient food option for staff during the workday.

Staff received four written responses regarding this proposal. The written notices are attached to these minutes. A summary is as follows:

Edward Calhoun of Paris, Michigan stated that "...as a factory worker in Big Rapids, having a nice gas station is needed for that part of town. There are lights that can be installed to help with traffic concerns."

Dan Farrow of 929 N State Street stated "...I believe that two gas stations located next to each other in that block would create an undesirable density of such businesses in that neighborhood.

The addition of a gas station/convenience store in that block would lead to an increase in traffic. Traffic in that part of our city already exceeds the capacity of the streets and traffic flow controls..."

Jane Johansen of 117 S Stewart Street stated, "I am writing to express my position of being against the proposed gas station...We have two gas stations on Northland Drive and 19 Mile Road... No one needs more overhead lights and the increased traffic and noise this would generate..."

Annie Cross wrote, "...There is no logical reason for building new gas stations; that is called "built-in obsolescence" and should not be implemented...The City should not encourage commercial development, especially such a polluting one, so near the river... It is my hope that the City of Big Rapids will do everything in its official power and authority to express love and appreciation for the magnificence of the Muskegon River and environs through their policies and planning."

Krist Atanasoff of Krist Oil Company responded to the concerns voiced, stating that Krist Oil wishes to improve the Big Rapids community with this new development. Since 1917, Krist has located within small communities in Michigan and Wisconsin and assures that they are good neighbors and a good employer. In regard to the concerns:

- Snow will be plowed to the designated snow removal location on site and then hauled away by a local plow company.
- The lighting is environmentally friendly and does not flood the area with harsh light.
- There was an old gas station located on this site and old underground fuel tanks exist. EGLE is the regulatory agency for the State and Federal Government and any residual pollution will be addressed appropriately according to their guidelines.

Chair Jane closed the Public Hearing at 7:35 PM and the Commission entered into Fact Finding.

The Planning Commission asked KC Atanasoff of KSK Construction specific questions regarding the site plan. The conversation ensued the following topics:

- With the utility poles needing to be moved if the Plans are approved, does Krist have an idea of where the new location will be? Engineers of Krist Oil are currently working on alongside staff of Consumer's Energy. There is not anything set in stone, but this issue needs to be addressed in order for Krist Oil to proceed with the project.
- Does Krist have any plans for making the hours of operation 24-hours? None of Krist's 77 locations are open 24-hours.
- What does the process look like if there are old fuel tanks located on site? A Phase 1 Environmental Study is required by the State of Michigan. That Study will determine any ground contamination, asbestos, and any overall environmental concerns. The State will then provide Krist Oil with a list of recommendations of clean-up. The clean-up process will be addressed in-house by Krist Staff.

- How will Krist mitigate light emissions for the surrounding residences? The new LED lighting is designed to limit the number of emissions given off. The lighting plan is included in the Site Plan and indicates that the level of lighting is virtually zero around the perimeter of the property.
- Krist Oil is willing to work with surrounding homeowners to address the concerns of creating an adequate buffer between the residential properties and their commercially zoned property.
- What made Krist want to locate on the north side of town? A traffic study was conducted along with a population density study and the results indicate that the north side is in desperate need of a corner store offering milk, potatoes, and other meal necessities.
- With concerns of the alley access, would Krist be willing to explore encroaching more onto Krist's property instead of the alley right-of-way?

Motion was made by Jacob Buse, seconded by Kate McLeod, to table the final decision on the State Plan Review for a new gas station and food mart at 827 N State Street (PIN 17-10-278-008) until a future meeting, based on several conditions that need further review. Revised plans are to be brought to a future meeting for review by the full Planning Commission at which time the issue will be taken off the table and a decision will be made.

The conditions are required to ensure public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by land use or activities and to ensure compatibility with adjacent land uses.

#### The conditions are as follows:

- 1. Bollard posts in front of the propane cages.
- 2. New fire hydrant in the Right-of-Way along N State Street near the northeast corner of the building.
- 3. Change material behind the building, next to the privacy fence, from mulch to stone.
- 4. Permission from MDOT to connect into MDOT's stormwater system.
- 5. Upon review and approval of the City's Engineering Firm, Fleis & VandenBrink, install speed deterrents in the alley.
- 6. Where practical, install a fence to provide a buffer between the business and adjacent residential parcels.
- 7. Replace the proposed bike racks with "inverted U" or "post and ring" style racks, as required in Section 5.7:2(3) of the Zoning Ordinance.
- 8. Review the relocation of the utility pole to ensure service will not be disrupted.
- 9. Engineering review of the 45' driveway approach to examine if approach could encroach more on the Applicant's property instead of the alley right-of-way.

#### Motion passed with all in favor.

#### **GENERAL BUSINESS**

# Continued Discussion of Proposed RRC and Form-Based Code Amendments to the Zoning Ordinance – Residential Districts and Zoning Map

Priebe summarized the Staff Report summarizing that Staff and Planning Commissioners have been working on the big Zoning Amendment compilation for the last several years. Discussion thus far included downtown district standards, the use table, and housing types. This meeting will look at the residential design standards and zoning map alterations. The key purpose behind the changes in the residential districts is to "right-size" the zoning district standards to the actual lot sizes in Big Rapids. The current Zoning Ordinance has district standards that make the vast majority of residential lots in Big Rapids non-conforming because they require very large lots. In regard to the map amendments, Staff put together sample Map Amendments to get the conversation started for the Planning Commission. These maps are for educational and discussion purposes only.

Staff proposes that two or three Planning Commissioners join Staff in a Working Group on this topic over the next few weeks to create a Draft Amended Zoning Map for recommendation at the Public Hearing. The Working Group will consist of Megan Eppley, Chris Jane, and/or Jacob Buse and Kate McLeod.

The tentative timeline to see this project through to Adoption is as follows:

- August 17 Planning Commission Meeting
  - o Present compiled Amendments in Full Draft Form
- August 22 September 20 Educational Sessions and Feedback
  - Publish information on City Website and hold two in-person meetings to inform the public, answer questions, and receive feedback on the proposed Amendments
- September 21 Planning Commission Meeting
  - o Formal Public Hearing on the Complied Zoning Amendments
  - o Recommendation to the City Commission
- October 3 City Commission
  - o City Commission acts on the proposed Ordinance

#### **UNSCHEDULED BUSINESS**

#### Skate Meet Up at Swede Hill Park on July 30 from 12:00 – 3:00 PM

Grab your wheels, tell your friends & come skate to get a peek of what it would be like to have a skatepark in the City of Big Rapids! On the day of the event, several local vendors will be at Swede Hill Park selling food and drinks. Some have agreed to donate a portion of their proceeds from their overall sales that day back to the Big Rapids Skatepark Project. Hope to see you all there!

There being no further business, Chair Jane adjourned the meeting at 8:45 PM with all in favor.

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary

#### Paula Priebe

From: DA Cross <jfcross17671@charter.net>

**Sent:** Tuesday, July 19, 2022 7:56 PM

To: Paula Priebe

**Subject:** [External Sender] Krist Oil Company proposal

#### Dear Ms. Priebe:

I am writing in regard to the Krist Oil Company's proposal for establishing a gas station and food mart/convenience store in Big Rapids. This is a repeated effort on Krist Oil's part to establish a new gas station in Big Rapids.

I am writing in opposition to this plan for the following reasons:

The country is moving away from (and should be moving away from) gasoline-powered vehicles. Realizing this transition won't happen overnight and existing gasoline-powered vehicles will remain on the road even when new gas-powered vehicles are no longer being produced for some period of time, I understand that there will be continued need for gas stations. However, the need for gasoline and gas stations will inevitably be in increasing decline. With that uppermost in mind, there is no logical reason for building *new* gas stations; that is called "built-in obsolescence" and should not be implemented. Furthermore, there are plenty of gas stations in and around Big Rapids already, whether on State Street, Perry, Maple, or surrounding nearby areas. Gasoline stations, while a necessity, are inevitably an eyesore. There is contamination from debris and litter and there is light pollution from the usually extensive and garish lighting for such businesses.

Another reason to oppose the establishment of another gas station in Big Rapids, and particularly so near the Muskegon River is just that: the City should not encourage commercial development, especially such a polluting one, so near the river. The Muskegon is the area's most precious natural feature, and every effort should be made to protect, and enhance it, not add new threats to its beauty and water quality. Realizing that this proposed gas station is not *on* the river, it is near enough to have an effect on the river and on those who would want to enjoy or use the river. What is apparent in the proposal is a large commercial presence near the river and its presence will attract other influences that are unlikely to be very compatible with using or enjoying the river and its near environment.

This proposal is for a new business that just isn't needed, not from any perspective other than the business owner's. One wonders why Krist Oil Company is so set on building a new gas station in Big Rapids, as their representative realtor McNally said that "Krist Oil really wants to bring a gas station to Big Rapids." Why? Big Rapids doesn't need another gas station and doesn't need another gas station "brought to" it.

It is my hope that the City of Big Rapids will do everything in its official power and authority to express love and appreciation for the magnificence of the Muskegon River and environs through their policies and planning.

Thank you for the opportunity to express an opinion on this matter.

Best wishes.

Annie Cross

Daniel F. Farrow, EMT-P 929 North State Street Big Rapids, MI 49307 Ph: 231-250-1063

July 14, 2022

City of Big Rapids Planning Commission Chris Jane, Chairman

Dear Chairman Jane,

My name is Dan Farrow and I have been a resident of the City of Big Rapids for over 40 years. It has come to my attention that a company is seeking permits to build a gas station/convenience store in the 800 block of North State Street on the northernmost 2-3 parcels immediately north of the existing Admiral gas station. I am writing to you to tell you that I am opposed to locating a gas station on that property. I believe that two gas stations located next to each other in that block would create an undesirable density of such businesses in that neighborhood. The addition of a gas station/convenience store in that block would lead to an increase in traffic. Traffic in that part of our city already exceeds the capacity of the streets and traffic flow controls. Furthermore, the proposed development includes the demolition of two structures that are currently multi-unit residential dwellings – removing something that is already in short supply in our community.

In closing I ask you to please take into consideration my concerns when reviewing the abovementioned business plan.

Sincerely,

Daniel F. Farrow, EMT-P

cc: Mayor Fred Guenther Jana Grunst CHRIS,

PHANKS FOR

USTENING TO MY

CONCERNS:

From: To: Jane Johansen Paula Priebe

Subject:

[External Sender] Krist Oil

Date:

Sunday, July 17, 2022 11:03:26 AM

Hi, I am writing to express my position of being against the proposed gas station. In driving by today, I noticed the there would be two stations within basically a block....a little over kill. Another reason, we do have two stations on the intersections of Northland Dr. and 19 Mile road, so the excuse that we have no access to fuel for folks coming into town from the north is not true. And my main reason is quality of life for the neighborhood, especially Marion.....no one needs more overhead lights and the increased traffic and noise this would generate. Our citizens and their quality of life should be more important than an new business. Marion is a nice neighborhood and lets keep it that way. Jane Johansen

#### BEWARE OF THE RISK OF WIRE FRAUD

If you are wiring funds, please verify wire instructions by calling your local title office to confirm accuracy. Do not reply on the telephone numbers provided in the email NEVER wire money without first confirming verbally that wire instructions are correct.

Jane Johansen 117 S. Stewart Big Rapids, MI 49307

1-231-250-2507-Cell 1-231-598-9558-Fax

This email has been scanned for spam and viruses by Proofpoint Essentials. Click <u>here</u> to report this email as spam.

#### Paula Priebe

From:

Ed Calhoun <ed\_clhn@yahoo.com>

Sent:

Monday, July 18, 2022 3:27 PM

To:

Paula Priebe

Subject:

[External Sender] Krist gas station

I would like to see a better gas station on those lots as a factory worker it would be awesome and also a resident of paris a nicer gas station. Admiral is old and small, Bridge and beacon barley holding on same as speedway. There is lights there to help with traffic. Thuse Edward Calhoun



# PROTECT YOUR RESISDENTS



<u>BENZENE</u> - a colorless volatile liquid hydrocarbon present in coal tar and petroleum, and used in chemical synthesis. Its use as a solvent has been reduced because of its carcinogenic properties. (THE GAS THAT IS RELEASED FROM A GAS STATION)

According to WHO (World Health Organization) – there is NO safe level of BENZENE.

- A <u>1993 study</u> published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively.
- A <u>2001 study</u> noted median ambient benzene levels of 1.9 ppb in houses up to 328 feet from a service station.
- A <u>2003-2004 study</u> conducted in France documented a significant relationship between childhood leukemia and living near a gas station.
- A <u>2010 study</u> conducted in Spain documented elevated air pollution within 100 meters (**328 feet**) of a gas station.
- In <u>2012</u>, <u>Brazilian researchers</u> found that air quality was significantly degraded up to 150 meters (**492 feet**) from gas stations.

Source: gasstation - Community & Environmental Defense Services (ceds.org)

# \*EVERYONE THAT LIVES WITHIN 500 FEET IS IN



!!!!\*

OTHER IMPACTS: LIGHTING, NOISE, POLLUTION, DECREASE IN HOME VALUES

\*THESE ARE JUST SOME FACTS AND STATISTICS THAT PROVE PUTTING A GAS STATION IN A RESIDENTAL AREA IS EXTREMELY HARMFUL & DANGEROUS\*

#### STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission

FROM: Paula Priebe, Community Development Director

SUBJECT: Site Plan Review for an Expanded Parking Lot at 520 S Third Avenue

DATE: August 17, 2022

#### Introduction

Applicant Fluresh, LLC is applying for Site Plan Review for an expanded parking lot at 520 S Third Avenue (PIN 17-14-204-009). Their proposal will utilize the property at 520 S Third Avenue as well as the adjacent parcel at 510 S Third Avenue (PIN 17-14-204-007). These parcels are zoned C-3 Commercial and are located on the southeast side of Big Rapids. Fluresh, LLC also owns the two parcels immediately to the south of 520 S Third Avenue.

A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

#### **Site Plan Review Process and Procedure**

The Site Plan Review Application was received by the Community Development Department on July 29, 2022 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on Wednesday, August 10, 2022 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Fire Marshal, the Public Works Department's Engineering staff, and the Zoning Administrator for their review.

<u>Public Safety</u> – Fire Marshal Jeff Hull reviewed the site plans and found everything in line with the City's requirements.

<u>Public Works</u> - Plans were by Engineering Technician Matt Ruelle as regards infrastructure connections and stormwater. He had no notes to share after his review.

<u>Zoning</u> – Plans were reviewed by the Community Development Director as to their standings as regards the Zoning Ordinance. This review found the following:

- Vehicle Parking: Minimum required parking is 1 space per 200 sq. ft. of net floor area. They are required to have 14 spaces, and the new plan shows 15 spaces (14 spaces plus one accessible space. This number falls within the allowable 15% above the minimum required parking.
- Bicycle Parking: Bicycle Parking regulations are found in Section 5.7:2 of the Zoning Ordinance. The site requires space for two bicycles to park. No bicycle parking was found on the site plan. This will need to be added for the plans to meet local requirements.
- Landscape Screening: The Site Plan Landscape Plan meets the Ordinance requirements for both sideyard screening and greenbelt screening.
- Parking Lot Trees and Parking Lot Islands: Commercial facilities are required to have one canopy tree per seven spaces. This requirement is met with two parking lot islands with canopy trees and numerous trees around the parking lot.
- Greenbelt Plantings: The site requires one canopy tree per 30 feet of street frontage. With 205 feet of frontage, the site requires 7 greenbelt trees. By keeping the large tree to the left of the entrance drive, the site takes advantage of the Ordinance provision in Section 8.8 for Existing Tree Preservation Incentives. This large tree retained is credited as 3 greenbelt trees. The other four trees are found along the greenbelt to the right of the entrance drive.
- Principal Structure Landscaping: Commercial structures are required to have 75% of linear feet of structure frontage landscaped. The Site Plans meet this requirement.
- Site Lighting: Section 4.1:24 of the Zoning Ordinance details requirements for exterior lighting. The Site Plans meet the lighting requirements for illumination.

#### Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

#### Recommendation

Staff recommends **approval with conditions** of the Site Plan Review Application for an expanded parking lot at 520 S Third Avenue (PIN 17-14-204-009), as it meets the Criteria for Review found in Section 9.6.6 of the Zoning Ordinance, with the addition of bicycle parking for two bicycles to meet the requirements in Section 5.7:2 of the Zoning Ordinance.

#### **Action**

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Denial, or Approval with Conditions. Explanations and sample motions are below.

#### **Approval**

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application. Sample motion:

"I move that the Site Plan Review Application for an expanded parking lot at 520 S Third Avenue (PIN 17-14-204-009), be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance."

#### **Approval with Conditions**

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions. Sample motion:

"I move that the Site Plan Review Application for an expanded parking lot at 520 S Third Avenue (PIN 17-14-204-009), be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to (select from the relevant reasons below)

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: (list conditions [such as requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, among others] here).

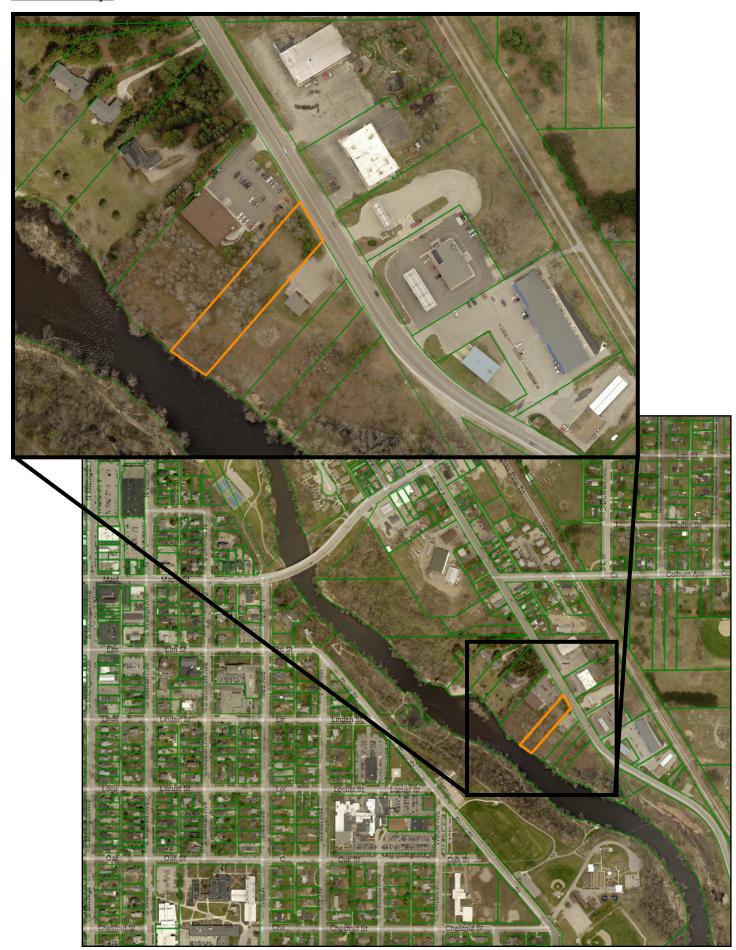
A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days."

#### Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process. Sample motion:

"I move to deny Site Plan Review Application for an expanded parking lot at 520 S Third Avenue (PIN 17-14-204-009), because it does not meet Criteria 9.6:X of the Zoning Ordinance. (Fill in the X with which number Criteria the application does not meet.)"

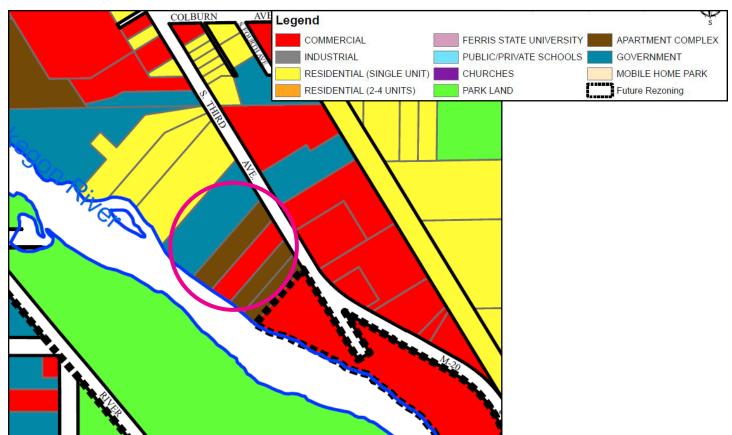
# **Location Maps**



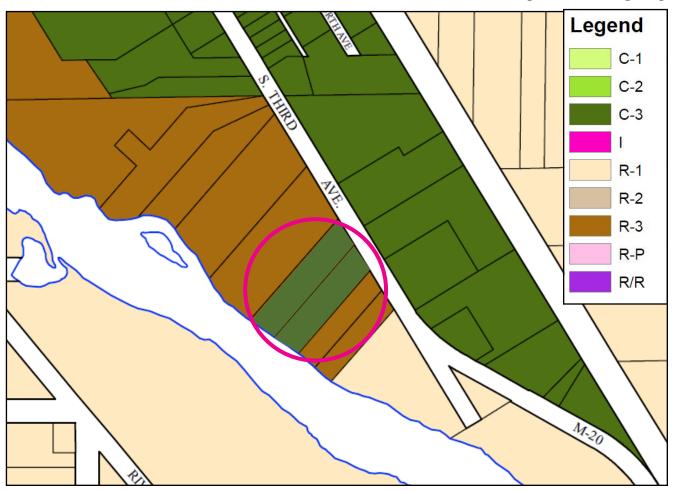
# **Aerial Imagery**



#### **Excerpt from Future Land Use Map**



#### **Excerpt from Zoning Map**









# CITY OF BIG RAPIDS DEPARTMENT OF COMMUNITY DEVELOPMENT

#### SITE PLAN REVIEW APPLICATION

APPLICANT NAME: ITACY HULCHINSON
APPLICANT ADDRESS: 4398 Roger B Chaffee Memorial Blvd SE, Grand Rapids, MI 49548
APPLICANT PHONE NUMBER: 616-249-3800     Email   tracyh@_driesenga.com
PROJECT TITLE:510/520 Third Avenue
PROJECT ADDRESS/LOCATION: 510 / 520 S. Third Avenue
SUBJECT PROPERTY OWNER: Fluresh, LLC
LEGAL DESCRIPTION OF PROPERTY (attach separate sheet)
SUBJECT PROPERTY ZONNG: C-3., Commercial SITE SIZE (ACRES): 2.88

#### LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Community Development, a minimum of twenty one days prior to the Planning Commission hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

#### SITE PLAN INFORMATION REQUIREMENTS

TWELVE COPIES (12) of the proposed site plan, drawn on 24" x 36" paper

SCALE OF 1" = 20' for sites up to three acres and 1" = 100' for sites over three acres

**LEGEND** including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan

**SEAL** of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

**LOT LINES** together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

**TOPOGRAPHY** of the site in two foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

**BUILDING SIZE,** height, finish floor and grade line elevations, yard setbacks and square footage. Front, side and rear elevations drawings of proposed structures.

**FLOOR PLAN** of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses).

**STREETS**, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown

PARKING SPACES, location, size and number, service lanes, delivery and loading areas

CROSS SECTIONS illustrating construction of drives and parking areas

**LANDSCAPING**, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features.

**SERVICE DEMANDS** from the community to support proposed operations on the site

**EARTH CHANGE** plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

**UTILITY LOCATION** and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

**FIRE LANES** 

OUTDOOR STORAGE

TRASH RECEPTACLES

**HAZARDOUS MATERIAL** storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

**DIGITAL COPY** submitted in anAutoCAD compatible format

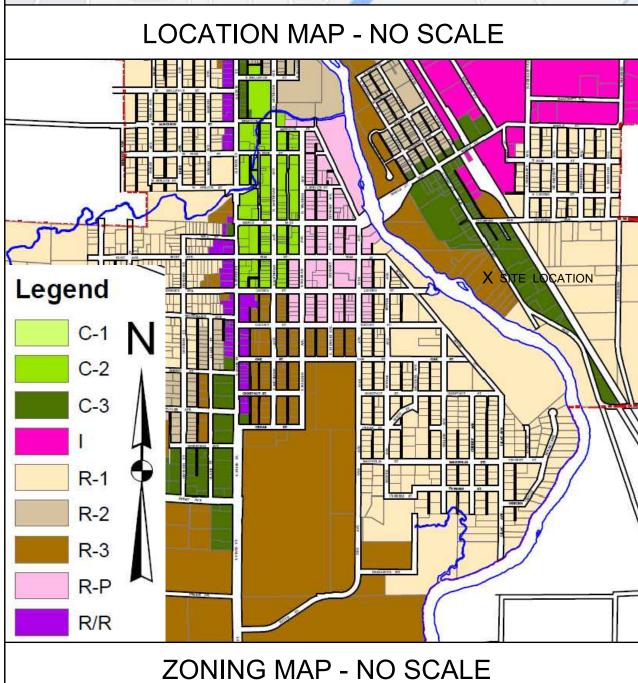
**SITE PLAN REVIEW FEE** \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Planning Commission and attest that the provided site plan is complete:

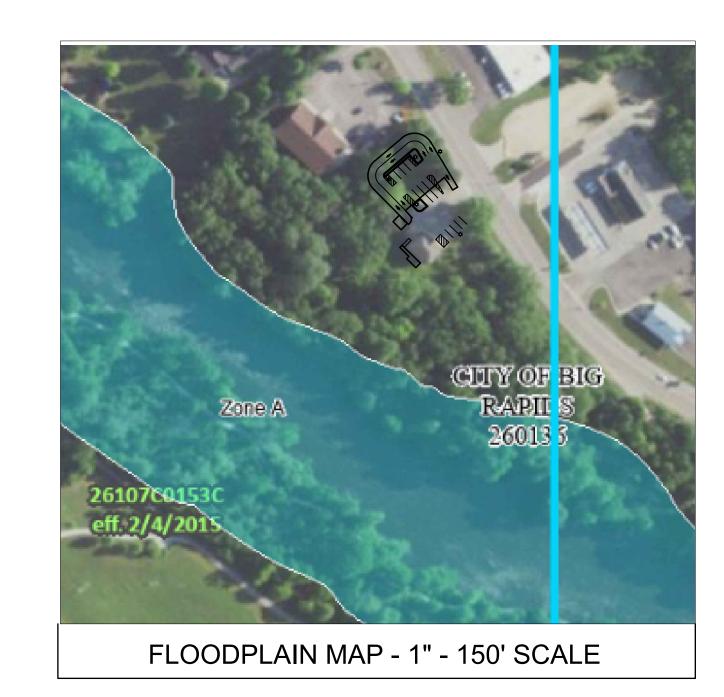
Applicant Signature 07/27/2022

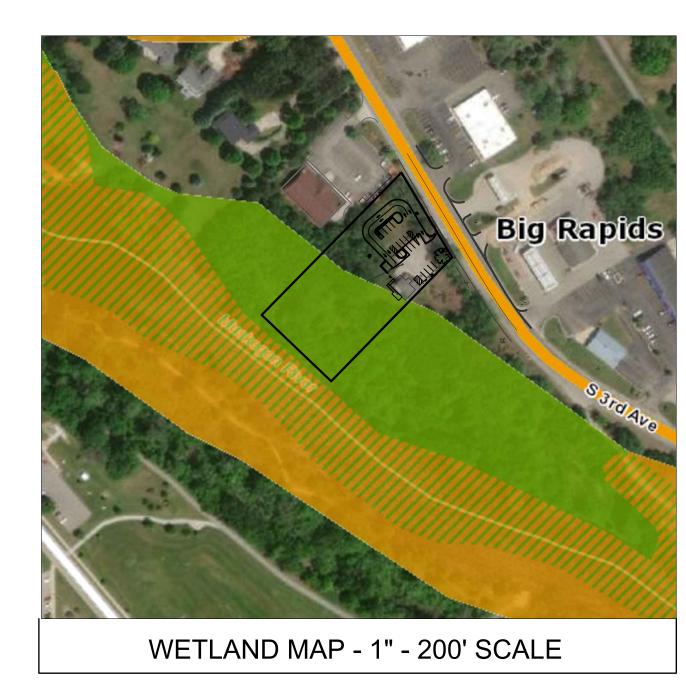
Date











# CONSTRUCTION SIMPLIFIED 510-520 SOUTH THIRD AVE

510 - 520 S THIRD AVE SECTION 14, T15N, R09W BIG RAPIDS, MICHIGAN 49307

# SHEET INDEX

G-001	TITLE SHEET
V-101	EXISTING TOPOGRAPHIC PLAN
CD-101	CIVIL DEMOLITION PLAN
C-101	SITE PLAN
C-102	STORM SEWER PLAN
C-103	GRADING & SOIL EROSION CONTROL PLAN
C-501	DETAILS
C-502	DETAILS
L-101	LANDSCAPE PLAN
E-100	PHOTOMETRIC PLAN
A-101	FLOOR PLAN
A-301	ELEVATION VIEWS





ISSUED FOR **APPROVAL**  DRIESENGA & ASSOCIATES, INC

Engineering

Surveying

Testing

Holland, MI 616-396-0255

Grand Rapids, MI

CONSTRUCTION SIMPLIFIED 859 WEST FULTON GRAND RAPIDS, MI 49504 (616) 450-3946

tracyh@driesenga.com

510-520 SOUTH THIRD AVE 510-520 S THIRD AVE BIG RAPIDS, MI 49424

JOHN GIBSON john@constructionsimplified.com **CIVIL ENGINEER** 

SITE ADDRESS

**OWNER** 

DRIESENGA & ASSOCIATES, INC.

