

ARTICLE 6. - MIXED-USE COMMERCIAL ZONE DISTRICTS

Sec. 5.6.01. - Purpose and Intent.

- A. Mixed-Use Commercial Districts are intended to accommodate commercial and high-density residential uses that are compatible with the character of existing neighborhoods as defined through the Development Character of the Master Plan. The preservation and reuse of existing buildings, construction of new buildings on underutilized sites and the continuation of a compact development pattern as reflected in the Master Plan are key objectives for these Zone Districts.
- B. There are three types of Mixed-Use Commercial Districts: City Center, Linear and Core.
 1. *City Center*. City Center acknowledges downtown Grand Rapids as the business and cultural heart of the metropolitan region. A dense development pattern focused on the close proximity of services, a diversity of uses and dynamic building styles characterize this Zone District. The compatibility of more intense development with surrounding neighborhoods is emphasized through the use of a transitional Zone District.
 2. *Linear Commercial Areas*. Linear commercial areas may pass through multiple Neighborhood Classifications and front on a Major Street, as defined by the City of Grand Rapids Street Classification Policy. The scale of new development and the transportation orientation of these Zone Districts are important factors in establishing the use and building element requirements of this Article.
 3. *Core Commercial Areas*. Core commercial areas are primarily focused around particular intersections, with defined edges that abut less intense uses. Transit-Oriented Development Zone Districts are focused on creating viable areas for transit and transit stations. The scale and intensity of those core areas, however, varies depending upon the Neighborhood Classification, the available land area, proximity of established residential neighborhoods and street capacity. Rezoning requests to a Transit-Oriented Development require the installation of a qualifying transit station, as described in Section 5.6.08.B.3.e.
- C. Placemaking.
 1. Placemaking is the practice of creating conditions where people can live, socialize, play, and shop in well-designed, comfortable places. Important placemaking elements in each of the Zone Districts are provided to inform zoning requirements and guide development decisions to achieve specific placemaking objectives. These elements are intended to work in concert to ensure the creation of attractive and affordable residential areas, protect existing neighborhood and historic character and resources, allow an appropriate mix of uses that improves economic vitality, and improve the health and well-being of Grand Rapids' residents.
 2. To promote placemaking buildings and places should have a range of high-quality residential, commercial, mixed-use and civic architectural styles to reinforce the unique identities of each part Neighborhood and Zone District. In general, buildings should contribute to placemaking by:
 - a. Being easily convertible spaces that allow for uses to change over time;
 - b. Having residential uses with a variety of housing types, sizes, and price levels;
 - c. Creating the potential for a broad mix of shops, offices, and housing integrated within and among a variety of building types; and
 - d. Ensuring that architecture reflects the City's commitment to high quality and enduring character.

Sec. 5.6.02. - Traditional Neighborhood Mixed-Use Commercial Zone Districts: Purpose and Intent.

A. *TN-CC, Traditional Neighborhood—City Center Zone District (City Center).*

1. The intent of this District is to maintain and enhance the vitality of downtown, reinforce its intense development pattern, provide compatible services near one another, allow diverse uses, and keep older, often historic, buildings in viable use. The compact development pattern of downtown establishes a pedestrian-oriented and transit-friendly environment. The City Center Zone District stresses pedestrian circulation, urban and civic design, protection of natural features, and encourages the reuse of existing buildings.
2. Placemaking Elements.
 - a. Attractive, affordable residential areas that contribute to the achieving a critical mass of commercial services, workplaces within walking distance, and reduced reliance on private vehicle travel.
 - b. Interesting and fun places to eat and socialize with a mixture of ages, social peers, co-workers, and families.
 - c. Well placed, functional, attractive, and sustainable open spaces, including outdoor cafes, seating areas, and public and private art installations, and other elements to create areas of recreation, rest, and refuge.
 - d. Improved mobility options downtown, and to reduce the need for on-site parking by encouraging alternative means of transportation, including use of mass transit, bicycle use and other traffic demand management options through the creation of appropriate density of development.
 - e. A comfortable and safe walking environment, with a high degree of transparency along pedestrian pathways that connect areas of interest.
 - f. Targeted Commercial Corridors to promote a concentration of retail and entertainment uses that will provide a more consistent shopping experience and enhance the ability of these uses to be financially successful.
 - g. Other elements related to the downtown that create healthy, attractive, safe, and fun areas that will attract new visitors, residents, and shoppers to the downtown.

B. *TN-TCC, Traditional Neighborhood—Transitional City Center Zone District (City Center).*

1. The Transitional City Center (TCC) District is the buffer district between the dense City Center Zone District and surrounding near-downtown neighborhoods. This District provides a transition in the intensity of the downtown development pattern for adjacent areas, however, it allows for more development than would ordinarily be allowed in general neighborhood commercial locations.
2. Placemaking Elements.
 - a. Sensitivity in the redevelopment of these structures and in new development is necessary to reinforce the unique physical characteristics of downtown and surrounding neighborhoods, ensure compatibility with adjacent land uses and structures, and maintain neighborhood stability.
 - b. The presence of older, often historic, large warehouse buildings in these transition areas requires dense development to ensure proper reuse of these structures.
 - c. Development and redevelopment in this Zone District combines these elements to create and maintain a compact, transit-friendly, walkable, mixed-use environment.
 - d. Targeted Commercial Corridors promote a concentration of retail and entertainment uses that will

provide a more consistent shopping experience and enhance the ability of these uses to be financially successful.

C. *TN-TBA, Traditional Neighborhood—Traditional Business Area Zone District (Linear).*

1. The TN-TBA Zone District is designed to reinforce a pedestrian and transit friendly environment in a compact area characterized by a mix of uses. New development on primary and secondary street frontages shall be compatible in use and scale with surrounding, existing uses and structures.
2. Placemaking Elements.
 - a. A mix of small-scale retail, service, entertainment, civic, office and residential uses in appropriate locations are encouraged to enhance the vitality of the areas.
 - b. Retail service uses should be properly located to create a complementary concentration of uses, rather than a series of scattered uses throughout the Linear development character areas. These core areas should be linked by residential, civic, and institutional uses that also complement neighborhood character.
 - c. High quality architectural design and materials are important components of all structures to reinforce existing neighborhood character.
 - d. Small lot sizes, storefront windows, observable building entrances, structures that abut the sidewalk and on-street or hidden off-street parking all contribute towards the establishment of a pedestrian-oriented environment.
 - e. Buildings should have enough developable density to allow for the planned mix of uses, including enough residential and non-retail uses on upper floors to ensure a successful, economically sustainable project.
 - f. While some suburban style development, such as auto-oriented uses, may be developed, they should not be so predominant that a suburban, strip development character is allowed.
3. The recommendations for Traditional Business Area in a Pre-World War II Neighborhood Context, Chapter 10, Section 10.4, of the Master Plan applies to these areas.

D. *TN-TOD, Traditional Neighborhood—Transit-Oriented Development Zone District (Core).*

1. The intent of the TN-TOD District is to preserve and create, compact, walkable, transit-oriented, mixed-use centers in existing commercial areas by encouraging the clustering of ground floor retail uses as a shopping destination and focus of neighborhood activity.
2. Transit-Oriented Development Zone Districts shall be located on a transit route and may contain public spaces for shared activities. Building height, density and parking incentives are provided to encourage transit ridership.
3. Placemaking Elements.
 - a. Appropriate densities of development are important to ensure sustained, well-used transit service.
 - b. Street-level retail and services, with upper-story residential and office use is desired.
 - c. Parking shall be provided both on-street and in screened, off-street business district lots.
 - d. Uses are compatible and in scale with surrounding, existing uses and structures located at the edge of the Zone District, particularly residential uses.
 - e. High quality architectural design and materials are important components of all structures to support a sense of place.

Sec. 5.6.03. - Mid-20th Century Neighborhood Mixed-Use Commercial Zone Districts: Purpose and Intent.

