



City of East Grand Rapids, Michigan

CORRECTED NOTICE

CITY OF EAST GRAND RAPIDS NOTICE OF PUBLIC HEARING

A public hearing will be held at the date, time, and place below to discuss amendments to the zoning ordinance in regard to the C-1 Commercial Schedule of Uses and associated ordinance sections (Sections 5.7, 5.10, 5.14, 5.36, 5.65, 5.72, and 5.74). The City Commission will be discussing possible changes to allow for more permitted uses in the C-1 district, and to change certain uses on the ground floor of a commercial building from needing special land use approval to being a permitted use by right.

The draft amendments may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

The City Commission welcomes your views in this matter. You may express your views at the scheduled meeting or by writing to the Mayor and City Commission at 750 Lakeside Drive SE, East Grand Rapids, MI 49506 or by email to the City Clerk at kbrower@eastgr.org. To be included in the hearing, written communications must contain the sender's name and address.

If you have any questions regarding this request, please contact the undersigned at (616)940-4817, or amizikar@eastgr.org.

Date: ***Tuesday**, September 3, 2019
Time: 6:00 p.m.
Place: East Grand Rapids Community Center Commission Chambers
750 Lakeside Drive SE, East Grand Rapids, MI 49506

Aleksander P. Mizikar
Zoning Administrator

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

750 Lakeside Drive, SE • East Grand Rapids, Michigan 49506
Telephone (616) 940-4817 Fax (616) 831-6121 www.eastgr.org

Partners with



AN ORDINANCE TO AMEND SECTIONS 5.7, 5.10, AND 5.14 OF CHAPTER 50 OF TITLE V OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. The following new definition will be added to Section 5.7 of Chapter 50 of Title V of the Code of the City of East Grand Rapids:

Bed & Breakfast. A private residence, occupied by the owner or resident manager, in which guest room accommodations are provided to overnight lodgers for compensation, and which may include breakfast as a part of the accommodation.

Section 2. The following new definition will be added to Section 5.10 of Chapter 50 of Title V of the Code of the City of East Grand Rapids:

Hotel. A business establishment offering lodging accommodations to travelers and tourists for a daily rate and which may offer additional services, such as restaurants, entertainment, and meeting rooms to guests and the general public.

Section 3. The following new definition will be added to Section 5.14 of Chapter 50 of Title V of the Code of the City of East Grand Rapids:

Product Showroom. A business establishment that includes a defined space in which merchandise samples are displayed to prospective buyers but are generally available only for viewing and must be ordered. Typical product examples include flooring, cabinetry, appliances, and similar bulky household items.

Section 4. This ordinance shall be effective on _____.

Section 5. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**AN ORDINANCE TO AMEND SECTION 5.36 OF CHAPTER 50 OF TITLE V OF THE
CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.36 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

Section 5.36 Schedule of Uses

Uses permitted in the nonresidential districts are listed in **Table 5.36**. Additional requirements related to a specific use, if any, are referenced in the “Specific Requirements” column. Any use not specifically listed shall be prohibited, unless the use is determined to be a similar use according to *Section 5.75(A)*.

| Table 5.36 Schedule of Uses: Commercial District | | |
|---|-----|-------------------------|
| P = Permitted use by right S = Special Land Use | C-1 | Additional Requirements |
| Accessory | | |
| Accessory uses clearly ancillary to the principal use (accessory structures are not permitted) | P | |
| Accessory outdoor customer service activities such as delivery of products to customers’ vehicles, grocery cart use, escorting of customers and home delivery | P | <i>Section 5.70(C)</i> |
| Accessory outdoor dining | P | <i>Section 5.70(C)</i> |
| Accessory outdoor sales and display (including temporary sales) | P | <i>Section 5.70(C)</i> |
| Accessory outdoor storage | S | <i>Section 5.70(C)</i> |
| Dining and Entertainment | | |
| Microbrewery or brew pub | S | <i>Section 5.71(A)</i> |
| Restaurants, including standard service and carry-out, excluding drive-through service and entertainment/floor shows | P | |
| Soda fountain, ice cream shop or candy store | P | |
| Recreation/Cultural | | |
| Art gallery/studio | P | |
| Parks and recreational facilities, publicly owned | P | |
| Public facilities (government buildings, public museums, public galleries, public libraries, etc.) | S | |
| Residential | | |
| Residential dwellings above the ground floor of a commercial building | P | <i>Section 5.74(B)</i> |
| Residential dwellings on the ground floor of a commercial building | S | <i>Section 5.74(C)</i> |
| Retail | | |
| Retail sales other than food/groceries, up to 10,000 sq. ft. gross floor area | P | |