4398 ROGER B CHAFFEE MEMORIAL BLVD SE
GRAND RAPIDS, MICHIGAN 49548
(616) 249-3800
TRACH HUTCHINSON, P.E.

616-249-3800 Kalamazoo, MI

269-544-1455 Lansing, MI

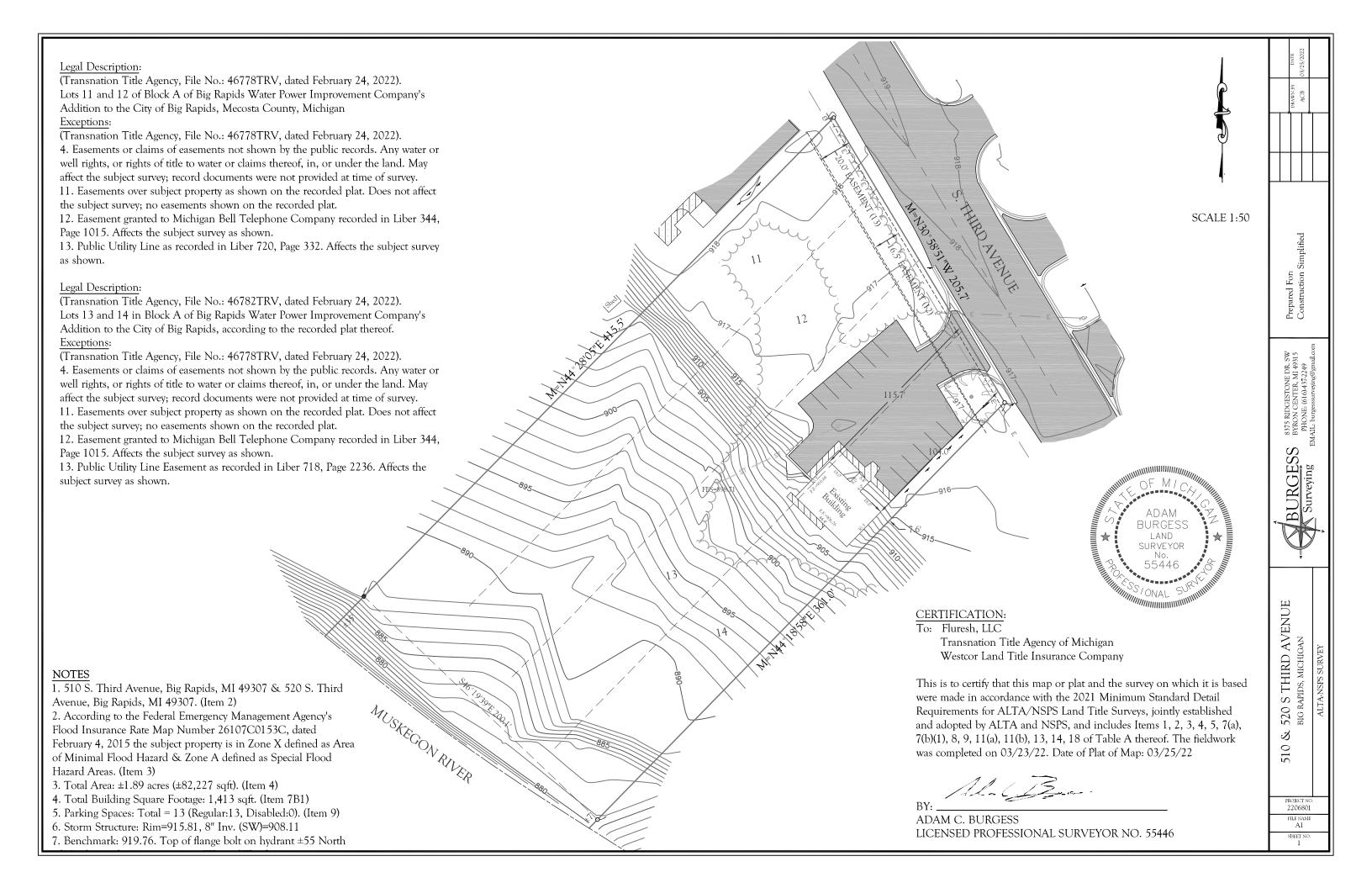
517-889-6210 Ypsilanti, MI 734-368-9483

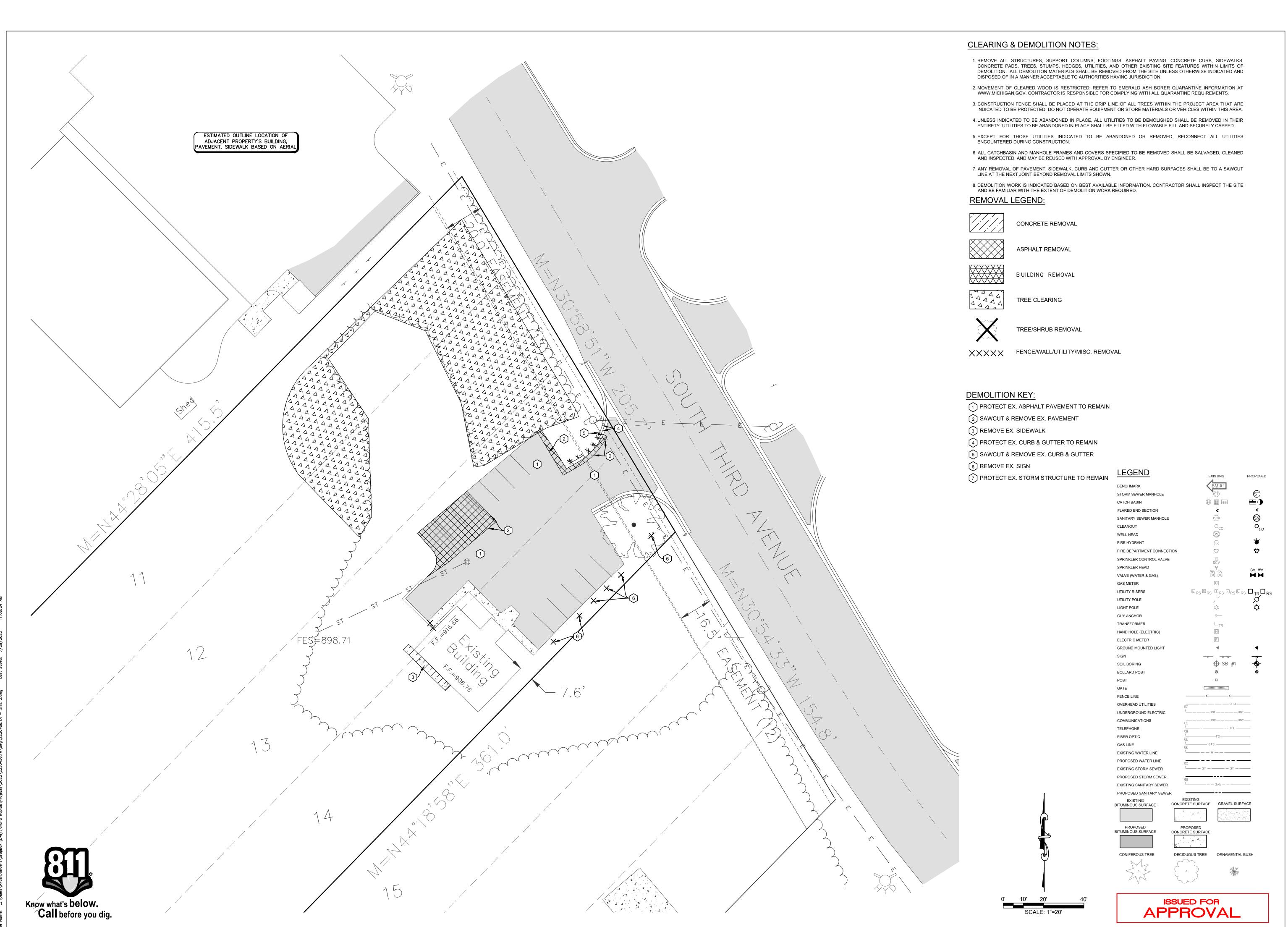
ISSUED FOR: CITY SITE PLAN REVIEW 07-27-2022 D: JTC C: AV

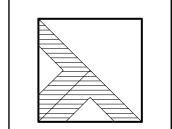
TRACY HUTCHINSON 2230456.1A

TITLE SHEET

G-001 1 of 12







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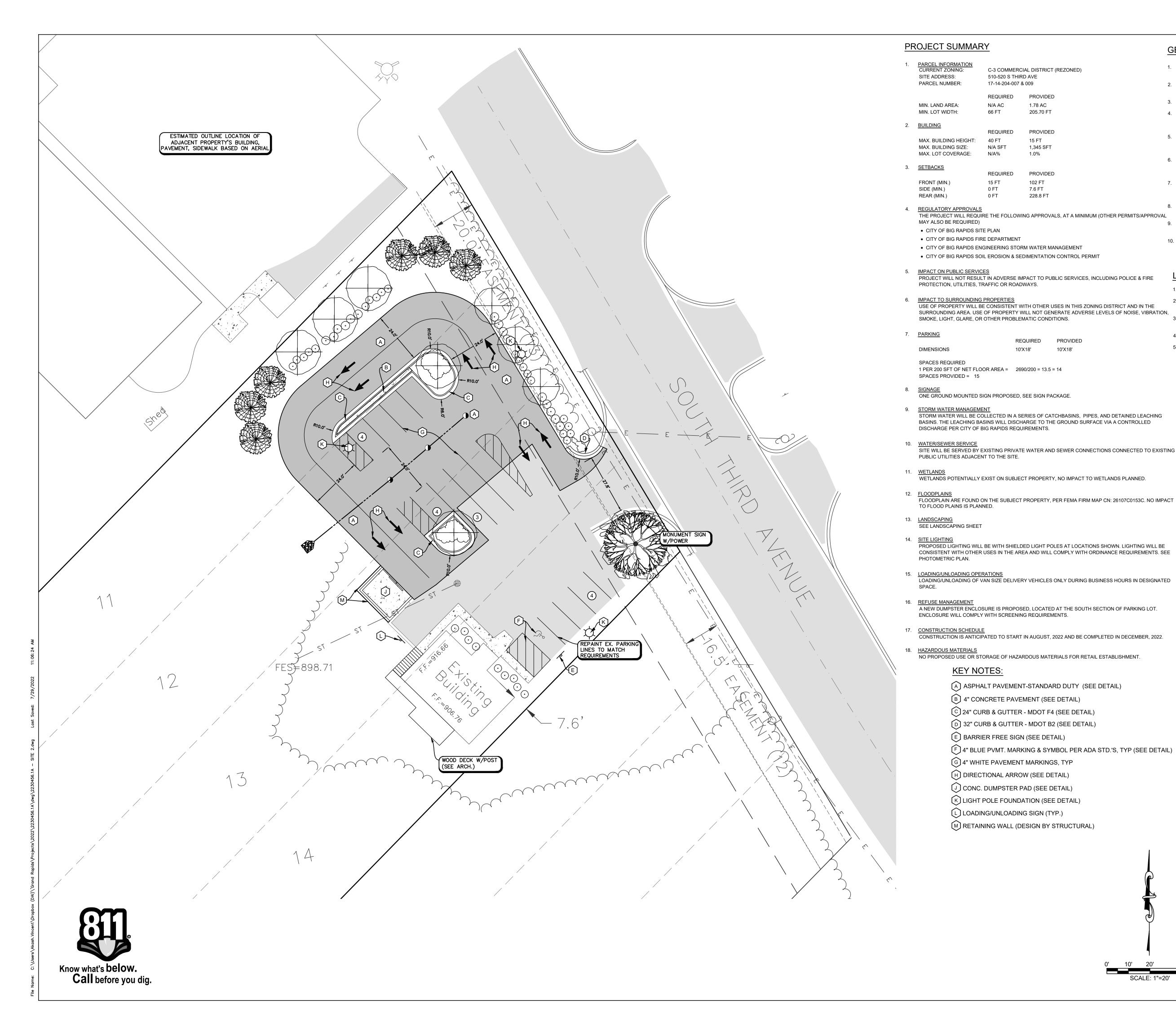
ISSUED FOR: CITY SITE PLAN REVIEW 07-27-2022 D: JTC C: AV

Project Manager: TRACY HUTCHINSON

Project # 2230456.1A Sheet Title:

CIVIL **DEMOLITION** PLAN

CD-101 3 of 12



## GENERAL NOTES:

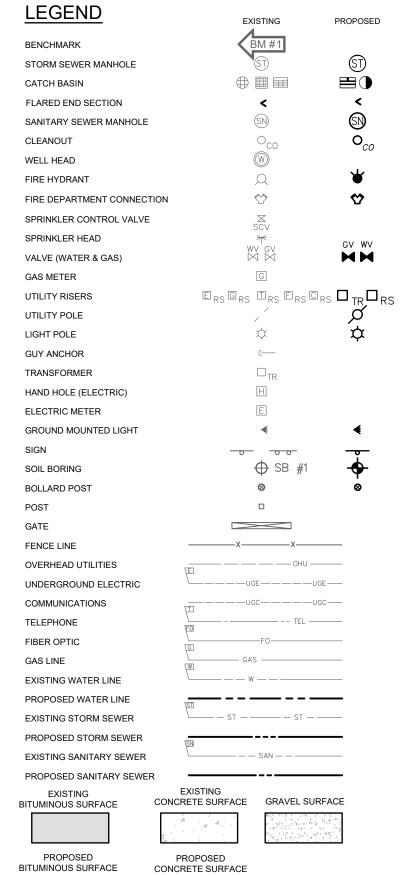
- 1. CONTRACTOR SHALL OBTAIN ALL NECESSARY LOCAL, STATE AND FEDERAL PERMITS
- 2. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF AUTHORITIES HAVING JURISDICTION.
- 3. CALL "MISS DIG", 811, 72 HOURS PRIOR TO THE START OF ANY EXCAVATION.
- 4. EXISTING UNDERGROUND UTILITIES ARE SHOWN BASED ON AVAILABLE RECORDS AND/OR TOPOGRAPHIC SURVEY DATA. THIS PLAN MAY NOT SHOW UTILITIES IN THEIR EXACT LOCATION AND MAY NOT SHOW ALL UTILITIES IN THE AREA.
- CONTRACTOR SHALL MAINTAIN UTILITY SERVICES AT ALL TIMES. ANY INTERRUPTION IN SERVICES TO THIS SITE OR ADJACENT SITES MUST BE SCHEDULED WITH THE OWNER, UTILITY PROVIDER, AND AFFECTED PROPERTIES 48 HOURS PRIOR TO THE INTERRUPTION.
- 6. CONTRACTOR SHALL PROTECT ALL EXISTING AND NEW CONSTRUCTION FROM DAMAGE. SHOULD ANY DAMAGE OCCUR, CONTRACTOR SHALL MAKE ALL NECESSARY REPAIRS AT NO
- 7. IF ANY DISCREPANCIES OR CONFLICTS ARE FOUND, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY PRIOR TO CONSTRUCTION OF AFFECTED WORK TO DETERMINE COURSE OF
- 8. CONTRACTOR SHALL COORDINATE THEIR WORK WITH OTHER CONTRACTORS ON OR ADJACENT TO THE PROJECT SITE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING AND COORDINATING THEIR WORK
- 10. PROVIDE BARRIERS OR OTHER PROTECTION TO KEEP VEHICULAR AND PEDESTRIAN TRAFFIC AWAY FROM CONSTRUCTION AREA AND OFF NEWLY PAVED AREAS.

# LAYOUT NOTES:

- 1. CONTRACTOR SHALL REVIEW AND VERIFY SITE LAYOUT PRIOR TO CONSTRUCTION.
- 2. CONTRACTOR SHALL ENGAGE A LICENSED SURVEYOR TO PERFORM ALL CONSTRUCTION
- ALL COORDINATE POINTS AND DIMENSIONS GIVEN, UNLESS OTHERWISE NOTED, ARE TO
- 4. REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR BUILDING DIMENSIONS.
- 5. INSTALL EXPANSION JOINTS AT ALL LOCATIONS WHERE NEW CONCRETE MEETS EXISTING

- LAYOUT AND STAKING AS NECESSARY.
- BACK OF CURB AND FACE OF BUILDING WALL.
- CONCRETE OR BITUMINOUS PAVEMENT.

WITH ALL UTILITY PROVIDERS PRIOR TO CONSTRUCTION.



DECIDUOUS TREE ORNAMENTAL BUSH

ISSUED FOR **APPROVAL** 

CONIFEROUS TREE

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Lansing, MI

517-889-6210

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DRIESENGA &

0

CITY SITE PLAN REVIEW 07-27-2022 D: JTC C: AV

ISSUED FOR:

Project Manager: TRACY HUTCHINSON Project # 2230456.1A

PLAN

Sheet Title:

C-101 4 of 12





- 1. CONTRACTOR SHALL OBTAIN CONNECTION PERMIT PRIOR TO INSTALLATION OF ANY PRIVATE WATER, SANITARY, OR STORM CONNECTIONS TO PUBLIC MAIN.
- 2. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED FOR ANY PROPOSED PUBLIC WATER MAIN, SANITARY SEWER, OR STORM SEWER. CONTRACTOR SHALL COORDINATE WITH MUNICIPALITY PRIOR TO CONSTRUCTION TO SCHEDULE PRE-CONSTRUCTION MEETING AND TO ENSURE COMPLIANCE WITH
- 3. REFER TO ARCHITECTURAL AND MECHANICAL DRAWINGS FOR EXACT UTILITY CONNECTION LOCATIONS AT
- 4. ALL SITE UTILITIES SHALL BE STUBBED AND PLUGGED TO WITHIN FIVE FEET OF THE OUTSIDE BUILDING FOUNDATION WALL UNLESS OTHERWISE NOTED.
- 5. CONTRACTOR SHALL DOCUMENT, AND FURNISH TO OWNER AND ENGINEER, WITNESS DIMENSIONS FOR ALL UTILITY STUBS AND CONDUITS INSTALLED.
- 6. ALL UTILITY WORK SHALL BE COMPLETED, INCLUDING TRENCH BACKFILL AND COMPACTION, PRIOR TO PLACEMENT OF AGGREGATE BASE.

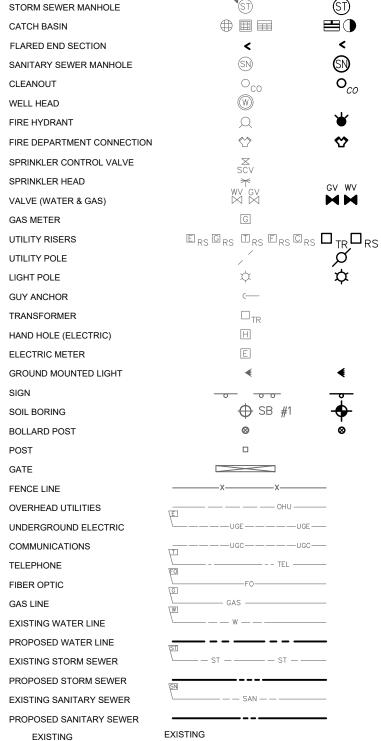
<u>LEGEND</u>

BENCHMARK

# STORMWATER MANAGEMENT:

- STORMWATER MANAGEMENT PER CITY OF BIG RAPIDS STORMWATER CONTROL ORDINANCE
   ADDED IMPERVIOUS AREA = 0.225 ACRES
- MAXIMUM RELEASE RATE 0.20 CFS/ACRE
   DETENTION REQUIRED (25-YEAR) = 1591 CFT





Project Manager: EXISTING
CONCRETE SURFACE GRAVEL SURFACE Project # 2230456.1A Sheet Title:

PROPOSED CONCRETE SURFACE CONIFEROUS TREE DECIDUOUS TREE ORNAMENTAL BUSH

BITUMINOUS SURFACE

ISSUED FOR **APPROVAL** 

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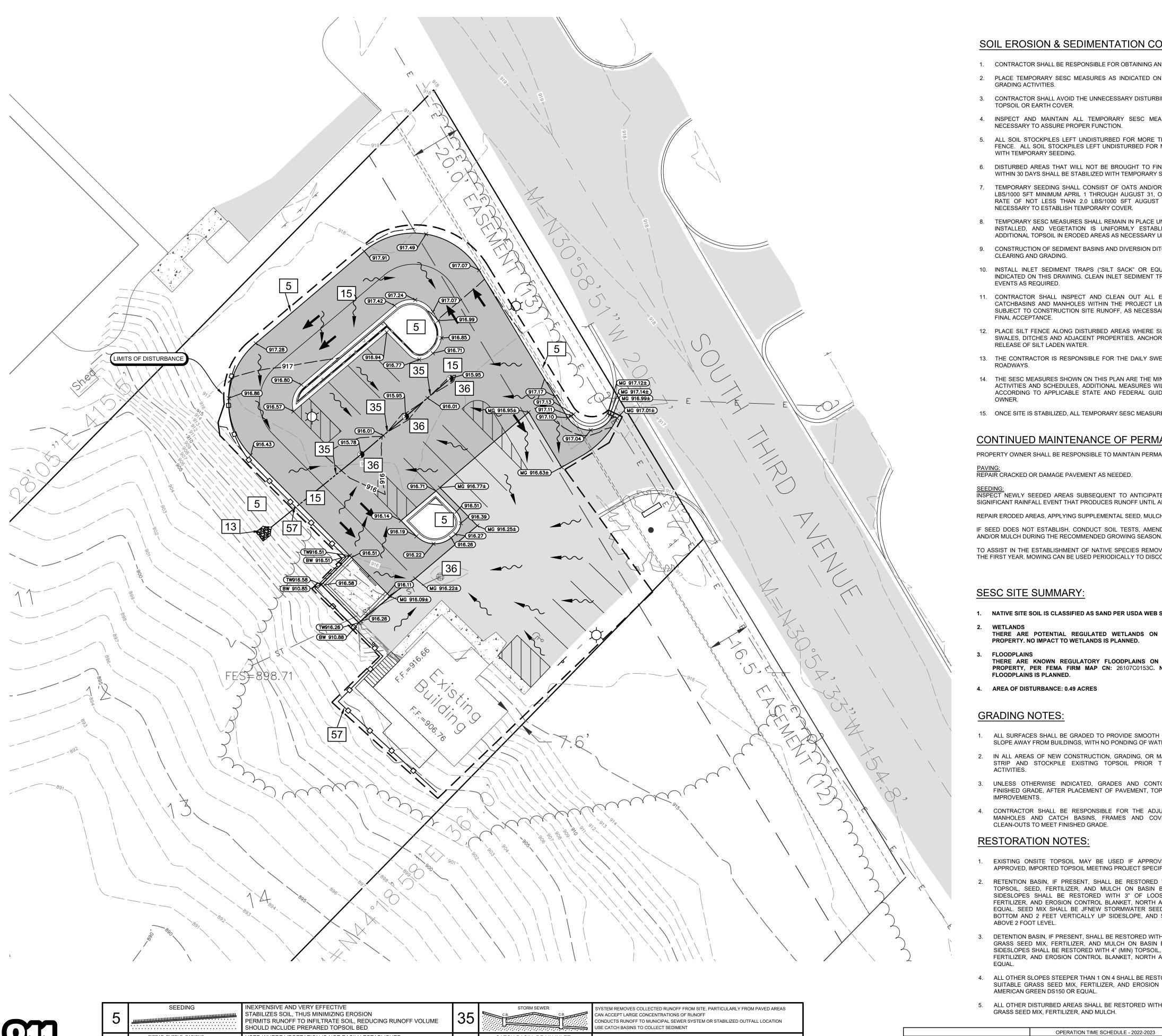
CITY SITE PLAN REVIEW 07-27-2022 D: JTC C: AV

ISSUED FOR:

TRACY HUTCHINSON

STORM SEWER PLAN

5 of 12



## ISED WHERE VEGETATION IS NOT EASILY ESTABLISHED CATCH BASIN, DRAIN INLET COLLECTS HIGH VELOCITY CONCENTRATION RUNOFF FFECTIVE FOR HIGH VELOCITIES OR HIGH CONCENTRATIONS ERMITS RUNOFF TO INFILTRATE SOIL MAY USE FILTER CLOTH OVER INLET SSIPATES ENERGY FLOW AT SYSTEM OUTLETS

Know what's below.

Call before you dig.

## SOIL EROSION & SEDIMENTATION CONTROL (SESC) NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND COMPLYING WITH THE SESC PERMIT.

NECESSARY TO ASSURE PROPER FUNCTION.

- 2. PLACE TEMPORARY SESC MEASURES AS INDICATED ON DRAWING PRIOR TO EARTH MOVING AND GRADING ACTIVITIES.
- 3. CONTRACTOR SHALL AVOID THE UNNECESSARY DISTURBING OR REMOVING OF EXISTING VEGETATED TOPSOIL OR EARTH COVER.
- 4. INSPECT AND MAINTAIN ALL TEMPORARY SESC MEASURES AFTER STORM EVENTS AND AS
- 5. ALL SOIL STOCKPILES LEFT UNDISTURBED FOR MORE THAN 7 DAYS SHALL HAVE PERIMETER SILT FENCE. ALL SOIL STOCKPILES LEFT UNDISTURBED FOR MORE THAN 30 DAYS SHALL BE STABILIZED
- 6. DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE AND PERMANENTLY STABILIZED WITHIN 30 DAYS SHALL BE STABILIZED WITH TEMPORARY SEEDING.
- 7. TEMPORARY SEEDING SHALL CONSIST OF OATS AND/OR BARLEY AT AN APPLICATION RATE OF 2.0 LBS/1000 SFT MINIMUM APRIL 1 THROUGH AUGUST 31, OR ANNUAL RYEGRASS AT AN APPLICATION RATE OF NOT LESS THAN 2.0 LBS/1000 SFT AUGUST 1 THROUGH NOVEMBER 15. IRRIGATE IF NECESSARY TO ESTABLISH TEMPORARY COVER.
- 8. TEMPORARY SESC MEASURES SHALL REMAIN IN PLACE UNTIL ALL PERMANENT SESC MEASURES ARE INSTALLED, AND VEGETATION IS UNIFORMLY ESTABLISHED. RE-GRADE, RE-SEED AND PLACE ADDITIONAL TOPSOIL IN ERODED AREAS AS NECESSARY UNTIL FINAL LANDSCAPING IS INSTALLED.
- 9. CONSTRUCTION OF SEDIMENT BASINS AND DIVERSION DITCHES SHALL BE COMPLETED PRIOR TO SITE CLEARING AND GRADING.
- 10. INSTALL INLET SEDIMENT TRAPS ("SILT SACK" OR EQUAL) IN ALL PROPOSED CATCHBASINS AS INDICATED ON THIS DRAWING. CLEAN INLET SEDIMENT TRAPS ON A WEEKLY BASIS AND AFTER RAIN
- 11. CONTRACTOR SHALL INSPECT AND CLEAN OUT ALL EXISTING AND PROPOSED STORM SEWER CATCHBASINS AND MANHOLES WITHIN THE PROJECT LIMITS, OR OUTSIDE THE PROJECT LIMITS IF SUBJECT TO CONSTRUCTION SITE RUNOFF, AS NECESSARY DURING CONSTRUCTION AND PRIOR TO
- 12. PLACE SILT FENCE ALONG DISTURBED AREAS WHERE SURFACE WATER WILL FLOW INTO EXISTING SWALES, DITCHES AND ADJACENT PROPERTIES. ANCHOR SILT FENCE TO PREVENT UNCONTROLLED RELEASE OF SILT LADEN WATER.
- 13. THE CONTRACTOR IS RESPONSIBLE FOR THE DAILY SWEEPING OF TRACKED MATERIALS FROM ALL
- 14. THE SESC MEASURES SHOWN ON THIS PLAN ARE THE MINIMUM MEASURES REQUIRED. DUE TO SITE ACTIVITIES AND SCHEDULES, ADDITIONAL MEASURES WILL LIKELY BE REQUIRED TO MAINTAIN SITE ACCORDING TO APPLICABLE STATE AND FEDERAL GUIDELINES AT NO ADDITIONAL COST TO THE
- 15. ONCE SITE IS STABILIZED, ALL TEMPORARY SESC MEASURES SHALL BE REMOVED.

# CONTINUED MAINTENANCE OF PERMANENT SESC MEASURES:

PROPERTY OWNER SHALL BE RESPONSIBLE TO MAINTAIN PERMANENT SESC MEASURES.

REPAIR CRACKED OR DAMAGE PAVEMENT AS NEEDED.

NSPECT NEWLY SEEDED AREAS SUBSEQUENT TO ANTICIPATED GERMINATION DATE AND AFTER EACH SIGNIFICANT RAINFALL EVENT THAT PRODUCES RUNOFF UNTIL AREAS ARE STABILIZED.

REPAIR ERODED AREAS, APPLYING SUPPLEMENTAL SEED, MULCH AND WATER AS NEEDED. IF SEED DOES NOT ESTABLISH, CONDUCT SOIL TESTS, AMEND SOILS AS NEEDED, AND REAPPLY SEED

TO ASSIST IN THE ESTABLISHMENT OF NATIVE SPECIES REMOVE UNWANTED COMPETING VEGETATION IN THE FIRST YEAR. MOWING CAN BE USED PERIODICALLY TO DISCOURAGE WEEDS.

# SESC SITE SUMMARY:

- 1. NATIVE SITE SOIL IS CLASSIFIED AS SAND PER USDA WEB SOIL SURVEY.
- WETLANDS
- THERE ARE POTENTIAL REGULATED WETLANDS ON THE SUBJECT PROPERTY. NO IMPACT TO WETLANDS IS PLANNED.
- THERE ARE KNOWN REGULATORY FLOODPLAINS ON THE SUBJECT PROPERTY, PER FEMA FIRM MAP CN: 26107C0153C. NO IMPACT TO FLOODPLAINS IS PLANNED.
- 4. AREA OF DISTURBANCE: 0.49 ACRES

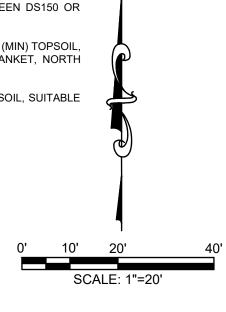
# **GRADING NOTES:**

- 1. ALL SURFACES SHALL BE GRADED TO PROVIDE SMOOTH CONTOURING AND POSITIVE SLOPE AWAY FROM BUILDINGS, WITH NO PONDING OF WATER.
- 2. IN ALL AREAS OF NEW CONSTRUCTION, GRADING, OR MATERIAL STOCKPILE AREAS, STRIP AND STOCKPILE EXISTING TOPSOIL PRIOR TO OTHER CONSTRUCTION
- UNLESS OTHERWISE INDICATED, GRADES AND CONTOURS SHOWN REPRESENT FINISHED GRADE, AFTER PLACEMENT OF PAVEMENT, TOPSOIL, AND OTHER SURFACE
- 4. CONTRACTOR SHALL BE RESPONSIBLE FOR THE ADJUSTMENT OF ALL EXISTING MANHOLES AND CATCH BASINS, FRAMES AND COVERS, VALVE BOXES, AND CLEAN-OUTS TO MEET FINISHED GRADE.

# **RESTORATION NOTES**

- EXISTING ONSITE TOPSOIL MAY BE USED IF APPROVED BY ENGINEER. IF NOT
- RETENTION BASIN, IF PRESENT, SHALL BE RESTORED WITH 3" OF LOOSE SANDY TOPSOIL, SEED, FERTILIZER, AND MULCH ON BASIN BOTTOM. RETENTION BASIN SIDESLOPES SHALL BE RESTORED WITH 3" OF LOOSE SANDY TOPSOIL, SEED, FERTILIZER, AND EROSION CONTROL BLANKET, NORTH AMERICAN GREEN DS150 OR EQUAL SEED MIX SHALL BE JFNEW STORMWATER SEED MIX OR EQUAL ON BASIN BOTTOM AND 2 FEET VERTICALLY UP SIDESLOPE, AND SUITABLE GRASS SEED MIX ABOVE 2 FOOT LEVEL.
- DETENTION BASIN, IF PRESENT, SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND MULCH ON BASIN BOTTOM. DETENTION BASIN SIDESLOPES SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND EROSION CONTROL BLANKET, NORTH AMERICAN GREEN DS150 OR
- 4. ALL OTHER SLOPES STEEPER THAN 1 ON 4 SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND EROSION CONTROL BLANKET, NORTH AMERICAN GREEN DS150 OR EQUAL.
- 5. ALL OTHER DISTURBED AREAS SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND MULCH.

	OPERATION TIME SCHEDULE - 2022-2023											
CONSTRUCTION SEQUENCE	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
SITE CLEARING AND INSTALL CONTROLS												
ROUGH GRADE SITE												
INSTALL UTILITIES												
BUILDING CONSTRUCTION												
FINAL GRADING												
PAVING												
SEEDING & STABILIZATION												



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ISSUED FOR:

CITY SITE PLAN REVIEW

07-27-2022 D: JTC C: AV

TRACY HUTCHINSON

2230456.1A

Proiect #

Sheet Title:

**LEGEND** 

xxx.xx FINISH GRADE ELEVATION MG XXX.XX± MATCH EXISTING GRADE ELEVATION TC XXX.XX FINISH GRADE ELEVATION AT BACK OF CURB FINISH GRADE ELEVATION AT FLOW LINE

TW XXX.XX± FINISH GRADE ELEVATION AT TOP OF WALL

BW XXX.XX± X FINISH GRADE ELEVATION AT BOTTOM OF WALL AT GROUND ----- PROPOSED SWALE

PROPOSED MAJOR CONTOUR — — PROPOSED MINOR CONTOUR

— — EXITSTING MINOR CONTOUR 627.00 MINIMUM OPENING ELEV. (M.O.E.)
623.60 MINIMUM BASEMENT ELEV. (M.B.E.)