A. *MCN-C, Mid-20th Century Neighborhood—Commercial Zone District (Linear).*

1. The MCN-C Zone District is intended to accommodate vehicles at an appropriate level, while still emphasizing the importance of pedestrians and public transportation in the built environment.
2. Placemaking Elements.
 - a. Small and medium-scale businesses, service and commercial uses that serve the immediate neighborhood and surrounding area are desired.
 - b. Mixed-use commercial areas that include a residential component are encouraged, including the redevelopment of older commercial sites for moderate to high-density residential uses.
 - c. Moderate lot sizes and setbacks, building orientation to the street, and transparency along pedestrian pathways are important characteristics of this Zone District.
 - d. New development on primary and secondary street frontages should be compatible in use and scale with surrounding, existing uses and structures.

B. *MCN-TOD, Mid-20th Century Neighborhood—Transit-Oriented Development Zone District (Core).*

1. The MCN-TOD Zone District is intended to allow uses and densities that are more intense than that permitted in the TN-TOD Zone District. The reconfiguration of existing shopping centers into mixed-use developments that are pedestrian and transit friendly, and which still reasonably accommodate vehicles, is desired.
2. Placemaking Elements.
 - a. Building height, density and parking incentives are provided to encourage transit-oriented development and increased transit ridership.
 - b. Larger lot sizes, available parking and parcels generally under single ownership provide for an assortment of redevelopment opportunities for commercial, office and residential uses.
 - c. Individual store footprints are limited in size to ensure a diversity of shops and to maintain a pedestrian-scale environment.
 - d. New residential development above storefronts and/or provided as a buffer to existing residential uses is desired.
 - e. Edge areas in the Zone District shall be sensitive to surrounding neighborhoods to limit adverse effects.

Sec. 5.6.04. - Modern Era Neighborhood Mixed-Use Commercial Zone Districts: Purpose and Intent.

A. *MON-C, Modern Era Neighborhood—Commercial Zone District (Linear).*

1. The purpose of the MON-C Zone District is to accommodate a broad range of business, service and commercial uses. Development in this District is generally more destination-oriented; with a greater dependence upon vehicles.
2. Placemaking Elements.
 - a. High-intensity business, service and commercial uses take place on larger sites that have primary access to major streets.
 - b. Medium and high density residential development is encouraged on underutilized commercial sites, and particularly in areas adjacent to a Transit-Oriented Development Zone District.

- c. Pedestrian and public transportation accommodations shall remain important considerations in site design. However, off-street parking, drive-through and auto-oriented uses are more prominent.

B. *MON-TOD, Modern Era Neighborhood—Transit-Oriented Development Zone District (Core).*

1. The MON-TOD Zone District supports compact sub-regional mixed-use centers that consist of intense, multi-level commercial, office and residential uses on major streets.
2. Placemaking Elements.
 - a. Large parcels, generally under single ownership, provide for an assortment of redevelopment opportunities in commercial strip and shopping center locations.
 - b. A Transit-Oriented Development Zone District may be located on a transit route and may contain public spaces for shared activities.
 - c. Building height, density and parking incentives are provided to encourage transit ridership.
 - d. Individual store footprints are limited in size to ensure a diversity of shops and to maintain a pedestrian-scale environment.
 - e. Particular emphasis is placed on pedestrian, bike and transit accommodations; the presence of private vehicles is discouraged.
 - f. At important intersections buildings shall anchor and define street corners as well as conceal surface parking lots.
 - g. The consolidation of driveways, increased pedestrian connections and additional landscaping to buffer parking areas shall promote a safe and attractive environment.
 - h. New residential development above storefronts and/or provided as mid-rise structures integrated into a mixed-use environment are desired.

Sec. 5.6.05. - NOS, Neighborhood Office Service Purpose and Intent.

- A. The NOS, Neighborhood Office Service Zone District is provided as a Zone District in addition to the Mixed-Use Commercial District of this Article. The purpose of the NOS Zone District is to allow for small-scale office and service uses that serve the immediate neighborhood and which, by their nature, have minimal effects upon surrounding land uses and public infrastructure. Accordingly, this District may appear in any of the Neighborhoods provided for in this Chapter.

B. Placemaking Elements.

1. This District may be used on major streets to accommodate uses that allow a smoother transition from a more intense commercial area to residential uses. In this regard, they may also be used to buffer the effects of heavier traveled streets from residential areas.
2. Development style is residential in character and complements the features of nearby structures.
3. Areas in this Zone District may be relatively compact and used to assist in creating additional land use compatibility through the use of smaller scale buildings.
4. The NOS District is specifically not intended to be applied as a precursor for commercial development or used to systematically eliminate residential properties.

Sec. 5.6.06. - Uses of Land.

- A. *Land Uses.* Uses are allowed in Mixed-Use Commercial Zone Districts in accordance with Table 5.6.06.B. Uses:

Mixed-Use Commercial Zone Districts. Article 16 Definitions shall be referred to for clarity on the uses as listed.

The following key is to be used in conjunction with the Uses Table.

1. *Permitted Uses.* Uses permitted by right in the Zone District, subject to compliance with all other applicable requirements of this Chapter. These uses are identified with a "P."
2. *Special Land Uses.* Uses which may be allowed subject to review and approval by the Planning Commission in accordance with Section 5.12.09., and with all other applicable requirements of this Chapter. These uses are identified with an "S."
3. *Existing Uses.* Uses that were in existence prior to November 5, 2007 may continue to exist as nonconforming uses but are not permitted to be established as new uses. These uses are identified with an "E." See Section 5.3.05.F.
4. *Uses Not Allowed.* Uses are prohibited in that Zone District. These uses are identified with an "X."
5. *Unlisted Uses.* Uses not listed in the Table 5.6.06.B. are also prohibited unless the Director determines that the use is similar to other uses listed either as a Permitted Use or Special Land Use in accordance with Section 5.4.04.
6. *Use Regulations.* Certain allowed uses, whether Permitted Use or Special Land Use, are subject to compliance with Article 9 or other provisions of this Chapter or other City Code. These uses are identified in the Table 5.6.06.B. under "Use or other Regulations." A cell marked with "-" under this heading indicates that there are no additional use requirements. However, there may be other applicable regulations in this Chapter or other City Code for the uses listed that are not noted in the Use Table.
7. *Exception.* "Exceptions" as noted in Table 5.6.06.B. permit non-retail uses within the ground floor of a commercial building if the building was constructed for purposes or uses other than retail sales. For example, a building constructed for offices may be used for ground floor offices or a dance studio.
8. *Outdoor Activities.* All uses and activities shall be conducted wholly within an enclosed building, unless otherwise expressly permitted by this Chapter.
9. *Site Development.* Vehicles and bicycle parking requirements and pedestrian circulation requirements are in Article 10 Transportation and Mobility. Landscaping requirements are in Article 11 Landscaping and Green Infrastructure. Sign requirements are in Article 15 Signs.