Table 5.36 Schedule of Uses: Commercial District

| P = Permitted use by right S = Special Land Use | C-1 | | Additional Requirements |
|---|-----------------|--------------------|--|
| Retail food/grocery, up to 50,000 sq. ft. gross floor area, which may also include food items prepared on site for sale on the premises | P | | |
| Services | | | |
| Automatic teller machines, walk-up only, accessory to or separate from a bank or similar financial institution | P | | |
| Banks and similar financial institutions, without drive-through facilities | P | | |
| Barber or beauty salon | P | | |
| Business service establishments, including printing/copy centers, postal centers, travel agents, graphics services | P | | |
| Dance or music studio | P | | |
| Drive-through facilities for banks and pharmacies, but not including any other uses | S | | |
| Dry cleaner/laundry (including pick-up stations and self-service laundries) | P | | |
| Health clubs and fitness centers, and Private Sports and Recreation Instructional Facilities not including physical therapy clinics staffed by medical professionals | P | | |
| Hotels, including Bed and Breakfasts | S | | Section 5.74(D) |
| Personal service establishments, including small electronics/ appliance repair, shoe repair, dressmakers/tailors, tanning salons, barber or beauty salon , decorating and upholstery shops, and other similar repair shops | P | | |
| Photographer | P | | |
| Other Uses | | | |
| Essential services | P | | Section 5.59 |
| Radio and television broadcasting stations | P | | |
| Similar uses | P/S | | Section 5.75(A) |
| Wireless telecommunications systems | S | | Section 5.75(D) |
| Offices | | | |
| | On ground floor | Above ground floor | Specific Requirements (special land uses only) |
| Medical/dental offices and clinics of physicians, dentists, psychologists, chiropractors, optometrists, physical therapists and similar or allied professions, and non-boarding veterinary services with no outside uses (not including veterinary establishments) | P | P | Section 5.72(A) |
| Non-profit professional, civic, social, fraternal, political and religious organizations | S | P | Section 5.72(A) |
| Professional office services such as: insurance, real estate, legal, sales and similar or allied professions | P | P | Section 5.72(A) |
| Product Showrooms and similar mixed office with product display uses | P | P | Section 5.74(C) |
| Serviced offices | | P | Section 5.72(B) |

Table 5.36 Schedule of Uses: Commercial District

| P = Permitted use by right S = Special Land Use | C-1 | Additional Requirements |
|--|-----|-------------------------|
| Other Uses | | |
| Essential services | P | <i>Section 5.59</i> |
| Radio and television broadcasting stations | P | |
| Similar uses | P/S | <i>Section 5.75(A)</i> |
| Wireless telecommunications systems | S | <i>Section 5.75(D)</i> |

Section 2. This ordinance shall be effective on _____.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**AN ORDINANCE TO AMEND SECTION 5.65 OF CHAPTER 50 OF TITLE V OF THE
CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.65 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

Section 5.65 Hours of Operation

No business, **other than hotels or bed and breakfast establishments which are allowed to operate 24 hours a day**, shall be open to the public between the hours of 12:00 o'clock a.m. (midnight) and 5:00 o'clock a.m.; provided, however, that on New Year's Eve, businesses may be open until 1:00 o'clock a.m. on January 1.

Section 2. This ordinance shall be effective on _____.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**AN ORDINANCE TO AMEND SECTION 5.72 OF CHAPTER 50 OF TITLE V OF THE
CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.72 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

Section 5.72 Office Uses

A. **Professional Offices on the Ground Floor.** In approving ~~an special use for an~~ office use on the ground floor, the ~~Planning Commission shall find that all the~~ following standards ~~are shall be~~ met:

1. ~~A special use may be granted to a property that does not provide the required off-street parking, if the Planning Commission finds that there are no opportunities to meet the off street parking requirement on or nearby the site and patrons have adequate parking choices elsewhere within the C-1 District that are reasonably accessible and convenient, especially during the expected peak times of the use, without a negative impact to parking spaces serving retail and entertainment uses.~~ Professional offices on the ground floor of a commercial building are subject to the off-street parking requirements in Article 9 of this Zoning Ordinance; provided, the required parking may be permitted to be located off site if the following requirements are met:
 - a. The required parking spaces are located off-street within 300 feet of the entrance to the office;
 - b. The parking area meets all applicable requirements of this ordinance for off-street parking;
 - c. The owner provides written assurance that the spaces will be permanently available; and
 - d. A maintenance agreement is provided to ensure the continued upkeep of the parking area.
2. If a building has both retail/service/entertainment uses and office uses on the ground floor, the retail/service/entertainment use(s) shall be located in the storefront, adjacent to the public sidewalk; however, a single entry door in the façade that leads to the office use shall be permitted.
3. The structure containing the office use shall maintain a retail character, with ground floor display windows, facades, signs and lighting similar in nature to and compatible with that provided by retail uses.
 - a. For existing structures, existing windows, doors or other wall openings shall not be eliminated or enclosed, unless the Planning Commission finds that

any eliminated windows/doors are compensated by new windows, doors or other wall openings and that the retail character and nature of the building is retained.

- b. For new structures, any ground floor wall facing a street shall have transparent areas, equal to at least seventy percent (70%) of its portion of the facade, between one (1) and eight (8) feet from the ground. Walls on upper floors facing a street shall have transparent areas equal to at least thirty-five percent (35%) of its portion of the facade.
- c. Glass shall be clear or lightly tinted only. Opaque applications shall not be applied to the glass surface, except for window signs as permitted in Chapter 81, Signs.
4. ~~The special use shall be limited to the floor area of office space approved via the site plan review process. Any expansion (except for an expansion into a floor above the ground floor) shall be considered an amendment to the special use and shall be approved via the same process as for the original approval.~~

B. Serviced Offices (drop-in office).

1. Parking shall be provided at the ratio required for professional offices.
2. ~~The serviced office shall not be located on the street level.~~

C. Product Showrooms and Similar Mixed Office with Product Display Uses

1. ~~Must be open during regular business hours, at a minimum 5 days a week for at least 5 continuous hours a day.~~
2. ~~Must allow walk-in customers (not just by appointment).~~
3. ~~A minimum of 70% of the street facing facade on the ground level must contain display windows that allow outside pedestrians to see into the building.~~
4. ~~If associated fleet/service vehicles are to be parked onsite, they must either be parked inside a building or must be screened so that they are not visible from the street right-of-way.~~
5. ~~The square footage of office space must be equal to or lesser than the square footage of display and storage areas.~~

Section 2. This ordinance shall be effective on _____.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

AN ORDINANCE TO AMEND SECTION 5.74 OF CHAPTER 50 OF TITLE V OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.74 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

Section 5.74 Residential Uses

A. Independent and Assisted Living.

- 1. The minimum required lot size shall be five acres or 2,500 square feet per dwelling unit, whichever is greater.
- 2. Parking shall be provided at a ratio of one space per employee, plus one space per dwelling unit.
- 3. The building shall be at least 25 feet from all side and rear property lines for one story buildings and 40 feet for all buildings or portions of buildings two or more stories in height. A front setback of at least 25 feet shall be provided.

B. Residential Dwellings Above the Ground Floor in a Commercial Building.

- 1. ~~Dwelling units shall not be located on the street level.~~
- 2. Nonresidential uses, including storage, shall not be located on the same floor as a dwelling unit.
- 3. ~~One on-site parking space shall be provided for each dwelling unit; provided, the required parking may be permitted to be located off-site if the following requirements are met:~~
 - a. ~~The required parking spaces are located off street within 300 feet of the entrance to the dwelling unit;~~
 - b. ~~The parking area meets all applicable requirements of this ordinance for off-street parking;~~
 - c. ~~The owner provides written assurance that the spaces will be permanently available; and~~
 - d. ~~A maintenance agreement is provided to ensure the continued upkeep of the parking area.~~

C. Residential Dwellings on the Ground Floor in a Commercial Building.

1. Dwelling unit shall not occupy any space along the front of a commercial building, except for the entry door and hallway leading towards dwelling.
2. The entire width of the building, except for the entry door and associated hallway of a dwelling, along any street frontage must be occupied by a nonresidential use otherwise allowed in the C-1 district.

D. **Hotels and Bed and Breakfast Establishments**

1. A parking plan must be submitted with the applicant's site plan during the Special Land Use approval process. This parking plan shall include at the minimum at least 1 dedicated parking spot for 75% of the available rooms.

Section 2. This ordinance shall be effective on _____.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.