---- EXISTING MAJOR CONTOUR

SLOPE ARROW

VALVE (WATER & GAS)

GAS METER

UTILITY RISERS

TRANSFORMER

ELECTRIC METER

SOIL BORING

**BOLLARD POST** 

GATE

FENCE LINE

TELEPHONE

FIBER OPTIC

GAS LINE

OVERHEAD UTILITIES

COMMUNICATIONS

HAND HOLE (ELECTRIC)

GROUND MOUNTED LIGHT

UTILITY POLE

LIGHT POLE **GUY ANCHOR** 

LEGEND BENCHMARK STORM SEWER MANHOLE FLARED END SECTION SANITARY SEWER MANHOLE CLEANOUT WELL HEAD FIRE HYDRANT FIRE DEPARTMENT CONNECTION SPRINKLER CONTROL VALVE SPRINKLER HEAD

MM ERS GRS IRS FRS ORS ITE RS → SB #1

UNDERGROUND ELECTRI EXISTING WATER LINE PROPOSED WATER LINE \_\_\_\_\_\_ EXISTING STORM SEWER \_\_\_\_\_ ST \_\_\_\_\_ ST \_\_\_\_

PROPOSED STORM SEWER EXISTING SANITARY SEWER PROPOSED SANITARY SEWER EXISTING CONCRETE SURFACE GRAVEL SURFACE BITUMINOUS SURFACE PROPOSED

CONCRETE SURFACE

PROPOSED BITUMINOUS SURFACE **CONIFEROUS TREE** 

DECIDUOUS TREE ORNAMENTAL BUSH

**GRADING AND** SOIL EROSION CONTROL PLAN

6 of 12

ISSUED FOR **APPROVAL** 

APPROVED, IMPORTED TOPSOIL MEETING PROJECT SPECIFICATIONS SHALL BE USED. PROTECTS AREAS WHICH CANNOT OTHERWISE BE PROTECTED, JSES GEOTEXTILE FABRIC AND POSTS OR POLES. BUT INCREASES RUNOFF VOLUME AND VELOCITY EASY TO CONSTRUCT AND LOCATE AS NECESSARY. RREGULAR SURFACE WILL HELP SLOW VELOCITY

95% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY

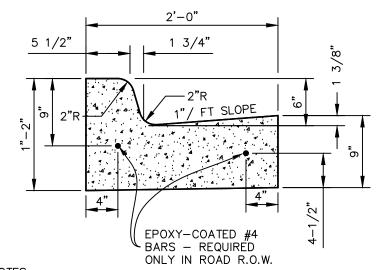
COMPACTED SUB GRADE \*NOTE: HMA SHALL MEET CURRENT MDOT STANDARDS AND SPECIFICATIONS, AND BE COMPACTED TO 92-96% OF THEORETICAL MAXIMUM DENSITY (TMD)

HMA PAVEMENT SECTION (STANDARD DUTY)

NO SCALE

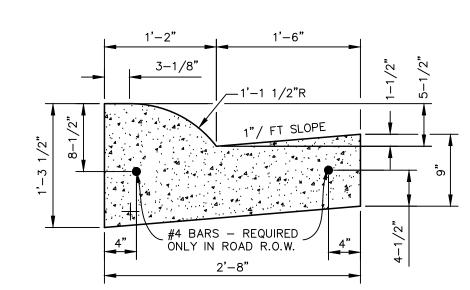
4" CONCRETE WITH EXPANSION & CONTROL JOINTS 6" MDOT CLASS II GRANULAR MATERIAL COMPACTED TO 95% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY COMPACTED SUB GRADE

4" CONCRETE PAVEMENT NO SCALE



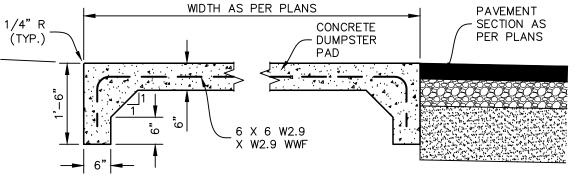
1. CONTRACTION JOINTS SHALL BE PLACED EVERY 10'.
2. PLACE EXPANSION JOINTS AT 350' MIN. AND ALL RADIUS POINTS.
3. CONCRETE SHALL CONFORM TO MDOT SPEC. 802.

24" CURB & GUTTER - MDOT F4

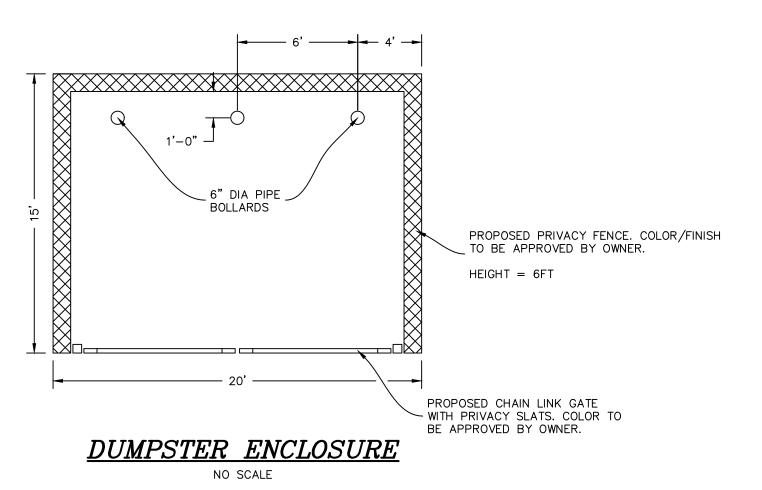


 CONTRACTION JOINTS SHALL BE PLACED EVERY 10'.
 PLACE EXPANSION JOINTS AT 350' MIN. AND ALL RADIUS POINTS. 3. CONCRETE SHALL CONFORM TO MDOT SPEC. 802.

CURB & GUTTER - MDOT DETAIL B2



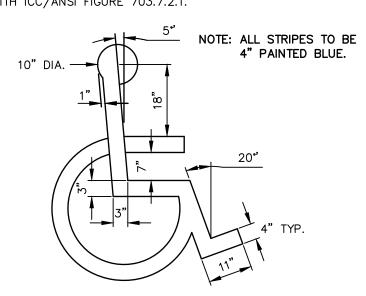
CONCRETE DUMPSTER PAD SECTION NO SCALE



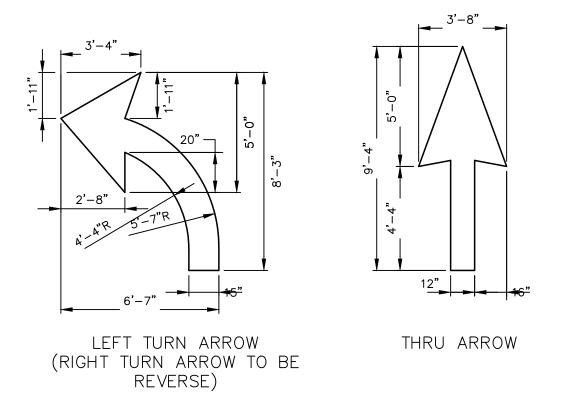
1. ALL FACILITIES FOR THE DISABLED SHALL CONFORM WITH THE AMERICANS WITH DISABILITIES ACT AND ALL REVISIONS.

2. THE CHARACTERS AND THE BACKGROUND OF SIGNS SHALL BE EGGSHELL, MATTE, OR OTHER NON-GLARE FINISH. CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUND. LIGHT CHARACTERS ON DARK BACKGROUND ARE PREFERRED.

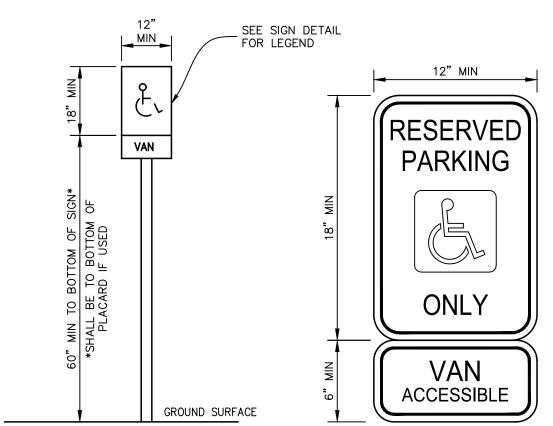
3. CONTRAST LEVELS OF SYMBOLS TO BACKGROUND TO BE A MINIMUM OF 70%. 4. CONTRACTOR SHALL VERIFY THAT THE SYMBOL SHOWN MEETS THE CURRENT STANDARDS FOR THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND SHALL BE IN COMPLIANCE WITH ICC/ANSI FIGURE 703.7.2.1.



BARRIER FREE SYMBOL NO SCALE



DIRECTIONAL ARROW



VAN ACCESSIBLE SPACES SHALL BE IDENTIFIED WITH "VAN ACCESSIBLE" PLACARD

BARRIER FREE SIGN NO SCALE

Know what's below. Call before you dig.

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Holland, MI 616-396-0255 Grand Rapids, MI

616-249-3800 Kalamazoo, MI

269-544-1455 Lansing, MI 517-889-6210

Ypsilanti, MI 734-368-9483

-FOR-TRUCTION SIMPLIFIED FULTON, GRAND RAPIDS, MI 49504 10

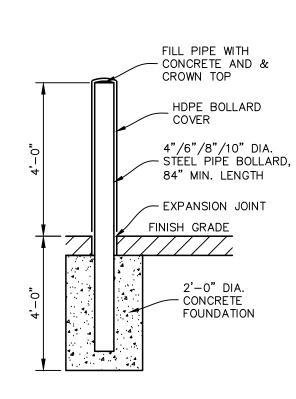
ISSUED FOR: CITY SITE PLAN REVIEW 07-27-2022 D: JTC C: AV

Project Manager: TRACY HUTCHINSON Project # 2230456.1A

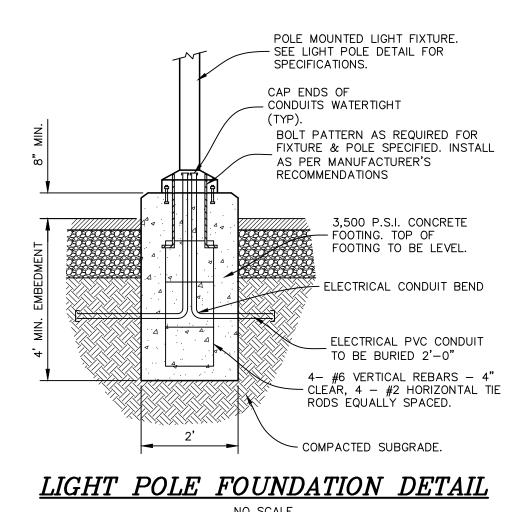
DETAILS

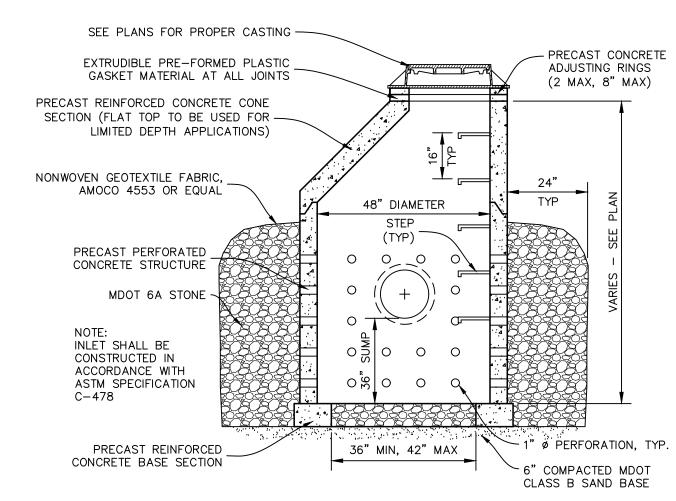
Sheet Title:

C-501 7 of 12



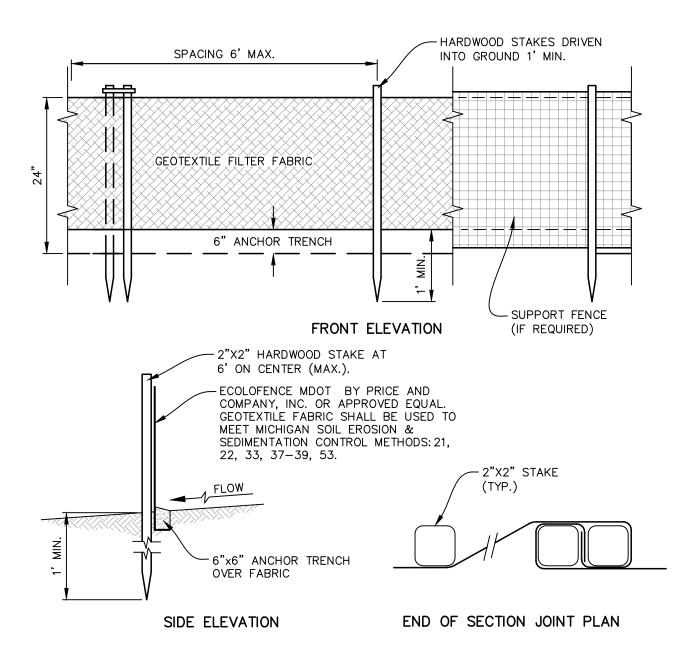
STEEL BOLLARD



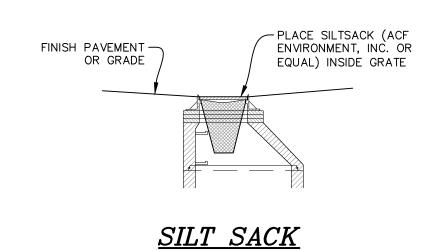


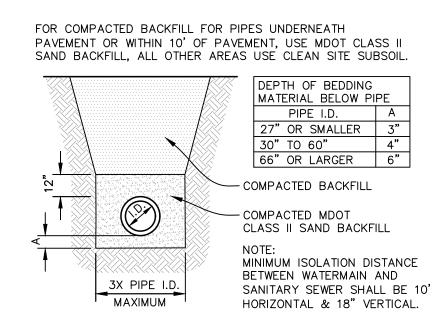
LEACHING BASIN

NO SCALE



SILT FENCE





CLASS B PIPE BEDDING
NO SCALE



ISSUED FOR APPROVAL

DRIESENGA & ASSOCIATES, INC.

Engineering
Surveying
Testing
www.driesenge.com

Holland, MI 616-396-0255 Grand Rapids, MI 616-249-3800 Kalamazoo, MI 269-544-1455

Kalamazoo, MI 269-544-1455 Lansing, MI 517-889-6210 Ypsilanti, MI 734-368-9483

520 S. THIRD AVE
510 - 520 S. THIRD AVE
, R09W, CITY OF BIG RAPIDS, MECOSTA CO.
-FORTRUCTION SIMPLIFIED
FULTON. GRAND RAPIDS, MI 49504

ISSUED FOR:

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ISSUED FOR:

1 CITY SITE PLAN REVIEW
07-27-2022 D: JTC C: AV

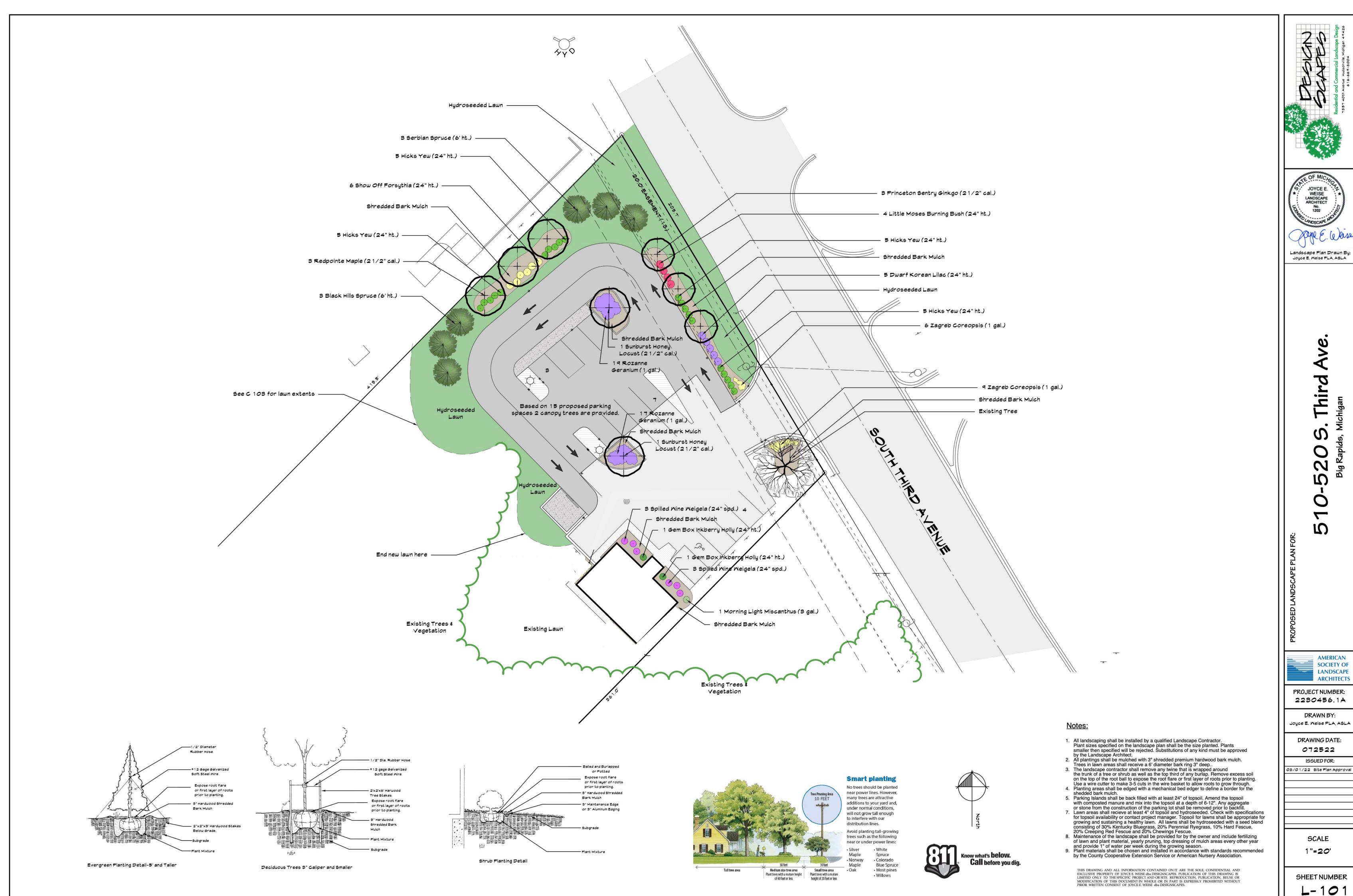
Project Manager:
TRACY HUTCHINSON
Project #
2230456.1A

DETAILS

Sheet #

Sheet Title:

C-502 8 of 12



Third

**SOCIETY OF LANDSCAPE** ARCHITECTS

PROJECT NUMBER: 2230456.1A

DRAWN BY: Joyce E. Weise PLA, ASLA

> DRAWING DATE: 072522

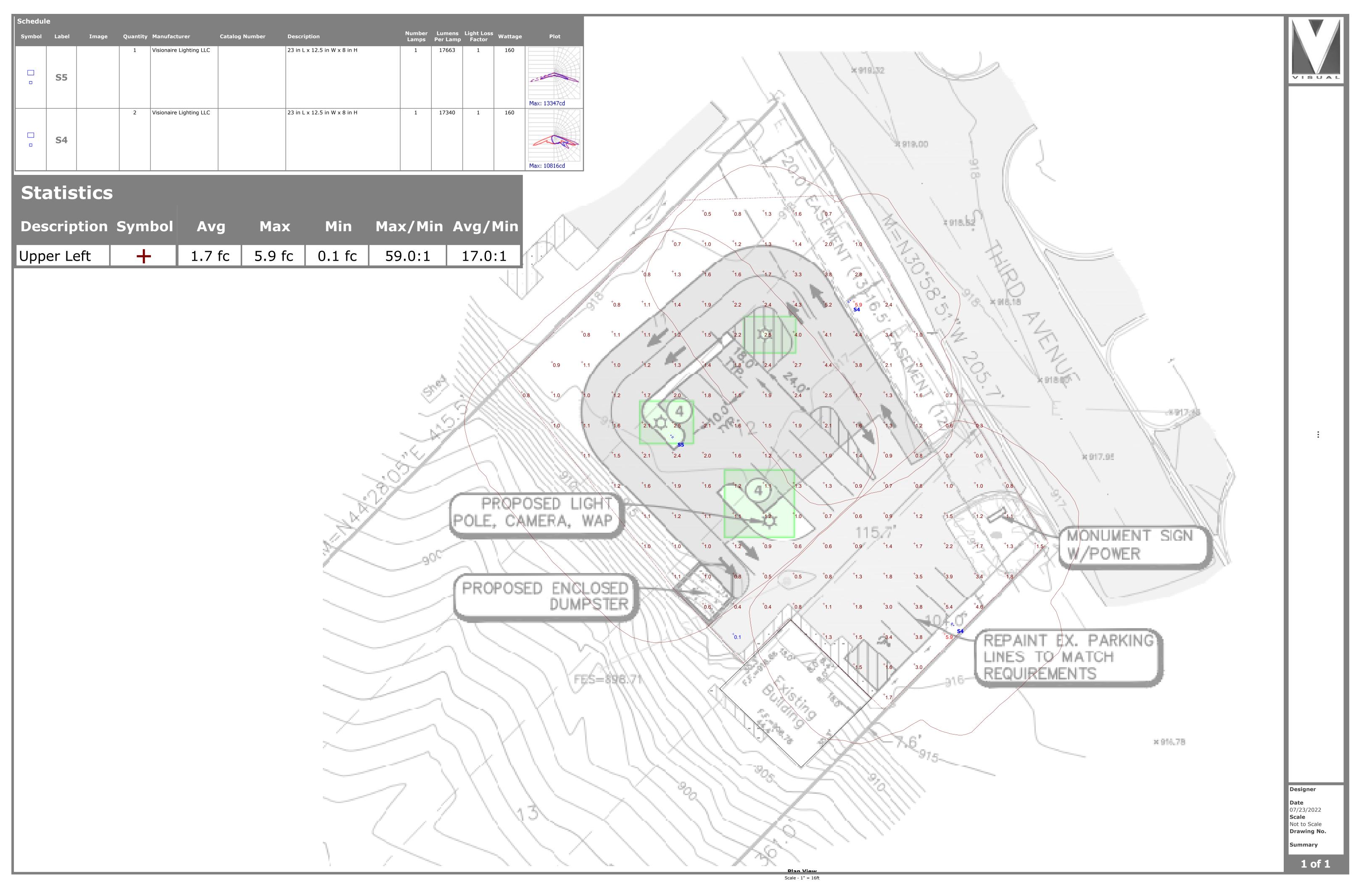
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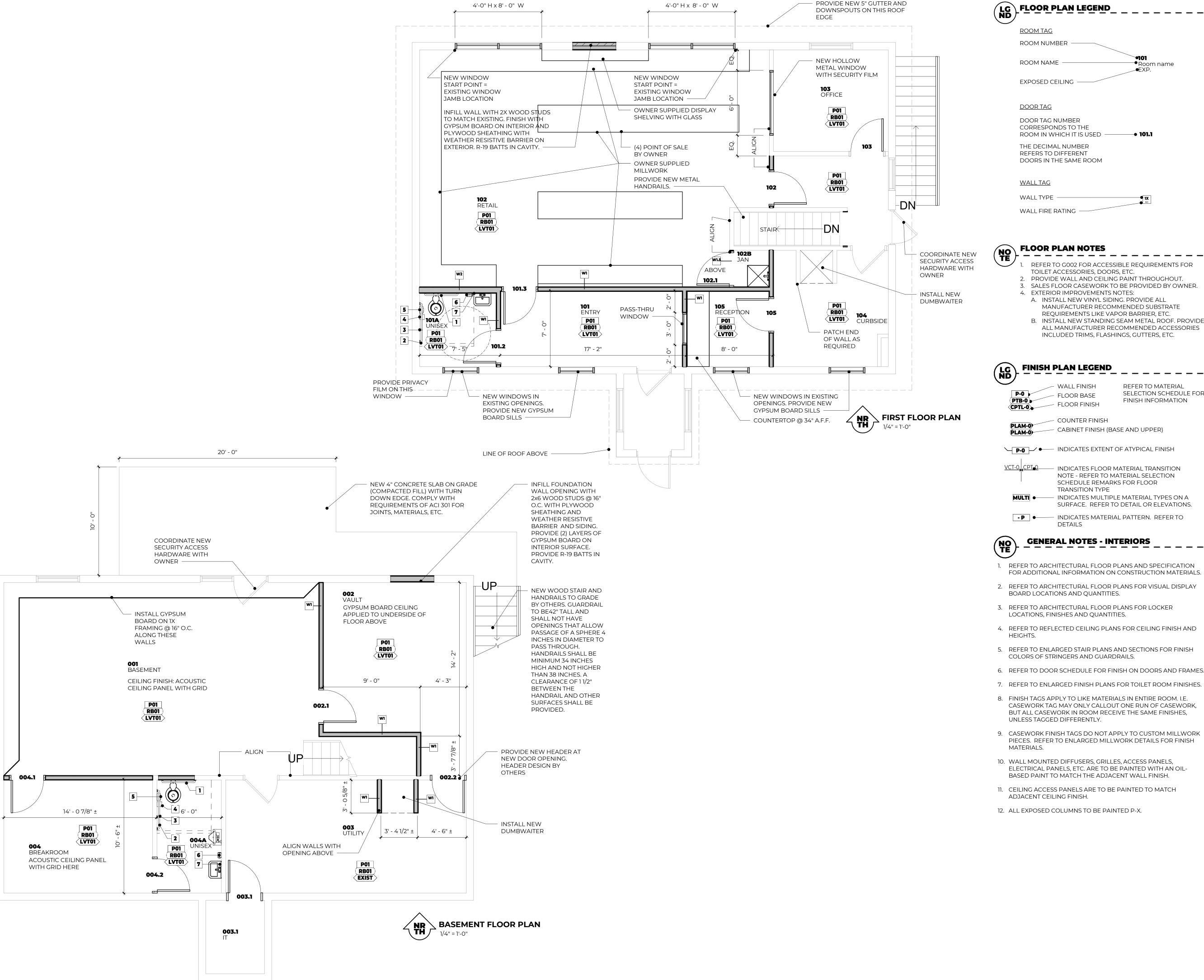
08/01/22 Site Plan Approval

SCALE

SHEET NUMBER

1"=20







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# **FLOOR PLAN NOTES**

REFER TO G002 FOR ACCESSIBLE REQUIREMENTS FOR TOILET ACCESSORIES, DOORS, ETC.

2. PROVIDE WALL AND CEILING PAINT THROUGHOUT.

3. SALES FLOOR CASEWORK TO BE PROVIDED BY OWNER. 4. EXTERIOR IMPROVEMENTS NOTES: A. INSTALL NEW VINYL SIDING. PROVIDE ALL

MANUFACTURER RECOMMENDED SUBSTRATE REQUIREMENTS LIKE VAPOR BARRIER, ETC.

B. INSTALL NEW STANDING SEAM METAL ROOF. PROVIDE ALL MANUFACTURER RECOMMENDED ACCESSORIES INCLUDED TRIMS, FLASHINGS, GUTTERS, ETC.

# **FINISH PLAN LEGEND**

REFER TO MATERIAL SELECTION SCHEDULE FOR FLOOR BASE

FINISH INFORMATION FLOOR FINISH

•Room name

**→ 101.1** 

P-0 - INDICATES EXTENT OF ATYPICAL FINISH

- COUNTER FINISH

VCT-0, CPT-0 INDICATES FLOOR MATERIAL TRANSITION NOTE - REFER TO MATERIAL SELECTION

> SCHEDULE REMARKS FOR FLOOR TRANSITION TYPE — INDICATES MULTIPLE MATERIAL TYPES ON A

CABINET FINISH (BASE AND UPPER)

SURFACE. REFER TO DETAIL OR ELEVATIONS.

■ INDICATES MATERIAL PATTERN. REFER TO

DETAILS **GENERAL NOTES - INTERIORS** 

1. REFER TO ARCHITECTURAL FLOOR PLANS AND SPECIFICATION FOR ADDITIONAL INFORMATION ON CONSTRUCTION MATERIALS.

2. REFER TO ARCHITECTURAL FLOOR PLANS FOR VISUAL DISPLAY BOARD LOCATIONS AND QUANTITIES.

3. REFER TO ARCHITECTURAL FLOOR PLANS FOR LOCKER LOCATIONS, FINISHES AND QUANTITIES.

4. REFER TO REFLECTED CEILING PLANS FOR CEILING FINISH AND

5. REFER TO ENLARGED STAIR PLANS AND SECTIONS FOR FINISH

COLORS OF STRINGERS AND GUARDRAILS.

6. REFER TO DOOR SCHEDULE FOR FINISH ON DOORS AND FRAMES.

8. FINISH TAGS APPLY TO LIKE MATERIALS IN ENTIRE ROOM. I.E. CASEWORK TAG MAY ONLY CALLOUT ONE RUN OF CASEWORK, BUT ALL CASEWORK IN ROOM RECEIVE THE SAME FINISHES, UNLESS TAGGED DIFFERENTLY.

9. CASEWORK FINISH TAGS DO NOT APPLY TO CUSTOM MILLWORK PIECES. REFER TO ENLARGED MILLWORK DETAILS FOR FINISH MATERIALS.

10. WALL MOUNTED DIFFUSERS, GRILLES, ACCESS PANELS, ELECTRICAL PANELS, ETC. ARE TO BE PAINTED WITH AN OIL-BASED PAINT TO MATCH THE ADJACENT WALL FINISH.