B. *Uses Table.*

Table 5.6.06.B. Uses: Mixed-Use Commercial Zone Districts									
Use Category	Specific Use		TN			TN MCN MON	MCN MON	NOS	Use or Other Regulations
			CC*	TCC	TBA***	TOD**	C		
RESIDENTIAL									
Household	Dwellings	Ground floor	S	P	P	P/S/E	P	P	-

Living		Upper floors	P	P	P	P	P	P	-
	Household living		P	P	P	P	P	P	5.6.06.E. <u>5.9.03.</u> <u>5.9.20.</u>
	Lodging, extended stay		P	P	S	S	S	X	5.6.06.E.
	Manufactured housing community		X	X	X	X	X	X	5.6.06.E. <u>5.9.17.</u>
	Live-work unit		P	P	P	P	P	P	5.8.07.C., <u>5.9.16</u>
Group Living (including residential care)	Group living		P	P	S	S	S	S	5.8.07.C., <u>5.9.04.</u> , <u>5.9.29.</u> , <u>5.9.30.</u> , <u>5.9.32.</u>
Accessory Uses	Accessory dwelling unit		P	P	P	P	P	S	<u>5.9.03.</u>
	Accessory structure		X	X	S	X	S	P	<u>5.2.08.</u>
	Home occupation		P	P	P	P	P	P	<u>5.9.14.</u>
EDUCATIONAL, GOVERNMENT AND INSTITUTIONAL									
Educational	Educational use, including residential & accessory facilities		P	S	S	S	S	S	-
Government and Institutional	Adult day care center		P	S	S	S	S	S	<u>5.9.04.</u>
	Amphitheater, outdoor		S	S	X	X	X	X	-
	Cemetery		X	X	X	X	X	X	-
	Child care center		P	S	S	S	S	S	<u>5.9.09.</u>
	Community center		P	S	S	S	P	S	-

Community garden		P	P	P	P	P	P	-
Government & institutional uses	Ground floor	P	P	S	S	P	P	-
	Above ground floor	P	P	P	P	P	P	-
Hospital, clinic, medical center, rehabilitation center, related administrative offices		P	P	S	S	P	X	<u>5.9.29.</u>
Library		P	P	P	P	P	S	-
Public, private and urban open spaces		P	P	P	P	P	P	<u>5.11.14.</u>
Religious institution		P	S	S	S	S	S	-
Social service facility	Ground floor	P	P	S	S	P	P	<u>5.9.34.</u>
	Upper floors	P	P	P	P	P	P	
Youth center		P	S	S	S	S	S	
COMMERCIAL, OFFICE, RETAIL								
Auto-Oriented	Automobile rental, short-term	S	S	S	S	P	X	<u>5.9.39.</u>
	Auto supply/accessory sales (new)	X	P	P	X	P	X	5.9.39.G.
	Auto supply/accessory sales (used)	X	X	P	X	S	X	5.9.39.G.
	Car wash	X	X	S	X	P	X	-
	Drive-in or drive-through facility	S	S	S	S	S	X/S	<u>5.9.02.</u> <u>5.9.10.</u>
	Vehicle service or repair	S	S	S	X	P	X	<u>5.9.40.</u>

	Vehicle fuel station (without vehicle repair, may include 1,000 sq. ft. convenience store)		S	S	S	X	P	X	5.9.38.
	Vehicle towing and storage (including auto, RV, boat) - indoor and outdoor		S	S	S	X	S	X	5.9.18.
	Vehicle sale/lease (including auto, RV, boat) indoor showroom	See Section 5.9.39.G. State Licenses							5.9.39.
		Outdoor display	X	X	X	X	S	X	
Entertainment, Hospitality and Recreation	Alcohol sales for on-site consumption (LCC permit)		See Section 5.9.05. Alcohol Sales					X	5.9.05.
	Alcohol sales for off-site consumption (including package good store - LCC Permit)	24,999 sq. ft. GFA or less	See Section 5.9.05. Alcohol Sales					X	5.9.05.
	Arcade, amusement devices, gaming, pool hall		P	S	S	S	P	X	-
	Auditorium, cinema, concert hall, theater, banquet hall		P	S	S	S	S	X	5.9.05. 5.9.07. 5.9.12.
	Bar, tavern, taproom, tasting room		See Section 5.9.05. Alcohol Sales					X	5.9.05.
	Boat house, marina, boat launch		P	S	X	X	X	X	-

Bowling alley, skating rink		P	S	S	S	P	X	-
Casino		S	X	X	X	X	X	—
Catering business		P	S	S	S	P	X	Exception
Convention center		P	X	X	X	X	X	-
Dance club, night club		S	S	X	X	S	X	<u>5.9.05.</u> <u>5.9.12.</u>
Dance, entertainment (LCC permit), including after hours (LCC permit)		S	S	S	S	S	X	<u>5.9.05.</u> <u>5.9.12.</u>
Entertainment, live (not including regulated uses)		P	S	S	S	S	X	<u>5.9.12.</u>
Golf course, country club		X	P	P	P	P	P	-
Health or athletic club, sports complex (e.g. tennis, swimming, golf, soccer)		P	P	S	S	P	X	Exception
Hookah lounge, cigar lounge		S	S	S	S	S	X	<u>5.9.05.</u> <u>5.9.12.</u>
Lodging, short-term (hotel, motel, bed & breakfast)		P	P	P	P	P	X	<u>5.9.08.</u>
Mobile Food Vending		QR	QR	QR	QR	QR	P	<u>5.9.15</u>
Outdoor food preparation and cooking		S	S	S	S	S	X	<u>5.9.22.</u>
Restaurant (not including regulated uses)	With alcohol (beer, wine and/or liquor)	P/S	S	S	S	S	X	<u>5.9.05.</u> <u>5.9.12.</u>

		Without alcohol	P	P	P	P	P	X	-
	24-hour/after-hours operations		P/S	S	S	S	S	X	<u>5.9.05.</u> <u>5.9.12.</u>
	Outdoor seating	Ground level, abutting front façade and public row	P	P	P	P	P	X	<u>5.9.24.</u>
		Other ground level, or above ground level	S	S	S	S	S	X	<u>5.9.24.</u>
	Social or service club		P	S	S	S	S	X	<u>5.9.05.</u> <u>5.9.07.</u> <u>5.9.33.</u>
	Sports and entertainment arena		S	X	X	X	X	X	-
	Studio for aerobics, dance, yoga, martial arts, music instruction		P	P	P	P	P	S	-
Office	Bank, credit union	Ground floor	P	P	P/S	S	P	P	5.6.06.D.
		Upper floors	P	P	P	P	P	P	-
		2,000 sq. ft. or more GFA at ground level	P	P	P/S	S	P	P	5.6.06.D.
	Entertainment/news media	Ground floor	P	P	P/S	X	P	X	Exception 5.6.06.D.

		Upper floors	P	P	P	P	P	X	-
	General or professional uses	Ground floor	P	P	P/S	S	P	P	Exception 5.6.06.D.
		Upper floors	P	P	P	P	P	P	-
	Marihuana safety compliance facility		See <u>Section 5.9.19</u> . Marihuana Facilities						
	Medical or dental	Ground floor	P	P	P/S	S	P	P	Exception 5.6.06.D.
		Upper floors	P	P	P	P	P	P	-
	Medical laboratory	Collection	P	P	P	S	P	P	-
		Processing	P	P	S	X	P	P	
	Copying, mailing, courier services, parcel receiving, shipping station		P	P	P	P	P	X	-
	Research uses		P	P	P/S	X	P	P	5.6.06.D.
Personal Services	Animal sales, services, day care (w/o boarding)		P	P	P	P	P	S	-
	ATM - walk-up		P	P	P	P	P	P	
	Beauty and spa services		P	P	P	P	P	P	-
	Funeral home, mortuary		P	P	S	X	P	P	Exception
	Kennel (w/ boarding and/or grooming)		X	X	X	X	S	X	-
	Massage, licensed therapeutic		P	P	P	P	P	P	-
	Photo finishing service		P	P	P	P	P	X	-
	Shoe repair, shoeshine parlor		P	P	P	P	P	X	-

	Tailor, dry cleaning drop/pick up station, coin operated laundry		P	P	P	P	P	X	-
	Tattoo shop, piercing service		P	P	P	P	P	X	-
	Veterinary clinic or hospital (including boarding)		S	S	S	S	S	S	Exception
Retail Sales	Retail sales, single tenant on ground floor (except as noted below)	14,999 sq. ft. or less GFA	P	P	P	P	P	X	-
		15,000 —24,999 sq. ft. GFA	P	P	P	S	P	X	-
		25,000 sq. ft. or more GFA	S	S	S	S	P	X	
	Retail Sales, upper level, any size (except as noted below)		P	P	P	P	P	X	-
	Alcohol sales for off-site consumption (including package good store - LCC Permit)	See <u>Section 5.9.05</u> . Alcohol Sales							
		More than 25,000 sq. ft. GFA	P	P	P	P	P	X	<u>5.9.05</u> .
	Antique, second-hand store		P	P	P	P	P	X	-
	Art studio, gallery		P	P	P	P	P	X	-
	Cash advance		X	S	S	S	S	X	-
	Contractor, building (e.g. plumbing, heating, electrical)		S	P	S	X	P	X	-