11. CEILING ACCESS PANELS ARE TO BE PAINTED TO MATCH ADJACENT CEILING FINISH.

<u>SYM</u> DATE

APRIL 1, 2022

BASEMENT AND FIRST FLOOR PLAN

**ISSUED FOR** 

ANDREW J

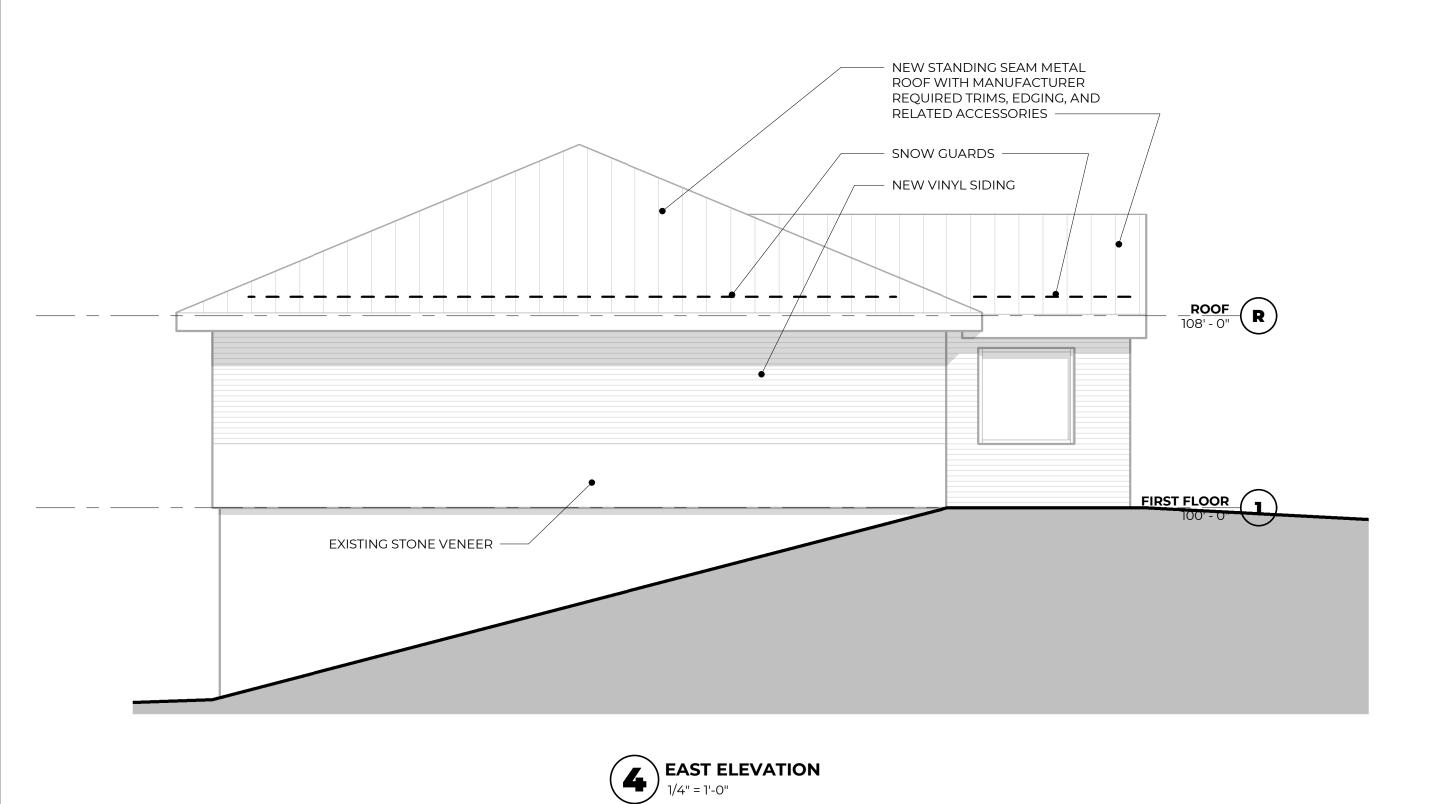
QUEENAN

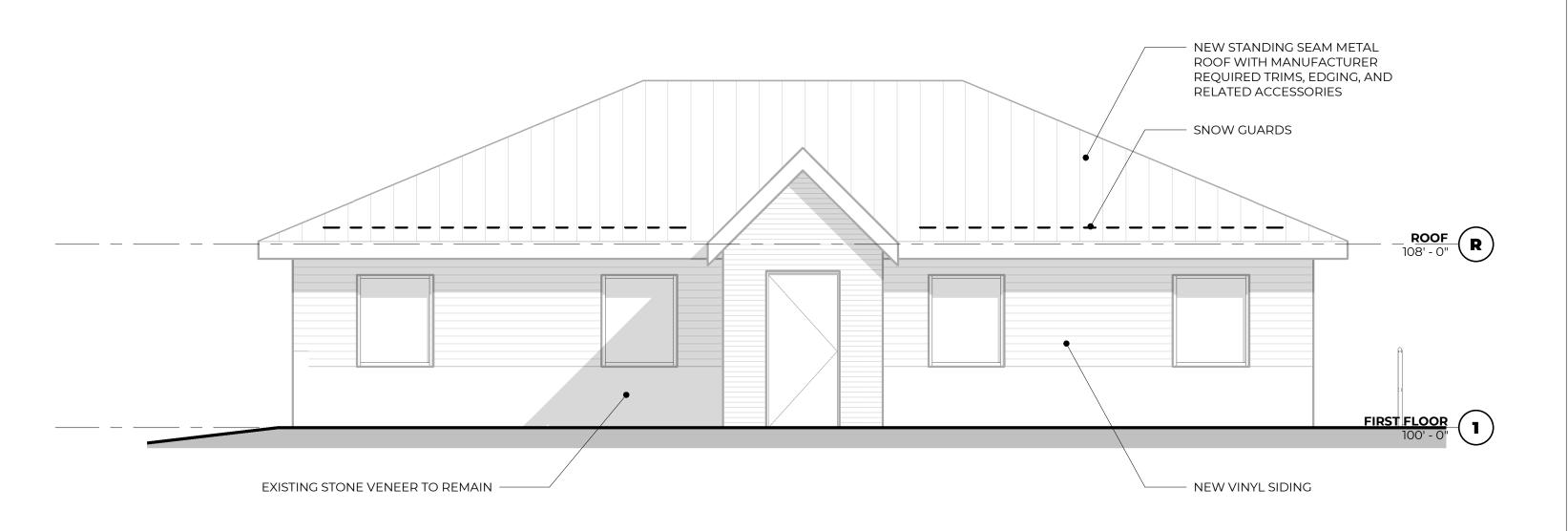
**ARCHITECT** 

1301062401



©2022 PROJECT NO. 22.112









NEW PROVISIONING CENTER

ANDREW J.
QUEENAN
ARCHITECT
No.
1301062401
06/29/2022

SYM DATE

APRIL 1, 2022

IEET NAME

BUILDING ELEVATIONS

A301

©2022 PROJECT NO. 22.112

#### STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission

FROM: Paula Priebe, Community Development Director

SUBJECT: Discussion of Proposed RRC and Form-Based Code Amendments to the Zoning

Ordinance – Draft Zoning Ordinance Amendments

DATE: August 17, 2022

#### Introduction

Tonight's discussion will summarize the proposed restructuring and changes to the Zoning Ordinance that have been discussed over the past several years. This process was initiated as part of the Redevelopment Ready Communities program (RRC) and is required to become RRC Certified. It is also driven by the findings of the Housing Study.

These changes are fully in agreement with the City's Master Plan. The Housing Goal of the 2018 Addendum to the 2009 Master Plan reads: "The City of Big Rapid will work towards creating a balanced range of housing opportunities that includes well-maintained single family homes, multiple family units, and other types of housing". Actions under that goal include "making any necessary amendments to the Zoning Ordinance that encourage quality development or redevelopment of housing. This would including housing to accommodate the needs of families, senior citizens, students, professionals, and others to allow for a varied population in the City. The City will encourage a broad range of housing values to ensure success." Another Action states: "through planning and zoning, the Planning Commission will promote small housing developments" and "encourage the development of smaller, more affordable and sustainable housing." Further, these Zoning Ordinance amendments will help the City work toward the Downtown Goal and the Economic Development Goal.

#### **Discussion Thus Far**

Over the past several years, the Planning Commission has spent time at many meetings learning about the RRC program, Form-Based Code, and analyzing pieces of the proposed Zoning Ordinance Amendments in detail. It would be very difficult to adopt one section without two others, because of the intertwined nature of the Ordinance. So, after years of work, we have compiled all of those sections into one large amendment to the Zoning Ordinance.

### **Proposed Changes to the Zoning Ordinance**

In an attempt to make these many changes more easily understood, Staff has been thinking of the changes as falling into one of four categories: Administrative Changes, District Standards, Housing Types, Zoning Map.

#### **Administrative Changes**

### **Definitions**

An additional aspect of the administrative side of the changes to the Ordinance is to update and reorganize the Definitions section of the Plan which currently comprises Article 2. Several terms in this section need updating to align with State laws. Other terms have been added to clarify ambiguities or align with the new Use Table.

#### Use Standards

Other administrative changes include adjustments to Article 11 to clarify some of the Use Standards and to move the Planned Unit Development section to its own Chapter, the new Article 12. (Note: The PUD Section needs to be revised and modernized. This is a task for the near future.) Later Chapters have been renumbered to reflect this change.

#### Use Table

Adding a Use Table is a substantial but necessary change to the Zoning Ordinance. The Table will replace the 'Principle Uses and Structures' Sections within Article 3 of the Zoning Ordinance. Rather than flipping through countless pages and reading through a laundry list of uses, having a designated Use Table condenses information to be more accessible.

### **District Standards**

### **Downtown District Standards**

A discussion of amended standards for the C-2 and RR districts and changes to the Article 4 General Provisions was led by planning consultant Kathleen Duffy of SmithGroup. These changes are driven by the RRC program and current best practices. They utilize a Form-based Code framework for the walkable areas of the City where that framework is most beneficial.

#### Residential District Standards

Kathleen Duffy of SmithGroup is an expert in zoning ordinance revision and has been working closely with City Staff to prepare these proposed amendments. The Residential District Standards include a Purpose statement, Siting and Building Requirements, graphics, and Dwelling Unit Occupancy sections for the R-P, R-1, R-2, R-3, and R-4 Districts. Note, the other residential district, the R-R, was already covered with the C-2 earlier in this process. See the attached Draft Document for the new framework and district recommendations. Changes have been marked in blue. This section works hand-in-glove with the Use Table, and collectively will streamline and make more accessible the regulations found in Article 3.

A key purpose behind the changes in these residential districts is to "right-size" the zoning district standards to the actual lot sizes in Big Rapids. The Current Zoning Ordinance has district regulations that make the vast majority of residential lots in Big Rapids non-conforming, because they require very large lots, often double the typical actual lot size in most Big Rapids neighborhoods. By fitting the lot areas and adjusting the setbacks to fit reasonably within those lot areas, many lots lose their non-conformity and no longer require the exceptions in Article 4 to be buildable lots.

#### Housing Types

Several additional types of housing were presented to the Commission, including townhomes, flats/small apartments, accessory dwelling units (ADUs), and cottage courts, which are all examples of "Missing Middle Housing" that fall in between the common types of single-family houses and large apartment complexes. These changes were driven by the Master Plan goals, the RRC program, and the findings of the Housing Study.

### **Zoning Map Alterations**

A Zoning Ordinance has two components: the Zoning Text and the Zoning Map. The Text is the written Ordinance, while the Map is how properties are identified and the Text is applied. It is reasonable to look at the Map at this time of other Amendments and make relevant changes.

A Working Group of City Staff and three Planning Commissioners met on Wednesday, August 10, 2022 to review possible changes to the Zoning Map. A primary topic of conversation was the degree of change to the map at this time. After considering options and factoring in the current Future Land Use Map and the timing of updating the Master Plan, it was decided that only needed fixes would be proposed at this time. Substantial changes would be postponed until after a Master Plan Update. The Draft Amended Zoning Map included in this Packet is the result of that Working Group meeting.

#### **Attachments**

Attached to this Staff Report is a copy of the Zoning Ordinance, with the changes marked in red and annotated with comments, including many sections struck through and new sections added. It was important to Staff that the Planning Commission see the proposed amendments in the context of the rest of the Zoning Ordinance, what sections will be retained and what sections are replaced. This makes for a lengthy Attachment; Staff will walk through the changes at the meeting.

A few formatting errors exist in the document, including changes in font and text size and losing the header and footer, apologies. These will be corrected in the Public Hearing Draft.

In a few cases, such as the Definitions section, this has not yet been properly formatted to fit into the Zoning Ordinance, so it is a separate attached table. The Draft Amended Zoning Map is attached showing the proposed rezonings marked in red, one version with the current zoning as the base color and a second version with the proposed zoning as the base color.

### **Timeline**

Staff have proposed the following timeline to see this project through to Adoption.

- August 17 Planning Commission Meeting
  - o Present compiled Amendments in Full Draft form
- August 22 September 20 Educational Sessions and Feedback
  - o Publish information on City Website and hold two in-person meetings to inform the public, answer questions, and receive feedback on the proposed Amendments
- September 21 Planning Commission Meeting
  - o Formal Public Hearing on the Compiled Zoning Amendments
  - o Recommendation to City Commission
- October 3 City Commission
  - o City Commission acts on the Proposed Ordinance

Article 1 Short Title

**ARTICLE NUMBER** 

### **DRAFT AMENDMENTS**

**ARTICLE NAME** 

# City of Big Rapids – Zoning Ordinance TABLE OF CONTENTS

# Preamble Preamble 1 Title 2 **Definitions** 3 **District Regulations** 4 **General Provisions** 5 Off-Street Parking and Loading 6 Signs 7 Nonconforming Uses and Structures 8 Landscape Standards 9 Site Plan Review 10 **Special Land Use Permits** 11 Use Standards 12 Planned Unit Development [Moved from Use Standards] 13 Condominiums 14 **Zoning Board of Appeals** 15 Amendments, Administration and Enforcement 16 Validity, Repeal, Effective Date [Note: Chapters with changes are marked in red. Several chapters are just renumbered,

those have their numbers marked in red. Sections with no changes are not included in this document, please see the full Zoning Ordinance to view them.]

Article 2 Definitions

#### **ARTICLE 2**

#### **DEFINITIONS**

#### SECTION 2.0 PURPOSE

This section provides further clarification of words, terms, and statements utilized elsewhere in the City of Big Rapids Zoning Ordinance.

#### SECTION 2.1 CONSTRUCTION

- 2.1:1 Unless otherwise specifically stated in the Ordinance, for the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:
- 2.1:2 The word <u>person</u> includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
- 2.1:3 The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- 2.1:4 The word <u>shall</u> is mandatory, the word <u>may</u> is permissive.
- 2.1:5 The words <u>used</u> or <u>occupied</u> include the words intended, designed, or arranged to be used or occupied.
- 2.1:6 For terms which are not defined in this Article, the definition of the term shall be taken from the American Heritage Dictionary, 2<sup>nd</sup> College Edition.

### **SECTION 2.2 DEFINITIONS**

# EFORMATTED DEFINITIONS SECTION TO BE ADDED HERE

[SEE UPDATED DEFINITIONS TABLE, NEW LIST STILL BEING FORMATTED AND GRAPHICS ADDED]

#### **ARTICLE 3**

#### DISTRICT REGULATIONS AND ZONING MAP

#### SECTION 3.0 PURPOSE

This section establishes both the geographic areas of specified zoning districts via the zoning map and lists of uses permitted in each of the specified zoning districts.

#### SECTION 3.1 ZONING DISTRICTS AND ZONING MAP

The following zoning districts are hereby established:

R-P	Residential Professional
R-1	Residential District
R-2	Residential District
R-3	Residential District
R-4	Mobile Home Park District
RR	Restricted Residence District
C-1	Commercial District
C-2	Commercial District
C-3	Commercial District
1	Industrial District

The areas comprising the zoning districts and the boundaries of those districts are hereby established as shown on the official zoning map entitled ZONING MAP, BIG RAPIDS, MICHIGAN.

- 3.1:1 The Zoning Map, together with any explanatory matter written upon it, is hereby adopted by reference and declared to be a part of this Ordinance.
- 3.1:2 The Zoning Map shall be maintained in the Big Rapids City Hall and shall show all changes which are made in district boundaries according to procedures set forth in this Ordinance.
- 3.1:3 District boundary lines as shown on the Zoning Map, unless otherwise indicated, shall be construed as following lot lines, Big Rapids corporate limit lines, centerlines of highways, streets, roads, alleys, easements, railroads, streams, rivers, lakes or those centerlines extended or projected.
- 3.1:4 Questions concerning district boundary lines as shown on the Zoning Map shall be decided by the Zoning Board of Appeals.
- 3.1:5 Annexed Area. Where property, not now within the corporate limits, shall be annexed to the Municipality, said property shall be deemed to be zoned in the same district as the property in the City of Big Rapids which is adjacent to and contiguous to the property annexed. The City Clerk and the City

3-1

Manager shall change the Zoning Map on file in the City Clerk's Office to include the lands annexed and shall designate the zoning classification of said lands provided by this section of the Zoning Ordinance.

#### SECTION 3.2 DISTRICT REGULATIONS

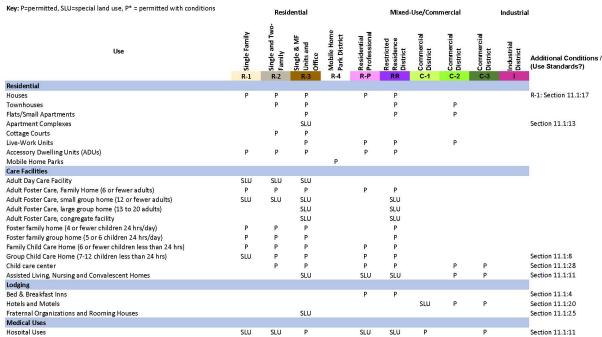
- 3.2:1 Every building or structure erected, any use of land, building, or structure, any structural alteration or relocation of an existing building or structure and any enlargement of, or addition to, an existing use of land, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable within the zoning district in which such land use, building or structure shall be located.
- 3.2:2 Uses are permitted by right only if specifically listed as Uses Permitted by Right in the various zoning districts. Accessory uses are permitted as indicated for in the various zoning districts, and if such uses are clearly incidental to the permitted principal uses. Special land uses are permitted as listed and if the required conditions are met.
- 3.2:3 A use of land, buildings, or structures not specifically mentioned in the provisions of this Ordinance shall be classified upon appeal or by request of the Zoning Administrator by the Board of Appeals pursuant to Section 13.10, Interpretation of Zoning Ordinance Text or Map, of this Ordinance. In making this determination, the ZBA shall not interpret a general category (such as general commercial uses) to include a specific use (such as convenience store) if the specific use is listed separately somewhere else under District Regulations.
- No part of a setback area, or other open space, or off-street parking or loading space required in connection with any use of land, building, or structure, for the purpose of complying with this ordinance shall be included as part of a setback area, open space, or off-street parking lot or loading space similarly required for any other use, building or structure.

# SECTION 3.3 – SECTION 3.13

Changes from existing purpose statement or regulations are noted in blue

#### **SECTION 3.3 USE TABLE**

In the Residential Districts, land, buildings, and other structures shall be used only for one or more of the uses specified in the table below. Uses denoted by a "P" are permitted by right and uses denoted by a "SLU" are considered special land uses and may be approved by the Planning Commission subject to the applicable standards in Article 10: Special Land Uses. Additional applicable use standards are listed in the column at right.



[FULL USE TABLE WILL BE INSERTED HERE]

### SECTION 3.4 R-P RESIDENTIAL-PROFESSIONAL DISTRICT

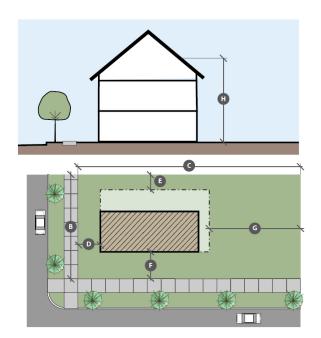
#### **3.4:1 Purpose**

The R-P District is established to provide areas of low-density residential development with office buildings for occupancy by professional offices. Services, facilities and uses incidental or accessory to dwellings are included. It is not intended to permit any additional residential dwellings with two (2) or more families, retail commercial, industrial or similar uses except as authorized by this Ordinance.

3:4:2 Siting and Building Requirements

Lot Size	
Area (min).	7,500 sq. ft.
Width (min)	50 ft.
Width (max.)	120 ft.
Depth (min.)	100 ft.
Impervious coverage (max.)	40%

Setbacks		
Front yard (min.)		15 ft.
Front yard (max.)		
	8 ft.	16 ft.
Side yard (min.)	each	sum
Side street yard (min.)		15 ft.
Rear yard (min.)		25 ft.
Building		
	3	40 ft.
Height (max.)	stories	70 II.
Width (max.)		75 ft.



### 3.4:3 Dwelling Unit Occupancy

The following combinations of occupants are permitted in R-P:

- (1) Family
- (2) Supplemental Occupant: One (1) supplemental occupant shall be permitted in single-family dwellings permitted in the R-P Zoning District subject to the conditions of Section 11.1:17.

### **SECTION 3.5 R-1 RESIDENTIAL DISTRICT**

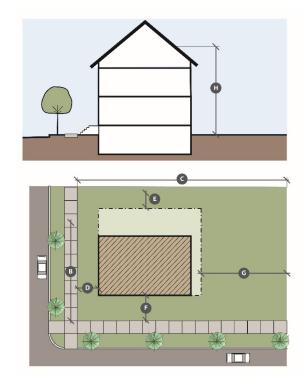
### 3.5:1 Purpose

The R-1 District is established to provide areas of low-density residential development. Desired development includes detached houses comprised of one to three units. Services, facilities and uses incidental or accessory to dwellings are included.

### 3:5:2 Siting and Building Requirements

Lot Size	
A. Area (min).	7,500 sq. ft.
B. Width (min)	75 ft.
C. Depth (min.)	100 ft.
Impervious coverage (max.)	25%

Setbacks		
D. Front yard (min.)		20 ft.
Front yard (max.)		75 ft.
E. Side yard (min.)	10 ft.	25 ft. sum
F. Side street yard (min.)		20 ft.
G. Rear yard (min.)		35 ft.
Building		
H. Height (max.)	2.5 stories	35 ft.



### 3.5:3 Dwelling Unit Occupancy

The following combinations of occupants are permitted in R-1:

- (1) Family
- (2) Supplemental Occupant: One (1) supplemental occupant shall be permitted per dwelling permitted in the R-1 Zoning District subject to the conditions of Section 11.1:17.

### **SECTION 3.6 R-2 RESIDENTIAL DISTRICT**

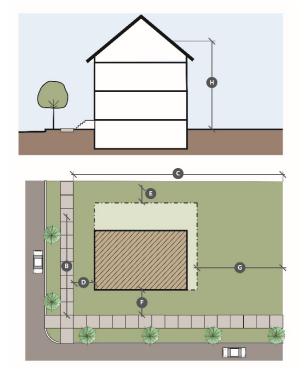
### **3:6:1 Purpose**

The R-2 District is established to provide areas of higher density residential development than is permitted in the R-1 District and a mixture of housing types including houses, townhouses, and cottage courts.

### 3:6:2 Siting and Building Requirements

Lot Size	
A. Area (min).	3,500 sq. ft.
B. Width (min)	35 ft.
Width (max.)	120 ft
C. Depth (min.)	100 ft.
Impervious coverage (max.)	60%

Setbacks		
D. Front yard (min.)		15 ft.
Front yard (max.)		40 ft.
	5 ft.	15 ft.
E. Side yard (min.)	each	sum
F. Side street yard (min.)		15 ft.
G. Rear yard without alley		25 ft.
(min.)		25 10.
Rear yard with alley		20 ft.
(min.)		20 11.
Building		
	3	40 ft.
H. Height (max.)	stories	70 II.
I. Width (max.)		100 ft.



### 3.6:3 Dwelling Unit Occupancy

The following combinations of occupants are permitted in R-2:

- (1) Family
- (2) Owner's family plus up to two (2) unrelated persons depending on space and offstreet parking availability.
- (3) Up to four (4) unrelated persons for each dwelling unit.

#### **SECTION 3.7 R-3 RESIDENTIAL DISTRICT**

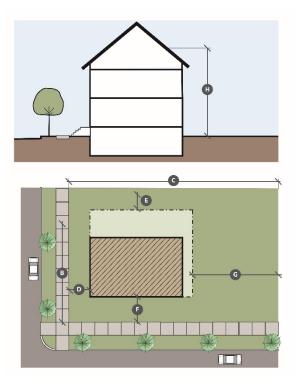
#### **3.7:1 Purpose**

The R-3 District is established to accommodate a flexible variety of housing types, integrate context-sensitive office and university uses, and serve as a transition from mixed-use districts to surrounding residential neighborhoods

### 3.7:2 Siting and Building Requirements

Lot Size	
A. Area (min).	7,500 sq. ft.
B. Width (min)	50 ft.
C. Depth (min.)	100 ft.
Impervious coverage	
(max.)	40%

Setbacks		
D. Front yard (min.)		15 ft.
Front yard (max.)		40 ft.
	8 ft.	20 ft.
E. Side yard (min.)	each	sum
F. Side street yard (min.)		20 ft.
G. Rear yard without alley		
(min.)		25 ft.
Rear yard with alley		
(min.)		20 ft.
Building		
	3	
H. Height (max.)	stories	40 ft.
I. Width (max.)		150 ft.



### 3.7:3 Dwelling Unit Occupancy

The following combinations of occupants are permitted in R-3:

- (1) Houses, townhouses, flats/small apartments:
- a) Family.
- b) Owner's family plus up to two (2) unrelated persons, depending on space and off-street parking availability.
- c) Up to four (4) unrelated persons for each dwelling unit, depending on off-street parking and available space.
  - (2) Apartment Complexes: Two or more multiple family dwellings on a single lot are regulated as a Special Land Use in this District.

### **SECTION 3.8 R-4 MOBILE HOME PARK DISTRICT**

### 3.8.1 Purpose

The R-4 District is established to provide areas for residential Mobile Home Park development to expand the range of housing opportunities for residents of the City of Big Rapids. All mobile home park development shall be in accordance with the standards adopted by the Manufactured Housing Commission.

### 3.8:2 Siting and Building Requirements

- (1) The minimum parcel size for a mobile home park shall be 15 acres.
- (2) Siting and building restrictions shall be in accordance with the standards adopted by the Michigan Manufactured Housing Commission.

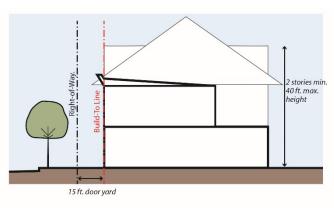
#### SECTION 3.9 R-R - RESTRICTED RESIDENCE DISTRICT

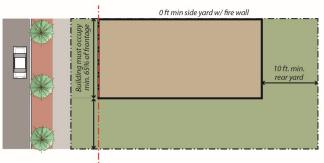
**3.9:1 Purpose.** The intent of the Restricted Residence district is to accommodate a flexible variety of uses and scales; preserve historic detached houses; integrate context-sensitive mixed residential, office, and service uses; and serve as a transition from the denser downtown to nearby established

residential neighborhoods.



Illustrative example of the intent of this





### 3.9:2. Siting and Building Requirements

Height		
Minimum	2 stories	24 ft.
Maximum	3 stories	40 ft.
Ground Floor Elevation - Residential Units (min.)		3 ft.

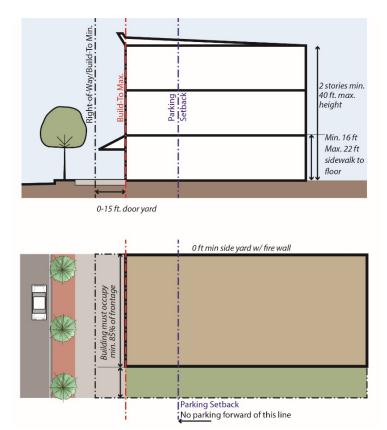
Siting	
Build-To/Dooryard	15 ft.
Frontage Build-To (min.)	65%
Side Setbacks (min.)	0 ft.
Rear Setback (min.)	10 ft.
Adjacent single-family residential setback (side and rear) Surface parking is not permitted directly between a build and a street frontage.	25 ft. ling façade

# **SECTION 3.10 C-1 REGIONAL COMMERCIAL DISTRICT**

**3.10:1 Purpose.** The intent of the Regional Commercial District is to provide for commercial uses that serve the needs of local residents, regional residents, and the highway traveler. This district is limited to a particular geographic area of the City due to proximity to the freeway. Desired establishments include general retail establishments complimented by highway service uses such as hotels, gas stations and restaurants. It is not intended to permit residential or industrial development except as authorized by this Ordinance.



Illustrative example of the intent of this



### 3.10:2 Siting and Building Requirements

Height	
Minimum	
Maximum	40 ft.
Second Floor Finished Elevation	
Upper Stories Clear Height (min.)	
Siting	
Front Setback (min.)	25 ft
Side Setbacks (min.)	0 ft.
Rear Setback (min.)	30 ft.
Parking Setback (min.)	10 ft.

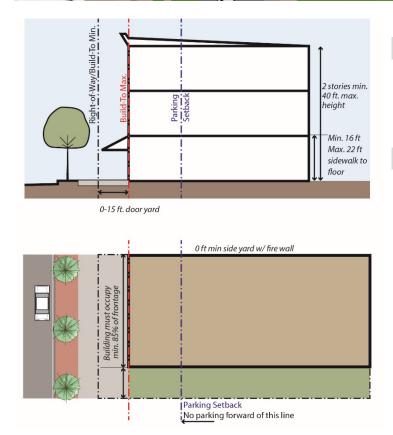
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### **SECTION 3.11 C-2 – MIXED-USE DISTRICT**

**3.11:1 Purpose.** The intent of the Mixed-Use District is to create a pedestrian-friendly, compact district with a mixture of uses. Typically, the mixture of uses are ground floor storefronts for retail and entertainment uses with offices and residential on upper stories. Attached residential units such as townhouses are especially applicable fronting Warren and State Street to serve as a transition to adjacent residential districts.



Illustrative example of the intent of this



# 3.11:2 Siting and Building Requirements

Height			
Minimum	2 stories	24 ft.	
Maximum	3 stories	40 ft.	
Second Floor Finished Elevation		16 ft. to 22 ft.	
Upper Stories Clear Height (min.)		9 ft.	
Siting			
Build-To/Dooryard		0-15 ft.	
Frontage Build-To (min.)		85%	
Side Setbacks (min.)		0 ft.	
Rear Setback (min.)		0 ft.	
Parking Setback (min.)		15 ft.	
Surface parking is not permitted directly between a building façade and a street frontage.			

#### 3.11:3. Storefront Frontage

This additional designation in the Mixed-Use district requires ground floor storefront uses and architectural requirements in order to preserve the walkable, active downtown interface with the public realm. Storefront buildings shall also meet the design specifications for the Mixed-Use district, except as provided herein:

- 1. Build-to/dooryard shall be 0'
- 2. Maximum height of 60' or 5 stories.
- 3. Fenestration
  - (a) Ground floor fenestration shall comprise between 70% and 90% of the ground story façade.
  - (b) Ground floor windows may not be made opaque by window treatments (except operable sunscreen devices). A minimum of 80% of the window surface shall allow a view into the building interior for a depth of at least 12 feet.
  - (c) The bottom of the window must be no more than 3 feet above the adjacent exterior grade.

#### 4. Horizontal Articulation

- (a) Buildings shall be designed to reduce apparent mass by dividing facades into a series of smaller vertical components or bays. Bays shall extend continuously from base to top. Components shall be distinguished from one another through a combination of the following:
  - Variations in overall massing. Changes in parapet projection height shall only occur with a corresponding change in plan
  - (2) Vertical bays defined by pronounced changes in plan to create recesses and projections, a minimum of three feet (3'-0") from build to line of the facade;
  - (3) Distinct changes in exterior finish material corresponding to a change in the building plan- a minimum of three feet (3'-0") from build to line of the façade- or a distinct organizing

- architectural feature with a projection a minimum of 8".
- (b) There shall be a minimum of one functional entrance every full 25 feet of frontage along Michigan Avenue.

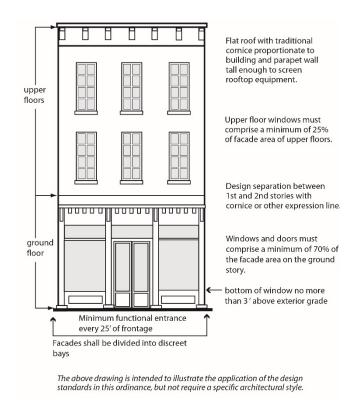
#### 5. Ground floor Articulation

(a) Storefront buildings shall be designed to create a distinct and separated ground floor area through the use of a horizontal expression line, such as a string course, change in material or textures, awnings or canopies, or sign band between the first and second stories.