	Firearms sales	25,000 sq. ft. or less GFA	S	S	S	S	S	X	-
		25,000 sq. ft. or more GFA	P	P	P	P	P	X	-
	Landscaping, nursery services		X	S	X	X	S	X	-
	Marihuana provisioning center (medical) or retailer (recreational)		See <u>Section 5.9.19</u> . Marihuana Facilities						
	Outdoor activities (display/sales of products, not including vehicles or food)		P	P	P	P	P	X	<u>5.9.22.</u>
	Pawn broker, pawnshop		S	S	S	S	S	X	-
	24-hour operations		P	S	S	S	S	X	-
INDUSTRIAL, TRANSPORTATION, UTILITIES									
Industrial	Assembly, manufacturing, or production of textile products, technology, wood products, furniture and fixtures, paper, clay, glass or fabricated metal		S	S	E	X	X	X	5.3.05.F
	Artisanal and creative industry	5,000 sq. ft. or less GFA	P	P	P	P	P	-	
		5,000 sq. ft. or more GFA	S	S	S	P	S	-	
	Commercial laundry, dry cleaning processing		X	S	X	X	X	X	-
	Flex-office		X	X	X	P	P	P	
	Commercial production of	15,000 sq. ft. or less GFA	P	P	S	S	S	X	<u>5.9.05.</u>

	alcohol, baked goods or similar consumable products	15,000 —30,000 sq. ft. GFA	P	P	S	S	P	X	<u>5.9.05.</u>
		More than 30,000 sq. ft. GFA	S	S	S	S	S	X	<u>5.9.05.</u>
	Marihuana grower or processor		See <u>Section 5.9.19.</u> Marihuana Facilities						
	Marihuana processor, commercial production of infused products only	15,000 sq. ft. or less GFA	X	S	S	S	S	X	5.9.91
		15,000 sq. ft. or more GFA	X	S	X	X	S	X	<u>5.9.19</u>
	Materials recovery and recycling		X	S	X	X	X	X	<u>5.9.18.</u>
	Printing, publishing and allied industries		X	S	E	X	X	X	-
	Self-storage facility		X	S	X	X	S	X	<u>5.9.31.</u>
	Stone monument		X	S	S	X	S	X	-
	Warehousing, storage		X	S	E	X	X	X	-
Wholesaling activities		X	S	E	X	X	X	-	5.10.10.B-C.
Transportation	Bike-share facilities		P	P	P	P	P	P	
	Helistop (not to include heliport)		S	S	X	X	X	X	
	Car-share lots		P	S	S	P	P	X	

	Inter-modal transportation facility		P	S	S	P	S	X	-
	Marihuana secure transporter		See <u>Section 5.9.19</u> . Marihuana Facilities						
	Off-street surface parking (accessory use on same lot)		P	P	P	P	P	P	<u>5.11.11.</u>
	Off-street surface parking (principal use)		S	S	S	S	P	S	<u>5.11.11.</u>
	Overhead walkway		S	S	X	S	S	X	<u>5.9.25.</u>
	Parking structure		S	P	S	P	S	X	<u>5.9.26.</u>
	Transit center or station		P	S	S	P	S	X	-
	Transit stop		P	P	P	P	P	P	-
Utilities	Electrical substations and private utilities		S	P	P	P	P	P	<u>5.9.11.</u>
	Wireless communication facilities	Co-located antenna	P	P	P	P	P	P	<u>5.9.41.</u>
		Freestanding tower	X	X	X	X	S	X	<u>5.9.41.</u>
P = Permitted Use; S = Special Land Use; E = Existing; X = Not Permitted; "-" = Not Applicable; GFA = Gross Floor Area									
*Parcels in the TN-CC Zone District are subject to Section 5.8.07.D.									
**Parcels located in the TOD Zone Districts are subject to Section 5.6.06.C.									
***Parcels located in the TBA Zone District are subject to Sections 5.8.07.C and 5.6.06.D.									

C. Targeted Commercial Corridors.

1. *Purpose.* One of the traditional key measures of success of a downtown is its ability to provide continuous mixed-use street frontages with retail uses and eating and drinking facilities occupying the ground floor of

buildings on streets that have a well-defined and detailed pedestrian realm. Buildings with frontage on a Targeted Commercial Corridor are intended to accommodate a mix of outdoor activities, such as patios, seating areas, pocket plazas and spacious walkways provide an interesting experiences for the downtown visitor, resident, and worker alike.

2. *Affected Streets.* In accordance with the recommendations of the GR Forward Downtown & River Action Plan, a "Targeted Commercial Corridor" is established as shown on the Zone Districts Maps. The Targeted Commercial Corridor includes the following streets. However, the Zone District Maps shall be the principal source for the Corridor locations.
 - a. Pearl Street, between Division Avenue and Monroe Avenue.
 - b. Monroe Center, between Monroe Avenue and Division Avenue.
 - c. Ionia Avenue, between Monroe Center and Cherry Street.
 - d. South Division Avenue, between Fulton Street and Wealthy Street.
 - e. Bridge Street, between Seward Avenue and Turner Avenue.
3. *Use Requirements.* Parcels located on affected streets referenced in Section 5.6.06.C.2 shall be subject to the land use regulations applicable to the TN-TBA Zone District.
4. A minimum of thirty (30) feet of commercial space depth is required for eligible ground floor uses.
- D. For parcels located within the TBA Zone District, a ground floor office use is permitted, unless the use is located within twenty (20) feet of a front lot line abutting a Neighborhood Business or Urban Center Street. Special Land Use approval is required when ground floor office uses are located within twenty (20) feet of a front lot line abutting a Neighborhood Business or Urban Center Street.
- E. For Multiple-Family developments that utilize the Affordable Housing Bonus outlined in Section 5.6.08.B.2.e. ground floor residential dwellings may be permitted subject to the Special Land Use requirements of Section 5.12.09.

(Ord. No. 2017-56, §§ 4, 5, 10-24-17; Ord. No. 2018-32, §§ 3—5, 6-5-18; Ord. No. 2018-39, § 3, 7-10-18; Ord. No. 2018-45, §§ 1—3, 7-24-18; Ord. No. 2018-62, § 2, 10-23-18; Ord. No. 2018-69, § 6, 12-18-18; Ord. No. 2018-70, § 1, 12-18-18; Ord. No. 2019-10, §§ 2, 3, 3-26-19; Ord. No. 2019-16, § 1, 4-23-19; Ord. No. 2020-13, §§ 3, 5, 6, 4-28-20; Ord. No. 2020-21, §§ 1—4, 7-7-20; Ord. No. 2021-03, §§ 1—3, 1-26-21; Ord. No. 2022-30, § 3, 8-23-22)

Sec. 5.6.07. - Site Layout and Building Placement Requirements.

- A. *Site Layout and Building Placement Table.* All development in Mixed-Use Commercial Zone Districts shall comply with the requirements in the Table 5.6.07.A. unless otherwise expressly stated, or unless a different requirement is contained in an applicable Overlay District. Lot area and lot width requirements in Table 5.6.07.A. shall be used for any newly created lot. The intent of these requirements is to promote mixed-use development and rehabilitation that:
 1. Encourages the location of new buildings to anchor corners and screen parking at important street intersections;
 2. Meets the intent of the placemaking elements of the Zone District.
 3. Ensures that new buildings relate well to each other, existing buildings and the abutting street;
 4. Maintains or creates a continuous street wall that contributes to the unique character of the Zone District;
 5. Organizes outlot development on larger parcels to improve visual and functional coherence;

6. Encourages parking to the side and rear of main buildings;
7. Consolidates driveways on primary streets and encourages vehicular access from secondary streets; and
8. Provides adequate sidewalk space for pedestrian access and comfort.

Table 5.6.07.A. Site Layout and Building Placement: Mixed-Use Commercial Zone Districts										
Neighborhood Classification	TN				MCN		MON		NOS	Other Regulations
Zone District	CC	TCC	TBA	TOD	C	TOD	C	TOD		
Minimum Lot Area	-	-	3,000	-	4,000	-	4,000	-	5,000	5.6.07.B. 5.2.05.B.
Residential (sq. ft./unit)	-	750	750	-	1,750	-	2,000	1,000	1,250	5.6.07.B.
Urban Open Space	✓	✓	✓	✓	-	✓	-	✓	-	5.11.14.
Minimum Lot Width (feet)										
Ground floor residential	25	25	36	36	40	36	60	40	60	5.2.05.C.
Mixed-use and non-residential	25	25	25	25	40	25	60	25	60	
Setbacks (feet)										
Required Building Line, as measured from back of curb										5.6.07.C.
Ground floor residential	14 ¹	19	19	19	-	19	-	19	-	
Regional or Major Street with on-street parking	14 ¹	14 ¹	12 ¹	14 ¹	-	14 ¹	-	14 ¹	-	
Regional or Major Street without on-street parking	19 ¹	19 ¹	17 ¹	19 ¹	-	19 ¹	-	19 ¹	-	

All other streets	14 ¹	14 ¹	12 ¹	14 ¹	-	14 ¹	-	14 ¹	-	
Minimum Setback, as measured from property line										
Front setback	-	-	-	-	20	-	25	-	25 ¹	5.6.07.D.
Side setback, Commercial use abutting ground- floor residential use ³	-	10	10	10	15	10	15	10	15	5.6.07.E.
Side setback, all others ⁴	-	0 or 5	0 or 5	0 or 5	10	0 or 5	10	0 or 5	10	
Rear setback ³	-	10	18	18	25	18	25	18	25	5.6.07.F.
Building Façade Along RBL	90%	80%	70%	70%	-	70%	-	70%	-	5.6.07.G.
Minimum Greenspace (% of lot area)										
Residential	5%	10%	15%	5%	20%	5%	20%	5%	30%	5.6.07.H.
Mixed-use and non- residential	5%	10%	10%	5%	15%	5%	15%	5%	20%	
Minimum Tree Canopy (% of land area measured from above)										
Residential	5%	10%	12%	5%	18%	10%	20%	12%	26%	
Mixed-use and non- residential	5%	10%	12%	5%	18%	10%	20%	12%	26%	
¹ This dimension shall apply in areas not established, per Section 5.6.07.C.										
² The minimum residential lot area requirement allows for 2 residential units. The residential sq. ft./unit requirement shall be used in lieu of the minimum lot area requirement for developments which include 3 or more residential units.										
³ See Section 5.11.12.D. for minimum landscape buffer widths where non-residential uses abut residential uses.										

⁴ A side yard setback of 0 (zero) shall mean as close to the lot line as practicable.

- B. *Lot Density*. The minimum lot area requirements may not permit the maximum permitted density. Other factors, such as off-street parking, height limits, and lot configuration may limit the overall density.
- C. *Required Building Line (RBL)*. The following RBL requirements shall be used to ensure consistent building placement from public streets, reinforce the purpose of the Neighborhood Classification designations, recognize the appropriate positioning of varying land uses within a Zone District, permit access from the public right-of-way, and provide property owners with the maximum use of a constrained site than would otherwise be possible with a minimum setback requirement. The requirements for RBLs do not apply to the MCN-C, MON-C or NOS Districts.
1. *Established RBL*.
 - a. The RBL shall be consistent with the established dimension of existing main buildings fronting on the same block and in the same Zone District, except where existing buildings are set back more than twenty (20) feet from the public right-of-way, in which case the provisions of C.3 below shall apply.
 - b. As established RBL shall not be used to permit the encroachment into public or private right-of-way.
 2. *New Development*.
 - a. If no uniform RBL has been established, the RBL defined in Table 5.6.07.A. shall be met for all new structures, measured from the back of the street curb without regard to the location of the lot line.
 - b. RBL requirements apply only to the first twenty (20) feet of building height. Above twenty (20) feet, buildings may be built out to the front lot line.
 - c. Columns shall not be placed in the sidewalk area to support the building above the twenty (20) foot height.
 3. *Maximum RBL*.
 - a. New structures shall be located within three (3) feet of either side of the established minimum uniform RBL.
 - b. If no uniform RBL has been established, the building line for all new structures shall be no farther back than ten (10) feet from the RBL.
 - c. This provision shall not apply to residential structures, to the residential portion of multi-use structures, nor to any level of the building above the second story.
 4. *Exceptions*.
 - a. Where a lot line abuts three (3) or more streets, the RBL provisions shall apply to only two (2) streets, as determined by the Director. To designate RBLs, the Director may consider all relevant factors and information, including, but not limited to:
 - i. The existing or the intended character of existing or proposed streets on which the lot has, or is proposed to have, frontage; and
 - ii. The locations of front and corner side property lines on adjacent lots or lots located on the opposite side of the street; and
 - iii. Adjacency to the same or similar land uses.

- b. Additions to existing structures and portions of new structures in residential use shall be exempt from the RBL provisions.
- 5. *Administrative Departures.* An Administrative Departure from RBL requirements may be approved to allow:
 - a. An adjustment in the established RBL up to ten (10) feet to accommodate individual site conditions, such as healthy mature trees, significant grade change, or other similar physical conditions that make meeting the RBL impractical.
 - b. An adjustment in the RBL of up to thirty (30) feet for buildings constructed for the exclusive purpose of ground-floor residential use.
- D. *Minimum Front Yard Setback.* The minimum front yard setback in Table 5.6.07.A applies in the MCN-C, MON-C and NOS Zone Districts. Buildings and structures in these districts shall be located at or behind the required front setback so long as all other setback requirements are met.
- E. *Side Yard Setback.*
 - 1. A landscape buffer, per Section 5.11.12., shall be provided in the side yard when adjacent to a residential use. Landscape buffer requirements may increase the side yard setback.
 - 2. Side yard setbacks shall be zero or at a setback sufficient to permit building maintenance.
- F. *Rear Yard Setback.*
 - 1. Encroachments into the rear yard may be permitted to accommodate parallel parking, waste receptacles, or other similar activities, provided that alleys or other vehicular or pedestrian access ways are not blocked or impeded.
 - 2. A landscape buffer, per Section 5.11.12., shall be provided in the rear yard when abutting a residential use. Landscape buffer requirements may increase the required rear yard setback. Encroachments are not permitted in the landscape buffer.
- G. *Building Façades Along RBLs.*
 - 1. *RBL Requirements.* Building façades along RBLs shall meet the requirements of Table 5.6.08.A. Building Elements.
 - 2. *RBL Reduction.* For buildings with more than seventy-five (75) feet of street frontage, up to thirty (30) percent of the façade along the RBL may be exempt from the RBL requirements contained in Table 5.6.08.A., provided the area is used for a building entrance or urban open space complying with the standards of Section 5.11.14.
 - 3. *Accessory Use.* In the Traditional Neighborhood districts at least one (1) of any provided accessory use to hospital and institutional campuses, such as a coffee shop or gift shop, shall be placed on the public right-of-way or sidewalk to contribute to the creation of an active streetscape. Storefront windows, door entrances and façade treatments shall comply with the TN-TBA Zone District requirements of Table 5.6.08.A.
 - 4. *Multiple Main Buildings.* Where multiple main buildings are placed on a lot and one (1) or more are not placed at the RBL, the building frontage of any main building located along the RBL shall be at least as long as the building frontage of the largest main building located on the same lot.
- H. *Minimum Lot Greenspace.*
 - 1. *Purpose.* The minimum greenspace requirements are designed to ensure a sufficient amount of area for recreation, nature, and greenspace as well as to provide a pervious surface to assist in stormwater management.