#### 6. Uses

Only Active Ground Floor Uses are permitted:

- (a) Retail sales and services
- (b) Restaurant/Bar/Lounge
- (c) Residential and Lodging Uses: Support functions such as lobbies, rental offices, and club rooms may be located on the ground floor.
- (d) Offices



# 3.10:3 Storefront Frontage

# 7. Regulating Plan

The Storefront District Regulations apply as noted in the Regulating Plan Map below.

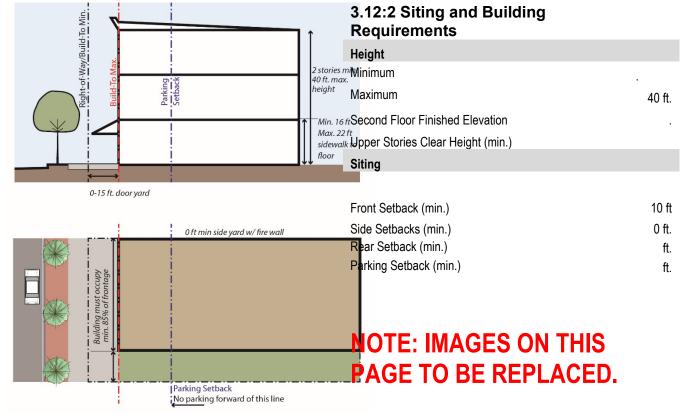


### **SECTION 3.12 C-3 LOCAL COMMERCIAL DISTRICT**

**3.12:1 Purpose.** The intent of the Local Commercial District is to provide for commercial uses that serve the needs of local residents or that require large exterior spaces for storage, display or sale of merchandise or that depend upon continual movement of vehicular traffic. It is not intended to permit residential or industrial development except as authorized by this Ordinance.



Illustrative example of the intent of this

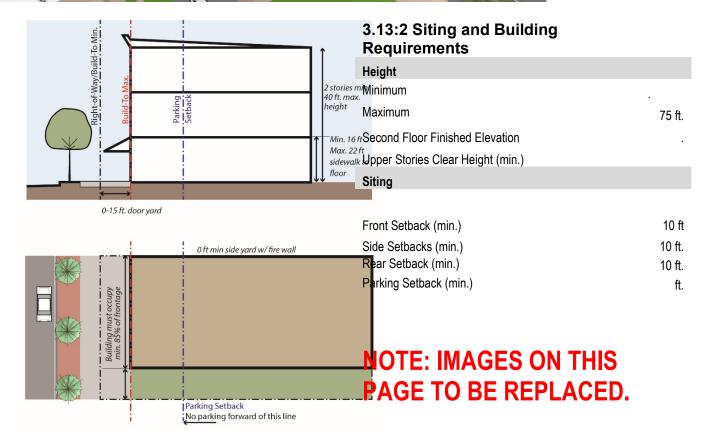


#### **SECTION 3.13 I – INDUSTRIAL DISTRICT**

**3.13:1 Purpose.** The intent of the Industrial District is to create a zone where designated trades and light industries may locate, which produces a minimum amount of adverse effect upon other districts and which provides for a more uniform and higher quality industrial land use. It is not intended to permit any residential or commercial development except as authorized by this Ordinance.



Illustrative example of the intent of this



### **ARTICLE 4**

### GENERAL PROVISIONS AND DESIGN STANDARDS

- **4.1 Purpose**: The General Provisions section of this Ordinance enumerates assorted land use regulations that either apply to all zoning districts or to those districts specifically identified.
- 4.1:1 Application of Zoning:

Except as hereinafter provided, no building, structure or land shall be used and no building or part thereof or other structure shall be erected, razed, moved, reconstructed, extended, enlarged, altered or any building change of use or land change of use except in conformity with these regulations.

4.1:2 Restoring Unsafe Buildings:

When any building or part thereof is declared unsafe by the City, nothing in this Ordinance shall prevent compliance with lawful requirements or the strengthening or restoring of the building to a safe condition.

4.1:3 Pending Applications for Building Permits:

Any building permits issued prior to the effective date of this Ordinance shall be valid as issued and subject to the ordinance(s) in effect at that time, provided construction is commenced within sixty (60) days after the effective date of this Ordinance and is not discontinued for a continuous period in excess of sixty (60) days and is completed within one (1) year of the date of issuance of the building permit.

Rear Dwellings Prohibited:

No building in the rear and on the same lot of a principal building shall be used for residential purposes.

4...:4 Minimum Square Footage Per Dwelling Unit.

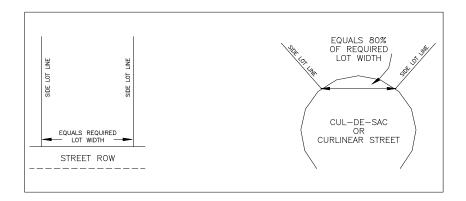
All dwelling units developed under the provisions of this Ordinance shall be constructed to meet the following standards for square footage per dwelling unit, based upon the usage of the dwelling unit by the number of bedrooms.

No. of Bedrooms	Required Sq. ft.
0	550
1	650
2	750
3	850
4	950

Each dwelling unit constructed with more than four (4) bedrooms shall have a minimum of one hundred seventy (170) sq. ft. of space added to its total size in sq. ft. per bedroom constructed over four (4). Mobile homes in mobile home parks are exempt from this section. Single-family dwellings in R-1 Districts must be a minimum of nine hundred fifty (950) sq. ft.. (Section 3.13(9) was replaced by Ord. #552-07-05 on July 18, 2005.)

### 4.1:5 Accessibility of Residential Lot:

Any lot, except those of record at the time of enactment of this Ordinance, used for residential purposes shall have on a public street or approved private street, frontage greater than or equal to the minimum lot width required for the zoning district in which the lot is located. Lots located on a cul-de-sac or a curvilinear street shall have frontage greater than or equal to eighty (80) percent of the minimum lot width required for the zoning district in which the lot is located.



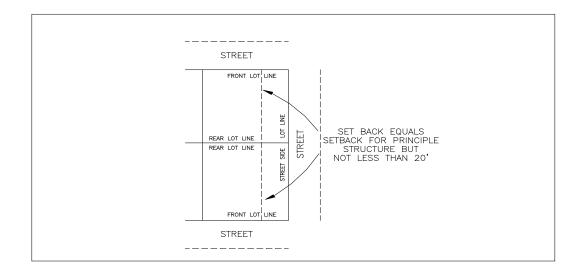
### 4.1:6 Accessory Structures in Non-Residential Districts

(1) Any part of a detached accessory building shall be at least sixty (60) feet from any front lot line when the adjoining lot is located in a residential district.

(2) Accessory buildings may be erected as a part of or connected to the principal building, but in either case accessory buildings are considered a part of the principal building, and all yard requirements for a principal building will be complied with.

### 4.1:7 Accessory Structures in Residential Districts

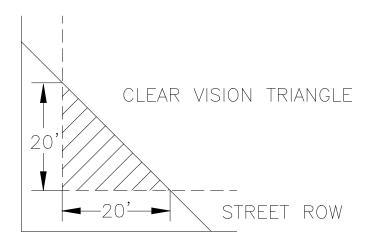
- (1) Accessory buildings shall be erected only in the rear yard area.
- (2) Accessory buildings shall not exceed sixteen (16) feet in height or eighty (80) percent of the height of the principle structure, whichever is greater; and shall be located at least six (6) feet from any other separate structure on the same lot and shall not be closer than three (3) feet to any lot line, or five (5) feet from an alley right-of-way line. Structures closer than ten (10) feet to another structure on the same or adjacent lots must be constructed of fire rated materials as required by the building code.
- (3) When the rear line of a corner lot abuts the side line of an adjoining lot in a residential district, no accessory building shall be within eight (8) feet of such abutting lot line nor closer to the side street lot line than the front yard setback of the principal building on the adjoining lot, but in no case shall the setback be less than twenty (20) feet.



- (4) When the rear line of a corner lot abuts the rear line of any other lot or is directly across an alley therefrom, no accessory building shall be closer to the side street lot line of a corner lot than the side street yard setback of the principal building on the corner lot, but in no case shall the setback be less than twenty-five (25) feet.
- (4) A private garage or a portion thereof may be rented or leased for not more than one (1) motor vehicle (noncommercial type only) to a person not a resident of the dwelling on the lot. Sufficient parking for the primary use must remain.

### 4.1:8 Vision Clearance on Corner Lots:

On any corner lot in any district, no sign, structure or plantings higher than three and one-half (3-1/2) feet above established curb grade, except trees with a minimum clearance of eight (8) feet from the ground to the lowest branch, shall be erected or maintained within a line connecting points on the street lot lines twenty (20) feet distant from the corner. Fences up to four (4) feet in height may be permitted, provided they are no more than twenty-five (25) percent opaque.



### 4.1:9 Required Yard Cannot be Reduced or Used by Another Structure:

No lot shall be divided or reduced so as to make the required area or dimensions less than the minimum required by this Ordinance, nor shall any yard required for a principal building be included as a part of a yard required under this Ordinance for any other building.

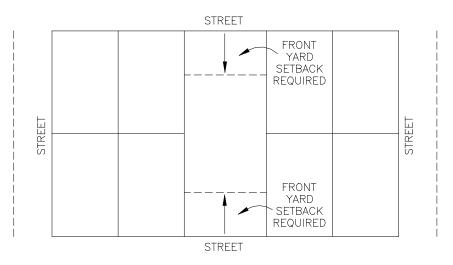
### 4.1:10 Yard Requirements Along Zoning Boundary Line:

A lot having a side yard line adjacent to any zoning boundary line of a more restricted district shall have a side yard not less than the minimum width required for the adjoining side yard for the more restricted district.

### 4.1:11 Front Yards on Lots Running Through the Block:

In any district where a lot runs through a block from street to street and where a front yard is required, such front yard shall be provided along each street lot line, not a side street lot line.

\_\_\_\_\_\_



\_\_\_\_\_\_

# 4.1:12 Exception to Area Limits:

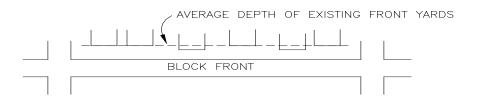
A single-family dwelling may be constructed on any officially platted and recorded lot which has less than the minimum area required by this Ordinance, provided all other requirements of this Ordinance are complied with.

### 4.1:13 Exception to Height Limits:

Governmentally owned structures, churches, parapet walls not exceeding three (3) feet in height, belfries, cupolas, domes, chimneys, smokestacks, flagpoles, radio towers, masts and aerials, television antenna, ornamental towers, monuments, transmission towers, cooling towers and necessary mechanical appurtenances are excepted from required height limitations unless otherwise specified in this Ordinance.

#### 4.1:14 Front Yards.

- (1) Exceptions for Existing Alignment:
  - (a) In any residential district the front yard requirements of a lot may be modified so as to equal the average depth of existing developed front yards on lots along the same block front; provided the front depth shall not be less than ten (10) feet and need not exceed by more than ten (10) feet the minimum front yard depth required by other provisions of this Ordinance.



- (b) In any commercial or industrial district the front yard requirements may be modified so as to equal the average depth of existing buildings occupying sixty (60) percent or more of the frontage within the same block. In the C-2 zoning district new structures shall be set back in line with existing structures along its block front.
- (2) Structures or Projections Permitted.
- (a) Terraces, steps, uncovered porches and other similar features shall not be higher than eighteen (18) inches above the lowest above-grade floor level and shall not be located closer than the five (5) feet from any lot line.
  - (b) Normal chimneys, flues, belt courses, leaders, sills, pilasters, cornices, eaves, gutters and similar features may project into required front yard.
  - In districts where there is a minimum setback or build-to of at least 15 feet, stoops may project into the front yard a maximum of 5 feet.

#### 4.1:15 Side Yards:

- When Side Yards Can be Reduced:
  - (a) On lots with a width of less than sixty-six (66) feet and recorded as such prior to the date of the adoption of this Ordinance, the minimum width of each of the side yards shall be seven and one-half (7-1/2) feet, except side street yards shall be a minimum of fifteen (15) feet.

- (b) The least width of a required side yard may be measured to the centerline of any adjoining alley, but no building shall be erected within five (5) feet of the alley line.
- (2) Structures or Projections Permitted:

# 15 Structures or Projections Permitted:

- (1) Bays, including their cornices and eaves, balconies, fire escapes and fireplaces shall not project into a required side yard more than one-third (1/3) of its required width nor more than three (3) feet, provided that the length of any such projection shall not exceed one-third (1/3) of the length of the side yard in which such projection occurs, however, any fire escape so located may be at least ten (10) feet in length. Bays, including their cornices and eaves, balconies, and fireplaces, shall not project more than three (3) feet into a required rear yard.
- (2) Terraces, steps, uncovered porches and other similar features shall not be higher than eighteen (18) inches above the lowest abovegrade floor level and shall not be less than five (5) feet from any side lot line or accessory building or less than ten (10) feet from any rear lot line.
- (3) Normal chimneys, flues, elevator shafts, connecting hallways, belt courses, leaders, sills, pilasters, cornices, lintels, eaves, gutters and other similar features, may project into a required side yard or rear yard.

#### 4.1:16 Rear Yards:

- When Rear Yards Can Be Reduced
  - (a) In all residential districts any platted and recorded lot less than one hundred twenty (120) feet deep may have three (3) inches deducted from the required rear yard depth for every foot the lot is less than one hundred twenty (120) feet deep, provided no rear yard shall be less than ten (10) feet.
  - (b) The required rear yard depth may be measured to the centerline of any adjoining alley, but no building shall be erected within five (5) feet of the alley line.
- (2) Structures or Projections Permitted
  - (a) Terraces, steps, uncovered porches or other similar features shall not be higher than eighteen (18) inches above the lowest above-grade floor level and shall not be located less

than ten (10) feet from the rear lot line or less than six (6) feet from an accessory building.

- (b) Bays, including their cornices and eaves, balconies and fireplaces, shall not project more than three (3) feet into a required rear yard.
- (c) Normal chimneys, flues, elevator shafts, connecting hallways, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and other similar features may project into a required rear yard.

#### 4.1:17 All Yards:

Front, side and rear yards are defined based upon the relationship of lots to street frontage. Doors, entrances or exits may have nothing to do with determining the front, rear and side yards so long as all yard setbacks are adhered to in accordance with this Ordinance. Changing doors, entrances or exit locations does not effect the location of a lot's front, rear or side yards.

#### 4.1:18 Essential Services:

Essential services shall be permitted as authorized and regulated by law and other ordinances of the City of Big Rapids it being the intention hereof to exempt such essential services from the application of this Ordinance.

### 4.1:19 Sewage Disposal and Water Supply:

A safe and sanitary means of collection and disposal of sewage and industrial waste and a safe and sanitary water supply system complying with the provisions of Article V of the City of Big Rapids Code of Ordinances, shall be provided for each building or structure hereafter erected, altered or moved upon any premises and used in whole or in part for human habitation or congregation, including dwelling, business, recreational, commercial, industrial or other purposes.

### 4.1:20 Grading:

No premises shall be filled or graded so as to discharge surface runoff on abutting premises in such a manner as to cause ponding or surface accumulation of such run-off on those premises.

#### 4.1:21 Storm Water Runoff:

All development shall be in compliance with adopted Municipal Storm Water Standards

### 4.1:22 Parking, Storage or Use of Major Recreational Equipment:

The parking or storing of major recreational equipment in a front or side street yard on any lot in a Residential District is prohibited, except that the parking of such recreational equipment in such yard for a period of not to exceed twenty-four (24) hours, for purposes of loading or unloading, is permitted. The parking or storing of major recreational equipment in a side or a rear yard on any lot in a Residential District is permitted subject to the following requirements:

- (1) The use of campers, camper trailers, recreational vehicles, and the like for living or sleeping purposes, either temporary or permanent is prohibited.
- (2) Mobile home storage is prohibited in all residential districts except in a licensed mobile home park.
- (3) The parking or storing of major recreational equipment on a lawfully constructed driveway is permitted in all residential districts from April 1<sup>st</sup> to December 1<sup>st</sup>, but is prohibited in a required front or side street yard driveway from December 1<sup>st</sup> to April 1<sup>st</sup>.
- (4) The parking or storage of major recreational equipment over 20' in length and 6' in height must be set back at least 20 feet from the public sidewalks, or 20 feet from street curb or street edge on parcels without a sidewalk, in the front or side street yard driveway.
- (5) All major recreational equipment that is parked or stored in a residential district shall be maintained in a clean, well-kept state so as not to detract from the appearance of the surrounding neighborhood, and must be registered or licensed and roadworthy.
- (6) No more than three pieces of major recreational equipment can be parked or stored outside of a garage on a parcel in all residential districts. Recreational vehicles mounted for legal transit on a trailer shall be considered as one piece of recreational equipment.

### 4.1:23 Screening Outdoor Storage:

Outdoor storage in Commercial and Industrial Districts (temporary or permanent), which is adjacent to residential uses or residentially-zoned premises, shall be screened with a minimum height of six (6) foot solid fence or wall and/or evergreen planting, the ultimate height of which will

reach at least six (6) feet, within three (3) years from planting constituting a solid screen at that time.

### 4.1:24 Exterior Lighting.

- (1) All outdoor lighting in all use districts other than residential shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts, adjacent residences, and public rights-of-ways.
- (2) Illumination guidelines shall generally be in accordance with the following standards:
  - (a) Street Illumination

Street Hierarchy	Nonresidential Area	
	Lux	Footcandles
Major	15	1.4
Collector	10	1.0
Local	6	0.6

(b)Parking Illumination Level of Activity	Active Vehicular Use Areas Only		General parking and Pedestrian Areas	
	Lux	Footcandles	Lux	Footcandles
Low activity	5	0.5	2	0.2
Medium Activity	10	1.0	6	0.6
High Activity	20	2.0	10	1.0

- High activity. Examples include major athletic facilities, major cultural or civic events, regional shopping centers, and fast food facilities.
- Medium activity. Examples include community shopping centers, office parks, hospital parking areas, transportation

parking (airports, etc.), cultural, civic or reception events, and residential complex parking.

 Low activity. Examples include neighborhood shopping, industrial employee parking, educational facility parking, and church parking.

### (c) Building Exteriors

Component	Outdoor Areas	
	Lux	Footcandles
Entry/Active Use Areas	50	5.0
Vital Locations	50	5.0
Building Surrounds	10	1.0
Gardens (General)	5	0.5
Walkways	5	0.5
Monuments (Flood Lighted)	150	15.0

### (d) Signs

- (i) In no case shall any illuminated sign exceed a level of eight hundredths (0.08) footcandles and a luminaire brightness of twenty-four hundred (2,400) foot lamberts, when measured at the property line. For purposes of this Ordinance, foot lambert shall be defined as the average "brightness" of any surface emitting or reflecting one (1) lumen per square foot. This requirement is in addition to other applicable sign provisions.
- (ii) All illumination shall not be of a flashing, moving, or intermittent type other than used in connection with a sign for the conveyance of noncommercial information which requires periodic change, such as time, temperature, or stock average.
- (iii) All illumination shall be constant in intensity and color at all times when in use.

(iv) With the exception of signs, the level of illumination shall be measured at the furthest point to be illuminated on that site.

### 25 Single Family Dwellings:

Single Family dwellings in the City of Big Rapids not located in a mobile home park shall comply with the following standards:

- (1) It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.
- (2) It has a minimum width across any section of twenty-four (24) feet and complies in all respects with the City Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction which are less stringent than those imposed by the City Building Code, then the less stringent federal or state standard or regulation shall apply.
- (3) It is firmly attached to a permanent foundation, constructed on the site in accordance with the City Building Code and coextensive with the perimeter of the building, which attachment shall also meet all applicable building codes and other state and federal regulations.
- (4) It does not have exposed wheels, towing mechanism, undercarriage or chassis.
- (5) The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local Health Department.
- (6) The dwelling contains storage area either in the basement under the dwelling, in an attic area, in closet areas or a separate structure being standard construction similar to or of better quality than the principal dwelling. Such storage shall be in addition to the space for the storage of automobiles and shall be equal to not less than fifteen (15) percent of the minimum square footage requirement of this Ordinance for the zone in which the dwelling is located. In no case, however, shall more than two hundred (200) sq. ft. of storage area be required by this provision.
- (7) The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six (6) inches on all sides, or alternatively with window sills and roof drainage systems concentrating roof drainage along the sides of the dwelling; with not less than two (2) exterior doors with one being in the front of the dwelling and the other being either the rear or side of the dwelling; contains permanently attached

steps connected to said exterior areas or to porches connected to said door areas where a difference in elevation requires the same. The compatibility of design and appearance shall be determined in the first instance by the City Zoning Administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen (15) days from the receipt of notice of said Zoning Administrator's decision. Any determination of compatibility shall be based upon the standards set forth in the within definition of "dwelling" as well as the character of residential development outside of mobile home parks within three hundred (300) feet of the subject dwelling where such area is developed with dwellings to the extent of not less than twenty (20) percent of said area; where said area is not so developed, by the character of residential development outside of mobile home parks throughout the City. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

- (8) The dwelling contains no additions or rooms or other areas which are not constructed with similar materials and which are similar in appearance and which have similar quality of workmanship as the original structure, including the above-described foundation and permanent attachment to the principal structure.
- (9) The dwelling complies with all pertinent building and fire codes including, in the case of mobile homes, the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled Mobile Home Construction and Safety Standards, effective June 15, 1976 as amended.
- (10) The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by a state or federal law or otherwise specifically required in the Ordinance of the City pertaining to such parks.

# 41:26 Non-Single Family Dwelling Units:

All dwelling units in the City of Big Rapids not considered a single family dwelling or a mobile home, including but not limited to duplexes and multiple family dwellings, shall be aesthetically compatible in design and appearance with other residences in the vicinity. The compatibility of design and appearance shall be determined in the first instance by the City Zoning Administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen (15) days from the receipt of

notice of said Zoning Administrator's decision. Any determination of compatibility shall be based upon the character of residential development outside of mobile home parks within three hundred (300) feet of the subject dwelling where such area is developed with dwellings to the extent of not less than twenty (20) percent of said area; where said area is not so developed, by the character of residential development outside of mobile home parks throughout the City. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home. The dwelling shall comply with all pertinent building and fire codes.

### 4.1:27 Exception to Yard and Lot Coverage Requirements:

In cases of legal nonconforming Class A residential lots which do not meet the existing minimum lot width or lot area requirements, minimum side yard setbacks may be reduced and maximum lot coverage requirements may be increased by administrative action based on the following formula:

### (1) Side Yard Setback Reduction

The minimum side yard setback may be reduced at the same ratio as the width of the existing lot and the minimum lot width requirement for the district that the lot is in. (Example: A lot is eighty (80) feet wide in a district that requires lots to be a minimum of one hundred (100) feet wide. The lot's width is eighty (80) percent of the minimum. The minimum side yard requirement is ten (10) feet. The side yard setback for that lot may therefore be reduced to eight (8) feet, or eighty (80) percent of ten (10) feet).

In no case may the minimum side yard setback be reduced to less than five (5) feet.

#### (2) Maximum Lot Coverage Increase

The maximum lot coverage requirement may be increased at the same percentage as the percentage that an existing lot's total area is less than the minimum lot area requirement for that district. (Example: A lot is nine thousand (9,000) sq. ft. in area in a district that requires a minimum lot area of ten thousand (10,000) sq. ft.. The lot is ninety (90) percent of the district requirement, or is ten (10) percent smaller than required. The maximum lot coverage in the district is twenty (20) percent. The maximum lot coverage for that is increased by ten (10) percent of the normal requirement to twenty-two (22) percent (110% x 20% = 22%).

In no case may a lot eight thousand (8,000) sq. ft. or less in size have its lot coverage increased to more than thirty-eight (38)

percent of the lot area. In no case may a lot over eight thousand (8,000) sq. ft. in size have its lot coverage increased to more than thirty-three (33) percent of the lot area.

### 4.1:28 Structure Completion:

All structures or additions to structures shall be completed on the outside in conformance with the building code and with finish materials; such as wood, brick, or brick veneer, shingle, concrete or similar performance tested material within one (1) year after construction is started unless an extension for not more than one (1) additional year is granted by the Zoning Administrator.

### 4.1:29 One Principal Building:

In all districts, only one (1) principal building shall be placed on a single lot, except in the case of PUD's, condominium developments and multifamily developments as regulated by this Ordinance.

# **42**. DESIGN STANDARDS (NEW SECTION IN 4: GENERAL PROVISIONS)

4.2:1 INTRODUCTION. This section sets forth the architectural standards applicable to the various zoning districts in the City of Big Rapids. These standards supplement those stated for each Zoning District. These standards are intended to result in construction and development that reinforces the urban form and character of development as well as use and intensity of use established in the City of Big Rapids Master Plan.

### 4.2:2 APPLICABILITY

- (1) **New Construction.** This Section shall apply to all new construction and shall consist of those materials and design standards as set forth in this Section. Architecture shall be reviewed by the zoning administrator as a part of the site plan or building permit review under the requirements of this article.
- (2) **Existing Buildings**. The following shall apply to additions or remodeling of existing buildings or to accessory buildings on existing sites:
  - (a) Where a new wall material is proposed for an existing building wall, only that portion of the building being altered shall be subject to this Section. However, in considering the proposed alteration, the City may modify the material requirements of this Section to ensure consistency with the architecture of the remainder building.
  - (b) Where an addition is proposed to an existing building the Zoning Administrator may allow the use of existing or compatible wall materials for the addition; provided that the design of the alteration is consistent with the existing building wall design, and in accordance with the building design standards in this section.

### 4.2:3 MODIFICATIONS

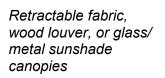
The planning commission may grant modifications to the requirements of this section if it finds that a proposed building design is in keeping with the intent of this section and the recommendations of the master plan and meets all of the following conditions:

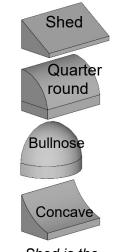
- (1) It is determined to not be grossly dissimilar in exterior design and appearance to nearby buildings and it does not adversely affect property values in the surrounding area.
- (2) It does not adversely affect the desirability of immediate and neighboring areas.
- (3) It does not impair the stability of the area or prevent the most appropriate use and development of real estate.
- (4) It does not adversely affect the public health, safety, comfort, and welfare of the citizens of the city
- (5) A structure may be determined to be compatible in design and appearance to other structures in the context in which it is to be located, even if it does not comply with the above criteria, if it has other design features that make it harmonious with other structures or improve the character of the area in which it is located.

#### 4.2:4 GENERAL ARCHITECTURAL STANDARDS

- (1) Awnings and overhangs
  - (a) Awning and canopies may project over the sidewalk, provided the awning or canopy is at least eight (8) feet above the sidewalk and does not project closer than two (2) feet from the back of the street curb.
  - (b) Awnings shall be of traditional, shed design and shall be made from fabric or metal materials and not from plastic, vinyl, or fiberglass.
  - (c) Architectural horizontal canopies or sunshades are permitted and shall be made from metal or wood materials.
  - (d) No internal illumination is permitted through the awning or overhang.
  - (e) Quarter round, bullnose, concave configurations are permitted only on residential buildings.







Shed is the preferred awning profile. The other awning types are permitted on residential only.

- (2) Balconies and Fire Escapes
  - (a) Balconies and fire escapes shall not be located within 5 feet of any common lot line and shall not encroach into the public right-of-way.
  - (b) Balconies may be a single level or multiple balconies stacked vertically for multiple stories.
  - (c) The balcony support structure shall be integrated with the building facade; separate columns or posts supporting any balcony from the ground are prohibited.
  - (d) The balcony or fire escape design and material shall be compatible with the overall architectural style and color palette of the building.
  - (e) Balconies, railings and porch structures shall be metal, wood, glass, cast concrete or stone.
  - (f) Exterior stairs leading to upper story dwellings (fire escapes) may not be located in the front yard.
  - (g) Balconies, porches, and fire escapes shall not contain permanent outdoor storage. Seasonal furniture intended for outdoor use and short-term storage of

- bicycles or similar are permitted when screened with railings integrated into the design of the building.
- (h) Fire escapes shall be designed in accordance with the applicable building codes and review by the Fire Marshal.

### (3) Fenestration

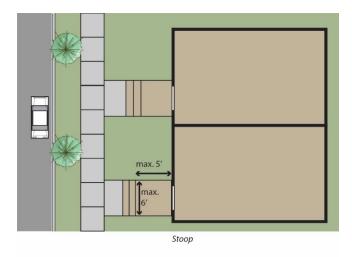
- (a) Reflective, mirrored, or heavily tinted glass shall not be permitted.
- (b) In non-residential buildings, ground floor windows may not be obstructed by display cases, furniture, or stock (excepting operable sunscreen devices).
- (c) For multiple tenant buildings, the minimum ground floor transparency requirement must be met by each suite or tenant.

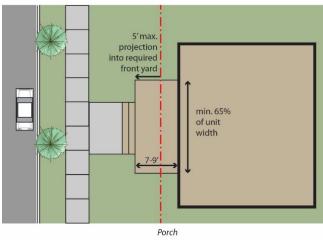
#### (4) Materials and Color

- (a) Durable building materials which provide an attractive, quality appearance shall be utilized.
- (b) For existing buildings, material replacement shall closely match or complement the character of the existing or original materials used on the structure.
- (d) Primary exterior building materials shall be of subtle, neutral, or earth tone colors.
- (e) The use of high intensity colors such as neon or fluorescent for the window and door trim, facade and roof of the building are prohibited except as approved by the Zoning Administrator.
- (f) Mechanical and service features such as gutters, ductwork, and service doors that cannot be screened must be of a color that blends in with the color of the building exterior.
- (g) The following exterior finish materials shall be required for walls visible from streets or an adjacent residential district:
- 1. Primary Materials must be used to compose a minimum of 75% of wall area of the building base and 50% of wall area for the upper floors.
- 2. Secondary Materials are allowed to compose a maximum of 25% of wall area in the building base and 50% of wall area for the upper floors.
- The exterior finish materials shall consist of no more than four (4) unique materials, excluding architectural detail, accent, or trim; and balconies and railings. A change in color, pattern, or profile shall constitute a unique material.

#### 4.2:5 RESIDENTIAL BUILDING DESIGN STANDARDS

- (1) **General Residential Standards.** The general standards in this section apply to all residential buildings.
- (a) Fenestration. The primary facade shall have no less than 25% of the total facade comprised of windows and doorways. First story windows shall be taller than second story windows.
- (b) Facade Articulation. Blank walls over 30' in length are not permitted.
- (c) Front Porch or Stoop
  - (i) Front porches and stoops shall not extend into the public right-of-way.
  - (ii) Front porches may be covered by a roof or an open stoop.
  - (iii) Finished floor height of the porch deck shall be no more than 7 inches below the first interior finished floor level of the building.
  - (iv) Each residential unit with a separate entrance shall include a stoop of not more than 5' deep and 6' wide (not including steps or ramp) or a porch between 7' and 9' deep
  - (v) Porches or stoops may project a maximum of 5' into the front setback when the front setback or build-to is a minimum of 15'





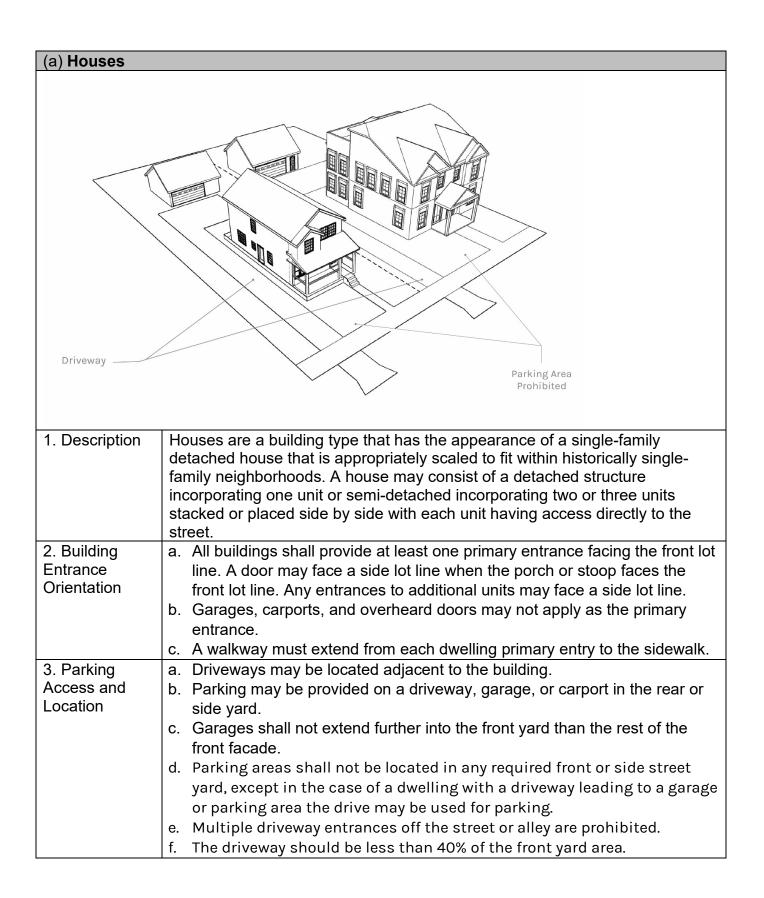
# (d) Allowed Building Materials.

- (i) Primary Facade
  - 1. Brick (natural, glazed)
  - 2. Stone (natural, synthetic)
  - 3. Fiber Cement Board Siding (eg Hardie Panel)
  - 4. Wood Siding (natural, composite)
  - 5. Vinyl Siding
- (ii) Secondary Facade and up to 50% of Primary Facade
  - 1. Stucco (traditional cementitious, EIFS)
  - 2. Architectural Metal Panel (insulated, composite)
  - 3. Decorative cast concrete screens
- (e) **Utility Services.** Services and utility hookups shall not be visible from the primary street frontage.
- (f) Garage/Parking

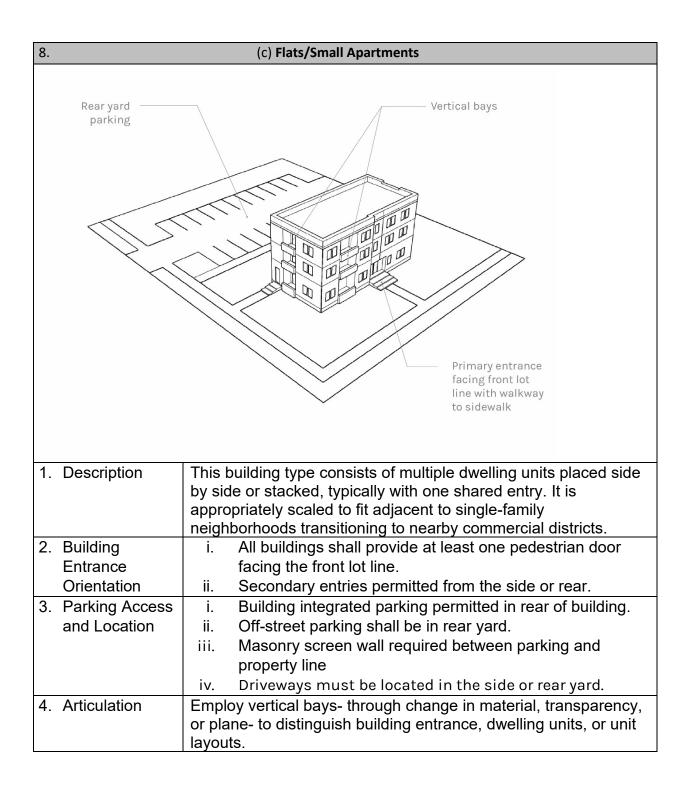
- (i) Garages or carports may only occupy a maximum of 40% of the front facade.
- (ii) Temporary carports are not permitted. See also Sec. 4.1:7 Accessory Structures
- (iii) Driveways and parking areas shall be setback at least three (3) feet from the side or rear lot lines.
- (iv) Off-street parking and loading areas shall be surfaced with asphalt, bituminous or concrete pavement, brick or other permanent material as approved by the Director of Public Works. All parking areas shall be graded and drained to dispose of all surface water.
- **(2) Mobile and Manufactured Homes**. Mobile and manufactured homes in the City of Big Rapids not located in a mobile home park shall comply with the following standards:
  - (a) It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.
  - (b) It has a minimum width across any section of twenty-four (24) feet and complies in all respects with the City Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction which are less stringent than those imposed by the City Building Code, then the less stringent federal or state standard or regulation shall apply.
  - (c) It is firmly attached to a permanent foundation, constructed on the site in accordance with the City Building Code and coextensive with the perimeter of the building, which attachment shall also meet all applicable building codes and other state and federal regulations.
  - (d) It does not have exposed wheels, towing mechanism, under-carriage or chassis.
  - (e) The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local Health Department.
  - (f) The dwelling contains storage area either in the basement under the dwelling, in an attic area, in closet areas or a separate structure being standard construction similar to or of better quality than the principal dwelling. Such storage shall be in addition to the space for the storage of automobiles and shall be equal to not less than fifteen (15) percent of the minimum square footage requirement of this Ordinance for the zone in which the dwelling is located. In no case, however, shall more than two hundred (200) sq. ft. of storage area be required by this provision.
  - (g) The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six (6) inches on all sides, or alternatively with window sills and roof drainage systems concentrating roof drainage along the sides of the dwelling; with not less than two (2) exterior doors with one being in the front of the dwelling and the other being either the rear or side of the dwelling; contains permanently attached steps connected to said exterior areas or to porches connected to said door areas where a difference in elevation requires the same. The compatibility of design

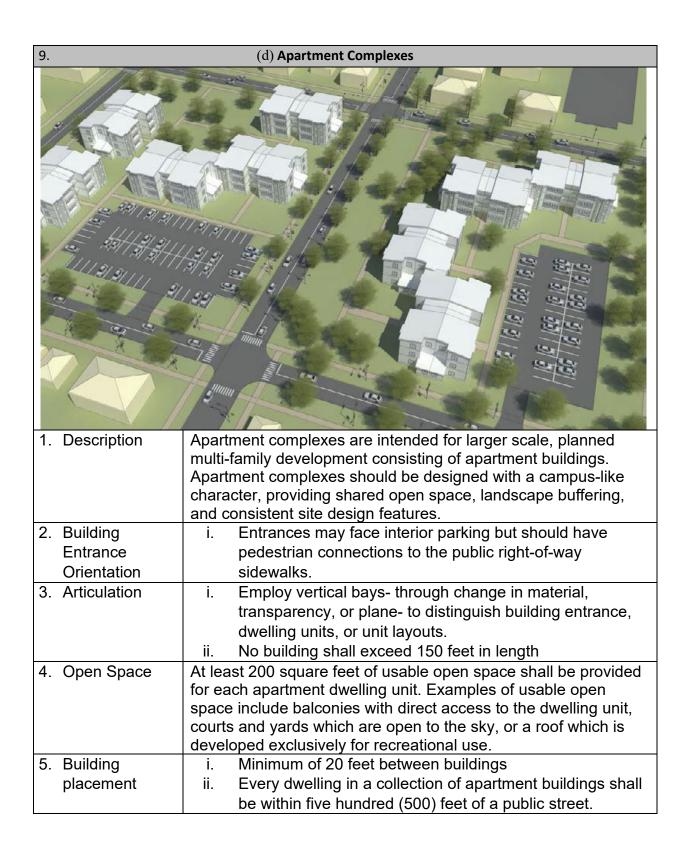
and appearance shall be determined in the first instance by the City Zoning Administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen (15) days from the receipt of notice of said Zoning Administrator's decision. Any determination of compatibility shall be based upon the standards set forth in the within definition of "dwelling" as well as the character of residential development outside of mobile home parks within three hundred (300) feet of the subject dwelling where such area is developed with dwellings to the extent of not less than twenty (20) percent of said area; where said area is not so developed, by the character of residential development outside of mobile home parks throughout the City. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

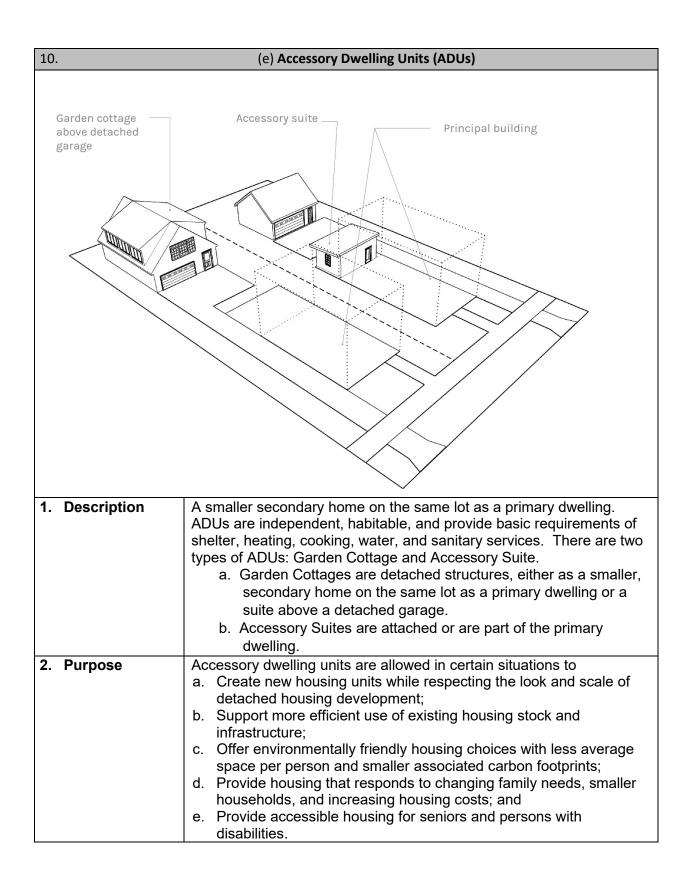
- (h) The dwelling contains no additions or rooms or other areas which are not constructed with similar materials and which are similar in appearance and which have similar quality of workmanship as the original structure, including the above-described foundation and permanent attachment to the principal structure.
- (i) The dwelling complies with all pertinent building and fire codes including, in the case of mobile homes, the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled Mobile Home Construction and Safety Standards, effective June 15, 1976 as amended.
- (j) The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by a state or federal law or otherwise specifically required in the Ordinance of the City pertaining to such parks.
- **(3) Building Type Standards.** In addition to the General Standards in Section 4.2:5(1), the following building standards apply to specific residential building types according to permitted uses as defined in Article 3 District Regulations.



7. <b>(b) Townhouses</b>				
Parking in the rear  Driveway  One entrance per unit				
1. Description	The Townhouse building type consists of structures that contain three or more dwelling units placed side by side. Townhouses are typically narrow, 2-3 story residential buildings with each unit having direct access to the street.			
Building Entrance     Orientation	<ul> <li>i. Each dwelling shall provide a separate pedestrian entryway facing the front lot line with direct access to the sidewalk by way of a front porch or stoop with steps.</li> <li>ii. Primary entry for each unit or separated occupancy must face onto and connect to the primary street. The corner unit may face the secondary street. Secondary entries permitted from the side or rear.</li> </ul>			
Parking Access and Location	<ul> <li>i. Garages or carports must be accessed from the rear yard via an alley. Where no alley exists, a driveway shall lead to rear access drive.</li> <li>ii. Parking may be provided on a driveway, garage, or carport located in the rear yard.</li> </ul>			
4. Articulation	Adjoined dwelling units shall be distinguishable through a change in plane, change in material, or architectural expression.			

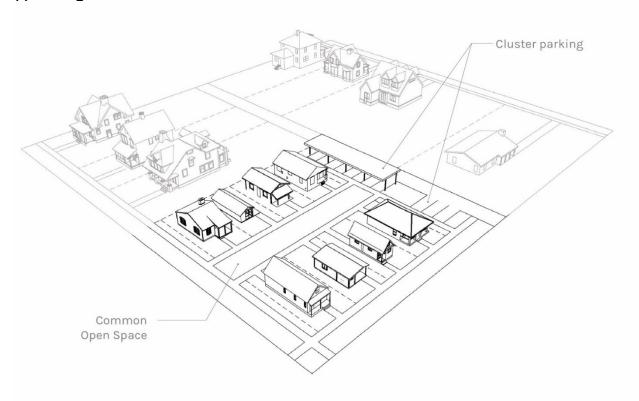






3.	General	а	<b>Number</b> . One ADU is permitted per residentially zoned lot.
	Standards		<b>Creation.</b> An ADU may be created through new construction,
			conversion of an existing structure, addition to an existing
			structure, or conversion of a qualifying existing house to a garden
			cottage while simultaneously constructing a new primary dwelling
			on the site.
		C.	<b>Use.</b> Occupancy and use standards for an ADU shall be the same
			as those applicable to a primary dwelling on the same site.
		d.	Height and Setbacks. ADUs shall meet the siting and massing
			standards of the district in which they are located.
		e.	Yard Setbacks. No portion of an existing building that encroaches
			within a required yard setback may be converted to or used as a
			detached garden cottage unless the building complies with
		_	setback exemptions available elsewhere in the code.
		f.	<b>Alteration.</b> If a garden cottage is proposed for an existing detached accessory structure that does not meet one or more of
			the above standards, the structure is exempt from the standard(s)
			it does not meet. Alterations that would move the structure out of
			conformance with standards it does meet are not allowed.
4.	Building	a.	Only one entrance may be located on the front facade of the
	Entrance		primary dwelling facing the street, unless the primary dwelling
	Orientation		contained additional entrances before the accessory suite was
			created. An exception to this regulation is entrances that do not
			have access from the ground such as entrances from balconies or
			decks.
			Entrance may face secondary street
		C.	ADU may be accessed via external stairs per Section 4.2:4(2)
		<u> </u>	Balconies and Fire Escapes
5.	<b>Building Design</b>	a.	<b>Size.</b> An ADU may be no more than 600 square feet or the size of
		١.	the primary dwelling, whichever is less.
		b.	<b>Parking.</b> One additional parking space is required for an ADU.
			Existing required parking for the primary dwelling must be
			maintained or replaced on-site.
		C.	<b>Exterior finish materials.</b> Exterior finish materials must visually
			match in type, size and placement, the exterior finish materials of the primary dwelling.
		Ч	<b>Roof pitch.</b> The roof pitch must be the same as the predominant
		u.	roof pitch of the primary dwelling.
		e	<b>Windows.</b> If the street-facing facade of the ADU is visible from the
		<b>J</b> .	street, its windows must match, in proportion and orientation, the
			windows of the primary dwelling.
		f.	<b>Eaves.</b> The ADU must have eaves that project the same distance
			as the primary dwelling's eaves or greater from the building.

## (f) Cottage Courts



- 1. **Description.** Cottage courts are a grouping of small, single-family dwelling units clustered around a common area and developed with a coherent plan for the entire site.
- 2. **Purpose.** The purpose of Cottage Courts is to:
  - a. Provide a housing type that responds to changing household sizes, ages and financial security (e.g., retirees, small families, single-person households, young professionals);
  - b. Provide opportunities for ownership of small, detached units within a neighborhood;
  - c. Encourage creation of more shared usable space for residents of the development through flexibility in density and lot standards;
  - d. Contribute to a strong sense of community through cluster arrangement;
  - e. Provide guidelines to ensure compatibility with surrounding uses; and
  - f. Allow for residential development in areas with environmental constraints like floodplains and woodlands.
- 3. **Definition.** A cottage shall be defined as:
  - a. A single-family dwelling of conventional modern construction and built to all Michigan building and sanitary codes;
  - b. Placed on a permanent foundation;
  - c. Has a total square footage of between 500 and 1,200;
  - d. Is sited on legally created parcel, subject to setbacks of this ordinance; and
  - e. Is connected to the municipal water and sewer systems.

4. **Accessory dwelling units.** Accessory dwelling units (ADUs) shall not be permitted in cottage court developments.

# 5. Cottage Lot Requirements.

- 1. Lot Width. Minimum width per lot shall be 18 feet. Maximum width per lot 30 feet.
- 2. Lot Depth. Minimum depth per lot 50 feet. Maximum depth per lot 100 feet

# 6. House Site Arrangement.

- a. Cottage courts shall contain a minimum of four cottages, with a maximum of 12 cottages per grouping. A development may contain multiple groupings.
- b. Groups of cottages shall be arranged on at least two sides of a common open space, or a configuration as otherwise approved by the director.
- c. On a lot to be used for a cottage court, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.

### 7. Height Limit and Roof Pitch.

- a. The height limit permitted for structures in cottage court developments shall be 18 feet.
- b. The ridge of pitched roofs with a minimum slope of six to 12 (6:12) may extend up to 28 feet. The ridge of pitched roofs with a minimum slope of four to 12 (4:12) may extend up to 23 feet. All parts of the roof above 18 feet shall be pitched.

### 8. Lot Coverage and Floor Area.

- a. The maximum lot coverage permitted for buildings in cottage court developments shall not exceed 60 percent.
- b. The maximum main floor area is 700 square feet.
- c. The total floor area of each cottage shall not exceed either one and one-half times the area of the main level or 1,200 square feet, whichever is less. Enclosed space in a cottage located either above the main level and more than 12 feet above finished grade, or below the main level, shall be limited to no more than 50 percent of the enclosed space of the main level, or 400 square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces (less than six feet in height).
- d. Attached garages shall be included in the calculation of total floor area.
- e. Areas that do not count as total floor area are:
  - i. Unheated storage space located under the main floor of the cottage.
  - ii. Attached roofed porches.
  - iii. Detached garages or carports.
  - iv. Spaces with the ceiling height of six feet or less measured to the exterior walls, such as a second-floor area under the slope of a roof.
  - v. The total square foot area of a cottage dwelling unit may not be increased under any circumstance.

#### 9. Setbacks and Yards.

- a. Yards. The front yard setback for cottage courts shall be 15 feet.
- b. Rear Yards. The minimum rear yard for a cottage court housing development shall be 10 feet.
- c. Side Yards. The minimum required side yard shall be 5 feet.
- d. Interior Separation for cottages. The separation between cottages shall be between 5 and 15 feet.
- e. Courtyard. The minimum required courtyard width is 30 feet.

# 10. Required Open Space.

- a. Quantity of Open Space. A minimum of 400 square feet per unit of landscaped open space is required. This quantity shall be allotted as follows:
  - i. A minimum of 250 square feet per dwelling unit shall be provided as common open space (setbacks and private open space shall not be counted as common open space).
  - ii. A maximum of 200 square feet per unit may be private usable open space (setbacks and common open space shall not be counted as private open space).
- b. Setbacks, stormwater management facilities, parking areas, buffers, and driveways do not qualify as open space area.
- c. Required common open space shall be provided at ground level in one contiguous parcel. Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two sides.
- d. The minimum horizontal dimension for common open space shall be 10 feet.
- e. Each house shall abut its private open space, if provided. A fence or hedge not to exceed three feet shall separate private open space from common open space.
- f. If provided, private usable open space shall be in one contiguous area with a maximum area of 200 square feet. No horizontal dimension of the open space shall be less than 10 feet and shall be oriented toward the common open space, as much as possible.

### 11. Building Entrance Orientation.

- a. Primary entry shall be oriented towards the common open space area.
- b. Sidewalk connections shall be provided from primary entrances to sidewalks.
- c. Covered front porches are required with a minimum area of 60 square feet with a minimum dimension of six feet on any side.
- d. Secondary entrances facing a street or sidewalk shall have a five-foot-by-five-foot porch.
- e. Five-foot-wide pedestrian pathways (sidewalks) must be included to provide for movement of residents and guests from parking areas to homes and other amenities.

### 12. Building Design.

- a. Separation of Identical Building Elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different elevation plans per cluster. No two adjacent structures shall be built with the same building size or orientation (reverse elevations do not count as different building elevations), facade, materials, or colors.
- b. Variety in Building Design. A variety of building elements and treatments of cottages and garage or carport must be incorporated. Structures must include articulation, change in materials or texture, windows, or other architectural feature as shown in the city's design standards. No blank walls are allowed.

### **13. Parking.** Parking shall be:

- a. Located on the cottage court development property.
- b. Located in clusters of not more than five adjoining spaces.
- c. Screened from public streets and adjacent residential uses by landscaping or architectural screening.
- d. Parking is allowed between or adjacent to structures only when it is located toward the rear of the principal structure and is served by an alley or private driveway.
- e. Not located in the front yard.
- f. Off-street parking requirements are as follows:
  - i. Units under 700 square feet: one space per unit;
  - ii. Units between 700 and 1,200 square feet: one and one-half spaces per unit
  - iii. At least one parking stall per dwelling will be enclosed or covered.
- g. Access to parking shall be from an alley or a private drive that is accessible from a public road. A private drive must meet the city's engineering design and development standards.
- 14. **Covered Parking.** Covered parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.
  - a. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
  - b. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which precludes the use of the parking spaces for vehicles is prohibited.
  - c. The design of carports must include rooflines similar and compatible to those of the dwelling units within the development.

### 15. Screening Requirements.

a. Boundaries between cottages and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (i.e., through setbacks or architectural techniques) to meet the intent of this section.

- b. Common waste and other storage receptacles shall not be placed in the front yard setback area.
- c. Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent property owners, and the public rights-of-way.
- 16. **Requests for Modifications to Standards.** The Community Development Director or Zoning Administrator may approve minor modifications to the general parameters and design standards set forth in this chapter, provided the following criteria are met:
  - a. The site is constrained due to unusual shape, topography, easements, flood prone, or sensitive areas.
  - b. The modification is consistent with the objectives of this chapter.
  - c. The modification will not result in a development that is less compatible with neighboring land uses.

### 17. Maintenance of open space and utilities.

a. Before Final approval is granted, the applicant shall submit covenants, deeds and homeowner's association bylaws and other documents guaranteeing maintenance and common fee ownership of public open space, community facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed, approved, and recorded at the County. Article 11 Use Standards

### **ARTICLE 11**

### **USE STANDARDS**

#### SECTION 11.1 PURPOSE

The following uses are permitted either by right or by Special Land Use Permit in specified districts. In addition to meeting all applicable provisions contained within this Zoning Ordinance, the following uses must also meet the specific design standards listed for each.

- 11.1:1 Adult entertainment establishments may be permitted in the C-3 Commercial District via Special Land Use Permit when the following conditions are met:
  - (1) No adult entertainment establishment may be established, operated, or maintained within two hundred fifty (250) feet of an R-1, R-2, R-3, R-4 or RR residential zoning district.
  - (2) No adult entertainment establishment may be established, operated or maintained within two hundred fifty (250) feet of: a church, state licensed day care facility, public library, public park, pre-school, elementary school, middle school, or high school.
  - (3) No adult entertainment establishment may be established, operated or maintained within two hundred fifty (250) feet of any other adult entertainment establishment.
  - (4) Distance limitations shall be measured in a straight line from the parcel or lot lines of both the subject parcel and parcels zoned residential or restricted residential (RR), or occupied by uses specified above.
  - (5) If employees or patrons of an adult entertainment establishment promote, offer, solicit, allow or engage in acts of prostitution on the premises, the conditional use permit may be suspended or revoked. No criminal charge need be brought for suspension or revocation of the Special Land Use Permit to occur. The acts described in this subsection may be shown to have occurred by a preponderance of the evidence.
  - (6) Granting a Special Land Use Permit under these provisions shall be contingent upon the applicant(s) obtaining or maintaining an Adult Entertainment Establishment License.
- 11:2 Adult foster care small, medium and large group homes may be permitted in any Residential District as a Special Land Use under the following conditions:
  - (1) The operation must be licensed by the appropriate State governing agency.

Article 11 Use Standards

(2) The minimum lot size shall be calculated as follows: Sixteen hundred (16,000) sq. ft. for the first two (2) bedrooms and three thousand (3,000) sq. ft. for each additional bedroom.

- 11:3 Automobile Service Stations may be allowed in the C-2 Commercial District subject to the following conditions:
  - (1) The Automobile Service Station must be located on a major street.
  - (2) All points of vehicular ingress and egress shall be clearly defined.
  - (3) All pedestrian areas on the site shall be clearly defined.
  - (4) All gasoline pumps and/or storage tanks shall comply with the rules and regulations of the State of Michigan Flammable Liquid Code, as amended.
  - (5) External storage is prohibited.
- 11.1:4 Bed & Breakfast Inns. Bed & Breakfast Inns for the keeping of overnight guests for limited duration and providing breakfast meals for those guests, are permitted subject to the following conditions:
  - (1) No more than seven (7) sleeping rooms shall be permitted in any Bed & Breakfast Inn.
  - (2) Each sleeping room shall have adequate off-street parking defined as one (1) off-street parking space per room.
  - (3) The guests in the Bed & Breakfast Inn facility shall not stay more than seven (7) days out of any thirty (30) day period.
  - (4) The Bed & Breakfast facility will provide only one (1) kitchen facility for use by residents and guests.
  - (5) Bed & Breakfast Inns shall meet all State, County and local code and regulation requirements.
- 1:5 Churches, public, private and parochial schools, public libraries, museums and art galleries PreK-12 Schools, Libraries and Museums, and Places of Assembly and/or Worship shall be permitted all Residential Districts, provided all of such uses occupy a site of at least one (1) acre and be located at least thirty (30) feet from all property lines.
- 11.1:6 Communication antennae affixed to existing structures shall be permitted in the C-1, C-2, C-3 and I districts, subject to the following conditions:To minimize the negative aesthetic impacts associated with ground based communication towers, the placement of communication antennas on preexisting structures such as water towers, church steeples, and

commercial and industrial buildings, shall be encouraged by the City Planning Commission. Antennas located on structures do not have to meet the more stringent height and distance requirements associated with ground based towers, provided the applicant can demonstrate the following:

- (1) Materials used to shield the antenna and associated electrical equipment shall be aesthetically compatible with the surrounding structures and area in terms of color and texture.
- (2) The appearance and character of the structure will not be significantly altered with the addition of the antenna and related equipment.
- (3) The height of the existing structure will not be significantly increased with the addition of the antenna.
- (4) The antenna and any associated structures and guy wires shall be inaccessible to the general public.
- 11.1:7 Communication towers affixed directly to the ground shall be permitted in the I district, subject to the following conditions:
  - (1) The tower is located no closer to any Residential District than the height of the tower. This requirement can be modified by the Planning Commission if it can be demonstrated by the applicant that the tower is collapsible in design.
  - (2) The tower is located no closer to any structure not associated with the operation of the tower than the height of the tower. This requirement can be modified by the Planning Commission if it can be demonstrated by the applicant that the tower is collapsible in design.
  - (3) All wiring between the tower and other structures shall be placed underground whenever possible.
  - (4) The tower, any accessory structures and any guy wires which are fixed to the ground shall be completely enclosed by appropriate fencing as determined by the Planning Commission.
  - (5) In order to maximize the efficiency of the telecommunications services, while also minimizing the impact of such facilities on the City, co-location, or the provision of more than one (1) facility in a single location shall be encouraged by the Planning Commission. The applicant shall provide the Planning Commission with information regarding the feasibility of co-location at proposed sites. Further the Applicant may be required to provide a letter of intent to lease excess space on a facility and commit itself to:
    - (a) Respond to any requests for information from another potential shared use applicant;

- (b) Negotiate in good faith and allow for leased shared use if an applicant demonstrates that it is technically possible and
- (c) Make no more than a reasonable charge for a shared use lease.

\*\*The Primary Election of August 6, 2002, removed Section 11.1:8 pertaining to Group Day Care in R-1 Districts from the Zoning Ordinance. \*\*It was added back in November 4, 2013 per Ordinance No. 671-11-13

- 11.1:8 Group Child Care Home A group child care home is permitted in the R-2 zone when the following conditions are met:
  - (1) The group child care home is located a minimum of 500 feet from any other licensed group child care facility.
  - (2) The minimum lot size of any group child care home shall be 10,500 sq. ft.
- 11.1:9 Heavier industrial uses such as specified in Section 3.12:5 may be permitted in the I Industrial District as a Special Land Use under the following procedures and conditions:
  - (1) The emission of smoke, odors, glare, heat and gasses from the manufacturing use shall not be deleterious to the public health, safety and general welfare.
  - (2) The manufacturing use shall be located at least one hundred (100) feet from any commercial use and three hundred (300) feet from any residential use in the community.
  - (3) Section 9.6 Criteria for Review for Site Plan Review shall be utilized to determine the suitability of the manufacturing use for special land use status.
  - (4) In making any decision the Planning Commission shall have the right and authority to impose such additional conditions and safeguards as it deems necessary for the protection of the health, safety and general welfare of adjoining property owners and the community at large.
- 11.1:10 Home occupations may be permitted in the R-P, R-1, R-2, R-3, and R-R Residential Districts as a special land use under the following procedures and conditions:
  - (1) No stock in trade may be kept or articles sold or offered for sale in the dwelling except such as are produced by such home occupation.

- (2) No display of goods or signs pertaining to such use are visible from the street and that no persons are employed other than the dwelling occupants.
- (3) The principal structure for which the Special Land Use is requested must be the residence of the applicant. No such home occupation may be conducted in any accessory building.
- (4) No such home occupation shall require interior or exterior alterations, or use of mechanical equipment, not customary for housekeeping.
- (5) The home occupation shall not generate more than ten (10) business related vehicles trips in any one (1) day period. (Ord 702-04-17, passed 04-03-17)
- (6) Parking for the home occupation shall be accommodated in the driveway or along the curb adjacent to the property.
- (7) No more than twenty-five (25) percent of the floor area of the ground floor of the principal structure may be devoted to the home occupation.
- (8) The home occupation shall not require exterior alterations that change the residential character of the dwelling (this statement shall not be construed so as to prohibit alterations necessary to comply with the Americans With Disabilities Act).
- (9)In no case shall the home occupation be open to the public at times earlier than 7:00 a.m. or later than 9:00 p.m.
- Hospitals, sanatoriums, clinics, nursing and rest homes, and institutions for <u>11.</u>1:11 human care Hospital Uses may be permitted in all-the R-1, R-2, R-P, and R-R Residential Districts as a Special Land Use under the following conditions:
  - (1) The area accommodating any one of these uses shall not be less than one (1) acre in area.
  - (2) The buildings, including accessory buildings, must be located not less than fifty (50) feet from all property lines.
  - (3) The maximum height of all buildings shall be thirty-five (35) feet.
  - (4) The development must meet all applicable landscaping standards.
  - (5) Off-street parking, loading and unloading shall be provided in accordance with Article 5 of this Ordinance.
  - (6) Ingress and egress to the area must be located in such a manner so as to provide maximum safety to the public utilizing this facility and the

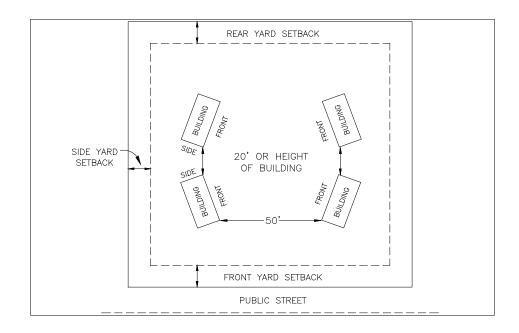
public streets. Said ingress and egress shall be hard surfaced and properly drained.