2. *Applicability.* The minimum required greenspace provision shall apply to each lot in its entirety. Greenspace includes all natural pervious land surfaces that are covered with soil (and usually with lawns, landscaping, or other plant materials) or water bodies; and does not include permanent structures, sidewalks, patios, decks, or pavement of any type including gravel except as permitted for a stormwater credit.
3. *Stormwater Credit.* Up to twenty-five (25) percent of the minimum calculated greenspace requirements may consist of pervious hardscape surfaces, such as grass pavers, uncovered decks, brick pavers with a sand base, pervious concrete and asphalt, if used to account for the stormwater requirements of Chapter 32 of the City Code.
4. *Front Yards.* Front yards shall consist of greenspace, and impervious surfaces shall be limited to driveways and private sidewalks, except in the MON-C Zone District where hard surfacing for parking areas is allowed.
5. *Greenspace Credits.* Landscape buffers, permanent planters, landscape islands, rain gardens, vegetated walls and green roofs that are readily accessible and usable by building tenants may be included in greenspace calculations.
6. *Exception.* A reduction of not more than fifty (50) percent of the required greenspace listed in Table 5.6.07.A. is permitted for development projects that satisfy at least one (1) of the following criteria:
 - a. A stormwater mitigation plan that retains one hundred (100) percent of all stormwater on site, as approved by the City's Environmental Protection Services Department (EPSD).
 - b. Submittal of a LEED checklist and proof of registration that demonstrates the intent to apply for LEED building certification, or other generally recognized sustainable building certification.

(Ord. No. 2018-62, § 3, 10-23-18)

Sec. 5.6.08. - Building Element Requirements.

A. *Building Elements Table.*

1. *Purpose.* The intent of these requirements is to promote mixed-use development and renovation that:
 - a. Establishes a development pattern in which new buildings and building modifications enhance the character of the existing built environment;
 - b. Increases transparency (windows) to add visual interest, increase pedestrian traffic and to reduce crime through increased surveillance; and
 - c. Enhances a sense of place and contributes to the sustainability of the City; and
 - d. Orients building entrances and storefronts to the street; and
 - e. Articulates longer building façades into more human-scale increments; and
 - f. Distinguishes commercial uses based on scale and auto-orientation; and
 - g. Provides for height and other bonuses as incentives to encourage uses and amenities that implement the Master Plan; and
 - h. Encourages transportation alternatives (walking, biking and transit) to reduce automobile dependence and fuel consumption.
2. *Applicability.* All development in the Mixed-Use Commercial Zone Districts shall comply with the requirements in Table 5.6.08.A. unless otherwise expressly stated, or unless a different requirement is contained in an applicable Overlay District. Residential uses are subject to the building element requirements in Section 5.5.07.A.

3. All buildings shall comply with all necessary building code requirements to ensure proper fire protection.

Table 5.6.08.A. Building Elements: Mixed-Use Commercial Zone Districts										
Neighborhood Classification	TN				MCN		MON		NOS	Other Regulations
Zone District	CC	TCC	TBA	TOD	C	TOD	C	TOD		
Height (stories)										
Minimum required	3	2	2	2	-	-	-	-	-	5.6.08.B. <u>5.2.06.</u>
Maximum, permitted	See text	4	4	3	3	4	3	4	2.5	5.6.08.B
Maximum, with bonuses		5	-	7	6	7	6	8	-	
Materials	✓	✓	✓	✓	✓	✓	-	✓	-	5.6.08.C.
Façade, preservation and variation	✓	✓	✓	✓	-	✓	-	✓	-	5.6.08.D.
Building orientation	✓	✓	✓	✓	✓	✓	-	✓	-	5.6.08.E.
Entrance	✓	✓	✓	✓	✓	✓	-	✓	✓	5.6.08.F.
Expression line	✓	✓	✓	✓	-	✓	-	✓	-	5.6.08.G.
Minimum transparency (% of building wall area)										
Ground-floor, non-residential building façade	60%	60%	60%	60%	40%	60%	30%	60%	30%	5.6.08.H. <u>5.2.14.</u>
Upper floors, building sides and residential uses	30%	30%	30%	30%	20%	30%	15%	30%	30%	
Building step-back feature		✓	-	✓	-	✓	-	✓	-	5.6.08.I., 5.8.07.D.
Streetscape design	✓	✓	✓	✓	✓	✓	✓	✓	✓	5.6.08.J. <u>5.11.13.</u>

P = Permitted; S = Special Land Use; ✓ = Rules Apply; "-" = Not Applicable.

B. Building Height.

1. Height Limitations.

- a. Height requirements, including bonus height provisions, are subject to the provisions of Section 5.8.02. OD-DH Downtown Height Overlay Districts.
- b. Building heights in all other Mixed-Use Commercial Districts shall not exceed the maximum number of stories as listed in Table 5.6.08.A Building Elements.

2. Bonus Allowances. Buildings may qualify for a bonus height and other allowances based upon the Gross Floor Area (GFA) of the development devoted to the features and the activity established in Table 5.6.08.B.2 Bonus Table. Bonus height allowances may be used in combination provided that building heights shall not exceed the maximum number of stories in Table 5.6.08.A. Building Elements.

- a. *Urban Open Space Bonus.* To qualify for this bonus provision, at least the minimum noted urban open space shall be provided on the site, with public access directly from the sidewalk at ground level. The façade along the RBL requirement of Section 5.6.08.D. may be reduced to twenty (20) percent (e.g. a 90% requirement may be reduced to 70%) by the Director if deemed necessary to accommodate the installation of qualifying urban open space. The Director shall grant only that reduction necessary to accommodate the urban open space.

Table 5.6.08.B.3. Bonus Table

Activity/Facility Provided	District	Activity Bonus		Bonus
Urban Open Space (5.6.08.B.2.a.)	TCC, TOD, C	Minimum site area	25%	1 story
			50%	2 stories
Mixed-Income Housing (5.6.08.B.2.b.)	TCC, TBA, TOD, C	Minimum lot area/dwelling unit may be reduced by up to 500 sq. ft. per unit for providing a mix of affordable and market rate		# of units
	TCC, TOD, C	Mix of affordable and market rate dwelling units		1 story
Transit Station (5.6.08.B.2.c.)	TCC, TOD, PRD	Transit station along the assigned Bus Rapid Transit (BRT) route as approved by The Rapid		3 stories

Micro-Unit (5.6.08.B.2.d)	TCC, TBA, TOD, C	Minimum lot area per dwelling unit waived	
Affordable Housing (5.6.08.B.2.e)	TCC, TBA, TOD, C	Minimum lot area/dwelling unit (See Sec. 5.8.08.2.e.i)	# of units
		Minimum lot area/dwelling unit (See Sec. 5.8.08.2.e.ii)	# of units
	TCC, TOD, C	Minimum lot area/dwelling unit (See Sec. 5.8.08.2.e.ii)	1 story
Bonus heights for the TN-CC Zone District are described in Section 5.8.02.C. under the OD-DH Overlay District.			