### (Section 11.1:12 repealed by Ord. 480-6-01, passed 6/4/01)

1:13 Multiple-family dwellings may be permitted in the R-3 Residential District as a Special Land Use under the following conditions:

The erection of two (2) or more residential buildings upon a plot in single ownership is permitted, when such dwelling groups conform to all provisions of this Article, even though the location of the buildings to be erected and the front, side and rear yard spaces do not conform in all respects to the requirements stipulated in other parts of this Ordinance for a single building on a single lot; provided that the proposed dwelling group shall meet all the following conditions and requirements and receive site plan approval.

- (1) The lot area requirements of the Zoning District must be met.
- (2) Every dwelling in such dwelling group shall front either on a street or other permanent public open space, common yard, or outer court at least fifty (50) feet wide, and no building may be built in the front or rear yard space that would be required for a single building or a single lot.
- (3) The distance between buildings or between any building and the nearest lot line, shall not be less than the height of the building, nor less than twenty (20) feet in any case.
- (4) Every dwelling in such dwelling group shall be within five hundred (500) feet of a public street.



- 11:14 Municipal, County, State and Federal Administration Building and Community Center Public Buildings may be permitted in the R-1 Residential District as a Special Land Use under the following procedures and conditions:
  - (1) The site must be at least two (2) acres.
  - (2) All buildings must be located at least thirty (30) feet from all property lines.
- 1:15 Municipal, denominational and private Cemeteries shall be permitted when occupying a site of at least twenty (20) acres and when all buildings are at least one hundred (100) feet from all property lines.
- Office, Professional and Business Establishments buildings for occupancy by professional offices, office building for occupancy by financial, insurance, bookkeeping and real estate firms, and offices of civic, religious and charitable organizations—shall be permitted in the R-3 and RR districts. To ensure general compatibility with character and design in surrounding residential neighborhoods, such uses shall be subject to the following conditions:
  - (1) There shall be no storage, display or sales (wholesale or retail) of merchandise.
  - (2) All office buildings shall comply with the following general design standards:
    - (a) Pedestrian circulation The proposed design shall be designed and scaled to ensure safe and efficient pedestrian circulation over the entire site, and shall provide appropriate connections to the neighborhood's pedestrian circulation system.
    - (b) Exterior Finish Materials The color and texture of the material shall be compatible with residential structures in the surrounding area.
    - (c) Massing The proposed design shall show consideration of the context in which the building is to be placed with respect to the nearby visual environment. The proposed design shall show consideration of surrounding buildings with regards to the proportion, height, scale, and placement of structures on the site.
    - (d) Relation to the street Walls facing a public street shall include windows and architectural features customarily found on the front façade of a building in the area, such as awnings, cornice work, edge detailing or decorative finish materials. Doorways shall be directly accessible from public sidewalks.

- (e) Windows Glass shall be clear or lightly tinted only. Windows facing a public street and parking area shall be functional as windows, to ensure neighborhood scale and character.
- (f) Parking Parking areas shall be located at the back or side of the proposed building. Parking areas will be designed to ensure safe and efficient pedestrian circulation over the entire site.
- 11.1:17 One (1) supplemental occupant per single-family dwelling. One (1) supplemental occupant shall be permitted in single-family dwellings in the R-1 Zoning District subject to the following conditions:
  - (1) The owner of the dwelling in which the supplemental occupant is permitted, shall occupy the dwelling as his/her residence.
  - (2) The owner must clearly demonstrate that improved parking spaces comply with the parking provisions of this Ordinance. For purposes of this Section improved parking shall be parking spaces consisting of either an asphalt or concrete surface.
  - (3) A zoning permit must be obtained prior to establishing occupancy by a supplemental occupant. In addition to the information otherwise required for the zoning permit, applicant shall also indicate the following:
    - (a) Name, address and telephone number of the unrelated occupant.
    - (b) Date occupancy by supplemental occupant is to begin.
  - (4) Failure to secure a permit in compliance with this section shall not constitute the establishment of a non-conforming use.
- 11:18 Owner Occupied Condominiums may be permitted in the R-2 One and Two Family Residential Zone as a Special Land Use when the following conditions are met:
  - (1) There must be a minimum gross land area of five thousand (5,000) sq. ft. per dwelling unit. Minimum lot size shall be one (1) acre.
  - (2) Maximum height of buildings shall be forty (40) feet. Minimum yard setbacks shall be: front yard setback twenty-five (25) feet, rear yard setback thirty (30) feet, and side yard setback twenty (20) feet. Separation of multiple buildings within the site shall be twenty (20) feet.
  - (3) Park area or recreational space must be provided at the rate of ten (10) percent of the gross area of development.

- (4) The area must be landscaped in a manner consistent with the requirements of Section 8.3.
- (5) Off street parking shall be provided in accordance with Article 5, except that the parking shall provide an additional .75 visitors parking space for each dwelling unit and shall be screened with an ornamental fence or compact hedge not less than three (3) feet and not more than six (6) feet high, which shall obscure vision all seasons from adjoining premises. The parking area shall be hard surfaced and adequately drained, properly marked, and lighted in such a manner that the lighting is not objectionable to adjoining property owners. The parking areas shall not be constructed within the required front yard setback, shall not be closer than ten (10) feet to any property line.
- (6) Ingress and egress to the area shall be located in such a manner so as to provide maximum safety to the public utilizing this facility and the public streets. The ingress and egress shall be hard surfaced and adequately drained.
- 11.1:20 Planned Shopping Centers, Restaurants/Bars, Motels and Hotels and Drivethrough establishments may be permitted in the C-1 Commercial District as a special land use under the following conditions:
  - (1) All points of vehicular ingress and egress are clearly defined.
  - (2) All pedestrian areas on the site are clearly defined.
- 11.1:21 Public Parks, Golf Courses, Country Clubs, Tennis Courts and Similar Recreational Uses may be permitted in the R-1 Residential District as a special land use when all buildings are at least one hundred (100) feet from all property lines.
- Public Utilities Utility Buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations are permitted when the Planning Commission determines that the proposed use is not injurious to the surrounding neighborhood and in accord with the spirit and purpose of this Ordinance. Public Utilities with Service Yards are only permitted in the Industrial District.
- 11.1:23 Radio and Television Stations may be allowed in the I-1 and C-3 districts subject to the following conditions:
  - (1) All buildings shall be at least one hundred (100) feet from all property lines.
  - (2) All masts, towers, aerials and transmitters shall be at least a distance, equal to the height of such structures, from all property lines.

- (3) The buildings shall conform with the character of the neighborhood in which they are located. (Section 11.1:24 repealed by Ord. 480-6-01, passed 6/4/01)
- 11.1:25 Fraternal Organization and Rooming Houses may be permitted in the R-3 Residential District as a Special Land Use under the following procedures and conditions:
  - (1) The floor area, excluding the basement shall be a minimum of two hundred fifty (250) sq. ft. per roomer, boarder or student.
  - (2) There must be a minimum gross land area of one thousand five hundred (1,500) sq. ft. per occupant up to eight (8) occupants and seven hundred fifty (750) sq. ft. per occupant thereafter.
  - (3) The set back for all buildings shall be:
    - (a) Front yard twenty-five (25) feet.
    - (b) Interior street side yard twenty (20) feet.
    - (c) Street side yard twenty (20) feet.
    - (d) Combined sum of both side yards forty (40) feet.
    - (e) Rear yard fifty (50) feet.
  - (4) The site shall meet the landscaping requirements of Article 8 of this Ordinance.
  - (5) A minimum of forty (40) percent of the parcel shall be retained as open space. Hard surfaced parking or any structure shall not encroach upon this open space.
  - (6) Off-street parking shall be provided in accordance with Article 5 of this Ordinance.
  - (7) Ingress and egress to the area shall be located in such a manner so as to provide maximum safety to the public utilizing this facility and the public streets. Said ingress and egress shall be hard surfaced and shall conform to all City storm water regulations.
  - (8) One (1) sign shall be permitted not exceeding twelve (12) sq. ft. in size. The sign shall be erected flat against the building. Such sign may be illuminated provided the source of light is not the intermittent type, visible and does not shine off the property. (Ord. 480-6-01, passed 6/4/01)
- 11.1:26 Self-service storage facility may be permitted within the C-1 Commercial District as a special land use under the following procedures and conditions:

- (1) Ingress and egress to the facility shall be located in such a manner so as to provide maximum safety to the public utilizing the facility and the public streets. The ingress and egress areas shall be hard surfaced and properly drained.
- (2) The facility is limited to one (1) identification sign subject to the sign regulations set forth within the Sign provisions contained in Article 6 herein.
- (3) Setbacks shall meet the requirements of Section 3.13.
- (4) No outside storage is permitted.
- (5) Buildings shall conform with the character of the area in which they are located.
- (6) No retail sales shall be permitted on the premises.
- (7) Access must be such that vehicles accessing the facility shall not interfere with normal traffic on a street, parking lot, driveway, or loading access drive.
- (8) Night lighting shall be directed so that adjacent properties are shielded from glare.
- (9) The maximum individual unit shall not exceed four hundred (400) sq. ft..
- (10) Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m.
- (11) Aisles shall be at least twenty (20) feet wide.
- (12) No flammable, combustible or toxic materials shall be stored on site.
- 11.1:27 Subordinate Uses may be permitted in the I District provided that the use is located within the principal building permitted upon the premises and when the following conditions are met:
  - (1) Such use is clearly subordinate to the principal use. The principal use must be permitted in the Zoning District by Section 3.12:2 (Permitted Uses) of this Ordinance.
  - (2) Such subordinate use shall occupy the lesser of ten (10) percent of the total internal floor area of the primary structure or five thousand (5,000) sq. ft.
  - (3) Such subordinate use shall comply with all performance standards of the district as specified in Section 3.12:4 of this Ordinance.

- (4) Adequate parking to meet the needs of both the principal use and the subordinate use is provided. In no case shall a subordinate use be permitted when it is determined that additional parking must be constructed to meet the requirements of Article 5 (Off-Street Parking and Loading) of this Ordinance.
- (5) Such use does not impair, limit or restrict permitted uses within the zone. A subordinate use cannot become a nonconforming use.
- 11.1:28 Child Care Centers shall be permitted in the R-P Residential-Professional District with conditions. To ensure general compatibility with character and design in surrounding residential neighborhoods, such uses shall be subject to the following conditions: (Ord. 731-01-19, passed 01-22-19)
  - (1) Drop-off Facilities The proposed design shall include designated safe drop-off facilities.
  - (2) Pedestrian Circulation The proposed design shall be designed and scaled to ensure safe and efficient pedestrian circulation over the entire site and shall provide appropriate connections to the neighborhood pedestrian circulation system.
  - (3) Exterior Finish Materials The color and texture of the material shall be compatible with residential structures in the surrounding area.
  - (4) Massing The proposed design shall show consideration of the context in which the building is to be placed with respect to the nearby visual environment. The proposed design shall show consideration of surrounding buildings with regards to the proportion, height, scale, and placement of structures on the site.
  - (5) Relation to the Street Walls facing a public street shall include windows and architectural features customarily found on the front façade of a building in the area, such as awnings, corning work, edge detailing or decorative finish materials. Doorways shall be directly accessible from public sidewalks.
  - (6) Parking Parking areas shall be located at the back or side of the proposed building. Off-street parking requirements for child care centers shall be: 1 for each staff member.
- 11.1:29 Marihuana establishments may be permitted subject to the general and specific conditions below: (Ord. 752-10-19, passed 10-07-19)
  - (1) Conditions which apply to all marihuana establishments are listed below:
    - (a) All such establishments shall hold a valid License for the appropriate operation as issued by the State of Michigan.

- (b) Co-located marihuana establishments and stacked grower licenses may be permitted subject to the regulations of this Ordinance and any applicable rules promulgated by LARA.
- (c) The Licensee shall have, or shall have applied for, a Municipal License or permit as described in the City Code of Ordinances.
- (d) No such facility shall be situated within 500 feet of a K-12 school, public or private.
- (e) Those provisions for signs contained in Article 6 of this Ordinance notwithstanding, signage shall include a maximum of three signs, as described below. Digital signs are prohibited. (Ord 765-03-21, passed 03-15-2021)
  - (i) Wall signs, affixed flat to the building, are permitted, and shall not exceed an average of thirty (30) sq. ft. per wall sign.
  - (ii) One freestanding sign is permitted and shall not exceed twenty-five (25) sq. ft. in area nor six (6) ft. in height. If the facility is part of a shopping complex with a multitenant sign, the size regulation above applies, but the height regulation may be in accordance with the multitenant sign.
  - (iii) One projecting sign is permitted and shall not exceed ten (10) sq. ft., with a minimum height of eight (8) ft. and a maximum height of twelve (12) ft. Projecting signs shall not extend more than two (2) ft. from the building.
- (a) The use of marihuana is prohibited at all licensed marihuana establishments.
- (b) No equipment or process shall be used in the facility which creates noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human sense beyond the property line.
- (h) The establishment shall be available for reasonable inspection, during business hours, by Code Enforcement Officials or Public Safety Officers to confirm the facility is operating in accordance with all applicable laws, including state law and city ordinances.
- (i) A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
- (j) A Zoning Permit or Special Land Use Permit may be issued conditionally, however no operation may commence or

continue until the required Municipal License or permit has been issued by the City Clerk and all conditions enumerated in the City Code of Ordinances have been met.

- (2) Marihuana retailers, safety compliance facilities, and microbusinesses may be permitted in the C-1, C-2, and C-3 Commercial Districts subject to the conditions below:
  - (a) The facility may only operate between the hours of 9AM to 9PM.
  - (b) The facility shall provide off-street parking and loading consistent with Article 5 of this Ordinance and shall be considered under Section 5.2 as Retail Sales and Rental of Goods, Merchandise, and Equipment.
  - (c) The exterior of the facility must be compatible with surrounding businesses with respect to façade type, ground floor opacity, site layout, etc.
  - (d) The interior of the facility must be arranged in such a way that neither marihuana nor marihuana-infused products are visible from the exterior of the facility.
  - (e) All activities, including all transfers of marihuana, shall be conducted within the building and out of public view. Drivethrough, drive-up, or curb-side service facilities are prohibited.
- (3) Marihuana growers, excess growers, processors, safety compliance facilities, and secure transporters may be permitted as a special land use in the Industrial District subject to the conditions below:
  - (a) The facility shall provide off-street parking and loading consistent with Article 5 of this Ordinance and shall be considered under Section 5.2 as Manufacturing and Industrial Uses.
  - (b) Processes must be conducted in a manner to minimize adverse impacts on the City's wastewater treatment operations. The City's Public Works Department shall review all pertinent information related to wastewater discharges and shall provide any pertinent comments on to the Planning Commission.
  - (c) All operations shall occur within an enclosed building and no marihuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marihuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.

- (d) Applicants must provide a plan for the storage and disposal of marihuana or chemicals associated with marihuana cultivation or processing to minimize the risk of theft or harm resulting from chemical exposure.
- 11.1:30 Construction equipment sales, service, and rental may be permitted in the Industrial District under the following conditions: (Ord. 753-10-19, passed 10-21-19)
  - (1) Outdoor display and storage of equipment shall conform to the lot, yard, and area requirements of the Industrial District.
  - (2) Equipment outdoors may be stored up to 40 feet in height.
  - (3) All service activities shall be conducted completely within an enclosed building.
  - (4) Interior site circulation shall be planned in such a manner that any trucks, tractors, cranes, or any other large construction related vehicles shall not protrude into any road right of way during ingress or egress from the site.
  - (5) Uses shall produce no detectable objectionable dust, fumes, or odors at any property line.
- Banks and Financial Institutions are permitted in the RR and C-2 Districts as Office Establishments with interior facilities and external pedestrian facilities (such as a walk-up ATM). No Drive-Up or Drive-Thru bank or financial institution facilities are allowed in the RR or C-2 Districts.

# **NEW ARTICLE 12**

## PLANNED UNIT DEVELOPMENT

## 12.1:1 Planned Unit Development

Planned Unit Development (PUD) shall be a Special Land Use within the R-3 Residential District as specified in this Ordinance. The following requirements shall apply in addition to all other applicable requirements of this Ordinance for the Residential Districts in which such uses are located.

Purpose. The purpose of these regulations is to permit greater flexibility in the development of the R-3 Residential District than is generally possible under conventional zoning regulations....

ARTICLE 13

CONDOMINIUMS

ARTICLE 14

**ZONING BOARD OF APPEALS** 

**ARTICLE 15** 

AMENDMENTS, ADMINISTRATION, AND ENFORCEMENT

ARTICLE 16

VALIDITY, REPEAL, EFFECTIVE DATE

Term	Definition
Accessory Building	Any subordinate building, such as a private garage, located on the same lot with the main building, or any portions of the main building if said portion is occupied or devoted exclusively to an accessory use. When an accessory building is attached to a main building by a wall or roof, such accessory building shall be considered part of a main building for the purpose of determining the required dimensions of yards.
Accessory Use	Any use customarily incidental to the main use of the premises.
Adult Day Care Facility	A facility other than a private residence, which provides care for more than six (6) adults for less than twenty-four (24) hours a day.
Adult Foster Care Facility	See subcategory definitions.
Family Home	A private residence licensed under PA 218 of 1979 for six (6) or fewer adults to be provided with foster care for five (5) or more days a week for two (2) or more consecutive weeks. The adult foster care family home licensee is a member of the household and an occupant of the residence.
Large Group Home	A facility licensed under PA 218 of 1979 to provide foster care for at least thirteen (13) but not more than twenty (20) adults.
Medium Group Home	A facility licensed under PA 218 of 1979 to provide foster care for at least seven (7) but no more than twelve (12) adults.
Small Group Home	A facility licensed under PA 218 of 1979 to provide foster care for six (6) or fewer adults.
Adult Entertainment Establishment	See subcategory definitions.
Adult Bookstore	An establishment that has as a substantial portion of its stock-in-trade and offers for sale, for any form of consideration, any one or more of the following: a) books, magazines, periodicals or other printed matter, or photographs, films, movies, motion pictures, video cassettes, slides, or other visual representations that are characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas, or b) instruments, devices, paraphernalia designed for use as part of, or in connection with, specified sexual activities.
Adult Motion Picture Theater	An establishment, where, for any form of consideration, films, motion pictures, videos, slides, or other photographic reproductions are shown and in which a substantial portion of the total presentation is devoted to the showing of material characterized by an emphasis on the depiction of specified anatomical areas or specified sexual activities.
Massage Parlor	An establishment or place primarily in the business of providing massage services as a form of adult entertainment and is not a Myotherapy Establishment regulated by the Big Rapids Code of Ordinances.
Specified Anatomical Areas	Specified anatomical areas means and includes any one or more of the following: a) less than completely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or b) human male genitals in a discernible turgid state, even if completely and opaquely covered.
Specified Sexual Activities	Specified sexual activities means and includes any one or more of the following: a) the fondling or erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; b) human sex acts, normal or perverted, actual or simulated, Including but not limited to intercourse, oral copulation, or sodomy; c) human masturbation, actual or simulated; d) human excretory functions as part of, or as related to, any of the activities described above; and e) physical violence, bondage, mutilation, or rape, actual or simulated, as part of or as related to, any of the activities described above.
Airport Uses	Any area of land designed and set aside for the landing and takeoff of aircraft, including helicopters, including all necessary facilities for the housing and maintenance of aircraft.
Alcohol Manufacturing Establishments, Licensed	19, passed 05-20-19)
Microbrewery	An establishment obtaining a Michigan micro brewer permit manufacturing up to 30,000 barrels of beer annually (including production in any out-of-state facilities). Micro Brewers may sell beer to licensed wholesalers and may not sell beer directly to licensed retailers. Micro Brewers may sell beer at their brewery to consumers for on & off-premise consumption without an additional license. A Micro Brewer may permit sampling of beer on the brewery premises. (Ord. 738-05-19, passed 05-20-19)
Brewpub	An establishment obtaining a Michigan brewpub permit manufacturing up to 5,000 barrels of beer annually. A Brewpub must also hold an on-premise license (Class C, Tavern, A-Hotel, B-Hotel, or Resort). A Brewpub must operate a full-service restaurant with at least 25% of gross sales from non-alcoholic items. Brewpubs may not sell their beer to wholesalers or retailers. Brewpubs may sell their beer to consumers for on-premises consumption or take-out. (Ord. 738-05-19, passed 05-20-19)
Small Winery	An establishment obtaining a Michigan small wine maker permit manufacturing up to 50,000 gallons of wine per year (including production at all licensed winery facilities). Small Wine Makers may sell directly to wholesalers, to licensed retailers, or to consumers for off-premise consumption. Small Wine Makers may sell wine to consumers for on premise consumption from a restaurant on the winery premises. (Ord. 738-05-19, passed 05-20-19)

Term	Definition
	An establishment obtaining a Michigan small distiller permit manufacturing up to 60,000 gallons of spirits and brandy (of all brands combined).
Small Diatillan	Small Distillers may sell spirits to consumers at the manufacturing premises for on premise or off-premise consumption. Small Distillers may
Small Distillery	provide free samples to consumers on the manufacturing premises. Small Distillers may not sell directly to retailers but may sell spirit products
	to the Commission. (Ord. 738-05-19, passed 05-20-19)
Alley	A public way which affords only secondary access to abutting property, not a street as herein defined.
Alteration	Any material change, addition or modification of or to a structure or its use.
Amusement Establishments, Clubs, and	Commerical or membership establishments that provide games, entertainment, or amusement. Examples include arcades, bowling alleys,
· · · · · · · · · · · · · · · · · · ·	skating rinks, motion picture theaters, racquet facilities, and other indoor sport or amusement facilities. This use does not include any
Theaters	machines or devices regulated under state gambling laws.
Animal Services and Kennels	See subcategory definitions.
4 : 10 : 15 : :	An establishment that provides services to owners of animals including veterinarians, boarding, grooming, breeding, training or selling of
Animal Services and Enterprises	animals.
Commercial Kennels and Animal	Any lot or premises on which more than three (3) pets (but not including wild, vicious, or exotic animals), four (4) months of age or older, are
Boarding	kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, protection, hobby, pets, or transfer.
	A person, as defined herein, who may hold any recorded or unrecorded ownership or leasehold interest in land. This definition shall be
Applicant, Petitioner, or Developer	construed to include any agent of the person.
Art Galleries	An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art.
Ait Galleries	
Arts and Crafts Studios	A building used for the production, display, and sale of works of arts and crafts. Such an establishment must be open to the public, either by appointment and/or on a periodic open studio basis. Arts and Crafts Studios may engage in incidental sales of goods made on site.
Assisted Living, Nursing and	A nursing care facility, including a county medical care facility, but excluding a hospital or a facility created by Act No. 152 of the Public Acts of
Convalescent Homes	1985, as amended, being Sections 36.1 to 36.12 of the Michigan Compiled Laws, which provides organized nursing care and medical
	treatment to seven (7) or more unrelated individuals suffering or recovering from illness, injury, or infirmity.
Automobile or Trailer Sales Area	Any space used for display, sale or rental of motor vehicles or trailers, in new or used and operable condition.
Automobile Storage, Damaged	Any storage of inoperable vehicles not incidental to a service garage.
	A building designed and used for the retail sales of gasoline and other automotive products as well as light maintenance such as express oil
Automobile Service Station	changes, or brake and muffler replacement. They do not include premises where heavy auto maintenance activities such as engine overhauls
	or bodywork occur.
	An establishment that provides retail heaking convices, mortgage landing, gradit union convices, or similar financial convices to individuals and
Banks and Financial Institutions	An establishment that provides retail banking services, mortgage lending, credit union services, or similar financial services to individuals and
	businesses. Accessory uses may include automated teller machines (ATMs) and facilities providing drive-through service (if allowed in the
B. T.	District). This use does not include a business commonly referred to as a check cashing store or payday loan store.
Bars, Taverns, Lounges	An establishment having as its principal or predominant use the service of alcoholic beverages for consumption on the premises.
B. 10 B. alfordia	Any dwelling in which overnight accommodations are provided or offered for transient guests for compensation. A bed and breakfast is
Bed & Breakfast Inns	distinguished from a motel in that a bed and breakfast establishment shall have only one (1) set of kitchen facilities and be architecturally
	consisten with surrounding homes.
Boarding House	A dwelling having one (1) kitchen and used for the purpose of providing meals and lodging for pay or compensation of any kind, to more than
	two (2) persons other than members of the family occupying such dwelling.
Breezeway	Any covered passageway, between two (2) buildings, the sides of which may be enclosed by lattice, screens or other material allowing the
	passage of air.
Building	Any structure or part thereof usable for the shelter of persons, animals or chattels.
Build-To***	Build-to is a line parallel to the public street right-of-way up to which buildings must be constructed.
Build-To Measurement	Build-to is measured from and perpendicular to the lot line abutting a street. Where a public access easement abuts the public street right-of-
	way on a lot, the build-to shall be measured from the easement rather than the lot line.
	Required build-to is calculated as a percentage using the length of the primary building wall divided by the total lot width, as measured at the lot
Percentage of Frontage	line abutting the subject street right-of-way. Buildings shall be built at or within the build-to requirement for at least the minimum percentage (%)
	required along the primary and/or secondary frontage.
Building Depth	The horizontal distance at the ground floor measured perpendicular from the exterior of the street facing building wall at the bild-to line to the
Banang Bepan	opposite exterior wall enclosing the permitted street level active uses.

Term	Definition										
Build To Frontage Bange	Architectural features, such as pilasters or recesses, utilized for building wall articulation that are within two feet of the primary building wall										
Build-To Frontage Range	may be utilized in the length of applicable building wall meeting the build-to percentage of frontage.										
Catering Services	Facility for preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (Ord. 738-05-19, passed 05-20-19)										
Cemetaries	Land used or intended to be used for burial of the human dead and dedicated for such purposes. Cemeteries include accessory columbaria and mausoleums, but exclude crematories.										
Check Cashing or Payday Loan Store	A check cashing or payday loan store is an establishment licensed by the Michigan Department of Insurance and Financial Services under MCL Act 244 of 2005, the Deferred Presentment Service Transactions Act, to provide payday loan services.										
Child Care Facility	See subcategory definitions.										
Family Child Care Home	A private home in which 1 but fewer than 7 minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage, or adoption. Family child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.										
Group Child Care Home	A private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.										
Child Care Center	A facility, other than a private residence, receiving 1 or more children under 13 years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center.										
City Commission	The elected policy making entity of the City of Big Rapids.										
College/University	A post-secondary institution of higher education empowered to grant academic diplomas.										
Communication Antenna	Any system of wires, poles, rods, reflecting disks, or similar devices used for the provision of cellular, broadband PCS, wide-area SMR, satellite system and other wireless transmitting and receiving services. Communication antennae may be attached to the top of a structure or to a communication tower which is affixed to the ground.										
Communication Tower	A structure affixed to the ground which functions to provide an elevated base for one (1) or more communication antennae.										
Condominium	See subcategory definitions.										
Condominium	The individual ownership of a unit or parcel of real property within a multi-unit parcel or structure.										
Condominium Subdivision Plan	A condominium subdivision plan is the drawings and information prepared pursuant to Section 66 of the Condominium Act, PA 59 of 1978.										
Condominium Unit	That portion of the condominium project designed and intended for separate ownership and use.										
Contractible Condominium	a condominium project from which any portion of the submitted land or building may be withdrawn in accordance with this act.										
Conventional Condominium Project*	common area.										
Conversion Condominium	A condominium project containing condominium units, some or all of which were occupied before the filing of a notice of taking reservations under Section 71 of the Condominium Act, PA 59 of 1978.										
Expandable Condominium	A condominium project to which additional land may be added in accordance with the Condominium Act, PA 59 of 1978.										
General Common Areas	Portions of the condominium development owned and maintained by the condominium association.										
Limited Common Areas	Portions of the condominium development other than the condominium unit itself reserved for the exclusive use of less than all of the co- owners of the condominium development.										
Master Deed	The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and including those items required in Section 8 of the Condominium Act, PA 59 of 1978.										
Owner Occupied Condominium	Ownership and occupancy of a single dwelling unit within a multiple unit structure or structures by a single family.										

Term	Definition									
Site Condominium Project*	A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists of a building site, with or without structures, which along with the associated limited common area, constitutes the equivalent of a lot.									
Contractor Yards and Machine Shops	A site on which a building or construction contractor or machinist stores equipment, tools, vehicles, building materials, and other appurtenances used in or associated with building, construction, or machining. A contractor's yard may include outdoor storage, or a combination of both. A machine shop is an establishment where metal is cut and shaped by machine tools.									
Construction Equipment Sales, Service, and Rental	Retail establishments selling or renting light or heavy construction equipment, as well as performing maintenance on that equipment. Examples of this equipment include skid steers, backhoes, dozers, and industrial forklifts.									
Curb Cut	A break in the curb line of a street, including any apron, designed to permit vehicles access from the street to the adjoining property.									
Dangerous or Hazardous Materials	Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, explosive, or otherwise injurious properties, may be detrimental or deleterious to the environment or the health of any person handling or otherwise coming into contact with such material or substance.									
Dooryard*	The area between the property line and the front façade/build-to. It is intended as a transitional area between the public realm and private property for pedestrian-oriented amenities. (1) The dooryard shall accommodate entrances, outdoor seating, projections such as awnings, balconies, stoops, and porches. (2) The portion of the frontage not used to meet the minimum percentage of frontage between the building line and the parking setback line shall be additional dooryard.									
Dwelling Unit	A building, or enclosed portion thereof, designed for occupancy by one (1) family for residential purposes and having independednt living, eating, sleeping, cooking, and sanitary facilities. A dwelling unit shall include both manufactured (mobile homes and modular homes) and site built units.									
Attached Dwelling Unit	A dwelling unit attached to one (1) or more dwelling units by common major structural elements.									
Detached Dwelling Unit	A dwelling unit which is not attached to any other dwelling unit by any means.									
House	A building designed for residential use, comprised of one to three detached or semi-detached dwelling units. A house with two or three dwelling units may be stacked or placed side-by-side with each unit having access directly to the street. This building type has the appearance of a small- to medium-sized home and is appropriately scaled to fit within traditionally single-family neighborhoods.									
Townhouse	A type of multiple-family housing comprised of attached dwelling units placed side-by-side. Townhouses are typically narrow, 2-3 story residential buildings with each unit having access directly to the street.									
Flat/Small Apartment Building	A type of multiple-family housing comprised of attached dwelling units placed side-by-side or stacked, typically with one shared entry. It is appropriately scaled to fit adjacent to single-family neighborhoods transitioning to nearby mixed-use districts. Flats can be stacked on top of storefronts, and then may be called lofts.									
Cottage Court	A type of multiple-family housing comprised primarily of small detached dwelling units oriented around a small shared court that is usually perpendicular to the street. Unit entrances should be from the shared court which replaces the function of a rear yard. Dwelling units to the rear of the lot, perpendicular to the street, of more often attached. A rear building may contain shared space for a laundry room, storage room, or parking area that is access off the alley.									
Apartment Complex	A type of multiple-family housing comprised of a multi-family building or group of buildings within a development managed by the same management company. The complex may include shared facilities such as a leasing office, clubhouse, and other amenities for use by residents of the complex.									
Mobile Home Park	A type of multiple-family housing comprised of land under the control of a person upon which three (3) or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether a change is madr for the parcel or tract of land, together with any huilding, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.									
Accessory Dwelling Unit	Accessory Dwelling Units (ADUs) are smaller secondary homes on the same lot as a primary dwelling. ADUs are independent, habitable, and provide basic requirements of shelter, cooking, water, and sanitary services. ADUs may be detached (garden cottage or connected to a detached garage) or attached to the primary dwelling (accessory suite/mother-in-law suite over an attached garage, basement apartment, or converted living space).									
Live-Work Unit	A live/work unit is defined as a single unit consisting of both a non-residential and a residential component concurrently that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.									

Term	Definition								
Essential Services	The phrase "essential service" means the erection, construction, alteration or maintenance by public utilities or municipal department or commissions of underground, surface or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare, but not including buildings other than such buildings, as are primarily enclosures or shelters of the mentioned equipment.								
Façade	The building elevation facing the frontage at the build-to line.								
Family	One (1) or more persons related by blood, marriage, adoption or guardianship living as a single housekeeping unit.								
Family, Functional	A group of no more than four (4) people plus their offspring, having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character with a demonstrable and recognizable bond characteristic of a cohesive unit. Functional family does not include any society, club, fraternity, sorority, registered student organization, association, lodge, organization, or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.								
Farm	Any area of two (2) acres, or more, used for agricultural purposes, including dairy farming and uses incidental thereto; provided that the incidental uses shall be subordinate to normal agricultural uses and shall not include commercial feeding of offal or garbage to animals.								
Farm Buildings	Any detached accessory building or portion of a main building used for the storage or housing of farm implements, produce or farm animals.								
Fence	A structure serving as an enclosure, barrier, or boundary, usually made of posts, boards, wire or rails.								
Fenestration	Fenestration is defined as openings in the building wall, including windows, doors, and open areas. (1) When measuring fenestration, framing elements (such as muntins) with a dimension of two inches or less are considered part of the opening. (2) Ground floor fenestration shall be measured as a percentage of glass per total wall area between two and eight feet above the ground floor elevation.								
Foster Care Home	See subcategory definitions.								
Foster Family Home	See "Child Care Facility" or "Adult Foster Care Facility".								
Foster Family Group Home	See "Child Care Facility" or "Adult Foster Care Facility".								
Fraternal Organization	A group of people formally organized for a common interest, usually cultural, religious, entertainment, or athletic with regular meetings, rituals, and/or formal written membership requirements, including but not limited to a fraternity, sorority, business, professional, athletic, or religious organization. (Ord. 479-6-01, passed 6/4/01)								
Fraternal Organization House	Dwelling or dwelling units maintained exclusively for fraternal organization members, including but not limited to fraternities and sororities. (Ord. 479-6-01, passed 6/4/01).								
Frontage*	The front or frontage is that side of a lot abutting on a public street and ordinarily regarded as the front of the lot. For purposes of determining yard requirements on corner lots see definition 2.2:42(5)(a). Front Lot Line contained within this Article 2.								
Funeral Homes and Mortuaries	An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held. A funeral home or mortuary establishment shall not include crematoria.								
Garage, Private	A detached accessory building or portion of a main building used for the storage of passenger vehicles including but not limited to automobiles, boats, recreational vehicles, motorcycles and bicycles and not more than one (1) truck of a rated capacity of one (1) ton or less.								
Garage, Service	Any building or structure designed or used for the hire, sale, storage, service, repair and refinishing of motor vehicles or trailer, but not for the storage of dismantled vehicles or parts thereof for purposes of reuse or resale.								
Gasoline Service Station	Any building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicles and for the washing or polishing of such vehicles, but not including the use of space or facilities for the refinishing of motor vehicles or for the dismantling, for the purposes of reuse or resale of motor vehicles or parts thereof, or for the outdoor storage or repair of motor vehicles or parts thereof.								
Greenbelt	A strip of land of definite width and location reserved for planting of shrubs and/or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.								
Greenhouses	A commercial use with a building in which crops, such as flowers, vegetables, shrubs, trees, etc., are grown for wholesale or retail sale.								

Term	Definition
Height of Building*	The vertical distance measured from the adjoining curb level to the highest point of the ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip, or gambrel roof; provided however that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.
Minimum Height	The minimum height shall be satisfied from the build-to line back to a depth of at least 30 feet for the specified build-to percentage of frontage.
Ground Floor Height	The ground floor height shall be measured from the average fronting sidewalk grade to the second story finished floor elevation.
Sill Height	The sill height shall be measured from the average fronting sidewalk grade to the top of the ground floor sill.
Home Occupation	Any occupation customarily conducted within a dwelling by its occupants as a subordinate use.
Hotel	A facility with a shared outside entrance for patrons, offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.
Impervious Surface Coverage	The total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area.
Indoor Recreation Establishments	An establishment which provides indoor exercise and/or indoor court and field sports facilities, and which may include spectator seating in conjunction with the sports facilities such as skating rinks, swimming pools, indoor golf facilities, pool or billiard halls, and bowling alleys. Auditoriums and stadiums are not included. (Ord. 738-05-19, passed 05-20-19)
Industrial Service Uses	An establishment engaged in the repair or servicing or agriculture, industrial, business, or consumer machinery, equipment, products, or by-products. Firm that provide these services do so by mainly providing centralized services for separate retail outlets. Contractors and building maintnance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include retail sales, offices, and storage.
Industrial Manufacturing Uses	An establishment primarily engaged in manufacturing uses that include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items.
Heavy Industrial Manufacturing	An industrial manufacturing use that emits noxious odors, gases, smoke, heat, or glare creating fire or safety hazard such as slaughter houses,
Uses	bulk storage operations, junki storage or sales, and other similar uses.
Institution for Human Care	An organization whose purpose is to further public health and welfare and the building(s) used by such an establishment.
Junk Yards	A place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, cleaned or handled, including house wrecking yards, used lumber yards, and use of salvaged house wrecking and structural steel materials and equipment, but excluding such uses then conducted entirely within a completed enclosed building and excluding pawn shops and establishments for the sale, purchase, or storage of used cars in operable condition, salvaged machinery, used furniture and household equipment and the processing of used, discarded or salvaged materials as part of manufacturing operations. Uses considered to be "Junk Yards" under this definition must comply with the requirements in the City of Big Rapids Nuisance Code.
Laundromats and Dry Cleaning Services	A large discount is a facility whose materials would have also also being an other fabrics in manhims amounted by the material A day also since
Libraries and Museums	A library is a public facility for the use, but not sale, ofl iterary, historical, scientific, musical, artistic, or other reference materials. A museum is a facility serving as a repository for a collection of natural, scientific, historical, or literary curiosities or works of art that is arranged, designed, and intended to be viewed and studied by members of the public, with or without an admission charge. Accessory uses include offices and storage facilities used by staff, meeting rooms, and may include the limited retail sale of goods, services, or products such as prepared food to patrons.
Liquor Stores	An establishment licensed by the State of Michigan for the retail sale of beer, wine, liquor, or spirits in sealed containers for consumption off the premises where sold.
Lot	A parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records. For purposes of meeting the dimensional standards of this Ordinance, a lot does not include public rights-of-way or private road easements, but does include access easements for a service drive. A lot may be a single lot of record, a portion of a lot of record, a combination of contiguous lots of record, contiguous portions of lots of record, a parcel of land described by metes and bounds, or a condominium lot. A lot will have one identification number.

Term	Definition
	Any lot having at least two (2) contiguous sides abutting upon a street, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. A lot abutting upon a curbed street or streets shall be considered a corner lot if the tangents to
Corner Lot*	the curve, at its points of beginning within the lot or at the points of intersection of the side lot or at the points of intersect at an interior angle of less than one hundred thirty-five (135) degrees.
	A lot which meets minimum size, width, depth, accessibility, and serviceability requirements of this Ordinance.
Lot Coverage	Determined by dividing that area of a lot which is occupied or covered the total horizontal projected surface of all principal and accessory structures by the gross area of the lot.
Lot Line	Any line bounding a lot.
Front Lot Line	The line separating the lot from the street; in the case of a corner lot, the line separating the narrowest side of the lot from the street.
Rear Lot Line	The line opposite to and most distant from the front line; in irregularly shaped lots, it shall be the straight line entirely within the lot, ten (10) feet long, parallel to and most distant from the front lot line.
Side Lot Lines	Any line other than front or rear lot lines.
Street or Alley Lot Line*	Any line separating a lot from a street or alley.
Lot Width*	The straight-line distance between the side lot lines, measured at the two (2) points where the minimum front yard setback intersects the side lot lines.
Marihuana Businesses	See subcategory definitions.
LARA	The Michigan Department of Licensing and Regulatory Affairs.
MRA	The State of Michigan Marihuana Regulatory Agency.
Licensee	A person holding a state license.
Municipal License	Municipal License – A license or permit issued by a municipality that allows a person to operate a marihuana establishment in that municipality.
Marihuana	All parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. It does not include industrial hemp.
Marihuana Plant	Any plant of the species Cannabis sativa L. Marihuana plant does not include industrial hemp.
Marihuana Establishment	A location at which a licensee is licensed to operate under one of the State of Michigan Marihuana laws.
Grower	A person with a commercial license to cultivate, dry, trim, cure, and package marihuana and sell or otherwise transfer marihuana to marihuana establishments.
Microbusiness	A person with a commercial license to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.
Processor	A person with a commercial license to obtain marihuana from marihuana establishments, process and package marihuana, and sell or otherwise transfer marihuana to marihuana establishments.
Retailer	A person with a commercial license to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older. Also called provisioning centers.
Safety Compliance Facility	A person with a commercial license to test marihuana, including certification for potency and the presence of contaminants.
Secure Transporter	A person with a commercial license to obtain marihuana from marihuana establishments in order to store and transport marihuana to marihuana establishments for a fee.
Excess Marihuana Grower	A person who already holds five adult-use Class C Grower licenses and is given additional license to expand their allowable marihuana plant count.
Retail-Type Marihuana Establishments	Marihuana establishments that are licensed to sell to the public, including provisioning centers, retailers, and microbusinesses.
Industrial-Type Marihuana Establishments	Marihuana establishments that are licensed to sell to or work with other marihuana establishments, including growers, processors, and secure transporters.
Medical Clinic	A building used for the diagnosis and treatment of human patients that does not include overnight care facilities.
Medical and Dental Offices, Physical Therapy, Etc.	A small-scale establishment providing medial, dental, or physical therapy treatment. A small-scale office shall mean a maximum net floor area of 5,000 sq ft. Overnight treatment is prohibited at these establishments.

Term	Definition										
Mobile Home	A structure, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and including the plumbing, heating, air-conditioning, and electrical systems contained in the structure.										
Mobile Home Park	A lot, parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual, non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home.										
Motels	Groups of furnished rooms or separate structures providing sleeping and parking accommodations for transient tourist trade, commonly known as tourist trade, commonly known as tourist cabins or motor courts, and as distinguished from furnished rooms in an existing residential building.										
Municipality	A government constituting the City of Big Rapids.										
Myotherapy Establishment	Shall mean any building, Turkish bath parlor, steam bath, sauna bath, room, premises, place, institution or establishment, were body massage is regularly practiced on the human body, to club members or to the general public for a charge or consideration, but the term "myotherapy establishment" shall not include licensed hospitals, nursing homes, medical clinics, offices of licensed physicians, surgeons, osteopaths or chiropractors. Massage shall mean an alcohol rub, fomentation, bath, common massage, magnetic massage procedure, manual manipulation of the body or any method treating external parts of the body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading, adjusting, or tapping with the hand, elbow, fingers, or any instrument, electric, magnetic or otherwise, with or without supplementary aids.										
Nonconforming Structure	Any structure or more than a facility existing at the time this Ordinana has a set of a time and which was a data was been a set of a time.										
Nonconforming Lot	Any structure or portion thereof lawfully existing at the time this Ordinance became effective and which now does not comply with regulations.  A lot, the area, width, depth or other characteristic of which fails to meet requirements of the zoning district in which it is located and which was conforming prior to enactment of the zoning ordinance.										
Nonconforming Use	Any property use which was lawful at the time this Ordinance became effective and which now does not comply with its regulations.										
Office, Professional, and Business Establishments	A building or a portion of a building wherein services are performed involving predominantly administrative, professional, clerical, or business operations.										
Office Building	A building in which services are performed involving predominantly administrative, professional, or clerical operations.										
Open Space	Area which is not covered by a principal or accessory structure or off-street parking area.										
Parking Demand Study	A study demonstrating need for parking, based on documented evidence of actual use and demand, utilizing the recommendations of the Institute of Traffic Engineers (ITE), the Urban Land Institute (ULI), etc.										
Parking, Off-Street Restricted Accessory	Any parking areas located in a residential district and intended to serve a business or industrial establishment, provided at least fifty (50) feet of the lot line of said parking abuts a business or industrial district either directly or across an alley therefrom.										
Parking Setback*	Where regulated in the Frontage Standards, vehicle parking shall be located behind the parking setback line behind the build-to line and extends vertically as a plane from the first-floor level.										
Parking Space	Any area intended for the temporary parking of a motor vehicle as defined by the City Traffic Code which is not located on but accessible to a public street or alley right-of-way.										
Parks, Playgrounds, and Athletic Fields	A park, playground, or athletic field consists of land generally open and readily accessible to the public that is used for recreation, exercise, sports, rehabilitation, outdoor meeting or gathering, or similar activities, or a land area intended to enhance the enjoyment of natural features or natural beauty. This use does not include commercially operated amusement parks.										
Pedestrian Access	See subcategory definitions.										
Entrance	The entrance shall be a door parallel to a street frontage, recessed no more than 15 feet from the front building face; or a door at approximately a 45-degree angle to the intersecting streets of a corner lot. The distance between entrances shall be measured from the center of the door or set of doors.										
Stoop	A stoop is a small staircase ending in a platform and leading to the entrance of the building.										
Enclosed Porch	An enclosed porch is a covered stoop that has walls enclosing the platform on all sides.										
Portico	A portico is a defined entry landing or platform that serves a similar architectural purpose as a porch or stoop by defining a clear entryway, but with a ramp or at-grade entrance instead of steps.										
Measuring Stoops, Porches, and Porticos	The depth shall be measured perpendicular from the building façade to the opposite edge of the platform. Steps shall not be included in the measurement.										

Term	Definition										
Personal and Professional Services	A business providing personal services to patrons including but not limited to: small electronics and applicance repair shops; shoe repair; dressmakers and tailors; hair styling, piercing, and tanning salons; licensed massage and tattoo parlors; travel agencies; and decorating and upholstery shops. This use does not include any sexually oriented businesses.										
Personal Vehicle Sales, Services, and Rentals	Retail establishments selling or renting personal vehicles, as well as performing maintenance on those vehicles. Examples of personal vehicles include automobiles, trucks, motorcycles, and trailers, be they new or used. This use also includes carwash facilities.										
Petroleum Bulk Plant	An establishment for the storage of petroleum products, in bulk and in packages, for distribution by tank car, tank vehicle or motor truck.										
Places of Worship	A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for organized religious services and accessory uses associated therewith, such as convents, rectories, parsonages, monasteries, gymnasiums, and church halls.										
Planned Shopping Centers	Planned shopping centers, also known as shopping malls or plazas, have a collection of various retail stores, restaurants, and services, where the property is designed as one unit, has shared parking, and is centrall owned and managed.										
Planned Unit Development	A form of land development comprehensively planned as a single development which permits flexibility in building, siting, useable open spaces, and the preservation of significant natural features. A PUD may contain a mix of housing types and non-residential uses.										
Planning Commission	A board appointed by the City Commission to assist in the administration of this Ordinance. Duties of the Planning Commission include development and administration of this Ordinance, consideration of amendment of this Ordinance text or map, for a special land use permit request, and review of site plans.										
Property Line	Lines describing a lot of record distinguishing it from other lots of record or rights of way. Lots of record include lots or their equivalent defined by meters and bounds descriptions, described in recorded subdivision plats or recorded condominium master deeds.										
Public Art	Works of art in any media that have been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all.										
Public Buildings	Buildings that are accessible to the public and are funded from public sources. Examples include municipal facilities; county, state, and federal administrative buildings; community centers; public safety facilities; and water towers; among others.										
Public Right of Way	A strip of land under public ownership occupied or intended to be occupied by a street, crosswalk, railroad, transmission line, utility main or other special use, but not including driveways.										
Public Transportation Stations or Terminals	A structure incorporating ticket offices, waiting areas, and spaces for public transportation vehicles such as trains, busses, or taxis to routinely pick up and drop off passengers.										
Public Utility	Any person, firm, corporation, municipal department or board, duly authorized to furnish and furnishing under federal, state or municipal regulations to the public, electricity, gas, steam communication, telegraph, transportation or water.										
Radio and Television Stations	A facility of the recording and broadcasting of radio and television, which require masts, towers, aerials, or other transmitters on site.										
Railroad Uses	Any area of land designed and set aside for the tracks or vehicles of a railroad, including all necessary facilities for the housing and maintenance of railcars.										
Recreational Equipment, Major	Such equipment shall include travel trailers, pickup campers or coaches, motorized dwellings, recreational vehicles, tent trailers, landscape trailers, boats, boat trailers, personal water craft and similar equipment and equipment used for transporting recreational equipment, whether occupied by such equipment or not.										
Registered Student Organization	A student organization registered by the Ferris State University Office of Student Life (including but not limited to a fraternity, sorority, business, professional, or religious organization).										
Restaurants	Any establishment whose principal business is the sale of food and beverages to the customer in a ready-to-consume state, and whose method of operation is characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or tavern/bar/lounge, or combination thereof as defined below:										
Carry-Out Restaurant	A business establishment whose method of operation involves sale of food, beverages, and/or frozen desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption primarily off the premises.										
Drive-In Restaurant	A business establishment whose method of operation involves delivery of prepared food so as to allow its consumption in a motor vehicle or elsewhere on the premises, but outside of an enclosed building. A drive-in restaurant may also have interior seating.										
Drive-Through Restaurant	A business establishment whose method of operation involves the delivery of the prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off the premises.										

Term	Definition
	A business establishment whose method of operation involves minimum waiting for delivery of ready-to-consumer food to the customer at a
Fast Food Restaurant	counter or cafeteria line for consumption at the counter where it is served, or at tables, booths, or stands inside the structure or out, or for
	consumption off the premises, but not in a motor vehicle on site.
	A business establishment whose method of operation involves either the delivery of perpared food by servers to customers seated at tables
Standard Restaurant	within a completely enclosed buliding or the prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the
	customers at tables within a completely enclosed building.
Tavern/Bar/Lounge	A type of restaurant which is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may
ravenii baii Edange	also be permitted. If a tavern/bar/lounge is part of a larger facility, it shall be defined as that part of the structure so designated and operated.
	An establishment engaged in selling goods, merchandise, or services to the general public. This use includes appliance stores, bookstores,
Retail Sales and Services	clothing stores, drug stores, grocery stores, home improvement stores, and other similar establishments.
	Scientific, engineering, and medical establishments primarily engaged in the research, development, and controlled production of high-
Barrier I Barrier and	technology electronic, industrial, or scientific products or commodities for sale, but excludes uses that may be objectionable as determined by
Research and Development	the Zoning Administrator, by reason of production of offensive odor, dust, noise, vibration, or storage of or risk associated with hazardous
Laboratories	materials. Uses include biotechnology firms, metallurgy, optical, pharmaceutical and X-ray research, data processing, and non-toxic computer
	component manufacturers. (Ord. 738-05-19, passed 05-20-19)
	A building or structure composed of one or more dwelling units used or occupied by roomers, whether for remuneration or compensation or
Rooming House	not, whereby one or more dwelling units is occupied by more than four (4) roomers who are not considered a family. (Ord. 479-6-01, passed
	6/4/01)
Roomer	A person who occupies living accommodations, for a term of not less than one week, within a rooming house. (Ord. 479-6-01, passed 6/4/01)
Schools	See subcategory definitions.
Schools	Any facility or building used for public primary or secondary instruction or a parochial or private school having a curriculum including the same
PreK-12 Schools	courses ordinarily given in a public primary or secondary school.
	Any facility of building used for secondary or post-secondary instruction designed to train students for a specific job in a skilled trade career.
Trade Schools	Also known as technical schools.
Colleges and Universities, and	Any facility or building used for instruction in a higher-education institution, and related college-owned uses such as administrative buldings,
Related Uses	food establishments, housing for students, laboratories, and other similar college uses.
	The protection and separation of adjoining uses. Screening requirements are included in the Landscape Standards and General Provisions
Screening	Articles of this Ordinance.
Oalf Oamina Otanona Facility	A building consisting of individual, enclosed self-contained units that are leased or owned for the storage of business and household goods or
Self-Service Storage Facility	contractors' supplies.
Cathaak	The distance from the property line to the building line for the purpose of defining limits within which no building or structure; or any part
Setback	thereof, shall be erected or permanently maintained.
Setback Line	A line formed by the face of the building.
Setback Line, Required*	A required setback line is established by the minimum setback requirement of this Ordinance.
Front Yard Setback	The distance from the front property line to the building line for the purpose of defining limits within which no building or structure; or any part
Front Yard Setback	thereof, shall be erected or permanently maintained.
Page Vard Sathagk	The distance from the rear property line to the building line for the purpose of defining limits within which no building or structure; or any part
Rear Yard Setback	thereof, shall be erected or permanently maintained.
Side Yard Setback	The distance from the side property line to the building line for the purpose of defining limits within which no building or structure; or any part
Side Tard Selback	thereof, shall be erected or permanently maintained.
	For the purpose of this Ordinance, the term "sign" shall mean and include every sign, billboard, ground sign, roof sign, sign painted or printed
Signs	on the exterior surface of a building or structure, illuminated sign and temporary sign, and shall include any announcement, declaration,
Oigila	display, illustration or insignia used to advertise or promote the interests of any persons or product when the same is placed out of doors in
	view of the general public.
Site Plan	The development plan for one (1) or more lots, on which is shown the existing and proposed conditions of the lot under the terms of Article 9 of
-110 1 1411	this Ordinance.

Term	Definition
Special Land Use	A special land use is a use permitted in any given zone when such use is specified in Article 11 and only after review of an application for such use by the Planning Commission to assure that all specified conditions are met, and approved by the City Commission.
Story*	That portion of a building included between the surface of any floor above the average elevation or ground at the foundation wall and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.
Street	A public right-of-way of sixty-six (66) feet or more in width which has been dedicated and accepted for the purpose of providing access to abutting private lots or land including space for curb, gutter, paving and sidewalks.
Structure	Anything constructed or erected, the use of which required location on the ground or attached to something having location on the ground.
Supplemental Occupant	An occupant of a residential structure not meeting the definition of family specified in Article 2.2:27 and 2.2:28 of this Ordinance. Family employees such as butlers, maids, cooks, chauffeurs, nurses, gardeners or similar personal service employees shall not be considered unrelated occupants of a structure.
Substantial Portion	Substantial portion means a use or activity accounting for more than twenty (20) percent or any one or more of the following: stock-in-trade, display space, floor space, or viewing time, movie display time, or entertainment time measured per month.
Swimming Pool, Private	Any artificially constructed basin or other structure for the holding of water for use by the possessor, his family or guests, for swimming, diving and other aquatic sports and recreation. The term "swimming pool" does not include any plastic, canvas or rubber pool temporarily erected upon the ground holding less than five hundred (500) gallons of water.
Trailer	Any vehicle designed to be drawn by a motor vehicle.
Used Car Lot	A lot or portion thereof to be used only for the display and sale of automobiles that are in condition to be driven off the lot. A used car lot shall not be used for the storage of wrecked automobiles, the dismantling of automobiles or the storage of automobile parts.
Variance	A modification of the required provisions of the physical development standards of the Zoning Ordinance granted by the Zoning Board of Appeals when strict enforcement of the Zoning Ordinance would cause practical difficulty or undue hardship owing to circumstances unique to the individual property on which the variance is granted.
Use Variance	A use variance allows uses not specifically listed as permitted uses in a given district. The crucial points of a use variance are undue hardship and unique circumstances applying to the property. A use variance is not justified unless both elements are present in the case.
Non-Use Variance	A non-use variance allows for departures from non-use requirements of the ordinance including parking space requirements and dimensional requirements such as lot size, depth or width, building setbacks, etc. The crucial points of a non-use variance are practical difficulty and unique circumstances applying to the property. A non-use variance is not justified unless both elements are present in the case.
Warehouse	A building used primarily for storage of goods and materials.
Yard	See subcategory definitions.
Front Yard	The open space extending the full width of the lot between the main building and front lot line except as provided in Article 4.1:14.
Rear Yard	The open space extending the full width of the lot between the main building and rear lot line, except as provided in Article 4.1:16.
Side Yard	The open space extending from the front yard to the rear yard between the main building and the side lot line, except as provided in Article 4.1:15.
Side Street Yard*	The open space extending from the front yard to the rear yard between the main building and a street.
Least Depth or Width Yard	The shortest horizontal distance from each of the lot lines to the building thereon.
Zoning Board of Appeals	A group of people known as the Zoning Board of Appeals of the City of Big Rapids. The Board of Appeals shall have the authority to hear appeals of administrative decisions, to interpret the Zoning text and map, and to decide on variance requests.
Zoning Permit	A permit required prior to the erection, demolition, moving, reconstruction, extension, enlarging, altering, or the changing of building use or change in land use.

<b>Key:</b> P=permitted, SLU=special land use, P* = permitted with conditions		Residential					Mixed-Use/Commercial				Industrial		
Use	E-1 Single Family	Single and Two-	Single & MF	Mobile Home ک Park District	Residential לי Professional	Restricted Na Residence District	Commercial District	Commercial b District	၄ Commercial မှ District	Industrial District	Additional Conditions / (Use Standards)		
Residential													
Houses	Р	Р	Р		Р	Р					R-1: Section 11.1:17		
Townhouses		Р	Р			Р		Р					
Flats/Small Apartments			Р			Р		Р					
Apartment Complexes			SLU								Section 11.1:13		
Cottage Courts		Р	Р										
Live-Work Units			Р		Р	Р		Р					
Accessory Dwelling Units (ADUs)	Р	Р	Р		Р	Р							
Mobile Home Parks				Р									
Care Facilities													
Adult Day Care Facility	SLU	SLU	SLU										
Adult Foster Care, Family Home (6 or fewer adults)	Р	Р	Р		Р	Р							
Adult Foster Care, small group home (12 or fewer adults)	SLU	SLU	SLU			SLU							
Adult Foster Care, large group home (13 to 20 adults)			SLU			SLU							
Adult Foster Care, congregate facility			SLU			SLU							
Foster family home (4 or fewer children 24 hrs/day)	Р	Р	Р			Р							
Foster family group home (5 or 6 children 24 hrs/day)	Р	Р	Р			Р							
Family Child Care Home (6 or fewer children less than 24 hrs)	Р	Р	Р		Р	Р							
Group Child Care Home (7-12 children less than 24 hrs)	SLU	Р	Р		Р	Р					Section 11.1:8		
Child care center		Р	Р		Р	Р		Р	Р		Section 11.1:28		
Assisted Living, Nursing and Convalescent Homes			SLU		SLU	SLU		Р	Р		Section 11.1:11		
Lodging													
Bed & Breakfast Inns					Р	Р					Section 11.1:4		
Hotels and Motels							SLU	Р	Р		Section 11.1:20		
Fraternal Organizations and Rooming Houses			SLU								Section 11.1:25		
Medical Uses													
Hospital Uses	SLU	SLU	Р		SLU	SLU	Р		Р		Section 11.1:11		
Medical and Dental Offices, Physical Therapy, Etc.		SLU	Р		Р	Р		Р	Р				
Commercial and Retail Uses													
Retail Sales and Services							Р	Р	Р				
Art Galleries						SLU	Р	Р	Р				
Funeral Homes and Mortuaries						SLU		Р	Р				
Greenhouses									Р				
Laundromats and Dry Cleaning Services								Р	Р				
Liquor Stores							Р		Р				
Marihuana Establishments, Retail-Type							Р	Р	Р		Section1 1.1:29		
Planned Shopping Centers							SLU				Section 11.1:20		

<b>Key:</b> P=permitted, SLU=special land use, P* = permitted with conditions	Residential			Mixed-Use/Commercial			l Industrial				
Use	R-1 Single Family	Single and Two-Family	Single & MF	Mobile Home ک Park District	አ Residential ት Professional	Restricted Na Residence District	Commercial District	၄ Commercial No District	ဂ Commercial မ District	Industrial District	Additional Conditions / (Use Standards)
Food Service Uses											
Bars, Taverns, Lounges, Micro-breweries, Brew-pubs								Р	Р		
Catering Services									Р		
Restaurants						SLU	Р	Р	Р		Section 11.1:20
Drive-thru and Drive-in Restaurants							SLU		SLU		
Professional and Service Uses											
Office, Professional and Business Establishments			Р		Р	Р	Р	Р	Р		Section 11.1:16
Home Occupations	SLU	SLU	SLU		SLU	SLU					Section 11.1:10
Arts and Crafts Studios						Р		Р	Р	Р	
Banks and Financial Institutions						Р		Р	Р		Section 11.1:31
Check Cashing or Payday Loan Store									Р		
Entertainment Uses											
Amusement Establishments, Clubs, and Theaters								Р	Р		
Indoor Recreation Establishments							Р	Р	Р	Р	
Adult Entertainment Establishments									SLU		Section 11.1:1
Animal/Agriculture											
Animal Services and Enterprises							Р		Р		
Commercial Kennels and Animal Boarding									SLU		
Marihuana Uses											
Retail-type Marihuana Establishments							Р	Р	Р		Section 11.1:29
Industrial-type Marihuana Establishments										SLU	Section 11.1:29
Transportation Uses											
Gasoline Service Stations									Р		
Personal Vehicle Sales, Service, and Rentals							SLU		Р		Section 11.1:3
Public Transportation Stations or Terminals								Р	Р		
Railroad Uses										Р	
Airport Uses										Р	
Industrial, Construction, & Storage Uses											Section 11.1:27
Industrial Service Uses										Р	
Industrial Manufacturing Uses										Р	
Licensed Alcohol Manufacturing Establishments										Р	
Research and Development Laboratories										Р	
Heavy Industrial Uses										SLU	Section 11.1:9
Construction Equipment Sales, Service, and Rental										Р	Section 11.1:30
Contractor Yards and Machine Shops										Р	
Marihuana Establishments, Industrial-Type										SLU	Section 11.1:29
Self-Service Storage Facility							SLU		SLU		Section 11.1:26
Warehouses										Р	

<b>Key:</b> P=permitted, SLU=special land use, P* = permitted with conditions		Residential					Mixed-Use/Commercial				al
Use	Single Family	Single and Two- Family	Single & MF Units and Office	Mobile Home Park District	Residential Professional	Restricted Residence District	Commercial District	Commercial District	Commercial District	Industrial District	Additional Conditions / (Use Standards)
		R-2	R-3	R-4	R-P	RR	C-1	C-2	C-3	I	
Institutional and Civic Uses											Castian 44.4.5
PreK-12 Schools	Р	Р	Р		Р	Р			_		Section 11.1:5
Trade schools								Р	Р		
Colleges and Universities, and Related Uses			Р								
Libraries and Museums	Р	Р	Р		Р	Р					Section 11.1:5
Parks, Playgrounds, and Athletic Fields	SLU	SLU	SLU		SLU	SLU		SLU	SLU		Section 11.1:21
Public Buildings	SLU	SLU	Р		SLU	Р		Р	Р		Section 11.1:14
Places of Assembly and/or Worship	Р	Р	Р		Р	Р		Р	Р		Section 11.1:5
Cemeteries			Р								Section 11.1:15
Public Utilities	Р	Р	Р		Р	Р				Р	Section 11.1:22
Communications Uses											
Radio and Television Stations			SLU			SLU	SLU	SLU	SLU		Section 11.1:23
Communication Antennae Affixed to Existing Structures							SLU	SLU	SLU	SLU	Section 11.1:6
Communication Towers										SLU	Section 11:1:7