- b. **Mixed-Income Housing Bonus.** Two (2) bonus options are available for development projects that satisfy the criteria below: 1) the minimum lot area per dwelling unit in a multiple family development may be reduced by up to five hundred (500) square feet per unit, and/or 2) within the TCC, TOD and C Zone Districts, one (1) additional story may be permitted above the maximum permitted by the Zone District.
- Project is located within three hundred (300) feet of a transit line, as measured from the nearest lot line to the right-of-way of the street along which the transit line runs;
 - The development includes at least twenty (20) dwelling units;
 - Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of rental units are priced for households at or below sixty (60) percent of Area Median Income, as adjusted for family size, with rental charges priced by the same method for at least fifteen (15) years.
 - Not less than fifteen (15) percent nor more than thirty (30) percent of the total number of ownership units are priced for households at or below eighty (80) percent of Area Median Income, as adjusted for family size.
 - The remaining units are priced at market rate.
 - The affordable units shall be comparable in unit sizes and amenities to the market rate units and shall be evenly distributed throughout the development.
 - Provisions shall be made for the annual certification of eligible tenants and purchasers, certification of rental property and monitoring of affordable housing requirements. A density agreement shall be approved by the City Commission.
- c. **Transit Station Bonus.** The transit station bonus shall only be approved as part of a submittal for a large development project at a location recognized by The Rapid as a desirable transit station for bus rapid transit (BRT) or trolley. A notarized statement from the Rapid verifying that the proposed transit station location and design is acceptable is required. The minimum dollar amount dedicated for this purpose shall be commensurate with the median cost of land per buildable square foot in the general vicinity.

Transit station development shall reflect the intent of urban open space requirements in Section 5.11.14.

Development of the station shall be accomplished using one (1) of the following methods.

- i. Construction by the developer shall require the submittal of appropriate drawings, detailed construction commitments, a construction schedule, and a performance guarantee meeting the requirements of Section 5.14.04 for completion of the improvements, to be approved by the City Engineer and the transit authority.
- ii. Cash contribution for transit station improvements that are to be undertaken by agencies such as The Rapid, shall enter into an agreement with the City of Grand Rapids and the agency undertaking the improvement. All agreements shall be in a form approved by the City Attorney.
- d. *Micro-Unit Density Bonus*. The minimum lot area per dwelling unit in a multiple family development may be waived when all of the following conditions are met.
 - i. The unit has a GFA of no more than four hundred seventy-five (475) square feet;
 - ii. The primary entrance of the building containing the unit(s) is located no more than three hundred (300) feet from a transit station or stop;
 - iii. In addition to required vehicle parking per Section 5.10.04.C., two (2) bike spaces per unit are provided, and;
 - iv. The unit shall be subject to the occupancy limitations of the International Property Maintenance Code, as amended.
- e. *Affordable Housing Bonus*. Affordable Housing Bonuses. There are two bonus alternatives available for Multiple-Family developments in accordance with the provisions of Table 5.6.08.B.
 - i. *Alternative 1*: The minimum lot area per dwelling unit may be reduced by up to five-hundred (500) square feet per dwelling unit where at least twenty (20) percent of the total number of dwelling units are priced between sixty (60) percent and seventy-nine (79) percent of Area Median Income, as adjusted for family size, with rates remaining affordable for at least thirty (30) years.
 - ii. *Alternative 2*: This alternative contains two (2) bonus opportunities: a density bonus and a height bonus: 1) the minimum lot area per dwelling unit may be reduced by up to one thousand (1,000) square feet per dwelling unit, and/or 2) within the TCC, TOD and C Zone Districts, one (1) additional story above the maximum permitted by the Zone District may be permitted, where at least twenty (20) percent of the total number of dwelling units are priced at or below thirty (30) percent of Area Median Income, as adjusted for family size, with rates remaining affordable for at least thirty (30) years.
 - iii. The Affordable Housing Bonus, as permitted in subsections i. and ii. above, are available only when the following conditions are met:
 - 1) The affordable units shall be comparable in unit sizes, amenities and location with the market rate units.
 - 2) The property owner agrees to the submission of annual reports to the City regarding certification of eligible tenants and purchasers, annual certification of rental property and monitoring of affordable rental housing requirements.
 - 3) That the property owner agrees in writing and recorded with the Kent County Register of Deeds and in a form approved by the City Attorney, that continual compliance with all conditions contained herein are necessary to maintain compliance with this Chapter. A violation of any

condition is a violation of the Zoning Ordinance and is a nuisance per se for which the City of Grand Rapids may in addition to other remedies, institute any court or enforcement action provided for by law, including but not limited to, seeking injunctive relief or abatement after a notice and hearing before the Board of Zoning Appeals.

3. *Administrative Departures.* An Administrative Departure from building height requirements may be permitted for:

- a. A reduction in the minimum height requirement for auto-oriented uses and for buildings in those Zone Districts where seventy (70) percent or more of existing buildings and structures located on the same block are single story.
- b. Reconstruction to the former building height (that exceeds the maximum permitted height in Table 5.6.08.A.) where a building is partially destroyed by an Act of God. The determination shall consider factors such as the extent of destruction, character of the building and its surroundings and cost of reconstruction.

C. *Materials.*

1. *Permitted Materials.*

- a. Durable building materials, simple configurations and solid craftsmanship are required.
- b. *Primary Materials.*
 - i. Fifty (50) percent of walls visible from public streets, exclusive of wall areas devoted to meeting transparency requirements shall be constructed of brick, glass, fiber cement siding, wood lap, stucco, split-faced block, or stone. Metal siding or paneling may only be allowed as a primary material upon Director Review, and where combined with a masonry foundation which extends a minimum two feet above adjacent grade.
 - ii. To provide visual depth and strong shadow lines, clapboard siding must have a minimum butt thickness of a quarter (¼) inch.
 - iii. To ensure durability and visual character, metal siding or paneling shall be minimum 24 gauge with no visible fasteners. Any change in profile shall be non-corrugated and have rib depth of a minimum 1-inch. Departure from these requirements may be approved by the Planning Commission with a Special Land Use approval.

c. *Secondary Materials.*

- i. EIFS and vinyl or aluminum siding shall only be used for accents.
- ii. Metal shall be limited to beams, lintels, trim elements and ornamentation only. Architectural metal siding or paneling may be used as a secondary building material by Director Review or Special Land Use approval, subject to the limitations above for primary material.

2. Where more than one (1) façade material is proposed vertically, the heavier material in appearance shall be incorporated below the lighter material (e.g. masonry below siding).

3. *Roofing Materials.*

- a. Roofing materials shall be those used and installed in a manner customary for the materials used in construction of the main building, shall be compatible in character and scale with the structure on which it is being installed, shall be installed according to the manufacturer's specifications, shall have no visible fasteners, and shall be uniform in type and appearance within each uninterrupted roof plane.

- b. Acceptable roof materials include three hundred (300) pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. The Director may permit "engineered" wood or slate with an approved sample and examples of successful, high quality local installations.
 - c. Corrugated roofing materials are not permitted.
 - 4. *Administrative Departure.* Other materials of equivalent or better quality, including high quality synthetic material, may be approved, if determined appropriate for the building, site, and area with an approved sample and examples of successful, high quality local installations.
- D. *Façade Preservation and Variation.*
- 1. *Exterior Alterations.* Exterior changes and façade renovations shall not destroy or cover original details on a building, wherever practicable. Brick and stone façades shall not be covered with artificial siding or panels.
 - 2. *Window and Door Openings.* Existing window and door openings shall be maintained wherever practicable. New window and door openings shall maintain a similar horizontal and vertical relationship as the originals.
 - 3. *Vertical and Horizontal Lines.* The vertical lines of columns and piers, and the horizontal definition of spandrels and cornices, and other primary structural elements shall be maintained wherever practicable.
 - 4. *Articulation and Variation.*
 - a. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance. Building wall offsets (projections and recesses), cornices, plinths, quoins, varying building materials or pilasters shall be used to break up the mass of a single building.
 - b. Façade Interruptions. The maximum linear length of an uninterrupted building façade facing a public street and/or park shall be thirty (30) feet.
 - c. Blank or windowless walls shall not make up more than thirty (30) percent of each building façade per story (as measured from floor to floor), and have no horizontal distance greater than fifteen (15) feet per story. Blank, windowless walls facing public streets and/or parks are prohibited.
 - d. An Administrative Departure may be approved to allow the following:
 - i. An increase of up to five (5) feet to the thirty (30) foot uninterrupted building façade facing public streets requirements may be approved.
 - ii. Permitted of other methods to provide adequate articulation, provided that the visual effect of articulation is maintained. Examples of acceptable variations may include architectural or artistic details or features, a variation in color or materials and enhanced ornamentation around building entranceways.
 - 5. *Large Developments.* Developments planned for retail or wholesale sales composed of one (1) or more main buildings each of which exceeds thirty thousand (30,000) square feet GFA; or developments with a single large commercial establishment with a main building exceeding thirty thousand (30,000) square feet GFA, shall:
 - a. Create a series of smaller "liner buildings" that are positioned along the primary façade of the main building to break up the building mass; or
 - b. Design the primary façade of the main building so that it appears to have a series of multiple small storefronts without individual doorways.

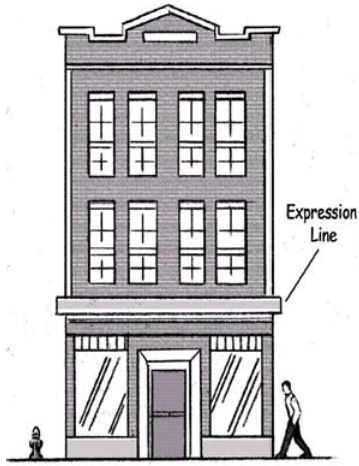
E. *Building Orientation.*

1. *Primary Entrance.* The primary building entrance shall be located in the front façade parallel to the street. Main building entrances and exits shall be located on the primary street.
2. *Administrative Departure.* Alternative orientations may be permitted where they are consistent with existing adjacent development.

F. *Entrances.*

1. *Primary Entrance.* The primary building entrance shall be located in the front façade parallel to the street. At least one (1) main building entrance shall be located on the primary street. A clearly identifiable and usable building entrance is required for every sixty (60) feet of a building's frontage on a primary street.
2. *Recessed Doorways.* Where the building entrance is located on or within five (5) feet of a lot line or public sidewalk easement, whichever is closest to the face of the building. Doorways shall be recessed into the face of the building to provide a sense of entrance, to add variety to the streetscape, and provide pedestrian protection from a swinging door.
 - a. The entrance recess shall not be less than the width of the door(s) when opened outward.
 - b. The entrance recess may not exceed the entrance width;
 - c. The entrance may not exceed two (2) stories in height; and
 - d. Doors for nonresidential uses along all street frontages shall be consistent with the design of principal entrances and include glass and full operating hardware in the design of the door.
3. *Residential Dwellings.* Entrances for all residential dwellings shall be clearly defined by at least two (2) of the following:
 - a. Projecting or recessed entrance.
 - b. Stoop or enclosed or covered porch.
 - c. Transom and/or side light window panels framing the door opening.
 - d. Architectural trim framing the door opening.
4. *Administrative Departure.*
 - a. Non-recessed entrance doors may be permitted where no safety hazard may be created.
 - b. Alternative entrance locations shall be permitted where consistent with existing adjacent development.
 - c. Other entrance definitions for residential dwellings, such as unique color treatments, sidelight windows, transom window or other adjacent windows, additional moldings with expression lines, or bays of unique width may be permitted provided the same effect is achieved.
 - d. A greater spacing for primary entrances may be allowed where the use makes the required entrance spacing impractical, provided that at least one (1) primary entrance is provided on the primary street.

G. *Expression Line.*



5.6.08.F. Expression Lines (EL).

1. A horizontal line on the façade known as the Expression Line (EL) shall distinguish the base of the building from the remainder to enhance the pedestrian environment. The EL shall be set so that the bottom of the line is no higher than sixteen (16) feet above grade. The EL shall be created by a change in material, a change in design, or by a continuous setback, recess, or projection above or below the EL. Elements such as cornices, belt courses, corbelling, molding, stringcourses, ornamentation, and changes in material or color or other sculpturing of the base, are appropriate design elements to include with an EL.
2. If applicable, the height of the EL shall be related to the prevailing scale of development in the area. A change of scale may require a transitional design element between existing and proposed features.

H. *Transparency.*

1. *Purpose.* The first floors of all buildings shall be designed to encourage and complement pedestrian-scale activity and crime prevention techniques using CPTED (Crime Prevention Through Environmental Design). It is intended that this be accomplished principally by the use of windows and doors arranged so that active uses within the building are visible from or accessible to the street, and parking areas are visible to occupants of the building.
2. Upper floor transparency is provided to ensure that access to adequate light and air is provided and that excessive areas of blank walls are avoided.
3. *Applicability.*
 - a. The minimum transparency requirement shall apply to all sides of a building that abut an urban open space or public right-of-way. Transparency requirements shall not apply to sides which abut an alley.
 - b. Windows for building sides (non-front) shall be concentrated toward the front edge of the building, in locations most visible from an urban open space or public right-of-way.
4. *General Requirements.* The General Provision requirements of [Section 5.2.14](#). Building Transparency shall apply.
5. *Windows and Displays.*
 - a. Ground level storefront windows shall be horizontal, divided into vertical segments. Heavily tinted or reflective glass, and glass block on street façades shall not be counted toward transparency requirements.
 - b. Product display windows shall be internally lit.
 - c. Interior displays shall be set back a minimum of one (1) foot from the window and shall not cover more

than fifty (50) percent of the window opening. Displays nearer than one (1) foot from the window shall be considered a window sign.

- d. No window covering or screening shall cover more than twenty-five (25) percent of windows or doors that are used to meet transparency requirements.

I. *Building Step-Backs.*

1. *Purpose.* A step-back is a portion of a building or structure that is recessed from the base of the structure at a defined story. Step-backs are required where necessary to provide a more gradual transition between heights of adjacent buildings and less intensive uses; provide greater access to sunlight for public areas, trees, and lower buildings; provide a comfortable pedestrian experience; and integrate with existing street wall buildings. It is also intended to inform the relationship between the proposed development and the heights of other buildings in the surrounding area. The requirements for building step-backs is to coordinate the proposed development with the location, height, scale, and spacing of existing or approved buildings, and in particular other buildings on the same or adjacent blocks.
2. *Applicability.* A step-back is required when one (1) of the following conditions is met:
 - a. Any building side in the TN-TCC Zone District that abuts a residential zone district.
 - b. Buildings fronting a public street in the TOD Zone Districts.
3. *Requirements.*
 - a. Where there are existing street wall buildings, the placement of the required step-back shall be no lower than the height of the existing context of the street wall buildings.
 - b. Determination of Existing Context.
 - i. An existing context of street wall buildings shall be determined by the average number of stories of buildings in the same block and on the block across the street.
 - ii. To establish an existing context, the block used in the calculation shall be occupied by existing buildings for a minimum of fifty (50) percent of the linear frontage of the block.
 - iii. Existing buildings that do not meet the minimum story requirement of the Zone District shall be excluded from the calculation of the average stories.
 - c. Where an existing context is not able to be determined, the fifth story shall be subject to the step-back requirement.
 - d. Where required, the step-back shall be at least ten (10) feet.
 - e. Building step-backs shall span a minimum horizontal width of at least seventy-five (75) percent of any affected side of a building.
4. *Administrative Departure.* The Director may approve a modification to the requirements of 3, above where they are demonstrated to be impractical due to existing building locations, location of adjacent uses, or other physical conditions related to the site or existing buildings.

(Ord. No. 2019-10, § 4, 3-26-19; Ord. No. 2020-13, §§ 4, 7, 4-28-20; Ord. No. 2021-03, §§ 4—8, 1-26-21)